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APPROPRIATIONS CALENDAR

HOUSE FILE 479  
BY COMMITTEE ON APPROPRIATIONS

Passed House, Date 3/15/91 (p. 676) Passed Senate, Date 4/18/91 (P. 134)  
Vote: Ayes 53 Nays 43 Vote: Ayes 48 Nays 1

Approved 5/31/91  
*Glenn*  
*veto*

A BILL FOR

1 An Act relating to appropriations for state departments,  
2 agencies, programs, funds, and INTERNET, and increasing the  
3 tax on the sale of cigarettes and wine coolers, adjusting the  
4 school foundation aid program, repealing certain tax rate  
5 reductions, credits, or rent reimbursements, redirecting net  
6 lottery revenues, and providing for effective and  
7 applicability dates.

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

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DIVISION I

ADMINISTRATION APPROPRIATIONS

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3 Sec. 101. There is appropriated from the general fund of  
4 the state to the office of the secretary of state for the  
5 fiscal year beginning July 1, 1991, and ending June 30, 1992,  
6 the following amounts, or so much thereof as is necessary, to  
7 be used for the purposes designated:

8 For salaries, support, maintenance, miscellaneous purposes,  
9 and for not more than the following full-time equivalent  
10 positions:

11 ..... \$ 1,722,676  
12 ..... FTEs 50.00

13 Sec. 102. There is appropriated from the general fund of  
14 the state to the offices of the governor and the lieutenant  
15 governor for the fiscal year beginning July 1, 1991, and  
16 ending June 30, 1992, the following amounts, or so much  
17 thereof as is necessary, to be used for the purposes  
18 designated:

19 1. For salaries, support, maintenance, and miscellaneous  
20 purposes for the general office of the governor and the  
21 general office of the lieutenant governor, and for not more  
22 than the following full-time equivalent positions:

23 ..... \$ 1,056,746  
24 ..... FTEs 17.00

25 2. For the governor's expenses and the lieutenant  
26 governor's expenses connected with office:

27 ..... \$ 4,000

28 3. For salaries, support, maintenance, and miscellaneous  
29 purposes for the governor's quarters at Terrace Hill, and for  
30 not more than the following full-time equivalent positions:

31 ..... \$ 101,166  
32 ..... FTEs 3.00

33 4. For the payment of expenses of ad hoc committees,  
34 councils, and task forces appointed by the governor to  
35 research and analyze a particular subject area relevant to the



1 problems and responsibilities of state and local government,  
2 including the employment of professional, technical, and  
3 administrative staff and the payment of per diem and actual  
4 expenses of committee, council, or task force members as  
5 specified pursuant to section 7E.6, subsection 1. However, a  
6 member shall not receive a per diem if the member is receiving  
7 a salary as a full-time public employee, but members shall be  
8 reimbursed for actual and necessary expenses. As a condition,  
9 limitation, and qualification of this appropriation, the ad  
10 hoc committees, councils, and task forces appointed by the  
11 governor shall be subject to chapters 21 and 22 and the  
12 members shall be so informed:

13 ..... \$ 7,000

14 5. For salaries, support, maintenance, and miscellaneous  
15 purposes for the office of administrative rules coordinator,  
16 and for not more than the following full-time equivalent  
17 positions:

18 ..... \$ 103,000

19 ..... FTEs 2.00

20 6. For payment of Iowa's membership in the national  
21 governors' conference:

22 ..... \$ 80,985

23 Sec. 103. There is appropriated from the general fund of  
24 the state to the office of the governor's drug enforcement and  
25 abuse prevention coordinator for the fiscal year beginning  
26 July 1, 1991, and ending June 30, 1992, the following amounts,  
27 or so much thereof as is necessary, to be used for the  
28 purposes designated:

29 1. For salaries, support, maintenance, miscellaneous  
30 purposes, and for not more than the following full-time  
31 equivalent positions:

32 ..... \$ 186,107

33 ..... FTEs 8.00

34 2. For the Iowa substance abuse information center located  
35 in Cedar Rapids:

1 ..... \$ 59,000

2 As a condition, limitation, and qualification of this  
3 appropriation, the drug enforcement and abuse prevention  
4 coordinator shall use the amount appropriated in this  
5 subsection to match and obtain available federal funds, the  
6 total amount of these funds to be used for the costs of the  
7 information center.

8 Sec. 104. There is appropriated from the general fund of  
9 the state to the office of treasurer of state for the fiscal  
10 year beginning July 1, 1991, and ending June 30, 1992, the  
11 following amount, or so much thereof as is necessary, to be  
12 used for the purposes designated:

13 For salaries, support, maintenance, miscellaneous purposes,  
14 and for not more than the following full-time equivalent posi-  
15 tions:

16 ..... \$ 762,064  
17 ..... FTEs 28.00

18 Sec. 105. There is appropriated from the general fund of  
19 the state to the executive council for the fiscal year  
20 beginning July 1, 1991, and ending June 30, 1992, the  
21 following amount, or so much thereof as is necessary, to be  
22 used for the purposes designated:

23 For salaries, support, maintenance, miscellaneous purposes,  
24 and for not more than the following full-time equivalent posi-  
25 tions:

26 ..... \$ 41,855  
27 ..... FTEs 1.12

28 Sec. 106. There is appropriated from the general fund of  
29 the state to the following named agencies for the fiscal year  
30 beginning July 1, 1991, and ending June 30, 1992, the  
31 following amounts, or so much thereof as is necessary, to be  
32 used for the purposes designated:

33 1. NATIONAL CONFERENCE OF STATE LEGISLATURES

34 For support of the membership assessment:

35 ..... \$ 75,848

1        2. COMMISSION ON UNIFORM STATE LAWS

2        For support of the commission and expenses of the members:

3 ..... \$            14,000

4        Sec. 107. There is appropriated from the general fund of  
5 the state to the department of general services for the fiscal  
6 year beginning July 1, 1991, and ending June 30, 1992, the  
7 following amounts, or so much thereof as is necessary, to be  
8 used for the purposes designated:

9        1. ADMINISTRATION DIVISION

10       For salaries, support, maintenance, miscellaneous purposes,  
11 and for not more than the following full-time equivalent posi-  
12 tions:

13 ..... \$            631,086

14 ..... FTEs            18.00

15       2. COMMUNICATIONS DIVISION

16       For salaries, support, maintenance, miscellaneous purposes,  
17 and for not more than the following full-time equivalent posi-  
18 tions:

19 ..... \$            207,217

20 ..... FTEs            19.00

21       3. MATERIALS MANAGEMENT DIVISION

22       For salaries, support, maintenance, miscellaneous purposes,  
23 and for not more than the following full-time equivalent posi-  
24 tions:

25 ..... \$            92,948

26 ..... FTEs            3.30

27       4. PROPERTY MANAGEMENT DIVISION

28       For salaries, support, maintenance, miscellaneous purposes,  
29 and for not more than the following full-time equivalent posi-  
30 tions:

31 ..... \$            3,942,689

32 ..... FTEs            150.00

33       5. PRINTING AND MAIL DIVISION

34       For salaries, support, maintenance, miscellaneous purposes,  
35 and for not more than the following full-time equivalent posi-

1 tions:

2 .....	\$	511,163
3 .....	FTEs	22.00

4 6. RECORDS MANAGEMENT DIVISION

5 For salaries, support, maintenance, miscellaneous purposes,  
6 and for not more than the following full-time equivalent posi-  
7 tions:

8 .....	\$	441,394
9 .....	FTEs	13.00

10 7. INFORMATION SERVICES DIVISION

11 For salaries, support, maintenance, miscellaneous purposes,  
12 and for not more than the following full-time equivalent posi-  
13 tions:

14 .....	\$	7,014,667
15 .....	FTEs	158.00

16 8. The department of general services shall not change the  
17 appropriations for the purposes designated in subsections 1  
18 through 7 from the amounts appropriated under those  
19 subsections unless notice of the revisions is given prior to  
20 their effective date to the legislative fiscal bureau. The  
21 notice shall include information on the department's rationale  
22 for making the changes.

23 9. Savings achieved in providing telecommunications  
24 services shall be used by the department of general services  
25 to increase efficiencies in the provision of those services.  
26 The department of general services shall report semiannually  
27 to the chairpersons and the ranking members of the  
28 administration appropriations subcommittees and to the  
29 legislative fiscal bureau. The reports shall include a  
30 listing of the projects and efficiencies undertaken, the cost  
31 of each project, and the benefits, including the projected  
32 savings on an annual basis and for the life of the efficiency  
33 improvement.

34 10. The division administrators within the department of  
35 general services shall cooperate with the legislative fiscal

1 bureau to develop definitions of goals and performance  
2 measures for the divisions and programs selected by the  
3 administration appropriations subcommittees or by the  
4 legislative fiscal bureau. Data for these measures shall be  
5 collected and provided to the legislative fiscal bureau in a  
6 timely manner. The department of general services shall also  
7 cooperate with the department of management and provide  
8 performance data in a timely manner as needed by the  
9 department of management. The department of management shall  
10 provide regularly copies of its performance report to the  
11 legislative fiscal bureau.

12 Sec. 108. There is appropriated from the general fund of  
13 the state to the department of general services for the fiscal  
14 year beginning July 1, 1991, and ending June 30, 1992, the  
15 following amounts, or so much thereof as is necessary, to be  
16 used for the purposes designated:

17 1. CAPITOL PLANNING COMMISSION

18 For expenses of the members in carrying out their duties  
19 under chapter 18A:

20 ..... \$ 2,000

21 2. UTILITY COSTS

22 For payment of utility costs:

23 ..... \$ 1,902,000

24 Notwithstanding section 18.12, subsection 11, any excess  
25 funds appropriated for utility costs in this subsection shall  
26 not be deposited in the general fund of the state on June 30,  
27 1992, and these funds are to be used for implementation of  
28 energy conservation projects having a payback of 100 percent  
29 within a 2-year to 6-year period. The department of general  
30 services shall report semiannually to the chairpersons and  
31 ranking members of the administration appropriations  
32 subcommittees and to the legislative fiscal bureau. The  
33 reports shall include a listing of the projects undertaken,  
34 the cost of each project, and the projected savings on an  
35 annual basis and for the life of the project.

1 3. RENTAL SPACE

2 For payment of lease or rental costs of buildings and  
3 office space at the seat of government as provided in section  
4 18.12, subsection 9, notwithstanding section 18.16:

5 ..... \$ 653,525

6 Sec. 109. There is appropriated from the revolving funds  
7 designated to the department of general services for the  
8 fiscal year beginning July 1, 1991, and ending June 30, 1992,  
9 the following amounts, or so much thereof as is necessary, to  
10 be used for the purposes designated:

11 1. From the centralized printing permanent revolving fund  
12 established by section 18.57 for salaries, support,  
13 maintenance, miscellaneous purposes, and for not more than the  
14 following full-time equivalent positions:

15 ..... \$ 952,840

16 ..... FTEs 30.00

17 2. The remainder of the centralized printing permanent  
18 revolving fund is appropriated for the expense incurred in  
19 supplying paper stock, offset printing, copy preparation,  
20 binding, distribution costs, original payment of printing and  
21 binding claims and contingencies arising during the fiscal  
22 year beginning July 1, 1991, and ending June 30, 1992, which  
23 are legally payable from this fund.

24 3. From the centralized purchasing permanent revolving  
25 fund established by section 18.9 for salaries, support,  
26 maintenance, miscellaneous purposes, and for not more than the  
27 following full-time equivalent positions:

28 ..... \$ 580,507

29 ..... FTEs 15.00

30 4. The remainder of the centralized purchasing permanent  
31 revolving fund is appropriated for the payment of expenses  
32 incurred through purchases by various state departments and  
33 for contingencies arising during the fiscal year beginning  
34 July 1, 1991, and ending June 30, 1992, which are legally  
35 payable from this fund.

1 5. From the vehicle dispatcher revolving fund established  
2 by section 18.119 for salaries, support, maintenance, miscel-  
3 laneous purposes, and for not more than the following full-  
4 time equivalent positions:

5 .....	S	595,786
6 .....	FTEs	17.00

7 6. The remainder of the vehicle dispatcher revolving fund  
8 is appropriated for the purchase of gasoline, gasohol, oil,  
9 tires, repairs, and all other maintenance expenses incurred in  
10 the operation of state-owned motor vehicles and for contin-  
11 gencies arising during the fiscal year beginning July 1, 1991,  
12 and ending June 30, 1992, which are legally payable from this  
13 fund.

14 7. The vehicle dispatcher shall report, not later than  
15 January 2, 1992, to the chairpersons and the ranking members  
16 of the administration appropriations subcommittees and to the  
17 legislative fiscal bureau regarding the efficiencies of the  
18 vehicle fleet and the changes in the efficiencies. The report  
19 shall include the cost per mile, fuel efficiencies,  
20 maintenance costs, useful life, the costs of extending the  
21 useful life, and other measures which the vehicle dispatcher  
22 or the legislative fiscal bureau finds appropriate. The  
23 information shall be reported for each general type of  
24 vehicle. The overhead costs shall also be reported with the  
25 total costs of the vehicle dispatcher operations. The vehicle  
26 dispatcher shall update this report at the end of the fiscal  
27 year and report to the subcommittees and legislative fiscal  
28 bureau by September 1, 1992.

29 8. The department of general services shall report  
30 semiannually, during January and July of 1992, the results of  
31 the project testing the potential for burning an 85 percent  
32 ethanol mixture in the state's test vehicles. The report  
33 shall include, but is not limited to, purchase costs,  
34 maintenance costs, average mileage, vehicle life, problems  
35 encountered, and likely benefits.

1 Sec. 110. The department of general services shall  
2 develop, in consultation with the legislative fiscal bureau, a  
3 methodology for directly billing state agencies for all of the  
4 services provided by the department and for recovering  
5 depreciation costs. The department shall collect information  
6 showing what the billings would be for each state agency if  
7 the methodology were implemented and report the findings to  
8 the administration appropriations subcommittees and to the  
9 legislative fiscal bureau by December 1, 1991. The department  
10 shall inform all state agencies that will be affected by this  
11 methodology as to the potential costs if the methodology is  
12 implemented for the fiscal year beginning July 1, 1992.

13 Sec. 111. There is appropriated from the general fund of  
14 the state to the department of personnel for the fiscal year  
15 beginning July 1, 1991, and ending June 30, 1992, the  
16 following amount, or so much thereof as is necessary, to be  
17 used for the purposes designated:

18 1. ADMINISTRATION

19 For salaries, support, maintenance, and miscellaneous  
20 purposes for the director's staff, office services, data/word  
21 processing, and insurance cost management, and for not more  
22 than the following full-time equivalent positions:

23 .....	\$	1,077,659
24 .....	FTEs	29.65

25 2. FIELD OPERATIONS

26 For salaries for the personnel services, employment  
27 law/labor relations, and development, and for not more than  
28 the following full-time equivalent positions:

29 .....	\$	1,304,125
30 .....	FTEs	44.60

31 3. PROGRAM MANAGEMENT

32 a. For salaries for employment and compensation and  
33 benefits, and for not more than the following full-time  
34 equivalent positions:

35 .....	\$	1,140,121
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1 ..... FTEs 34.00

2 b. For salaries for the administration of the workers'  
3 compensation fund and for not more than the following full-  
4 time equivalent positions:

5 ..... \$ 143,152

6 ..... FTEs 4.00

7 Any funds received by the department for workers'  
8 compensation purposes other than the funds appropriated in  
9 paragraph "b" shall be used only for the payment of workers'  
10 compensation claims.

11 The funds for support, maintenance, and miscellaneous  
12 purposes for personnel assigned to field operations under  
13 subsection 2 and program management under subsection 3 are  
14 payable from the appropriation made in subsection 1.

15 As a condition, limitation, and qualification of this  
16 appropriation, the department of personnel shall report  
17 quarterly to the chairpersons and ranking members of the  
18 administration appropriations subcommittee concerning the  
19 number of vacancies in existing full-time equivalent positions  
20 and the average time taken to fill the vacancies. The reports  
21 shall include quarterly and annual averages organized  
22 according to state agency and general occupational category as  
23 established by the federal equal employment opportunity  
24 commission. All departments and agencies of the state shall  
25 cooperate with the department in the preparation of the  
26 reports.

27 Sec. 112. There is appropriated from the road use tax fund  
28 to the department of personnel for the fiscal year beginning  
29 July 1, 1991, and ending June 30, 1992, the following amount,  
30 or so much thereof as is necessary, to be used for the  
31 purposes designated:

32 For salaries, support, maintenance, and miscellaneous  
33 purposes to provide personnel services for the state  
34 department of transportation:

35 ..... \$ 32,829

1 Sec. 113. There is appropriated from the primary road fund  
2 to the department of personnel for the fiscal year beginning  
3 July 1, 1991, and ending June 30, 1992, the following amount,  
4 or so much thereof as is necessary, to be used for the  
5 purposes designated:

6 For salaries, support, maintenance, and miscellaneous  
7 purposes to provide personnel services for the state  
8 department of transportation:  
9 ..... \$ 330,667

10 Sec. 114. There is appropriated from the Iowa public  
11 employees' retirement system fund to the department of  
12 personnel for the fiscal year beginning July 1, 1991, and  
13 ending June 30, 1992, the following amount, or so much thereof  
14 as is necessary, to be used for the purposes designated:

15 For salaries, support, maintenance, and other operational  
16 purposes to pay the costs of the Iowa public employees'  
17 retirement system:  
18 ..... \$ 3,786,421

19 It is the intent of the general assembly that the Iowa  
20 public employees' retirement system employ sufficient staff  
21 within the appropriation provided in this section to meet the  
22 developing requirements of the investment program.

23 It is the intent of the general assembly that the  
24 department shall continue the design, development, and imple-  
25 mentation of the data information system. Of the amount  
26 appropriated to the Iowa public employees' retirement system,  
27 the sum of \$783,000 shall be used for the design, development,  
28 and implementation of the data information system.

29 Notwithstanding section 8.33, funds designated for this  
30 project that remain unencumbered or unobligated on June 30,  
31 1992, shall not revert to the Iowa public employees'  
32 retirement system fund but shall be available for expenditure  
33 in subsequent years to complete the data information system.

34 The department of personnel shall report on or before  
35 January 1, 1992, and each 6 months thereafter until the data

1 information system is fully implemented to the chairpersons  
2 and ranking members of the administration appropriations  
3 subcommittee and to the legislative fiscal bureau, on the  
4 progress made in implementing the data information system.  
5 The report shall include, but is not limited to, moneys spent  
6 and encumbered, progress made relative to the scheduled  
7 implementation, and benefits or anticipated benefits of the  
8 system.

9 The department of personnel shall report to the  
10 chairpersons and ranking members of the administration  
11 appropriations subcommittee and to the legislative fiscal  
12 bureau the results and effectiveness of the wellness program  
13 pilot project developed and tested by the department of  
14 personnel in conjunction with the state department of  
15 transportation. The department of personnel shall submit the  
16 reports in June and December of each year of the project's  
17 existence and shall submit a final report upon completion of  
18 the project.

19 The department of personnel shall submit, annually, a  
20 report to the chairpersons and ranking members of the  
21 administration appropriations subcommittee and to the  
22 legislative fiscal bureau regarding the results of the state's  
23 top achievement recognition program. The reports submitted  
24 shall include, but are not limited to, identification of the  
25 recipients, a description of the meritorious achievements, and  
26 the awards conferred.

27 Sec. 115. There is appropriated from the general fund of  
28 the state to the department of revenue and finance for the  
29 fiscal year beginning July 1, 1991, and ending June 30, 1992,  
30 the following amounts, or so much thereof as is necessary, to  
31 be used for the purposes designated, and for not more than the  
32 following full-time equivalent positions used for the purposes  
33 designated in subsections 1 through 6:

34 .....	FTEs	644.60
35 1. AUDIT AND COMPLIANCE		

1 For salaries, support, maintenance, and miscellaneous  
2 purposes:  
3 ..... \$ 10,061,509

4 2. FINANCIAL MANAGEMENT

5 For salaries, support, maintenance, and miscellaneous  
6 purposes:  
7 ..... \$ 6,690,456

8 3. INFORMATION AND MANAGEMENT SYSTEMS

9 For salaries, support, maintenance, and miscellaneous  
10 purposes:  
11 ..... \$ 1,986,016

12 4. LOCAL GOVERNMENT SERVICES

13 For salaries, support, maintenance, and miscellaneous  
14 purposes:  
15 ..... \$ 1,383,566

16 5. TECHNICAL SERVICES

17 For salaries, support, maintenance, and miscellaneous  
18 purposes:  
19 ..... \$ 2,103,024

20 6. ADMINISTRATION

21 For salaries, support, maintenance, and miscellaneous  
22 purposes:  
23 ..... \$ 947,439

24 7. For payments of medical, dental, and life insurance  
25 premiums as required in section 79.23:  
26 ..... \$ 350,000

27 8. For payments of refunds on security deposits as  
28 required in section 422.52:  
29 ..... \$ 500,000

30 Notwithstanding any other provisions of this Act or the  
31 Code, not more than \$1,000,000 of the funds received in  
32 payment of taxes to the state of Iowa from audits conducted by  
33 the department of revenue and finance shall be credited to a  
34 special account in the state treasury and is appropriated for  
35 use by the director of revenue and finance to hire or retain

1 not more than 33 FTEs to conduct audits and investigations and  
2 initiate tax collection proceedings and enforcements if the  
3 director determines that the use of the funds for this purpose  
4 will result in collecting an additional \$2.75 in tax  
5 collections for every dollar expended in the fiscal year  
6 beginning July 1, 1991. The director shall report at least  
7 quarterly to the fiscal committee of the legislative council,  
8 the legislative fiscal bureau, and the co-chairpersons and  
9 ranking minority members of the administration appropriations  
10 subcommittee, concerning the personnel and support services  
11 provided, the funds expended, the tax obligations established,  
12 and the taxes collected under the provisions of this  
13 paragraph.

14 9. The department of revenue and finance shall not change  
15 the appropriations for the purposes designated in subsections  
16 1 through 8 from the amounts appropriated under those  
17 subsections unless notice of the revisions is given prior to  
18 their effective date to the legislative fiscal bureau. The  
19 notice shall include information on the department's rationale  
20 for making the changes.

21 The director shall report annually to the fiscal committee  
22 of the legislative council, the legislative fiscal bureau, and  
23 the chairpersons and ranking members of the administration  
24 appropriations subcommittee concerning the effectiveness of  
25 the tax audits and investigations conducted, the moneys  
26 expended, the tax obligations established, and taxes collected  
27 as a result of the tax collection and enforcement efforts of  
28 the department.

29 The department of revenue and finance shall report quar-  
30 terly to the legislative fiscal bureau concerning progress in  
31 the implementation of generally accepted accounting  
32 principles, including determination of reporting entities,  
33 fund classifications, modification of the Iowa financial  
34 accounting system, progress on preparing a comprehensive  
35 annual financial report, and the most current estimate of the

1 general fund balance based on current generally accepted  
2 accounting principles.

3 Sec. 116. The department of revenue and finance shall  
4 compile and report to the chairpersons and ranking members of  
5 the joint administration appropriations subcommittee and the  
6 legislative fiscal bureau all travel by the elected state  
7 officials and department directors whose offices or  
8 departments are within the budget jurisdiction of the joint  
9 administration appropriations subcommittee. The report shall  
10 include the destination, duration, purpose of the trip, cost,  
11 and funding source. If the expenses are paid or reimbursed  
12 from a source other than the department's or office's travel  
13 budget, the other funding source and the amount paid or  
14 reimbursed shall also be reported.

15 Sec. 117. There is appropriated from the motor vehicle  
16 fuel tax fund created by section 324.77 to the department of  
17 revenue and finance for the fiscal year beginning July 1,  
18 1991, and ending June 30, 1992, the following amount, or so  
19 much thereof as is necessary, to be used for the purposes  
20 designated:

21 For salaries, support, maintenance, and miscellaneous  
22 purposes for administration and enforcement of the provisions  
23 of chapter 324 and the motor vehicle use tax program:  
24 ..... \$ 1,049,076

25 Sec. 118. There is appropriated from the lottery fund to  
26 the department of revenue and finance for the fiscal year  
27 beginning July 1, 1991, and ending June 30, 1992, the  
28 following amount, or so much thereof as is necessary, to be  
29 used for the purposes designated:

30 For salaries, support, maintenance, miscellaneous purposes,  
31 and for not more than the following full-time equivalent posi-  
32 tions:  
33 ..... \$ 7,050,932  
34 ..... FTEs 138.55

35 Sec. 119. There is appropriated from the general fund of

1 the state to the department of management for the fiscal year  
2 beginning July 1, 1991, and ending June 30, 1992, the  
3 following amount, or so much thereof as is necessary, to be  
4 used for the purposes designated:

5 For salaries, support, maintenance, miscellaneous purposes,  
6 and for not more than the following full-time equivalent  
7 positions:

8 .....	\$ 1,563,781
9 .....	FTEs 30.00

10 Sec. 120. There is appropriated from the road use tax fund  
11 to the department of management for the fiscal year beginning  
12 July 1, 1991, and ending June 30, 1992, the following amount,  
13 or so much thereof as is necessary, to be used for the  
14 purposes designated:

15 For salaries, support, maintenance, and miscellaneous  
16 purposes:  
17 ..... \$ 55,000

18 The department of management shall report to the  
19 chairpersons and ranking members of the senate and house  
20 committees on appropriations, the chairpersons and ranking  
21 members of the administration appropriations subcommittees,  
22 the legislative fiscal committee, and the legislative fiscal  
23 bureau, the number of furloughs and the number of layoffs that  
24 occur in each state agency, the savings associated with those  
25 furloughs and layoffs, the effect of the furloughs and layoffs  
26 on services provided by the state agency, and other relevant  
27 information. The department shall provide a year-end report  
28 summarizing the information for fiscal year 1991 on or before  
29 September 1, 1991. The department shall continue this  
30 reporting for fiscal year 1992. A report on the first 5  
31 months of the fiscal year is due by January 2, 1992, and a  
32 year-end report is due by September 1, 1992.

33 Sec. 121. There is appropriated from the general fund of  
34 the state to the department of management for the fiscal year  
35 beginning July 1, 1991, and ending June 30, 1992, the

1 following amount, or so much thereof as is necessary, to be  
2 used for the purposes designated:

3 1. COUNCIL OF STATE GOVERNMENTS

4 For support of the membership assessment:

5 ..... \$ 61,000

6 2. LAW ENFORCEMENT TRAINING REIMBURSEMENTS

7 For reimbursements to local law enforcement agencies for  
8 the training of officers who resign pursuant to section  
9 384.15, subsection 7:

10 ..... \$ 123,000

11 Sec. 122. There is appropriated from the general fund of  
12 the state to the office of state-federal relations for the  
13 fiscal year beginning July 1, 1991, and ending June 30, 1992,  
14 the following amount, or so much thereof as is necessary, to  
15 be used for the purposes designated:

16 For salaries, support, maintenance, miscellaneous purposes,  
17 and for not more than the following full-time equivalent posi-  
18 tions:

19 ..... \$ 220,340

20 ..... FTEs 3.15

21 Sec. 123. Notwithstanding section 8.55, the moneys in the  
22 Iowa economic emergency fund are transferred to the general  
23 fund of the state if necessary to avoid a deficit in the  
24 general fund of the state and to defray expenses at the  
25 conclusion of the fiscal year beginning July 1, 1991, and  
26 ending June 30, 1992.

27 Sec. 124. The funds collected as administrative and  
28 related overhead costs under section 12.8 for the fiscal year  
29 beginning July 1, 1991, shall be credited to the general fund  
30 of the state. The treasurer of state shall report to the  
31 chairpersons and ranking members of the joint administration  
32 appropriations subcommittee and to the legislative fiscal com-  
33 mittee as to the amounts collected. It is the intent of the  
34 general assembly that commencing with the fiscal year  
35 beginning July 1, 1992, the administrative and related



1 overhead costs recovered shall become part of the budget of  
2 the office of treasurer of state.

3 Sec. 125. All travel expenses for all state employees  
4 shall be paid through the employee's departmental travel  
5 budget. If travel expenses are reimbursed from funds outside  
6 the department, those moneys shall be transferred to the state  
7 employee's department to pay the travel costs.

8 Sec. 126. Section 12.8, unnumbered paragraph 2, Code 1991,  
9 is amended to read as follows:

10 Investment income may be used to maintain compensating  
11 balances, and pay transaction costs for investments made by  
12 the treasurer of state, and pay administrative and related  
13 overhead costs incurred by the treasurer of state in the  
14 management of money. The treasurer of state shall coordinate  
15 with the affected departments to determine how compensating  
16 balances, or transaction costs, or money management and  
17 related costs will be established. All charges against a  
18 retirement system must be documented and notification of the  
19 charges shall be made to the appropriate administration of the  
20 retirement system affected.

21 Sec. 127. Section 554.9407, Code 1991, is amended by  
22 adding the following new subsection:

23 NEW SUBSECTION. 5. The secretary of state may adopt rules  
24 pursuant to chapter 17A, establishing fees in addition to the  
25 uniform fees established in sections 554.9403, 554.9405,  
26 554.9406, and 570A.4, for the acquisition, maintenance, and  
27 support of an optical disc imaging system.

28 Sec. 128. EFFECTIVE DATE. Section 127, being deemed of  
29 immediate importance, takes effect upon enactment.

30 DIVISION II

31 AGRICULTURE AND NATURAL RESOURCES APPROPRIATIONS

32 Sec. 201. There is appropriated from the general fund of  
33 the state to the department of agriculture and land  
34 stewardship for the fiscal year beginning July 1, 1991, and  
35 ending June 30, 1992, the following amounts, or so much

1 thereof as is necessary, to be used for the purposes  
2 designated:

3 1. ADMINISTRATIVE DIVISION

4 a. For salaries, support, maintenance, and miscellaneous  
5 purposes:

6 ..... \$ 1,185,358

7 b. To the administration division for the purpose of  
8 performing fertilizer audits:

9 ..... \$ 56,367

10 c. To the administration division for the operations of  
11 the dairy trade practices bureau:

12 ..... \$ 101,183

13 d. To the administration division for the purpose of  
14 performing commercial feed audits:

15 ..... \$ 56,367

16 e. Funds appropriated by this subsection are for the  
17 salaries and support of not more than the following full-time  
18 equivalent positions:

19 ..... FTEs 41.20

20 f. As a condition, limitation, and qualification of the  
21 appropriation under paragraph "a", \$35,000 shall be allocated  
22 to the state 4-H foundation to foster the development of  
23 Iowa's youth and to encourage them to study the subject of  
24 agriculture.

25 2. FARM COMMODITY DIVISION

26 a. For salaries, support, maintenance, miscellaneous  
27 purposes, and for not more than the following full-time  
28 equivalent positions:

29 ..... \$ 1,180,053

30 ..... FTEs 23.00

31 b. As a condition, limitation, and qualification of the  
32 appropriation under paragraph "a", \$165,000 shall be used for  
33 research and promotion of ethanol and other alternative fuels,  
34 and to perform in-state promotion of Iowa grown crops. The  
35 duties shall be performed by a full-time equivalent position

1 which is within the division.

2 3. FARMERS' MARKET COUPON PROGRAM

3 For salaries, support, maintenance, and miscellaneous  
4 purposes, to be used by the department to continue and expand  
5 the farmers' market coupon program by providing federal  
6 special supplemental food program recipients with coupons  
7 redeemable at farmers' markets, and for not more than the  
8 following full-time equivalent positions:

9	.....	\$	198,333
10	.....	FTEs	1.00

11 4. REGULATORY DIVISION

12 a. For salaries, support, maintenance, miscellaneous  
13 purposes, and for not more than the following full-time  
14 equivalent positions:

15	.....	\$	4,129,715
16	.....	FTEs	148.20

17 b. To cover the costs of inspection, sampling, analysis,  
18 and other expenses necessary for the administration of  
19 chapters 192, 194, and 195:

20	.....	\$	645,901
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21 5. LABORATORY DIVISION

22 a. For salaries, support, maintenance, and miscellaneous  
23 purposes:

24	.....	\$	727,274
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25 As a condition, limitation, and qualification of the  
26 appropriation under this paragraph, \$20,000 shall be used for  
27 the purposes of conducting a statewide gypsy moth detection  
28 survey.

29 b. To the laboratory division for the operations of the  
30 commercial feed programs:

31	.....	\$	691,675
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32 c. To the laboratory division for the operations of the  
33 pesticide programs:

34	.....	\$	1,140,208
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35 d. To the laboratory division for the operations of the

1 fertilizer programs:

2 ..... \$ 785,397

3 e. Funds appropriated by this subsection are for the  
4 salaries and support of not more than the following full-time  
5 equivalent positions:

6 ..... FTEs 84.00

7 f. The amount of full-time equivalent positions allocated  
8 under paragraph "e" may be exceeded, if all of the following  
9 conditions are satisfied:

10 (1) Additional funding other than from the state general  
11 fund is available during the fiscal year beginning July 1,  
12 1991, and ending June 30, 1992.

13 (2) The legislative council is notified of the additional  
14 funding and the number of full-time equivalent positions to be  
15 increased.

16 (3) The department of management approves the increase in  
17 full-time equivalent positions recommended by the legislative  
18 council.

19 6. SOIL CONSERVATION DIVISION

20 a. For salaries, support, maintenance, assistance to soil  
21 conservation districts, miscellaneous purposes, and for not  
22 more than the following full-time equivalent positions:

23 ..... \$ 5,132,428

24 ..... FTEs 175.52

25 b. To provide financial incentives for soil conservation  
26 practices in accordance with paragraph "c":

27 ..... \$ 6,789,972

28 c. As a condition, limitation, and qualification of the  
29 appropriation under paragraph "b", the following requirements  
30 apply to the funds appropriated by paragraph "b":

31 (1) Not more than 5 percent may be allocated for cost  
32 sharing to abate complaints filed under section 467A.47 and  
33 467A.48.

34 (2) Not more than 10 percent may be allocated for  
35 financial incentives not exceeding 50 percent of the approved

1 cost of permanent soil conservation practices under chapter  
2 467A on watersheds above publicly owned lakes in accordance  
3 with the priority list required in section 107.33A.

4 (3) The soil conservation district commissioners may  
5 allocate financial incentives not exceeding 60 percent of the  
6 cost of permanent soil conservation practices for special  
7 watershed practices or summer construction incentives under  
8 section 467A.7, subsections 17 and 19.

9 (4) Except for the allocations subject to subparagraphs  
10 (1), (2), and (3), these funds shall not be used alone or in  
11 combination with other public funds to provide a financial  
12 incentive payment greater than 50 percent of the approved cost  
13 for voluntary permanent soil conservation practices and  
14 priority shall be given to family-operated farms.

15 (5) Funds shall not be allocated for financial incentives  
16 for which the appropriation under paragraph "d" is made.

17 (6) The soil conservation committee may allocate funds to  
18 conduct research and demonstration projects to promote  
19 conservation tillage and nonpoint sources pollution control  
20 practices.

21 (7) Not more than 30 percent of a district's allocation  
22 may be allocated by the soil conservation district  
23 commissioners for the establishment of management practices to  
24 control soil erosion on land that is now row cropped.

25 (8) The financial incentive payments may be used in  
26 combination with department of natural resources funds.

27 d. To provide financial incentives for soil conservation  
28 practices not exceeding 100 percent of the approved costs or  
29 100 percent of the actual cost, whichever is less, of  
30 establishing permanent grass and buffer zones as provided  
31 under section 467A.48.

32 ..... S 206,000

33 e. The provisions of section 8.33 shall not apply to the  
34 funds appropriated by paragraphs "b" and "d". Unencumbered or  
35 unobligated funds remaining on June 30, 1995, from funds

1 appropriated under paragraphs "b" and "d" for the fiscal year  
2 beginning July 1, 1991, shall revert to the general fund on  
3 September 30, 1995.

4 Sec. 202. There is appropriated from the general fund of  
5 the state to the department of agriculture and land  
6 stewardship for the fiscal year beginning July 1, 1991, and  
7 ending June 30, 1992, the following amounts, or so much  
8 thereof as is necessary, to be used for the purposes  
9 designated:

10 To fund lamb and wool management education projects  
11 approved by the department at community colleges selected as  
12 project sites as provided in section 99E.32, subsection 3,  
13 paragraph "m":

14 ..... \$ 200,000

15 Sec. 203. There is appropriated from the general fund of  
16 the state to the department of agriculture and land  
17 stewardship for the fiscal year beginning July 1, 1991, and  
18 ending June 30, 1992, the following amount, or so much thereof  
19 as is necessary, to be used for the purpose designated:

20 For support of the pseudorabies eradication program:  
21 ..... \$ 250,000

22 Sec. 204. There is appropriated from the general fund of  
23 the state to the interstate agricultural grain marketing  
24 commission for the fiscal year beginning July 1, 1991, and  
25 ending June 30, 1992, the following amount, or so much thereof  
26 as is necessary, to be used for the purpose designated:

27 For carrying out duties of the commission as provided in  
28 Article IV of the interstate compact on agricultural grain  
29 marketing as provided in chapter 183:  
30 ..... \$ 60,000

31 Sec. 205. There is appropriated from the funds available  
32 under section 99D.13 to the regulatory division of the  
33 department of agriculture and land stewardship for the fiscal  
34 year beginning July 1, 1991, and ending June 30, 1992, the  
35 following amount, or so much thereof as is necessary, to be

1 used for the purposes designated:

2 For salaries, support, maintenance, and miscellaneous  
3 purposes for the administration of section 99D.22:

4 ..... \$ 174,090

5 Sec. 206. There is appropriated from the general fund of  
6 the state to the department of natural resources for the  
7 fiscal year beginning July 1, 1991, and ending June 30, 1992,  
8 the following amounts, or so much thereof as may be necessary,  
9 to be used for the purposes designated:

10 1. OFFICE OF DIRECTOR

11 For salaries, support, maintenance, miscellaneous purposes,  
12 and for not more than the following full-time equivalent  
13 positions:

14 ..... \$ 56,031

15 ..... FTEs 4.95

16 2. COORDINATION AND INFORMATION DIVISION

17 For salaries, support, maintenance, miscellaneous purposes,  
18 and for not more than the following full-time equivalent  
19 positions:

20 ..... \$ 728,044

21 ..... FTEs 33.95

22 3. ADMINISTRATIVE SERVICES DIVISION

23 For salaries, support, maintenance, miscellaneous purposes,  
24 and for not more than the following full-time equivalent  
25 positions:

26 ..... \$ 1,619,895

27 ..... FTEs 118.15

28 4. PARKS AND PRESERVES DIVISION

29 For salaries, support, maintenance, miscellaneous purposes,  
30 and for not more than the following full-time equivalent  
31 positions:

32 ..... \$ 5,464,239

33 ..... FTEs 216.52

34 5. FORESTS AND FORESTRY DIVISION

35 For salaries, support, maintenance, miscellaneous purposes,

1 and for not more than the following full-time equivalent  
2 positions:

3 ..... \$ 1,626,062  
4 ..... FTEs 57.71

5 6. ENERGY AND GEOLOGICAL RESOURCES DIVISION

6 For salaries, support, maintenance, miscellaneous purposes,  
7 and for not more than the following full-time equivalent  
8 positions:

9 ..... \$ 1,386,097  
10 ..... FTEs 59.62

11 7. ENVIRONMENTAL PROTECTION DIVISION

12 For salaries, support, maintenance, miscellaneous purposes,  
13 and for not more than the following full-time equivalent  
14 positions:

15 ..... \$ 2,002,785  
16 ..... FTEs 158.75

17 8. FISH AND WILDLIFE DIVISION

18 For salaries, support, maintenance, miscellaneous purposes,  
19 and for not more than the following full-time equivalent  
20 positions:

21 ..... \$ 0  
22 ..... FTEs 335.24

23 9. WASTE MANAGEMENT AUTHORITY

24 For salaries, support, maintenance, miscellaneous purposes,  
25 and for not more than the following full-time equivalent  
26 positions:

27 ..... \$ 0  
28 ..... FTEs 16.75

29 10. For reimbursement to federal agencies for cooperative  
30 contracts:

31 ..... \$ 185,983

32 11. For the green thumb program for the employment of the  
33 elderly in conservation and outdoor recreation related fields  
34 in coordination with other agencies as provided by law, and  
35 for not more than the following full-time equivalent



1 positions:

2 .....	\$	254,000
3 .....	FTEs	18.68

4 12. For programs administered by the energy and geological  
5 resources division traditionally supported from the energy  
6 research and development fund:

7 .....	\$	216,000
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8 Sec. 207. There is appropriated from the state fish and  
9 game protection fund to the division of fish and wildlife of  
10 the department of natural resources for the fiscal year  
11 beginning July 1, 1991, and ending June 30, 1992, the  
12 following amounts, or so much thereof as is necessary, to be  
13 used for the purposes designated:

14 1. For administrative support:

15 .....	\$	2,663,106
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16 2. For the law enforcement bureau of the fish and wildlife  
17 division for salaries, support, maintenance, equipment, and  
18 miscellaneous purposes:

19 .....	\$	5,154,669
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20 3. For the fisheries bureau of the fish and wildlife  
21 division for salaries, support, maintenance, equipment, and  
22 miscellaneous purposes:

23 .....	\$	4,773,909
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24 4. For the wildlife bureau of the fish and wildlife  
25 division for salaries, support, maintenance, equipment, and  
26 miscellaneous purposes:

27 .....	\$	5,181,922
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28 5. For division management of the fish and wildlife  
29 division, for salaries, support, maintenance, equipment, and  
30 miscellaneous purposes:

31 .....	\$	184,848
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32 6. As a condition, limitation, and qualification of the  
33 appropriations under this section, if reductions in  
34 expenditures are determined to be necessary to avoid a budget  
35 deficit in the fish and game protection fund, the department

1 shall take all actions necessary to avoid using license  
2 receipts or other income for capitals and acquisitions, unless  
3 the Code specifically designates the use or the receipts are  
4 required to match federal funds. The department shall not  
5 reduce personnel until all other actions necessitated by the  
6 expenditure reduction are exhausted.

7 7. As a condition, limitation, and qualification of the  
8 appropriations under this section, funds remaining in the fish  
9 and game protection fund during the fiscal year beginning July  
10 1, 1991, which are not specifically appropriated by this  
11 section are appropriated and may be used for capital projects  
12 and contingencies arising during the fiscal year beginning  
13 July 1, 1991. A contingency shall not include any purpose or  
14 project which was presented to the general assembly by way of  
15 a bill or a proposed bill and which failed to be enacted into  
16 law. For the purpose of this subsection, a necessity of  
17 additional operating funds may be construed as a contingency.  
18 Before any of the funds authorized to be expended by this  
19 subsection are allocated for contingencies, it shall be  
20 determined by the executive council that a contingency exists  
21 and that the contingency was not existent while the general  
22 assembly was in session and that the proposed allocation shall  
23 be for the best interest of the state. If a contingency  
24 arises or could reasonably be foreseen during the time the  
25 general assembly is in session, expenditures for the  
26 contingency must be authorized by the general assembly.

27 Sec. 208. There is appropriated from the marine fuel tax  
28 receipts deposited in the general fund of the state to the  
29 department of natural resources for the fiscal year beginning  
30 July 1, 1991, and ending June 30, 1992, the following amounts,  
31 or so much thereof as is necessary, to be used for the  
32 purposes designated:

- 33 1. To the parks and preserves division for maintenance and  
34 development of boating facilities and access to public waters:  
35 ..... \$ 450,000

1 2. For deposit in the state fish and game protection fund  
2 for the administration and enforcement of navigation laws and  
3 boat safety:

4 ..... \$ 150,000

5 3. To fund capitals traditionally funded from marine fuel  
6 tax receipts for the purposes specified in section 324.79:

7 ..... \$ 1,350,000

8 Notwithstanding section 8.33, the unencumbered or  
9 unobligated balances of the amounts appropriated for purposes  
10 of this subsection for the fiscal year beginning July 1, 1991,  
11 shall revert on September 30, 1993.

12 4. To fund expenditures traditionally funded from marine  
13 fuel tax revenues, but not considered as capitals or  
14 operations:

15 ..... \$ 950,000

16 Sec. 209. There is transferred on July 1, 1991, from the  
17 fees deposited under section 321G.7 to the fish and game  
18 protection fund for the fiscal year beginning July 1, 1991,  
19 and ending June 30, 1992, the following amount, or so much  
20 thereof as is necessary, to be used for the purpose  
21 designated:

22 For the purpose of enforcing snowmobile laws as part of the  
23 state snowmobile program administered by the department of  
24 natural resources:

25 ..... \$ 100,000

26 Sec. 210. There is transferred on July 1, 1991, from the  
27 fees deposited under section 106.52 to the fish and game  
28 protection fund for the fiscal year beginning July 1, 1991,  
29 and ending June 30, 1992, the following amount, or so much  
30 thereof as is necessary, to be used for the purpose  
31 designated:

32 For the purpose of administrating and enforcing navigation  
33 laws and water safety by the department of natural resources:

34 ..... \$ 950,000

35 Sec. 211. There is transferred on April 1, 1992, from the

1 fees deposited under section 321G.7 to the fish and game  
2 protection fund for the fiscal year beginning July 1, 1992,  
3 and ending June 30, 1993, the following amount, or so much  
4 thereof as is necessary, to be used for the purpose  
5 designated:

6 For the purpose of enforcing snowmobile laws as part of the  
7 state snowmobile program administered by the department of  
8 natural resources:

9 ..... \$ 100,000

10 Sec. 212. There is transferred on April 1, 1992, from the  
11 fees deposited under section 106.52 to the fish and game  
12 protection fund for the fiscal year beginning July 1, 1992,  
13 and ending June 30, 1993, the following amount, or so much  
14 thereof as is necessary, to be used for the purpose  
15 designated:

16 For the purpose of administrating and enforcing navigation  
17 laws and water safety by the department of natural resources:

18 ..... \$ 950,000

19 Sec. 213. The department of agriculture and land  
20 stewardship and the department of natural resources, in  
21 cooperation as necessary with the department of management and  
22 the department of personnel, shall provide a list to the  
23 legislative fiscal bureau, on a quarterly basis, of all  
24 permanent positions added to or deleted from the departments'  
25 table of organization in the previous fiscal quarter. This  
26 list shall include at least the position number, salary range,  
27 projected funding source or sources of each position, and the  
28 reason for the addition or deletion. The legislative fiscal  
29 bureau may use this information to assist in the establishment  
30 of the full-time equivalent position limits contained in the  
31 appropriation bill for the departments.

32 Sec. 214. TRAVEL EXPENSES.

33 1. As a condition, limitation, and qualification of the  
34 funds appropriated in section 201 of this division, the  
35 department of agriculture and land stewardship shall not spend

1 more than \$39,200 for expenses related to out-of-state travel.

2 2. As a condition, limitation, and qualification of the  
3 funds appropriated in sections 206 and 207 of this division,  
4 the department of natural resources shall not spend more than  
5 \$145,000 for expenses related to out-of-state travel.

6 Sec. 215. Notwithstanding section 17A.2, subsection 7,  
7 paragraph "g", the department of natural resources shall by  
8 rule establish prices of plant material grown at the state  
9 forest nurseries to cover all expenses related to the growing  
10 of the plants.

11 The department shall develop programs to encourage the wise  
12 management and preservation of existing woodlands and shall  
13 increase its efforts to encourage forestation and  
14 reforestation on private and public lands in the state.

15 The department shall encourage a cooperative relationship  
16 between the state forest nurseries and private nurseries in  
17 the state in order to achieve these goals.

18 Sec. 216. The laboratory division of the department of  
19 agriculture and land stewardship, the university of Iowa, and  
20 Iowa state university of science and technology shall  
21 cooperate together in developing a plan for sharing laboratory  
22 resources, eliminating duplication of efforts, and reducing  
23 the expenditures of moneys from the general fund of the state.  
24 The laboratory shall submit the plan to the members of the  
25 agriculture and natural resources appropriations subcommittee  
26 of the committees on appropriations in the senate and house of  
27 representatives, and to the legislative fiscal bureau by  
28 January 13, 1992.

29 Sec. 217. Moneys granted pursuant to the council of great  
30 lakes governors regional biomass energy program shall be  
31 awarded to the department of agriculture and land stewardship  
32 to the extent permitted by federal law and policies adopted by  
33 the council of great lakes governors.

34 Sec. 218. The department of revenue and finance in  
35 cooperation with the department of agriculture and land

1 stewardship and the department of natural resources shall  
2 track receipts to the general fund which have traditionally  
3 been deposited into the following funds:

4 1. The fertilizer fund created in section 200.9.

5 2. The pesticide fund created in section 206.12.

6 3. The dairy trade practices trust fund pursuant to  
7 section 192A.30.

8 4. The milk fund created in section 192.47.

9 5. The commercial feed trust fund created in section  
10 198.9.

11 6. The marine fuel tax fund created in section 324.79.

12 7. The energy research and development fund created in  
13 section 93.14.

14 The departments designated in this section shall prepare  
15 reports detailing revenue from receipts traditionally  
16 deposited into each of the funds. A report shall be submitted  
17 to the legislative fiscal bureau at least once for each 3-  
18 month period as designated by the legislative fiscal bureau.

19 Sec. 219. The general assembly requests that the center  
20 for health effects of environmental contamination at the  
21 university of Iowa study to the extent practicable the  
22 contribution to groundwater and surface water contamination  
23 caused by the application of lawn care chemicals. A report  
24 prepared by the center shall be forwarded to the secretary of  
25 the senate and chief clerk of the house of representatives as  
26 soon as possible.

27 Sec. 220. The department of natural resources shall  
28 provide the legislative fiscal bureau information and  
29 financial data by cost center, on at least a monthly basis,  
30 relating to the indirect cost accounting procedure, the amount  
31 of funding from each funding source for each cost center, and  
32 the internal budget system used by the department. The  
33 information shall include but is not limited to financial data  
34 covering the department's budget by cost center and funding  
35 source prior to the start of the fiscal year, and to the

1 department's actual expenditures by cost center and funding  
2 source after the accounting system has been closed for that  
3 fiscal year.

4 Sec. 221. During the fiscal year for which funds are  
5 appropriated by section 206 of this division, the department  
6 of natural resources shall not require the installation or use  
7 of equipment to control the emission of dust or other  
8 particulate matter on or by facilities for storage of grain  
9 which are located within the ambient air quality attainment  
10 areas for suspended particulates.

11 Sec. 222. Notwithstanding 1990 Iowa Acts, chapter 1260,  
12 section 8, as amended by 1991 Iowa Acts, House File 173, the  
13 environmental protection division of the department of natural  
14 resources may fill 157.55 FTEs.

15 Sec. 223. Section 107.23, Code 1991, is amended to read as  
16 follows:

17 107.23 GENERAL DUTIES.

18 The commission department shall protect, propagate,  
19 increase, and preserve the wild mammals, fish, birds,  
20 reptiles, and amphibians of the state and enforce by proper  
21 actions and proceedings the laws, rules, and regulations  
22 relating to them. The commission department shall collect,  
23 classify, and preserve all statistics, data, and information  
24 as in its opinion tend to promote the objects of this chapter,  
25 conduct research in improved conservation methods, and  
26 disseminate information to residents and nonresidents of Iowa  
27 in conservation matters.

28 ~~Upon the issuance of such data and information in printed~~  
29 ~~form to private individuals, groups or clubs, the commission~~  
30 ~~shall be entitled to charge therefor the actual cost of~~  
31 ~~printing and publication as determined by the state printer.~~

32 Sec. 224. NEW SECTION. 107.33A WATERSHED PRIORITY.

33 The commission shall each year establish a priority list of  
34 watersheds which are of highest importance based on soil loss  
35 to be used for the allocation of moneys set aside in annual

1 appropriations from the general fund to the department of  
2 agriculture and land stewardship for permanent soil  
3 conservation practices under chapter 457A on watersheds above  
4 publicly owned lakes. Chapter 17A does not apply to this  
5 section.

6 Sec. 225. NEW SECTION. 159.9A REPORTS REQUIRED TO BE  
7 FILED WITH THE GENERAL ASSEMBLY.

8 A report required to be filed with the general assembly by  
9 the department or secretary shall be filed according to  
10 procedure provided in the provision requiring the report. If  
11 the provision is silent regarding a procedure this section  
12 shall provide the applicable procedures.

13 1. The report shall be filed not later than the second  
14 Monday in January in the year after the report is required  
15 with the following persons:

16 a. The secretary of the senate and the chief clerk of the  
17 house of representatives who shall each receive ten copies.

18 b. The directors of each of the staffs of the majority and  
19 minority parties in the senate and house of representatives  
20 who shall each receive two copies.

21 c. The directors of the legislative service bureau and the  
22 legislative fiscal bureau who shall each receive two copies.

23 2. On February 1 and August 1 of each year, the department  
24 shall deliver to each member of the general assembly a list of  
25 titles of reports produced by the department during the  
26 previous six months. The department shall provide a copy of  
27 available reports upon request to a member of the general  
28 assembly or a person serving as partisan or nonpartisan staff  
29 to the general assembly.

30 Sec. 226. Section 173.14B, subsection 1, unnumbered  
31 paragraph 1, Code 1991, is amended to read as follows:

32 The board may issue and sell negotiable revenue bonds of  
33 the authority in denominations and amounts as the board deems  
34 for the best interests of the fair, for any of the following  
35 purposes ~~after-authorization-by-a-constitutional-majority-of~~



1 each-house-of-the-general-assembly-and-approval-by-the  
2 governer:

3 Sec. 227. Section 173.14B, subsection 2, Code 1991, is  
4 amended to read as follows:

5 2. The board may issue negotiable bonds and notes of the  
6 authority in principal amounts which are necessary to provide  
7 sufficient funds for achievement of its corporate purposes,  
8 the payment of interest on its bonds and notes, the  
9 establishment of reserves to secure its bonds and notes, and  
10 all other expenditures of the board incident to and necessary  
11 or convenient to carry out its purposes and powers, ~~subject to~~  
12 ~~authorization and approval required under subsection 1.~~  
13 However, the total principal amount of bonds and notes  
14 outstanding at any time under subsection 1 and this subsection  
15 shall not exceed ~~one-hundred-fifty~~ six million dollars. The  
16 bonds and notes are deemed to be investment securities and  
17 negotiable instruments within the meaning of and for all  
18 purposes of the uniform commercial code.

19 Sec. 228. Section 455A.5, subsection 6, Code 1991, is  
20 amended by adding the following new paragraph:

21 NEW PARAGRAPH. e. Adopt, by rule, a schedule of fees for  
22 permits, including conditional permits, and a schedule of fees  
23 for administration of the permits. The fees shall be  
24 collected by the department and used to offset costs incurred  
25 in administrating a program for which the issuance of the  
26 permit is made or under which enforcement is carried out. In  
27 determining the fee schedule, the commission shall consider  
28 all of the following:

29 (1) The reasonable costs associated with reviewing  
30 applications, issuing permits, and monitoring compliance with  
31 the terms of issued permits.

32 (2) The relative benefits to the applicant and to the  
33 public of a permit review, permit issuance, and monitoring  
34 compliance with the terms of the permit.

35 (3) The typical costs associated with a type of project or

1 activity for which a permit is required. However, a fee shall  
2 not exceed the actual costs incurred by the department.

3 Sec. 229. Section 455A.6, subsection 6, paragraph d, Code  
4 1991, is amended to read as follows:

5 d. Approve the budget request prepared by the director for  
6 the programs authorized by chapters 455B, 455C, 455E, and  
7 455F. The commission shall approve the budget request  
8 prepared by the director for programs administered by the  
9 energy and geological resources division, the administrative  
10 services division, and the office of the director, as provided  
11 in section 455A.7. The commission may increase, decrease, or  
12 strike any item within the department budget request for the  
13 specified programs before granting approval.

14 Sec. 230. Section 455A.7, subsection 1, unnumbered  
15 paragraph 1, Code 1991, is amended to read as follows:

16 The following ~~divisions~~ administrative units are created  
17 within the department:

18 Sec. 231. Section 455A.7, subsection 1, Code 1991, is  
19 amended by adding the following new paragraphs:

20 NEW PARAGRAPH. i. Waste management authority which has  
21 responsibilities provided in chapter 455B, part 9.

22 NEW PARAGRAPH. j. Office of the director which has  
23 responsibilities for administering the department.

24 Sec. 232. NEW SECTION. 455A.9 FEES -- PUBLICATIONS AND  
25 RECORDS.

26 1. The department may establish a schedule of fees for the  
27 following:

28 a. Subscriptions to a publication produced by the  
29 department, including periodicals. However, this subsection  
30 does not apply to application forms and materials intended for  
31 general distribution which explain departmental programs or  
32 duties.

33 Fees shall be based on the amount required to recover the  
34 reasonable costs of producing a publication, including costs  
35 relating to preparing, printing, publishing, and distributing

1 the publication. The department may establish special rates  
2 for educational institutions, other governmental entities, or  
3 multiple year subscribers. The department may reduce the fees  
4 charged for a publication by the amount of available money  
5 appropriated by a person other than the state for purposes of  
6 the production. Space in a publication may be reserved for  
7 advertising or information, including public announcements.  
8 The department may charge a person a fee to provide  
9 advertising or information in a publication. Revenues  
10 resulting from the sales of a publication, or fees charged to  
11 provide advertising or information, which exceed production  
12 costs shall be used to augment funds supporting programs  
13 administered by the department.

14 b. Providing copies of departmental records available  
15 pursuant to chapter 22. Fees shall be based on the amount  
16 required to recover the reasonable costs of collecting,  
17 compiling, maintaining, copying, and distributing the records.  
18 However, the department shall not charge a person more than  
19 the cost of copying and distributing a record, if the person  
20 is directly related to the record.

21 c. Providing copies of complete or significant parts of  
22 data sets. Fees shall be based on the fair market value of  
23 the data. However, the department may establish a special  
24 rate for persons not engaged in for-profit enterprises.

25 d. Providing copies of part or all of analyses produced by  
26 the department. The fees shall be based on the amount  
27 required to recover the reasonable costs of collecting,  
28 compiling, maintaining, and analyzing the data.

29 2. The department may implement fees required under this  
30 section according to a schedule developed by the department.  
31 However, fees charged for publications shall be fully  
32 implemented within six years from the date that the department  
33 establishes a fee schedule.

34 Sec. 233. NEW SECTION. 455A.21 REPORTS REQUIRED TO BE  
35 FILED WITH THE GENERAL ASSEMBLY.

1 A report required to be filed with the general assembly by  
2 the department or director shall be filed according to  
3 procedures provided in the provision requiring the report. If  
4 the provision is silent regarding a procedure this section  
5 shall provide the following applicable procedures:

6 1. The report shall be filed not later than the second  
7 Monday in January in the year after the report is required  
8 with the following persons:

9 a. The secretary of the senate and the chief clerk of the  
10 house of representatives who shall each receive ten copies.

11 b. The directors of each of the staffs of the majority and  
12 minority parties in the senate and house of representatives  
13 who shall each receive two copies.

14 c. The directors of the legislative service bureau and the  
15 legislative fiscal bureau who shall each receive two copies.

16 2. On February 1 and August 1 of each year, the department  
17 shall deliver to each member of the general assembly a list of  
18 titles of reports produced by the department during the  
19 previous six months. The department shall provide a copy of  
20 available reports upon request to a member of the general  
21 assembly or a person serving as partisan or nonpartisan staff  
22 to the general assembly.

23 Sec. 234. Section 467A.48, subsection 1, paragraph c,  
24 unnumbered paragraph 1, Code 1991, is amended to read as  
25 follows:

26 The Except as otherwise provided in this chapter, the  
27 amount of cost-sharing funds made available shall not exceed  
28 fifty percent of the estimated cost as established by the  
29 commissioners of a permanent soil and water conservation  
30 practice, or fifty percent of the actual cost, whichever is  
31 less, or an amount set by the committee for a temporary soil  
32 and water conservation practice, except as otherwise provided  
33 by law with respect to land classified as agricultural land  
34 under conservation cover.

35

DIVISION III

1                    ECONOMIC DEVELOPMENT APPROPRIATIONS

2        Sec. 301. There is appropriated from the general fund of  
3 the state to the department of economic development for the  
4 fiscal year beginning July 1, 1991, and ending June 30, 1992,  
5 the following amounts, or so much thereof as is necessary, to  
6 be used for the purposes designated:

7        1. ADMINISTRATIVE SERVICES DIVISION

8        a. General administration

9        For salaries, support, maintenance, miscellaneous purposes,  
10 and for not more than the following full-time equivalent  
11 positions:

12 .....	\$	915,000
13 .....	FTEs	23.00

14        b. Rural resource coordination

15        For salaries, support, maintenance, miscellaneous purposes,  
16 and for not more than the following full-time equivalent  
17 positions for rural resource coordination, the rural community  
18 leadership program, and the rural enterprise fund:

19 .....	\$	765,000
20 .....	FTEs	2.50

21        As a condition, limitation, and qualification of the  
22 appropriation under this subsection, \$140,000 shall be  
23 allocated for the rural community leadership program, and  
24 \$450,000 shall be allocated to the rural enterprise fund.

25        c. Primary research and computer center

26        For salaries, support, maintenance, miscellaneous purposes,  
27 and for not more than the following full-time equivalent  
28 positions:

29 .....	\$	350,000
30 .....	FTEs	6.50

31        d. Film office

32        For salaries, support, maintenance, miscellaneous purposes,  
33 and for not more than the following full-time equivalent  
34 positions:

35 .....	\$	200,000
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1 ..... FTEs 2.00  
2 2. BUSINESS DEVELOPMENT DIVISION  
3 a. Business development operations  
4 For salaries, support, maintenance, miscellaneous purposes,  
5 and for not more than the following full-time equivalent  
6 positions:  
7 ..... \$ 910,000  
8 ..... FTEs 18.00

9 As a condition, limitation, and qualification of the  
10 appropriation made in this subsection, the appropriation shall  
11 not be used for advertising placement contracts for out-of-  
12 state national marketing programs.

13 As a condition, limitation, and qualification of the  
14 appropriation made by this paragraph, the department shall  
15 establish a marketing initiative to assist Iowa companies  
16 producing recycling or reclamation equipment or services to  
17 expand into national markets.

18 b. Marketing advertising

19 For contracting exclusively for marketing and promotion  
20 programs and services and advertising contracts for business  
21 expansion and development programs, for electronic media,  
22 print media, and printed materials:

23 ..... \$ 2,300,000

24 c. Small business programs

25 For salaries, support, maintenance, miscellaneous purposes,  
26 and for not more than the following full-time equivalent  
27 positions for the small business program and the small  
28 business advisory council:

29 ..... \$ 235,000

30 ..... FTEs 4.50

31 d. Incubators:

32 ..... \$ 70,000

33 e. Community economic betterment program

34 For deposit in the community economic betterment program  
35 fund established by 1990 Iowa Acts, chapter 1262, section 1,

1 subsection 18, and for not more than the following full-time  
2 equivalent positions:

3 .....	\$	3,765,000
4 .....	FTEs	5.00

5 Notwithstanding section 8.33, moneys in this community  
6 economic betterment program fund at the end of the fiscal year  
7 shall not revert to any other fund but shall remain in this  
8 community economic betterment program fund and are available  
9 for expenditure for purposes of the program for subsequent  
10 fiscal years.

11 f. Business development finance corporation

12 For deposit in the business development finance corporation  
13 assistance fund established in section 28.148, and for not  
14 more than the following full-time equivalent positions:

15 .....	\$	195,000
16 .....	FTEs	2.00

17 Funds will be used for a capital access program operated  
18 under the sponsorship of the business development finance  
19 corporation. Access to the capital access program is limited  
20 to banks in rural areas.

21 g. Microenterprise development revolving fund

22 For deposit in the microenterprise development revolving  
23 fund established pursuant to section 15.240, and for not more  
24 than the following full-time equivalent positions:

25 .....	\$	720,000
26 .....	FTEs	2.40

27 h. Targeted small business program

28 For the salary, support, maintenance, miscellaneous  
29 purposes, and for not more than the following full-time  
30 equivalent position:

31 .....	\$	50,000
32 .....	FTEs	1.00

33 i. Comprehensive management assistance

34 For the salary, support, maintenance, miscellaneous  
35 purposes, and for not more than the following full-time

1 equivalent position:

2 .....	\$	300,000
3 .....	FTEs	1.00

4 Notwithstanding section 8.33, moneys committed to grantees  
5 under contract that remain unexpended on June 30 of any fiscal  
6 year shall not revert to any fund but shall be available for  
7 expenditure for purposes of the contract during the succeeding  
8 fiscal year.

9 3. COMMUNITY AND RURAL DEVELOPMENT DIVISION

10 a. Community development block grant

11 For administration and related federal housing and urban  
12 development grant administration for salaries, support,  
13 maintenance, miscellaneous purposes, and for not more than the  
14 following full-time equivalent positions:

15 .....	\$	320,855
16 .....	FTEs	14.00

17 b. Rural community 2000 program

18 For salaries, support, maintenance, miscellaneous  
19 purposes, and for not more than the following full-time  
20 equivalent positions:

21 .....	\$	1,600,000
22 .....	FTEs	1.25

23 Notwithstanding section 15.283, subsection 4, for the  
24 fiscal year beginning July 1, 1991, and ending June 30, 1992,  
25 all funds allocated under this paragraph shall be used for  
26 traditional and new infrastructure as specified under sections  
27 15.284 and 15.285.

28 c. Community progress

29 For salaries, support, maintenance, miscellaneous purposes,  
30 and for not more than the following full-time equivalent  
31 positions for administration of the community economic  
32 preparedness program, the Iowa community betterment program,  
33 and the city development board:

34 .....	\$	205,000
35 .....	FTEs	5.00



1 d. Councils of governments

2 To provide to Iowa's councils of governments funds for  
3 planning and technical assistance funds to assist local  
4 governments to develop community development strategies for  
5 addressing long-term and short-term community needs:

6 ..... \$ 300,000

7 e. Main street/rural main street program

8 For salaries and support for not more than the following  
9 full-time equivalent positions:

10 ..... \$ 365,000

11 ..... FTEs 3.00

12 Notwithstanding section 8.33, moneys committed to grantees  
13 under contract that remain unexpended on June 30 of any fiscal  
14 year shall not revert to any fund but shall be available for  
15 expenditure for purposes of the contract during the succeeding  
16 fiscal year.

17 f. Regional economic development centers

18 For salaries, support, maintenance, and miscellaneous  
19 purposes, and for not more than the following full-time  
20 equivalent positions:

21 ..... \$ 710,000

22 ..... FTEs 3.00

23 4. INTERNATIONAL DIVISION

24 a. International trade operations

25 For salaries, support, maintenance, miscellaneous purposes,  
26 and for not more than the following full-time equivalent  
27 positions:

28 ..... \$ 500,000

29 ..... FTEs 6.00

30 b. European trade office

31 For salaries, support, maintenance, miscellaneous purposes,  
32 and for not more than the following full-time equivalent  
33 positions:

34 ..... \$ 285,000

35 ..... FTEs 2.50

1 c. Asian trade office

2 For salaries, support, maintenance, miscellaneous purposes,  
3 and for not more than the following full-time equivalent  
4 positions:

5 .....	\$	255,000
6 .....	FTEs	2.00

7 d. Japan trade office

8 For salaries, support, maintenance, miscellaneous purposes,  
9 and for not more than the following full-time equivalent  
10 positions:

11 .....	\$	300,000
12 .....	FTEs	2.00

13 e. Export trade activities program

14 For export trade activities, including a program to  
15 encourage and increase participation in trade shows and trade  
16 missions by providing financial assistance to businesses for a  
17 percentage of their costs of participating in trade shows and  
18 trade missions, by providing for the lease/sublease of  
19 showcase space in existing world trade centers, by providing  
20 temporary office space for foreign buyers, international  
21 prospects, and potential reverse investors, and by providing  
22 other promotional and assistance activities, including  
23 salaries and support for not more than the following full-time  
24 equivalent position:

25 .....	\$	350,000
26 .....	FTEs	0.25

27 f. Agricultural product advisory council

28 For support, maintenance, and miscellaneous purposes:

29 .....	\$	4,000
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30 g. Partner state program:

31 .....	\$	100,000
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32 The department may contract with private groups or  
33 organizations which are the most appropriate to administer  
34 this program. The groups and organizations participating in  
35 the program shall, to the fullest extent possible, provide the

1 funds to match the appropriation made in this paragraph.

2 h. Peace institute

3 For allocation to the Iowa peace institute established in  
4 chapter 38:

5 ..... \$ 200,000

6 5. TOURISM DIVISION

7 a. Tourism operations

8 For salaries, support, maintenance, miscellaneous purposes,  
9 and for not more than the following full-time equivalent  
10 positions:

11 ..... \$ 685,000

12 ..... FTEs 15.97

13 As a condition, limitation, and qualification of the  
14 appropriation made in this paragraph, the appropriation shall  
15 not be used for advertising placements for in-state and out-  
16 of-state tourism marketing.

17 b. Tourism advertising

18 For contracting exclusively for tourism advertising for in-  
19 state and out-of-state tourism marketing services, tourism  
20 promotion programs, electronic media, print media, and printed  
21 materials:

22 ..... \$ 2,740,000

23 As a condition, limitation, and qualification of the  
24 appropriation made in this paragraph, the department shall  
25 develop public-private partnerships with Iowa businesses in  
26 the tourism industry, Iowa tour groups, Iowa tourism  
27 organizations, and political subdivisions in this state to  
28 assist in the development of advertising efforts. The  
29 department shall, to the fullest extent possible, develop  
30 cooperative efforts for advertising with contributions from  
31 other sources.

32 c. Welcome center program:

33 ..... \$ 350,000

34 Notwithstanding section 8.33, moneys committed to grantees  
35 under contract that remain unexpended on June 30 of any fiscal

1 year shall not revert to any fund but shall be available for  
2 expenditure for purposes of the contract during the succeeding  
3 fiscal year.

4 As a condition, limitation, and qualification of the  
5 appropriations made in this subsection, moneys appropriated  
6 shall be used for implementation of the recommendations of the  
7 statewide long-range plan for developing and operating welcome  
8 centers throughout the state.

9 d. Mississippi river parkway commission

10 For support, maintenance, and miscellaneous purposes:  
11 ..... \$ 19,000

12 6. WORK FORCE DEVELOPMENT DIVISION

13 a. Youth work force programs

14 For purposes of the conservation corps, including salary,  
15 support, maintenance, miscellaneous purposes, and for not more  
16 than the following full-time equivalent positions:

17 ..... \$ 1,150,000  
18 ..... FTEs 1.90

19 Notwithstanding section 8.33, moneys committed to grantees  
20 under contract that remain unexpended on June 30 of any fiscal  
21 year shall not revert to any fund but shall be available for  
22 expenditure for purposes of the contract during the succeeding  
23 fiscal year.

24 b. Job retraining program

25 To the Iowa employment retraining fund created in section  
26 15.298 including salaries and support for not more than the  
27 following full-time equivalent positions:

28 ..... \$ 1,000,000  
29 ..... FTEs 1.60

30 c. Work force investment program including salaries and  
31 support for not more than the following full-time equivalent  
32 position:

33 ..... \$ 1,000,000  
34 ..... FTEs 0.90

35 This program shall be administered through the department

1 of economic development in consultation with the state job  
2 training coordinating council. The program shall be operated  
3 on a competitive grant basis and funds shall be available for  
4 projects that increase Iowa's pool of available labor via  
5 training and support services. \$300,000 of the amount  
6 appropriated in this paragraph shall be available specifically  
7 for displaced homemaker programs.

8 d. Labor management councils

9 For salaries, support, maintenance, miscellaneous purposes,  
10 and for not more than the following full-time equivalent  
11 positions:

12 .....	\$	200,000
13 .....	FTEs	1.05

14 As a condition, limitation, and qualification of  
15 receiving a grant from funds appropriated by this  
16 paragraph, grantees shall facilitate the active  
17 participation of labor as members of labor management  
18 councils. Grantees shall make a good faith effort to  
19 either schedule meetings during nonworking hours, or  
20 obtain voluntary agreements with employers to allow  
21 employees time off to attend labor management council  
22 meetings with no loss of pay or other benefits.

23 Notwithstanding section 8.33, moneys committed to grantees  
24 under contract that remain unexpended on June 30 of any fiscal  
25 year shall not revert to any fund but shall be available for  
26 expenditure for purposes of the contract during the succeeding  
27 fiscal year.

28 Notwithstanding 1990 Iowa Acts, chapter 1255, section 37,  
29 subsection 2, moneys remaining unencumbered or unobligated  
30 from the funds appropriated for the labor management councils  
31 for the fiscal year beginning July 1, 1989, in section 99E.32,  
32 subsection 3, paragraph "k", shall be available for  
33 expenditure for the fiscal year beginning July 1, 1991, for  
34 the same purposes.

35 e. Productivity enhancement:

1 ..... \$ 150,000

2 Notwithstanding section 8.33, moneys committed to grantees  
3 under contract that remain unexpended on June 30 of any fiscal  
4 year shall not revert to any fund but shall be available for  
5 expenditure for purposes of the contract during the succeeding  
6 fiscal year.

7 Sec. 302. Notwithstanding section 28.120, subsections 5  
8 and 6, there is appropriated from the Iowa community  
9 development loan fund to the department of economic  
10 development for the fiscal year beginning July 1, 1991, and  
11 ending June 30, 1992, the following amount, or so much thereof  
12 as is necessary, to be used for the purposes designated:

13 RURAL DEVELOPMENT FINANCING:  
14 ..... \$ 50,000

15 Notwithstanding section 8.39, funds appropriated by this  
16 section shall not be subject to transfer.

17 Sec. 303. Notwithstanding section 15.251, subsection 2,  
18 there is appropriated from the job training fund created in  
19 the office of the treasurer of state for the fiscal year  
20 beginning July 1, 1991, and ending June 30, 1992, the  
21 following amount, or so much thereof as is necessary, to be  
22 used for the purpose designated:

23 For administration of chapter 280B, including salaries,  
24 support, maintenance, miscellaneous purposes, and for not more  
25 than the following full-time equivalent positions:  
26 ..... \$ 125,000  
27 ..... FTEs 2.40

28 Sec. 304. There is appropriated from the general fund of  
29 the state to the Iowa finance authority for the fiscal year  
30 beginning July 1, 1991, and ending June 30, 1992, the  
31 following amounts, or so much thereof as is necessary, to be  
32 used for the purposes designated:

33 1. HOMELESS SHELTER PROGRAM  
34 To be deposited in the housing trust fund, for the  
35 operation, construction, and rehabilitation of homeless

1 shelters under section 220.100, subsection 2, paragraph "a":  
2 ..... \$ 1,000,000

3 a. Of the amount appropriated in this subsection, as  
4 nearly as practicable, \$675,000 shall be used for operating  
5 costs, including utilities, maintenance, food, clothing, and  
6 other supplies, or staff support services for homeless  
7 shelters; \$225,000 shall be used for construction and  
8 rehabilitation of homeless shelters; and \$100,000 shall be  
9 used for assistance to homeless shelters that are facing  
10 closure. If the moneys allocated for any purposes in this  
11 paragraph are not used or dedicated by February 1 of the  
12 fiscal year, the moneys may be reallocated for the other  
13 purposes in this paragraph that have the most need as  
14 determined by the Iowa finance authority.

15 b. As a condition, limitation, and qualification of the  
16 \$1,000,000 appropriation to the housing trust fund in this  
17 subsection and notwithstanding section 200.100, subsection 6,  
18 from the moneys available for operating costs of and staff  
19 support services for homeless shelters in paragraph "a", the  
20 Iowa finance authority shall contract with a nongovernmental  
21 entity to administer the funds available for operating costs  
22 of and staff support services for homeless shelters.

23 2. HOME MAINTENANCE AND RENTAL REHABILITATION PROGRAM

24 To be deposited in the housing trust fund, to be used for  
25 the programs provided in section 220.100, subsection 2,  
26 paragraphs "b" and "c":

27 ..... \$ 400,000

28 The Iowa finance authority may award reimbursement for the  
29 costs incurred in submitting grant applications.

30 3. HOUSING ASSISTANCE PROGRAM

31 a. To provide mortgage and finance assistance to  
32 individuals for the purchase or acquisition of homes:

33 ..... \$ 500,000

34 b. Of the amount appropriated in paragraph "a", \$200,000  
35 shall be used to finance the purchase or acquisition, in

1 communities with a population of less than 10,000,  
2 manufactured homes as defined in 42 U.S.C. § 5403.

3 c. Funds provided under paragraph "a" shall not be  
4 restricted to first-time home buyers but shall be for lower  
5 income and very low income families as defined in section  
6 220.1. The assistance provided shall include at least one of  
7 the following kinds of assistance:

8 (1) Closing costs assistance.

9 (2) Down payment assistance.

10 (3) Home maintenance and repair assistance.

11 (4) Loan processing assistance through a loan endorser  
12 review contractor who would act on behalf of the authority in  
13 assisting lenders in processing loans that will qualify for  
14 government insurance or guarantee or for financing under the  
15 authority's mortgage revenue bond program.

16 (5) Mortgage insurance program.

17 Not more than 50 percent of the assistance provided by the  
18 authority shall be provided under subparagraphs (4) and (5).  
19 So long as at least one of the kinds of assistance described  
20 in subparagraphs (1) through (5) are provided, additional  
21 assistance not described in subparagraphs (1) through (5) may  
22 also be provided.

23 d. Assistance provided under paragraph "a" shall be  
24 limited to mortgages under \$55,000, except in those areas of  
25 the state where the median price of homes exceeds the state  
26 average.

27 4. RURAL COMMUNITY 2000 PROGRAM:

28 ..... \$ 1,400,000

29 Notwithstanding section 15.283, subsection 4, for the  
30 fiscal year beginning July 1, 1991, and ending June 30, 1992,  
31 all funds allocated under this paragraph shall be used for the  
32 housing category as specified under section 15.286.

33 Sec. 305. There is appropriated from the general fund of  
34 the state to the Wallace technology transfer foundation for  
35 the fiscal year beginning July 1, 1991, and ending June 30,



1 1992, the following amount, or so much thereof as is  
2 necessary, to be used for the purposes designated:

3 For salaries, support, maintenance, and other operational  
4 purposes, for funding the small business innovation research  
5 program, for transfer to the Iowa product development  
6 corporation fund established in section 28.89, and for funding  
7 activities as provided in section 28.158:

8 ..... \$ 4,460,000

9 As a condition, limitation, and qualification of the  
10 appropriation under this section, \$300,000 shall be allocated  
11 for the applied technology program at the university of  
12 northern Iowa.

13 Sec. 306. There is appropriated from the general fund of  
14 the state to INTERNET for the fiscal year beginning July 1,  
15 1991, and ending June 30, 1992, the following amount, or so  
16 much thereof as is necessary, to be used for the purposes  
17 designated:

18 For deposit in the international network on trade fund  
19 created by the INTERNET board:

20 ..... \$ 515,000

21 As a condition, limitation, and qualification of the  
22 appropriation under this section, \$140,000 shall be allocated  
23 for the Iowa international development foundation for the  
24 salaries and support for not more than the following full-time  
25 equivalent positions:

26 ..... FTEs 1.50

27 The full-time equivalent positions receiving moneys under  
28 this section are employees of the department of economic  
29 development.

30 Sec. 307. There is appropriated from the general fund of  
31 the state to the following named institutions for the fiscal  
32 year beginning July 1, 1991, and ending June 30, 1992, the  
33 following amounts, or so much thereof as is necessary, to be  
34 used for the purposes designated:

35 1. To the university of northern Iowa for the decision-

1 making science institute:

2 ..... \$ 575,000

3 2. To the Iowa state university of science and technology

4 for funding the small business development centers:

5 ..... \$ 890,000

6 As a condition, limitation, and qualification of the  
7 appropriation under this subsection, \$100,000 shall be  
8 allocated for the federal procurement office for the salaries  
9 and support for not more than the following full-time

10 equivalent positions:

11 ..... FTEs 2.00

12 3. To the Iowa state university of science and technology

13 for the institute for physical research and technology:

14 ..... \$ 500,000

15 4. To the state university of Iowa for the center for

16 biocatalysis:

17 ..... \$ 396,000

18 Sec. 308. Section 15.287, Code 1991, is amended to read as  
19 follows:

20 15.287 REVOLVING FUND.

21 The Iowa finance authority shall establish a revolving fund  
22 for the program and shall transfer to the department moneys to  
23 be administered by the department. The moneys in the  
24 revolving fund are appropriated for purposes of the program.  
25 Notwithstanding section 8.33, moneys in the fund at the end of  
26 a fiscal year shall not revert to any other fund but shall  
27 remain in the revolving fund. The fund shall consist of all  
28 appropriations, grants, or gifts received by the authority or  
29 the department specifically for use under this part and all  
30 repayments of loans or grants made under this part. However,  
31 loan repayments from loans made under section 28.120, which  
32 are not allocated to another program, shall be deposited in  
33 the revolving fund and shall be available for allocation by  
34 the director for categories administered by the department.

35 Sec. 309. Section 28.120, Code 1991, is amended by adding

1 the following new subsection:

2 NEW SUBSECTION. 8. Loan repayments made under this  
3 section and unallocated in the special account in subsection  
4 5, shall be allocated to the revolving account of the rural  
5 community 2000 program created in section 15.287.

6 Sec. 310. Section 15.232, Code 1991, is repealed.

7 DIVISION IV

8 EDUCATION APPROPRIATIONS

9 Sec. 401. There is appropriated from the general fund of  
10 the state to the department of education for the fiscal year  
11 beginning July 1, 1991, and ending June 30, 1992, the  
12 following amounts, or so much thereof as may be necessary, to  
13 be used for the purposes designated:

14 1. GENERAL ADMINISTRATION

15 For salaries, support, maintenance, miscellaneous purposes,  
16 and for not more than the following full-time equivalent  
17 positions:

18 .....	\$	5,742,266
19 .....	FTEs	135.75

20 As a condition, limitation, and qualification of the  
21 appropriation in this subsection, the department of education  
22 shall expend moneys to contract with institutions of higher  
23 education to provide a summer residence program for gifted and  
24 talented elementary and secondary school students and to  
25 support existing law-related education centers for training  
26 seminars and workshops in law-related education, summer  
27 institutes relating to law-related education and methodology  
28 and substance, and mock trial competitions for junior and  
29 senior high school students. The law-related education  
30 program shall include the legislative lawmaking process.  
31 Educational materials for the legislative lawmaking process  
32 segment of the program shall be developed by the law-related  
33 education centers in consultation with the legislative  
34 council.

35 As a condition, limitation, and qualification of the

1 appropriation in this subsection, the department of education  
2 shall expend moneys to provide funds for the employment  
3 resources center administered by the fifth judicial district  
4 department of correctional services to assist clients.

5 2. CORRECTIONS EDUCATION PROGRAM

6 For educational programs at state penal institutions:  
7 ..... \$ 2,199,669

8 Funds appropriated by this subsection shall be used by the  
9 department of education, in coordination with the department  
10 of corrections, to provide expanded educational programs to  
11 inmates of the Iowa penal institutions and develop education  
12 program plans for the offenders and ex-offenders in the  
13 community-based corrections system. Educational programs  
14 shall emphasize assessment, cognition, literacy, and social  
15 skills, and shall provide continuity of instruction as the  
16 inmate progresses through the penal system. Educational  
17 technology learning systems which would support the continuity  
18 of instruction shall be used in combination with an  
19 information management system to track student progress. The  
20 information tracking system shall be available throughout the  
21 state. An individualized educational plan shall be developed  
22 for each inmate, which reflects the inmate's total needs and  
23 which can be used to assist in the selection of programs and  
24 tracking of the inmate's progress. An information management  
25 system shall be implemented to transmit education information,  
26 including the inmate's plan, programs provided, and program  
27 outcomes to institutions under whose control the inmate is  
28 placed. Evaluation of the results shall be made annually to  
29 determine needed changes and to assess results. The  
30 department of education, in coordination with the department  
31 of corrections, shall investigate, evaluate, and analyze  
32 educational technology systems which reflect inmate needs  
33 before selection of any system or systems. Funds appropriated  
34 in this subsection may be used for individualized, personal  
35 development, life management programs established by the

1 general assembly in 1990 Iowa Acts, chapter 1257, section 23,  
2 under the department of corrections, and to provide the  
3 results of the establishment of the individualized, personal  
4 development, life management programs to the co-chairpersons  
5 and ranking members of the joint education appropriations  
6 subcommittee and the legislative fiscal bureau.

7 3. BOARD OF EDUCATIONAL EXAMINERS

8 For salaries, support, maintenance, miscellaneous purposes  
9 and for not more than the following full-time equivalent  
10 positions:

11 ..... \$ 128,892  
12 ..... FTEs 2.00

13 4. SCHOOL FOOD SERVICE

14 For the purpose of providing assistance to students en-  
15 rolled in public school districts and nonpublic schools of the  
16 state for breakfasts, lunches, and minimal equipment programs  
17 with the funds being used as state matching funds for federal  
18 programs, which shall be disbursed according to federal  
19 regulations, including salaries and support, and for not more  
20 than the following full-time equivalent positions:

21 ..... \$ 3,056,205  
22 ..... FTEs 14.00

23 5. TEXTBOOKS OF NONPUBLIC SCHOOL PUPILS

24 To provide funds for costs of providing textbooks to each  
25 resident pupil who attends a nonpublic school as authorized by  
26 section 301.1. The funding is limited to \$20 per pupil and  
27 shall not exceed the comparable services offered to resident  
28 public school pupils:

29 ..... \$ 643,053

30 6. VOCATIONAL EDUCATION ADMINISTRATION

31 For salaries, support, maintenance, miscellaneous purposes,  
32 and for not more than the following full-time equivalent  
33 positions:

34 ..... \$ 923,149  
35 ..... FTEs 39.60

1 7. VOCATIONAL REHABILITATION DIVISION

2 a. For salaries, support, maintenance, miscellaneous  
3 purposes, and for not more than the following full-time  
4 equivalent positions:

5	.....	\$	3,611,830
6	.....	FTEs	319.50

7 b. For matching funds for programs to enable severely  
8 physically or mentally disabled persons to function more  
9 independently, including salaries and support, and for not  
10 more than the following full-time equivalent positions:

11	.....	\$	21,303
12	.....	FTEs	1.50

13 8. COMMUNITY COLLEGES

14 Notwithstanding chapter 286A, for general state financial  
15 aid to merged areas as defined in section 280A.2, for  
16 vocational education programs in accordance with chapters 258  
17 and 280A, to purchase instructional equipment for vocational  
18 and technical courses of instruction in community colleges,  
19 and for salary increases:

20	.....	\$	92,022,864
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21 The funds appropriated in this subsection shall be  
22 allocated as follows:

23	a. Merged Area I	.....	\$	4,267,565
24	b. Merged Area II	.....	\$	5,234,059
25	c. Merged Area III	.....	\$	5,048,459
26	d. Merged Area IV	.....	\$	2,326,257
27	e. Merged Area V	.....	\$	4,964,545
28	f. Merged Area VI	.....	\$	4,709,309
29	g. Merged Area VII	.....	\$	6,458,233
30	h. Merged Area IX	.....	\$	8,112,021
31	i. Merged Area X	.....	\$	12,499,055
32	j. Merged Area XI	.....	\$	13,468,500
33	k. Merged Area XII	.....	\$	5,302,620
34	l. Merged Area XIII	.....	\$	5,453,422
35	m. Merged Area XIV	.....	\$	2,402,961

1 n. Merged Area XV ..... \$ 7,529,626  
2 o. Merged Area XVI ..... \$ 4,246,232

3 9. COMMUNITY COLLEGE PERSONAL PROPERTY TAX REPLACEMENT

4 For general financial aid to merged areas in lieu of  
5 personal property tax replacement payments under section  
6 427A.13:

7 ..... \$ 828,012

8 The funds appropriated in this subsection shall be  
9 allocated as follows:

- 10 a. Merged Area I..... \$ 65,152
- 11 b. Merged Area II..... \$ 50,567
- 12 c. Merged Area III..... \$ 33,891
- 13 d. Merged Area IV..... \$ 23,204
- 14 e. Merged Area V..... \$ 60,042
- 15 f. Merged Area VI..... \$ 34,514
- 16 g. Merged Area VII..... \$ 57,884
- 17 h. Merged Area IX..... \$ 69,103
- 18 i. Merged Area X..... \$ 97,180
- 19 j. Merged Area XI..... \$ 142,463
- 20 k. Merged Area XII..... \$ 46,200
- 21 l. Merged Area XIII..... \$ 40,972
- 22 m. Merged Area XIV..... \$ 20,826
- 23 n. Merged Area XV..... \$ 55,026
- 24 o. Merged Area XVI..... \$ 30,988

25 Sec. 402. There is appropriated from the general fund of  
26 the state to the department of education for the fiscal year  
27 beginning July 1, 1992, and ending June 30, 1993, the  
28 following amounts, or so much thereof as is necessary, to be  
29 used for the purposes designated:

30 1. Notwithstanding chapter 286A for state financial aid to  
31 merged areas to be accrued as income and used for expenditures  
32 incurred by the community colleges during the fiscal year  
33 beginning July 1, 1991, and ending June 30, 1992:

34 ..... \$ 16,239,328

35 The funds appropriated in this section shall be allocated

1 as follows:

2	a.	Merged Area I .....	\$	753,100
3	b.	Merged Area II .....	\$	923,657
4	c.	Merged Area III .....	\$	890,904
5	d.	Merged Area IV .....	\$	410,516
6	e.	Merged Area V .....	\$	876,096
7	f.	Merged Area VI .....	\$	831,055
8	g.	Merged Area VII .....	\$	1,139,688
9	h.	Merged Area IX .....	\$	1,431,533
10	i.	Merged Area X .....	\$	2,205,716
11	j.	Merged Area XI .....	\$	2,376,794
12	k.	Merged Area XII .....	\$	935,757
13	l.	Merged Area XIII .....	\$	962,369
14	m.	Merged Area XIV .....	\$	424,052
15	n.	Merged Area XV .....	\$	1,328,758
16	o.	Merged Area XVI .....	\$	749,335

17 2. Funds appropriated by this section shall be allocated  
18 pursuant to this section and paid on or about August 15, 1992.

19 Sec. 403. There is appropriated from the general fund of  
20 the state to the department of education for the fiscal year  
21 beginning July 1, 1992, and ending June 30, 1993, the  
22 following amounts, or so much thereof as is necessary, to be  
23 used for the purposes designated:

24 1. For general financial aid to merged areas in lieu of  
25 personal property tax replacement payments under section  
26 427A.13 to be accrued as income and used for expenditures  
27 incurred by the community colleges during the fiscal year  
28 beginning July 1, 1991, and ending June 30, 1992:

29	.....	\$	354,840
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30 The funds appropriated in this subsection shall be  
31 allocated as follows:

32	a.	Merged Area I.....	\$	27,922
33	b.	Merged Area II.....	\$	21,671
34	c.	Merged Area III.....	\$	14,525
35	d.	Merged Area IV.....	\$	9,924



1	e.	Merged Area V.....	\$	25,732
2	f.	Merged Area VI.....	\$	14,792
3	g.	Merged Area VII.....	\$	24,807
4	h.	Merged Area IX.....	\$	29,615
5	i.	Merged Area X.....	\$	41,649
6	j.	Merged Area XI.....	\$	61,056
7	k.	Merged Area XII.....	\$	19,800
8	l.	Merged Area XIII.....	\$	17,559
9	m.	Merged Area XIV.....	\$	8,925
10	n.	Merged Area XV.....	\$	23,582
11	o.	Merged Area XVI.....	\$	13,281

12 2. Funds appropriated in subsection 1 shall be allocated  
 13 pursuant to this section and paid on or about August 15, 1992.

14 Sec. 404. Moneys allocated to community colleges under  
 15 section 401, subsections 8 and 9, of this division, for  
 16 expenditures incurred during the fiscal year beginning July 1,  
 17 1991, and ending June 30, 1992, shall be paid by the  
 18 department of revenue and finance in installments due on or  
 19 about November 15, February 15, and May 15 of that fiscal  
 20 year. The payments received by community colleges on or about  
 21 August 15 under sections 402 and 403 of this division are  
 22 accounts receivable for the previous fiscal year. The  
 23 installments shall be as nearly equal as possible as  
 24 determined by the department of management, taking into  
 25 consideration the relative budget and cash position of the  
 26 state resources.

27 Sec. 405. Notwithstanding the appropriation provided in  
 28 section 294A.25, subsection 1, there is appropriated from the  
 29 general fund of the state to the department of education for  
 30 the fiscal year beginning July 1, 1991, and ending June 30,  
 31 1992, the following amount, or so much thereof as may be  
 32 necessary, to be used for the purpose designated:

33	For the educational excellence program:	
34	.....	\$ 91,662,500
35	.....	FTEs 1.00

1 Sec. 406. There is appropriated from the general fund of  
2 the state to the department of education for the fiscal year  
3 beginning July 1, 1992, and ending June 30, 1993, the  
4 following amounts, or so much thereof as is necessary, to be  
5 used for the purposes designated:

6 For expenditures incurred by school districts during the  
7 previous fiscal year for vocational education aid to secondary  
8 schools:

9 ..... \$ 3,666,360

10 Sec. 407. There is appropriated from the general fund of  
11 the state to the college student aid commission for the fiscal  
12 year beginning July 1, 1991, and ending June 30, 1992, the  
13 following amounts, or so much thereof as may be necessary, to  
14 be used for the purposes designated:

15 1. GENERAL ADMINISTRATION

16 For salaries, support, maintenance, miscellaneous purposes,  
17 and for not more than the following full-time equivalent  
18 positions:

19 ..... \$ 349,411

20 ..... FTES 8.05

21 2. UNIVERSITY OF OSTEOPATHIC MEDICINE AND HEALTH SCIENCES

22 a. For grants to juniors and seniors and for forgivable  
23 loans to freshmen and sophomores, who are Iowa students  
24 attending the university of osteopathic medicine and health  
25 sciences, under the grant program pursuant to section 261.18  
26 and the forgivable loan program pursuant to section 261.19A:

27 ..... \$ 467,000

28 b. For the university of osteopathic medicine and health  
29 sciences for the admission and education of Iowa students in  
30 each of the 4 years of classes at the university of  
31 osteopathic medicine and health sciences pursuant to section  
32 261.19:

33 ..... \$ 408,000

34 3. STUDENT AID PROGRAMS

35 For payments to students for student aid programs:

1 ..... \$ 2,008,100

2 As a condition, limitation, and qualification of the funds  
3 appropriated in this subsection, \$1,498,000 shall be expended  
4 for an Iowa grant program, with funds to be allocated to  
5 institutions in the following manner:

6 a. Total allocations to students attending regents'  
7 institutions shall be determined by multiplying \$1,498,000 by  
8 37.6 percent.

9 b. Total allocations to students attending community  
10 colleges shall be determined by multiplying \$1,498,000 by 25.9  
11 percent.

12 c. Total allocations to students attending private  
13 colleges and universities shall be determined by multiplying  
14 \$1,498,000 by 36.5 percent.

15 4. NATIONAL GUARD LOAN REPAYMENT

16 For payments to students for the national guard loan  
17 payment program in section 261.49:

18 ..... \$ 250,000

19 5. IOWA CORPS

20 For purposes of the Iowa corps, including salary, support,  
21 maintenance, miscellaneous purposes, and for not more than the  
22 following full-time equivalent position:

23 ..... \$ 110,963

24 ..... FTEs 0.75

25 Sec. 408. There is appropriated from the loan reserve  
26 account to the college student aid commission for the fiscal  
27 year beginning July 1, 1991, and ending June 30, 1992, the  
28 following amount, or so much thereof as may be necessary, to  
29 be used for the purposes designated:

30 For operating costs of the Stafford loan program including  
31 salaries, support, maintenance, miscellaneous purposes, and  
32 for not more than the following full-time equivalent  
33 positions:

34 ..... \$ 3,671,016

35 ..... FTEs 36.52

1     Sec. 409. Funds appropriated in section 407, subsection 3  
2 of this division for the Iowa grant program and the graduate  
3 student financial assistance program shall be used to  
4 supplement, not supplant, funds appropriated for existing  
5 programs at the institutions receiving allocations under this  
6 division.

7     Sec. 410. There is appropriated from the general fund of  
8 the state to the state board of regents for the fiscal year  
9 beginning July 1, 1991, and ending June 30, 1992, the  
10 following amounts, or so much thereof as may be necessary, to  
11 be used for the purposes designated:

12     1. OFFICE OF STATE BOARD OF REGENTS

13     a. For salaries, support, maintenance, miscellaneous  
14 purposes, and for not more than the following full-time  
15 equivalent positions:

16 ..... \$ 1,111,820  
17 ..... FTEs 18.08

18     As a condition, limitation, and qualification of the moneys  
19 appropriated in this paragraph, the state board of regents  
20 shall not use reimbursements from the institutions under the  
21 control of the state board of regents for funding the office  
22 of the state board of regents.

23     b. For allocation by the state board of regents to the  
24 state university of Iowa, the Iowa state university of science  
25 and technology, and the university of northern Iowa to  
26 reimburse the institutions for deficiencies in their operating  
27 funds resulting from the pledging of tuitions, student fees  
28 and charges, and institutional income to finance the cost of  
29 providing academic and administrative buildings and facilities  
30 and utility services at the institutions:

31 ..... \$ 19,381,162

32     c. For funds to be allocated to the southwest Iowa  
33 graduate studies center located in Council Bluffs:

34 ..... \$ 40,000

35     d. For funds to be allocated to the siouxland interstate

1 metropolitan planning council for the tristate graduate center  
2 under section 262.9, subsection 21:

3 ..... \$ 75,000

4 e. For funds to be allocated to the quad-cities graduate  
5 studies center:

6 ..... \$ 145,000

7 2. STATE UNIVERSITY OF IOWA

8 a. General university, including lakeside laboratory:

9 For salaries, support, maintenance, equipment,  
10 miscellaneous purposes, and for not more than the following  
11 full-time equivalent positions:

12 ..... \$181,389,882

13 ..... FTEs 4,287.37

14 As a condition, limitation, and qualification of the funds  
15 appropriated in this paragraph, from moneys available to the  
16 state university of Iowa, \$1,379,000 shall only be expended  
17 for salary annualization. If the department of management  
18 determines that any portion of the \$1,379,000 is not being  
19 expended for salary annualization, the department shall reduce  
20 the October 1991, payment made under section 262.28 by the  
21 annualized amount determined not to be expended during the  
22 fiscal year beginning July 1, 1991, and ending June 30, 1992,  
23 and that amount shall revert to the general fund of the state  
24 under section 8.33.

25 As a condition, limitation, and qualification of moneys  
26 appropriated in this paragraph, from moneys available to the  
27 state university of Iowa, \$550,000 shall be expended for  
28 teaching excellence awards to teaching faculty members and  
29 teaching assistants.

30 Of the \$550,000 available for teaching excellence awards,  
31 \$50,000 shall be awarded to faculty members and teaching  
32 assistants who have been recognized for exceptional teaching.  
33 An exceptional teaching recognition award is for a one-year  
34 period and is in addition to the faculty member or teaching  
35 assistant's salary. Not later than December 15, 1991, the

1 state board of regents shall report the names of recipients of  
2 teaching excellence awards, and the amounts of the awards  
3 granted, to the joint education appropriations subcommittee  
4 and to the legislative fiscal bureau.

5 b. Child care

6 For salaries for child care center directors:  
7 ..... \$ 40,000

8 c. College-bound voucher program

9 From the moneys appropriated in paragraph "a", \$100,000  
10 shall be used for implementing the college-bound voucher  
11 program.

12 d. Iowa minority academic grants for economic success  
13 program:

14 From the moneys appropriated in paragraph "a", \$720,000  
15 shall be used for the Iowa minority academic grants for  
16 economic success program.

17 e. Minority and women educators enhancement program:

18 From the moneys appropriated in paragraph "a", \$80,000  
19 shall be used for implementing the minority and women  
20 educators enhancement program.

21 Notwithstanding section 8.33, as a condition, limitation,  
22 and qualification of the allocation in this paragraph,  
23 unobligated and unencumbered funds remaining on June 30, 1992,  
24 from the allocation for use under this paragraph, shall not  
25 revert to the general fund of the state, but shall remain  
26 available for expenditure during the fiscal year beginning  
27 July 1, 1992, for the same purpose or for other minority  
28 recruitment programs.

29 f. For funds to be allocated to the Iowa consortium for  
30 substance abuse research and evaluation:

31 ..... \$ 60,000

32 g. University hospitals

33 For salaries, support, maintenance, equipment,  
34 miscellaneous purposes, and for not more than the following  
35 full-time equivalent positions for medical and surgical

1 treatment of indigent patients as provided in chapter 255:  
2 ..... \$ 27,795,998  
3 ..... FTEs 5,319.83

4 h. Psychiatric hospital  
5 For salaries, support, maintenance, equipment,  
6 miscellaneous purposes, and for not more than the following  
7 full-time equivalent positions and for the care, treatment,  
8 and maintenance of committed and voluntary public patients:  
9 ..... \$ 6,901,749  
10 ..... FTEs 284.57

11 i. Hospital-school  
12 For salaries, support, maintenance, miscellaneous purposes,  
13 and for not more than the following full-time equivalent  
14 positions:  
15 ..... \$ 5,448,363  
16 ..... FTEs 184.44

17 j. Oakdale campus  
18 For salaries, support, maintenance, miscellaneous purposes,  
19 and for not more than the following full-time equivalent  
20 positions:  
21 ..... \$ 2,899,698  
22 ..... FTEs 67.55

23 k. State hygienic laboratory  
24 For salaries, support, maintenance, miscellaneous purposes,  
25 and for not more than the following full-time equivalent  
26 positions:  
27 ..... \$ 3,020,198  
28 ..... FTEs 106.25

29 l. Family practice program  
30 For allocation by the dean of the college of medicine, with  
31 approval of the advisory board, to qualified participants, to  
32 carry out chapter 148D for the family practice program,  
33 including salaries and support, and for not more than the  
34 following full-time equivalent positions:  
35 ..... \$ 1,814,264

1 ..... FTEs 177.27

2 m. Child health care services

3 For specialized child health care services, including  
4 childhood cancer diagnostic and treatment network programs;  
5 rural comprehensive care for hemophilia patients; and Iowa  
6 high-risk infant follow-up program, including salaries and  
7 support, and for not more than the following full-time  
8 equivalent positions:

9 ..... \$ 430,121

10 ..... FTEs 12.51

11 n. Agricultural health and safety programs

12 For agricultural health and safety programs:

13 ..... \$ 250,000

14 o. For the statewide tumor registry and for not more than  
15 the following full-time positions:

16 ..... \$ 190,500

17 ..... FTEs 5.05

18 p. As a condition, limitation, and qualification of the  
19 appropriation made in paragraph "g", the total quota allocated  
20 to the counties for indigent patients for the fiscal year  
21 commencing July 1, 1991, shall not be lower than the total  
22 quota allocated to the counties for the fiscal year commencing  
23 July 1, 1990. The total quota shall be allocated among the  
24 counties on the basis of the 1990 census pursuant to section  
25 255.16. Before a patient is eligible for the indigent patient  
26 program, the county general relief director shall first  
27 ascertain from the local office of human services if the  
28 applicant would qualify for medical assistance or the  
29 medically needy program without the spend-down provision under  
30 chapter 249A. If the applicant qualifies, then the patient  
31 shall be certified for medical assistance and shall not be  
32 counted under chapter 255. Transportation shall be provided  
33 at no charge to a patient who is certified for medical  
34 assistance under chapter 249A.

35 q. As a condition, limitation, and qualification of the



1 appropriation made in paragraph "g", funds appropriated in  
2 that paragraph shall not be allocated to the university  
3 hospitals until the superintendent has filed with the  
4 department of revenue and finance and the legislative fiscal  
5 bureau a quarterly report containing the account required in  
6 section 255.24. The report shall include the information  
7 required in section 255.24 for patients by the type of service  
8 provided.

9 r. As a condition, limitation, and qualification of the  
10 appropriation made in paragraph "g", funds appropriated in  
11 that paragraph shall not be used to perform abortions except  
12 medically necessary abortions, and shall not be used to  
13 operate the early termination of pregnancy clinic except for  
14 the performance of medically necessary abortions. For the  
15 purpose of this paragraph, an abortion is the purposeful  
16 interruption of pregnancy with the intention other than to  
17 produce a live-born infant or to remove a dead fetus, and a  
18 medically necessary abortion is one performed under one of the  
19 following conditions:

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

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

25 (3) The pregnancy is the result of a rape which is  
26 reported within 45 days of the incident to a law enforcement  
27 agency or public or private health agency which may include a  
28 family physician.

29 (4) The pregnancy is the result of incest which is  
30 reported within 150 days of the incident to a law enforcement  
31 agency or public or private health agency which may include a  
32 family physician.

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

1 3. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY

2 a. General university

3 For salaries, support, maintenance, equipment,  
4 miscellaneous purposes, and for not more than the following  
5 full-time equivalent positions:

6 ..... \$147,046,516

7 ..... FTEs 3,737.83

8 As a condition, limitation, and qualification of the funds  
9 appropriated in this paragraph, from moneys available to the  
10 Iowa state university of science and technology, \$705,892  
11 shall only be expended for salary annualization. If the  
12 department of management determines that any portion of the  
13 \$705,892 is not being expended for salary annualization, the  
14 department shall reduce the October 1991, payment made under  
15 section 262.28 by the annualized amount determined not to be  
16 expended during the fiscal year beginning July 1, 1991, and  
17 ending June 30, 1992, and that amount shall revert to the  
18 general fund of the state under section 8.33.

19 As a condition, limitation, and qualification of moneys  
20 appropriated in this paragraph, from moneys available to Iowa  
21 state university of science and technology, \$550,000 shall be  
22 expended for teaching excellence awards to teaching faculty  
23 members and teaching assistants.

24 Of the \$550,000 available for teaching excellence awards,  
25 \$50,000 shall be awarded to faculty members and teaching  
26 assistants who have been recognized for exceptional teaching.  
27 An exceptional teaching recognition award is for a one-year  
28 period and is in addition to the faculty member or teaching  
29 assistant's salary. Not later than December 1, 1991, the  
30 state board of regents shall report the names of recipients of  
31 teaching excellence awards, and the amounts of the awards  
32 granted, to the joint education appropriations subcommittee  
33 and to the legislative fiscal bureau.

34 b. Child care

35 For subsidized evening child care:

1 ..... \$ 40,000  
 2 ..... FTEs 2.0

3 c. College-bound voucher program

4 From the moneys appropriated in paragraph "a", \$100,000  
 5 shall be used for implementing the college-bound voucher  
 6 program.

7 d. Iowa minority academic grants for economic success  
 8 program:

9 From the moneys appropriated in paragraph "a", \$720,000  
 10 shall be used for the Iowa minority academic grants for  
 11 economic success program.

12 e. Minority and women educators enhancement program:

13 From the moneys appropriated in paragraph "a", \$80,000  
 14 shall be used for implementing the minority and women  
 15 educators enhancement program.

16 Notwithstanding section 8.33, as a condition, limitation,  
 17 and qualification of the allocation in this paragraph,  
 18 unobligated and unencumbered funds remaining on June 30, 1992,  
 19 from the allocation for use under this paragraph, shall not  
 20 revert to the general fund of the state, but shall remain  
 21 available for expenditure during the fiscal year beginning  
 22 July 1, 1992, for the same purpose or for other minority  
 23 recruitment programs.

24 f. Agricultural experiment station

25 For salaries, support, maintenance, miscellaneous purposes,  
 26 and for not more than the following full-time equivalent  
 27 positions:

28 ..... \$ 18,024,893  
 29 ..... FTEs 546.92

30 g. Comprehensive agricultural research

31 For conducting the comprehensive agricultural research  
 32 program:

33 ..... \$ 5,000,000

34 h. Cooperative extension service in agriculture and home  
 35 economics

1 For salaries, support, maintenance, miscellaneous purposes,  
2 and for not more than the following full-time equivalent  
3 positions:

4 ..... \$ 16,888,674  
5 ..... FTES 475.94

6 i. Fire service education

7 For salaries and support and for not more than the  
8 following full-time equivalent positions:

9 ..... \$ 417,000  
10 ..... FTES 11.00

11 j. Leopold center

12 For agricultural research grants at Iowa state university  
13 under section 266.39B:

14 ..... \$ 600,000

15 4. UNIVERSITY OF NORTHERN IOWA

16 a. For salaries, support, maintenance, equipment,  
17 miscellaneous purposes, and for not more than the following  
18 full-time equivalent positions:

19 ..... \$ 59,792,405  
20 ..... FTES 1,411.68

21 As a condition, limitation, and qualification of the funds  
22 appropriated in this paragraph, from moneys available to the  
23 university of northern Iowa, \$475,000 shall only be expended  
24 for salary annualization. If the department of management  
25 determines that any portion of the \$475,000 is not being  
26 expended for salary annualization, the department shall reduce  
27 the October 1991, payment made under section 262.28 by the  
28 annualized amount determined not to be expended during the  
29 fiscal year beginning July 1, 1991, and ending June 30, 1992,  
30 and that amount shall revert to the general fund of the state  
31 under section 8.33.

32 As a condition, limitation, and qualification of moneys  
33 appropriated in this paragraph, from moneys available to the  
34 university of northern Iowa, \$275,000 shall be expended for  
35 teaching excellence awards to teaching faculty members and

1 teaching assistants.

2 Teaching excellence awards shall be granted to faculty  
3 members and teaching assistants for excellence in the quality  
4 of classroom instruction. An award shall be built into the  
5 faculty member's or teaching assistant's base salary. Moneys  
6 appropriated for teaching excellence awards shall not result  
7 in a negative impact upon a collective bargaining agreement  
8 between an employee organization and the university. Not  
9 later than December 1, 1991, the state board of regents shall  
10 report the names of recipients of teaching excellence awards,  
11 and the amounts of the awards granted, to the joint education  
12 appropriations subcommittee and to the legislative fiscal  
13 bureau.

14 As a condition, limitation, and qualification of the  
15 appropriation in this subsection, \$50,000 shall be expended  
16 for the Iowa academy of science and no more than 20 percent of  
17 the funds shall be used for administrative purposes or for  
18 publication of the Iowa academy of science journal. The  
19 remainder of the \$50,000 shall be expended for grants for  
20 research projects and studies awarded by the Iowa academy of  
21 science.

22 As a condition, limitation, and qualification of the  
23 appropriation for the Iowa academy of science in this  
24 subsection, the Iowa academy of science shall permit all grant  
25 recipients to publish the results of the recipients' research  
26 projects and studies in the Iowa academy of science journal at  
27 no cost to the grant recipient.

28 b. Child care

29 For staff positions and building structure modifications to  
30 meet state child care facility standards:

31 .....	\$	20,000
32 .....	FTEs	1.50

33 c. College-bound voucher program:

34 From the moneys appropriated in paragraph "a", \$80,000  
35 shall be used for implementing the college-bound voucher

1 program.

2 d. Iowa minority academic grants for economic success  
3 program:

4 From the moneys appropriated in paragraph "a", \$360,000  
5 shall be used for the Iowa minority academic grants for  
6 economic success program.

7 e. Minority and women educators enhancement program:

8 From the moneys appropriated in paragraph "a", \$40,000  
9 shall be used for implementing the minority and women  
10 educators enhancement program.

11 Notwithstanding section 8.33, as a condition, limitation,  
12 and qualification of the allocation in this paragraph,  
13 unobligated and unencumbered funds remaining on June 30, 1992,  
14 from the allocation for use under this paragraph, shall not  
15 revert to the general fund of the state, but shall remain  
16 available for expenditure during the fiscal year beginning  
17 July 1, 1992, for the same purpose or for other minority  
18 recruitment programs.

19 5. STATE SCHOOL FOR THE DEAF

20 For salaries, support, maintenance, miscellaneous purposes,  
21 and for not more than the following full-time equivalent  
22 positions:

23 .....	\$	6,173,302
24 .....	FTEs	131.53

25 6. IOWA BRAILLE AND SIGHT-SAVING SCHOOL

26 For salaries, support, maintenance, miscellaneous purposes,  
27 and for not more than the following full-time equivalent  
28 positions:

29 .....	\$	3,407,922
30 .....	FTEs	92.45

31 Sec. 411. Moneys appropriated in section 410, subsection  
32 2, paragraph "a", section 410, subsection 3, paragraph "a";  
33 and section 410, subsection 4, paragraph "a", of this division  
34 and designated for the minority and women educators  
35 enhancement program under paragraph "e" of those subsections

1 shall be used solely for the purposes for which they have been  
2 designated and not for general university purposes.

3 Sec. 412. Moneys appropriated in section 410, subsection  
4 2, paragraph "a", section 410, subsection 3, paragraph "a";  
5 and section 410, subsection 4, paragraph "a", of this division  
6 and designated for the Iowa minority academic grants for  
7 economic success program under paragraph "d" of those  
8 subsections shall be used solely for the purposes for which  
9 they have been designated and not for general university  
10 purposes.

11 Sec. 413. Reallocations of sums received under section  
12 410, subsections 2, 3, 4, 5, and 6, including sums received  
13 for salaries, shall be reported on a quarterly basis to the  
14 co-chairpersons and ranking members of both the legislative  
15 fiscal committee and the joint education appropriations  
16 subcommittee.

17 Sec. 414. As a condition, limitation, and qualification of  
18 the appropriations made to the state board of regents and  
19 regents' institutions under this division, for the fiscal  
20 years beginning July 1, 1991, and July 1, 1992, the state  
21 board of regents shall use notes, bonds, or other evidences of  
22 indebtedness issued under section 262.48 to finance projects  
23 that will result in energy cost savings in an amount that will  
24 cause the state board to recover the cost of the projects  
25 within an average of 6 years.

26 Sec. 415. There is appropriated from the general fund of  
27 the state to the department of cultural affairs for the fiscal  
28 year beginning July 1, 1991, and ending June 30, 1992, the  
29 following amounts, or so much thereof as is necessary, to be  
30 used for the purposes designated:

31 1. ARTS DIVISION

32 For salaries, support, maintenance, miscellaneous purposes,  
33 including funds to match federal grants, and for not more than  
34 the following full-time equivalent positions:

35 ..... \$ 1,148,552

1 ..... FTEs 13.00  
2 2. HISTORICAL DIVISION  
3 For salaries, support, maintenance, miscellaneous purposes,  
4 and for not more than the following full-time equivalent  
5 positions:  
6 ..... \$ 2,590,092  
7 ..... FTEs 76.00  
8 3. TERRACE HILL COMMISSION  
9 For salaries, support, maintenance, miscellaneous purposes,  
10 for the operation of Terrace Hill and for not more than the  
11 following full-time equivalent positions:  
12 ..... \$ 215,587  
13 ..... FTEs 5.75  
14 4. LIBRARY DIVISION  
15 For salaries, support, maintenance, miscellaneous purposes,  
16 and for not more than the following full-time equivalent  
17 positions:  
18 ..... \$ 2,179,287  
19 ..... FTEs 42.00  
20 5. REGIONAL LIBRARY SYSTEM  
21 For state aid:  
22 ..... \$ 1,502,698  
23 6. ADMINISTRATION DIVISION  
24 For salaries, support, maintenance, miscellaneous purposes,  
25 and for not more than the following full-time equivalent  
26 positions:  
27 ..... \$ 427,737  
28 ..... FTEs 10.00  
29 7. COMMUNITY CULTURAL GRANTS  
30 For planning and programming for the community cultural  
31 grants program established under section 303.89:  
32 ..... \$ 805,000  
33 8. PUBLIC BROADCASTING DIVISION  
34 For salaries, support, maintenance, capital expenditures,  
35 miscellaneous purposes, and for not more than the following



1 full-time equivalent positions:

2 ..... \$ 6,504,051

3 ..... FTEs 103.00

4 Sec. 416. Notwithstanding sections 302.1 and 302.1A, for  
5 the fiscal year beginning July 1, 1991, and ending June 30,  
6 1992, the portion of the interest earned on the permanent  
7 school fund that is not transferred to the credit of the first  
8 in the nation in education foundation and not transferred to  
9 the credit of the national center for gifted and talented  
10 education shall be credited as a payment by the historical  
11 division of the department of cultural affairs of the  
12 principal and interest due on moneys loaned to the historical  
13 division under section 303.18.

14 Sec. 417. 1990 Iowa Acts, chapter 1272, section 9,  
15 subsection 1, is amended by adding the following new  
16 unnumbered paragraph:

17 NEW UNNUMBERED PARAGRAPH. As a condition, limitation, and  
18 qualification of the moneys appropriated in this subsection,  
19 the merged area schools shall expend at least \$370,588 for  
20 additional salary increases for full-time nonadministrative  
21 licensed faculty members and at least \$24,922 for additional  
22 salary increases for full-time salaried professional employees  
23 other than administrators, faculty, and hourly support staff  
24 at each merged area school. For purposes of this subsection,  
25 full-time licensed faculty includes instructors who teach at  
26 an area school on a half-time basis or more. Distribution of  
27 the moneys for salary increases shall be negotiated pursuant  
28 to chapter 20, if the licensed nonadministrative faculty  
29 members of the merged area school are organized for collective  
30 bargaining purposes. For purposes of this subsection,  
31 professional staff includes employees of an area school such  
32 as academic advisors, media specialists, student services  
33 staff, financial aid advisors, data processing staff, program  
34 coordinators, counselors, librarians who are not licensed  
35 faculty members, and other staff members who are funded

1 pursuant to an existing area school foundation formula cost  
2 center under chapter 286A. Payments for salary increases  
3 under this subsection shall be accrued as income and used for  
4 salary increases for the fiscal year beginning July 1, 1990,  
5 and ending June 30, 1991.

6 Sec. 418. Notwithstanding section 8.33, funds appropriated  
7 in 1990 Iowa Acts, chapter 1272, section 14, subsection 1,  
8 paragraph "b", remaining unencumbered or unobligated on June  
9 30, 1991, shall not revert to the general fund of the state  
10 but shall be available for expenditure for the purposes listed  
11 in section 410, subsection 1, paragraph "b", of this division  
12 during the fiscal year beginning July 1, 1991, and ending June  
13 30, 1992.

14 Sec. 419. Section 11.6, subsection 1, unnumbered paragraph  
15 1, Code 1991, is amended to read as follows:

16 The financial condition and transactions of all cities and  
17 city offices, counties, county hospitals organized under  
18 chapters 347 and 347A, memorial hospitals organized under  
19 chapter 37, entities organized under chapter 28E having gross  
20 receipts in excess of one hundred thousand dollars in a fiscal  
21 year, merged areas, area education agencies, and all school  
22 offices in school districts, shall be examined at least once  
23 each year, except that cities having a population of seven  
24 hundred or more but less than two thousand shall be examined  
25 at least once every four years, and cities having a population  
26 of less than seven hundred may be examined as otherwise  
27 provided in this section. The examination shall cover the  
28 fiscal year next preceding the year in which the audit is  
29 conducted. The examination of school offices shall include an  
30 audit of activity all school funds, the certified annual  
31 financial report, and the certified enrollment as provided in  
32 section 257.11. Examinations of community colleges shall  
33 include an audit of eligible and noneligible contact hours as  
34 defined in section 286A.2. Eligible and noneligible contact  
35 hours and the certified enrollment shall be certified to the

1 department of management.

2 Sec. 420. Section 261.50, subsection 3, Code 1991, is  
3 amended to read as follows:

4 3. Agrees to practice in an eligible community of fewer  
5 than five thousand population for a minimum period of four  
6 consecutive years or is practicing in a federally approved  
7 community health center or health manpower shortage area.

8 Sec. 421. NEW SECTION. 262.9A PROHIBITION ON CONTROLLED  
9 SUBSTANCES.

10 The state board of regents shall adopt a policy that  
11 prohibits unlawful possession, use, or distribution of  
12 controlled substances by students and employees on property  
13 owned or leased by an institution or in conjunction with  
14 activities sponsored by an institution governed by the board.  
15 Each institution shall provide information about the policy to  
16 all students and employees. The policy shall include a clear  
17 statement of sanctions for violation of the policy and  
18 information about available drug or alcohol counseling and  
19 rehabilitation programs. In carrying out this policy, the  
20 institutions shall provide substance abuse prevention programs  
21 for students and employees.

22 Sec. 422. Section 280A.34, Code 1991, is amended to read  
23 as follows:

24 280A.34 CERTAIN USES OF FUNDS PROHIBITED.

25 Funds obtained pursuant to section 280A.17; subsections 3,  
26 4, and 5 of section 280A.18; section 280A.19; and section  
27 280A.22 shall not be used for the construction or maintenance  
28 of athletic buildings or grounds but may be used for a project  
29 under section 280A.56.

30 Sec. 423. Section 280A.56, subsection 3, Code 1991, is  
31 amended to read as follows:

32 3. "Project" means the acquisition by purchase, lease in  
33 accordance with section 280A.38, or construction of buildings  
34 for use as student residence halls and dormitories, including  
35 dining and other incidental facilities therefor, and additions

1 to such buildings, the reconstruction, completion, equipment,  
2 improvement, repair or remodeling of residence halls,  
3 dormitories, or additions or incidental facilities, and the  
4 acquisition of property of every kind and description, whether  
5 real, personal, or mixed, by gift, purchase, lease,  
6 condemnation, or otherwise and the improvement of the  
7 property.

8 Sec. 424. Section 280A.56, Code 1991, is amended by adding  
9 the following new subsection:

10 NEW SUBSECTION. 4. "Bonds or notes" means revenue bonds  
11 or revenue notes which are payable solely from net rents,  
12 profits, and other income derived from the operation of  
13 residence halls, dormitories, incidental facilities, and  
14 additions.

15 Sec. 425. Section 280A.58, unnumbered paragraph 1, Code  
16 1991, is amended to read as follows:

17 To pay all or any part of the cost of carrying out any  
18 project at any institution the board is authorized to borrow  
19 money and to issue and sell negotiable bonds or notes and to  
20 refund and refinance bonds or notes issued for any project or  
21 for refunding purposes at a lower rate, the same rate, or a  
22 higher rate or rates of interest and from time to time as  
23 often as the board shall find it to be advisable and necessary  
24 so to do. Bonds or notes issued-to-refund-other-bonds-or  
25 notes issued by the board for residence hall or dormitory  
26 purposes at any institution, including dining or other  
27 facilities and additions, or issued for refunding purposes,  
28 may either be sold in the manner specified for the selling of  
29 certificates under section 280B.6 and the proceeds applied to  
30 the payment of the obligations being refunded, or the  
31 refunding bonds or notes may be exchanged for and in payment  
32 and discharge of the obligations being refunded. A finding by  
33 the board in the resolution authorizing the issuance of the  
34 refunding bonds or notes, that the bonds or notes being  
35 refunded were issued for a purpose specified in this division

1 and constitute binding obligations of the board, shall be  
2 conclusive and may be relied upon by any holder of any  
3 refunding bond or note issued under the provisions of this  
4 division. The refunding bonds or notes may be sold or  
5 exchanged in installments at different times or an entire  
6 issue or series may be sold or exchanged at one time. Any  
7 issue or series of refunding bonds or notes may be exchanged  
8 in part or sold in parts in installments at different times or  
9 at one time. The refunding bonds or notes may be sold or  
10 exchanged at any time on, before, or after the maturity of any  
11 of the outstanding notes, bonds or other obligations to be  
12 refinanced thereby and may be issued for the purpose of  
13 refunding a like or greater principal amount of bonds or  
14 notes, except that the principal amount of the refunding bonds  
15 or notes may exceed the principal amount of the bonds or notes  
16 to be refunded to the extent necessary to pay any premium due  
17 on the call of the bonds or notes to be refunded or to fund  
18 interest in arrears or about to become due.

19 Sec. 426. Section 280A.59, Code 1991, is amended to read  
20 as follows:

21 280A.59 RATES AND TERMS OF BONDS OR NOTES.

22 The bonds or notes may bear a date or dates, may bear  
23 interest at such rate or rates, ~~payable-semiannually~~, may  
24 mature at such time or times, may be in such form, carry such  
25 registration privileges, may be payable at such place or  
26 places, may be subject to such terms of redemption prior to  
27 maturity with or without premium, if so stated on the face of  
28 the bonds, and may contain any terms and covenants as may be  
29 provided by the resolution of the board authorizing the  
30 issuance of the bonds or notes. In addition to the estimated  
31 cost of construction, the cost of the project shall be deemed  
32 to include interest upon the bonds or notes during  
33 construction and for six months after the estimated completion  
34 date, the compensation of a fiscal agent or adviser, any  
35 underwriter discount, and engineering, administrative and

1 legal expenses. The bonds or notes shall be executed by the  
2 president of the board of trustees and attested by the  
3 ~~secretary and the coupons attached to the bonds or notes shall~~  
4 ~~be executed with the original or facsimile signatures of said~~  
5 ~~president and secretary.~~ Any bonds or notes bearing the  
6 signatures of officers in office on the date of the signing  
7 shall be valid and binding for all purposes, notwithstanding  
8 that before delivery of the bonds or notes any or all persons  
9 whose signatures appear on the bonds or notes shall have  
10 ceased to be officers. Each bond or note shall state upon its  
11 face the name of the institution on behalf of which it is  
12 issued, that it is payable solely and only from the net rents,  
13 profits and income derived from the operation of residence  
14 halls or dormitories, including dining and other incidental  
15 facilities, at the institution named, and that it does not  
16 constitute a charge against the state of Iowa within the  
17 meaning or application of any constitutional or statutory  
18 limitation or provision. The issuance of bonds or notes shall  
19 be recorded in the office of the treasurer of the institution  
20 on behalf of which the bonds or notes are issued, and a  
21 certificate by such treasurer to this effect shall be printed  
22 on the back of each such bond or note.

23 Sec. 427. Section 280A.60, Code 1991, is amended to read  
24 as follows:

25 280A.60 REFUNDING ISSUANCE RESOLUTION.

26 Upon the determination by the board to undertake and carry  
27 out any project or to refund outstanding bonds or notes, the  
28 board shall adopt a resolution generally describing the  
29 contemplated project and setting forth the estimated cost, or  
30 describing the obligations to be refunded, fixing the amount  
31 of bonds or notes to be issued, the maturity or maturities,  
32 the interest rate or rates and all details of the project.  
33 The resolution shall contain any covenants as may be  
34 determined by the board as to the issuance of additional bonds  
35 or notes that may be issued payable from the net rents,

1 profits and income of the residence halls or dormitories, the  
2 amendment or modification of the resolution authorizing the  
3 issuance of any bonds or notes, the manner, terms and  
4 conditions and the amount or percentage of assenting bonds or  
5 notes necessary to effectuate the amendment or modification,  
6 and any other covenants as may be deemed necessary or  
7 desirable. In the discretion of the board any bonds or notes  
8 issued under the terms of this division may be secured by a  
9 trust indenture by and between the board and a corporate  
10 trustee, which may be any trust company or bank having the  
11 powers of a trust company within or without the boundaries of  
12 the state of Iowa, ~~but no such trust indenture shall convey or~~  
13 ~~mortgage the buildings or facilities or any part of the~~  
14 ~~buildings or facilities.~~ The provisions of this division and  
15 of any resolution or other proceedings authorizing the  
16 issuance of bonds or notes and providing for the establishment  
17 and maintenance of adequate rates, fees or rentals and the  
18 application of the proceeds thereof shall constitute a  
19 contract with the holders of the bonds or notes.

20 Sec. 428. NEW SECTION. 286A.20 PROHIBITION ON CONTROLLED  
21 SUBSTANCES.

22 Each merged area school shall adopt a policy that prohibits  
23 unlawful possession, use, or distribution of controlled  
24 substances by students and employees on property owned or  
25 leased by the merged area school or in conjunction with  
26 activities sponsored by a merged area school. Each merged  
27 area school shall provide information about the policy to all  
28 students and employees. The policy shall include a clear  
29 statement of sanctions for violation of the policy and  
30 information about available drug or alcohol counseling and  
31 rehabilitation programs. In carrying out this policy, the  
32 merged area school shall provide substance abuse prevention  
33 programs for students and employees.

34 Sec. 429. Sections 280A.69, 280A.70, and 286A.19, Code  
35 1991, are repealed.

1 Sec. 430. Sections 417 and 418 of this division, being  
2 deemed of immediate importance, are effective upon enactment.

3 DIVISION V

4 HEALTH AND HUMAN RIGHTS APPROPRIATIONS

5 Sec. 501. There is appropriated from the general fund of  
6 the state to the Iowa state civil rights commission for the  
7 fiscal year beginning July 1, 1991 and ending June 30, 1992,  
8 the following amount, or so much thereof as is necessary, to  
9 be used for the purposes designated:

10 For salaries, support, maintenance, miscellaneous purposes,  
11 and for not more than the following full-time equivalent posi-  
12 tions:

13 .....	\$	1,040,965
14 .....	FTEs	37.00

15 Sec. 502. There is appropriated from the general fund of  
16 the state to the department of human rights for the fiscal  
17 year beginning July 1, 1991 and ending June 30, 1992, the  
18 following amounts, or so much thereof as is necessary, to be  
19 used for the purposes designated:

20 1. CENTRAL ADMINISTRATION DIVISION

21 For salaries, support, maintenance, miscellaneous purposes,  
22 and for not more than the following full-time equivalent posi-  
23 tions:

24 .....	\$	250,106
25 .....	FTEs	9.00

26 2. LATINO AFFAIRS DIVISION

27 For salaries, support, maintenance, miscellaneous purposes,  
28 and for not more than the following full-time equivalent posi-  
29 tions:

30 .....	\$	89,887
31 .....	FTEs	2.50

32 3. PERSONS WITH DISABILITIES DIVISION

33 For salaries, support, maintenance, miscellaneous purposes,  
34 and for not more than the following full-time equivalent posi-  
35 tions:



1 ..... \$ 194,648  
2 ..... FTEs 4.00

3 Of the funds appropriated to the division, there is  
4 allocated an amount necessary to fund the central registry for  
5 brain injuries established pursuant to section 135.22.

6 4. STATUS OF WOMEN DIVISION

7 a. For salaries, support, maintenance, miscellaneous  
8 purposes, and for not more than the following full-time  
9 equivalent positions:

10 ..... \$ 354,704  
11 ..... FTEs 4.10

12 Of the funds appropriated in this subsection, no less than  
13 \$140,000 shall be spent for the displaced homemaker program.

14 Of the funds appropriated in this subsection, no less than  
15 \$43,776 shall be spent for domestic violence and sexual  
16 assault related grants.

17 5. CHILDREN, YOUTH, AND FAMILIES DIVISION

18 For salaries, support, maintenance, miscellaneous purposes,  
19 and for not more than the following full-time equivalent posi-  
20 tions:

21 ..... \$ 151,690  
22 ..... FTEs 8.00

23 Of the funds appropriated in this subsection, no less than  
24 \$36,300 shall be spent for expenses relating to the  
25 administration of federal funds for juvenile assistance. It  
26 is the intent of the general assembly that the department of  
27 human rights employ sufficient staff to meet the federal  
28 funding match requirements established by the federal office  
29 for juvenile justice delinquency prevention. The governor's  
30 advisory council on juvenile justice shall determine the  
31 staffing level necessary to carry out federal and state  
32 mandates for juvenile justice.

33 6. DEAF SERVICES DIVISION

34 For salaries, support, maintenance, miscellaneous purposes,  
35 and for not more than the following full-time equivalent posi-

1 tions:

2 ..... \$ 295,794

3 ..... FTEs 10.00

4 The fees collected by the division for provision of  
5 interpretation services by the division to obligated agencies  
6 shall be dispersed pursuant to the provisions of section 8.32,  
7 and shall be dedicated and used by the division for the  
8 provision of continued and expanded interpretation services.

9 7. STATUS OF BLACKS DIVISION

10 For salaries, support, maintenance, miscellaneous purposes,  
11 and for not more than the following full-time equivalent posi-  
12 tions:

13 ..... \$ 81,664

14 ..... FTEs 2.00

15 8. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION

16 For salaries, support, maintenance, miscellaneous purposes,  
17 and for not more than the following full-time equivalent posi-  
18 tions:

19 ..... \$ 314,261

20 ..... FTEs 7.00

21 The criminal and juvenile justice planning advisory council  
22 and the juvenile justice advisory council of the division of  
23 children, youth, and families shall coordinate their efforts  
24 in carrying out their respective duties relative to juvenile  
25 justice.

26 Sec. 503. There is appropriated from the general fund of  
27 the state to the department for the blind for the fiscal year  
28 beginning July 1, 1991, and ending June 30, 1992, the  
29 following amount, or so much thereof as is necessary, to be  
30 used for the purposes designated:

31 For salaries, support, maintenance, miscellaneous purposes,  
32 and for not more than the following full-time equivalent posi-  
33 tions:

34 ..... \$ 1,450,576

35 ..... FTEs 104.50

1 Sec. 504. There is appropriated from the general fund of  
2 the state to the department of elder affairs for the fiscal  
3 year beginning July 1, 1991, and ending June 30, 1992, the  
4 following amounts, or so much thereof as is necessary, to be  
5 used for the purposes designated:

6 1. For salaries, support, maintenance, miscellaneous  
7 purposes, and for not more than the following full-time  
8 equivalent positions:

9 .....	\$	448,630
10 .....	FTEs	32.00

11 Of the funds appropriated under this subsection, \$50,000  
12 shall be allocated to fund the representative payee project  
13 established within the department of elder affairs.

14 2. For the administration of area agencies on aging:

15 .....	\$	165,000
----------	----	---------

16 3. For the long-term care residents' advocate and the care  
17 review committees at the local area agency on aging level:

18 .....	\$	120,000
----------	----	---------

19 As a condition, limitation, and qualification of the funds  
20 appropriated by this subsection, a local area agency on aging  
21 shall match the funds appropriated with funds from other  
22 sources on a \$4 to \$1 basis.

23 4. For the retired Iowans community employment program:

24 .....	\$	104,000
----------	----	---------

25 5. For existing retired senior volunteer program projects:

26 .....	\$	83,000
----------	----	--------

27 6. For the older Iowans' legislature:

28 .....	\$	13,000
----------	----	--------

29 7. For elderly services programs:

30 .....	\$	1,531,000
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31 All funds appropriated under this subsection shall be  
32 received and disbursed by the director of elder affairs for  
33 the elderly services program, shall not be used for  
34 administrative purposes, and shall be used for citizens of  
35 Iowa over 60 years of age for chore, telephone reassurance,

1 adult day care, and home repair services, including the  
2 winterizing of homes, and for the construction of entrance  
3 ramps which meet the requirements of section 104A.4 and make  
4 residences accessible to the physically handicapped. Funds  
5 appropriated under this subsection may be used to supplement  
6 federal funds under federal regulations. Funds appropriated  
7 under this subsection may be used for elderly services not  
8 specifically enumerated in this subsection only if approved by  
9 an area agency on aging for provision of the service within  
10 the area.

11 Of the funds appropriated in this subsection, \$150,000, or  
12 so much thereof as is necessary, are allocated for the respite  
13 care program.

14 Of the funds appropriated in this subsection, area agencies  
15 on aging shall expend no less than \$250,000 on adult day care  
16 programs.

17 Of the funds appropriated in this subsection, \$150,000, or  
18 so much thereof as is necessary, shall be used for case  
19 management for the frail elderly.

20 8. For the Alzheimer's disease support program:  
21 ..... \$ 75,000

22 Sec. 505. There is appropriated from the general fund of  
23 the state to the Iowa department of public health for the  
24 fiscal year beginning July 1, 1991, and ending June 30, 1992,  
25 the following amounts, or so much thereof as is necessary, to  
26 be used for the purposes designated:

27 1. CENTRAL ADMINISTRATION DIVISION

28 For salaries, support, maintenance, miscellaneous purposes,  
29 and for not more than the following full-time equivalent posi-  
30 tions:

31 ..... \$ 757,278  
32 ..... FTEs 57.50

33 2. HEALTH PLANNING DIVISION

34 a. For salaries, support, maintenance, miscellaneous  
35 purposes, and for not more than the following full-time

1 equivalent positions:

2 .....	\$	415,852
3 .....	FTEs	12.75

4 b. For salaries, support, maintenance, miscellaneous  
5 purposes, and for not more than the following full-time  
6 equivalent positions for the office of rural health:

7 .....	\$	164,536
8 .....	FTEs	4.00

9 (1) Of the funds appropriated in this paragraph, \$34,536  
10 is allocated for the continuation of the office of rural  
11 health.

12 (2) Of the funds appropriated in this paragraph, \$100,000  
13 is allocated to the office of rural health to provide  
14 technical assistance to rural areas in the area of health care  
15 delivery, including technical assistance in the recruitment of  
16 physicians and health care professionals.

17 (3) Of the funds appropriated in this paragraph, \$30,000  
18 is allocated for a public purpose to provide one-time  
19 competitive grants, not to exceed \$10,000 each, to hospitals  
20 networking in the Iowa agricultural health and safety services  
21 program. Hospitals shall use grant funds to create stipends  
22 for persons engaged in agriculture who are without third-party  
23 health coverage or who are otherwise unable to pay for  
24 services, and to implement the program through training  
25 personnel, developing outreach programs and educational  
26 materials, and purchasing equipment needed to offer savings.

27 As used in this subparagraph, "agriculture" means an  
28 activity relating to the production, processing, warehousing,  
29 or handling of commodities produced from farming, as defined  
30 in section 567.1. For purposes of this subparagraph, a person  
31 is engaged in agriculture if the person is consistently  
32 exposed to a related activity described in this subparagraph.

33 c. For the health data clearinghouse of the health data  
34 commission:

35 .....	\$	300,000
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1 3. DISEASE PREVENTION DIVISION

2 a. For salaries, support, maintenance, miscellaneous  
3 purposes, and for not more than the following full-time  
4 equivalent positions:

5 .....	\$	2,446,096
6 .....	FTEs	85.54

7 (1) Of the funds appropriated under this paragraph,  
8 \$75,000 shall be used for chlamydia testing.

9 (2) Of the funds appropriated in this paragraph, \$15,000  
10 is allocated to support the surveillance and reporting of  
11 disabilities suffered by persons engaged in agriculture  
12 resulting from diseases or injuries, including identifying the  
13 amount and severity of agriculture related injuries and  
14 diseases in the state, identifying causal factors associated  
15 with agriculture related injuries and diseases, and evaluating  
16 the effectiveness of intervention programs designed to reduce  
17 injuries and diseases. The department shall cooperate with  
18 the department of agriculture and land stewardship, Iowa state  
19 university of science and technology, and the college of  
20 medicine at the state university of Iowa in accomplishing  
21 these duties.

22 (3) (a) The Iowa department of public health shall  
23 continue an acquired immune deficiency syndrome (AIDS)  
24 services task force. It is the intent of the general assembly  
25 that the AIDS services task force do all of the following:

26 (i) Collect comprehensive information regarding existing  
27 programs and services to persons who have tested positive for  
28 the human immunodeficiency virus or who have acquired immune  
29 deficiency syndrome in the state.

30 (ii) Identify barriers to existing programs and services.

31 (iii) Develop policy recommendations based upon the scope  
32 of the problem of the disease and the determined needs of  
33 persons with acquired immune deficiency syndrome and their  
34 families.

35 (iv) Make recommendations to the Iowa department of public

1 health for an acquired immune deficiency syndrome services  
2 grant program.

3 (b) The task force shall include all of the following  
4 members:

5 (i) A physician who is knowledgeable about acquired immune  
6 deficiency syndrome and its treatment.

7 (ii) A social worker experienced in working with persons  
8 with acquired immune deficiency syndrome.

9 (iii) An administrator of a community or regional-based  
10 agency or organization that provides services to persons with  
11 acquired immune deficiency syndrome.

12 (iv) One male and one female representative of the  
13 homosexual community.

14 (v) A representative of the Black community.

15 (vi) A representative of the Hispanic community.

16 (vii) A representative of an AIDS coalition.

17 (viii) A person with acquired immune deficiency syndrome  
18 or a person who has tested positive for the human  
19 immunodeficiency virus.

20 (ix) A mental health worker.

21 (c) The task force membership shall be geographically  
22 balanced to the extent possible. Members of the task force  
23 shall be reimbursed for actual and necessary expenses incurred  
24 by the members in the discharge of their official duties.

25 (d) The AIDS services task force shall report its  
26 recommendations to the general assembly by January 1, 1992.

27 (4) The state university of Iowa hospitals and clinics  
28 shall not receive indirect costs from the funds appropriated  
29 under this paragraph.

30 b. For salaries, support, maintenance, miscellaneous  
31 purposes, and for not more than the following full-time  
32 equivalent positions:

33 .....	\$	975,473
34 .....	FTEs	5.00

35 It is the intent of the general assembly that the moneys

1 appropriated under this paragraph shall be used for the  
2 training of emergency medical services (EMS) personnel at the  
3 state, county, and local levels.

4 If a person in the course of responding to an emergency  
5 renders aid to an injured person and becomes exposed to bodily  
6 fluids of the injured person, that emergency responder shall  
7 be entitled to hepatitis testing and immunization in  
8 accordance with the latest available medical technology to  
9 determine if infection with hepatitis has occurred. The  
10 person shall be entitled to reimbursement from the emergency  
11 provider fund only if the reimbursement is not available  
12 through any employer or third-party payor.

13 c. For the acquisition of emergency medical services  
14 equipment:

15 ..... \$ 375,000

16 (1) The funds appropriated under this section shall be  
17 allocated to each county based upon the apportionment of funds  
18 as follows:

19 (a) 50 percent of the funds is apportioned based upon the  
20 area of a county to the total area of all counties.

21 (b) 25 percent of the funds is apportioned based upon the  
22 population of the county to the total population of all  
23 counties.

24 (c) 25 percent of the funds is apportioned based upon the  
25 rural population of the county to the total rural population  
26 of all counties.

27 (2) Each county EMS association shall propose a plan for  
28 spending the county's allocation and submit the plan to the  
29 Iowa department of public health for its review and comment.  
30 The Iowa department of public health shall review the plan and  
31 shall approve, modify, or deny the plan. If a request is  
32 denied, the county EMS association may submit a new proposal.  
33 Upon approval, the Iowa department of public health shall  
34 remit the amount approved to the award recipients. Each award  
35 of \$1 to a county shall require a \$1 match by the county or



1 EMS provider. The Iowa department of public health shall  
2 provide assistance to the county EMS associations in reviewing  
3 the proposals.

4 (3) For the purposes of this lettered paragraph, unless  
5 the context otherwise requires:

6 (a) "Area", "county EMS association", "EMS provider", and  
7 "rural population" mean the same as defined in 641 IAC 130.

8 (b) "Emergency medical services equipment" means  
9 defibrillators, nondisposable essential EMS equipment, as  
10 defined by the Iowa department of public health,  
11 communications pagers, radios, and base repeaters. "Emergency  
12 medical services equipment" does not include ambulances,  
13 automotive parts, or buildings.

14 4. PROFESSIONAL LICENSURE DIVISION

15 For salaries, support, maintenance, miscellaneous purposes,  
16 and for not more than the following full-time equivalent posi-  
17 tions:

18 .....	\$	615,785
19 .....	FTEs	14.50

20 5. STATE BOARD OF DENTAL EXAMINERS

21 For salaries, support, maintenance, miscellaneous purposes,  
22 and for not more than the following full-time equivalent posi-  
23 tions:

24 .....	\$	226,243
25 .....	FTEs	4.00

26 6. STATE BOARD OF MEDICAL EXAMINERS

27 For salaries, support, maintenance, miscellaneous purposes,  
28 and for not more than the following full-time equivalent posi-  
29 tions:

30 .....	\$	992,539
31 .....	FTEs	19.00

32 7. STATE BOARD OF NURSING EXAMINERS

33 For salaries, support, maintenance, miscellaneous purposes,  
34 and for not more than the following full-time equivalent posi-  
35 tions:

1 ..... \$ 789,058  
2 ..... FTEs 17.00

3 8. STATE BOARD OF PHARMACY EXAMINERS

4 For salaries, support, maintenance, miscellaneous purposes,  
5 and for not more than the following full-time equivalent posi-  
6 tions:

7 ..... \$ 599,721  
8 ..... FTEs 12.00

9 9. Professional licensure division pursuant to subsection  
10 4 and the boards pursuant to subsections 5 through 8 shall  
11 prepare estimates of projected receipts to be generated by the  
12 licensing, certification, and examination fees of each board  
13 as well as a projection of the fairly apportioned  
14 administrative costs and rental expenses attributable to each  
15 board. Each board shall annually review and adjust its  
16 schedule of fees so that, as nearly as possible, projected  
17 receipts equal projected costs.

18 10. SUBSTANCE ABUSE DIVISION

19 a. For salaries, support, maintenance, miscellaneous  
20 purposes, and for not more than the following full-time  
21 equivalent positions:

22 ..... \$ 502,225  
23 ..... FTEs 20.00

24 b. For program grants:

25 ..... \$ 8,961,665

26 c. For the provision of aftercare services for persons  
27 completing substance abuse treatment:

28 ..... \$ 200,000

29 11. FAMILY AND COMMUNITY HEALTH DIVISION

30 a. For salaries, support, maintenance, miscellaneous  
31 purposes, and for not more than the following full-time  
32 equivalent positions:

33 ..... \$ 4,447,820  
34 ..... FTEs 91.97

35 (i) The department shall allocate from the funds

1 appropriated under this paragraph at least \$631,000 for the  
2 birth defects and genetics counseling program and of these  
3 funds, \$39,000 shall be allocated for a central birth defects  
4 registry program, and \$296,000 shall be allocated for regional  
5 genetic counseling services contracted from the state  
6 university of Iowa hospitals and clinics under the control of  
7 the state board of regents.

8 (2) Of the funds appropriated under this paragraph,  
9 \$99,000 shall be used for a lead abatement program.

10 (3) Of the funds appropriated under this paragraph,  
11 \$754,500 shall be used for the chronic renal disease program.  
12 The types of assistance to eligible recipients under the  
13 program may include hospital and medical expenses, home  
14 dialysis supplies, insurance premiums, travel expenses,  
15 prescription and nonprescription drugs, and lodging expenses  
16 for persons in training. The program expenditures shall not  
17 exceed these allocations. If projected expenditures will  
18 exceed the allocations, the department shall establish by  
19 administrative rule a mechanism to reduce financial assistance  
20 under the renal disease program in order to keep expenditures  
21 within the allocations.

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

27 (a) Mobile and regional child health specialty clinics:  
28 ..... \$ 341,500

29 The regional clinic located in Sioux City shall maintain a  
30 social worker component to assist the families of children  
31 participating in the clinic program.

32 (b) Muscular dystrophy and related genetic disease  
33 programs:  
34 ..... \$ 125,000

35 (c) Statewide perinatal program:

1 ..... \$ 67,000

2 (5) The birth defects and genetic counseling service shall  
3 apply a sliding fee scale to determine the amount a person re-  
4 ceiving the services is required to pay for the services.  
5 These fees shall be considered repayment receipts and used for  
6 the program.

7 (6) Of the funds allocated to the mobile and regional  
8 child health specialty clinics under subparagraph (4),  
9 subparagraph subdivision (a), \$101,500 shall be used for a  
10 specialized medical home care program providing care planning  
11 and coordination of community support services for children  
12 who require technical medical care in the home.

13 (7) The state university of Iowa hospitals and clinics  
14 shall not receive indirect costs from the funds for each  
15 program.

16 (8) Of the funds appropriated under this paragraph,  
17 \$1,350,000 shall be used for maternal and child health  
18 services.

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

27 (10) The Iowa department of public health shall increase  
28 efforts, in coordination with the department of human services  
29 to enroll eligible children in the medicaid preventative  
30 program for children, the early and periodic screening,  
31 diagnosis, and treatment program, including the distribution  
32 of information regarding the program through the school  
33 system.

34 (11) The Iowa department of public health shall review the  
35 state's process of contracting with maternal and child health

1 centers including improvement of the coordination of related  
2 services such as the women, infants and children program,  
3 perinatal care, and child health care, through mechanisms  
4 including the combining of services into a single contract,  
5 colocation, or other means of coordination. The department  
6 shall examine means of delivering services in the most  
7 efficient and effective manner to meet local needs.

8 b. Sudden infant death syndrome autopsies:

9 For reimbursing counties for expenses resulting from autopsies of suspected victims of sudden infant death syndrome  
10 required under section 331.802, subsection 3, paragraph "j":  
11 ..... \$ 10,000  
12

13 c. For grants to local boards of health for the public health nursing program:

14 ..... \$ 2,732,249  
15

16 Funds appropriated under this paragraph shall be used to  
17 maintain and expand the existing public health nursing program  
18 for elderly and low-income persons with the objective of  
19 preventing or reducing inappropriate institutionalization.  
20 The funds shall not be used for any other purpose. As used in  
21 this paragraph, "elderly person" means a person who is 60  
22 years of age or older and "low-income person" means a person  
23 whose income and resources are below the guidelines  
24 established by the department.

25 One-fourth of the total amount to be allocated shall be  
26 divided so that an equal amount is available for use in each  
27 county in the state. Three-fourths of the total amount to be  
28 allocated shall be divided so that the share available for use  
29 in each county is proportionate to the number of elderly and  
30 low-income persons living in that county in relation to the  
31 total number of elderly and low-income persons living in the  
32 state.

33 In order to receive allocations under this paragraph, the  
34 local board of health having jurisdiction shall prepare a  
35 proposal for the use of the allocated funds available for that

1 jurisdiction that will provide the maximum benefits of  
2 expanded public health nursing care to elderly and low-income  
3 persons in the jurisdiction. After approval of the proposal  
4 by the department, the department shall enter into a contract  
5 with the local board of health. The local board of health  
6 shall subcontract with a nonprofit nurses' association, an  
7 independent nonprofit agency, or a suitable local governmental  
8 body to use the allocated funds to provide public health  
9 nursing care. Local boards of health shall make an effort to  
10 prevent duplication of services.

11 If by July 30 of the fiscal year, the department is unable  
12 to conclude contracts for use of the allocated funds in a  
13 county, the department shall consider the unused funds  
14 appropriated under this paragraph an unallocated pool. If the  
15 unallocated pool is \$50,000 or more it shall be reallocated to  
16 the counties in substantially the same manner as the original  
17 allocations. The reallocated funds are available for use in  
18 those counties during the period beginning January 1 and  
19 ending June 30 of the fiscal year. If the unallocated pool is  
20 less than \$50,000, the department may allocate it to counties  
21 with demonstrated special needs for public health nursing.

22 The department shall maintain rules governing the  
23 expenditure of funds appropriated by this paragraph. The  
24 rules require each local agency receiving funds to establish  
25 and use a sliding fee scale for those persons able to pay for  
26 all or a portion of the cost of the care.

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

1 d. For grants to county boards of supervisors for the  
2 homemaker-home health aide program:  
3 ..... \$ 9,275,159

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

13 (1) "Chore services" means services provided to  
14 individuals or families, who, due to incapacity, or illness,  
15 are unable to perform certain home maintenance functions. The  
16 services include but are not limited to yard work such as  
17 mowing lawns, raking leaves, and shoveling walks; window and  
18 door maintenance such as hanging screen windows and doors,  
19 replacing windowpanes, and washing windows; and minor repairs  
20 to walls, floors, stairs, railings, and handles. It also  
21 includes heavy house cleaning which includes cleaning attics  
22 or basements to remove fire hazards, moving heavy furniture,  
23 extensive wall washing, floor care or painting, and trash  
24 removal.

25 (2) "Elderly person" means a person who is 60 years of age  
26 or older.

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

1 management, personal services, transportation and providing  
2 information, assistance, and household management.

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

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

13 The amount appropriated under this paragraph shall be  
14 allocated for use in the counties of the state. 15 percent of  
15 the amount shall be divided so that an equal amount is  
16 available for use in each county in the state. The following  
17 percentages of the remaining amount shall be allocated to each  
18 county according to that county's proportion of residents with  
19 the following demographic characteristics: 60 percent  
20 according to the number of elderly persons living in the  
21 county; 20 percent according to the number of persons below  
22 the poverty level living in the county; and 20 percent  
23 according to the number of substantiated cases of child abuse  
24 in the county during the 3 most recent fiscal years for which  
25 data is available.

26 In order to receive allocations under this paragraph, the  
27 county board of supervisors, after consultation with the local  
28 boards of health, county board of social welfare, area agency  
29 on aging advisory council, local office of the department of  
30 human services, and other in-home health care provider  
31 agencies in the jurisdiction, shall prepare a proposal for the  
32 use of the allocated funds available for that jurisdiction  
33 that will provide the maximum benefits of homemaker-home  
34 health aide services to elderly and low-income persons and  
35 children and adults in need of protective services in the



1 jurisdiction. An agency requesting service or financial  
2 information about a current subcontractor shall provide  
3 similar information concerning its own homemaker-home health  
4 aide or chore services program to the current subcontractor.  
5 The proposal may provide that a maximum of 15 percent of the  
6 allocated funds will be used to provide chore services. The  
7 proposal shall include a statement assuring that children and  
8 adults in need of protective services are given priority for  
9 homemaker-home health aide services and that the appropriate  
10 local agencies have participated in the planning for the  
11 proposal. After approval of the proposal by the department,  
12 the department shall enter into a contract with the county  
13 board of supervisors or a governmental body designated by the  
14 county board of supervisors. The county board of supervisors  
15 or its designee shall subcontract with a nonprofit nurses'  
16 association, an independent nonprofit agency, the department  
17 of human services, or a suitable local governmental body to  
18 use the allocated funds to provide homemaker-home health aide  
19 services and chore services providing that the subcontract  
20 requires any service provided away from the home to be  
21 documented in a report available for review by the department,  
22 and that each homemaker-home health aide subcontracting agency  
23 shall maintain the direct service workers' time assigned to  
24 direct client service at 70 percent or more of the workers'  
25 paid time and that not more than 35 percent of the total cost  
26 of the service be included in the combined costs for service  
27 administration and agency administration. The subcontract  
28 shall require that each homemaker-home health aide  
29 subcontracting agency shall pay the employer's contribution of  
30 Social Security and provide workers' compensation coverage for  
31 persons providing direct homemaker-home health aide service  
32 and meet any other applicable legal requirements of an  
33 employer-employee relationship.

34 If by July 30 of the fiscal year, the department is unable  
35 to conclude contracts for use of the allocated funds in a

1 county, the department shall consider the unused funds  
2 appropriated under this paragraph an unallocated pool. The  
3 department shall also identify any allocated funds which the  
4 counties do not anticipate spending during the fiscal year.  
5 If the anticipated excess funds to any county are substantial,  
6 the department and the county may agree to return those excess  
7 funds, if the funds are other than program revenues, to the  
8 department, and if returned, the department shall consider the  
9 returned funds a part of the unallocated pool. The department  
10 shall prior to February 15 of the fiscal year, reallocate the  
11 funds in the unallocated pool among the counties in which the  
12 department has concluded contracts under this paragraph. The  
13 department shall also review the first 10 months' expenditures  
14 for each county in May of the fiscal year, to determine if any  
15 counties possess contracted funds which they do not anticipate  
16 spending. If such funds are identified and the county agrees  
17 to release the funds, the released funds will be considered a  
18 new reallocation pool. The department may, prior to June 1 of  
19 the fiscal year, reallocate funds from this new reallocation  
20 pool to those counties which have experienced a high  
21 utilization of protective service hours for children and  
22 dependent adults.

23 The department shall maintain rules governing the  
24 expenditure of funds appropriated by this paragraph. The  
25 rules require each local agency receiving funds to establish  
26 and use a sliding fee scale for those persons able to pay for  
27 all or a portion of the cost of the services and shall require  
28 the payments to be applied to the cost of the services. The  
29 department shall also maintain rules for standards regarding  
30 training, supervision, recordkeeping, appeals, program  
31 evaluation, cost analysis, and financial audits, and rules  
32 specifying reporting requirements.

33 The department shall annually evaluate the success of the  
34 homemaker-home health aide program. The evaluation shall  
35 include a description of the program and its implementation,

1 the extent of local participation, the extent to which the  
2 program reduced or prevented inappropriate institutional-  
3 zation, the extent to which the program provided or increased  
4 the availability of homemaker-home health aide services to  
5 elderly and low-income persons and children and adults in need  
6 of protective services, any problems and recommendations  
7 concerning the program, and an analysis of the costs of  
8 services across the state. The department shall submit a  
9 report of the annual evaluation to the governor and the  
10 general assembly.

11 e. For the development and maintenance of well-elderly  
12 clinics in the state:  
13 ..... \$ 606,945

14 Appropriations made in this paragraph shall be provided by  
15 a formula to well-elderly clinics located in counties which  
16 provide funding on a matching basis for the well-elderly  
17 clinics.

18 f. For the physician care for children program:  
19 ..... \$ 425,000

20 The physician services shall be subject to managed care and  
21 selective contracting provisions and shall be used to provide  
22 treatment of the children in a physician's office and shall  
23 include coverage of diagnostic procedures and prescription  
24 drugs required for the treatment. Services provided under  
25 this paragraph shall be reimbursed according to Title XIX  
26 reimbursement rates.

27 g. For primary and preventive health care for children:  
28 ..... \$ 135,000

29 Funds appropriated under this section shall be for the  
30 public purpose of providing a renewable grant, following a  
31 request for proposals, to a statewide charitable organization  
32 within the meaning of section 501(c)(3) of the Internal  
33 Revenue Code which was organized prior to April 1, 1989, and  
34 has as one of its purposes the sponsorship or support for  
35 programs designed to improve the quality, awareness, and

1 availability of health care for the young, to serve as the  
2 funding mechanism for the provision of primary health care and  
3 preventive services to children in the state who are uninsured  
4 and who are not eligible under any public plan of health  
5 insurance, provided all of the following conditions are met:

6 (1) The organization shall provide a match in advance of  
7 each state dollar provided as follows:

8 (a) In the fiscal period beginning July 1, 1989, and  
9 ending June 30, 1991, \$2.

10 (b) In the fiscal year beginning July 1, 1991, \$3.

11 (2) The organization coordinates services with new or  
12 existing public programs and services provided by or funded by  
13 appropriate state agencies in an effort to avoid inappropriate  
14 duplication of services and ensure access to care to the  
15 extent as is reasonably possible. The organization shall work  
16 with the Iowa department of public health, family and  
17 community health division, to ensure duplication is minimized.

18 (3) The organization's governing board includes in its  
19 membership representatives from the executive and legislative  
20 branches of state government.

21 (4) Grant funds are available as needed to provide  
22 services and shall not be used for administrative costs of the  
23 department or the grantee.

24 (5) Notwithstanding section 8.33, funds appropriated in  
25 this section which are unencumbered or unobligated on June 30,  
26 1992, shall not revert to the general fund but shall remain  
27 available to the department for the provision of maternal and  
28 child health services.

29 Sec. 506. 1990 Iowa Acts, chapter 1166, section 2,  
30 unnumbered paragraph 2, is amended by striking the unnumbered  
31 paragraph.

32 Sec. 507. Section 135.11A, Code 1991, is amended by adding  
33 the following new unnumbered paragraph:

34 NEW UNNUMBERED PARAGRAPH. The professional licensure  
35 division and the licensing boards may expend additional funds,

1 if those additional expenditures are directly the cause of  
2 actual examination and exceed funds budgeted for examinations.  
3 Before the division or a licensing board expends or encumbers  
4 an amount in excess of the funds budgeted for examinations,  
5 the director of the department of management shall approve the  
6 expenditure or encumbrance. Before approval is given, the  
7 department of management shall determine that the examination  
8 expenses exceed the funds budgeted by the general assembly to  
9 the division or board and the division or board does not have  
10 other funds from which examination expenses can be paid. Upon  
11 approval of the department of management the division or  
12 licensing board may expend and encumber funds for excess  
13 examination expenses. The amounts necessary to fund the  
14 excess examination expenses shall be collected as fees from  
15 additional examination applicants and shall be treated as  
16 repayment receipts as defined in section 8.2.

17 Sec. 508. Section 135.103, Code 1991, is amended to read  
18 as follows:

19 135.103 GRANT PROGRAM.

20 The department shall implement a lead abatement grant  
21 program which provides matching funds to local boards of  
22 health or cities for the program after standards and  
23 requirements for the local program are developed. The state  
24 shall provide funds to approved programs on the basis of three  
25 dollars for each one dollar designated by the local board of  
26 health or city for the program for the first two years of a  
27 program, and funds on the basis of one dollar for each one  
28 dollar designated by the local board of health or city for the  
29 program for the third and fourth subsequent years of the  
30 program if such funding is determined necessary by the  
31 department for such subsequent years. ~~A-lead-abatement~~  
32 ~~program-grant-shall-not-exceed-a-time-period-of-four-years.~~

33 Sec. 509. Section 506 of this division, being deemed of  
34 immediate importance, takes effect upon enactment.

35 DIVISION VI

1 HUMAN SERVICES APPROPRIATIONS

2 Sec. 601. AID TO FAMILIES WITH DEPENDENT CHILDREN. There  
3 is appropriated from the general fund of the state to the  
4 department of human services for the fiscal year beginning  
5 July 1, 1991, and ending June 30, 1992, the following amount,  
6 or so much thereof as is necessary, to be used for the purpose  
7 designated:

8 For aid to families with dependent children:  
9 ..... \$ 42,482,743

10 1. The department may fund the employee portion of the  
11 cash bonus program from unspent funds under the appropriation  
12 in this section and shall continue to evaluate the program.

13 2. As a condition, limitation, and qualification of the  
14 funds appropriated in this section, the department shall  
15 continue to contract for services in developing and monitoring  
16 a demonstration waiver program to facilitate providing  
17 assistance in self-employment investment to aid to dependent  
18 children families. The demonstration waiver program shall be  
19 provided for the fiscal period beginning July 1, 1991, and  
20 ending June 30, 1993, or for as long as federal approval of  
21 the program continues. Of the funds appropriated in this  
22 section, up to \$99,592 shall be used to provide technical  
23 assistance for aid to dependent children families seeking  
24 self-employment. The technical assistance may be provided  
25 through the department or through a contract with the division  
26 of job training of the Iowa department of economic development  
27 and through a contract with the corporation for enterprise  
28 development.

29 3. As a condition, limitation, and qualification of the  
30 funds appropriated in this section, the department shall apply  
31 the self-employment investment demonstration waiver project  
32 statewide during the fiscal period delineated in the federal  
33 waiver submitted to operate the waiver project statewide,  
34 provided training is available to a recipient through a  
35 recognized self-employment training program. However, if the

1 application for the federal waiver is denied and funding is  
2 available, the department may determine the counties in which  
3 it is feasible to operate the project and shall provide the  
4 project in those counties.

5 4. As a condition, limitation, and qualification of the  
6 funds appropriated in this section, the schedule of basic  
7 needs under the aid to families with dependent children  
8 program for the fiscal year beginning July 1, 1991, is  
9 established as follows:

- 10 a. For 1 person at \$186.
- 11 b. For 2 persons at \$366.
- 12 c. For 3 persons at \$435.
- 13 d. For 4 persons at \$502.
- 14 e. For 5 persons at \$556.
- 15 f. For 6 persons at \$619.
- 16 g. For 7 persons at \$680.
- 17 h. For 8 persons at \$742.
- 18 i. For 9 persons at \$803.
- 19 j. For 10 persons at \$879.
- 20 k. For each additional person over 10 persons at \$88.

21 5. As a condition, limitation, and qualification of the  
22 funds appropriated in this section, the department shall  
23 continue the special needs program under the aid to families  
24 with dependent children program.

25 Sec. 602. EMERGENCY ASSISTANCE. There is appropriated  
26 from the general fund of the state to the department of human  
27 services for the fiscal year beginning July 1, 1991, and  
28 ending June 30, 1992, the following amount, or so much thereof  
29 as is necessary, to be used for the purpose designated:

30 For emergency assistance to families with dependent  
31 children under Title IV-A of the federal Social Security Act  
32 to match federal funding for homeless prevention programs:  
33 ..... \$ 500,000

34 The emergency assistance provided for in this section shall  
35 be available only if all other publicly funded resources have

1 been exhausted. The emergency assistance includes, but is not  
2 limited to, assisting people who face eviction, potential  
3 eviction, or foreclosure, utility shutoff or fuel shortage,  
4 loss of heating energy supply or equipment, homelessness,  
5 utility or rental deposits, or other specified crisis which  
6 threatens family or living arrangements. The emergency  
7 assistance shall be available to migrant families who would  
8 otherwise meet eligibility criteria.

9 Sec. 603. MEDICAL ASSISTANCE. There is appropriated from  
10 the general fund of the state to the department of human  
11 services for the fiscal year beginning July 1, 1991, and  
12 ending June 30, 1992, the following amount, or so much thereof  
13 as is necessary, to be used for the purpose designated:

14 For medical assistance, including reimbursement for  
15 abortion services, which shall be available under the medical  
16 assistance program only for those abortions which are  
17 medically necessary:

18 ..... \$231,968,287

19 1. Medically necessary abortions are those performed under  
20 any of the following conditions:

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

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

26 c. The pregnancy is the result of a rape which is reported  
27 within 45 days of the incident to a law enforcement agency or  
28 public or private health agency which may include a family  
29 physician.

30 d. The pregnancy is the result of incest which is reported  
31 within 150 days of the incident to a law enforcement agency or  
32 public or private health agency which may include a family  
33 physician.

34 e. Any spontaneous abortion, commonly known as a mis-  
35 carriage, if not all of the products of conception are ex-



1 pelled.

2     2. Of the funds appropriated in this section, \$1,000,000 is  
3 allocated until January 31, 1992, for contingency assistance  
4 for the federal nutrition program for women, infants, and  
5 children and shall be transferred to the Iowa department of  
6 public health as necessary in order to fully utilize funding  
7 available for the program. The allocated funds shall be  
8 transferred as necessary to restore a reduction in federal  
9 funding for the federal fiscal year ending September 30, 1991,  
10 required to adjust for federal financial assistance provided  
11 during the federal fiscal year ending September 30, 1990, in  
12 excess of the federal funding allocation to the state for this  
13 program or to finance any state match expenditure in excess of  
14 the federal funding allocation for this program during the  
15 federal fiscal year ending September 30, 1991. Any moneys  
16 allocated in this subsection which are unexpended or  
17 unobligated on January 31, 1992, shall be available during the  
18 remainder of the fiscal year to the department of human  
19 services for the purposes of this section.

20     3. Notwithstanding section 8.39, the department may  
21 transfer funds appropriated in this section to a separate  
22 account established in the department's case management unit  
23 for expenditures required to provide case management services  
24 pursuant to the appropriation in this Act for enhanced mental  
25 health, mental retardation, and developmental disabilities  
26 services, pending final settlement of the expenditures. Funds  
27 received by the case management unit in settlement of the  
28 expenditures shall be used to replace the transferred funds  
29 and are available for the purposes for which the funds were  
30 appropriated in this section.

31     4. As a condition, limitation, and qualification of the  
32 funds appropriated in this section, the department shall  
33 analyze the cost to benefits ratio associated with utilizing  
34 the medical review system offered by Value Health Sciences,  
35 Inc., and shall implement that system or a system with a

1 comparable cost to benefit ratio under the medical assistance  
2 program.

3 5. If a medical assistant recipient is receiving care  
4 which is reimbursed under a federally approved home and  
5 community-based services waiver but would otherwise be  
6 approved for care in an intermediate care facility for the  
7 mentally retarded, the recipient's county of legal settlement  
8 shall reimburse the department on a monthly basis for the  
9 portion of the recipient's cost of care which is not paid from  
10 federal funds.

11 6. As a condition, limitation, and qualification of the  
12 funds appropriated in this section, the department shall  
13 reimburse an ambulance service for transporting a medical  
14 assistance recipient from a location other than a medical  
15 institution to a hospital regardless of a determination of  
16 medical necessity. However, the department shall develop  
17 methods to reduce recipient usage of ambulance services for  
18 reasons other than medical necessity, including notification  
19 of recipients who have received ambulance services that were  
20 not considered to be a medical necessity and ambulance  
21 services that have provided such services.

22 7. Of the funds appropriated in this section, up to  
23 \$70,929,582 shall be used for medical assistance reimbursement  
24 of nursing facilities.

25 Sec. 604. MEDICAL CONTRACTS. There is appropriated from  
26 the general fund of the state to the department of human  
27 services for the fiscal year beginning July 1, 1991, and  
28 ending June 30, 1992, the following amount, or so much thereof  
29 as is necessary, to be used for the purpose designated:

30 For medical contracts:  
31 ..... \$ 4,102,016

32 As a condition, limitation, and qualification of the funds  
33 appropriated in this section, the department shall continue to  
34 contract for drug utilization review under the medical  
35 assistance program.

1     Sec. 605. HIV-AIDS HEALTH AND SUPPORT SERVICES.

2     There is appropriated from the general fund of the state to  
3 the department of human services for the fiscal year beginning  
4 July 1, 1991, and ending June 30, 1992, the following amount,  
5 or so much thereof as is necessary, to be used for the purpose  
6 designated:

7     For HIV-AIDS health and support services:

8 ..... \$           80,000

9     1. The funds appropriated in this section shall be used to  
10 provide health and support services to persons with human  
11 immunodeficiency virus infection (HIV) or acquired immune  
12 deficiency syndrome (AIDS).

13     2. The department of human services shall establish an  
14 AIDS service committee to distribute the moneys appropriated  
15 in this section. The committee shall remain active until the  
16 completion of the duties required under this section. Members  
17 of the committee are entitled to actual and necessary expenses  
18 in the performance of their official duties. The committee  
19 shall consist of persons who are knowledgeable concerning HIV  
20 infection or AIDS. The committee may consist of persons  
21 representing the following: licensed physicians and social  
22 workers, hospice organizations, home health care agencies, the  
23 homosexual community, persons with HIV infection or AIDS, and  
24 a representative of an AIDS coalition funded by the Iowa  
25 department of public health. To the extent possible, the  
26 committee members shall be the same persons who served as  
27 members of the AIDS services task force established pursuant  
28 to 1990 Iowa Acts, chapter 1259, section 6, subsection 3. The  
29 department and the committee shall cooperate with the Iowa  
30 department of public health in distributing the funds  
31 appropriated in this section.

32     3. The committee shall distribute the funds to regional  
33 HIV care consortia established pursuant to Title II of the  
34 federal Ryan White Comprehensive AIDS Resources Emergency Act,  
35 Pub. L. No. 101-381. The funds shall be used to provide

1 health and support services to persons with HIV infection or  
2 AIDS living within the consortia area, as authorized by the  
3 federal Act and approved by the committee. The services may  
4 include, but are not limited to, case management, benefits  
5 advocacy, client basic emergency need grants, support groups,  
6 individual support programs, home health care, respite care,  
7 and attendant care.

8 4. A consortia receiving funding under this section shall  
9 include representatives of agencies or organizations providing  
10 health and support services to persons with HIV infection or  
11 AIDS who reside within the consortia area and of affected  
12 persons. In addition, the consortia shall provide reasonable  
13 services to affected persons in both urban and rural portions  
14 of the consortia area. At least 10 percent of the funds  
15 provided to a consortia shall be used to provide services to  
16 women, children, and families of persons with HIV infection or  
17 AIDS. Moneys provided to a consortia under this section shall  
18 not be used to pay for an individual's services which are  
19 covered by private insurance or a publicly funded program.

20 5. A consortia receiving funds under this section shall  
21 provide information required by the committee or the  
22 department which may include but is not limited to all of the  
23 following:

24 a. The number of persons with HIV infection or AIDS in the  
25 consortia area.

26 b. Demographic information concerning the persons  
27 identified, including age and gender distributions.

28 c. The type and quantity of health and support services  
29 needs of the persons identified.

30 d. The type and quantity of health and support services  
31 provided by the consortia.

32 e. The type and quantity of health and support services  
33 the consortia is unable to provide due to lack of funding or  
34 other barrier to providing services.

35 Sec. 606. STATE SUPPLEMENTARY ASSISTANCE. There is

1 appropriated from the general fund of the state to the  
2 department of human services for the fiscal year beginning  
3 July 1, 1991, and ending June 30, 1992, the following amount,  
4 or so much thereof as is necessary, to be used for the purpose  
5 designated:

6 For state supplementary assistance:  
7 ..... \$ 19,000,391

8 The department shall increase the personal needs allowance  
9 for residents of residential care facilities by the same  
10 percentage and at the same time as federal supplemental  
11 security and federal social security benefits are increased  
12 due to a recognized increase in the cost of living.

13 Sec. 607. AID TO INDIANS. There is appropriated from the  
14 general fund of the state to the department of human services  
15 for the fiscal year beginning July 1, 1991, and ending June  
16 30, 1992, the following amount, or so much thereof as is  
17 necessary, to be used for the purpose designated:

18 For aid to Indians under section 252.43:  
19 ..... \$ 38,000

20 The tribal council shall not use more than 5 percent of the  
21 funds for administration purposes.

22 Sec. 608. CHILD DAY CARE ASSISTANCE. There is  
23 appropriated from the general fund of the state to the  
24 department of human services for the fiscal year beginning  
25 July 1, 1991, and ending June 30, 1992, the following amount,  
26 or so much thereof as is necessary, to be used for the  
27 purposes designated:

28 For protective child day care assistance and state child  
29 care assistance:  
30 ..... \$ 8,035,072

31 1. Of the funds appropriated under this section,  
32 \$3,530,141 shall be used for protective child day care  
33 assistance.

34 2. Of the funds appropriated under this section,  
35 \$4,246,000 shall be used for state child care assistance.

1 3. a. The funds allocated in this section for protective  
2 and state child care assistance shall be allocated to the  
3 department of human services districts and each district shall  
4 distribute the allocation to the counties within the district.  
5 If a district determines that a specified portion of the funds  
6 provided to a county is sufficient to meet the county's  
7 current demand and projected growth, the district may transfer  
8 the excess amount of funds to another county. If the district  
9 determines that a specified portion of the funds provided to  
10 the district is sufficient to meet the district's current  
11 demand and projected growth for the remainder of the fiscal  
12 year, the excess amount may be transferred for use in another  
13 district.

14 b. For state child care assistance, eligibility shall be  
15 limited to children whose family income is equal to or less  
16 than 150 percent of the federal office of management and  
17 budget poverty guidelines. However, on or after October 1,  
18 1991, the department may increase the income eligibility limit  
19 to be equal to or less than 75 percent of the Iowa median  
20 family income. Every effort shall be made to provide  
21 assistance for the entire fiscal year to families remaining  
22 eligible before providing assistance to eligible families who  
23 have not received assistance previously. For the entire  
24 fiscal year, the department shall develop a priority ranking  
25 of requirements for families who receive assistance, with  
26 special priority given to foster care families within the  
27 income guidelines. The requirements may include but are not  
28 limited to all of the following:

29 (1) Families with an income equal to or less than 150  
30 percent of the federal office of management and budget poverty  
31 guidelines.

32 (2) Single parent families who are at risk of becoming  
33 eligible for the aid to families with dependent children  
34 programs.

35 (3) Families who have exhausted eligibility for

- 1 transitional child care assistance.
- 2 (4) Adolescent parents attending school.
- 3 (5) Families who have children with special needs.
- 4 (6) Families who are providing foster care if both foster
- 5 parents are employed and child day care is consistent with the
- 6 case plan.

- 7 (7) Families with an income greater than 150 percent of
- 8 the federal office of management and budget poverty guidelines
- 9 but no more than 75 percent of the Iowa median family income.

10 c. The department shall adopt rules necessary to qualify  
11 to receive funding from the federal child care development  
12 block grant and the federal at-risk child care program. If  
13 required as a condition of receiving these funds, the rules  
14 may provide for eligibility, health and safety requirements,  
15 parental access to children, reimbursement rates, types of  
16 service provided, licensing standards, complaint registration  
17 procedures, or other rules necessary to establish a simplified  
18 or consolidated child day care policy.

19 d. Nothing in this section shall be construed or is  
20 intended as, or shall imply, a grant of entitlement for  
21 services to persons who are eligible for assistance due to an  
22 income level consistent with the requirements of this section.  
23 Any state obligation to provide services pursuant to this  
24 section is limited to the extent of the funds appropriated  
25 under this section.

26 4. Of the funds appropriated in this section, \$258,931 is  
27 allocated for the fiscal year beginning July 1, 1991, for the  
28 statewide program for child day care resource and referral  
29 services under section 237A.26.

30 5. The department may use any of the funds appropriated in  
31 this section as a match to obtain federal grants for use in  
32 expanding child day care assistance and related programs.

33 Sec. 609. TRANSITIONAL CHILD CARE ASSISTANCE. There is  
34 appropriated from the general fund of the state to the  
35 department of human services for the fiscal year beginning

1 July 1, 1991, and ending June 30, 1992, the following amount,  
2 or so much thereof as is necessary, to be used for the purpose  
3 designated:

4 For transitional child care assistance:  
5 ..... \$ 314,125

6 Notwithstanding section 239.21, the department of human  
7 services shall provide the transitional child care program in  
8 accordance with the federal Family Support Act of 1988, Pub.  
9 L. No. 100-485, § 302, and applicable federal regulations.  
10 Reimbursement for services shall be limited to registered or  
11 licensed child day care providers and programs providing care,  
12 supervision, or guidance of a child which is not included  
13 under the definition of "child day care" pursuant to section  
14 273A.1, subsection 7.

15 Sec. 610. JOBS PROGRAM. There is appropriated from the  
16 general fund of the state to the department of human services  
17 for the fiscal year beginning July 1, 1991, and ending June  
18 30, 1992, the following amount, or so much thereof as is  
19 necessary, to be used for the purposes designated:

20 For the JOBS program:  
21 ..... \$ 4,857,610

22 1. Of the funds appropriated in this section, \$4,245,610  
23 is allocated for the JOBS program. Effective September 1,  
24 1991, reimbursement under the JOBS program for child day care  
25 services shall be limited to registered or licensed child day  
26 care providers and programs providing care, supervision, or  
27 guidance of a child which is not included under the definition  
28 of "child day care" pursuant to section 237A.1, subsection 7.  
29 However, this requirement shall not apply to persons specified  
30 by rule as an aid to families with dependent children relative  
31 or as otherwise eligible for reimbursement because a licensed  
32 or registered child day care provider or program is not  
33 available.

34 2. Of the funds appropriated in this section, \$445,000 is  
35 allocated to the family development and self-sufficiency grant



1 program as provided under section 217.12. This funding shall  
2 extend current grantee funding from December 31, 1991, to June  
3 30, 1992.

4 a. No more than 5 percent of the funds appropriated in  
5 this section shall be used for administration of the program  
6 and this percentage shall be determined for the entire fiscal  
7 year rather than on a 6-month basis. Federal financial  
8 participation received by the department for the family  
9 development and self-sufficiency grant program shall be used  
10 for the grant program or the JOBS program.

11 b. Based upon the annual evaluation report concerning each  
12 grantee funded by this appropriation, the family development  
13 and self-sufficiency council may use funds allocated to renew  
14 grants. Grant renewals shall be awarded on or before January  
15 1, 1992, for a 6-month extension to June 30, 1992.

16 3. Of the funds allocated in this section, \$132,000 is  
17 allocated for the food stamp employment and training program.

18 Sec. 611. CHILD SUPPORT RECOVERY. There is appropriated  
19 from the general fund of the state to the department of human  
20 services for the fiscal year beginning July 1, 1991, and  
21 ending June 30, 1992, the following amount, or so much thereof  
22 as is necessary, to be used for the purposes designated:

23 For child support recovery, including salaries, support,  
24 maintenance, miscellaneous purposes, and for not more than the  
25 following full-time equivalent positions:

26 .....	\$	3,134,277
27 .....	FTEs	253.50

28 1. The director of human services, within the limitations  
29 of the funds appropriated in this section, or funds  
30 transferred from the aid to families with dependent children  
31 program for this purpose, may establish new positions and add  
32 additional employees to the child support recovery unit when  
33 the director determines that both the current and additional  
34 employees together can reasonably be expected to recover for  
35 the aid to families with dependent children program and the

1 nonpublic assistance support recovery program more than twice  
2 the amount of money required to pay the salaries and support  
3 for both the current and additional employees or the new  
4 positions are necessary for compliance with federal  
5 requirements and the anticipated increased recovery amount  
6 exceeds the cost of salaries and support for the new  
7 positions. In the event the director adds additional  
8 employees, the department shall demonstrate the cost-  
9 effectiveness of the current and additional employees by  
10 reporting to the joint human services appropriations  
11 subcommittee the ratio of the total amount of administrative  
12 costs for child support recoveries to the total amount of the  
13 child support recovered.

14 2. Notwithstanding any other provision in law, nonpublic  
15 assistance application and user fees received by the child  
16 support recovery program are appropriated and shall be used  
17 for the purposes of the program.

18 3. The director of human services, in consultation with  
19 the department of management and the legislative fiscal  
20 committee, is authorized to receive and deposit state child  
21 support incentive earnings in the manner specified under  
22 applicable federal requirements.

23 4. The director of human services may establish new  
24 positions and add additional state employees to the child  
25 support recovery unit if the director determines the employees  
26 are necessary to replace county-funded positions eliminated  
27 due to termination, reduction, or nonrenewal of a chapter 28E  
28 contract. However, the director must also determine that the  
29 resulting increase in the state share of child support  
30 recovery incentives exceeds the cost of the positions, the  
31 positions are necessary to ensure continued federal funding of  
32 the program, or the new positions can reasonably be expected  
33 to recover more than twice the amount of money to pay the  
34 salaries and support for the new positions.

35 Sec. 612. JUVENILE INSTITUTIONS. There is appropriated

1 from the general fund of the state to the department of human  
2 services for the fiscal year beginning July 1, 1991, and  
3 ending June 30, 1992, the following amounts, or so much  
4 thereof as is necessary, to be used for the purposes  
5 designated:

6 For the operation of the state training school and the Iowa  
7 juvenile home, including salaries, support, maintenance,  
8 miscellaneous purposes, and for not more than the following  
9 full-time equivalent positions:

10	1. For the Iowa juvenile home at Toledo:		
11	.....	\$	4,721,297
12	.....	FTEs	128.50
13	2. For the state training school at Eldora:		
14	.....	\$	8,197,405
15	.....	FTEs	229.00

16 3. It is the intent of the general assembly that during  
17 the fiscal year beginning July 1, 1991, the population levels  
18 at the state juvenile institutions shall not exceed the  
19 population guidelines established under 1990 Iowa Acts,  
20 chapter 1239, section 21. It is also the intent of the  
21 general assembly that the state juvenile institutions apply  
22 for an adolescent pregnancy prevention grant for the fiscal  
23 year beginning July 1, 1991.

24 Sec. 613. FOSTER CARE. There is appropriated from the  
25 general fund of the state to the department of human services  
26 for the fiscal year beginning July 1, 1991, and ending June  
27 30, 1992, the following amount, or so much thereof as is  
28 necessary, to be used for the purpose designated:

29 For foster care:  
30 ..... \$ 55,185,887

31 1. As a condition, limitation, and qualification of the  
32 funds appropriated in this section, the department shall use  
33 moneys appropriated in this section to establish 30 or more  
34 enhanced service group care facility beds during the fiscal  
35 year beginning July 1, 1991. The department may use moneys

1 appropriated in this section to provide enhanced funding of  
2 services to family foster homes to avert placement of children  
3 in group care facilities and may continue to provide enhanced  
4 funding of services to group care facilities to avert  
5 placement of children in more expensive, less appropriate out-  
6 of-state facilities or in a state juvenile institution. The  
7 department shall give priority to serving children whose  
8 placement at the state training school or the Iowa juvenile  
9 home would cause the state juvenile institution to exceed the  
10 population guidelines established under 1990 Iowa Acts,  
11 chapter 1239, section 21.

12 2. The department may transfer a portion of the funds  
13 appropriated in this section to provide subsidized adoption  
14 services or to purchase adoption services, if funds allocated  
15 in this section for adoption services are insufficient.

16 3. The department and state court administrator shall work  
17 together in implementing an agreement which enables the state  
18 to receive funding for eligible cases under the federal Social  
19 Security Act, Title IV-E.

20 4. Not more than 25 percent of the children placed in  
21 foster care funded under the federal Social Security Act,  
22 Title IV-E, shall be placed in foster care for a period of  
23 more than 24 months.

24 5. Of the funds appropriated in this section, \$92,000 is  
25 allocated for the foster home insurance fund. Notwithstanding  
26 section 237.13, the department may use funds appropriated in  
27 this section to purchase liability insurance for licensed  
28 foster parents in lieu of providing payment for claims filed  
29 against the foster home insurance fund, if comparable coverage  
30 can be obtained through private insurance. Notwithstanding  
31 section 8.33, funds remaining in the foster home insurance  
32 fund on June 30, 1992, shall not revert to the general fund  
33 but shall remain available for expenditure in the fiscal year  
34 beginning July 1, 1992, for the purposes designated.

35 6. As a condition, limitation, and qualification of the

1 funds appropriated in this section, the department shall  
2 review the need to provide additional day treatment  
3 alternatives within the child welfare system and the potential  
4 to provide additional services by including day treatment  
5 provided by psychiatric medical institutions for children as a  
6 service reimbursed under medical assistance. The department  
7 shall identify the effect of providing day treatment services  
8 reimbursement under medical assistance upon state expenditures  
9 for residential treatment and other foster care services. The  
10 department may use funds appropriated in this division for  
11 medical assistance to pay the nonfederal share of costs for  
12 services reimbursed under medical assistance which are  
13 provided in a psychiatric medical institution for children.

14 7. The department may use \$30,000 of the funds  
15 appropriated in this section to contract for a study of the  
16 effectiveness of needs-based and therapeutic family foster  
17 care and enhanced residential care.

18 8. As a condition, limitation, and qualification of the  
19 funds appropriated in this section, the department shall  
20 develop a therapeutic foster care program in at least 1  
21 district in the state. The program's foster care worker  
22 support staff shall serve not more than 7 foster families and  
23 shall provide respite and special support services to foster  
24 parents to enable them to serve in an active treatment  
25 capacity with the children under their care. Of the funds  
26 appropriated in this section, up to \$200,000 shall be used for  
27 therapeutic foster care reimbursement and \$284,667 for 8.00  
28 FTEs under the appropriation in this division for field  
29 operations.

30 9. Funds appropriated in this section may be used to  
31 recruit foster parents and to implement a pilot project  
32 utilizing the "Model Approach to Partnership in Parenting"  
33 preservice training for foster parents.

34 10. Of the funds appropriated in this section, up to  
35 \$140,000 may be used to develop and maintain the state's

1 implementation of the national adoption and foster care  
2 information system pursuant to the requirements of Pub. L. No.  
3 99-509.

4 11. As a condition, limitation, and qualification of the  
5 funds appropriated in this section, the department shall  
6 continue a family foster care advisory committee to examine  
7 department practices and policies to improve the recruitment  
8 and retention of foster parents, provide training and  
9 professional guidance where appropriate, and seek the  
10 involvement of family foster care providers in designing,  
11 developing, and participating in the creation of therapeutic  
12 foster family homes. The department shall review initiatives  
13 of other states in recruiting foster parents from appropriate  
14 families who are recipients of public assistance. In  
15 consultation with the advisory committee, the department shall  
16 seek federal waivers and make program modifications as  
17 necessary to develop a similar program for Iowa upon receiving  
18 federal approval to do so.

19 12. As a condition, limitation, and qualification of the  
20 funds appropriated in this section, the department shall  
21 establish specialized family foster care homes and provide  
22 specialized support and respite services to qualifying foster  
23 care families who accept infants with chemical addictions from  
24 intrauterine transmission who would otherwise remain in a  
25 hospital.

26 13. As a condition, limitation, and qualification of the  
27 funds appropriated in this section, the department shall  
28 continue the demonstration program to decategorize child  
29 welfare services in the 4 counties in which the program has  
30 commenced. The department may approve additional applications  
31 from a county or consortium of counties to initiate a  
32 demonstration program providing the department, the boards of  
33 supervisors in the counties, and the affected judicial  
34 districts agree to implement the program. The schedule for  
35 implementing the demonstration program in additional counties

1 shall provide that the program be implemented on or after  
2 January 1, 1992. The department shall establish for the  
3 demonstration project counties a child welfare fund composed  
4 of all or part of the amount that would otherwise be expected  
5 to be used for residents of the counties for foster care,  
6 family-centered services, subsidized adoption, child day care,  
7 local purchase of services, state juvenile institution care,  
8 mental health institute care, state hospital-school care,  
9 juvenile detention, department-direct services, and court-  
10 ordered evaluation and treatment of juvenile services and  
11 notwithstanding any other provision of law, the fund shall be  
12 considered encumbered. Notwithstanding other service funding  
13 provisions in law, the department shall establish the fund by  
14 transferring funds from the budgets affected, except for the  
15 funds appropriated for the state mental health institutes, the  
16 state hospital-schools, the state training school, and the  
17 Iowa juvenile home which shall remain on account for the  
18 county at these institutions. The child welfare fund may be  
19 used to support services and payment rates not allowable  
20 within historical program or service categories. A limited  
21 amount of the fund may be used to support services and  
22 reimbursement rates not allowable within historical program or  
23 service categories and administrative rule. It is the intent  
24 of the general assembly that the demonstration program be  
25 designed to operate in a county for a 3-year period. The 3-  
26 year time period for a decategorization project in Dubuque,  
27 Polk, Pottawattamie, or Scott county shall be considered to  
28 begin on January 1 in the first year following the year in  
29 which the county's decategorization project was approved by  
30 the department.

31 14. As a condition, limitation, and qualification of the  
32 funds appropriated in this section, the department shall seek  
33 outside funding support to continue foster care payments to  
34 foster families and foster care youths in independent living  
35 situations, if the youths wish to pursue a postsecondary

1 education upon turning 18 years of age and eligibility for  
2 foster care payments expires. In consultation with the family  
3 foster care advisory committee, the department shall report on  
4 options available to the state to provide assistance to foster  
5 families and foster care youths who wish to pursue a  
6 postsecondary education when the youths reach 18 years of age.

7 Sec. 614. CHILD PROTECTIVE SYSTEM IMPROVEMENTS. There is  
8 appropriated from the general fund of the state to the  
9 department of human services for the fiscal year beginning  
10 July 1, 1991, and ending June 30, 1992, the following amount,  
11 or so much thereof as is necessary, to be used for the  
12 purposes designated:

13 For improvements in the state system for child protection:  
14 ..... \$ 636,500

15 The funding appropriated in this section shall be used for  
16 the following purposes:

17 1. For general administration of the department to improve  
18 staff training efforts.

19 2. For oversight of termination of parental rights and  
20 permanency planning efforts on a statewide basis on the  
21 condition that regular reports regarding the statewide program  
22 efforts shall be provided to the legislative fiscal bureau.

23 3. For use by the department in general administration to  
24 promote innovative treatment programs, write grants to obtain  
25 federal and private funding, and promote public and private  
26 efforts to treat and prevent child abuse.

27 4. For personnel, assigned by the attorney general, to  
28 provide additional services relating to termination of  
29 parental rights and child in need of assistance cases.

30 5. For funding of the state multidisciplinary team to  
31 assist with difficult cases within the child abuse and foster  
32 care system and with respect to child protective investigation  
33 and initial case planning and to develop and coordinate local  
34 multidisciplinary teams.

35 6. For use by the department in conducting outcome-



1 oriented evaluations of child protection, prevention, and  
2 treatment programs.

3 7. For specialized foster care permanency planning field  
4 operations staff.

5 Sec. 615. HOME-BASED SERVICES. There is appropriated from  
6 the general fund of the state to the department of human  
7 services for the fiscal year beginning July 1, 1991, and  
8 ending June 30, 1992, the following amount, or so much thereof  
9 as is necessary, to be used for the purpose designated:

10 For home-based services on the condition that family  
11 planning services are funded, provided that if the department  
12 amends the allocation to a program funded under this section,  
13 then the department shall promptly notify the legislative  
14 fiscal bureau of the change:

15 ..... \$ 19,414,903

16 1. Of the funds appropriated in this section, \$30,000  
17 shall be used by the department to contract with universities  
18 to provide ongoing research and evaluation assistance to  
19 programs and initiatives of the department involving family-  
20 centered services and foster care. The contracts shall make  
21 maximum use of any matching resources available from the  
22 universities with which the department contracts.

23 2. Of the funds appropriated in this section, \$5,086,204  
24 shall be used for family preservation and reunification  
25 services and training. A limited amount of the funds may be  
26 used for the family assistance fund to provide other resources  
27 required for a family participating in a project to stay  
28 together or to be reunified. The payment system for the  
29 project shall not be based upon units of time, but may be  
30 based upon the cost to serve a family, including adjustments  
31 according to the provider's performance and the outcome of the  
32 services provided to each family. The department shall use  
33 the statewide family preservation and decategorization  
34 committee to assist in selecting additional projects.

35 Sec. 616. COMMUNITY-BASED PROGRAMS. There is appropriated

1 from the general fund of the state to the department of human  
2 services for the fiscal year beginning July 1, 1991, and  
3 ending June 30, 1992, the following amount, or so much thereof  
4 as is necessary, to be used for the purpose designated:

5 For community-based programs on the condition that the  
6 prevention grants relating to adolescent pregnancy are funded:  
7 ..... \$ 3,324,421

8 1. As a condition, limitation, and qualification of the  
9 funds appropriated in this section, up to \$19,095 shall be  
10 used by the department as the entitled aid from the state  
11 under section 232.142, subsection 3, for the cost of the  
12 establishment, improvement, operation, and maintenance of  
13 approved county or multicounty juvenile homes.

14 2. Of the funds appropriated in this section, \$523,500  
15 shall be used for adolescent pregnancy prevention grants. At  
16 least 75 percent of the funds shall be used for programs which  
17 incorporate family planning and pregnancy prevention services  
18 as the major component of the program. The department shall  
19 not expend more than 7 percent of the funds for administrative  
20 costs. The department shall adopt rules to implement this  
21 subsection. A grant may be awarded to a public school  
22 corporation, a maternal and child health center, an adolescent  
23 services provider, a project involving a state juvenile  
24 institution, or a nonprofit organization which is involved in  
25 adolescent issues. Grants shall be awarded for a 1-year  
26 period and shall be based on the demonstrated need for  
27 adolescent pregnancy prevention and adolescent parent  
28 services. Preference in awarding grants shall be given to  
29 projects for children placed at a state juvenile institution  
30 and projects which utilize a variety of community resources  
31 and agencies.

32 a. As used in this subsection, "adolescent" means a person  
33 who is less than 18 years of age or a person who is attending  
34 an accredited high school or pursuing a course of study which  
35 will lead to a high school diploma or its equivalent. The

1 department shall establish guidelines which permit a grant  
2 recipient to continue providing services to a person who  
3 receives services under the grant as an adolescent and becomes  
4 18 years of age or older.

5 b. A grant shall only be awarded to a project which  
6 provides 1 or more of the following services:

7 (1) Workshops and information programs for adolescents and  
8 parents of adolescents to improve communication between  
9 children and parents regarding human sexuality issues.

10 (2) Development and distribution of informational material  
11 designed to discourage adolescent sexual activity, to provide  
12 information regarding acquired immune deficiency syndrome and  
13 sexually transmitted diseases, and to encourage male and  
14 female adolescents to assume responsibility for their sexual  
15 activity and parenting.

16 (3) Early pregnancy detection, prenatal services including  
17 chlamydia testing, and counseling regarding decision-making  
18 options for pregnant adolescents.

19 (4) Case management and child care services provided to  
20 male and female adolescent parents.

21 c. Additional services may be offered by a grantee  
22 pursuant to a purchase of service contract with the department  
23 including child day care services; child development and  
24 parenting instruction; services to support high school  
25 completion, job training, and job placement; prevention of  
26 additional pregnancies during adolescence; and other personal  
27 services.

28 3. As a condition, limitation, and qualification of the  
29 funds appropriated in this section, at least \$250,000 shall be  
30 used to provide grants administered in accordance with the  
31 provisions for adolescent pregnancy prevention grants, except  
32 for requirements to target certain specific geographic areas  
33 of the state. The grants shall be awarded to fund any of the  
34 following purposes:

35 a. Programs targeted to children. A program shall include

1 the following: components for parental involvement; parental  
2 education, including techniques for encouraging sexual  
3 abstinence; outreach services for recruiting parents and  
4 children into the program; and the provision of transportation  
5 to program staff and participants necessary for recruiting and  
6 encouraging program participation.

7 b. Programs intended to prevent an additional pregnancy by  
8 a parent who is less than 19 years of age. Preference in  
9 grant awards shall be given to programs which provide  
10 financial incentives to clients for their program  
11 participation and success in avoiding an additional pregnancy.

12 c. Providing additional pregnancy prevention grants.  
13 Preference in grant awards shall be given to programs which,  
14 in addition to other services, provide counseling to mixed  
15 gender groups of adolescents.

16 d. Programs intended to educate adolescents concerning the  
17 risks associated with alcohol and other drug use during  
18 pregnancy, including health, financial, emotional, and other  
19 potential long-term effects for mother and child.

20 4. As a condition, limitation, and qualification of the  
21 funds appropriated in this section, \$550,686 shall be used by  
22 the department for child abuse prevention grants.

23 Sec. 617. BLOCK GRANT SUPPLEMENTATION. There is  
24 appropriated from the general fund of the state to the  
25 department of human services for the fiscal year beginning  
26 July 1, 1991, and ending June 30, 1992, the following amount,  
27 or so much thereof as is necessary, to be used for the purpose  
28 designated:

29 For supplementation of federal social services block grant  
30 funds and for allocation to counties for the purchase of local  
31 services:

32 ..... \$ 4,643,000

33 The funds appropriated in this section shall be allocated  
34 to counties pursuant to the rules of the department in effect  
35 on January 1, 1985. The department shall increase the income

1 guidelines for income eligible persons receiving services  
2 funded with federal social services block grant funds for the  
3 fiscal year beginning July 1, 1991, by the same percentage and  
4 at the same time as federal social security benefits are  
5 increased due to a recognized increase in the cost of living.

6 Sec. 618. COURT-ORDERED EVALUATION AND TREATMENT OF  
7 JUVENILES. There is appropriated from the general fund of the  
8 state to the department of human services for the fiscal year  
9 beginning July 1, 1991, and ending June 30, 1992, the  
10 following amount, or so much thereof as is necessary, to be  
11 used for the purpose designated:

12 For court-ordered evaluation and treatment of juveniles  
13 pursuant to section 232.141, subsection 4:

14 ..... \$ 3,755,000

15 As a condition, limitation, and qualification of the funds  
16 appropriated in this section, the department shall submit  
17 quarterly reports to the legislative fiscal committee of the  
18 legislative council which provide the expenditures of the  
19 funds appropriated in this section for each judicial district.

20 Sec. 619. IOWA VETERANS HOME. There is appropriated from  
21 the general fund of the state to the department of human  
22 services for the fiscal year beginning July 1, 1991, and  
23 ending June 30, 1992, the following amount, or so much thereof  
24 as is necessary, to be used for the purposes designated:

25 For operation of the Iowa veterans home, including  
26 salaries, support, maintenance, miscellaneous purposes, and  
27 for not more than the following full-time equivalent posi-  
28 tions:

29 ..... \$ 29,796,783

30 ..... FTES 821.80

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

35 Sec. 620. MENTAL HEALTH INSTITUTES. There is appropriated

1 from the general fund of the state to the department of human  
2 services for the fiscal year beginning July 1, 1991, and  
3 ending June 30, 1992, the following amounts, or so much  
4 thereof as is necessary, to be used for the purposes  
5 designated:

6 For the state mental health institutes for salaries,  
7 support, maintenance, miscellaneous purposes, and for not more  
8 than the following full-time equivalent positions:

9 1. State mental health institute at Cherokee:

10 ..... \$ 14,928,541  
11 ..... FTEs 389.75

12 As a condition, limitation, and qualification of the funds  
13 appropriated in this subsection, up to \$670,000 shall be used  
14 to phase in new residential treatment programs for adolescents  
15 who are substance abusers.

16 2. State mental health institute at Clarinda:

17 ..... \$ 6,575,503  
18 ..... FTEs 160.61

19 3. State mental health institute at Independence:

20 ..... \$ 16,005,884  
21 ..... FTEs 436.27

22 4. State mental health institute at Mount Pleasant:

23 ..... \$ 9,260,073  
24 ..... FTEs 211.50

25 Sec. 621. HOSPITAL-SCHOOLS. There is appropriated from  
26 the general fund of the state to the department of human  
27 services for the fiscal year beginning July 1, 1991, and  
28 ending June 30, 1992, the following amounts, or so much  
29 thereof as is necessary, to be used for the purposes  
30 designated:

31 For the state hospital-schools, for salaries, support,  
32 maintenance, miscellaneous purposes, and for not more than the  
33 following full-time equivalent positions:

34 1. State hospital-school at Glenwood:

35 ..... \$ 39,142,956

1 ..... FTEs 1,157.00

2 2. State hospital-school at Woodward:

3 ..... \$ 32,054,985

4 ..... FTEs 931.85

5 Sec. 622. MENTAL HEALTH AND MENTAL RETARDATION SERVICES

6 FUND. Notwithstanding 1990 Iowa Acts, chapter 1250, section

7 18, \$3,200,000 of the funds appropriated to the special mental

8 health services fund established in that section shall be

9 transferred to the state community mental health and mental

10 retardation services fund established in section 225C.7 and

11 shall be used for the purposes designated. The amount

12 transferred pursuant to this section and section 623 of this

13 division shall not be subject to the formula provided in 1990

14 Iowa Acts, chapter 1250, section 18, subsection 4.

15 Sec. 623. ENHANCED SERVICES -- COUNTY PAYMENT.

16 Notwithstanding 1990 Iowa Acts, chapter 1250, section 18,

17 \$2,360,000 of the funds appropriated to the special mental

18 health services fund established in that section, or so much

19 thereof as is necessary, shall be transferred to supplement

20 the appropriation in section 627 of this division for the

21 state candidate services fund for the purpose of providing

22 funds to counties pursuant to section 627, subsection 5. The

23 amount transferred pursuant to this section and section 622 of

24 this division shall not be subject to the formula provided in

25 1990 Iowa Acts, chapter 1250, section 18, subsection 4.

26 Sec. 624. MENTAL HEALTH -- MENTAL RETARDATION -- DE-

27 VELOPMENTAL DISABILITIES SPECIAL SERVICES. There is

28 appropriated from the general fund of the state to the

29 department of human services for the fiscal year beginning

30 July 1, 1991, and ending June 30, 1992, the following amount,

31 or so much thereof as is necessary, to be used for the purpose

32 designated:

33 For mental health, mental retardation, and developmental

34 disabilities special services:

35 ..... \$ 610,625

1 1. The department and the Iowa finance authority shall  
2 develop methods to implement financing for community-based  
3 nursing facilities for the mentally retarded and residential  
4 care facilities for the mentally retarded. The department  
5 shall develop criteria for these facilities which will include  
6 provisions to restrict placements to current state hospital-  
7 school clients and to avert the placement of persons in a  
8 state hospital-school. The department of human services shall  
9 assure that clients are referred to the facility upon  
10 development.

11 2. Of the funds appropriated in this section, \$410,625 is  
12 allocated to provide supplemental per diems to community-based  
13 residential care facilities and community living arrangements.  
14 The per diem is restricted to clients placed from the state  
15 hospital-schools and persons averted from placement in a state  
16 hospital-school who meet the appropriate level of functioning  
17 for this type of care.

18 3. Of the funds appropriated in this section, \$200,000 is  
19 allocated to provide funds for construction and start-up costs  
20 to develop community living arrangements to provide for  
21 persons who are mentally ill and homeless. These funds may be  
22 used to match federal Stewart B. McKinney Homeless Assistance  
23 Act grant funds.

24 4. As a condition, limitation, and qualification of the  
25 funds appropriated in this section, the department shall adopt  
26 rules pursuant to chapter 17A providing for reimbursement  
27 under state supplementary assistance to pay for supervised  
28 apartment living and cooperative housing arrangements for  
29 persons with mental retardation, mental illness, or  
30 developmental disabilities. The rules shall take effect July  
31 1, 1992.

32 Sec. 625. FAMILY SUPPORT SUBSIDY PROGRAM. There is  
33 appropriated from the general fund of the state to the  
34 department of human services for the fiscal year beginning  
35 July 1, 1991, and ending June 30, 1992, the following amount,



1 or so much thereof as is necessary, to be used for the purpose  
2 designated:

3 For the family support subsidy program:

4 ..... \$ 621,860

5 Sec. 626. SPECIAL NEEDS GRANTS. There is appropriated  
6 from the general fund of the state to the department of human  
7 services for the fiscal year beginning July 1, 1991, and  
8 ending June 30, 1992, the following amount, or so much thereof  
9 as is necessary, to be used for the purpose designated:

10 To provide special needs grants to families with a family  
11 member at home who has a developmental disability or to a  
12 person with a developmental disability:

13 ..... \$ 55,000

14 Grants must be used by a family to defray special costs of  
15 caring for the family member to prevent out-of-home placement  
16 of the family member or to provide for independent living  
17 costs. A grant may provide up to \$5,000 per person for costs  
18 associated with an assistive animal. The grants may be  
19 administered by a private nonprofit agency which serves people  
20 statewide provided that no administrative costs are received  
21 by the agency. Regular reports regarding coordination of the  
22 special needs grants with the family support subsidy program  
23 shall be provided to the legislative fiscal bureau.

24 Sec. 627. ENHANCED MENTAL HEALTH -- MENTAL RETARDATION --  
25 DEVELOPMENTAL DISABILITIES SERVICES. There is appropriated  
26 from the general fund of the state to the department of human  
27 services for the fiscal year beginning July 1, 1991, and  
28 ending June 30, 1992, the following amount, or so much thereof  
29 as is necessary, to be used for the purpose designated:

30 For the state candidate services fund:

31 ..... \$ 2,545,911

32 1. The enhanced mental health, mental retardation, and  
33 developmental disabilities services plan oversight committee  
34 is continued, as established under 1988 Iowa Acts, chapter  
35 1276, section 14, subsection 1, for the fiscal year which

1 begins July 1, 1991, and ends June 30, 1992. The oversight  
2 committee shall issue a final decision regarding any issue of  
3 disagreement between a county and the department relating to  
4 expenditures for candidate services or the county's  
5 maintenance of effort.

6 2. For purposes of this section, "candidate services"  
7 means day treatment, partial hospitalization, and case  
8 management. Behavior management services shall be included in  
9 the state Title XIX plan as a candidate service if recommended  
10 by the oversight committee.

11 3. a. The county of legal settlement shall be billed for  
12 50 percent of the nonfederal share of the cost of case  
13 management provided to adults, day treatment, and partial  
14 hospitalization provided under the medical assistance program  
15 for persons with mental retardation, a developmental  
16 disability, or chronic mental illness.

17 b. If the department has contracted with a county or a  
18 consortium of counties to be the provider of case management  
19 services, the department is responsible for any costs included  
20 within the unit rate for case management services which are  
21 disallowed for reimbursement pursuant to Title XIX of the  
22 federal Social Security Act by the federal health care  
23 financing administration. The department shall use funds  
24 appropriated under this section to credit a county for the  
25 county's share of any amounts overpaid due to the disallowed  
26 costs. If certain costs are disallowed due to requirements or  
27 preferences of a particular county in the provision of case  
28 management services the county shall not receive credit for  
29 the amount of the costs.

30 4. A county is responsible to continue to expend at least  
31 the agreed upon amount expended for candidate services in the  
32 fiscal year which ended June 30, 1987, for the fiscal year  
33 beginning July 1, 1991, for services to persons with mental  
34 retardation, a developmental disability, or chronic mental  
35 illness. Notwithstanding section 8.33, if a county does not

1 expend the agreed upon amount in the fiscal year, the balance  
2 not expended shall not revert to the general fund of the  
3 county, but shall be carried over to the next fiscal year to  
4 be expended for the provision of services to persons with  
5 mental retardation, a developmental disability, or mental  
6 illness including, but not limited to, the chronically  
7 mentally ill, and shall be used as additional funds. The  
8 additional funds shall be used, to the greatest extent  
9 possible, to meet unmet needs of persons with mental  
10 retardation, a developmental disability, or mental illness.  
11 This subsection does not relieve the county from any other  
12 funding obligations required by law, including but not limited  
13 to the obligations in section 222.60.

14 5. The department, in conjunction with the oversight  
15 committee, and with the agreement of each county, shall  
16 establish the actual amount expended for each candidate  
17 service for persons with mental retardation, a developmental  
18 disability, or chronic mental illness in the fiscal year which  
19 ended June 30, 1987, and this amount shall be deemed each  
20 county's base year expenditure for the candidate service. A  
21 disagreement between the department and a county as to the  
22 actual amount expended shall be decided by the oversight  
23 committee.

24 The department, in conjunction with the oversight  
25 committee, and with the agreement of each county, shall  
26 determine the expenditures in the fiscal year beginning July  
27 1, 1991, by each county for the candidate services, including  
28 the amount the county contributes under subsection 3. If the  
29 expenditures in the fiscal year beginning July 1, 1991, exceed  
30 the base year expenditures for candidate services, then the  
31 county shall receive from the funds appropriated under this  
32 section the least amount of the following:

33 a. The difference between the total expenditures for the  
34 candidate services in the fiscal year beginning July 1, 1991,  
35 and the base year expenditures.

1 b. The amount expended by the county under subsection 3.  
2 c. The amount by which total expenditures for persons with  
3 mental retardation, a developmental disability, or chronic  
4 mental illness for the fiscal year beginning July 1, 1991,  
5 less any carryover amount from the fiscal year which began  
6 July 1, 1990, exceed the maintenance of effort expenditures  
7 under subsection 4.

8 6. Notwithstanding section 225C.20, case management  
9 services shall be provided by the department except when a  
10 county or a consortium of counties contracts with the  
11 department to provide the services. A county or consortium of  
12 counties may contract to be the provider at any time and the  
13 department shall agree to the contract so long as the contract  
14 meets the standards for case management adopted by the  
15 department. The county or consortium of counties may  
16 subcontract for the provision of case management services if  
17 the subcontract meets the same standards. A mental health,  
18 mental retardation, and developmental disabilities  
19 coordinating board may change the provider of individual case  
20 management services at any time. If the current or proposed  
21 contract is with the department, the coordinating board shall  
22 provide written notification of a proposed change to the  
23 department on or before August 15 and written notification of  
24 an approved change on or before October 15 in the fiscal year  
25 which precedes the fiscal year in which the change will take  
26 effect.

27 7. This section does not relieve the county from any other  
28 funding obligations required by law, including but not limited  
29 to the obligations in section 222.60.

30 8. Nothing in this division is intended by the general  
31 assembly to be the provision of a fair and equitable funding  
32 formula specified in 1985 Iowa Acts, chapter 249, section 9.  
33 Nothing in this division shall be construed as, is intended  
34 as, or shall imply a claim of entitlement to any programs or  
35 services specified in section 225C.28.

1 9. For the purposes of this section only, persons with  
2 organic mental disorders shall not be considered chronically  
3 mentally ill.

4 10. Where the department contracts with a county or  
5 consortium of counties to provide case management services,  
6 the state shall appear and defend the department's employees  
7 and agents acting in an official capacity on the department's  
8 behalf and the state shall indemnify the employees and agents  
9 for acts within the scope of their employment. The state's  
10 duties to defend and indemnify shall not apply if the conduct  
11 upon which any claim is based constitutes a willful and wanton  
12 act or omission or malfeasance in office.

13 Sec. 628. FIELD OPERATIONS. There is appropriated from  
14 the general fund of the state to the department of human  
15 services for the fiscal year beginning July 1, 1991, and  
16 ending June 30, 1992, the following amount, or so much thereof  
17 as is necessary, to be used for the purposes designated:

18 For field operations, including salaries, support,  
19 maintenance, miscellaneous purposes, and for not more than the  
20 following full-time equivalent positions:

21 .....	\$ 43,527,950
22 .....	FTEs 2,310.50

23 1. Staff who are designated as "Title XIX case management  
24 staff" are considered to be in addition to the limit for full-  
25 time equivalent positions and the funds appropriated for field  
26 operations. As a condition, limitation, and qualification of  
27 the funds appropriated in this section, the department shall  
28 report quarterly to the chairpersons and ranking members of  
29 the legislative fiscal committee of the legislative council,  
30 the members of the joint human services appropriations  
31 subcommittee, and the legislative fiscal bureau regarding the  
32 total number of Title XIX case management staff positions  
33 filled, including the number of positions which were filled by  
34 persons who were already employed by the department in another  
35 capacity.

1     2. As a condition, limitation, and qualification of the  
2 funds appropriated in this section, upon the request of a  
3 county, the department shall work with the county to develop a  
4 funding plan for persons with mental retardation, a  
5 developmental disability, or chronic mental illness who are  
6 not eligible to receive case management provided under the  
7 medical assistance program and are receiving service  
8 management. With an agreed upon funding plan, the department  
9 is authorized to combine state funds that would otherwise be  
10 expended on service management with county funds to upgrade  
11 services provided to the persons from service management to  
12 case management. Staff required to implement this subsection  
13 are not subject to the limitations on full-time equivalent  
14 positions and funds appropriated for field operations.

15     3. As a condition, limitation, and qualification of the  
16 funds appropriated in this section, if the field operations  
17 staffing level meets the funded full-time equivalent position  
18 limit authorized in this section and a district identifies a  
19 critical position vacancy or a position with a caseweight  
20 factor greater than 120 percent of the budgeted caseweight  
21 factor for the position, the director of human services may  
22 exceed the full-time equivalent position limit authorized  
23 under this section in the amount necessary to fill the  
24 critical position vacancy or to reduce the caseweight factor  
25 to the budgeted level. For purposes of this subsection,  
26 "critical position vacancy" includes a clerical position in an  
27 office limited to a single clerical staff position. The  
28 budgeted caseweight factor for the fiscal year beginning July  
29 1, 1991, and ending June 30, 1992, is 163 for income  
30 maintenance workers and 212 for social workers. In addition,  
31 if the field operations staffing level meets the funded full-  
32 time equivalent position limit authorized in this section and  
33 there is a critical position vacancy in the state or the  
34 statewide average caseweight factor for a particular type of  
35 position exceeds 105 percent of the budgeted caseweight factor

1 for that type of position, the director of human services may  
 2 exceed the full-time equivalent position limit authorized in  
 3 this section in an amount necessary to fill the critical  
 4 position vacancy or to reduce the caseweight factor to the  
 5 budgeted level. The department shall report monthly to the  
 6 chairpersons and ranking members of the joint human services  
 7 appropriations subcommittee and to the legislative fiscal  
 8 bureau regarding caseweight factor computations in each  
 9 district, the statewide average caseweight factor, the  
 10 existence of a critical position vacancy in any district, and  
 11 action taken by the department to address any critical  
 12 position vacancy problem or excess caseweight factor.

13 4. Notwithstanding the full-time equivalent position limit  
 14 authorized in this section, a county implementing a  
 15 decategorization project, consistent with the county's  
 16 decategorization plan, may modify the staffing level in the  
 17 county's human services office and the modification shall not  
 18 affect other county or district human services staffing levels  
 19 and shall not be considered to be subject to the full-time  
 20 equivalent position limit in this section.

21 5. As a condition, limitation, and qualification of the  
 22 funds appropriated in this section, the department shall  
 23 reduce the number of department of human services districts  
 24 from the current 8 offices to not more than 5 offices.

25 Sec. 629. GENERAL ADMINISTRATION. There is appropriated  
 26 from the general fund of the state to the department of human  
 27 services for the fiscal year beginning July 1, 1991, and  
 28 ending June 30, 1992, the following amount, or so much thereof  
 29 as is necessary, to be used for the purposes designated:

30 For general administration, including salaries, support,  
 31 maintenance, miscellaneous purposes, and for not more than the  
 32 following full-time equivalent positions:

33 ..... \$ 9,187,673  
 34 ..... FTEs 351.95

35 1. Full-time equivalent positions which are funded

1 entirely with federal, public, or private grants are exempt  
2 from the limits on the number of full-time equivalent  
3 positions provided in this section, but are approved only for  
4 the period of time for which the federal funds or grants are  
5 available for the position.

6 2. As a condition, limitation, and qualification of the  
7 funds appropriated in this section, if a state institution  
8 administered by the department is to be closed or reduced in  
9 size, prior to the closing or reduction the department shall  
10 initiate and coordinate efforts in cooperation with the Iowa  
11 department of economic development to develop new jobs in the  
12 area in which the state institution is located.

13 3. As a condition, limitation, and qualification of the  
14 funds appropriated in this section, the department shall seek  
15 federal approval of home and community-based waivers for  
16 services provided under medical assistance to persons with  
17 mental retardation, mental illness, or developmental  
18 disabilities and effective March 1, 1992, contingent upon  
19 federal approval of the waivers, the department shall fill  
20 4.00 FTEs to perform duties as necessary to implement the  
21 waivers.

22 4. As a condition, limitation, and qualification of the  
23 funds appropriated in this section, \$30,000 shall be  
24 transferred to the governor's planning council for  
25 developmental disabilities for use in contracting to continue  
26 operating a computerized information and referral project for  
27 Iowans with developmental disabilities and their families.

28 Sec. 630. VOLUNTEERS. There is appropriated from the  
29 general fund of the state to the department of human services  
30 for the fiscal year beginning July 1, 1991, and ending June  
31 30, 1992, the following amount, or so much thereof as is  
32 necessary, to be used for the purpose designated:

33 For development and coordination of volunteer services:  
34 ..... \$ 88,825

35 Sec. 631. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY



1 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER THE  
2 DEPARTMENT OF HUMAN SERVICES.

3 1. For the fiscal year beginning July 1, 1991, the  
4 following providers shall not have their medical assistance  
5 reimbursement rates increased over the rates in effect on June  
6 30, 1991: providers of waived services under the home and  
7 community-based programs, optometrists for service fees only,  
8 opticians for service fees only, podiatrists, dentists,  
9 chiropractors, physical therapists, birthing centers,  
10 ambulance services, independent laboratories, area education  
11 agencies, clinics, audiologists, rehabilitation agencies,  
12 community mental health centers, family planning clinics,  
13 psychologists, hearing aid dealers, orthopedic shoe dealers,  
14 ambulatory surgery centers, and genetic counseling clinics.  
15 Reimbursement for optometric products shall not be increased.  
16 The department of human services may utilize flexibility in  
17 allocating the increase for durable medical products and  
18 supplies so that equipment and supplies which have greater  
19 wholesale cost increases may be reimbursed at a higher rate  
20 and those which have a lower or no wholesale cost increase may  
21 be reimbursed at a lower rate or have no increase.  
22 Reimbursement rates for physicians and certified registered  
23 nurse anesthetists shall not be increased. Reimbursement  
24 rates for screening centers, maternal health centers, and  
25 pediatric services shall not be increased.

26 For the fiscal year beginning July 1, 1991, the following  
27 shall have their medical assistance reimbursement rates  
28 established at the rates in effect on February 28, 1991:  
29 psychiatric medical institutions for children, early  
30 preventive screening, diagnosis, and treatment providers,  
31 providers of obstetric services when provided by physicians or  
32 certified midwives, and durable medical products and supplies.

33 The department shall provide a differential per diem  
34 reimbursement rate to a psychiatric medical institution for  
35 children for short-term treatment or diagnosis services

1 provided within a segregated unit of the institution. The  
2 differential per diem reimbursement rate shall not exceed 120  
3 percent of the per diem rate authorized in this section for  
4 psychiatric medical institutions for children.

5 The dispensing fee for pharmacists shall remain at the rate  
6 in effect on June 30, 1991. The department shall adjust the  
7 average wholesale price of drug product costs in accordance  
8 with federal regulations. Dispensing fees for pharmacists  
9 shall be further adjusted to reflect the adjustment to the  
10 average wholesale price of drug product costs. Total  
11 adjustments to reimbursements for prescription drugs shall  
12 remain within funds appropriated.

13 a. Effective July 1, 1991, reimbursement rates to  
14 hospitals shall not be increased over the rates in effect on  
15 June 30, 1991.

16 b. Reimbursement rates for rural health clinics shall be  
17 increased in accordance with increases under the federal  
18 medicare program.

19 c. Home health agencies certified for the medical  
20 assistance program, hospice services, and acute care mental  
21 hospitals shall be reimbursed for their current federal  
22 medicare audited costs.

23 d. Effective July 1, 1991, the basis for establishing the  
24 maximum medical assistance reimbursement rate for nursing  
25 facilities shall be the 70th percentile of facility costs as  
26 calculated from the June 30, 1991, unaudited compilation of  
27 cost and statistical data. However, to the extent funds are  
28 available under the allocation for reimbursement of nursing  
29 facilities within the appropriation for medical assistance in  
30 this division, the basis shall be increased to not more than  
31 the 74th percentile of facility costs as calculated from the  
32 same data.

33 (1) Nursing facilities for the mentally retarded with 15  
34 or fewer beds shall be reimbursed at 95 percent of the  
35 authorized per diem reimbursement rate for allowed leave days.

1 (2) If a resident of a residential program is admitted to  
2 a state mental health institute for short-term  
3 hospitalization, the residential program shall be reimbursed  
4 at the authorized per diem reimbursement rate for the days the  
5 resident is in the state mental health institute.

6 2. For the fiscal year beginning July 1, 1991, the maximum  
7 cost reimbursement rate for residential care facilities  
8 reimbursed by the department shall be \$19.62 per day. The  
9 flat reimbursement rate for facilities electing not to file  
10 semiannual cost reports shall be \$14.03 per day. For the  
11 fiscal year beginning July 1, 1991, the maximum reimbursement  
12 rate for providers reimbursed under the in-home health-related  
13 care program shall not be increased over the rates in effect  
14 on June 30, 1991.

15 3. For services provided by social service providers  
16 reimbursed by the department in the fiscal year beginning July  
17 1, 1991, rates shall not be increased over the unreduced rates  
18 in effect on June 30, 1991. Rates for foster group care and  
19 shelter care services shall not be increased over the rate in  
20 effect on June 30, 1991.

21 4. Notwithstanding the provisions of subsection 3, the  
22 department may implement revisions of the methodology for  
23 purchasing group foster care services to establish rates for  
24 group foster care services based on the study of these issues  
25 funded by the general assembly in the fiscal year which began  
26 July 1, 1989, provided the overall budget amount for the  
27 expenditures is not exceeded and the revisions of the  
28 methodology are agreed to by the affected service providers.

29 Sec. 632. ASSISTANCE TO GAMBLERS. There is appropriated  
30 from the general fund of the state to the department of human  
31 services for the fiscal year beginning July 1, 1991, and  
32 ending June 30, 1992, the following amount, or so much thereof  
33 as is necessary, to be used for the purpose designated:

34 For the gamblers assistance program, including salaries,  
35 support, maintenance, miscellaneous purposes, and for not more

1 than the following full-time equivalent positions:

2 .....	\$	768,540
3 .....	FTEs	3.00

4 The Iowa lottery board and the state racing and gaming  
5 commission shall cooperate with the gamblers assistance  
6 program to incorporate information regarding the gamblers  
7 assistance program and its toll-free telephone number in  
8 printed materials distributed. The commission may require  
9 licensees to have the information available in a conspicuous  
10 place as a condition of licensure.

11 Sec. 633. REQUIREMENTS RELATING TO PERSONS WITH  
12 DISABILITIES. Subject to the limitations of the  
13 appropriations in this division for the state mental health  
14 institutes and for the state hospital-schools, the department  
15 of human services shall modify staffing structures at the  
16 state hospital-schools and the state mental health institutes  
17 consistent with accreditation and certification requirements  
18 and the findings of the study on staffing commissioned by the  
19 general assembly in order to improve the level of direct  
20 staffing, reduce or simplify the levels of organizational  
21 authority where appropriate, and reduce the use of overtime.  
22 If, after review of the study recommendations, the department  
23 of human services decides to establish the position of "human  
24 resource specialist" at the state hospital-schools, the  
25 positions shall be established within the department of  
26 personnel and the department of human services may transfer to  
27 the department of personnel the associated full-time  
28 equivalent positions and moneys equal to the salary costs for  
29 the positions. The maintenance of sufficient direct care  
30 staff to assure worker and patient safety is of highest  
31 priority. The department shall work with all levels of  
32 affected employees in carrying out this staff restructuring.  
33 The department shall work to assure that vacant positions in  
34 direct care are filled promptly and expeditiously.

35 Sec. 634. FULL-TIME EQUIVALENT LIMIT NOTIFICATION. The

1 Iowa veterans home, the state mental health institutes, and  
2 the state hospital-schools may exceed the number of full-time  
3 equivalent positions authorized in this division if the  
4 additional positions are specifically related to licensing,  
5 certification, or accreditation standards or citations. The  
6 department shall notify the co-chairpersons and ranking  
7 members of the joint human services appropriations  
8 subcommittee and the legislative fiscal bureau if the  
9 specified number is exceeded. The notification shall include  
10 an estimate of the number of full-time equivalent positions  
11 added and the fiscal effect of the addition.

12 Sec. 635. COMPUTERIZATION -- ASSESSMENT OF FINANCIAL  
13 IMPACT. In order to assess the financial impact of  
14 computerizing functions within the department of human  
15 services, the department of general services, information  
16 services division, shall monitor the utilization of the  
17 central processing unit resources maintained by the division,  
18 and shall provide quarterly reports to the legislative fiscal  
19 committee of the legislative council and the legislative  
20 fiscal bureau. The quarterly reports shall contain an  
21 analysis of the central processing unit resources utilized by  
22 the department of human services by each computerized  
23 application within the department. The reports shall also  
24 contain information on computerized applications which are  
25 under development, and shall project the central processing  
26 unit utilization which will occur in 6, 12, 18, and 24 months.  
27 The reports shall be designed to enable the legislative fiscal  
28 committee and the legislative fiscal bureau to assess the  
29 fiscal impact of various computerized applications, with  
30 emphasis upon the need for the division to purchase additional  
31 computer hardware.

32 Sec. 636. RULES. The department of human services may  
33 adopt administrative rules under section 17A.4, subsection 2,  
34 and section 17A.5, subsection 2, paragraph "b", to implement  
35 the sections of this division enumerated in this section.

1 Rules adopted pursuant to section 601, subsection 4, relating  
2 to increasing the schedule of basic needs under the aid to  
3 families with dependent children program; section 601,  
4 subsection 2, relating to implementing statewide the self-  
5 employment investment demonstration waiver; section 603,  
6 subsection 4, relating to the costs of transportation  
7 connected with the health of a resident of a health care  
8 facility reimbursed under medical assistance; section 606,  
9 unnumbered paragraph 3, relating to increasing the personal  
10 needs allowance of certain persons; section 608, subsection 3,  
11 relating to child day care rules necessary to obtain federal  
12 grant moneys; section 610, subsection 1, relating to child day  
13 care reimbursement under the JOBS program; section 624,  
14 subsection 5, relating to certain reimbursements provided  
15 under the appropriation for state supplementary assistance;  
16 and section 631, relating to reimbursements of providers, of  
17 this division shall become effective immediately upon filing,  
18 unless a later effective date is specified in the rules. The  
19 rules shall also be published as notice of intended action as  
20 provided in section 17A.4.

21 Sec. 637. EFFECTIVE DATE. Section 636 of this division,  
22 being deemed of immediate importance, takes effect upon  
23 enactment.

24 DIVISION VII

25 JUSTICE SYSTEMS APPROPRIATIONS

26 Sec. 701. There is appropriated from the general fund of  
27 the state to the department of justice for the fiscal year  
28 beginning July 1, 1991, and ending June 30, 1992, the  
29 following amounts, or so much thereof as is necessary, to be  
30 used for the purposes designated:

- 31 1. For the general office of attorney general for  
32 salaries, support, maintenance, miscellaneous purposes, and  
33 for not more than the following full-time equivalent  
34 positions:

35 ..... \$ 4,944,996

1 ..... FTEs 176.00  
 2 2. Prosecuting attorney training program for salaries,  
 3 support, maintenance, miscellaneous purposes, and for not more  
 4 than the following full-time equivalent positions:  
 5 ..... \$ 191,898  
 6 ..... FTEs 4.75

7 3. In addition to the funds appropriated under subsection  
 8 1, there is appropriated from the general fund of the state to  
 9 the department of justice for the fiscal year beginning July  
 10 1, 1991, and ending June 30, 1992, an amount not exceeding  
 11 \$95,000 to be used for the enforcement of the Iowa competition  
 12 law under chapter 553. The expenditure of the funds  
 13 appropriated under this subsection is contingent upon receipt  
 14 by the general fund of the state of an amount at least equal  
 15 to either the expenditures from damages awarded to the state  
 16 or a political subdivision of the state by a civil judgment  
 17 under chapter 553, if the judgment authorizes the use of the  
 18 award for enforcement purposes or costs or attorneys fees  
 19 awarded the state in state or federal antitrust actions.

20 4. In addition to funds appropriated under subsection 1,  
 21 there is appropriated from the general fund of the state to  
 22 the department of justice for the fiscal year beginning July  
 23 1, 1991, and ending June 30, 1992, an amount not exceeding  
 24 \$50,000 to be used for public education relating to consumer  
 25 fraud and for enforcement of section 714.16, and \$25,000 for  
 26 investigation, prosecution, and consumer education relating to  
 27 consumer and criminal fraud against older Iowans. The  
 28 expenditure of the funds appropriated under this subsection is  
 29 contingent upon receipt by the general fund of the state of an  
 30 amount at least equal to the expenditures from damages awarded  
 31 to the state or a political subdivision of the state by a  
 32 civil consumer fraud judgment, if the judgment authorizes the  
 33 use of the award for public education on consumer fraud.  
 34 Notwithstanding section 8.33, funds received in a previous  
 35 fiscal year which have not been expended shall be credited to

1 this fiscal year.

2 5. For the farm mediation service program:  
3 ..... \$ 200,000

4 6. For the legal assistance for farmers program:  
5 ..... \$ 200,000

6 7. For victim assistance grants:  
7 ..... \$ 1,071,782

8 As a condition, limitation, and qualification of this  
9 appropriation, \$880,000 shall be used to provide grants to  
10 care providers providing services to crime victims of domestic  
11 abuse, and \$191,782 shall be used to provide grants to care  
12 providers providing services to crime victims of rape and  
13 sexual assault.

14 8. For the GASA prosecuting attorney program:  
15 ..... \$ 103,400  
16 ..... FTEs 1.00

17 9. The balance of the fund created under section 321J.17  
18 may be used to provide salary and support of not more than 6  
19 FTEs and to provide maintenance for the victim compensation  
20 functions of the department of justice.

21 10. The department of justice shall submit monthly  
22 financial statements to the legislative fiscal bureau and the  
23 department of management containing all appropriated accounts  
24 in the same manner as provided in the monthly financial status  
25 reports and personal services usage reports of the department  
26 of revenue and finance. The monthly financial statements  
27 shall include comparisons of the moneys and percentage spent  
28 of budgeted to actual revenues and expenditures on a  
29 cumulative basis for full-time equivalent positions and  
30 available moneys.

31 Sec. 702. There is appropriated from the general fund to  
32 the office of consumer advocate of the department of justice  
33 for the fiscal year beginning July 1, 1991, and ending June  
34 30, 1992, the following amount, or so much thereof as is  
35 necessary, to be used for the purposes designated:



1 For salaries, support, maintenance, miscellaneous purposes,  
2 and for not more than the following full-time equivalent  
3 positions:

4 ..... \$ 2,054,783  
5 ..... FTEs 32.00

6 Sec. 703. There is appropriated from the general fund of  
7 the state to the board of parole for the fiscal year beginning  
8 July 1, 1991, and ending June 30, 1992, the following amount,  
9 or so much thereof as is necessary, to be used for the  
10 purposes designated:

11 For salaries, support, maintenance, miscellaneous purposes,  
12 and for not more than the following full-time equivalent  
13 positions:

14 ..... \$ 781,894  
15 ..... FTEs 18.00

16 As a condition, limitation, and qualification of this  
17 appropriation the board of parole shall maintain an automated  
18 docket and shall maintain the board's automated risk  
19 assessment model.

20 As a condition, limitation, and qualification of the  
21 appropriation the board of parole shall employ 2 statistical  
22 research analysts to assist with the application of the risk  
23 assessment model in the parole decision-making process. The  
24 board of parole shall also require the board's administrative  
25 staff to be cross-trained to assure that each individual on  
26 that staff is familiar with all tasks performed by the staff.

27 It is the intent of the general assembly that the  
28 department of corrections and the board of parole shall  
29 review, and implement as necessary, the findings and  
30 recommendations contained in the final report prepared by the  
31 consultant and presented to the corrections system review task  
32 force which was established by 1988 Iowa Acts, chapter 1271,  
33 as they relate to the department of corrections and the board  
34 of parole. The board shall report to the justice system  
35 appropriations subcommittee during the 1992 legislative

1 session, at the request of the subcommittee, steps taken to  
2 implement any of those recommendations, or the reasons for  
3 failing to implement such recommendations.

4 Sec. 704. There is appropriated from the general fund of  
5 the state to the department of corrections for the fiscal year  
6 beginning July 1, 1991, and ending June 30, 1992, the  
7 following amounts, or so much thereof as is necessary, to be  
8 used for the purposes designated:

9 1. For the operation of adult correctional institutions,  
10 to be allocated as follows:

11 a. For the operation of the Fort Madison correctional  
12 facility, including salaries, support, maintenance,  
13 miscellaneous purposes, and for not more than the following  
14 full-time equivalent positions:

15 ..... \$ 21,829,312  
16 ..... FTEs 502.50

17 As a condition, limitation, and qualification of this  
18 appropriation, the facility shall employ 310 correctional  
19 officers.

20 b. For the operation of the Anamosa correctional facility,  
21 including salaries, support, maintenance, miscellaneous  
22 purposes, and for not more than the following full-time  
23 equivalent positions:

24 ..... \$ 16,153,646  
25 ..... FTEs 356.00

26 (1) As a condition, limitation, and qualification of this  
27 appropriation, the facility shall employ 211 correctional  
28 officers and a part-time chaplain of a minority race.

29 (2) Of the funds appropriated, the department's budget for  
30 Anamosa shall include funding for 2 full-time substance abuse  
31 counselors for the Luster Heights facility, for the purpose of  
32 certification of a substance abuse program at that facility.

33 c. For the operation of the Oakdale correctional facility,  
34 including salaries, support, maintenance, miscellaneous  
35 purposes, and for not more than the following full-time

1 equivalent positions:

2 ..... \$ 13,998,174  
3 ..... FTEs 309.64

4 As a condition, limitation, and qualification of this  
5 appropriation, the facility shall employ 151.50 correctional  
6 officers.

7 d. For the operation of the Newton correctional facility,  
8 including salaries, support, maintenance, miscellaneous  
9 purposes, and for not more than the following full-time  
10 equivalent positions:

11 ..... \$ 4,347,830  
12 ..... FTEs 94.03

13 As a condition, limitation, and qualification of this  
14 appropriation, the facility shall employ 39.02 correctional  
15 officers.

16 e. For the operation of the Mt. Pleasant correctional  
17 facility, including salaries, support, maintenance,  
18 miscellaneous purposes, and for not more than the following  
19 full-time equivalent positions:

20 ..... \$ 11,606,136  
21 ..... FTEs 267.15

22 As a condition, limitation, and qualification of this  
23 appropriation, the facility shall employ 141 correctional  
24 officers, and a full-time chaplain to provide religious  
25 counseling at the Oakdale and Mt. Pleasant correctional  
26 facilities.

27 f. For the operation of the Rockwell City correctional  
28 facility, including salaries, support, maintenance,  
29 miscellaneous purposes, and for not more than the following  
30 full-time equivalent positions:

31 ..... \$ 4,178,354  
32 ..... FTEs 85.24

33 As a condition, limitation, and qualification of this  
34 appropriation, the facility shall employ 46.7 correctional  
35 officers.

1 g. For the operation of the Clarinda correctional  
 2 facility, including salaries, support, maintenance,  
 3 miscellaneous purposes, and for not more than the following  
 4 full-time equivalent positions:  
 5 ..... \$ 5,213,089  
 6 ..... FTEs 133.20

7 As a condition, limitation, and qualification of this  
 8 appropriation, the facility shall employ 68 correctional  
 9 officers.

10 h. For the operation of the Mitchellville correctional  
 11 facility, including salaries, support, maintenance,  
 12 miscellaneous purposes, and for not more than the following  
 13 full-time equivalent positions:  
 14 ..... \$ 4,950,807  
 15 ..... FTEs 114.01

16 As a condition, limitation, and qualification of this  
 17 appropriation, the facility shall employ 62.78 correctional  
 18 officers.

19 2. The department of corrections shall provide a report to  
 20 the co-chairpersons and ranking members of the justice system  
 21 appropriations subcommittee and the legislative fiscal bureau  
 22 on or before January 15, 1992, outlining the implementation of  
 23 the centralized education program for the correctional system.  
 24 The report shall include a listing of the educational  
 25 institutions that are involved, the amount of any federal  
 26 funds received for use with these programs, and any other  
 27 pertinent information.

28 3. If the inmate tort claim fund for inmate claims of less  
 29 than \$50 is exhausted during the fiscal year, sufficient funds  
 30 shall be transferred from the institutional budgets to pay  
 31 approved tort claims for the balance of the fiscal year. The  
 32 warden or superintendent of each institution or correctional  
 33 facility shall designate an employee to receive, investigate,  
 34 and recommend whether to pay any properly filed inmate tort  
 35 claim for less than the above amount. The designee's

1 recommendation shall be approved or denied by the warden or  
2 superintendent and forwarded to the department of corrections  
3 for final approval and payment. The amounts appropriated to  
4 this fund pursuant to 1987 Iowa Acts, chapter 234, section  
5 304, subsection 2, are not subject to reversion under section  
6 8.33.

7 Tort claims denied at the institution shall be forwarded to  
8 the state appeal board for their consideration as if  
9 originally filed with that body. This procedure shall be used  
10 in lieu of chapter 25A for inmate tort claims of less than  
11 \$50.

12 Sec. 705. There is appropriated from the general fund of  
13 the state to the department of corrections for the fiscal year  
14 beginning July 1, 1991, and ending June 30, 1992, the  
15 following amounts, or so much thereof as is necessary, to be  
16 used for the purposes designated:

- 17 1. For general administration, including salaries,
- 18 support, maintenance, miscellaneous purposes, and for not more
- 19 than the following full-time equivalent positions:
- 20 ..... \$ 2,263,459
- 21 ..... FTEs 43.52

22 As a condition, limitation, and qualification of this  
23 appropriation the department shall employ an education  
24 director and clerk to administer a centralized education  
25 program for the correctional system.

26 The department shall monitor the use of the classification  
27 model by the judicial district departments of correctional  
28 services and has the authority to override a district  
29 department's decision regarding classification of community-  
30 based clients. The department shall notify a district  
31 department of the reasons for the override.

32 2. For reimbursement of counties for temporary confinement  
33 of work release and parole violators, as provided in sections  
34 246.908, 901.7, and 906.17 and for offenders confined pursuant  
35 to section 246.513:

1 ..... \$ 250,000

2 3. For federal prison reimbursement and miscellaneous  
3 contracts:

4 ..... \$ 260,000

5 The department of corrections shall use funds appropriated  
6 by this subsection to continue to contract for the service of  
7 a Muslim imam.

8 4. For salaries, support, maintenance, miscellaneous  
9 purposes, and for not more than the following full-time  
10 equivalent positions at the correctional training center at  
11 Mt. Pleasant:

12 ..... \$ 391,342

13 ..... FTEs 8.22

14 5. For annual payment relating to the financial  
15 arrangement for the construction of expansion in prison  
16 capacity as provided in 1989 Iowa Acts, chapter 316, section  
17 7, subsection 6:

18 ..... \$ 625,860

19 6. For annual payment relating to the financial  
20 arrangement for the construction of expansion in prison  
21 capacity as provided in 1990 Iowa Acts, chapter 1257, section  
22 24:

23 ..... \$ 3,143,250

24 7. For the capital design and construction of a 192 bed  
25 prison facility at a site specified by the general assembly by  
26 reference to this appropriation:

27 ..... \$ 1,000,000

28 Sec. 706.

29 1. There is appropriated from the general fund of the  
30 state to the department of corrections for the fiscal year  
31 beginning July 1, 1991, and ending June 30, 1992, the  
32 following amounts, or so much thereof as is necessary, to be  
33 allocated as follows:

34 a. For the first judicial district department of  
35 correctional services, the following amount, or so much

1 thereof as is necessary:

2 ..... \$ 5,791,316

3 The district department shall continue the intensive  
4 supervision program established within the district in 1988  
5 Iowa Acts, chapter 1271, section 6, subsection 1, paragraph  
6 "a", and the sex offender treatment program established within  
7 the district in 1989 Iowa Acts, chapter 316, section 8,  
8 subsection 1, paragraph "a".

9 The district department, in cooperation with the chief  
10 judge of the judicial district, shall continue the  
11 implementation of a plan to divert low-risk offenders to the  
12 least restrictive sanction available.

13 b. For the second judicial district department of  
14 correctional services, the following amount, or so much  
15 thereof as is necessary:

16 ..... \$ 4,205,315

17 The district department shall continue the sex offender  
18 treatment program established within the district in 1988 Iowa  
19 Acts, chapter 1271, section 6, subsection 1, paragraph "b".

20 The district department, in cooperation with the chief  
21 judge of the judicial district, shall continue the  
22 implementation of a plan to divert low-risk offenders to the  
23 least restrictive sanction available.

24 c. For the third judicial district department of  
25 correctional services, the following amount, or so much  
26 thereof as is necessary:

27 ..... \$ 2,689,049

28 The district department shall continue the sex offender  
29 treatment program established within the district in 1988 Iowa  
30 Acts, chapter 1271, section 6, subsection 1, paragraph "c",  
31 and the intensive supervision program established within the  
32 district in 1990 Iowa Acts, chapter 1268, section 6,  
33 subsection 3, paragraph "d".

34 The district department, in cooperation with the chief  
35 judge of the judicial district, shall continue the

1 implementation of a plan to divert low-risk offenders to the  
2 least restrictive sanction available.

3 d. For the fourth judicial district department of  
4 correctional services, the following amount, or so much  
5 thereof as is necessary:

6 ..... \$ 1,968,221

7 The district department shall continue the sex offender  
8 treatment program established within the district in 1988 Iowa  
9 Acts, chapter 1271, section 6, subsection 1, paragraph "d".

10 The district department, in cooperation with the chief  
11 judge of the judicial district, shall continue the  
12 implementation of a plan to divert low-risk offenders to the  
13 least restrictive sanction available.

14 e. For the fifth judicial district department of  
15 correctional services, the following amount, or so much  
16 thereof as is necessary:

17 ..... \$ 7,287,352

18 The district department shall continue the intensive  
19 supervision program established within the district in 1988  
20 Iowa Acts, chapter 1271, section 6, subsection 1, paragraph  
21 "e", and shall continue to provide for the rental of  
22 electronic monitoring equipment.

23 The district department, in cooperation with the chief  
24 judge of the judicial district, shall continue the  
25 implementation of a plan to divert low-risk offenders to the  
26 least restrictive sanction available.

27 f. For the sixth judicial district department of  
28 correctional services, the following amount, or so much  
29 thereof as is necessary:

30 ..... \$ 5,799,038

31 The district department shall continue the intensive  
32 supervision program established within the district in 1988  
33 Iowa Acts, chapter 1271, section 6, subsection 1, paragraph  
34 "f", and the sex offender treatment program established within  
35 the district in 1989 Iowa Acts, chapter 316, section 8,



1 subsection 1, paragraph "f".

2 The district department, in cooperation with the chief  
3 judge of the judicial district, shall continue the  
4 implementation of a plan to divert low-risk offenders to the  
5 least restrictive sanction available.

6 g. For the seventh judicial district department of  
7 correctional services, the following amount, or so much  
8 thereof as is necessary:

9 ..... \$ 3,964,311

10 The district department shall continue the intensive  
11 supervision program established within the district in 1988  
12 Iowa Acts, chapter 1271, section 6, subsection 1, paragraph  
13 "g", and shall continue the sex offender treatment program  
14 established within the district in 1989 Iowa Acts, chapter  
15 316, section 8, subsection 1, paragraph "g".

16 The district department, in cooperation with the chief  
17 judge of the judicial district, shall continue the  
18 implementation of a plan to divert low-risk offenders to the  
19 least restrictive sanction available.

20 h. For the eighth judicial district department of  
21 correctional services, the following amount, or so much  
22 thereof as is necessary:

23 ..... \$ 3,314,225

24 The district department shall continue the intensive  
25 supervision program established within the district in 1988  
26 Iowa Acts, chapter 1271, section 6, subsection 1, paragraph  
27 "h", and shall continue the sex offender treatment program  
28 established within the district in 1989 Iowa Acts, chapter  
29 316, section 8, subsection 1, paragraph "h".

30 The district department, in cooperation with the chief  
31 judge of the judicial district, shall continue the  
32 implementation of a plan to divert low-risk offenders to the  
33 least restrictive sanction available.

34 i. For the department of corrections for the assistance  
35 and support of each judicial district department of

1 correctional services, the following amount, or so much  
2 thereof as is necessary:  
3 ..... \$ 104,754

4 2. The department of corrections shall continue the OWI  
5 facilities established in 1986 Iowa Acts, chapter 1246,  
6 section 402, in compliance with the conditions specified in  
7 that section.

8 3. The department of corrections shall continue to  
9 contract with a judicial district department of correctional  
10 services to provide for the rental of electronic monitoring  
11 equipment which shall be available statewide.

12 4. Each judicial district department of correctional  
13 services and the department of corrections shall continue the  
14 treatment alternatives to street crime programs established in  
15 1989 Iowa Acts, chapter 225, section 9.

16 5. The first, sixth, and eighth judicial district  
17 departments of correctional services and the department of  
18 corrections shall continue the job training and development  
19 grant programs established in 1989 Iowa Acts, chapter 316,  
20 section 7, subsection 2.

21 6. The department of corrections shall not make an  
22 intradepartmental transfer of moneys appropriated to the  
23 department, unless the department complies with section 8.39.  
24 The notice shall include information on the department's  
25 rationale for making the transfer and details concerning the  
26 work load and performance measures upon which the transfers  
27 are based.

28 Sec. 707. There is appropriated from the general fund of  
29 the state to the judicial department for the fiscal year  
30 beginning July 1, 1991, and ending June 30, 1992, the  
31 following amounts, or so much thereof as is necessary, to be  
32 used for the purposes designated:

33 1. For salaries of supreme court justices, appellate court  
34 judges, district court judges, district associate judges,  
35 judicial magistrates and staff, state court administrator,

1 clerk of the supreme court, district court administrators,  
2 clerks of the district court, juvenile court officers, board  
3 of law examiners and board of examiners of shorthand reporters  
4 and judicial qualifications commission, receipt and  
5 disbursement of child support payments, and maintenance,  
6 equipment, and miscellaneous purposes:

7 ..... \$ 73,956,679

8 As a condition, limitation, and qualification of this  
9 appropriation, the department shall reimburse the auditor of  
10 state for expenses incurred in completing audits of the  
11 offices of the clerks of the district court during the fiscal  
12 year beginning July 1, 1991.

13 Notwithstanding section 602.5205, the judicial department  
14 shall provide for the expenses of the judges of the court of  
15 appeals located outside the seat of government.

16 As a condition, limitation, and qualification of this  
17 appropriation, the judicial department, except for purposes of  
18 internal processing, shall use the current state budget  
19 system, the state payroll system, and the Iowa finance and  
20 accounting system in administration of programs and payments  
21 for services, and shall not duplicate the state payroll,  
22 accounting, and budgeting systems.

23 The judicial department shall submit monthly financial  
24 statements to the legislative fiscal bureau and the department  
25 of management containing all appropriated accounts in the same  
26 manner as provided in the monthly financial status reports and  
27 personal services usage reports of the department of revenue  
28 and finance. The monthly financial statements shall include a  
29 comparison of the dollars and percentage spent of budgeted  
30 versus actual revenues and expenditures on a cumulative basis  
31 for full-time equivalent positions and dollars.

32 Of the funds appropriated under this subsection, not more  
33 than \$1,800,000 may be transferred into the revolving fund  
34 established pursuant to section 602.1302, subsection 3, to be  
35 used for the payment of jury and witness fees and mileage.

1 2. For the juvenile victim restitution program:  
2 ..... \$ 100,000

3 Sec. 708. There is appropriated from the general fund of  
4 the state to the judicial department for the fiscal year  
5 beginning July 1, 1991, and ending June 30, 1992, the  
6 following amount, or so much thereof as is necessary, to be  
7 used for the purpose designated:

8 For the Iowa court information system:  
9 ..... \$ 903,000

10 As a condition, limitation, and qualification of this  
11 appropriation, the judicial department, except for purposes of  
12 internal processing, shall use the current state budget  
13 system, the state payroll system, and the Iowa finance and  
14 accounting system in administration of programs and payments  
15 for services, and shall not duplicate the state payroll,  
16 accounting, and budgeting systems.

17 The judicial department shall not change the appropriations  
18 from the amounts appropriated under this section, unless the  
19 department complies with section 8.39. The notice shall  
20 include information on the department's rationale for making  
21 the changes and details concerning the work load and  
22 performance measures upon which the changes are based.

23 Sec. 709. The department of corrections, judicial district  
24 departments of correctional services, board of parole, and the  
25 judicial department shall continue to develop an automated  
26 data system for use in the sharing of information between the  
27 department of corrections, judicial district departments of  
28 correctional services, board of parole, and the judicial  
29 department. The information to be shared shall concern any  
30 individual who may, as the result of an arrest or infraction  
31 of any law, be subject to the jurisdiction of the department  
32 of corrections, judicial district departments of correctional  
33 services, or board of parole.

34 Sec. 710. Section 13.15, unnumbered paragraph 2, Code  
35 1991, is amended to read as follows:

1 The rules shall provide for an hourly mediation fee not to  
2 exceed ~~twenty-five-dollars-per-hour-per-party~~ fifty dollars  
3 for the borrower and one hundred dollars for the creditor.  
4 The hourly mediation fee may be waived for any party  
5 demonstrating financial hardship upon application to the farm  
6 mediation service.

7 Sec. 711. NEW SECTION. 13.26 FARM ASSISTANCE FUND  
8 ESTABLISHED.

9 A farm assistance fund is established as a separate fund in  
10 the state treasury under the control of the department of  
11 justice. It is the intent of the general assembly that the  
12 moneys deposited in the fund shall be used for legal  
13 assistance to financially distressed farmers. These funds  
14 shall be used only to the extent appropriated by the general  
15 assembly. Notwithstanding section 8.33, any balance in the  
16 fund on June 30 of any fiscal year shall not revert to any  
17 fund but shall remain in the fund for the subsequent fiscal  
18 year.

19 Sec. 712. Section 356.26, unnumbered paragraph 3, Code  
20 1991, is amended to read as follows:

21 The district court may also grant by order to any person  
22 sentenced to a county jail the privilege of a sentence of in-  
23 home detention where the county sheriff has certified to the  
24 court that the jail has an in-home detention program. ~~The~~  
25 ~~department-of-corrections-shall-report-to-the-legislative~~  
26 ~~fiscal-bureau-on-a-semiannual-basis-concerning-utilization-of~~  
27 ~~in-home-detention,-including-the-counties-which-have~~  
28 ~~established-such-programs-and-the-number-of-prisoners-allowed~~  
29 ~~in-home-detention-privileges.~~

30 Sec. 713. Section 654.18, subsection 1, paragraph d, Code  
31 1991, is amended to read as follows:

32 d. The mortgagor and mortgagee shall file a jointly  
33 executed document with the county recorder in the county where  
34 the real property is located stating that the mortgagor and  
35 mortgagee have elected to follow the alternative voluntary

1 foreclosure procedures pursuant to this section. In addition  
2 to the fee collected pursuant to section 331.604, the recorder  
3 shall collect a fee of sixty dollars for filing the document,  
4 and shall remit the sixty-dollar fee to the treasurer of state  
5 for deposit in the farm assistance fund established in section  
6 13.26.

7 Sec. 714. Section 654.19, Code 1991, is amended to read as  
8 follows:

9 654.19 DEED IN LIEU OF FORECLOSURE -- AGRICULTURAL LAND.

10 In lieu of a foreclosure action in court due to default on  
11 a recorded mortgage or deed of trust of real property, if the  
12 subject property is agricultural land used for farming, as  
13 defined in section 172C.1, the mortgagee and mortgagor may  
14 enter into an agreement in which the mortgagor agrees to  
15 transfer the agricultural land to the mortgagee in  
16 satisfaction of all or part of the mortgage obligation as  
17 agreed upon by the parties. The agreement may grant the  
18 mortgagor a right to purchase the agricultural land for a  
19 period not to exceed five years, and may entitle the mortgagor  
20 to lease the agricultural land. The agreement shall be  
21 recorded with the deed transferring title to the mortgagee.  
22 In addition to the fee collected pursuant to section 331.604,  
23 the recorder shall collect a fee of sixty dollars for  
24 recording the agreement and deed, and shall remit the sixty-  
25 dollar fee to the treasurer of state for deposit in the farm  
26 assistance fund established in section 13.26. A transfer of  
27 title and agreement pursuant to this section does not  
28 constitute an equitable mortgage.

29 Sec. 715. Section 655A.7, Code 1991, is amended to read as  
30 follows:

31 655A.7 PROOF AND RECORD OF SERVICE.

32 If the terms and conditions as to which there is default  
33 are not performed within the thirty days, the party serving  
34 the notice or causing it to be served shall file for record in  
35 the office of the county recorder a copy of the notice with

1 proofs of service required under section 655A.4 attached or  
2 endorsed on it and, in case of service by publication, a  
3 personal affidavit that personal service could not be made  
4 within this state, and when those documents are filed and  
5 recorded, the record is constructive notice to all parties of  
6 the due foreclosure of the mortgage. In addition to the fee  
7 collected pursuant to section 331.604, the recorder shall  
8 collect a fee of sixty dollars for recording the documents  
9 required by this section, and shall remit the sixty dollar fee  
10 to the treasurer of state for deposit in the farm assistance  
11 fund established in section 13.26.

12 Sec. 716. Section 656.5, Code 1991, is amended to read as  
13 follows:

14 656.5 PROOF AND RECORD OF SERVICE.

15 If the terms and conditions as to which there is default  
16 are not performed within said thirty days, the party serving  
17 said notice or causing the same to be served, may file for  
18 record in the office of the county recorder a copy of the  
19 notice aforesaid with proofs of service attached or endorsed  
20 thereon (and, in case of service by publication, a personal  
21 affidavit that personal service could not be made within this  
22 state), and when so filed and recorded, the said record shall  
23 be constructive notice to all parties of the due forfeiture  
24 and cancellation of said contract. In addition to the fee  
25 collected pursuant to section 331.604, the recorder shall  
26 collect a fee of sixty dollars for filing the notice, and  
27 shall remit the sixty-dollar fee to the treasurer of state for  
28 deposit in the farm assistance fund established in section  
29 13.26.

30 Sec. 717. Section 905.4, subsection 5, Code 1991, is  
31 amended to read as follows:

32 5. Arrange for, by contract or on such alternative basis  
33 as may be mutually acceptable, and equip suitable quarters at  
34 one or more sites in the district as may be necessary for the  
35 district department's community-based correctional program,

1 provided that the board shall to the greatest extent feasible  
2 utilize existing facilities and shall keep capital  
3 expenditures for acquisition, renovation and repair of  
4 facilities to a minimum. The district board shall not enter  
5 into lease-purchase agreements for the purposes of renovating,  
6 expanding, or otherwise improving a community-based  
7 correctional facility or office unless express authorization  
8 has been granted by the general assembly, and current funding  
9 is adequate to meet the lease-purchase obligation.

10 Sec. 718. 1990 Iowa Acts, chapter 1224, section 1,  
11 unnumbered paragraph 1, is amended to read as follows:

12 In order to implement this Act, the department of human  
13 services and the judicial department shall mutually agree on a  
14 schedule to complete the transfer of support payment  
15 collection and disbursement responsibilities from the  
16 collection services center to the clerks of the district  
17 court. The schedule shall provide for the completion of the  
18 transfer of the responsibilities for all affected orders by  
19 June 30, ~~1991~~ 1993. The following procedure shall be used for  
20 any order affected by the initial transfer of  
21 responsibilities.

22 Sec. 719. 1990 Iowa Acts, chapter 1257, section 24,  
23 subsection 4, unnumbered paragraph 2, is amended to read as  
24 follows:

25 As a condition, limitation, and qualification of this  
26 appropriation, the beds shall be used for a 30-to-60-day shock  
27 revocation program for parole and probation violators who are  
28 male offenders. The beds shall be administered by the state  
29 department of corrections.

30 Sec. 720. 1990 Iowa Acts, chapter 1268, section 5,  
31 subsection 2, is amended to read as follows:

32 2. For reimbursement of counties for temporary confinement  
33 of work release and parole violators, as provided in sections  
34 246.908, 901.7, and 906.17 and for offenders confined pursuant  
35 to section 246.513:



1 ..... \$ 215,000

2 Sec. 721. EFFECTIVE DATE AND RETROACTIVE APPLICABILITY  
3 PROVISIONS.

4 1. Section 717 of this division takes effect on January 1,  
5 1992.

6 2. Sections 718 and 720 of this division, being deemed of  
7 immediate importance, take effect upon enactment. Section 720  
8 of the division applies retroactively to July 1, 1990.

9 DIVISION VIII

10 REGULATIONS APPROPRIATIONS

11 Sec. 801. There is appropriated from the general fund of  
12 the state to the office of the auditor of state for the fiscal  
13 year beginning July 1, 1991, and ending June 30, 1992, the  
14 following amount, or so much thereof as is necessary, to be  
15 used for the purposes designated:

16 For salaries, support, maintenance, miscellaneous purposes,  
17 and for not more than the following full-time equivalent posi-  
18 tions:

19 ..... \$ 1,600,787  
20 ..... FTEs 120.78

21 The auditor of state may expend additional moneys and  
22 retain additional full-time equivalent positions as is  
23 reasonable and necessary to perform audits, such as audits for  
24 local governments, if all of the following conditions are  
25 satisfied:

26 1. The amount expended is proportional to the costs that  
27 are reimbursable from the entity being audited, including but  
28 not limited to expenses reimbursable pursuant to section  
29 11.5A, 11.5B, 11.20, or 11.21.

30 2. The auditor of state submits a request to the  
31 department of management to expend a specific additional  
32 amount in connection with specified reimbursable audits.

33 3. The department of management approves the additional  
34 spending from any unappropriated funds in the state treasury  
35 upon a finding that all or substantially all of the amount

1 requested and approved will be reimbursable from the entity  
2 being audited.

3 4. The department of management notifies the legislative  
4 fiscal bureau of any additional moneys approved.

5 5. The department of management notifies the legislative  
6 fiscal committee of any additional moneys approved prior to  
7 the expenditure.

8 6. Upon payment or reimbursement by the entity, the  
9 auditor of state shall credit the payments to the state  
10 treasury for deposit in the general fund.

11 Sec. 802. There is appropriated from the general fund of  
12 the state to the campaign finance disclosure commission for  
13 the fiscal year beginning July 1, 1991, and ending June 30,  
14 1992, the following amount, or so much thereof as is  
15 necessary, for the purposes designated:

16 For salaries, support, maintenance, miscellaneous purposes,  
17 and for not more than the following full-time equivalent posi-  
18 tions:

19 .....	\$	283,004
20 .....	FTEs	6.75

21 Of the amount appropriated under this section, \$10,000, or  
22 so much thereof as is necessary, shall be expended for the  
23 director to attend a council of government ethics laws meeting  
24 and for computer consultation, evaluation, and software.

25 As a condition, limitation, and qualification of the funds  
26 appropriated by this section, the commission shall submit a  
27 written report to the legislative fiscal bureau no later than  
28 November 1, 1991, concerning the results of the computer  
29 consultation and evaluation. The report shall include the  
30 commission's findings, recommendations, and a discussion of  
31 the rationale for the recommendations resulting from the  
32 consultation and evaluation as to projected computer needs of  
33 the commission.

34 Sec. 803. There is appropriated from the general fund of  
35 the state to the department of employment services for the

1 fiscal year beginning July 1, 1991, and ending June 30, 1992,  
2 the following amounts, or so much thereof as is necessary, for  
3 the purposes designated:

4 1. DIVISION OF LABOR SERVICES

5 For salaries, support, maintenance, miscellaneous purposes,  
6 and for not more than the following full-time equivalent posi-  
7 tions:

8 ..... \$ 2,509,205  
9 ..... FTEs 92.80

10 From the contractor registration fees, the division of  
11 labor services shall reimburse the department of inspections  
12 and appeals for all costs associated with hearings under  
13 chapter 91C, relating to contractor registration.

14 Of the amount appropriated under this subsection, \$174,166,  
15 or so much thereof as is necessary, shall be expended for 5.00  
16 FTEs to enforce the Iowa minimum wage law.

17 2. DIVISION OF INDUSTRIAL SERVICES

18 For salaries, support, maintenance, miscellaneous purposes,  
19 and for not more than the following full-time equivalent posi-  
20 tions:

21 ..... \$ 2,116,185  
22 ..... FTEs 45.50

23 As a condition, limitation, and qualification of the funds  
24 appropriated by this subsection, \$45,396, or so much thereof  
25 as is necessary, shall be expended for 1.00 FTE, which shall  
26 be a word processor III position, to expedite the  
27 administrative hearing process for workers' compensation  
28 cases, and to assist in reducing the contested case backlog.  
29 The division shall submit a written report to the legislative  
30 fiscal bureau on a quarterly basis concerning the status of  
31 the workers' compensation contested case backlog.

32 The division shall continue charging a \$65 filing fee for  
33 workers' compensation cases. The filing fee shall be paid by  
34 the petitioner of a claim. However, the fee can be taxed as a  
35 cost and paid by the losing party, except in cases where it

1 would impose an undue hardship or be unjust under the  
2 circumstances.

3 The department of employment services, the department of  
4 personnel, and the department of management shall work  
5 together to ensure that as nearly as possible all full-time  
6 equivalent positions authorized and funded for the department  
7 of employment services will be utilized during the fiscal year  
8 beginning July 1, 1991, and ending June 30, 1992, and future  
9 fiscal years, to ensure that the backlog of cases in that  
10 department will be reduced as rapidly as possible.

11 Sec. 804.

12 1. Notwithstanding the provisions of section 96.13,  
13 subsection 3, which restrict the use of moneys in the special  
14 employment security contingency fund, moneys in the fund on  
15 June 30, 1991, shall not be transferred by the treasurer of  
16 state to either the temporary emergency surcharge fund or the  
17 unemployment compensation fund, but shall be available to the  
18 division of job service of the department of employment  
19 services for the fiscal year beginning July 1, 1991, and  
20 ending June 30, 1992, for expenditures under subsection 2.

21 2. The division of job service shall expend moneys which  
22 are credited to the special employment security contingency  
23 fund during the fiscal year beginning July 1, 1991, and ending  
24 June 30, 1992, including moneys which are available to the  
25 division of job service under subsection 1, only in accordance  
26 with the following restrictions:

27 The division shall expend up to \$550,000 for the following:  
28 \$50,000, or so much thereof as is necessary, for the removal  
29 of 2 chillers and 1 underground storage tank, and \$500,000, or  
30 so much thereof as is necessary, for asbestos removal at the  
31 job service site located at 1000 East Grand, Des Moines, Iowa.

32 Sec. 805. There is appropriated from the administrative  
33 contribution surcharge fund of the state to the department of  
34 employment services for the fiscal year beginning July 1,  
35 1991, and ending June 30, 1992, the following amount, or so

1 much thereof as is necessary, for the purposes designated:

2 DIVISION OF JOB SERVICE

3 Notwithstanding section 96.7, subsection 12, paragraph "c",  
4 for salaries, support, maintenance, miscellaneous purposes,  
5 and for not more than the following full-time equivalent  
6 positions:

7 .....	\$	5,916,050
8 .....	FTEs	171.80

9 As a condition, limitation, and qualification of this  
10 appropriation, the department of employment services shall  
11 provide services throughout the fiscal year beginning July 1,  
12 1991, and ending June 30, 1992, in all communities in which  
13 job service offices are operating on July 1, 1991. However,  
14 this provision shall not prevent the consolidation of multiple  
15 offices within the same city or the colocation of job service  
16 offices with another public agency.

17 Sec. 806. There is appropriated from the general fund of  
18 the state to the department of inspections and appeals for the  
19 fiscal year beginning July 1, 1991, and ending June 30, 1992,  
20 the following amounts, or so much thereof as is necessary, for  
21 the purposes designated:

22 1. FINANCE AND SERVICES DIVISION

23 For salaries, support, maintenance, miscellaneous purposes,  
24 and for not more than the following full-time equivalent  
25 positions:

26 .....	\$	578,220
27 .....	FTEs	25.00

28 2. AUDITS DIVISION

29 For salaries, support, maintenance, miscellaneous purposes,  
30 and for not more than the following full-time equivalent  
31 positions:

32 .....	\$	650,406
33 .....	FTEs	21.00

34 Of the amount appropriated in this subsection, \$78,708, or  
35 so much thereof as is necessary, shall be expended for 2.00

1 FTEs for conducting required bingo audits.

2 3. APPEALS AND FAIR HEARINGS DIVISION

3 In addition to funds appropriated in section 808 of this  
4 division from the road use tax fund, for salaries, support,  
5 maintenance, miscellaneous purposes, and for not more than the  
6 following full-time equivalent positions:

7 .....	\$	376,861
8 .....	FTEs	16.00

9 4. INVESTIGATIONS DIVISION

10 For salaries, support, maintenance, miscellaneous purposes,  
11 and for not more than the following full-time equivalent  
12 positions:

13 .....	\$	456,304
14 .....	FTEs	39.00

15 5. HEALTH FACILITIES DIVISION

16 For salaries, support, maintenance, miscellaneous purposes,  
17 and for not more than the following full-time equivalent  
18 positions:

19 .....	\$	1,832,195
20 .....	FTEs	131.00

21 Of the amount appropriated in this subsection, \$330,394, or  
22 so much thereof as is necessary, shall be expended for 21.00  
23 FTEs to regulate nursing facilities as required by the federal  
24 Nursing Home Reform Act.

25 6. INSPECTIONS DIVISION

26 For salaries, support, maintenance, miscellaneous purposes,  
27 and for not more than the following full-time equivalent  
28 positions:

29 .....	\$	913,786
30 .....	FTEs	26.50

31 7. EMPLOYMENT APPEAL BOARD

32 For salaries, support, maintenance, miscellaneous purposes,  
33 and for not more than the following full-time equivalent posi-  
34 tions:

35 .....	\$	46,527
----------	----	--------

1 ..... FTEs 16.80

2 The employment appeal board shall be reimbursed by the  
3 labor services division of the department of employment  
4 services for all costs associated with hearings conducted  
5 under chapter 91C, related to contractor registration. The  
6 board is authorized to expend, in addition to the amount  
7 appropriated under this subsection, such amounts as are  
8 directly billable to the labor services division under this  
9 subsection and to retain such additional full-time equivalent  
10 positions as needed to conduct hearings required pursuant to  
11 chapter 91C.

12 8. FOSTER CARE REVIEW BOARD

13 For salaries, support, maintenance, miscellaneous purposes,  
14 and for not more than the following full-time equivalent posi-  
15 tions:

16 ..... S 464,589  
17 ..... FTEs 11.50

18 Of the amount appropriated in this subsection, \$38,372, or  
19 so much thereof as is necessary, shall be expended for 1.00  
20 FTE in support of local review board activities in the eighth  
21 judicial district.

22 The department of human services and the foster care review  
23 board shall enter into a contract providing that the foster  
24 care review board shall conduct foster care review services at  
25 the current level of operation. The department and the board  
26 shall structure such contract in a manner approved by the  
27 federal government for the purpose of submitting an  
28 application to the appropriate federal agency to obtain any  
29 available federal funding for such contract. Funding received  
30 as a result of submitting such application shall be used to  
31 replace state funds which then shall immediately revert to the  
32 general fund of the state. The department and the board shall  
33 submit a written report to the legislative fiscal bureau no  
34 later than February 1, 1992, indicating the progress of  
35 obtaining federal funding and terms of any contract entered

1 into by the department and the board.

2 9. The department of inspections and appeals may charge  
3 state departments, agencies, and commissions for services  
4 rendered and the payment received shall be considered  
5 repayment receipts as defined in section 8.2.

6 Sec. 807.

7 1. There is appropriated from the general fund of the  
8 state to the office of the state public defender for the  
9 fiscal year beginning July 1, 1991, and ending June 30, 1992,  
10 the following amounts, or so much thereof as is necessary, for  
11 the purposes designated:

12 a. For salaries, support, maintenance, miscellaneous  
13 purposes, and for not more than the following full-time  
14 equivalent positions:

15 .....	\$	6,384,142
16 .....	FTEs	145.30

17 Of the amount appropriated under this subsection,  
18 \$2,069,100, or so much thereof as is necessary, shall be  
19 expended for 52.00 FTEs for expansion and establishment of new  
20 public defender offices in the first, second, third, fifth,  
21 and sixth judicial districts and for expansion of the  
22 appellate defender.

23 b. For indigent court-appointed attorney fees for adults  
24 and juveniles, notwithstanding section 232.141 and chapter  
25 815:

26 .....	\$	9,401,002
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27 2. The office of the state public defender shall submit  
28 written reports to the legislative fiscal bureau indicating  
29 the status of the activities of the office as a result of its  
30 expansion. The first report shall be submitted no later than  
31 August 1, 1991, and shall provide information concerning the  
32 activities of the office during fiscal year 1991. An  
33 additional report shall be submitted no later than February 1,  
34 1992, and shall provide information concerning the activities  
35 of the office during the period beginning July 1, 1991, and



1 ending December 31, 1991.

2 3. The judicial department shall provide a written report  
3 to the state public defender's office and the department of  
4 inspections and appeals, including the following information:

5 a. The number of court appointments by type of case by  
6 county and by attorney.

7 b. The cost of court-appointed cases by type of case by  
8 county and by attorney.

9 c. The amount of restitution as follows:

10 (1) By county.

11 (2) By type of case.

12 (3) Annually awarded.

13 d. The original charge and the disposition charge of each  
14 case.

15 Sec. 808. There is appropriated from the road use tax fund  
16 to the department of inspections and appeals for the fiscal  
17 year beginning July 1, 1991, and ending June 30, 1992, the  
18 following amount, or so much thereof as is necessary, for the  
19 purposes designated:

20 For salaries, support, maintenance, miscellaneous purposes,  
21 and for not more than the following full-time equivalent posi-  
22 tions:

23 .....	\$	526,837
24 .....	FTEs	11.00

25 Sec. 809. There is appropriated from the general fund of  
26 the state to the public employment relations board for the  
27 fiscal year beginning July 1, 1991, and ending June 30, 1992,  
28 the following amount, or so much thereof as is necessary, for  
29 the purposes designated:

30 For salaries, support, maintenance, miscellaneous purposes,  
31 and for not more than the following full-time equivalent posi-  
32 tions:

33 .....	\$	678,489
34 .....	FTEs	13.00

35 The public employment relations board shall submit a

1 written report to the legislative fiscal bureau no later than  
2 February 1, 1992, which evaluates and includes any  
3 recommendations of the board concerning the videotaping of  
4 court proceedings in lieu of using court reporters whenever  
5 possible to record the proceedings. This evaluation shall  
6 include information concerning the implementation of this  
7 concept in other states.

8 Sec. 810. There is appropriated from the general fund of  
9 the state to the professional licensing and regulation  
10 division of the department of commerce, for the fiscal year  
11 beginning July 1, 1991, and ending June 30, 1992, the  
12 following amount, or so much thereof as is necessary, for the  
13 purposes designated:

14 For salaries, support, maintenance, miscellaneous purposes,  
15 and for not more than the following full-time equivalent posi-  
16 tions:

17 ..... \$ 853,541  
18 ..... PTEs 11.00

19 Sec. 811. There is appropriated from the general fund of  
20 the state to the administrative services division of the  
21 department of commerce for the fiscal year beginning July 1,  
22 1991, and ending June 30, 1992, the following amount, or so  
23 much thereof as is necessary, to be used for the purposes  
24 designated:

25 For salaries, support, maintenance, miscellaneous purposes,  
26 and for not more than the following full-time equivalent posi-  
27 tions:

28 ..... \$ 1,491,046  
29 ..... FTEs 42.50

30 The administrative services division shall assess each  
31 division to which administrative services are provided by the  
32 administrative services division an amount pursuant to a cost  
33 allocation plan established by the administrative services  
34 division. The plan shall be established by July 1, 1991, and  
35 shall, to the extent practicable, be based on the proportion

1 of the administrative services division's time allocated to  
2 each division to which administrative services are provided.  
3 All divisions in the department of commerce shall abide by the  
4 cost allocation plan and shall promptly remit the assessment  
5 to the general fund upon receiving a notice of assessment from  
6 the administrative services division. Each division shall  
7 include in any charges assessed by the division to persons  
8 regulated an amount sufficient to cover the costs of  
9 administration as assessed to the division by the  
10 administrative services division.

11 The administrative services division shall eliminate the  
12 position of deputy director.

13 Sec. 812. Notwithstanding section 123.53, there is  
14 appropriated from the general fund of the state to the  
15 alcoholic beverages division of the department of commerce for  
16 the fiscal year beginning July 1, 1991, and ending June 30,  
17 1992, the following amount, or so much thereof as is  
18 necessary, for the purposes designated:

19 For salaries, support, maintenance, miscellaneous purposes,  
20 and for not more than the following full-time equivalent posi-  
21 tions:

22 .....	\$	3,456,728
23 .....	FTEs	85.86

24 Sec. 813. There is appropriated from the general fund of  
25 the state to the banking division of the department of  
26 commerce for the fiscal year beginning July 1, 1991, and  
27 ending June 30, 1992, the following amount, or so much thereof  
28 as is necessary, to be used for the purposes designated:

29 For salaries, support, maintenance, miscellaneous purposes,  
30 and for not more than the following full-time equivalent posi-  
31 tions:

32 .....	\$	5,832,042
33 .....	FTEs	108.50

34 The banking division shall assume all duties of the savings  
35 and loan division concerning the regulation of savings and

1 loan associations and the enforcement of all state laws and  
2 rules relating to such associations.

3 The banking division may expend additional funds, including  
4 funds for additional personnel, if those additional  
5 expenditures are actual expenses which exceed the funds  
6 budgeted for bank examinations and directly result from  
7 examinations of banks and savings and loan associations.

8 Before the division expends or encumbers an amount in excess  
9 of the funds budgeted for examinations, the director of the  
10 department of management shall approve the expenditure or  
11 encumbrance. Before approval is given, the director of the  
12 department of management shall determine that the examination  
13 expenses exceed the funds budgeted by the general assembly to  
14 the division and that the division does not have other funds  
15 from which examination expenses can be paid. Upon approval of  
16 the director of the department of management the division may  
17 expend and encumber funds for excess examination expenses.

18 The amounts necessary to fund the excess examination expenses  
19 shall be collected from those banks and savings and loan  
20 associations being regulated which caused the excess  
21 expenditures, and the collections shall be treated as  
22 repayment receipts as defined in section 8.2.

23 Sec. 814. There is appropriated from the general fund of  
24 the state to the credit union division of the department of  
25 commerce for the fiscal year beginning July 1, 1991, and  
26 ending June 30, 1992, the following amount, or so much thereof  
27 as is necessary, to be used for the purposes designated:

28 For salaries, support, maintenance, miscellaneous purposes,  
29 and for not more than the following full-time equivalent posi-  
30 tions:

31 .....	\$	954,946
32 .....	PTEs	20.00

33 Sec. 815. There is appropriated from the general fund of  
34 the state to the insurance division of the department of  
35 commerce for the fiscal year beginning July 1, 1991, and

1 ending June 30, 1992, the following amount, or so much thereof  
2 as is necessary, to be used for the purposes designated:

3 For salaries, support, maintenance, miscellaneous purposes,  
4 and for not more than the following full-time equivalent posi-  
5 tions:

6 ..... \$ 4,398,671  
7 ..... FTEs 92.33

8 Sec. 816. There is appropriated from the general fund of  
9 the state to the utilities division of the department of  
10 commerce for the fiscal year beginning July 1, 1991, and  
11 ending June 30, 1992, the following amount, or so much thereof  
12 as is necessary, to be used for the purposes designated:

13 For salaries, support, maintenance, miscellaneous purposes,  
14 and for not more than the following full-time equivalent posi-  
15 tions:

16 ..... \$ 4,843,961  
17 ..... FTEs 93.50

18 Of the amount appropriated in this section, the following  
19 amounts, or so much thereof as is necessary, shall be expended  
20 for the designated purposes: \$25,300 for additional rent for  
21 hearing and conference rooms in the Lucas building and  
22 \$316,377 for 6.00 FTEs for additional energy efficiency  
23 responsibilities established by 1990 Iowa Acts, chapter 1252.

24 Sec. 817. There is appropriated from the general fund of  
25 the state to the racing and gaming commission of the  
26 department of inspections and appeals for the fiscal year  
27 beginning July 1, 1991, and ending June 30, 1992, the  
28 following amount, or so much thereof as is necessary, to be  
29 used for the purposes designated:

30 For salaries, support, maintenance, miscellaneous purposes,  
31 and for not more than the following full-time equivalent posi-  
32 tions:

33 ..... \$ 1,806,593  
34 ..... FTEs 33.36

35 Sec. 818. There is appropriated from the general fund of

1 the state to the racing and gaming commission of the  
2 department of inspections and appeals, for the fiscal year  
3 beginning July 1, 1991, and ending June 30, 1992, the  
4 following amount, or so much thereof as is necessary, to be  
5 used for the purposes designated:

6 For salaries, support, maintenance, miscellaneous purposes,  
7 and for not more than the following full-time equivalent  
8 positions for administration and enforcement of the excursion  
9 boat gambling laws:

10 .....	\$	511,125
11 .....	FTEs	10.50

12 Sec. 819. A regulatory body, agency, or department  
13 receiving an appropriation pursuant to this division is  
14 subject to both of the following:

15 1. Funds appropriated in this division, for the fiscal  
16 year beginning July 1, 1991, and ending June 30, 1992, for a  
17 full-time equivalent position which was authorized and for  
18 which funding was provided for the fiscal year beginning July  
19 1, 1990, and ending June 30, 1991, but which is not filled  
20 during that fiscal year, and which is not filled during the  
21 first quarter of the fiscal year beginning July 1, 1991, and  
22 ending June 30, 1992, shall revert to the general fund of the  
23 state at the end of the first quarter. Such funds shall not  
24 be used for any other purpose.

25 2. Funds appropriated in this division for the fiscal year  
26 beginning July 1, 1991, and ending June 30, 1992, for a full-  
27 time equivalent position authorized in this division which is  
28 not filled during the first quarter of the fiscal year  
29 beginning July 1, 1991, and ending June 30, 1992, shall revert  
30 to the general fund of the state at the end of the first  
31 quarter. Such funds shall not be used for any other purpose.

32 Sec. 820. Section 13B.1, subsection 1, Code 1991, is  
33 amended to read as follows:

34 1. "Appointed Assigned attorney" means an attorney  
35 appointed assigned by the local public defender and

1 compensated by the state to represent an indigent defendant.

2 Sec. 821. Section 13B.4, Code 1991, is amended by striking  
3 the section and inserting in lieu thereof the following:

4 13B.4 DUTIES AND POWERS OF STATE PUBLIC DEFENDER.

5 1. The state public defender shall coordinate the  
6 provision of legal representation of all indigents under  
7 arrest or charged with a crime, on appeal in criminal cases,  
8 and on appeal in proceedings to obtain postconviction relief  
9 when ordered to do so by the district court in which the  
10 judgment or order was issued, and may provide for the  
11 representation of indigents in proceedings instituted pursuant  
12 to chapter 908. In indigency matters, all cases, whether  
13 criminal or juvenile in nature, shall be assigned by the court  
14 to the state public defender or its designee. The state  
15 public defender shall not engage in the private practice of  
16 law.

17 2. The state public defender shall file with the court in  
18 each county a designation of which local public defender  
19 office shall receive notice of assignment of cases.

20 Sec. 822. Section 13B.9, Code 1991, is amended to read as  
21 follows:

22 13B.9 POWERS AND DUTIES OF LOCAL PUBLIC DEFENDERS.

23 1. The local public defender shall do all of the  
24 following:

25 a. Represent without fee an indigent person who is under  
26 arrest or charged with a crime if the indigent person requests  
27 it representation or the court orders it representation. The  
28 local public defender shall counsel and defend an indigent  
29 defendant at every stage of the criminal proceedings and  
30 prosecute before or after conviction any appeals or other  
31 remedies which the local public defender considers to be in  
32 the interest of justice unless the court appoints case is  
33 assigned to other counsel.

34 b. Represent an indigent party, without fee and upon an  
35 order of the court, in child in need of assistance, family in

1 need of assistance, delinquency, and termination of parental  
2 rights proceedings pursuant to chapter 232. The local public  
3 defender shall counsel and represent an indigent party in all  
4 proceedings pursuant to chapter 232 and prosecute before or  
5 after judgment any appeals or other remedies which the local  
6 public defender considers to be in the interest of justice  
7 unless the court ~~appoints~~ case is assigned to other counsel.  
8 The state public defender shall be reimbursed by the counties  
9 for services rendered by employees of the local public  
10 defenders' offices under this subsection, pursuant to section  
11 232.141.

12 c. Make an initial determination of indigence as required  
13 under section 815.9 prior to the initial arraignment or other  
14 initial court appearance.

15 d. Make an annual report to the state public defender.  
16 The report shall include all cases handled by the local public  
17 defender during the preceding calendar year.

18 2. An appointed assigned attorney under this section is  
19 not liable to a person represented by the attorney pursuant to  
20 this chapter for damages as a result of a conviction unless  
21 the court determines in a postconviction appeal that the  
22 person's conviction resulted from ineffective assistance of  
23 counsel.

24 3. The local public defender may appoint the number of  
25 assistant public defenders, clerks, investigators,  
26 stenographers, and other employees as approved by the state  
27 public defender. An assistant local public defender must be  
28 an attorney licensed to practice before the Iowa supreme  
29 court. Appointments shall be made in the manner prescribed by  
30 the state public defender.

31 4. The local public defenders shall contract with private  
32 attorneys in the judicial district or judicial election  
33 district to handle assignments of indigent cases and may also  
34 contract with other attorneys in the judicial district or  
35 judicial election district on a list of attorneys who are



1 willing to take assignments of indigent cases if neither the  
2 local public defender nor a contract attorney can take the  
3 assignment. However, the local public defender shall handle  
4 every case assigned to the local public defender that the  
5 local public defender can reasonably handle.

6 5. If a conflict of interest arises or if the local public  
7 defender is unable to handle a case because of a temporary  
8 overload of cases, the local public defender shall assign the  
9 case to a contract attorney in the county where the case is  
10 pending and do so on a rotational or equalizational basis,  
11 also considering the experience of the contract attorneys  
12 available and the difficulty of the case.

13 6. If a conflict of interest or overload prevents the  
14 contract attorneys from handling a case, the local public  
15 defender shall assign the case to a private noncontracting  
16 attorney, who has agreed to take such case, on a rotational or  
17 equalizational basis, also considering the experience of the  
18 attorney and the difficulty of the case.

19 Sec. 823. Section 96.7, subsection 9, paragraph a, Code  
20 1991, is amended to read as follows:

21 a. The amount of the bond or deposit shall be equal to two  
22 and seven-tenths percent of the nonprofit organization's total  
23 taxable wages paid for employment during the four calendar  
24 quarters immediately preceding the effective date of the  
25 election, or the renewal date of a bond or a deposit of money  
26 or securities, whichever date is most recent and applicable.  
27 If the nonprofit organization did not pay wages in each of the  
28 four calendar quarters, the amount of the bond or deposit  
29 shall be determined by the division. If the nonprofit  
30 corporation has been a reimbursable employer and has filed an  
31 annual surety bond of over five hundred thousand dollars for  
32 ten years, the amount of bond or deposit required shall not  
33 exceed five hundred thousand dollars.

34 Sec. 824. Section 137A.12, Code 1991, is amended to read  
35 as follows:

1 137A.12 REGULAR INSPECTIONS.

2 The department shall provide for the inspection of each  
3 food establishment in the state in accordance with the  
4 standards of the retail food store sanitation code. The  
5 inspector may enter the food establishment at any reasonable  
6 hour to make the inspection. The management shall afford free  
7 access to every part of the premises and render all aid and  
8 assistance necessary to enable the inspector to make a  
9 thorough and complete inspection. However, food  
10 establishments which score ninety or greater shall be  
11 inspected biennially.

12 This section does not apply to retail food establishments  
13 which sell only prepackaged nonhazardous items.

14 Sec. 825. Section 137B.3, Code 1991, is amended by adding  
15 the following new subsection:

16 NEW SUBSECTION. 7. 10-201 shall be amended so that food  
17 services establishments are inspected annually, except that  
18 food service establishments with scores of ninety or greater  
19 shall be inspected biennially.

20 Sec. 826. Section 137C.11, Code 1991, is amended to read  
21 as follows:

22 137C.11 ANNUAL INSPECTIONS.

23 The regulatory authority shall inspect each hotel in the  
24 state at least once ~~each-calendar-year~~ biennially. The  
25 inspector may enter the hotel at any reasonable hour to make  
26 the inspection. The management shall afford free access to  
27 every part of the premises and render all aid and assistance  
28 necessary to enable the inspector to make a thorough and  
29 complete inspection.

30 Sec. 827. Section 157.11, unnumbered paragraph 1, Code  
31 1991, is amended to read as follows:

32 Commencing January 1, 1977, a beauty salon shall not  
33 operate unless the owner has obtained a license issued by the  
34 department. The owner shall apply to the department on forms  
35 prescribed by the board. The department shall perform a

1 sanitary inspection of each beauty salon ~~annually~~ biennially  
2 and may perform a sanitary inspection of a beauty salon prior  
3 to the issuance of a license. An inspection of a beauty salon  
4 shall also be conducted upon receipt of a complaint by the  
5 department.

6 Sec. 828. Section 158.9, unnumbered paragraph 1, Code  
7 1991, is amended to read as follows:

8 A barbershop shall not operate unless the owner has  
9 obtained a license issued by the department. The owner shall  
10 apply to the department on forms prescribed by the board. The  
11 department shall perform a sanitary inspection of each  
12 barbershop ~~annually~~ biennially and may perform a sanitary  
13 inspection of a barbershop prior to the issuance of a license.  
14 An inspection of a barbershop shall also be conducted upon  
15 receipt of a complaint by the department.

16 Sec. 829. Section 455C.1, subsection 5, Code 1991, is  
17 amended to read as follows:

18 5. "Distributor" means any person who engages in the sale  
19 of beverages in beverage containers to a dealer in this state,  
20 including any manufacturer who engages in such sales. The  
21 alcohol beverages division of the department of commerce is  
22 not a distributor for purposes of this chapter.

23 Sec. 830. Section 455C.2, subsection 1, Code 1991, is  
24 amended to read as follows:

25 1. Except purchases of alcoholic liquor as defined in  
26 section 123.3, subsection 8, by holders of class "A", "B", and  
27 "C", and "E" liquor control licenses, a refund value of not  
28 less than five cents shall be paid by the consumer on each  
29 beverage container sold in this state by a dealer for  
30 consumption off the premises. Upon return of the empty  
31 beverage container upon which a refund value has been paid to  
32 the dealer or person operating a redemption center and  
33 acceptance of the empty beverage container by the dealer or  
34 person operating a redemption center, the dealer or person  
35 operating a redemption center shall return the amount of the

1 refund value to the consumer.

2 Sec. 831. Section 455C.16, Code 1991, is amended to read  
3 as follows:

4 455C.16 BEVERAGE CONTAINERS -- DISPOSAL AT SANITARY  
5 LANDFILL PROHIBITED.

6 Beginning July 1, 1990, the final disposal of beverage  
7 containers by a dealer, distributor, or manufacturer, or  
8 person operating a redemption center, in a sanitary landfill,  
9 is prohibited, except for beverage containers containing  
10 alcoholic liquor as defined in section 123.3, subsection 8.

11 Sec. 832. Section 815.7, Code 1991, is amended by striking  
12 the section and inserting in lieu thereof the following:

13 815.7 FEES TO ATTORNEYS.

14 1. An attorney assigned to represent a person charged with  
15 a crime in this state shall be entitled to a reasonable  
16 compensation to be decided in each case by a judge of the  
17 district court, including such sum or sums as the court may  
18 determine are necessary for investigation in the interests of  
19 justice, and in the event of appeal, the cost of obtaining the  
20 transcript of the trial and the printing of the trial record  
21 and necessary briefs on behalf of the defendant. However, in  
22 any case where an attorney has been assigned to represent a  
23 criminal defendant, the following amounts cannot be exceeded  
24 without prior approval of a judge of the district court:

- 25 a. Class "A" felonies, two thousand five hundred dollars.
- 26 b. Class "B" felonies, one thousand five hundred dollars.
- 27 c. Class "C" and "D" felonies and aggravated misdemeanors,  
28 one thousand dollars.
- 29 d. Serious misdemeanors, five hundred dollars.
- 30 e. Simple misdemeanors, one hundred fifty dollars.
- 31 f. The probable cause portion of parole revocation  
32 hearings, two hundred dollars.
- 33 g. Postconviction relief proceedings, one-half of the  
34 amount allowed under this subsection for the offense in the  
35 original action.

1 h. Appeals to the supreme court of this state, one  
2 thousand six hundred dollars.

3 i. Representation of children in dissolution matters,  
4 three hundred dollars.

5 j. Representation of a patient at a mental or substance  
6 abuse commitment hearing, one hundred fifty dollars.

7 k. Representation of a party at a juvenile case  
8 adjudication and disposition, five hundred dollars, with  
9 compensation for representation of a party at each additional  
10 review hearing to be determined by the court.

11 l. Representation of indigent wards, one hundred fifty  
12 dollars.

13 2. Hourly rates of compensation in accordance with  
14 subsection 1 are forty to sixty dollars per hour for attorneys  
15 and twenty to thirty dollars per hour for paralegals, legal  
16 assistants, or law clerks.

17 3. An attorney assigned to a case pursuant to section  
18 815.10 is not required to remain assigned to the case if the  
19 case is transferred to another county or is appealed to an  
20 appellate court unless so directed by the court at the request  
21 of the defendant, where grounds for further litigation are not  
22 capricious or unreasonable, but if the attorney does so, the  
23 attorney's fee shall be determined according to subsection 1.  
24 Fees for only one attorney shall be awarded in any one case,  
25 except that in class "A" felony cases, fees for two attorneys  
26 may be authorized and awarded.

27 Sec. 833. Section 815.10, Code 1991, is amended to read as  
28 follows:

29 815.10 APPOINTMENT OF COUNSEL BY COURT.

30 1. The court, for cause and upon its own motion or upon  
31 application by an indigent person or a public defender, may  
32 ~~shall appoint a public defender or any attorney who is~~  
33 admitted to the practice of law in this state the state public  
34 defender or the state public defender's designee to represent  
35 an indigent person at any state of the proceedings or on

1 appeal of any action in which the indigent person is entitled  
2 to legal assistance at public expense. An appointment shall  
3 not be made unless the person is determined to be indigent  
4 under section 815.9.

5 2. If a court finds that a person desires legal assistance  
6 and is not indigent, but refuses to employ an attorney, the  
7 court shall appoint ~~a public defender or another attorney~~ the  
8 state public defender or the state public defender's designee  
9 to represent the person at public expense. If an attorney  
10 other than a public defender is ~~appointed~~ assigned by the  
11 designated local public defender, the fee paid to the attorney  
12 shall be taxed as a court cost against the person.

13 3. An attorney other than a public defender who is  
14 ~~appointed by the court~~ assigned by the designated local public  
15 defender under ~~subsection 1 or 2~~ this section shall apply to  
16 the district court for compensation and for reimbursement of  
17 costs incurred. The amount of compensation due shall be  
18 determined in accordance with section 815.7.

19 Sec. 834. 1989 Iowa Acts, chapter 272, section 42, as  
20 amended by 1990 Iowa Acts, chapter 1261, is amended to read as  
21 follows:

22 SEC. 42. Sections 34, 35, and 36 of this Act are effective  
23 July 1, ~~1991~~ 1992.

24 Sec. 835. Section 834 of this division, being deemed of  
25 immediate importance, takes effect upon enactment.

26 DIVISION IX

27 TRANSPORTATION APPROPRIATIONS

28 Sec. 901. There is appropriated from the general fund of  
29 the state to the Iowa law enforcement academy for the fiscal  
30 year beginning July 1, 1991, and ending June 30, 1992, the  
31 following amounts, or so much thereof as is necessary, to be  
32 used for the purposes designated:

33 For salaries, support, maintenance, miscellaneous purposes,  
34 including jailer training and technical assistance, and for  
35 not more than the following full-time equivalent positions:

1 ..... \$ 1,005,348  
2 ..... FTEs 29.20

3 Sec. 902. There is appropriated from the general fund of  
4 the state to the department of public defense for the fiscal  
5 year beginning July 1, 1991, and ending June 30, 1992, the  
6 following amounts, or so much thereof as is necessary, to be  
7 used for the purposes designated:

8 1. MILITARY DIVISION

9 For salaries, support, maintenance, miscellaneous purposes,  
10 and for not more than the following full-time equivalent  
11 positions:

12 ..... \$ 3,485,823  
13 ..... FTEs 196.59

14 2. DISASTER SERVICES DIVISION

15 For salaries, support, maintenance, miscellaneous purposes,  
16 and for not more than the following full-time equivalent  
17 positions:

18 ..... \$ 332,844  
19 ..... FTEs 12.00

20 3. VETERANS AFFAIRS DIVISION

21 For salaries, support, maintenance, miscellaneous purposes,  
22 and for not more than the following full-time equivalent  
23 positions:

24 ..... \$ 190,338  
25 ..... FTEs 6.16

26 As a condition, limitation, and qualification of the appro-  
27 priation in this subsection, at least \$40,000 shall be  
28 expended for 2 data processing clerk positions to eliminate  
29 the records backlog.

30 As a condition, limitation, and qualification of the appro-  
31 priation in this subsection, up to \$5,000 may be used for the  
32 purchase of POW/MIA flags.

33 4. WAR ORPHANS

34 For the war orphans educational aid fund established  
35 pursuant to chapter 35:

1 ..... \$ 10,185

2 Sec. 903. There is appropriated from the general fund of  
3 the state to the department of public safety for the fiscal  
4 year beginning July 1, 1991, and ending June 30, 1992, the  
5 following amounts, or so much thereof as is necessary, to be  
6 used for the purposes designated:

7 1. For the department's administrative functions including  
8 the medical examiner's office and the criminal justice  
9 information system, and for not more than the following full-  
10 time equivalent positions:

11 ..... \$ 2,558,178  
12 ..... FTEs 47.80

13 2. For purposes relating to radio communications, and for  
14 not more than the following full-time equivalent positions:

15 ..... \$ 3,325,447  
16 ..... FTEs 79.00

17 3. For the division of criminal investigation and bureau  
18 of identification containing the bureaus of identification and  
19 liquor law enforcement, and for river boat gambling  
20 enforcement, including the state's contribution to the peace  
21 officers' retirement, accident, and disability system provided  
22 in chapter 97A in the amount of 18 percent of the salaries for  
23 which the funds are appropriated, and for not more than the  
24 following full-time equivalent positions:

25 ..... \$ 7,859,746  
26 ..... FTEs 160.00

27 4. For the division of narcotics:

28 a. The state's contribution to the peace officers'  
29 retirement, accident, and disability system provided in  
30 chapter 97A in the amount of 18 percent of the salaries for  
31 which the funds are appropriated, and for not more than the  
32 following full-time equivalent positions:

33 ..... \$ 2,212,747  
34 ..... FTEs 47.00

35 b. Undercover purchases:



1 ..... \$ 275,000

2 5. For the fire marshal's office, including the state's  
3 contribution to the peace officers' retirement, accident, and  
4 disability system provided in chapter 97A in the amount of 18  
5 percent of the salaries for which the funds are appropriated,  
6 and for not more than the following full-time equivalent  
7 positions:

8 ..... \$ 1,473,233  
9 ..... FTEs 34.00

10 6. For the capitol security division, and for not more  
11 than the following full-time equivalent positions:

12 ..... \$ 1,161,735  
13 ..... FTEs 36.00

14 7. For salaries, support, maintenance, and miscellaneous  
15 purposes of the pari-mutuel law enforcement agents, including  
16 the state's contribution to the peace officers' retirement,  
17 accident, and disability system provided in chapter 97A in the  
18 amount of 18 percent of the salaries for which the funds are  
19 appropriated, and for not more than the following full-time  
20 equivalent positions:

21 ..... \$ 286,989  
22 ..... FTEs 5.00

23 8. For use by the department to provide additional law  
24 enforcement officials for project D.A.R.E. (drug abuse  
25 resistance education) within local communities:

26 ..... \$ 29,544

27 9. For the continued purchase of the automated fingerprint  
28 information system (AFIS):

29 ..... \$ 521,915

30 Sec. 904. There is appropriated from the road use tax fund  
31 to the division of highway safety and uniformed force of the  
32 department of public safety for the fiscal year beginning July  
33 1, 1991, and ending June 30, 1992, the following amounts, or  
34 so much thereof as is necessary, to be used for the purposes  
35 designated:

1 1. For salaries, support, maintenance, and miscellaneous  
2 purposes, including the state's contribution to the peace  
3 officers' retirement, accident, and disability system provided  
4 in chapter 97A in the amount of 18 percent of the salaries for  
5 which the funds are appropriated, and for not more than the  
6 following full-time equivalent positions:

7 ..... \$ 24,458,362  
8 ..... FTEs 456.00

9 It is the intent of the general assembly, that so much as  
10 is necessary of the appropriation in this subsection, shall  
11 support federal Highway Safety Act programs.

12 It is the intent of the general assembly, that the  
13 department shall assign 1 new trooper to each of the 4 state  
14 districts.

15 As a condition, limitation, and qualification of the  
16 appropriation in this subsection, the Iowa law enforcement  
17 academy shall be allowed to annually select at least 5  
18 automobiles of the department of public safety, division of  
19 highway safety and uniformed force, which are being turned in  
20 to the state vehicle dispatcher to be disposed of by public  
21 auction and the Iowa law enforcement academy shall be allowed  
22 to exchange any automobile owned by the academy for each  
23 automobile selected if the selected automobile is used in  
24 training law enforcement officers at the academy. However,  
25 any automobile exchanged by the academy shall be substituted  
26 for the selected vehicle of the department of public safety  
27 and sold by public auction with the receipts being deposited  
28 in the depreciation fund to the credit of the department of  
29 public safety, division of highway safety and uniformed force.

30 An employee of the department of public safety or its  
31 successor who retires after the effective date of this section  
32 of this Act but prior to June 30, 1992, is eligible for  
33 payment of life or health insurance premiums as provided for  
34 in the collective bargaining agreement covering the public  
35 safety bargaining unit at the time of retirement if that

1 employee previously served in a position which would have been  
2 covered by the agreement. The employee shall be given credit  
3 for the service in that prior position as though it were  
4 covered by that agreement. This section shall not operate to  
5 reduce any retirement benefits an employee may have earned  
6 under other collective bargaining agreements or retirement  
7 programs.

8 2. For the purchase of radar units:  
9 ..... \$ 294,166

10 3. For the purchase of scanners:  
11 ..... \$ 105,000

12 4. For payments to the department of personnel for  
13 expenses incurred in administering workers' compensation on  
14 behalf of the division of highway safety and uniformed force:  
15 ..... \$ 362,250

16 5. For payments to the department of personnel for  
17 expenses incurred in administering the merit system on behalf  
18 of the division of highway safety and uniformed force:  
19 ..... \$ 77,350

20 Sec. 905. There is appropriated from use tax receipts  
21 collected under chapter 423 prior to deposit in the road use  
22 tax fund, to the department of public safety, for the fiscal  
23 year beginning July 1, 1991, and ending June 30, 1992, the  
24 following amount, or so much thereof as may be necessary, to  
25 be used for the purpose designated:

26 For the costs associated with the automated fingerprint  
27 information system local remote terminals:  
28 ..... \$ 373,108

29 Sec. 906. There is appropriated from the road use tax fund  
30 to the state department of transportation for the fiscal year  
31 beginning July 1, 1991, and ending June 30, 1992, the  
32 following amounts, or so much thereof as is necessary, for the  
33 purposes designated:

34 1. For the payment of costs associated with the production  
35 of motor vehicle licenses, as defined in section 321.1,

1 subsection 77:  
 2 ..... \$ 500,000  
 3 2. For salaries, support, maintenance, miscellaneous pur-  
 4 poses, and for not more than the following full-time  
 5 equivalent positions:  
 6 a. Administrative services:  
 7 ..... \$ 3,749,551  
 8 ..... FTEs 47.50  
 9 b. General counsel:  
 10 ..... \$ 177,240  
 11 ..... FTEs 1.00  
 12 c. Planning and research:  
 13 ..... \$ 371,101  
 14 ..... FTEs 9.00  
 15 d. Aeronautics and public transit:  
 16 ..... \$ 246,334  
 17 ..... FTEs 5.00  
 18 e. Motor vehicles:  
 19 ..... \$ 19,253,443  
 20 ..... FTEs 542.00  
 21 f. Rail and water:  
 22 ..... \$ 692,300  
 23 ..... FTEs 15.00  
 24 3. For payments to the department of personnel for  
 25 expenses incurred in administering the merit system on behalf  
 26 of the state department of transportation, as required by  
 27 chapter 19A:  
 28 ..... \$ 39,000  
 29 4. Unemployment compensation:  
 30 ..... \$ 12,250  
 31 5. For payments to the department of personnel for paying  
 32 workers' compensation claims under chapter 85 on behalf of  
 33 employees of the state department of transportation:  
 34 ..... \$ 75,000  
 35 6. For the paving of the scale lots at LeMars and

1 Ainsworth:

2 ..... \$ 120,000

3 The provisions of section 8.33 do not apply to the funds  
4 appropriated by this subsection, but remain available for  
5 expenditure for the purposes designated until June 30, 1993.  
6 Unencumbered or unobligated funds remaining on June 30, 1993,  
7 from funds appropriated by this subsection for the fiscal year  
8 beginning July 1, 1991, shall revert to the fund from which  
9 appropriated on August 30, 1993.

10 Sec. 907. There is appropriated from the primary road fund  
11 to the state department of transportation for the fiscal year  
12 beginning July 1, 1991, and ending June 30, 1992, the  
13 following amounts, or so much thereof as is necessary, to be  
14 used for the purposes designated:

15 1. For salaries, support, maintenance, miscellaneous pur-  
16 poses, and for not more than the following full-time  
17 equivalent positions:

18 a. Administrative services:

19 ..... \$ 22,903,953

20 ..... FTEs 293.00

21 b. General counsel:

22 ..... \$ 1,088,760

23 ..... FTEs 7.00

24 c. Planning and research:

25 ..... \$ 7,050,899

26 ..... FTEs 169.00

27 d. Aeronautics and public transit:

28 ..... \$ 246,334

29 ..... FTEs 5.00

30 It is the intent of the general assembly that any state  
31 agency or individual using an airplane from the state aircraft  
32 pool shall be billed in an amount sufficient to cover  
33 operation and aircraft maintenance expense, including engine  
34 overhaul.

35 e. Highways:

1 ..... \$139,750,000  
2 ..... FTEs 2,959.00  
3 f. Motor vehicles:  
4 ..... \$ 781,745  
5 ..... FTEs 22.00  
6 g. Rail and water:  
7 ..... \$ 296,700  
8 ..... FTEs 7.00  
9 2. For deposit in the state department of transportation's  
10 highway materials and equipment revolving fund established by  
11 section 307.47 for funding the increased replacement cost of  
12 vehicles:  
13 ..... \$ 3,000,000  
14 Moneys appropriated for the inventory and equipment  
15 replacement revolving fund shall only be transferred from the  
16 primary road fund to meet actual expenditure needs.  
17 As a condition, limitation, and qualification of this  
18 appropriation, no more than \$2,782,509 from the highway  
19 materials and equipment revolving fund, plus an allocation for  
20 salary adjustment, may be expended for salaries and benefits  
21 for not more than 92 FTEs.  
22 3. For payments to the department of personnel for  
23 expenses incurred in administering the merit system on behalf  
24 of the state department of transportation, as required by  
25 chapter 19A:  
26 ..... \$ 741,000  
27 4. Unemployment compensation:  
28 ..... \$ 232,750  
29 5. For payments to the department of personnel for paying  
30 workers' compensation claims under chapter 85 on behalf of the  
31 employees of the state department of transportation:  
32 ..... \$ 1,425,000  
33 6. For costs associated with fuel tank replacement and  
34 cleanup:  
35 ..... \$ 1,000,000

1 As a condition, limitation, and qualification of this  
2 appropriation, the department shall develop a comprehensive  
3 plan to determine the need for petroleum underground storage  
4 tanks operated by the department. The plan shall be submitted  
5 to the general assembly by January 15, 1992.

6 7. For conducting tests at department field facilities to  
7 determine the extent of asbestos contamination:  
8 ..... \$ 40,000

9 8. For the removal of asbestos from facilities at the  
10 department central complex:  
11 ..... \$ 650,000

12 9. For replacement of obsolete field facilities in the  
13 cities of Davenport, Rock Valley, Algona, and Pocahontas:  
14 ..... \$ 2,810,000

15 10. For grading and resurfacing the east parking lot at  
16 the Ames complex:  
17 ..... \$ 200,000

18 11. For electrical system improvements at the Ames  
19 complex:  
20 ..... \$ 230,000

21 12. For central air conditioning in the south wing offices  
22 (old lab) of the Ames complex:  
23 ..... \$ 300,000

24 The provisions of section 8.33 do not apply to the funds  
25 appropriated by subsections 9 through 12, but remain available  
26 for expenditure for the purposes designated until June 30,  
27 1994. Unencumbered or unobligated funds remaining on June 30,  
28 1994, from funds appropriated by subsections 9 through 12 for  
29 the fiscal year beginning July 1, 1991, shall revert to the  
30 fund from which appropriated on August 30, 1994.

31 Sec. 908. There is appropriated from the general fund of  
32 the state to the state department of transportation for the  
33 fiscal year beginning July 1, 1991, and ending June 30, 1992,  
34 the following amounts, or so much thereof as is necessary, to  
35 be used for the purposes designated:

1 1. For providing assistance for the restoration, conserva-  
2 tion, improvement, and construction of railroad main lines,  
3 branch lines, switching yards, and sidings as required in  
4 section 327H.18:

5 ..... \$ 2,000,000

6 2. For use by the railway finance authority for purposes  
7 of the authority as provided in chapter 307B:

8 ..... \$ 1,000,000

9 3. For the development, improvement, and maintenance of  
10 public transit systems and any other purposes for which funds  
11 could be expended pursuant to section 601J.6:

12 ..... \$ 6,833,197

13 4. For airport engineering studies and improvement  
14 projects as provided in chapter 328:

15 ..... \$ 2,480,546

16 5. For aeronautics and public transit, for salaries,  
17 support, maintenance, miscellaneous purposes, and for not more  
18 than the following full-time equivalent positions:

19 ..... \$ 429,932

20 ..... FTEs 9.00

21 It is the intent of the general assembly that the moneys  
22 deposited in the general fund and the interest earned from the  
23 deposit of those moneys, that would have been deposited into  
24 the following funds but for the provisions of 1991 Iowa Acts,  
25 House File 173, division XII, shall only be used for the  
26 purposes for which the moneys were to be collected prior to  
27 the enactment of 1991 Iowa Acts, House File 173, division XII:

28 a. Railroad assistance fund established under section  
29 327H.18.

30 b. Special railroad facility fund established under  
31 section 307B.23.

32 c. State aviation fund established under section 328.36.

33 d. Public transit assistance fund established under  
34 section 601J.6.

35 Sec. 909. Section 101.28, Code 1991, is amended to read as



1 follows:

2 101.28 FEES FOR CERTIFICATION INSPECTIONS OF UNDERGROUND  
3 STORAGE TANKS.

4 The state fire marshal, the state fire marshal's designee,  
5 or a local fire marshal, authorized to conduct underground  
6 storage tank certification inspections under section 455G.11,  
7 subsection 6, shall charge the person requesting a  
8 certification inspection a fee to recover the costs of  
9 authorized training, inspection, and inspection program  
10 administration subject to rules adopted by the state fire  
11 marshal. The fees collected shall be deposited into the  
12 general fund of the state.

13 Sec. 910. Section 307.12, Code 1991, is amended by adding  
14 the following new subsection:

15 NEW SUBSECTION. 14. Prepare and submit a report to the  
16 general assembly on or before January 15 of each fiscal year  
17 describing the prior fiscal year's highway construction  
18 program, actual expenditures of the program, and contractual  
19 obligations of the program.

20 Sec. 911. Section 312.2, Code 1991, is amended by adding  
21 the following new subsection:

22 NEW SUBSECTION. 21. The treasurer of state, before making  
23 the allotments provided for in this section shall credit  
24 annually from the road use tax fund to the state department of  
25 transportation the sum of six hundred fifty thousand dollars  
26 for the purpose of providing county treasurers with data  
27 processing equipment and support for vehicle registration and  
28 titling. Notwithstanding section 8.33, unobligated funds  
29 credited under this subsection remaining on June 30 of the  
30 fiscal year shall not revert but shall remain available for  
31 expenditure for purposes of this subsection in subsequent  
32 fiscal years.

33 Sec. 912. The department of public safety shall notify the  
34 legislative fiscal bureau, department of management, the  
35 chairpersons, vice chairpersons, and ranking members of the

1 joint transportation and safety appropriation subcommittee, on  
2 any request for, approval of, or notification of award of  
3 federal funds or of any loss of federal funds. The  
4 notification shall include the name of the funding grant,  
5 planned expenditures, and estimated amount which will be  
6 received. The department shall also prepare a report at the  
7 end of each fiscal year detailing the amount received, amount  
8 expended, and carry over balance on all nonappropriated  
9 receipts, including federal funds, received during that fiscal  
10 year.

11 Sec. 913. Section 100.34, Code 1991, is repealed.

12 DIVISION X

13 TAXATION

14 Sec. 1001. Section 98.6, subsection 1, Code 1991, is  
15 amended to read as follows:

16 1. There is ~~hereby levied, assessed, and imposed,~~ and  
17 shall be collected and paid to the department, the following  
18 taxes on all cigarettes used or otherwise disposed of in this  
19 state for any purpose whatsoever:

20 Class A. On cigarettes weighing not more than three pounds  
21 per thousand, ~~six~~ twenty and one-half mills on each such  
22 cigarette.

23 Class B. On cigarettes weighing more than three pounds per  
24 thousand, ~~seven~~ twenty and one-half mills on each such  
25 cigarette.

26 Sec. 1002. Section 98.6, subsection 2, Code 1991, is  
27 amended by striking the subsection.

28 Sec. 1003. Section 98.43, subsection 1, unnumbered  
29 paragraph 1, Code 1991, is amended to read as follows:

30 A tax is imposed upon all tobacco products in this state  
31 and upon any person engaged in business as a distributor  
32 thereof of tobacco products, at the rate of ~~nineteen~~ twenty-  
33 four percent of the wholesale sales price of the tobacco  
34 products, except little cigars as defined in section 98.42.  
35 Little cigars shall be subject to the same rate of tax imposed

1 upon cigarettes in section 98.6, payable at the time and in  
2 the manner provided in section 98.6; and stamps shall be  
3 affixed as provided in division I of this chapter. The tax on  
4 tobacco products, excluding little cigars, shall be imposed at  
5 the time the distributor does any of the following:

6 Sec. 1004. Section 98.43, subsection 2, unnumbered  
7 paragraph 1, Code 1991, is amended to read as follows:

8 A tax is imposed upon the use or storage by consumers of  
9 tobacco products in this state, and upon the consumers, at the  
10 rate of ~~nineteen~~ twenty-four percent of the cost of the  
11 tobacco products.

12 Sec. 1005. Section 123.3, subsections 7 and 10, Code 1991,  
13 are amended to read as follows:

14 7. "Wine" means any beverage containing more than ~~five~~  
15 one-half of one percent of alcohol by volume but not more than  
16 seventeen percent of alcohol by weight obtained by the  
17 fermentation of the natural sugar contents of fruits, fruit  
18 extracts, or other agricultural products but excluding any  
19 product containing alcohol derived from malt or by the  
20 distillation process from grain, cereal, molasses, or cactus.

21 10. "Beer" means any liquid capable of being used for  
22 beverage purposes made by the fermentation of an infusion in  
23 potable water of barley, malt, and hops, with or without  
24 unmalted grains or decorticated and degerminated grains or  
25 made by the ~~fermentation-of-or-by~~ distillation of the  
26 fermented products of fruit, fruit extracts, or other  
27 agricultural products but which is not wine as defined in  
28 subsection 7, containing more than one-half of one percent of  
29 alcohol by volume but not more than five percent of alcohol by  
30 weight but not including mixed drinks or cocktails mixed on  
31 the premises.

32 Sec. 1006. This division takes effect April 1, 1991.

33 DIVISION XI

34 SCHOOL FOUNDATION AID

35 Sec. 1101. Section 257.1, subsection 2, unnumbered

1 paragraph 2, Code 1991, is amended to read as follows:

2 For the budget year commencing July 1, 1991, and for each  
3 succeeding budget year the regular program foundation base per  
4 pupil is ~~eighty-three and five-tenths~~ percent of the regular  
5 program state cost per pupil. ~~For each succeeding budget~~  
6 ~~year, the regular program foundation base shall increase~~  
7 ~~twenty-five hundredths percent per year until the regular~~  
8 ~~program foundation base reaches eighty-five percent of the~~  
9 regular program state cost per pupil, except that the regular  
10 program foundation base per pupil for the portion of weighted  
11 enrollment that is additional enrollment because of special  
12 education is seventy-nine percent of the regular program state  
13 cost per pupil. For the budget year commencing July 1, 1991,  
14 and for each succeeding budget year the special education  
15 support services foundation base is ~~eighty-three and five-~~  
16 ~~tenths~~ seventy-nine percent of the special education support  
17 services state cost per pupil. ~~It shall increase at the same~~  
18 ~~rate as the regular program foundation base.~~ The combined  
19 foundation base is the sum of the regular program foundation  
20 base and the special education support services foundation  
21 base.

22 Sec. 1102. Section 257.2, subsection 12, Code 1991, is  
23 amended by striking the subsection.

24 Sec. 1103. Section 257.15, subsection 1, Code 1991, is  
25 amended by adding the following new unnumbered paragraph:

26 NEW UNNUMBERED PARAGRAPH. For purposes of this subsection,  
27 in computing the amount of revenues generated by the  
28 foundation property tax and the additional property tax under  
29 chapter 442, Code 1989, the computation shall be based on a  
30 regular program foundation base per pupil of eighty-three  
31 percent of the regular program state cost per pupil except  
32 that for the portion of weighted enrollment that is additional  
33 enrollment because of special education the regular program  
34 foundation base per pupil shall be seventy-nine percent of the  
35 regular program state cost per pupil. The special education

1 support services foundation base shall be seventy-nine percent  
2 of the special education support services state cost per  
3 pupil.

4 Sec. 1104. Section 257.31, subsections 6 and 11, Code  
5 1991, are amended by striking the subsections.

6 Sec. 1105. Section 442.3, unnumbered paragraph 1, Code  
7 1991, is amended to read as follows:

8 The state foundation base for the school year beginning  
9 July 1, 1986 is eighty percent of the state cost per pupil.  
10 The state foundation base for the school year beginning July  
11 1, 1987 is eighty-one and one-half percent of the state cost  
12 per pupil. For each succeeding school year, the state  
13 foundation base shall be increased by the amount of one-half  
14 percent of the state cost per pupil, up to a maximum of  
15 ~~eighty-five~~ eighty-three percent of the state cost per pupil.  
16 The district foundation base is the larger of the state  
17 foundation base or the amount per pupil which the district  
18 will receive from foundation property tax and state school  
19 foundation aid.

20 Sec. 1106. Sections 1101, 1103, and 1105 of this division,  
21 being deemed of immediate importance, take effect upon  
22 enactment.

23 DIVISION XII  
24 LOTTERY REVENUES

25 Sec. 1201. Section 99E.10, Code 1991, is amended by adding  
26 the following new subsection:

27 NEW SUBSECTION. 3. Notwithstanding the requirement in  
28 subsection 1 to transfer lottery revenue remaining after  
29 expenses are deducted, the requirement under section 99E.20,  
30 subsection 2, for the commissioner to certify and transfer a  
31 portion of the lottery fund to the CLEAN fund, nor the  
32 appropriations and allocations in section 99E.34, all lottery  
33 revenues received during the fiscal year beginning July 1,  
34 1991, and ending June 30, 1992, after deductions for expenses  
35 as provided in subsection 1 shall not be transferred to and

1 deposited into the CLEAN fund but shall be transferred to and  
2 deposited into the general fund of the state.

3 Sec. 1202. This division takes effect July 1, 1991.

4 DIVISION XIII

5 PROPERTY TAX

6 Sec. 1301. Section 135D.22, subsection 2, paragraph a,  
7 Code 1991, is amended to read as follows:

8 a- If the owner of the mobile home is an Iowa resident,  
9 was totally disabled, as defined in section 425.17, subsection  
10 6, on or before December 31 of the base year, is a surviving  
11 spouse having attained the age of fifty-five years on or  
12 before December 31, 1988, or has attained the age of sixty-  
13 five years on or before December 31 of the base year and has  
14 an income when included with that of a spouse which is less  
15 than six thousand dollars per year, the annual tax shall not  
16 be imposed on the mobile home. If the income is six thousand  
17 dollars or more but less than fourteen thousand dollars, the  
18 annual tax shall be computed as follows:

19	If the Household	Annual Tax Per
20	Income is:	Square Foot:
21	\$ 6,000 -- 6,999.99	3.0 cents
22	7,000 -- 7,999.99	6.0
23	8,000 -- 9,999.99	10.0
24	10,000 -- 11,999.99	13.0
25	12,000 -- 13,999.99	15.0

26 Sec. 1302. Section 135D.22, subsection 2, paragraph b,  
27 Code 1991, is amended by striking the paragraph.

28 Sec. 1303. Section 425.17, subsection 5, unnumbered  
29 paragraph 1 and paragraph a, Code 1991, are amended to read as  
30 follows:

31 5. "Claimant" means ~~either one of the following:~~

32 a--A a person filing a claim for credit or reimbursement  
33 under this division who has attained the age of sixty-five  
34 years on or before December 31 of the base year or who is a  
35 surviving spouse having attained the age of fifty-five years

1 on or before December 31, 1988, or who is totally disabled and  
2 was totally disabled on or before December 31 of the base  
3 year, and was domiciled in this state during the entire base  
4 year and is domiciled in this state at the time the claim is  
5 filed or at the time of the person's death in the case of a  
6 claim filed by the executor or administrator of the claimant's  
7 estate.

8 Sec. 1304. Section 425.17, subsection 5, paragraph b, Code  
9 1991, is amended by striking the paragraph.

10 Sec. 1305. Section 425.17, subsection 5, unnumbered  
11 paragraph 2, Code 1991, is amended to read as follows:

12 "Claimant" under-paragraph-"a"-or-"b" includes a vendee in  
13 possession under a contract for deed and may include one or  
14 more joint tenants or tenants in common. In the case of a  
15 claim for rent constituting property taxes paid, the claimant  
16 shall have rented the property during any part of the base  
17 year. If a homestead is occupied by two or more persons, and  
18 more than one person is able to qualify as a claimant, the  
19 persons may determine among them who will be the claimant. If  
20 they are unable to agree, the matter shall be referred to the  
21 director of revenue and finance not later than October 31 of  
22 each year and the director's decision is final.

23 Sec. 1306. Section 425.17, subsection 9, Code 1991, is  
24 amended to read as follows:

25 9. "Property taxes due" means property taxes including any  
26 special assessments, but exclusive of delinquent interest and  
27 charges for services, due on a claimant's homestead in this  
28 state, but includes only property taxes for which the claimant  
29 is liable and which will actually be paid by the claimant.  
30 However, if the claimant is a person whose property taxes have  
31 been suspended under sections 427.8 and 427.9, "property taxes  
32 due" means property taxes including any special assessments,  
33 but exclusive of delinquent interest and charges for services,  
34 due on a claimant's homestead in this state, but includes only  
35 property taxes for which the claimant is liable and which

1 would have to be paid by the claimant if the payment of the  
 2 taxes has not been suspended pursuant to sections 427.8 and  
 3 427.9. "Property taxes due" shall be computed with no  
 4 deduction for any credit under this division or for any  
 5 homestead credit allowed under section 425.1. Each claim  
 6 shall be based upon the taxes due during the fiscal year next  
 7 following the base year. If a homestead is owned by two or  
 8 more persons as joint tenants or tenants in common, and one or  
 9 more persons are not members of the claimant's household,  
 10 "property taxes due" is that part of property taxes due on the  
 11 homestead which equals the ownership percentage of the  
 12 claimant and the claimant's household. The county treasurer  
 13 shall include with the tax receipt a statement that if the  
 14 owner of the property is eighteen sixty-five years of age or  
 15 over or is totally disabled, or is a surviving spouse who was  
 16 fifty-five years of age on or before December 31, 1988, the  
 17 person may be eligible for the credit allowed under this  
 18 division. If a homestead is an integral part of a farm, the  
 19 claimant may use the total property taxes due for the larger  
 20 unit. If a homestead is an integral part of a multidwelling  
 21 or multipurpose building the property taxes due for the  
 22 purpose of this subsection shall be prorated to reflect the  
 23 portion which the value of the property that the household  
 24 occupies as its homestead is to the value of the entire  
 25 structure. For purposes of this subsection, "unit" refers to  
 26 that parcel of property covered by a single tax statement of  
 27 which the homestead is a part.

28 Sec. 1307. Section 425.23, subsection 1, paragraph a, Code  
 29 1991, is amended to read as follows:

30 a: ~~The tentative credit or reimbursement for-a-claimant~~  
 31 ~~described-in-section-425.177-subsection-57-paragraph-"a"~~ shall  
 32 be determined in accordance with the following schedule:

33 Percent of property taxes  
 34 due or rent constituting  
 35 property taxes paid



1 If the household allowed as a credit or  
2 income is: reimbursement:

3 \$	0 -- 5,999.99.....	100%
4	6,000 -- 6,999.99.....	85
5	7,000 -- 7,999.99.....	70
6	8,000 -- 9,999.99.....	50
7	10,000 -- 11,999.99.....	35
8	12,000 -- 13,999.99.....	25

9 Sec. 1308. Section 425.23, subsection 1, paragraph b, Code  
10 1991, is amended by striking the paragraph.

11 Sec. 1309. Section 425.23, subsection 3, paragraph a, Code  
12 1991, is amended to read as follows:

13 3. a. A person who is eligible to file a claim for credit  
14 for property taxes due and who has a household income of six  
15 thousand dollars or less and who has a special assessment  
16 levied against the homestead may file a claim with the county  
17 treasurer that the claimant had a household income of six  
18 thousand dollars or less and that a special assessment is  
19 presently levied against the homestead. The department shall  
20 provide to the respective county treasurers the forms  
21 necessary for the administration of this subsection. The  
22 claim shall be filed not later than September 30 of each year.  
23 Upon the filing of the claim, a penalty or interest for late  
24 payment shall not accrue against the amount of the special  
25 assessment due and payable. The claim filed by the claimant  
26 constitutes a claim for credit of an amount equal to the  
27 actual amount due and payable upon the special assessment  
28 payable during the fiscal year against the homestead of the  
29 claimant or an amount equal to the annual payment of the  
30 special assessment levied against the homestead of the  
31 claimant and payable in annual installments through the period  
32 of years provided by the governing body of the city, whichever  
33 is less. ~~However, where the claimant is an individual~~  
34 ~~described in section 425.177, subsection 5, paragraph "b", the~~  
35 ~~claim filed constitutes a claim for credit of an amount equal~~

1 ~~to one-half of the actual amount due and payable during the~~  
2 ~~fiscal year or equal to one-half of the annual payment,~~  
3 ~~whichever is less.~~ The department of revenue and finance  
4 shall, upon the filing of the claim with the department by the  
5 county treasurer, pay that amount of the special assessment  
6 during the current fiscal year to the county treasurer. The  
7 county treasurer shall submit the claims to the director of  
8 revenue and finance not later than October 15 of each year.  
9 The director of revenue and finance shall certify the amount  
10 of reimbursement due each county for special assessment  
11 credits allowed under this subsection. The amount of  
12 reimbursement due each county shall be paid by the director of  
13 revenue and finance on October 20 of each year, drawn upon  
14 warrants payable to the respective county treasurer. There is  
15 appropriated annually from the general fund of the state to  
16 the department of revenue and finance an amount sufficient to  
17 carry out the provisions of this subsection. The county  
18 treasurer shall credit any moneys received from the department  
19 against the amount of the special assessment due and payable  
20 on the homestead of the claimant.

21 Sec. 1310. Section 425A.1, Code 1991, is amended to read  
22 as follows:

23 425A.1 FAMILY FARM TAX CREDIT FUND.

24 The family farm tax credit fund is created in the office of  
25 the treasurer of state. ~~There is appropriated to the fund~~  
26 ~~from funds in the general fund not otherwise appropriated the~~  
27 ~~sum of ten million dollars.~~ Moneys appropriated to the  
28 agricultural land credit fund and transferred to the family  
29 farm credit fund as provided in section 426.1 shall be used  
30 for purposes of this chapter. Any balance in the fund on June  
31 shall revert to the general fund.

32 Sec. 1311. Section 426.1, Code 1991, is amended to read as  
33 follows:

34 426.1 AGRICULTURAL LAND CREDIT FUND.

35 There is hereby created as a permanent fund in the office

1 of the treasurer of state a fund to be known as the  
2 agricultural land credit fund, and for the purpose of  
3 establishing and maintaining said this fund for each fiscal  
4 year there is appropriated ~~thereto~~ to this fund from funds in  
5 the general fund not otherwise appropriated the sum of forty-  
6 three million five hundred thousand dollars. Any balance in  
7 said the fund on June 30 shall revert to the general fund. Of  
8 the amount appropriated for each fiscal year, ten million  
9 dollars shall be transferred for each fiscal year to the  
10 family farm tax credit fund created in section 425A.1.

11 Sec. 1312. Sections 1301 through 1309 of this division are  
12 effective upon enactment and apply retroactively to January 1,  
13 1991, for mobile home tax claims and property tax credit  
14 claims filed on or after that date. Sections 1303, 1304,  
15 1305, 1307, and 1308 of this division are applicable to rent  
16 reimbursement claims filed on or after January 1, 1992.

17 Sec. 1313. Sections 1310 and 1311 are effective July 1,  
18 1991.

19 DIVISION XIV

20 IOWA RESOURCES ENHANCEMENT AND PROTECTION FUND

21 Sec. 1401. Notwithstanding the amount of the appropriation  
22 specified in section 455A.18, subsection 4, for the fiscal  
23 year beginning July 1, 1991, the amount of the appropriation  
24 from the general fund of the state shall be \$20,000,000.

25 Sec. 1402. This division takes effect July 1, 1991.

26 EXPLANATION

27 This bill, divisions I through IX, appropriates funds for  
28 all state departments, agencies, programs, funds, and  
29 INTERNET.

30 Division X of this bill effectively raises the tax on  
31 cigarettes as follows:

32 On cigarettes weighing not more than three pounds per  
33 thousand, the tax is raised from 15 and one-half mills on each  
34 cigarette to 20 and one-half mills. A mill is equal to one-  
35 tenth of one cent.

1 On cigarettes weighing more than three pounds per thousand,  
2 the tax is raised from 15 and one-half mills to 20 and one-  
3 half mills.

4 Division X further provides that the tax on tobacco  
5 products is increased from 19 percent of the wholesale sales  
6 price, or the price paid by a consumer, to 24 percent.

7 Division X changes the definition of wine in regard to the  
8 alcoholic content of the beverage so that the lower limit on  
9 alcohol content for beverages qualifying as wine is set at  
10 one-half of one percent rather than more than five percent.  
11 The definition of beer is altered so that any beverage defined  
12 as wine no longer qualifies as beer. The change in definition  
13 will affect the sale and handling of certain wine-based  
14 beverages which can now be sold as beer because their alcohol  
15 content is below five percent and will require those beverages  
16 to be taxed at the higher rate for wine.

17 The effective date of division X is April 1, 1991.

18 Division XI reduces the regular program foundation base to  
19 83 percent for the school budget year commencing July 1, 1991,  
20 and subsequent years. However, for the budget year commencing  
21 July 1, 1991, and subsequent years, the portion of the regular  
22 program foundation base per pupil for special education  
23 weightings is reduced to 79 percent of the regular program  
24 state cost per pupil. The division reduces the special  
25 education support services foundation base to 79 percent. In  
26 computing the eligibility of a district for property tax  
27 adjustment aid, special education weightings shall be based  
28 upon the 79 percent of the regular program state cost per  
29 pupil and the remainder of the regular program foundation base  
30 per pupil shall be 83 percent while the special education  
31 support services foundation base shall be based upon 79  
32 percent of the special education support services state cost  
33 per pupil. The division also eliminates the special needs  
34 adjustment program for school districts and AEAs.

35 Parts of the division take effect upon enactment.

1 Division XII provides that for the fiscal year beginning  
2 July 1, 1991, all lottery revenues in excess of those needed  
3 to pay prizes and fund operations and expenses are to be  
4 deposited in the general fund of the state.

5 Division XIII provides for the \$10,000,000 state general  
6 fund appropriation for the family farm tax credit fund to come  
7 from the annual \$43,500,000 appropriation from the state  
8 general fund to the agricultural land credit fund. The  
9 division also repeals the provisions added during the 1990  
10 Session that allow the low-income, nonelderly, and nondisabled  
11 to qualify for a reduced mobile home tax rate, for property  
12 tax credit, or rent reimbursements.

13 The division is effective upon enactment.

14 Division XIV reduces the appropriation to the Iowa  
15 resources enhancement and protection fund for the fiscal year  
16 beginning July 1, 1991, to \$20,000,000 from \$30,000,000.

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## HOUSE FILE 479

H-3201

- 1 Amend House File 479 as follows:  
2 1. Page 80, by inserting after line 33 the  
3 following:  
4 "Sec. \_\_\_\_ . Section 286A.14A, unnumbered paragraph  
5 1, Code 1991, is amended to read as follows:  
6 The department of education shall provide for the  
7 establishment of a community college excellence 2000  
8 account in the office of the treasurer of state for  
9 deposit of moneys appropriated to the account for  
10 purposes of funding quality instructional centers and  
11 program and administrative sharing agreements under  
12 sections 280A.45 and 280A.46. ~~There is appropriated~~  
13 ~~from the general fund of the state to the department~~  
14 ~~of education for the fiscal year beginning July 1,~~  
15 ~~1991, one million two hundred thousand dollars. There~~  
16 is appropriated from the general fund of the state to  
17 the department of education for the fiscal year  
18 beginning July 1, 1992, an amount equal to two and  
19 five-tenths percent of the total state general aid  
20 generated for all community colleges during the budget  
21 year under this chapter for deposit in the community  
22 college excellence 2000 account. In the next  
23 succeeding two fiscal years, the percent multiplier  
24 shall be increased in equal increments until the  
25 multiplier reaches seven and one-half percent of the  
26 total state general aid generated for all community  
27 colleges during the budget year."  
28 2. By renumbering as necessary.

By CHAPMAN of Linn

H-3201 FILED MARCH 14, 1991

ADOPTED (p. 678)

## HOUSE FILE 479

H-3206

- 1 Amend House File 479 as follows:  
2 1. By striking page 87, line 22, through page 88,  
3 line 26.  
4 2. By renumbering and relettering as necessary.

By TEAFORD of Black Hawk

H-3206 FILED MARCH 14, 1991

ADOPTED (p. 678)

## HOUSE FILE 479

H-3196

- 1 Amend House File 479 as follows:
- 2 1. Page 165, line 30, by inserting after the word
- 3 "removal" the following: "or encapsulation".  
By BEATTY of Warren

H-3196 FILED MARCH 14, 1991

ADOPTED (p. 684)

## HOUSE FILE 479

H-3197

- 1 Amend House File 479 as follows:
- 2 1. Page 161, line 5, by inserting before the word
- 3 "renovating," the following: "constructing,".  
By SHERZAN of Polk

H-3197 FILED MARCH 14, 1991

ADOPTED (p. 682)

## HOUSE FILE 479

H-3198

- 1 Amend House File 479 as follows:
- 2 1. Page 55, line 20, by striking the figure
- 3 "92,022,864" and inserting the following:
- 4 "92,050,864".
- 5 2. Page 55, line 26, by striking the figure
- 6 "2,326,257" and inserting the following: "2,354,257".  
By DE GROOT of Lyon

H-3198 FILED MARCH 14, 1991

ADOPTED AS AMENDED by 3216 (p. 670)

HOUSE FILE 479

H-3213

1 Amend House File 479 as follows:  
 2 1. Page 51, by inserting after line 17 the  
 3 following:  
 4 "Sec. \_\_\_\_\_. There is appropriated from the  
 5 community college job training fund created in section  
 6 280C.6, subsection 1, as amended by 1991 Iowa Acts,  
 7 Senate File 90, to the department of economic  
 8 development for the fiscal year beginning July 1,  
 9 1991, and ending June 30, 1992, the following amount,  
 10 or so much thereof as is necessary, to be used for the  
 11 purposes designated:

12 For salaries, support, maintenance, and  
 13 miscellaneous purposes for the administration of the  
 14 Iowa small business new jobs training Act, and for not  
 15 more than the following full-time equivalent position:  
 16 ..... \$ 38,954  
 17 ..... FTES .70"

18  
19  
20

21 WISE of Lee

RECEIVED FROM THE SENATE

H-3213 FILED MARCH 14, 1991  
ADOPTED (p. 669)

HOUSE FILE 479

H-3215

1 Amend House File 479 as follows:  
 2 1. Page 80, by inserting after line 19, the  
 3 following:  
 4 "Sec. \_\_\_\_\_. Section 286A.19, Code 1991, is amended  
 5 to read as follows:  
 6 286A.19 GUARANTEE.  
 7 If the state general aid generated under this  
 8 chapter for an area school for a budget year is less  
 9 than the state general aid received by that area  
 10 school for the fiscal year beginning July 1, 1990  
 11 1991, the area school is entitled to receive  
 12 additional state aid for that budget year equal to the  
 13 difference between the state general aid generated for  
 14 that budget year and the state general aid received  
 15 for the fiscal year beginning July 1, 1990 1991.  
 16 There is appropriated from the general fund of the  
 17 state to the department of management an amount  
 18 sufficient to make the payments under this section."  
 19 2. Page 80, by striking line 34, and inserting  
 20 the following:  
 21 "Sec. \_\_\_\_\_. Sections 280A.69 and 280A.70, Code".  
 22 3. By renumbering as necessary.

By SHOULTZ of Black Hawk

H-3215 FILED MARCH 14, 1991  
LOST (p. 677)



## HOUSE FILE 479

H-3207

- 1 Amend House File 479 as follows:  
2 1. Page 107, by inserting after line 24 the  
3 following:  
4 " . As a condition, limitation, and  
5 qualification of the funds appropriated in this  
6 section, notwithstanding the adoption of an  
7 administrative rule limiting coverage of organ  
8 transplants under the medical assistance program, the  
9 department shall continue to provide medical  
10 assistance coverage for organ transplants to  
11 individuals who applied for and received approval from  
12 the department on or before January 1, 1991, for  
13 medical assistance coverage of an organ transplant."  
14 2. By renumbering as necessary.

By MURPHY of Dubuque

H-3207 FILED MARCH 14, 1991

ADOPTED (p. 680)

## HOUSE FILE 479

H-3211

- 1 Amend House File 479 as follows:  
2 1. Page 58, line 34, by striking the figure  
3 "91,662,500" and inserting the following:  
4 "81,662,500".  
5 2. Page 204, lines 5 and 6, by striking the word  
6 "forty-three" and inserting the following: "forty-  
7 three fifty-three".

By KOENIGS of Mitchell

H-3211 FILED MARCH 14, 1991

LOST (p. 671)

## HOUSE FILE 479

H-3212

- 1 Amend House File 479, as follows:  
2 1. Page 78, line 17, by striking the words  
3 "refunded or" and inserting the following: "refunded  
4 or".  
5 2. Page 78, line 18, by inserting after the word  
6 "due" the following: ", or to allow for sufficient  
7 funding of the escrow account on the bonds to be  
8 refunded".

By CHAPMAN of Linn

H-3212 FILED MARCH 14, 1991

ADOPTED (p. 677)

HOUSE FILE 479

H-3218

1 Amend House File 479 as follows:  
 2 1. Page 204, by inserting after line 25 the fol-  
 3 lowing:  
 4 "DIVISION XV  
 5 LEGISLATIVE BRANCH APPROPRIATIONS  
 6 Sec. 1501. Notwithstanding section 2.12 regarding  
 7 the standing unlimited appropriations to the  
 8 legislative branch, there is appropriated from the  
 9 general fund of the state to the legislative branch  
 10 for the fiscal year beginning July 1, 1991, and ending  
 11 June 30, 1992, the following amounts, or so much  
 12 thereof as is necessary:  
 13 1. For the purposes listed in section 2.12:  
 14 a. For the house of representatives:  
 15 ..... \$ 6,377,900  
 16 b. For the senate:  
 17 ..... \$ 3,897,682  
 18 c. For joint expenses:  
 19 ..... \$ 500,000  
 20 d. For the citizens' aide:  
 21 ..... \$ 513,887  
 22 e. For the computer support bureau:  
 23 ..... \$ 1,229,930  
 24 f. For the fiscal bureau:  
 25 ..... \$ 1,331,000  
 26 g. For the service bureau:  
 27 ..... \$ 3,187,440  
 28 2. For the administrative rules review committee  
 29 established under section 17A.8:  
 30 ..... \$ 64,486".

By KREMER of Buchanan

H-3218 FILED MARCH 14, 1991  
LOST (p. 692)

HOUSE FILE 479

H-3219

1 Amend House File 479 as follows:  
 2 1. Page 80, by striking lines 34 and 35 and  
 3 inserting the following:  
 4 "Sec. \_\_\_\_ . Section 286A.19, Code 1991, is  
 5 repealed."  
 6 2. By numbering and renumbering as necessary.

By CHAPMAN of Linn  
LAGESCHULTE of Bremer

H-3219 FILED MARCH 14, 1991  
ADOPTED (p. 679)

## HOUSE FILE 479

H-3216

- 1 Amend amendment, H-3198, to House File 479 as  
2 follows:  
3 1. Page 1, by inserting after line 1 the  
4 following:  
5 " ". Page 52, line 18, by striking the figure  
6 "5,742,266" and inserting the following:  
7 "5,714,266".  
8 2. By renumbering as necessary.

By DE GROOT of Lyon

H-3216 FILED MARCH 14, 1991

ADOPTED (p. 670)

## HOUSE FILE 479

H-3217

- 1 Amend House File 479 as follows:  
2 1. Page 65, line 13, by striking the figure  
3 "250,000" and inserting the following: "225,000".  
4 2. Page 69, line 4, by striking the figure  
5 "16,888,674" and inserting the following:  
6 "16,913,674".  
7 3. Page 69, by inserting after line 5, the  
8 following:  
9 "As a condition, limitation, and qualification of  
10 the funds appropriated in this paragraph, \$25,000  
11 shall be expended for a child farm safety program."

By HIBBARD of Madison  
JOCHUM of Dubuque

H-3217 FILED MARCH 14, 1991

ADOPTED (p. 672)

## HOUSE FILE 479

H-3224

1 Amend House File 479 as follows:

2 1. Page 140, by striking lines 15 through 20 and  
3 inserting the following:4 " . Notwithstanding section 18.137, the  
5 \$5,000,000 appropriated in that section for the fiscal  
6 year beginning July 1, 1991, shall not be deposited in  
7 the state communications network fund but shall be  
8 provided to the department of human services and  
9 fairly apportioned to increase reimbursement rates to  
10 social services providers reimbursed by the  
11 department, including family and group foster care and  
12 shelter care services providers for the fiscal year  
13 beginning July 1, 1991."

14 2. By renumbering as necessary.

By HALVORSON of Clayton  
HARBOR of Mills

H-3224 FILED MARCH 14, 1991

ADOPTED, RECONSIDERED AND ADOPTED (681+696)

## HOUSE FILE 479

H-3225

1 Amend House File 479 as follows:

2 1. Page 204, by inserting after line 24 the  
3 following:4 "It is the intent of the general assembly that  
5 during the fiscal year beginning July 1, 1991, funds  
6 appropriated to the Iowa resources enhancement and  
7 protection fund shall not be used for land  
8 acquisition."

By HALVORSON of Clayton

H-3225 FILED MARCH 14, 1991

LOST (p. 696)

## HOUSE FILE 479

H-3220

1 Amend House File 479 as follows:

2 1. By striking page 195, line 12 through page  
3 196, line 32.4 2. Title page, lines 2 and 3, by striking the  
5 words "increasing the tax on the sale of cigarettes  
6 and wine coolers,".

By MILLAGE of Scott

BROWN of Lucas

GIPP of Winneshiek

JESSE of Jasper

BARTZ of Worth

H-3220 FILED MARCH 14, 1991

ADOPTED (p 649)

## HOUSE FILE 479

H-3221

1 Amend House File 479 as follows:

2 1. Page 69, line 19, by striking the figure

3 "59,792,405" and inserting the following:

4 "59,892,405".

By CHAPMAN of Linn

H-3221 FILED MARCH 14, 1991

ADOPTED (p 672)

## HOUSE FILE 479

H-3223

1 Amend House File 479, as follows:

2 1. Page 76, by inserting after line 21, the  
3 following:

4 "Sec. \_\_\_\_ . Section 279.51, subsection 1,

5 unnumbered paragraph 2, Code 1991, is amended to read  
6 as follows:7 Notwithstanding section 256A.3, subsection 6, of  
8 the amount appropriated for the each fiscal year  
9 beginning July 17, 1990, less the amount allocated  
10 under paragraph "a", three and thirty-three hundredths  
11 percent may be used for administrative costs."

By NEUHAUSER of Johnson

H-3223 FILED MARCH 14, 1991

ADOPTED (p. 676)

## HOUSE FILE 479

H-3232

- 1 Amend House File 479 as follows:  
2 1. By striking page 203, line 21, through page  
3 204, line 10.  
4 2. Page 204, by inserting before line 11 the  
5 following:  
6 "Sec. 1331. Notwithstanding the provisions of  
7 section 425A.1, for the fiscal year beginning July 1,  
8 1991, funds shall not be appropriated or transferred  
9 from any source to the family farm tax credit fund."  
10 3. Page 204, by striking lines 17 and 18.  
11 4. Page 204, by inserting before line 19 the  
12 following:  
13 "Sec. \_\_\_\_ . Section 1331 is effective July 1,  
14 1991."

By BENNETT of Ida  
LAGESCHULTE of Bremer

H-3232 FILED MARCH 14, 1991  
LOST (p. 490)

## HOUSE FILE 479

H-3233

- 1 Amend House File 479 as follows:  
2 1. Page 191, line 2, by striking the figure  
3 "2,959.00" and inserting the following: "2,933.00".  
4 2. Page 191, by inserting after line 2 the  
5 following:  
6 "As a condition, limitation, and qualification of  
7 the appropriation in this paragraph, the department  
8 shall conduct a pilot project for contracting with  
9 counties for winter maintenance on state primary  
10 highways. The department shall continue this project  
11 for a duration that is sufficient to determine the  
12 feasibility for performing permanent contractual  
13 maintenance with counties. Participating counties  
14 shall meet minimum criteria relating to highway  
15 maintenance functions, as determined by the  
16 department. The department shall submit an annual  
17 report to the general assembly outlining the progress  
18 of the pilot project."

By KOENIGS of Mitchell

H-3233 FILED MARCH 14, 1991  
ADOPTED (p. 425)

## HOUSE FILE 479

H-3234

- 1 Amend House File 479 as follows:  
2 1. Page 187, line 7, by striking the figure  
3 "24,458,362" and inserting the following:  
4 "24,198,122".  
5 2. Page 187, line 8, by striking the figure  
6 "456.00" and inserting the following: "452.00".  
7 3. Page 187, by striking lines 12 through 14.

By COHOON of Des Moines  
KOENIGS of Mitchell

H-3234 FILED MARCH 14, 1991  
ADOPTED (p. 425)

## HOUSE FILE 479

H-3226

- 1 Amend House File 479 as follows:  
 2 1. Page 21, line 27, by striking the figure  
 3 "6,789,972" and inserting the following: "6,995,972".  
 4 2. Page 22, by striking line 16, and inserting  
 5 the following: "for soil conservation practices which  
 6 establish a permanent grass and buffer zone as  
 7 provided under section 467A.48."  
 8 3. Page 22, by striking lines 27 through 32.  
 9 4. Page 22, line 34, by striking the words  
 10 "paragraphs "b" and "d" and inserting the following:  
 11 "paragraph "b".  
 12 5. Page 23, line 1, by striking the words  
 13 "paragraphs "b" and "d" and inserting the following:  
 14 "paragraph "b".  
 15 6. By relettering as necessary.

By PETERSEN of Muscatine  
 MERTZ of Kossuth

H-3226 FILED MARCH 14, 1991  
 LOST (p. 658)

## HOUSE FILE 479

H-3228

- 1 Amend House File 479 as follows:  
 2 1. By striking page 175, line 32 through page  
 3 178, line 18.  
 4 2. By striking page 182, line 27 through page  
 5 183, line 18.  
 6 3. By renumbering as necessary.  
 By JAY of Appanoose PETERSON of Carroll  
 HIBBARD of Madison MILLAGE of Scott  
 McNEAL of Hardin

H-3228 FILED MARCH 14, 1991  
 ADOPTED (p. 684)

## HOUSE FILE 479

H-3230

- 1 Amend House File 479 as follows:  
 2 1. By striking page 181, line 11 through page  
 3 182, line 26.  
 4 2. By renumbering as necessary.  
 By JAY of Appanoose PETERSON of Carroll  
 HIBBARD of Madison MILLAGE of Scott  
 McNEAL of Hardin

H-3230 FILED MARCH 14, 1991  
 ADOPTED (p. 685)

## HOUSE FILE 479

H-3235

1 Amend the amendment, H-3220, to House File 479 as  
2 follows:

3 1. By striking lines 2 through 6 and inserting  
4 the following:

5 " . . . By striking everything after the enacting  
6 clause and inserting the following:

7 "Section 1. Notwithstanding any provision of the  
8 Code or session laws, including standing unlimited  
9 appropriations, for the fiscal year beginning July 1,  
10 1991, except appropriations for telecommunications  
11 there is appropriated from the state general fund for  
12 each state department or agency an amount equal to the  
13 amount appropriated for each state department or  
14 agency for the fiscal year beginning July 1, 1990.  
15 However, any revenue in excess of the amount to be  
16 appropriated in this section, as determined by the  
17 revenue estimating conference prior to April 15, 1991,  
18 and any excess in estimated lottery revenues shall be  
19 used to supplement other appropriations, \$4 million for  
20 additional \$7 million for corrections, \$4 million for  
21 family foster care, \$5 million for additional provider  
22 services, \$17 million for additional medical  
23 assistance, \$5 million for mental health, \$1 million  
24 for AFDC, and fund school aid formula at the 83.5  
25 percentile level, and any excess over those combined  
26 amounts shall be allocated on a pro rata basis to the  
27 standing unlimited appropriations contained in the  
28 Code.

29 Sec. 2. Section 8.22A, Code 1991, is amended by  
30 adding the following new unnumbered paragraph:

31 NEW UNNUMBERED PARAGRAPH. By December 15, 1992,  
32 and each succeeding fiscal year, the conference shall  
33 agree to a general fund revenue estimate and a general  
34 fund ending balance estimate for the fiscal year  
35 ending the following June 30. These estimates shall  
36 be used to calculate the state general fund  
37 expenditure limitation under section 8.56.

38 Sec. 3. Section 8.55, subsections 2 and 3, Code  
39 1991, are amended to read as follows:

40 2. The maximum balance of the Iowa economic  
41 emergency fund is the amount equal to ten percent of  
42 the funds appropriated from the general fund of the  
43 state during the preceding fiscal year. There is  
44 appropriated from any surplus existing in the general  
45 fund of the state at the expiration of the fiscal year  
46 to the Iowa economic emergency fund for each fiscal  
47 year an amount equal to the smaller of the amount of  
48 the surplus or the amount necessary to achieve the  
49 maximum balance, or one percent of the previous fiscal  
50 year's general fund revenues, as determined by the



H-3235

Page 2

1 latest estimate of the revenue estimating conference  
2 on or prior to December 15 of the previous fiscal  
3 year.

4 3. The moneys in the Iowa economic emergency fund  
5 may be appropriated by the general assembly only if at  
6 least sixty percent of the members in each house vote  
7 in favor of the bill, only in the fiscal year for  
8 which the appropriation is made, and only for a  
9 purpose for which the general assembly previously  
10 appropriated funds for that fiscal year. However, the  
11 balance in the Iowa economic emergency fund may be  
12 used in determining the cash position of the general  
13 fund of the state for the payment of state  
14 obligations.

15 Sec. 4. NEW SECTION. 8.56 GENERAL FUND  
16 EXPENDITURE LIMITATION.

17 1. There is created a state general fund  
18 expenditure limitation for each fiscal year beginning  
19 on or after July 1, 1991, calculated as provided in  
20 this section.

21 2. The state general fund expenditure limitation  
22 for a fiscal year equals the following:

23 a. The previous fiscal year's general fund  
24 revenues, as determined by the latest estimate of the  
25 revenue estimating conference on or prior to December  
26 15 of the previous fiscal year.

27 b. Plus the previous fiscal year's general fund  
28 ending balance, as determined by the latest estimate  
29 of the revenue estimating conference on or prior to  
30 December 15 of the previous fiscal year.

31 c. Minus the product of the fiscal year's  
32 percentage limitation, reduced by one percentage  
33 point, and the amount in paragraph "a". However, this  
34 subtraction shall not be made for the fiscal year  
35 beginning July 1, 1991.

36 d. Minus the product of one percent and the amount  
37 in paragraph "a". However, this subtraction shall not  
38 be made for the fiscal year beginning July 1, 1991.

39 3. For purposes of the computation under  
40 subsection 2, the fiscal year's percentage limitation,  
41 as used in subsection 2, paragraph "c" is the  
42 following:

43 a. For the fiscal year beginning July 1, 1991,  
44 zero percent.

45 b. For the fiscal year beginning July 1, 1992, one  
46 percent.

47 c. For the fiscal year beginning July 1, 1993, two  
48 percent.

49 d. For the fiscal year beginning July 1, 1994,  
50 three percent.

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1 e. For the fiscal year beginning July 1, 1995,  
2 four percent.  
3 f. For the fiscal year beginning July 1, 1996, and  
4 each subsequent fiscal year, five percent.  
5 4. The state general fund expenditure limitation  
6 provided for in this section shall be used by the  
7 governor in the preparation of the budget under  
8 section 8.22 and by the general assembly in the budget  
9 process."  
10 \_\_\_\_\_. Title page, by striking lines 3 through 7  
11 and inserting the following: "state general fund  
12 expenditure limitation."

By HALVORSON of Clayton

H-3235 FILED MARCH 14, 1991

NOT GERMANE, MOTION TO SUSPEND RULES LOST (p. 64E)

## HOUSE FILE 479

H-3236

1 Amend House File 479 as follows:  
2 1. Page 58, line 34, by striking the figure  
3 "91,662,500" and inserting the following:  
4 "68,662,500".  
5 2. By striking page 199, line 4 through page 204,  
6 line 18.  
7 3. Title page, lines 4 and 5, by striking the  
8 words "repealing certain tax rate reductions, credits,  
9 or rent reimbursements,".

By HIBBARD of Madison

H-3236 FILED MARCH 14, 1991

LOST (p. 67C)

## HOUSE FILE 479

H-3237

1 Amend House File 479 as follows:  
2 1. Page 165, line 31, by inserting after the word  
3 "Iowa" the following: "and for the support of the  
4 county, labor survey, economic development teams to  
5 assist in conducting labor availability surveys on a  
6 county basis".

By BARTZ of Worth

H-3237 FILED MARCH 14, 1991

LOST (p. 674)

## HOUSE FILE 479

H-3239

1 Amend House File 479 as follows:

2 1. By striking everything after the enacting  
3 clause and inserting the following:

4 "Section 1. Notwithstanding any provision of the  
5 Code or session laws, including standing unlimited  
6 appropriations, for the fiscal year beginning July 1,  
7 1991, except appropriations for telecommunications  
8 there is appropriated from the state general fund for  
9 each state department or agency an amount equal to the  
10 amount appropriated for each state department or  
11 agency for the fiscal year beginning July 1, 1990.  
12 However, any revenue in excess of the amount to be  
13 appropriated in this section, as determined by the  
14 revenue estimating conference prior to April 15, 1991,  
15 and any excess in estimated lottery revenues shall be  
16 used to supplement other appropriations made by an  
17 additional \$7 million for corrections, \$4 million for  
18 family foster care, \$5 million for additional provider  
19 services, \$17 million for additional medical  
20 assistance, \$5 million for mental health, \$1 million  
21 for AFDC, and fund school aid formula at the 83.5  
22 percentile level, and any excess over those combined  
23 amounts shall be allocated on a pro rata basis to the  
24 standing unlimited appropriations contained in the  
25 Code.

26 Sec. 2. Section 8.22A, Code 1991, is amended by  
27 adding the following new unnumbered paragraph:

28 NEW UNNUMBERED PARAGRAPH. By December 15, 1992,  
29 and each succeeding fiscal year, the conference shall  
30 agree to a general fund revenue estimate and a general  
31 fund ending balance estimate for the fiscal year  
32 ending the following June 30. These estimates shall  
33 be used to calculate the state general fund  
34 expenditure limitation under section 8.56.

35 Sec. 3. Section 8.55, subsections 2 and 3, Code  
36 1991, are amended to read as follows:

37 2. The maximum balance of the Iowa economic  
38 emergency fund is the amount equal to ten percent of  
39 the funds appropriated from the general fund of the  
40 state during the preceding fiscal year. There is  
41 appropriated from ~~any surplus existing in~~ the general  
42 fund of the state ~~at the conclusion of the fiscal year~~  
43 to the Iowa economic emergency fund for each fiscal  
44 year an amount equal to the smaller of the amount of  
45 the surplus or the amount necessary to achieve the  
46 maximum balance, or one percent of the previous fiscal  
47 year's general fund revenues, as determined by the  
48 latest estimate of the revenue estimating conference  
49 on or prior to December 15 of the previous fiscal  
50 year.

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1 3. The moneys in the Iowa economic emergency fund  
2 may be appropriated by the general assembly only if at  
3 least sixty percent of the members in each house vote  
4 in favor of the bill, only in the fiscal year for  
5 which the appropriation is made, and only for a  
6 purpose for which the general assembly previously  
7 appropriated funds for that fiscal year. However, the  
8 balance in the Iowa economic emergency fund may be  
9 used in determining the cash position of the general  
10 fund of the state for the payment of state  
11 obligations.

12 Sec. 4. NEW SECTION. 8.56 GENERAL FUND  
13 EXPENDITURE LIMITATION.

14 1. There is created a state general fund  
15 expenditure limitation for each fiscal year beginning  
16 on or after July 1, 1991, calculated as provided in  
17 this section.

18 2. The state general fund expenditure limitation  
19 for a fiscal year equals the following:

20 a. The previous fiscal year's general fund  
21 revenues, as determined by the latest estimate of the  
22 revenue estimating conference on or prior to December  
23 15 of the previous fiscal year.

24 b. Plus the previous fiscal year's general fund  
25 ending balance, as determined by the latest estimate  
26 of the revenue estimating conference on or prior to  
27 December 15 of the previous fiscal year.

28 c. Minus the product of the fiscal year's  
29 percentage limitation, reduced by one percentage  
30 point, and the amount in paragraph "a". However, this  
31 subtraction shall not be made for the fiscal year  
32 beginning July 1, 1991.

33 d. Minus the product of one percent and the amount  
34 in paragraph "a". However, this subtraction shall not  
35 be made for the fiscal year beginning July 1, 1991.

36 3. For purposes of the computation under  
37 subsection 2, the fiscal year's percentage limitation,  
38 as used in subsection 2, paragraph "c" is the  
39 following:

40 a. For the fiscal year beginning July 1, 1991,  
41 zero percent.

42 b. For the fiscal year beginning July 1, 1992, one  
43 percent.

44 c. For the fiscal year beginning July 1, 1993, two  
45 percent.

46 d. For the fiscal year beginning July 1, 1994,  
47 three percent.

48 e. For the fiscal year beginning July 1, 1995,  
49 four percent.

50 f. For the fiscal year beginning July 1, 1996, and

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- 1 each subsequent fiscal year, five percent.  
 2 4. The state general fund expenditure limitation  
 3 provided for in this section shall be used by the  
 4 governor in the preparation of the budget under  
 5 section 8.22 and by the general assembly in the budget  
 6 process."  
 7 2. Title page, by striking lines 3 through 7 and  
 8 inserting the following: "state general fund  
 9 expenditure limitation."

By HALVORSON of Clayton

H-3239 FILED MARCH 14, 1991

LOST (p. 657)

## HOUSE FILE 479

H-3240

- 1 Amend House File 479 as follows:  
 2 1. Page 156, line 7, by striking the figure  
 3 "73,956,679" and inserting the following:  
 4 "74,956,679".

By SPEAR of Lee

H-3240 FILED MARCH 14, 1991

LOST (p. 682)

## HOUSE FILE 479

H-3241

- 1 Amend House File 479 as follows:  
 2 1. By striking page 33, line 34, through page 34,  
 3 line 2, and inserting the following: "for the best  
 4 interests of the fair~~y~~~~-for-any-of-the-following~~  
 5 ~~purposes-after-authorization.~~ However, the board must  
 6 first submit a list of the purposes ranked by priority  
 7 and a purpose must be authorized by a constitutional  
 8 majority of each house of the general assembly and  
 9 approval by the governor. A purpose must be one of  
 10 the following:"  
 11 2. Page 34, by striking lines 11 and 12 and  
 12 inserting the following: ", subject to authorization  
 13 and approval required under subsection 1".

By SCHRADER of Marion  
SHOULTZ of Black Hawk

H-3241 FILED MARCH 14, 1991

ADOPTED (p. 660)

HOUSE FILE 479

H-3242

1 Amend House File 479 as follows:

2 1. By striking page 39, line 33 through page 40,  
3 line 26, and inserting the following:

4 "\_\_\_\_. Strategic investment fund  
5 For deposit in the strategic investment fund  
6 created in section 15.313 and for salaries and support  
7 for not more than the following full-time equivalent  
8 positions:

9 .....	\$	4,680,000
10 .....	FTEs	9.40".

11 2. Page 51, by inserting after line 17 the  
12 following:

13 "Sec. \_\_\_\_ . Section 99E.31, subsection 2, Code  
14 1991, is amended by striking the subsection.  
15 Sec. \_\_\_\_ . Section 99E.32, subsection 2, Code 1991,  
16 is amended by striking the subsection.

17 Sec. \_\_\_\_ . Section 15.241, unnumbered paragraphs 1  
18 and 2, Code 1991, are amended to read as follows:

19 ~~The department shall establish, contingent upon the~~  
20 ~~availability of funds authorized for the program~~

21 There is established a "self-employment loan program  
22 account" within the strategic investment fund created

23 in section 15.313 to provide funding for the self-  
24 employment loan program which program is to be

25 conducted in coordination with the job training  
26 partnership program and other programs administered

27 under section 15.108, subsection 6, paragraph "c".  
28 The department may contract with local community

29 action agencies or other local entities in  
30 administering the program, and shall work with the

31 department of employment services and the department  
32 of human services in developing the program.

33 The self-employment loan program shall administer a  
34 low-interest loan program to provide loans to low-

35 income persons for the purpose of establishing or  
36 expanding small business ventures. The terms of the

37 loans shall be determined by the department, but shall  
38 not be in excess of five thousand dollars to any

39 single applicant or at a rate to exceed five percent  
40 simple interest per annum. ~~A self-employment loan~~

41 ~~program revolving loan fund shall be established~~  
42 ~~within the department.~~ The department shall maintain

43 records of all loans approved and the effectiveness of  
44 those loans in establishing or expanding small

45 business ventures.

46 Sec. \_\_\_\_ . Section 15.241, Code 1991, is amended by  
47 adding the following new unnumbered paragraph:

48 NEW UNNUMBERED PARAGRAPH. Payments of interest and  
49 repayments of moneys awarded under this program shall

50 be deposited into the strategic investment fund.

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1 Sec. \_\_\_\_ . Section 15.247, subsections 2 and 3,  
 2 Code 1991, are amended to read as follows:  
 3 ~~2. The department shall, in administering, upon~~  
 4 ~~the availability of funds allocated for the program,~~  
 5 There is established a "targeted small business  
 6 financial assistance program account" within the  
 7 strategic investment fund created in section 15.313,  
 8 to provide for loans, loan guarantees, revolving  
 9 loans, loans secured by accounts receivable, or grants  
 10 to targeted small businesses. A targeted small  
 11 business in any year shall receive under this program  
 12 not more than twenty-five thousand dollars in a loan  
 13 or grant, and not more than forty thousand dollars in  
 14 a guarantee, or a combination of loans, grants, or  
 15 guarantees. The program shall provide guarantees not  
 16 to exceed seventy-five percent for loans made by  
 17 qualified lenders. The department shall establish a  
 18 financial assistance reserve account from funds  
 19 provided for and allocated to the program account,  
 20 from which any default on a guaranteed loan under this  
 21 section shall be paid. In administering the program  
 22 the department shall not guarantee loan values in  
 23 excess of the amount credited to the reserve account  
 24 and only moneys set aside in the loan reserve account  
 25 may be used for the payment of a default.

26 3. All moneys designated for the targeted small  
 27 business financial assistance program shall be  
 28 credited to the financial assistance reserve program  
 29 account. The department shall also establish an  
 30 administrative account from which the operating costs  
 31 of the program shall be paid. The department may  
 32 transfer moneys between the reserve and the  
 33 administrative accounts except that not more than  
 34 twenty-five percent of the moneys shall be used to  
 35 administer the fund. The department shall determine  
 36 the actuarially sound reserve requirement for the  
 37 amount of guaranteed loans outstanding.

38 Sec. \_\_\_\_ . Section 15.247, Code 1991, is amended by  
 39 adding the following new subsection:

40 NEW SUBSECTION. 6. Payments of interest and  
 41 repayments of moneys awarded under this program shall  
 42 be deposited into the strategic investment fund."

43 3. Page 51, by inserting after line 34 the  
 44 following:

45 "Sec. \_\_\_\_ . NEW SECTION. 15.311 STRATEGIC  
 46 INVESTMENT FUND.

47 This part shall be known as the "Iowa Strategic  
 48 Investment Fund" program.

49 Sec. \_\_\_\_ . NEW SECTION. 15.312 PURPOSE.

50 The purpose of this part shall be to provide a

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1 mechanism for funding those programs listed in section  
2 15.313, subsection 2, in order to more efficiently  
3 meet the needs identified within those individual  
4 programs.

5 Sec.         . NEW SECTION. 15.313 STRATEGIC  
6 INVESTMENT FUND.

7 1. There is created an "Iowa strategic investment  
8 fund". The fund is a revolving fund and consists of  
9 any money appropriated by the general assembly for  
10 that purpose and any other moneys available to and  
11 obtained or accepted by the department from the  
12 federal government or private sources for placement in  
13 the fund. The fund shall also include:

14 a. All unencumbered and unobligated funds from the  
15 special community economic betterment program fund  
16 created under 1990 Iowa Acts, chapter 1262, section 1,  
17 subsection 18, remaining on June 30, 1991, and all  
18 repayments of loans or other awards made under the  
19 community economic betterment account or under the  
20 community economic betterment program during the  
21 preceding fiscal years beginning July 1, 1985, and  
22 subsequent fiscal years.

23 b. All unencumbered and unobligated funds from the  
24 self-employment loan program, the targeted small  
25 business financial assistance program, the  
26 microenterprise development revolving fund, and the  
27 value-added agricultural products and processes  
28 financial assistance fund remaining on June 30, 1991,  
29 and all repayments of loans or other awards made under  
30 these programs during the fiscal year beginning July  
31 1, 1991, and subsequent fiscal years.

32 2. The assets of the fund shall be used by the  
33 department for carrying out the purposes of the  
34 following programs:

35 a. The community economic betterment program  
36 created in sections 15.315 through 15.320.

37 b. The value-added agricultural products and  
38 processes financial assistance program created in  
39 sections 28.111 through 28.112.

40 c. The business development finance corporation  
41 created in sections 28.131 through 28.149.

42 d. The self-employment loan program created in  
43 section 15.241.

44 e. The targeted small business financial  
45 assistance program created in section 15.247.

46 3. Annually the director shall submit to the  
47 economic development board at a regular or special  
48 meeting preceding the beginning of the fiscal year  
49 planned allocations to be made for that fiscal year to  
50 the community economic betterment program, the value-



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1 added agricultural products and processes financial  
2 assistance program, the business development finance  
3 corporation, the self-employment loan program, and the  
4 targeted small business financial assistance program.  
5 Plans may provide for increased or decreased  
6 allocations if the demand in a program indicates that  
7 the need exceeds the allocation for that program. The  
8 director shall report to the board on the status of  
9 the funds on a monthly basis and may present proposed  
10 revisions for approval by the board in January and  
11 April of each year. Unobligated and unencumbered  
12 moneys remaining in the strategic investment fund or  
13 any of its accounts on June 30 of each year shall be  
14 considered part of the fund for purposes of the next  
15 year's allocation.

16 4. Notwithstanding section 8.33, moneys in this  
17 fund at the end of each fiscal year shall not revert  
18 to any other fund but shall remain in this strategic  
19 investment fund.

20 Sec. . NEW SECTION. 15.315 COMMUNITY ECONOMIC  
21 BETTERMENT PROGRAM.

22 This part shall be known as the "Community Economic  
23 Betterment Program."

24 Sec. . NEW SECTION. 15.316 PURPOSE.

25 The purpose of this program is to assist  
26 communities and rural areas of the state with their  
27 economic development efforts and to increase  
28 employment opportunities for lowans by increasing the  
29 level of economic activity and development within the  
30 state.

31 Sec. . NEW SECTION. 15.317 PROGRAM.

32 i. The department shall establish a program to  
33 effectuate the purposes of this part by providing  
34 financial assistance for small business gap financing,  
35 new business opportunities, and new product and  
36 entrepreneurial development. These purposes may be  
37 accomplished by providing the following types of  
38 assistance:

39 a. Principal buy-down program to reduce the  
40 principal of a business loan.  
41 b. Interest buy-down program to reduce the  
42 interest of a business loan.  
43 c. Loans or forgivable loans to aid in economic  
44 development.

45 d. Loan guarantees for business loans made by  
46 commercial lenders.

47 e. Equity-like investments.

48 2. Only a political subdivision of this state may  
49 apply to receive funds for any of the above purposes.  
50 The political subdivision shall make application to

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1 the department of economic development specifying the  
2 purpose for which the funds will be used.

3 3. The department shall not provide more than one  
4 million dollars for any project, unless at least two-  
5 thirds of the members of the economic development  
6 board vote for providing more.

7 Sec. \_\_\_\_ . NEW SECTION. 15.318 RATING FACTORS AND  
8 CRITERIA.

9 In ranking applications for funds, the department  
10 shall consider a variety of factors including, but not  
11 limited to:

12 1. The proportion of local match to be provided.

13 2. The proportion of private contribution to be  
14 provided, including the involvement of financial  
15 institutions.

16 3. The total number of jobs to be created or  
17 retained.

18 4. The size of the business receiving assistance.  
19 The department shall award more points to small  
20 businesses as defined by the United States small  
21 business administration.

22 5. The potential for future growth in the industry  
23 represented by the business being considered for  
24 assistance.

25 6. The need of the business for financial  
26 assistance from governmental sources. More points  
27 shall be awarded to a business for which the  
28 department determines that governmental assistance is  
29 most necessary to the success of the project.

30 7. The quality of the jobs to be created. In  
31 rating the quality of the jobs the department shall  
32 award more points to those jobs that have a higher  
33 wage scale, have a lower turnover rate, are full-time  
34 or career-type positions, provide comprehensive health  
35 benefits, or have other related factors which could be  
36 considered to be higher in quality. Businesses that  
37 have wage scales substantially below that of existing  
38 Iowa businesses in that area should be rated as  
39 providing the lowest quality of jobs and should  
40 therefore be given the lowest ranking for providing  
41 such assistance.

42 8. The level of need of the political subdivision.

43 9. The impact of the proposed project on the  
44 economy of the political subdivision.

45 10. The impact of the proposed project on other  
46 businesses in competition with the business being  
47 considered for assistance. The department shall make  
48 a good faith effort to identify existing Iowa  
49 businesses within an industry in competition with the  
50 business being considered for assistance. The

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1 department shall make a good faith effort to determine  
2 the probability that the proposed financial assistance  
3 will displace employees of the existing businesses.  
4 In determining the impact on businesses in competition  
5 with the business being considered for assistance,  
6 jobs created as a result of other jobs being displaced  
7 elsewhere in the state shall not be considered direct  
8 jobs created.

9 11. The impact to the state of the proposed  
10 project. In measuring the economic impact the  
11 department shall award more points for projects which  
12 have greater consistency with the state strategic  
13 plan, such as the following:

14 a. A business with a greater percentage of sales  
15 out-of-state or of import substitution.

16 b. A business with a higher proportion of in-state  
17 suppliers.

18 c. A project which would provide greater  
19 diversification of the state economy.

20 d. A business with fewer in-state competitors.

21 e. A potential for future job growth.

22 f. A project which is not a retail operation.

23 12. If the business has a record of violations of  
24 the law over a period of time that tends to show a  
25 consistent pattern, the business shall be given the  
26 lowest ranking for providing assistance. The  
27 department shall make a good faith effort to compile  
28 this information.

29 13. If a business has, within three years of  
30 application for assistance, acquired or merged with an  
31 Iowa corporation or company, the business shall make a  
32 good faith effort to hire the workers of the acquired  
33 or merged company.

34 14. To be eligible for assistance a business shall  
35 provide for a preference for hiring residents of the  
36 state or the economic development area, except for  
37 out-of-state employees offered a transfer to Iowa or  
38 the economic development area.

39 15. All known required environmental permits must  
40 be granted and regulations met before moneys are  
41 released.

42 Sec. \_\_\_\_ . NEW SECTION. 15.319 MONITORING OF JOB  
43 CREATION AND RETENTION.

44 1. The department shall develop definitions for  
45 the terms "job creation" and "job retention" to  
46 measure and identify the actual number of permanent,  
47 full-time positions which the businesses actually  
48 create or retain and which can be documented by  
49 comparison of the payroll reports during the twenty-  
50 four month period after the award.

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1 2. The department shall document the actual job  
2 creation and retention effects of all businesses  
3 receiving financial assistance from the program in the  
4 context of the employer contribution and payroll  
5 reports filed by the business.

6 3. The department shall require businesses which  
7 receive assistance from the program to submit  
8 historical copies of the employer contributions and  
9 payroll reports with the application for funds,  
10 require businesses to submit the reports after an  
11 award on a timely basis, and require businesses to  
12 estimate the expected job creation and retention  
13 effects for the twelve-month and twenty-four month  
14 periods after an award in terms of the number of  
15 employees and total wages as displayed in the payroll  
16 reports.

17 Sec. \_\_\_\_ . NEW SECTION. 15.320 COMMUNITY ECONOMIC  
18 BETTERMENT PROGRAM ACCOUNT.

19 1. A community economic betterment program account  
20 is established within the strategic investment fund to  
21 be used by the department of economic development for  
22 the community economic betterment program. The  
23 account shall consist of all appropriations, grants,  
24 or gifts received by the department specifically for  
25 use under this part and any moneys allocated to the  
26 community economic betterment program account from the  
27 strategic investment fund.

28 2. Payments of interest or repayments of moneys  
29 awarded under the community economic betterment  
30 program shall be deposited into the strategic  
31 investment fund.

32 Sec. \_\_\_\_ . Section 28.111, subsection 3, unnumbered  
33 paragraph 1, Code 1991, is amended to read as follows:

34 The department of economic development may grant  
35 financial or technical assistance to a person eligible  
36 to receive assistance under this section, upon review  
37 and evaluation of the person's application by the  
38 agricultural products advisory council as established  
39 in section 15.203. ~~The council shall make~~  
40 ~~recommendations to approve or disapprove an~~  
41 ~~application to the department.~~ The department shall  
42 consider the recommendations council's evaluation in  
43 granting or denying assistance. The department shall  
44 not approve an application for assistance under this  
45 section to refinance an existing loan, or to finance  
46 traditional agricultural operations. An application  
47 is eligible for consideration if the application seeks  
48 assistance for any of the following purposes:

49 Sec. \_\_\_\_ . Section 28.112, subsection 1, Code 1991,  
50 is amended to read as follows:

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1 ~~The department may establish~~ There is  
2 established a value-added agricultural products and  
3 processes financial assistance ~~fund~~ account within the  
4 strategic investment fund created in section 28.111.  
5 ~~The fund account shall be established~~ ~~fund~~ ~~account~~  
6 consist of any money appropriated by the general  
7 assembly for that purpose, ~~moneys~~ allocated to the  
8 account from the strategic investment fund, any other  
9 moneys available to and obtained or accepted by the  
10 department from the federal government or private  
11 sources for placement in the ~~fund~~ and any earned  
12 interest account. Except as otherwise provided in  
13 subsection 2, the assets of the ~~fund~~ account shall be  
14 used by the department only for carrying out the  
15 purposes of section 28.111.

16 Sec. \_\_\_\_ . Section 28.112, subsection 2, Code 1991,  
17 is amended by adding the following new paragraph:

18 NEW PARAGRAPH. d. Payments of interest or  
19 repayments of moneys awarded under the value-added  
20 agricultural products and processes financial  
21 assistance program shall be deposited into the  
22 strategic investment fund."

23 4. Page 52, by striking line 6, and inserting the  
24 following:

25 "Sec. \_\_\_\_ . Section 28.143, subsection 1, paragraph  
26 e, Code 1991, is amended to read as follows:

27 e. The superintendent of ~~savings-and-loans~~ credit  
28 unions.

29 Sec. \_\_\_\_ . Section 28.144, Code 1991, is amended by  
30 striking the section and inserting in lieu thereof the  
31 following:

32 28.144 PRESIDENT OF THE CORPORATION.

33 The director of the department shall appoint the  
34 president of the corporation from the division within  
35 the department that administers business financial  
36 assistance programs. Administrative and staff support  
37 shall be furnished by the department.

38 Sec. \_\_\_\_ . Section 28.146, Code 1991, is amended to  
39 read as follows:

40 28.146 STATE ASSISTANCE FUND.

41 There is created in the treasurer of state's office  
42 a "business development finance corporation assistance  
43 fund". The fund shall consist of all appropriations,  
44 grants, or gifts received by the treasurer  
45 specifically for assistance under this division and  
46 moneys allocated from the strategic investment fund  
47 created in section 28.111. Moneys in this fund are  
48 appropriated to the corporation for the purposes  
49 stated in this division. Moneys allocated to this  
50 fund for purposes of the capital access program and

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1 repayments of moneys from the capital access program  
 2 which remain uncolligated at the end of a fiscal year  
 3 may be returned to the strategic investment fund.

4 Sec. \_\_\_\_\_. Notwithstanding the provision in section  
 5 15.313 granting the director of the department of  
 6 economic development discretion in the allocation of  
 7 the moneys to the various accounts in the strategic  
 8 investment fund, for the fiscal year beginning July 1,  
 9 1991, a minimum of \$500,000 shall be allocated to the  
 10 targeted small business financial assistance program  
 11 account and a minimum of \$220,000 shall be allocated  
 12 to the self-employment loan program account. However,  
 13 any amounts of those two minimum allocations that have  
 14 not been committed on January 15, 1992, may be  
 15 reallocated to the other accounts in the strategic  
 16 investment fund.

17 Sec. \_\_\_\_\_. Sections 15.232 and 15.240, Code 1991,  
 18 are repealed."

By WISE of Lee  
 HARBOR of Mills

GRONINGA of Cerro Gordo  
 BENNETT of Ida

H-3242 FILED MARCH 14, 1991

ADOPTED (p. 669)

## HOUSE FILE 479

H-3243

1 Amend House File 479 as follows:

2 1. Page 76, by inserting after line 1 the  
 3 following:

4 "Sec. \_\_\_\_\_. Section 261.25, subsection 1, Code  
 5 1991, as amended by 1991 Iowa Acts, House File 173,  
 6 section 908, is amended to read as follows:

7 1. There is appropriated from the general fund of  
 8 the state to the commission for each fiscal year the  
 9 sum of thirty-two thirty-six million six eight hundred  
 10 eight fifty-eight thousand seven hundred ninety-five  
 11 dollars for tuition grants."

12 2. Page 204, line 24, by striking the figure  
 13 "20,000,000" and inserting the following:  
 14 "15,750,000".

15 3. Page 204, by inserting after line 24 the  
 16 following:

17 "Sec. \_\_\_\_\_. Notwithstanding section 455A.19, moneys  
 18 in the Iowa resource enhancement and protection fund  
 19 shall not be used for acquisition of land relating to  
 20 the Brushy Creek project."

21 4. By numbering and renumbering as necessary.

By TYRRELL of Iowa  
 CORBETT of Linn

EDDIE of Buena Vista  
 PLASIER of Sioux

H-3243 FILED MARCH 14, 1991

LOST (p. 674)

## HOUSE FILE 479

H-3246

1 Amend House File 479 as follows:

2 1. Page 195, by inserting after line 11 the  
3 following:

## 4 "DIVISION

## 5 APPROPRIATION ADDITIONS

6 Sec. \_\_\_\_\_. Notwithstanding section 18.137, the  
7 \$5,000,000 appropriated in that section for the fiscal  
8 year beginning July 1, 1991, shall not be deposited in  
9 the state communications network fund but shall be  
10 provided to the following entities, in the amount  
11 specified, and used for the designated purposes during  
12 the fiscal year beginning July 1, 1991, and ending  
13 June 30, 1992:14 1. To the judicial department, in addition to the  
15 appropriation provided in section 707 of this Act,  
16 \$2,500,000.17 2. To the department of cultural affairs, in  
18 addition to the appropriation provided in section 415  
19 of this Act, in subsection 4 for the library division,  
20 \$50,000, and in subsection 5 for the regional library  
21 system, \$75,000.22 3. To the department of human services, in  
23 addition to the appropriation provided in section 613  
24 of this Act, for foster care, \$2,375,000 to be used to  
25 increase reimbursement rates paid to family and group  
26 foster care providers."

27 2. By renumbering as necessary

By SVOBODA of Tama

H-3246 FILED MARCH 14, 1991

WITHDRAWN (p 696)

## HOUSE FILE 479

H-3247

1 Amend House File 479 as follows:

2 1. Page 62, line 34, by striking the word  
3 "member" and inserting the following: "member's".4 2. Page 113, line 14, by striking the figure  
5 "273A.1" and inserting the following: "237A.1".6 3. Page 143, line 6, by striking the word and  
7 figure "subsection 4" and inserting the following:  
8 "subsection 6".9 4. Page 143, line 14, by striking the word and  
10 figure "subsection 5" and inserting the following:  
11 "subsection 4".

By JOCHUM of Dubuque

H-3247 FILED MARCH 14, 1991

ADOPTED (p 671)

## HOUSE FILE 479

H-3245

1 Amend House File 479 as follows:

2 1. Page 32, by inserting after line 14, the  
3 following:

4 "Sec. \_\_\_\_ . Section 99D.13, subsection 2, Code  
5 1991, is amended to read as follows:

6 2. Winnings from each racetrack forfeited under  
7 subsection 1 shall escheat to the state and to the  
8 extent appropriated by the general assembly shall be  
9 used by the department of agriculture and land  
10 stewardship to administer section 99D.22. To the  
11 extent that the remainder paid over to the track is  
12 from unclaimed winnings from dog racing, ten thousand  
13 dollars shall be paid to each track licensed to race  
14 dogs for purposes of administering section 99D.27. If  
15 the amount paid to the commission is less than thirty  
16 thousand dollars, each track licensed to race dogs  
17 shall be paid an equal amount of the remainder. The  
18 remainder forfeited under subsection 1 shall be paid  
19 over to the commission to pay all or part of the cost  
20 of drug testing at the tracks. To the extent the  
21 remainder paid over to the commission, less the cost  
22 of drug testing, is from unclaimed winnings from  
23 harness racing meets, the remainder shall be used as  
24 provided in subsection 3. To the extent the remainder  
25 paid over to the commission, less the cost of drug  
26 testing and dog adoption administration, is from  
27 unclaimed winnings from tracks licensed for dog or  
28 horse races, the commission, on an annual basis, shall  
29 remit one-third of the amount to the treasurer of the  
30 city in which the racetrack is located, one-third of  
31 the amount to the treasurer of the county in which the  
32 racetrack is located, and one-third of the amount to  
33 the racetrack from which it was forfeited. If the  
34 racetrack is not located in a city, then one-third  
35 shall be deposited as provided in chapter 556. The  
36 amount received by the racetrack under this subsection  
37 shall be used only for retiring the debt of the  
38 racetrack facilities and for capital improvements to  
39 the racetrack facilities."

40 2. By renumbering as necessary.

By SHOULTZ of Black Hawk

H-3245 FILED MARCH 14, 1991

LOST (p. 654)



## HOUSE FILE 479

H-3248

1 Amend House File 479 as follows:

2 1. Page 204, by inserting after line 25 the  
3 following:4 "DIVISION  
5 MISCELLANEOUS6 Sec. 1501. NEW SECTION. 25B.7 APPROPRIATIONS.7 There is appropriated from the general fund of the  
8 state to each political subdivision, upon which an Act  
9 of the general assembly enacted after April 1, 1991,  
10 imposes a state mandate, an amount equal to the amount  
11 of additional expenditures necessitated by the state  
12 mandate. The political subdivision receiving moneys  
13 as a result of a state mandate under this section  
14 shall continue to receive the amount of the  
15 expenditures necessitated by the state mandate for  
16 subsequent fiscal years until the state mandate has  
17 been repealed.18 Sec. 1502. Section 1501 takes effect upon  
19 enactment."

By HARBOR of Mills

H-3248 FILED MARCH 14, 1991

LOST (p. 693)

## HOUSE FILE 479

H-3249

1 Amend House File 479 as follows:

2 1. Page 107, line 8, by inserting after the word  
3 "for" the following: "50 percent of".

By MERTZ of Kossuth

H-3249 FILED MARCH 14, 1991

LOST (p. 690)

## HOUSE FILE 479

H-3250

1 Amend House File 479 as follows:

2 1. Page 93, by striking lines 27 through 33 and  
3 inserting the following:4 "(10) The Iowa department of public health, in  
5 coordination with the department of human services,  
6 shall encourage eligible children to be enrolled in  
7 the Medicaid preventive program for children, and the  
8 early and periodic screening, diagnosis, and treatment  
9 program."By TEAFORD of Black Hawk  
HAMMOND of Story

H-3250 FILED MARCH 14, 1991

ADOPTED (p. 679)

HOUSE FILE 479

H-3251

1 Amend House File 479 as follows:

- 2 1. Page 76, by striking lines 2 through 7.
- 3 2. By striking page 196, line 35 through page
- 4 197, line 21.
- 5 3. By striking page 197, line 24 through page
- 6 198, line 3.
- 7 4. Page 198, by striking lines 6 through 22.
- 8 5. Page 204, by inserting after line 25 the
- 9 following:

10 "DIVISION

11 APPROPRIATIONS ADJUSTMENTS

12 Sec. \_\_\_\_ . APPROPRIATIONS ADDITIONS. There is  
 13 appropriated from the general fund of the state to  
 14 each following designated agency of state government  
 15 for the fiscal year beginning July 1, 1991, and ending  
 16 June 30, 1992, the following amounts, or so much  
 17 thereof as is necessary, to be used for the purpose  
 18 designated:

- 19 1. To the department of human services, in  
 20 addition to the appropriation for the family support  
 21 subsidy program in section 625 of this Act:  
 22 ..... \$ 200,000
- 23 2. To the college student aid commission, in  
 24 addition to the standing appropriation for tuition  
 25 grants in section 261.25, subsection 1:  
 26 ..... \$ 100,000
- 27 3. To the department of agriculture and land  
 28 stewardship, in addition to the appropriation for  
 29 support of eradication of pseudorabies program in  
 30 section 203 of this Act:  
 31 ..... \$ 500,000
- 32 4. To the department of economic development to  
 33 supplement moneys appropriated for tourism and other  
 34 economic development programs in division III of this  
 35 Act:  
 36 ..... \$ 1,000,000
- 37 5. To the Iowa department of public health, in  
 38 addition to the appropriation for the acquisition of  
 39 emergency medical services equipment in section 505,  
 40 subsection 3, paragraph "c" of this Act:  
 41 ..... \$ 200,000

42 Sec. \_\_\_\_ . Notwithstanding section 18.137, the  
 43 \$5,000,000 appropriated in that section for the fiscal  
 44 year beginning July 1, 1991, shall not be deposited in  
 45 the state communications network fund but shall be  
 46 provided to the department of human services and used  
 47 for medical assistance in addition to the moneys  
 48 appropriated for that purpose in section 603 of this  
 49 Act."

- 50 6. Page 204, line 24, by striking the figure

H-3251

Page 2

1 "20,000,000" and inserting the following:

2 "10,000,000".

3 7. Page 204, by inserting after line 24 the

4 following:

5 "Sec. 1402. Notwithstanding section 455A.19,

6 moneys in the Iowa resource enhancement and protection

7 fund shall not be used for land acquisition."

By HALVORSON of Clayton

H-3251 FILED MARCH 14, 1991

LOST (4/26)

## HOUSE FILE 479

H-3252

1 Amend House File 479 as follows:

A 2 1. Page 17, by striking lines 21 through 26.

3 2. Page 18, by inserting after line 7 the  
4 following:

5 "Sec. \_\_\_\_ . Section 8.22A, unnumbered paragraph 3,  
B 6 Code 1991, is amended to read as follows:

7 By December 15, 1986 and each succeeding year the  
8 conference shall agree to a revenue estimate for the  
9 fiscal year beginning the following July 1. That  
10 estimate shall be used by the governor in the  
11 preparation of the budget message under section 8.22  
12 and by the legislature in the budget process.

13 However, the governor shall not use the amount in or  
14 estimated amount in the Iowa economic emergency fund  
15 created in section 8.55 in the preparation of the  
16 governor's budget document."

α 17 3. Page 116, line 30, by striking the figure  
18 "55,185,887" and inserting the following:  
19 "56,211,887".

20 4. Page 140, line 20, by inserting after the  
21 figure "1991." the following: "Rates for family  
22 foster care providers shall be increased by \$70.00 per  
23 month over the rates in effect on June 30, 1991."

β 24 5. Page 196, line 32, by striking the words "This  
25 division takes" and inserting the following:  
26 "Sections 1001 through 1005 take".

ε 27 6. Page 196, by inserting before line 33 the  
28 following:

29 "Sec. 1331. Section 422.9, subsection 1, Code  
30 1991, is amended to read as follows:

31 1. An optional standard deduction, after deduction  
32 of federal income tax, equal to one thousand two  
33 hundred thirty dollars for a married person who files  
34 separately or a single person or equal to three  
35 thousand thirty dollars for a husband and wife who  
36 file a joint return, a surviving spouse, or an  
37 unmarried head of household. The optional standard  
38 deduction shall not exceed the amount remaining after  
39 deduction of the federal income tax. The amount of  
40 the federal income tax deducted shall not exceed the  
41 amount as computed under subsection 2, paragraph "b".

42 Sec. 1332. Section 422.9, subsection 2, paragraph  
43 b, Code 1991, is amended by striking the paragraph and  
44 inserting in lieu thereof the following:

45 b. Add the amount of federal income taxes paid or  
46 accrued, as the case may be, for the tax year. Also  
47 add the amount of federal income taxes paid with the  
48 federal return or as a result of an adjustment to a  
49 federal return during the tax year for a prior year.  
50 However, the amount of federal income taxes deducted

H-3252

Page 2

1 for the tax year shall not exceed twenty-five thousand  
 2 dollars, except that any additional taxes paid with  
 3 the federal return or as a result of an adjustment to  
 4 a federal return during tax years ending prior to  
 5 January 1, 1991, are not subject to the twenty-five  
 6 thousand dollar limitation. Subtract the amount of  
 7 federal income tax refunds received for the tax year  
 8 to the extent that the federal income tax was deducted  
 9 in a previous year. Married persons who file  
 10 separately shall be limited to a federal income tax  
 11 deduction for federal income taxes paid during the tax  
 12 year not to exceed twenty-five thousand dollars in  
 13 total for both spouses. The amount of the federal  
 14 income tax deduction shall be divided between each  
 15 spouse by the ratio of federal adjusted gross income  
 16 of each spouse to total federal adjustment gross  
 17 income of both spouses unless they can show that  
 18 another method more accurately reflects the amount of  
 19 federal income tax to be paid by each.  
 20 Sec. 1333. Sections 1331 and 1332 apply  
 21 retroactively to January 1, 1991, for tax years  
 22 beginning on or after that date."

3 23 7. Page 204, by inserting after line 25 the  
 24 following:

25 "DIVISION XV  
 26 MISCELLANEOUS

27 Sec. \_\_\_\_\_. The general assembly shall develop a  
 28 budget reform program with the objective of holding  
 29 state spending within specified limits. The reform  
 30 program shall provide criteria for determining the  
 31 specific spending limitations. The budget reform  
 32 program shall be enacted by July 1, 1991."

33 8. Title page, line 6, by inserting after the  
 34 word "revenues," the following: "relating to the  
 35 amount of federal income taxes deductible for the  
 36 state individual income tax,".

By JOCHUM of Dubuque

H-3252 FILED MARCH 14, 1991

A, B & C - ADOPTED D - OUT OF ORDER E & F - ADOPTED (654)  
 WITH ADOPTION OF H3224, LINES 20 - 23 OF C ARE OUT OF ORDER

HOUSE FILE 479

H-3253

1 Amend House File 479 as follows:

2 1. Page 161, line 23, by striking the words and  
 3 figures "unnumbered paragraph 2,".

4 2. Page 161, by inserting after line 24 the  
 5 following:

6 "4. Up to \$1,300,000 for construction of 60  
 7 minimum security dormitory style beds located in Peck  
 8 county at the Newton correctional facility."

By JESSE of Jasper

H-3253 FILED MARCH 14, 1991

ADOPTED (642)

## HOUSE FILE 479

H-3258

1 Amend House File 479 as follows:

2 1. Page 66, line 14, by inserting after the word  
3 "abortions." the following: "For the purpose of this  
4 section, a medically necessary abortion does not  
5 include an abortion performed solely because of the  
6 sex of the fetus."

By CORBETT of Linn

H-3258 FILED MARCH 14, 1991

LOST (p 672)

## HOUSE FILE 479

H-3259

1 Amend House File 479 as follows:

2 1. Page 164, line 8, by striking the figure  
3 "2,509,205" and inserting the following: "2,439,205".  
4 2. Page 164, by striking lines 10 through 13, and  
5 inserting the following:  
6 "As a condition, limitation, and qualification of  
7 the appropriation made in this subsection, the labor  
8 commissioner shall not require the registration of  
9 contractors doing business in Iowa during the fiscal  
10 year beginning July 1, 1991, notwithstanding the  
11 provisions of chapter 91C."  
12 3. Page 168, by striking lines 2 through 11.

By GARMAN of Story

H-3259 FILED MARCH 14, 1991

LOST (p 283)

## HOUSE FILE 479

H-3254

- 1 Amend House File 479 as follows:  
2 1. Page 58, line 34, by striking the figure  
3 "91,662,500" and inserting the following:  
4 "37,562,500".  
5 2. By striking page 196, line 35 through page  
6 197, line 21.  
7 3. By striking page 197, line 24 through page  
8 198, line 3.  
9 4. Page 198, by striking lines 6 through 22.  
10 5. By striking page 203, line 21, through page  
11 204, line 10.  
12 6. Page 204, by striking lines 17 and 18.  
13 7. Title page, by striking lines 2 through 4, and  
14 inserting the following: "agencies, programs, funds,  
15 and INTERNET, and repealing certain tax rate".

By SVOBODA of Tama

H-3254 FILED MARCH 14, 1991

LOST (p. 671)

## HOUSE FILE 479

H-3255

- 1 Amend House File 479 as follows:  
2 1. Page 42, line 34, by striking the figure  
3 "285,000" and inserting the following: "340,000".  
4 2. Page 44, line 5, by striking the figure  
5 "200,000" and inserting the following: "145,000".

By WISE of Lee

H-3255 FILED MARCH 14, 1991

ADOPTED (p. 669)

## HOUSE FILE 479

H-3257

- 1 Amend House File 479 as follows:  
2 1. Page 195, by inserting after line 11 the  
3 following:  
4 "DIVISION X  
5 TAXATION".

By JOCHUM of Dubuque

H-3257 FILED MARCH 14, 1991

ADOPTED (p. 627)

HOUSE FILE 479

H-3262

1 Amend House File 479 as follows:

2 1. By striking page 199, line 6 through page 203,  
3 line 20.

4 2. Page 204, by striking lines 11 through 16 and  
5 inserting the following:

6 "Sec. 1321. 1990 Iowa Acts, chapter 1250, section  
7 21, is amended to read as follows:

8 SEC. 21.

9 Sections 1, 6, 8, and 9 of this Act are effective  
10 January 1, ~~1991~~ 1993, for mobile home tax claims and  
11 property tax credit claims filed on or after that  
12 date. Section 8 of this Act is applicable to rent  
13 reimbursement claims filed on or after January 1, ~~1992~~  
14 1994. Section 6 of this Act is also applicable to  
15 rent reimbursement claims filed on or after January 1,  
16 ~~1992~~ 1994.

17 Sec. 1322. 1990 Iowa Acts, chapter 1250, section  
18 23, is amended to read as follows:

19 SEC. 23.

20 Section 5 of this Act is effective January 1, ~~1991~~  
21 1993, for homestead tax credits allowed for property  
22 taxes payable in fiscal years beginning on or after  
23 July 1, ~~1991~~ 1993.

24 Sec. \_\_\_\_\_. Sections 1321 and 1322 of this division,  
25 being deemed of immediate importance, take effect upon  
26 enactment and apply retroactively to January 1, 1991."

27 2. Title page, line 4, by striking the word  
28 "repealing" and inserting the following: "delaying  
29 the effective date of".

By OSTERBERG of Linn

BAKER of Polk

DVORSKY of Johnson

HALVORSON of Webster

H-3262 FILED MARCH 14, 1991

ADOPTED (p. 689)



HOUSE FILE 479

H-3260

1 Amend House File 479 as follows:

2 1. Page 198, by striking lines 25 through 27 and  
3 inserting the following:

4 "Sec. 1201. Notwithstanding the requirement in  
5 section 99E.10,".

6 2. Page 198, line 35, by inserting before the  
7 word "subsection" the following: "section 99E.10,".

8 3. Page 199, by striking lines 1 and 2 and  
9 inserting the following: "deposited into the CLEAN  
10 fund but shall be used to reimburse the general fund  
11 of the state for each dollar spent, up to the  
12 following amounts, as a result of the appropriations  
13 made for the following purposes:

14 1. Soil conservation cost share in section 201,  
15 subsection 6, paragraph "b", up to \$6,789,972.

16 2. Filter strips in section 201, subsection 6,  
17 paragraph "d", up to \$206,000.

18 3. Parks and preserves division in section 206,  
19 subsection 4, up to \$5,000,000.

20 4. Forests and forestry division in section 206,  
21 subsection 5, up to \$1,500,000.

22 5. Environmental protection division in section  
23 206, subsection 7, up to \$1,750,000.

24 6. Agricultural experiment station at Iowa state  
25 university of science and technology in section 410,  
26 subsection 3, paragraph "f", up to \$4,354,028.

27 7. Leopold center at Iowa state university of  
28 science and technology in section 410, subsection 3,  
29 paragraph "j", up to \$600,000.

30 8. Iowa resource enhancement and protection fund  
31 in section 1401, up to \$20,000,000.

32 Notwithstanding section 8.33, money in the lottery  
33 fund not used for the reimbursement of general fund  
34 expenditure for the purposes and in the amounts  
35 specified in sections 1 through 8 shall not revert to  
36 the general fund of the state but shall remain in the  
37 lottery fund."

By SCHRADER of Marion

OSTERBERG of Linn

SHOULTZ of Black Hawk

MUHLBAUER of Crawford

GRONINGA of Cerro Gordo

CHAPMAN of Linn

H-3260 FILED MARCH 14, 1991

ADOPTED (p. 688)

HOUSE FILE 479

H-3261

1 Amend House File 479 as follows:

2 1. Page 44, by striking lines 2 through 5.

By RAFFERTY of Scott

H-3261 FILED MARCH 14, 1991

LOST (p. 694)

## HOUSE FILE 479

H-3263

1 Amend House File 479 as follows:

2 1. By striking page 1, line 1 through page 195,  
3 line 11, and inserting the following:4 "Section 1. Notwithstanding any provision of the  
5 Code or session laws, including standing unlimited  
6 appropriations, for the fiscal year beginning July 1,  
7 1991, there is appropriated from the state general  
8 fund for each state department or agency and state  
9 program an amount equal to the amount appropriated for  
10 each state department or agency and state program for  
11 the fiscal year beginning July 1, 1990.12 Sec. 2. Section 422.69, subsection 3, Code 1991,  
13 is amended to read as follows:14 3. The director shall estimate the amount of tax  
15 revenues collected as a result of the sales tax  
16 imposed under section 422.43, subsection 12, and the  
17 amount of income tax revenues collected as a result of  
18 limiting the federal income tax deduction to twenty-  
19 five thousand for individual income tax purposes and  
20 shall deposit a like amount these amounts in a "GAAP  
21 escrow account" to be created within the general fund.  
22 Amounts deposited in the GAAP escrow account shall be  
23 used to implement generally accepted accounting  
24 principles as required in 1986 Iowa Acts, chapter  
25 1245, section 2046, as amended by 1986 Iowa Acts,  
26 chapter 1238, section 59."27 2. By striking page 196, line 33 through page  
28 204, line 25.29 3. Title page, by striking lines 3 through 6 and  
30 inserting the following: "providing for GAAP  
31 implementation and providing for effective and".

By IVERSON of Wright

H-3263 FILED MARCH 14, 1991

LOST (p. 687)

## HOUSE FILE 479

H-3264

1 Amend House File 479 as follows:

2 1. Page 106, line 35, by inserting after the word  
3 "and" the following: "if the ratio is found to be  
4 favorable,".

By HAMMOND of Story

H-3264 FILED MARCH 14, 1991

ADOPTED (p. 679)

## HOUSE FILE 479

H-3266

1 Amend House File 479 as follows:

2 1. Page 178, by striking lines 19 through 33.

3 2. Renumber as necessary.

By CONNORS of Polk

H-3266 FILED MARCH 15, 1991

ADOPTED (p. 684)

Sen. Approp 3/18 Amend (3444), Lc Pass 4/16/91 (p. 1286)

HOUSE FILE 479  
BY COMMITTEE ON APPROPRIATIONS

(As Amended and Passed by the House March 15, 1991)

*as amended by Senate  
further amended*  
Re Passed House, Date 4/26/91 (p. 1323) Passed Senate, Date 4/18/91 (p. 1341)  
Vote: Ayes 51 Nays 47 Vote: Ayes 48 Nays 1  
Approved Item Vote - May 31, 1991 (See letter re-enroll copy)

A BILL FOR

3444 1 An Act relating to appropriations for state departments,  
\* 2 agencies, programs, funds, and INTERNET, and adjusting the  
3 school foundation aid program, delaying the effective date of  
4 certain tax rate reductions, credits, or rent reimbursements,  
5 redirecting net lottery revenues, relating to the amount of  
6 federal income taxes deductible for the state individual  
7 income tax, and providing for effective and applicability  
8 dates.

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

10  
11  
12  
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22

House Amendments \_\_\_\_\_  
Deleted Language \*

Conference Committee Appointed  
Jochum (Chair), Biergens, Gronings, Halvorsen, Van Maanen 4/29 (p. 1905)  
Senators Boaswell (Chair), Hutchens, Welch

Filed Senate per Conference Committee Report  
5/11/91 (p. 1794)  
Motion to reconsider 5/11/91 prevailed (p. 1796)  
Passed Senate 5/11/91 (p. 1797) Passed House 5/11/91 (p. 2370)  
51-49  
26-24

3.4.44 amend all

DIVISION I

ADMINISTRATION APPROPRIATIONS

1  
2  
3 Sec. 101. There is appropriated from the general fund of  
4 the state to the office of the secretary of state for the  
5 fiscal year beginning July 1, 1991, and ending June 30, 1992,  
6 the following amounts, or so much thereof as is necessary, to  
7 be used for the purposes designated:

8 For salaries, support, maintenance, miscellaneous purposes,  
9 and for not more than the following full-time equivalent  
10 positions:

11 ..... \$ 1,722,676  
12 ..... FTEs 50.00

13 Sec. 102. There is appropriated from the general fund of  
14 the state to the offices of the governor and the lieutenant  
15 governor for the fiscal year beginning July 1, 1991, and  
16 ending June 30, 1992, the following amounts, or so much  
17 thereof as is necessary, to be used for the purposes  
18 designated:

19 1. For salaries, support, maintenance, and miscellaneous  
20 purposes for the general office of the governor and the  
21 general office of the lieutenant governor, and for not more  
22 than the following full-time equivalent positions:

23 ..... \$ 1,056,746  
24 ..... FTEs 17.00

25 2. For the governor's expenses and the lieutenant  
26 governor's expenses connected with office:

27 ..... \$ 4,000

28 3. For salaries, support, maintenance, and miscellaneous  
29 purposes for the governor's quarters at Terrace Hill, and for  
30 not more than the following full-time equivalent positions:

31 ..... \$ 101,166  
32 ..... FTEs 3.00

33 4. For the payment of expenses of ad hoc committees,  
34 councils, and task forces appointed by the governor to  
35 research and analyze a particular subject area relevant to the

1 problems and responsibilities of state and local government,  
2 including the employment of professional, technical, and  
3 administrative staff and the payment of per diem and actual  
4 expenses of committee, council, or task force members as  
5 specified pursuant to section 7E.6, subsection 1. However, a  
6 member shall not receive a per diem if the member is receiving  
7 a salary as a full-time public employee, but members shall be  
8 reimbursed for actual and necessary expenses. As a condition,  
9 limitation, and qualification of this appropriation, the ad  
10 hoc committees, councils, and task forces appointed by the  
11 governor shall be subject to chapters 21 and 22 and the  
12 members shall be so informed:

13 ..... \$ 7,000

14 5. For salaries, support, maintenance, and miscellaneous  
15 purposes for the office of administrative rules coordinator,  
16 and for not more than the following full-time equivalent  
17 positions:

18 ..... \$ 103,000

19 ..... FTEs 2.00

20 6. For payment of Iowa's membership in the national  
21 governors' conference:

22 ..... \$ 80,985

23 Sec. 103. There is appropriated from the general fund of  
24 the state to the office of the governor's drug enforcement and  
25 abuse prevention coordinator for the fiscal year beginning  
26 July 1, 1991, and ending June 30, 1992, the following amounts,  
27 or so much thereof as is necessary, to be used for the  
28 purposes designated:

29 1. For salaries, support, maintenance, miscellaneous  
30 purposes, and for not more than the following full-time  
31 equivalent positions:

32 ..... \$ 186,107

33 ..... FTEs 8.00

34 2. For the Iowa substance abuse information center located  
35 in Cedar Rapids:

1 ..... \$ 59,000

2 As a condition, limitation, and qualification of this  
3 appropriation, the drug enforcement and abuse prevention  
4 coordinator shall use the amount appropriated in this  
5 subsection to match and obtain available federal funds, the  
6 total amount of these funds to be used for the costs of the  
7 information center.

8 Sec. 104. There is appropriated from the general fund of  
9 the state to the office of treasurer of state for the fiscal  
10 year beginning July 1, 1991, and ending June 30, 1992, the  
11 following amount, or so much thereof as is necessary, to be  
12 used for the purposes designated:

13 For salaries, support, maintenance, miscellaneous purposes,  
14 and for not more than the following full-time equivalent posi-  
15 tions:

16 ..... \$ 762,064

17 ..... FTEs 28.00

18 Sec. 105. There is appropriated from the general fund of  
19 the state to the executive council for the fiscal year  
20 beginning July 1, 1991, and ending June 30, 1992, the  
21 following amount, or so much thereof as is necessary, to be  
22 used for the purposes designated:

23 For salaries, support, maintenance, miscellaneous purposes,  
24 and for not more than the following full-time equivalent posi-  
25 tions:

26 ..... \$ 41,855

27 ..... FTEs 1.12

28 Sec. 106. There is appropriated from the general fund of  
29 the state to the following named agencies for the fiscal year  
30 beginning July 1, 1991, and ending June 30, 1992, the  
31 following amounts, or so much thereof as is necessary, to be  
32 used for the purposes designated:

33 1. NATIONAL CONFERENCE OF STATE LEGISLATURES

34 For support of the membership assessment:

35 ..... \$ 75,848

1 2. COMMISSION ON UNIFORM STATE LAWS

2 For support of the commission and expenses of the members:

3 ..... \$ 14,000

4 Sec. 107. There is appropriated from the general fund of  
5 the state to the department of general services for the fiscal  
6 year beginning July 1, 1991, and ending June 30, 1992, the  
7 following amounts, or so much thereof as is necessary, to be  
8 used for the purposes designated:

9 1. ADMINISTRATION DIVISION

10 For salaries, support, maintenance, miscellaneous purposes,  
11 and for not more than the following full-time equivalent posi-  
12 tions:

13 ..... \$ 631,086

14 ..... FTEs 18.00

15 2. COMMUNICATIONS DIVISION

16 For salaries, support, maintenance, miscellaneous purposes,  
17 and for not more than the following full-time equivalent posi-  
18 tions:

19 ..... \$ 207,217

20 ..... FTEs 19.00

21 3. MATERIALS MANAGEMENT DIVISION

22 For salaries, support, maintenance, miscellaneous purposes,  
23 and for not more than the following full-time equivalent posi-  
24 tions:

25 ..... \$ 92,948

26 ..... FTEs 3.30

27 4. PROPERTY MANAGEMENT DIVISION

28 For salaries, support, maintenance, miscellaneous purposes,  
29 and for not more than the following full-time equivalent posi-  
30 tions:

31 ..... \$ 3,942,689

32 ..... FTEs 150.00

33 5. PRINTING AND MAIL DIVISION

34 For salaries, support, maintenance, miscellaneous purposes,  
35 and for not more than the following full-time equivalent posi-

1 tions:

2 .....	\$	511,163
3 .....	FTEs	22.00

4 6. RECORDS MANAGEMENT DIVISION

5 For salaries, support, maintenance, miscellaneous purposes,  
6 and for not more than the following full-time equivalent posi-  
7 tions:

8 .....	\$	441,394
9 .....	FTEs	13.00

10 7. INFORMATION SERVICES DIVISION

11 For salaries, support, maintenance, miscellaneous purposes,  
12 and for not more than the following full-time equivalent posi-  
13 tions:

14 .....	\$	7,014,667
15 .....	FTEs	158.00

16 8. The department of general services shall not change the  
17 appropriations for the purposes designated in subsections 1  
18 through 7 from the amounts appropriated under those  
19 subsections unless notice of the revisions is given prior to  
20 their effective date to the legislative fiscal bureau. The  
21 notice shall include information on the department's rationale  
22 for making the changes.

23 9. Savings achieved in providing telecommunications  
24 services shall be used by the department of general services  
25 to increase efficiencies in the provision of those services.  
26 The department of general services shall report semiannually  
27 to the chairpersons and the ranking members of the  
28 administration appropriations subcommittees and to the  
29 legislative fiscal bureau. The reports shall include a  
30 listing of the projects and efficiencies undertaken, the cost  
31 of each project, and the benefits, including the projected  
32 savings on an annual basis and for the life of the efficiency  
33 improvement.

34 10. The division administrators within the department of  
35 general services shall cooperate with the legislative fiscal



1 bureau to develop definitions of goals and performance  
2 measures for the divisions and programs selected by the  
3 administration appropriations subcommittees or by the  
4 legislative fiscal bureau. Data for these measures shall be  
5 collected and provided to the legislative fiscal bureau in a  
6 timely manner. The department of general services shall also  
7 cooperate with the department of management and provide  
8 performance data in a timely manner as needed by the  
9 department of management. The department of management shall  
10 provide regularly copies of its performance report to the  
11 legislative fiscal bureau.

12 Sec. 108. There is appropriated from the general fund of  
13 the state to the department of general services for the fiscal  
14 year beginning July 1, 1991, and ending June 30, 1992, the  
15 following amounts, or so much thereof as is necessary, to be  
16 used for the purposes designated:

17 1. CAPITOL PLANNING COMMISSION

18 For expenses of the members in carrying out their duties  
19 under chapter 18A:

20 ..... \$ 2,000

21 2. UTILITY COSTS

22 For payment of utility costs:

23 ..... \$ 1,902,000

24 Notwithstanding section 18.12, subsection 11, any excess  
25 funds appropriated for utility costs in this subsection shall  
26 not be deposited in the general fund of the state on June 30,  
27 1992, and these funds are to be used for implementation of  
28 energy conservation projects having a payback of 100 percent  
29 within a 2-year to 6-year period. The department of general  
30 services shall report semiannually to the chairpersons and  
31 ranking members of the administration appropriations  
32 subcommittees and to the legislative fiscal bureau. The  
33 reports shall include a listing of the projects undertaken,  
34 the cost of each project, and the projected savings on an  
35 annual basis and for the life of the project.

1 3. RENTAL SPACE

2 For payment of lease or rental costs of buildings and  
3 office space at the seat of government as provided in section  
4 18.12, subsection 9, notwithstanding section 18.16:

5 ..... \$ 653,525

6 Sec. 109. There is appropriated from the revolving funds  
7 designated to the department of general services for the  
8 fiscal year beginning July 1, 1991, and ending June 30, 1992,  
9 the following amounts, or so much thereof as is necessary, to  
10 be used for the purposes designated:

11 1. From the centralized printing permanent revolving fund  
12 established by section 18.57 for salaries, support,  
13 maintenance, miscellaneous purposes, and for not more than the  
14 following full-time equivalent positions:

15 ..... \$ 952,840

16 ..... FTEs 30.00

17 2. The remainder of the centralized printing permanent  
18 revolving fund is appropriated for the expense incurred in  
19 supplying paper stock, offset printing, copy preparation,  
20 binding, distribution costs, original payment of printing and  
21 binding claims and contingencies arising during the fiscal  
22 year beginning July 1, 1991, and ending June 30, 1992, which  
23 are legally payable from this fund.

24 3. From the centralized purchasing permanent revolving  
25 fund established by section 18.9 for salaries, support,  
26 maintenance, miscellaneous purposes, and for not more than the  
27 following full-time equivalent positions:

28 ..... \$ 580,507

29 ..... FTEs 15.00

30 4. The remainder of the centralized purchasing permanent  
31 revolving fund is appropriated for the payment of expenses  
32 incurred through purchases by various state departments and  
33 for contingencies arising during the fiscal year beginning  
34 July 1, 1991, and ending June 30, 1992, which are legally  
35 payable from this fund.

1 5. From the vehicle dispatcher revolving fund established  
2 by section 18.119 for salaries, support, maintenance, miscel-  
3 laneous purposes, and for not more than the following full-  
4 time equivalent positions:

5 .....	\$	595,786
6 .....	FTEs	17.00

7 6. The remainder of the vehicle dispatcher revolving fund  
8 is appropriated for the purchase of gasoline, gasohol, oil,  
9 tires, repairs, and all other maintenance expenses incurred in  
10 the operation of state-owned motor vehicles and for contin-  
11 gencies arising during the fiscal year beginning July 1, 1991,  
12 and ending June 30, 1992, which are legally payable from this  
13 fund.

14 7. The vehicle dispatcher shall report, not later than  
15 January 2, 1992, to the chairpersons and the ranking members  
16 of the administration appropriations subcommittees and to the  
17 legislative fiscal bureau regarding the efficiencies of the  
18 vehicle fleet and the changes in the efficiencies. The report  
19 shall include the cost per mile, fuel efficiencies,  
20 maintenance costs, useful life, the costs of extending the  
21 useful life, and other measures which the vehicle dispatcher  
22 or the legislative fiscal bureau finds appropriate. The  
23 information shall be reported for each general type of  
24 vehicle. The overhead costs shall also be reported with the  
25 total costs of the vehicle dispatcher operations. The vehicle  
26 dispatcher shall update this report at the end of the fiscal  
27 year and report to the subcommittees and legislative fiscal  
28 bureau by September 1, 1992.

29 8. The department of general services shall report  
30 semiannually, during January and July of 1992, the results of  
31 the project testing the potential for burning an 85 percent  
32 ethanol mixture in the state's test vehicles. The report  
33 shall include, but is not limited to, purchase costs,  
34 maintenance costs, average mileage, vehicle life, problems  
35 encountered, and likely benefits.

1 Sec. 110. The department of general services shall  
2 develop, in consultation with the legislative fiscal bureau, a  
3 methodology for directly billing state agencies for all of the  
4 services provided by the department and for recovering  
5 depreciation costs. The department shall collect information  
6 showing what the billings would be for each state agency if  
7 the methodology were implemented and report the findings to  
8 the administration appropriations subcommittees and to the  
9 legislative fiscal bureau by December 1, 1991. The department  
10 shall inform all state agencies that will be affected by this  
11 methodology as to the potential costs if the methodology is  
12 implemented for the fiscal year beginning July 1, 1992.

13 Sec. 111. There is appropriated from the general fund of  
14 the state to the department of personnel for the fiscal year  
15 beginning July 1, 1991, and ending June 30, 1992, the  
16 following amount, or so much thereof as is necessary, to be  
17 used for the purposes designated:

18 1. ADMINISTRATION

19 For salaries, support, maintenance, and miscellaneous  
20 purposes for the director's staff, office services, data/word  
21 processing, and insurance cost management, and for not more  
22 than the following full-time equivalent positions:

23 .....	\$	1,077,659
24 .....	FTEs	29.65

25 2. FIELD OPERATIONS

26 For salaries for the personnel services, employment  
27 law/labor relations, and development, and for not more than  
28 the following full-time equivalent positions:

29 .....	\$	1,304,125
30 .....	FTEs	44.60

31 3. PROGRAM MANAGEMENT

32 a. For salaries for employment and compensation and  
33 benefits, and for not more than the following full-time  
34 equivalent positions:

35 .....	\$	1,140,121
----------	----	-----------

1 ..... FTEs 34.00

2 b. For salaries for the administration of the workers'  
3 compensation fund and for not more than the following full-  
4 time equivalent positions:

5 ..... \$ 143,152

6 ..... FTEs 4.00

7 Any funds received by the department for workers'  
8 compensation purposes other than the funds appropriated in  
9 paragraph "b" shall be used only for the payment of workers'  
10 compensation claims.

11 The funds for support, maintenance, and miscellaneous  
12 purposes for personnel assigned to field operations under  
13 subsection 2 and program management under subsection 3 are  
14 payable from the appropriation made in subsection 1.

15 As a condition, limitation, and qualification of this  
16 appropriation, the department of personnel shall report  
17 quarterly to the chairpersons and ranking members of the  
18 administration appropriations subcommittee concerning the  
19 number of vacancies in existing full-time equivalent positions  
20 and the average time taken to fill the vacancies. The reports  
21 shall include quarterly and annual averages organized  
22 according to state agency and general occupational category as  
23 established by the federal equal employment opportunity  
24 commission. All departments and agencies of the state shall  
25 cooperate with the department in the preparation of the  
26 reports.

27 Sec. 112. There is appropriated from the road use tax fund  
28 to the department of personnel for the fiscal year beginning  
29 July 1, 1991, and ending June 30, 1992, the following amount,  
30 or so much thereof as is necessary, to be used for the  
31 purposes designated:

32 For salaries, support, maintenance, and miscellaneous  
33 purposes to provide personnel services for the state  
34 department of transportation:

35 ..... \$ 32,829

1 Sec. 113. There is appropriated from the primary road fund  
2 to the department of personnel for the fiscal year beginning  
3 July 1, 1991, and ending June 30, 1992, the following amount,  
4 or so much thereof as is necessary, to be used for the  
5 purposes designated:

6 For salaries, support, maintenance, and miscellaneous  
7 purposes to provide personnel services for the state  
8 department of transportation:  
9 ..... \$ 330,667

10 Sec. 114. There is appropriated from the Iowa public  
11 employees' retirement system fund to the department of  
12 personnel for the fiscal year beginning July 1, 1991, and  
13 ending June 30, 1992, the following amount, or so much thereof  
14 as is necessary, to be used for the purposes designated:

15 For salaries, support, maintenance, and other operational  
16 purposes to pay the costs of the Iowa public employees'  
17 retirement system:  
18 ..... \$ 3,786,421

19 It is the intent of the general assembly that the Iowa  
20 public employees' retirement system employ sufficient staff  
21 within the appropriation provided in this section to meet the  
22 developing requirements of the investment program.

23 It is the intent of the general assembly that the  
24 department shall continue the design, development, and imple-  
25 mentation of the data information system. Of the amount  
26 appropriated to the Iowa public employees' retirement system,  
27 the sum of \$783,000 shall be used for the design, development,  
28 and implementation of the data information system.

29 Notwithstanding section 8.33, funds designated for this  
30 project that remain unencumbered or unobligated on June 30,  
31 1992, shall not revert to the Iowa public employees'  
32 retirement system fund but shall be available for expenditure  
33 in subsequent years to complete the data information system.

34 The department of personnel shall report on or before  
35 January 1, 1992, and each 6 months thereafter until the data

1 information system is fully implemented to the chairpersons  
2 and ranking members of the administration appropriations  
3 subcommittee and to the legislative fiscal bureau, on the  
4 progress made in implementing the data information system.  
5 The report shall include, but is not limited to, moneys spent  
6 and encumbered, progress made relative to the scheduled  
7 implementation, and benefits or anticipated benefits of the  
8 system.

9 The department of personnel shall report to the  
10 chairpersons and ranking members of the administration  
11 appropriations subcommittee and to the legislative fiscal  
12 bureau the results and effectiveness of the wellness program  
13 pilot project developed and tested by the department of  
14 personnel in conjunction with the state department of  
15 transportation. The department of personnel shall submit the  
16 reports in June and December of each year of the project's  
17 existence and shall submit a final report upon completion of  
18 the project.

19 The department of personnel shall submit, annually, a  
20 report to the chairpersons and ranking members of the  
21 administration appropriations subcommittee and to the  
22 legislative fiscal bureau regarding the results of the state's  
23 top achievement recognition program. The reports submitted  
24 shall include, but are not limited to, identification of the  
25 recipients, a description of the meritorious achievements, and  
26 the awards conferred.

27 Sec. 115. There is appropriated from the general fund of  
28 the state to the department of revenue and finance for the  
29 fiscal year beginning July 1, 1991, and ending June 30, 1992,  
30 the following amounts, or so much thereof as is necessary, to  
31 be used for the purposes designated, and for not more than the  
32 following full-time equivalent positions used for the purposes  
33 designated in subsections 1 through 6:

34 .....	FTEs	644.60
35 1. AUDIT AND COMPLIANCE		

1 For salaries, support, maintenance, and miscellaneous  
2 purposes:

3 ..... \$ 10,061,509

4 2. FINANCIAL MANAGEMENT

5 For salaries, support, maintenance, and miscellaneous  
6 purposes:

7 ..... \$ 6,690,456

8 3. INFORMATION AND MANAGEMENT SYSTEMS

9 For salaries, support, maintenance, and miscellaneous  
10 purposes:

11 ..... \$ 1,986,016

12 4. LOCAL GOVERNMENT SERVICES

13 For salaries, support, maintenance, and miscellaneous  
14 purposes:

15 ..... \$ 1,383,566

16 5. TECHNICAL SERVICES

17 For salaries, support, maintenance, and miscellaneous  
18 purposes:

19 ..... \$ 2,103,024

20 6. ADMINISTRATION

21 For salaries, support, maintenance, and miscellaneous  
22 purposes:

23 ..... \$ 947,439

24 7. For payments of medical, dental, and life insurance  
25 premiums as required in section 79.23:

26 ..... \$ 350,000

27 8. For payments of refunds on security deposits as  
28 required in section 422.52:

29 ..... \$ 500,000

30 Notwithstanding any other provisions of this Act or the  
31 Code, not more than \$1,000,000 of the funds received in  
32 payment of taxes to the state of Iowa from audits conducted by  
33 the department of revenue and finance shall be credited to a  
34 special account in the state treasury and is appropriated for  
35 use by the director of revenue and finance to hire or retain



1 not more than 33 FTEs to conduct audits and investigations and  
2 initiate tax collection proceedings and enforcements if the  
3 director determines that the use of the funds for this purpose  
4 will result in collecting an additional \$2.75 in tax  
5 collections for every dollar expended in the fiscal year  
6 beginning July 1, 1991. The director shall report at least  
7 quarterly to the fiscal committee of the legislative council,  
8 the legislative fiscal bureau, and the co-chairpersons and  
9 ranking minority members of the administration appropriations  
10 subcommittee, concerning the personnel and support services  
11 provided, the funds expended, the tax obligations established,  
12 and the taxes collected under the provisions of this  
13 paragraph.

14 9. The department of revenue and finance shall not change  
15 the appropriations for the purposes designated in subsections  
16 1 through 8 from the amounts appropriated under those  
17 subsections unless notice of the revisions is given prior to  
18 their effective date to the legislative fiscal bureau. The  
19 notice shall include information on the department's rationale  
20 for making the changes.

21 The director shall report annually to the fiscal committee  
22 of the legislative council, the legislative fiscal bureau, and  
23 the chairpersons and ranking members of the administration  
24 appropriations subcommittee concerning the effectiveness of  
25 the tax audits and investigations conducted, the moneys  
26 expended, the tax obligations established, and taxes collected  
27 as a result of the tax collection and enforcement efforts of  
28 the department.

29 The department of revenue and finance shall report quar-  
30 terly to the legislative fiscal bureau concerning progress in  
31 the implementation of generally accepted accounting  
32 principles, including determination of reporting entities,  
33 fund classifications, modification of the Iowa financial  
34 accounting system, progress on preparing a comprehensive  
35 annual financial report, and the most current estimate of the

1 general fund balance based on current generally accepted  
2 accounting principles.

3 Sec. 116. The department of revenue and finance shall  
4 compile and report to the chairpersons and ranking members of  
5 the joint administration appropriations subcommittee and the  
6 legislative fiscal bureau all travel by the elected state  
7 officials and department directors whose offices or  
8 departments are within the budget jurisdiction of the joint  
9 administration appropriations subcommittee. The report shall  
10 include the destination, duration, purpose of the trip, cost,  
11 and funding source. If the expenses are paid or reimbursed  
12 from a source other than the department's or office's travel  
13 budget, the other funding source and the amount paid or  
14 reimbursed shall also be reported.

15 Sec. 117. There is appropriated from the motor vehicle  
16 fuel tax fund created by section 324.77 to the department of  
17 revenue and finance for the fiscal year beginning July 1,  
18 1991, and ending June 30, 1992, the following amount, or so  
19 much thereof as is necessary, to be used for the purposes  
20 designated:

21 For salaries, support, maintenance, and miscellaneous  
22 purposes for administration and enforcement of the provisions  
23 of chapter 324 and the motor vehicle use tax program:

24 ..... \$ 1,049,076

25 Sec. 118. There is appropriated from the lottery fund to  
26 the department of revenue and finance for the fiscal year  
27 beginning July 1, 1991, and ending June 30, 1992, the  
28 following amount, or so much thereof as is necessary, to be  
29 used for the purposes designated:

30 For salaries, support, maintenance, miscellaneous purposes,  
31 and for not more than the following full-time equivalent posi-  
32 tions:

33 ..... \$ 7,050,932

34 ..... FTEs 138.55

35 Sec. 119. There is appropriated from the general fund of

1 the state to the department of management for the fiscal year  
2 beginning July 1, 1991, and ending June 30, 1992, the  
3 following amount, or so much thereof as is necessary, to be  
4 used for the purposes designated:

5 For salaries, support, maintenance, miscellaneous purposes,  
6 and for not more than the following full-time equivalent  
7 positions:

8 ..... \$ 1,563,781  
9 ..... FTEs 30.00

10 Sec. 120. There is appropriated from the road use tax fund  
11 to the department of management for the fiscal year beginning  
12 July 1, 1991, and ending June 30, 1992, the following amount,  
13 or so much thereof as is necessary, to be used for the  
14 purposes designated:

15 For salaries, support, maintenance, and miscellaneous  
16 purposes:

17 ..... \$ 55,000

18 The department of management shall report to the  
19 chairpersons and ranking members of the senate and house  
20 committees on appropriations, the chairpersons and ranking  
21 members of the administration appropriations subcommittees,  
22 the legislative fiscal committee, and the legislative fiscal  
23 bureau, the number of furloughs and the number of layoffs that  
24 occur in each state agency, the savings associated with those  
25 furloughs and layoffs, the effect of the furloughs and layoffs  
26 on services provided by the state agency, and other relevant  
27 information. The department shall provide a year-end report  
28 summarizing the information for fiscal year 1991 on or before  
29 September 1, 1991. The department shall continue this  
30 reporting for fiscal year 1992. A report on the first 5  
31 months of the fiscal year is due by January 2, 1992, and a  
32 year-end report is due by September 1, 1992.

33 Sec. 121. There is appropriated from the general fund of  
34 the state to the department of management for the fiscal year  
35 beginning July 1, 1991, and ending June 30, 1992, the

1 following amount, or so much thereof as is necessary, to be  
2 used for the purposes designated:

3 1. COUNCIL OF STATE GOVERNMENTS

4 For support of the membership assessment:

5 ..... \$ 61,000

6 2. LAW ENFORCEMENT TRAINING REIMBURSEMENTS

7 For reimbursements to local law enforcement agencies for  
8 the training of officers who resign pursuant to section  
9 384.15, subsection 7:

10 ..... \$ 123,000

11 Sec. 122. There is appropriated from the general fund of  
12 the state to the office of state-federal relations for the  
13 fiscal year beginning July 1, 1991, and ending June 30, 1992,  
14 the following amount, or so much thereof as is necessary, to  
15 be used for the purposes designated:

16 For salaries, support, maintenance, miscellaneous purposes,  
17 and for not more than the following full-time equivalent posi-  
18 tions:

19 ..... \$ 220,340

20 ..... FTEs 3.15

\* 21 Sec. 123. The funds collected as administrative and  
22 related overhead costs under section 12.8 for the fiscal year  
23 beginning July 1, 1991, shall be credited to the general fund  
24 of the state. The treasurer of state shall report to the  
25 chairpersons and ranking members of the joint administration  
26 appropriations subcommittee and to the legislative fiscal com-  
27 mittee as to the amounts collected. It is the intent of the  
28 general assembly that commencing with the fiscal year  
29 beginning July 1, 1992, the administrative and related  
30 overhead costs recovered shall become part of the budget of  
31 the office of treasurer of state.

32 Sec. 124. All travel expenses for all state employees  
33 shall be paid through the employee's departmental travel  
34 budget. If travel expenses are reimbursed from funds outside  
35 the department, those moneys shall be transferred to the state

1 employee's department to pay the travel costs.

2 Sec. 125. Section 8.22A, unnumbered paragraph 3, Code  
3 1991, is amended to read as follows:

4 By December 15, 1986 and each succeeding year the  
5 conference shall agree to a revenue estimate for the fiscal  
6 year beginning the following July 1. That estimate shall be  
7 used by the governor in the preparation of the budget message  
8 under section 8.22 and by the legislature in the budget  
9 process. However, the governor shall not use the amount in or  
10 estimated amount in the Iowa economic emergency fund created  
11 in section 8.55 in the preparation of the governor's budget  
12 document.

13 Sec. 126. Section 12.8, unnumbered paragraph 2, Code 1991,  
14 is amended to read as follows:

15 Investment income may be used to maintain compensating  
16 balances, and pay transaction costs for investments made by  
17 the treasurer of state, and pay administrative and related  
18 overhead costs incurred by the treasurer of state in the  
19 management of money. The treasurer of state shall coordinate  
20 with the affected departments to determine how compensating  
21 balances, or transaction costs, or money management and  
22 related costs will be established. All charges against a  
23 retirement system must be documented and notification of the  
24 charges shall be made to the appropriate administration of the  
25 retirement system affected.

26 Sec. 127. Section 554.9407, Code 1991, is amended by  
27 adding the following new subsection:

28 NEW SUBSECTION. 5. The secretary of state may adopt rules  
29 pursuant to chapter 17A, establishing fees in addition to the  
30 uniform fees established in sections 554.9403, 554.9405,  
31 554.9406, and 570A.4, for the acquisition, maintenance, and  
32 support of an optical disc imaging system.

33 Sec. 128. EFFECTIVE DATE. Section 127, being deemed of  
34 immediate importance, takes effect upon enactment.

35

DIVISION II

1 AGRICULTURE AND NATURAL RESOURCES APPROPRIATIONS

2 Sec. 201. There is appropriated from the general fund of  
3 the state to the department of agriculture and land  
4 stewardship for the fiscal year beginning July 1, 1991, and  
5 ending June 30, 1992, the following amounts, or so much  
6 thereof as is necessary, to be used for the purposes  
7 designated:

8 1. ADMINISTRATIVE DIVISION

9 a. For salaries, support, maintenance, and miscellaneous  
10 purposes:

11 ..... \$ 1,185,358

12 b. To the administration division for the purpose of  
13 performing fertilizer audits:

14 ..... \$ 56,367

15 c. To the administration division for the operations of  
16 the dairy trade practices bureau:

17 ..... \$ 101,183

18 d. To the administration division for the purpose of  
19 performing commercial feed audits:

20 ..... \$ 56,367

21 e. Funds appropriated by this subsection are for the  
22 salaries and support of not more than the following full-time  
23 equivalent positions:

24 ..... FTEs 41.20

25 f. As a condition, limitation, and qualification of the  
26 appropriation under paragraph "a", \$35,000 shall be allocated  
27 to the state 4-H foundation to foster the development of  
28 Iowa's youth and to encourage them to study the subject of  
29 agriculture.

30 2. FARM COMMODITY DIVISION

31 a. For salaries, support, maintenance, miscellaneous  
32 purposes, and for not more than the following full-time  
33 equivalent positions:

34 ..... \$ 1,180,053

35 ..... FTEs 23.00

1 b. As a condition, limitation, and qualification of the  
2 appropriation under paragraph "a", \$165,000 shall be used for  
3 research and promotion of ethanol and other alternative fuels,  
4 and to perform in-state promotion of Iowa grown crops. The  
5 duties shall be performed by a full-time equivalent position  
6 which is within the division.

7 3. FARMERS' MARKET COUPON PROGRAM

8 For salaries, support, maintenance, and miscellaneous  
9 purposes, to be used by the department to continue and expand  
10 the farmers' market coupon program by providing federal  
11 special supplemental food program recipients with coupons  
12 redeemable at farmers' markets, and for not more than the  
13 following full-time equivalent positions:

14 .....	\$	198,333
15 .....	FTEs	1.00

16 4. REGULATORY DIVISION

17 a. For salaries, support, maintenance, miscellaneous  
18 purposes, and for not more than the following full-time  
19 equivalent positions:

20 .....	\$	4,129,715
21 .....	FTEs	148.20

22 b. To cover the costs of inspection, sampling, analysis,  
23 and other expenses necessary for the administration of  
24 chapters 192, 194, and 195:

25 .....	\$	645,901
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26 5. LABORATORY DIVISION

27 a. For salaries, support, maintenance, and miscellaneous  
28 purposes:

29 .....	\$	727,274
----------	----	---------

30 As a condition, limitation, and qualification of the  
31 appropriation under this paragraph, \$20,000 shall be used for  
32 the purposes of conducting a statewide gypsy moth detection  
33 survey.

34 b. To the laboratory division for the operations of the  
35 commercial feed programs:

1 ..... \$ 691,675

2 c. To the laboratory division for the operations of the  
3 pesticide programs:

4 ..... \$ 1,140,208

5 d. To the laboratory division for the operations of the  
6 fertilizer programs:

7 ..... \$ 785,397

8 e. Funds appropriated by this subsection are for the  
9 salaries and support of not more than the following full-time  
10 equivalent positions:

11 ..... FTEs 84.00

12 f. The amount of full-time equivalent positions allocated  
13 under paragraph "e" may be exceeded, if all of the following  
14 conditions are satisfied:

15 (1) Additional funding other than from the state general  
16 fund is available during the fiscal year beginning July 1,  
17 1991, and ending June 30, 1992.

18 (2) The legislative council is notified of the additional  
19 funding and the number of full-time equivalent positions to be  
20 increased.

21 (3) The department of management approves the increase in  
22 full-time equivalent positions recommended by the legislative  
23 council.

24 6. SOIL CONSERVATION DIVISION

25 a. For salaries, support, maintenance, assistance to soil  
26 conservation districts, miscellaneous purposes, and for not  
27 more than the following full-time equivalent positions:

28 ..... \$ 5,132,428

29 ..... FTEs 175.52

30 b. To provide financial incentives for soil conservation  
31 practices in accordance with paragraph "c":

32 ..... \$ 6,789,972

33 c. As a condition, limitation, and qualification of the  
34 appropriation under paragraph "b", the following requirements  
35 apply to the funds appropriated by paragraph "b":



1 (1) Not more than 5 percent may be allocated for cost  
2 sharing to abate complaints filed under section 467A.47 and  
3 467A.48.

4 (2) Not more than 10 percent may be allocated for  
5 financial incentives not exceeding 50 percent of the approved  
6 cost of permanent soil conservation practices under chapter  
7 467A on watersheds above publicly owned lakes in accordance  
8 with the priority list required in section 107.33A.

9 (3) The soil conservation district commissioners may  
10 allocate financial incentives not exceeding 60 percent of the  
11 cost of permanent soil conservation practices for special  
12 watershed practices or summer construction incentives under  
13 section 467A.7, subsections 17 and 19.

14 (4) Except for the allocations subject to subparagraphs  
15 (1), (2), and (3), these funds shall not be used alone or in  
16 combination with other public funds to provide a financial  
17 incentive payment greater than 50 percent of the approved cost  
18 for voluntary permanent soil conservation practices and  
19 priority shall be given to family-operated farms.

20 (5) Funds shall not be allocated for financial incentives  
21 for which the appropriation under paragraph "d" is made.

22 (6) The soil conservation committee may allocate funds to  
23 conduct research and demonstration projects to promote  
24 conservation tillage and nonpoint sources pollution control  
25 practices.

26 (7) Not more than 30 percent of a district's allocation  
27 may be allocated by the soil conservation district  
28 commissioners for the establishment of management practices to  
29 control soil erosion on land that is now row cropped.

30 (8) The financial incentive payments may be used in  
31 combination with department of natural resources funds.

32 d. To provide financial incentives for soil conservation  
33 practices not exceeding 100 percent of the approved costs or  
34 100 percent of the actual cost, whichever is less, of  
35 establishing permanent grass and buffer zones as provided

1 under section 467A.48.

2 ..... \$ 206,000

3 e. The provisions of section 8.33 shall not apply to the  
4 funds appropriated by paragraphs "b" and "d". Unencumbered or  
5 unobligated funds remaining on June 30, 1995, from funds  
6 appropriated under paragraphs "b" and "d" for the fiscal year  
7 beginning July 1, 1991, shall revert to the general fund on  
8 September 30, 1995.

9 Sec. 202. There is appropriated from the general fund of  
10 the state to the department of agriculture and land  
11 stewardship for the fiscal year beginning July 1, 1991, and  
12 ending June 30, 1992, the following amounts, or so much  
13 thereof as is necessary, to be used for the purposes  
14 designated:

15 To fund lamb and wool management education projects  
16 approved by the department at community colleges selected as  
17 project sites as provided in section 99E.32, subsection 3,  
18 paragraph "m":

19 ..... \$ 200,000

20 Sec. 203. There is appropriated from the general fund of  
21 the state to the department of agriculture and land  
22 stewardship for the fiscal year beginning July 1, 1991, and  
23 ending June 30, 1992, the following amount, or so much thereof  
24 as is necessary, to be used for the purpose designated:

25 For support of the pseudorabies eradication program:

26 ..... \$ 250,000

27 Sec. 204. There is appropriated from the general fund of  
28 the state to the interstate agricultural grain marketing  
29 commission for the fiscal year beginning July 1, 1991, and  
30 ending June 30, 1992, the following amount, or so much thereof  
31 as is necessary, to be used for the purpose designated:

32 For carrying out duties of the commission as provided in  
33 Article IV of the interstate compact on agricultural grain  
34 marketing as provided in chapter 183:

35 ..... \$ 60,000

1 Sec. 205. There is appropriated from the funds available  
2 under section 99D.13 to the regulatory division of the  
3 department of agriculture and land stewardship for the fiscal  
4 year beginning July 1, 1991, and ending June 30, 1992, the  
5 following amount, or so much thereof as is necessary, to be  
6 used for the purposes designated:

7 For salaries, support, maintenance, and miscellaneous  
8 purposes for the administration of section 99D.22:

9 ..... \$ 174,090

10 Sec. 206. There is appropriated from the general fund of  
11 the state to the department of natural resources for the  
12 fiscal year beginning July 1, 1991, and ending June 30, 1992,  
13 the following amounts, or so much thereof as may be necessary,  
14 to be used for the purposes designated:

15 1. OFFICE OF DIRECTOR

16 For salaries, support, maintenance, miscellaneous purposes,  
17 and for not more than the following full-time equivalent  
18 positions:

19 ..... \$ 56,031

20 ..... FTEs 4.95

21 2. COORDINATION AND INFORMATION DIVISION

22 For salaries, support, maintenance, miscellaneous purposes,  
23 and for not more than the following full-time equivalent  
24 positions:

25 ..... \$ 728,044

26 ..... FTEs 33.95

27 3. ADMINISTRATIVE SERVICES DIVISION

28 For salaries, support, maintenance, miscellaneous purposes,  
29 and for not more than the following full-time equivalent  
30 positions:

31 ..... \$ 1,619,895

32 ..... FTEs 118.15

33 4. PARKS AND PRESERVES DIVISION

34 For salaries, support, maintenance, miscellaneous purposes,  
35 and for not more than the following full-time equivalent

1 positions:

2 ..... \$ 5,464,239

3 ..... FTEs 216.52

4 5. FORESTS AND FORESTRY DIVISION

5 For salaries, support, maintenance, miscellaneous purposes,  
6 and for not more than the following full-time equivalent

7 positions:

8 ..... \$ 1,626,062

9 ..... FTEs 57.71

10 6. ENERGY AND GEOLOGICAL RESOURCES DIVISION

11 For salaries, support, maintenance, miscellaneous purposes,  
12 and for not more than the following full-time equivalent

13 positions:

14 ..... \$ 1,386,097

15 ..... FTEs 59.62

16 7. ENVIRONMENTAL PROTECTION DIVISION

17 For salaries, support, maintenance, miscellaneous purposes,  
18 and for not more than the following full-time equivalent

19 positions:

20 ..... \$ 2,002,785

21 ..... FTEs 158.75

22 8. FISH AND WILDLIFE DIVISION

23 For salaries, support, maintenance, miscellaneous purposes,  
24 and for not more than the following full-time equivalent

25 positions:

26 ..... \$ 0

27 ..... FTEs 335.24

28 9. WASTE MANAGEMENT AUTHORITY

29 For salaries, support, maintenance, miscellaneous purposes,  
30 and for not more than the following full-time equivalent

31 positions:

32 ..... \$ 0

33 ..... FTEs 16.75

34 10. For reimbursement to federal agencies for cooperative

35 contracts:

1 ..... \$ 185,983

2 11. For the green thumb program for the employment of the  
 3 elderly in conservation and outdoor recreation related fields  
 4 in coordination with other agencies as provided by law, and  
 5 for not more than the following full-time equivalent  
 6 positions:

7 ..... \$ 254,000

8 ..... FTEs 18.68

9 12. For programs administered by the energy and geological  
 10 resources division traditionally supported from the energy  
 11 research and development fund:

12 ..... \$ 216,000

13 Sec. 207. There is appropriated from the state fish and  
 14 game protection fund to the division of fish and wildlife of  
 15 the department of natural resources for the fiscal year  
 16 beginning July 1, 1991, and ending June 30, 1992, the  
 17 following amounts, or so much thereof as is necessary, to be  
 18 used for the purposes designated:

19 1. For administrative support:

20 ..... \$ 2,663,106

21 2. For the law enforcement bureau of the fish and wildlife  
 22 division for salaries, support, maintenance, equipment, and  
 23 miscellaneous purposes:

24 ..... \$ 5,154,669

25 3. For the fisheries bureau of the fish and wildlife  
 26 division for salaries, support, maintenance, equipment, and  
 27 miscellaneous purposes:

28 ..... \$ 4,773,909

29 4. For the wildlife bureau of the fish and wildlife  
 30 division for salaries, support, maintenance, equipment, and  
 31 miscellaneous purposes:

32 ..... \$ 5,181,922

33 5. For division management of the fish and wildlife  
 34 division, for salaries, support, maintenance, equipment, and  
 35 miscellaneous purposes:

1 ..... \$ 184,848

2 6. As a condition, limitation, and qualification of the  
3 appropriations under this section, if reductions in  
4 expenditures are determined to be necessary to avoid a budget  
5 deficit in the fish and game protection fund, the department  
6 shall take all actions necessary to avoid using license  
7 receipts or other income for capitals and acquisitions, unless  
8 the Code specifically designates the use or the receipts are  
9 required to match federal funds. The department shall not  
10 reduce personnel until all other actions necessitated by the  
11 expenditure reduction are exhausted.

12 7. As a condition, limitation, and qualification of the  
13 appropriations under this section, funds remaining in the fish  
14 and game protection fund during the fiscal year beginning July  
15 1, 1991, which are not specifically appropriated by this  
16 section are appropriated and may be used for capital projects  
17 and contingencies arising during the fiscal year beginning  
18 July 1, 1991. A contingency shall not include any purpose or  
19 project which was presented to the general assembly by way of  
20 a bill or a proposed bill and which failed to be enacted into  
21 law. For the purpose of this subsection, a necessity of  
22 additional operating funds may be construed as a contingency.  
23 Before any of the funds authorized to be expended by this  
24 subsection are allocated for contingencies, it shall be  
25 determined by the executive council that a contingency exists  
26 and that the contingency was not existent while the general  
27 assembly was in session and that the proposed allocation shall  
28 be for the best interest of the state. If a contingency  
29 arises or could reasonably be foreseen during the time the  
30 general assembly is in session, expenditures for the  
31 contingency must be authorized by the general assembly.

32 Sec. 208. There is appropriated from the marine fuel tax  
33 receipts deposited in the general fund of the state to the  
34 department of natural resources for the fiscal year beginning  
35 July 1, 1991, and ending June 30, 1992, the following amounts,

1 or so much thereof as is necessary, to be used for the  
2 purposes designated:

3 1. To the parks and preserves division for maintenance and  
4 development of boating facilities and access to public waters:  
5 ..... \$ 450,000

6 2. For deposit in the state fish and game protection fund  
7 for the administration and enforcement of navigation laws and  
8 boat safety:  
9 ..... \$ 150,000

10 3. To fund capitals traditionally funded from marine fuel  
11 tax receipts for the purposes specified in section 324.79:  
12 ..... \$ 1,350,000

13 Notwithstanding section 8.33, the unencumbered or  
14 unobligated balances of the amounts appropriated for purposes  
15 of this subsection for the fiscal year beginning July 1, 1991,  
16 shall revert on September 30, 1993.

17 4. To fund expenditures traditionally funded from marine  
18 fuel tax revenues, but not considered as capitals or  
19 operations:  
20 ..... \$ 950,000

21 Sec. 209. There is transferred on July 1, 1991, from the  
22 fees deposited under section 321G.7 to the fish and game  
23 protection fund for the fiscal year beginning July 1, 1991,  
24 and ending June 30, 1992, the following amount, or so much  
25 thereof as is necessary, to be used for the purpose  
26 designated:

27 For the purpose of enforcing snowmobile laws as part of the  
28 state snowmobile program administered by the department of  
29 natural resources:  
30 ..... \$ 100,000

31 Sec. 210. There is transferred on July 1, 1991, from the  
32 fees deposited under section 106.52 to the fish and game  
33 protection fund for the fiscal year beginning July 1, 1991,  
34 and ending June 30, 1992, the following amount, or so much  
35 thereof as is necessary, to be used for the purpose

1 designated:

2 For the purpose of administrating and enforcing navigation  
3 laws and water safety by the department of natural resources:  
4 ..... \$ 950,000

5 Sec. 211. There is transferred on April 1, 1992, from the  
6 fees deposited under section 321G.7 to the fish and game  
7 protection fund for the fiscal year beginning July 1, 1992,  
8 and ending June 30, 1993, the following amount, or so much  
9 thereof as is necessary, to be used for the purpose

10 designated:

11 For the purpose of enforcing snowmobile laws as part of the  
12 state snowmobile program administered by the department of  
13 natural resources:  
14 ..... \$ 100,000

15 Sec. 212. There is transferred on April 1, 1992, from the  
16 fees deposited under section 106.52 to the fish and game  
17 protection fund for the fiscal year beginning July 1, 1992,  
18 and ending June 30, 1993, the following amount, or so much  
19 thereof as is necessary, to be used for the purpose

20 designated:

21 For the purpose of administrating and enforcing navigation  
22 laws and water safety by the department of natural resources:  
23 ..... \$ 950,000

24 Sec. 213. The department of agriculture and land  
25 stewardship and the department of natural resources, in  
26 cooperation as necessary with the department of management and  
27 the department of personnel, shall provide a list to the  
28 legislative fiscal bureau, on a quarterly basis, of all  
29 permanent positions added to or deleted from the departments'  
30 table of organization in the previous fiscal quarter. This  
31 list shall include at least the position number, salary range,  
32 projected funding source or sources of each position, and the  
33 reason for the addition or deletion. The legislative fiscal  
34 bureau may use this information to assist in the establishment  
35 of the full-time equivalent position limits contained in the



1 appropriation bill for the departments.

2 Sec. 214. TRAVEL EXPENSES.

3 1. As a condition, limitation, and qualification of the  
4 funds appropriated in section 201 of this division, the  
5 department of agriculture and land stewardship shall not spend  
6 more than \$39,200 for expenses related to out-of-state travel.

7 2. As a condition, limitation, and qualification of the  
8 funds appropriated in sections 206 and 207 of this division,  
9 the department of natural resources shall not spend more than  
10 \$145,000 for expenses related to out-of-state travel.

11 Sec. 215. Notwithstanding section 17A.2, subsection 7,  
12 paragraph "g", the department of natural resources shall by  
13 rule establish prices of plant material grown at the state  
14 forest nurseries to cover all expenses related to the growing  
15 of the plants.

16 The department shall develop programs to encourage the wise  
17 management and preservation of existing woodlands and shall  
18 increase its efforts to encourage forestation and  
19 reforestation on private and public lands in the state.

20 The department shall encourage a cooperative relationship  
21 between the state forest nurseries and private nurseries in  
22 the state in order to achieve these goals.

23 Sec. 216. The laboratory division of the department of  
24 agriculture and land stewardship, the university of Iowa, and  
25 Iowa state university of science and technology shall  
26 cooperate together in developing a plan for sharing laboratory  
27 resources, eliminating duplication of efforts, and reducing  
28 the expenditures of moneys from the general fund of the state.  
29 The laboratory shall submit the plan to the members of the  
30 agriculture and natural resources appropriations subcommittee  
31 of the committees on appropriations in the senate and house of  
32 representatives, and to the legislative fiscal bureau by  
33 January 13, 1992.

34 Sec. 217. Moneys granted pursuant to the council of great  
35 lakes governors regional biomass energy program shall be

1 awarded to the department of agriculture and land stewardship  
2 to the extent permitted by federal law and policies adopted by  
3 the council of great lakes governors.

4 Sec. 218. The department of revenue and finance in  
5 cooperation with the department of agriculture and land  
6 stewardship and the department of natural resources shall  
7 track receipts to the general fund which have traditionally  
8 been deposited into the following funds:

9 1. The fertilizer fund created in section 200.9.

10 2. The pesticide fund created in section 206.12.

11 3. The dairy trade practices trust fund pursuant to  
12 section 192A.30.

13 4. The milk fund created in section 192.47.

14 5. The commercial feed trust fund created in section  
15 198.9.

16 6. The marine fuel tax fund created in section 324.79.

17 7. The energy research and development fund created in  
18 section 93.14.

19 The departments designated in this section shall prepare  
20 reports detailing revenue from receipts traditionally  
21 deposited into each of the funds. A report shall be submitted  
22 to the legislative fiscal bureau at least once for each 3-  
23 month period as designated by the legislative fiscal bureau.

24 Sec. 219. The general assembly requests that the center  
25 for health effects of environmental contamination at the  
26 university of Iowa study to the extent practicable the  
27 contribution to groundwater and surface water contamination  
28 caused by the application of lawn care chemicals. A report  
29 prepared by the center shall be forwarded to the secretary of  
30 the senate and chief clerk of the house of representatives as  
31 soon as possible.

32 Sec. 220. The department of natural resources shall  
33 provide the legislative fiscal bureau information and  
34 financial data by cost center, on at least a monthly basis,  
35 relating to the indirect cost accounting procedure, the amount

1 of funding from each funding source for each cost center, and  
2 the internal budget system used by the department. The  
3 information shall include but is not limited to financial data  
4 covering the department's budget by cost center and funding  
5 source prior to the start of the fiscal year, and to the  
6 department's actual expenditures by cost center and funding  
7 source after the accounting system has been closed for that  
8 fiscal year.

9 Sec. 221. During the fiscal year for which funds are  
10 appropriated by section 206 of this division, the department  
11 of natural resources shall not require the installation or use  
12 of equipment to control the emission of dust or other  
13 particulate matter on or by facilities for storage of grain  
14 which are located within the ambient air quality attainment  
15 areas for suspended particulates.

16 Sec. 222. Notwithstanding 1990 Iowa Acts, chapter 1260,  
17 section 8, as amended by 1991 Iowa Acts, House File 173, the  
18 environmental protection division of the department of natural  
19 resources may fill 157.55 FTEs.

20 Sec. 223. Section 107.23, Code 1991, is amended to read as  
21 follows:

22 107.23 GENERAL DUTIES.

23 The commission department shall protect, propagate,  
24 increase, and preserve the wild mammals, fish, birds,  
25 reptiles, and amphibians of the state and enforce by proper  
26 actions and proceedings the laws, rules, and regulations  
27 relating to them. The commission department shall collect,  
28 classify, and preserve all statistics, data, and information  
29 as in its opinion tend to promote the objects of this chapter,  
30 conduct research in improved conservation methods, and  
31 disseminate information to residents and nonresidents of Iowa  
32 in conservation matters.

33 ~~Upon the issuance of such data and information in printed~~  
34 ~~form to private individuals, groups or clubs, the commission~~  
35 ~~shall be entitled to charge therefor the actual cost of~~

1 ~~printing and publication as determined by the state printer.~~

2 Sec. 224. NEW SECTION. 107.33A WATERSHED PRIORITY.

3 The commission shall each year establish a priority list of  
4 watersheds which are of highest importance based on soil loss  
5 to be used for the allocation of moneys set aside in annual  
6 appropriations from the general fund to the department of  
7 agriculture and land stewardship for permanent soil  
8 conservation practices under chapter 467A on watersheds above  
9 publicly owned lakes. Chapter 17A does not apply to this  
10 section.

11 Sec. 225. NEW SECTION. 159.9A REPORTS REQUIRED TO BE  
12 FILED WITH THE GENERAL ASSEMBLY.

13 A report required to be filed with the general assembly by  
14 the department or secretary shall be filed according to  
15 procedure provided in the provision requiring the report. If  
16 the provision is silent regarding a procedure this section  
17 shall provide the applicable procedures.

18 1. The report shall be filed not later than the second  
19 Monday in January in the year after the report is required  
20 with the following persons:

21 a. The secretary of the senate and the chief clerk of the  
22 house of representatives who shall each receive ten copies.

23 b. The directors of each of the staffs of the majority and  
24 minority parties in the senate and house of representatives  
25 who shall each receive two copies.

26 c. The directors of the legislative service bureau and the  
27 legislative fiscal bureau who shall each receive two copies.

28 2. On February 1 and August 1 of each year, the department  
29 shall deliver to each member of the general assembly a list of  
30 titles of reports produced by the department during the  
31 previous six months. The department shall provide a copy of  
32 available reports upon request to a member of the general  
33 assembly or a person serving as partisan or nonpartisan staff  
34 to the general assembly.

35 Sec. 226. Section 173.14B, subsection 1, unnumbered

1 paragraph 1, Code 1991, is amended to read as follows:

2 The board may issue and sell negotiable revenue bonds of  
3 the authority in denominations and amounts as the board deems  
4 for the best interests of the fair, ~~for any of the following~~  
5 purposes after authorization. However, the board must first  
6 submit a list of the purposes ranked by priority and a purpose  
7 must be authorized by a constitutional majority of each house  
8 of the general assembly and approval by the governor. A  
9 purpose must be one of the following:

10 Sec. 227. Section 173.14B, subsection 2, Code 1991, is  
11 amended to read as follows:

12 2. The board may issue negotiable bonds and notes of the  
13 authority in principal amounts which are necessary to provide  
14 sufficient funds for achievement of its corporate purposes,  
15 the payment of interest on its bonds and notes, the  
16 establishment of reserves to secure its bonds and notes, and  
17 all other expenditures of the board incident to and necessary,  
18 subject to authorization and approval required under  
19 subsection 1. However, the total principal amount of bonds  
20 and notes outstanding at any time under subsection 1 and this  
21 subsection shall not exceed one-hundred-fifty six million  
22 dollars. The bonds and notes are deemed to be investment  
23 securities and negotiable instruments within the meaning of  
24 and for all purposes of the uniform commercial code.

25 Sec. 228. Section 455A.5, subsection 6, Code 1991, is  
26 amended by adding the following new paragraph:

27 NEW PARAGRAPH. e. Adopt, by rule, a schedule of fees for  
28 permits, including conditional permits, and a schedule of fees  
29 for administration of the permits. The fees shall be  
30 collected by the department and used to offset costs incurred  
31 in administering a program for which the issuance of the  
32 permit is made or under which enforcement is carried out. In  
33 determining the fee schedule, the commission shall consider  
34 all of the following:

35 (1) The reasonable costs associated with reviewing

1 applications, issuing permits, and monitoring compliance with  
2 the terms of issued permits.

3 (2) The relative benefits to the applicant and to the  
4 public of a permit review, permit issuance, and monitoring  
5 compliance with the terms of the permit.

6 (3) The typical costs associated with a type of project or  
7 activity for which a permit is required. However, a fee shall  
8 not exceed the actual costs incurred by the department.

9 Sec. 229. Section 455A.6, subsection 6, paragraph d, Code  
10 1991, is amended to read as follows:

11 d. Approve the budget request prepared by the director for  
12 the programs authorized by chapters 455B, 455C, 455E, and  
13 455F. The commission shall approve the budget request  
14 prepared by the director for programs administered by the  
15 energy and geological resources division, the administrative  
16 services division, and the office of the director, as provided  
17 in section 455A.7. The commission may increase, decrease, or  
18 strike any item within the department budget request for the  
19 specified programs before granting approval.

20 Sec. 230. Section 455A.7, subsection 1, unnumbered  
21 paragraph 1, Code 1991, is amended to read as follows:

22 The following ~~divisions~~ administrative units are created  
23 within the department:

24 Sec. 231. Section 455A.7, subsection 1, Code 1991, is  
25 amended by adding the following new paragraphs:

26 NEW PARAGRAPH. i. Waste management authority which has  
27 responsibilities provided in chapter 455B, part 9.

28 NEW PARAGRAPH. j. Office of the director which has  
29 responsibilities for administering the department.

30 Sec. 232. NEW SECTION. 455A.9 FEES -- PUBLICATIONS AND  
31 RECORDS.

32 1. The department may establish a schedule of fees for the  
33 following:

34 a. Subscriptions to a publication produced by the  
35 department, including periodicals. However, this subsection

1 does not apply to application forms and materials intended for  
2 general distribution which explain departmental programs or  
3 duties.

4 Fees shall be based on the amount required to recover the  
5 reasonable costs of producing a publication, including costs  
6 relating to preparing, printing, publishing, and distributing  
7 the publication. The department may establish special rates  
8 for educational institutions, other governmental entities, or  
9 multiple year subscribers. The department may reduce the fees  
10 charged for a publication by the amount of available money  
11 appropriated by a person other than the state for purposes of  
12 the production. Space in a publication may be reserved for  
13 advertising or information, including public announcements.  
14 The department may charge a person a fee to provide  
15 advertising or information in a publication. Revenues  
16 resulting from the sales of a publication, or fees charged to  
17 provide advertising or information, which exceed production  
18 costs shall be used to augment funds supporting programs  
19 administered by the department.

20 b. Providing copies of departmental records available  
21 pursuant to chapter 22. Fees shall be based on the amount  
22 required to recover the reasonable costs of collecting,  
23 compiling, maintaining, copying, and distributing the records.  
24 However, the department shall not charge a person more than  
25 the cost of copying and distributing a record, if the person  
26 is directly related to the record.

27 c. Providing copies of complete or significant parts of  
28 data sets. Fees shall be based on the fair market value of  
29 the data. However, the department may establish a special  
30 rate for persons not engaged in for-profit enterprises.

31 d. Providing copies of part or all of analyses produced by  
32 the department. The fees shall be based on the amount  
33 required to recover the reasonable costs of collecting,  
34 compiling, maintaining, and analyzing the data.

35 2. The department may implement fees required under this

1 section according to a schedule developed by the department.  
2 However, fees charged for publications shall be fully  
3 implemented within six years from the date that the department  
4 establishes a fee schedule.

5 Sec. 233. NEW SECTION. 455A.21 REPORTS REQUIRED TO BE  
6 FILED WITH THE GENERAL ASSEMBLY.

7 A report required to be filed with the general assembly by  
8 the department or director shall be filed according to  
9 procedures provided in the provision requiring the report. If  
10 the provision is silent regarding a procedure this section  
11 shall provide the following applicable procedures:

12 1. The report shall be filed not later than the second  
13 Monday in January in the year after the report is required  
14 with the following persons:

15 a. The secretary of the senate and the chief clerk of the  
16 house of representatives who shall each receive ten copies.

17 b. The directors of each of the staffs of the majority and  
18 minority parties in the senate and house of representatives  
19 who shall each receive two copies.

20 c. The directors of the legislative service bureau and the  
21 legislative fiscal bureau who shall each receive two copies.

22 2. On February 1 and August 1 of each year, the department  
23 shall deliver to each member of the general assembly a list of  
24 titles of reports produced by the department during the  
25 previous six months. The department shall provide a copy of  
26 available reports upon request to a member of the general  
27 assembly or a person serving as partisan or nonpartisan staff  
28 to the general assembly.

29 Sec. 234. Section 467A.48, subsection 1, paragraph c,  
30 unnumbered paragraph 1, Code 1991, is amended to read as  
31 follows:

32 The Except as otherwise provided in this chapter, the  
33 amount of cost-sharing funds made available shall not exceed  
34 fifty percent of the estimated cost as established by the  
35 commissioners of a permanent soil and water conservation



1 practice, or fifty percent of the actual cost, whichever is  
2 less, or an amount set by the committee for a temporary soil  
3 and water conservation practice, except as otherwise provided  
4 by law with respect to land classified as agricultural land  
5 under conservation cover.

6 DIVISION III

7 ECONOMIC DEVELOPMENT APPROPRIATIONS

8 Sec. 301. There is appropriated from the general fund of  
9 the state to the department of economic development for the  
10 fiscal year beginning July 1, 1991, and ending June 30, 1992,  
11 the following amounts, or so much thereof as is necessary, to  
12 be used for the purposes designated:

13 1. ADMINISTRATIVE SERVICES DIVISION

14 a. General administration

15 For salaries, support, maintenance, miscellaneous purposes,  
16 and for not more than the following full-time equivalent  
17 positions:

18 .....	\$	915,000
19 .....	FTEs	23.00

20 b. Rural resource coordination

21 For salaries, support, maintenance, miscellaneous purposes,  
22 and for not more than the following full-time equivalent  
23 positions for rural resource coordination, the rural community  
24 leadership program, and the rural enterprise fund:

25 .....	\$	765,000
26 .....	FTEs	2.50

27 As a condition, limitation, and qualification of the  
28 appropriation under this subsection, \$140,000 shall be  
29 allocated for the rural community leadership program, and  
30 \$450,000 shall be allocated to the rural enterprise fund.

31 c. Primary research and computer center

32 For salaries, support, maintenance, miscellaneous purposes,  
33 and for not more than the following full-time equivalent  
34 positions:

35 .....	\$	350,000
----------	----	---------

1 ..... FTEs 6.50

2 d. Film office

3 For salaries, support, maintenance, miscellaneous purposes,  
4 and for not more than the following full-time equivalent  
5 positions:

6 ..... \$ 200,000

7 ..... FTEs 2.00

8 2. BUSINESS DEVELOPMENT DIVISION

9 a. Business development operations

10 For salaries, support, maintenance, miscellaneous purposes,  
11 and for not more than the following full-time equivalent  
12 positions:

13 ..... \$ 910,000

14 ..... FTEs 18.00

15 As a condition, limitation, and qualification of the  
16 appropriation made in this subsection, the appropriation shall  
17 not be used for advertising placement contracts for out-of-  
18 state national marketing programs.

19 As a condition, limitation, and qualification of the  
20 appropriation made by this paragraph, the department shall  
21 establish a marketing initiative to assist Iowa companies  
22 producing recycling or reclamation equipment or services to  
23 expand into national markets.

24 b. Marketing advertising

25 For contracting exclusively for marketing and promotion  
26 programs and services and advertising contracts for business  
27 expansion and development programs, for electronic media,  
28 print media, and printed materials:

29 ..... \$ 2,300,000

30 c. Small business programs

31 For salaries, support, maintenance, miscellaneous purposes,  
32 and for not more than the following full-time equivalent  
33 positions for the small business program and the small  
34 business advisory council:

35 ..... \$ 235,000

1 ..... FTEs 4.50

2 d. Incubators:

3 ..... \$ 70,000

4 e. Strategic investment fund

5 For deposit in the strategic investment fund created in  
 6 section 15.313 and for salaries and support for not more than  
 7 the following full-time equivalent positions:

8 ..... \$ 4,680,000

9 ..... FTEs 9.40

10 f. Targeted small business program

11 For the salary, support, maintenance, miscellaneous  
 12 purposes, and for not more than the following full-time  
 13 equivalent position:

14 ..... \$ 50,000

15 ..... FTEs 1.00

16 g. Comprehensive management assistance

17 For the salary, support, maintenance, miscellaneous  
 18 purposes, and for not more than the following full-time  
 19 equivalent position:

20 ..... \$ 300,000

21 ..... FTEs 1.00

22 Notwithstanding section 8.33, moneys committed to grantees  
 23 under contract that remain unexpended on June 30 of any fiscal  
 24 year shall not revert to any fund but shall be available for  
 25 expenditure for purposes of the contract during the succeeding  
 26 fiscal year.

27 3. COMMUNITY AND RURAL DEVELOPMENT DIVISION

28 a. Community development block grant

29 For administration and related federal housing and urban  
 30 development grant administration for salaries, support,  
 31 maintenance, miscellaneous purposes, and for not more than the  
 32 following full-time equivalent positions:

33 ..... \$ 320,855

34 ..... FTEs 14.00

35 b. Rural community 2000 program

1 For salaries, support, maintenance, miscellaneous purposes,  
2 and for not more than the following full-time equivalent  
3 positions:

4 ..... \$ 1,600,000  
5 ..... FTEs 1.25

6 Notwithstanding section 15.283, subsection 4, for the  
7 fiscal year beginning July 1, 1991, and ending June 30, 1992,  
8 all funds allocated under this paragraph shall be used for  
9 traditional and new infrastructure as specified under sections  
10 15.284 and 15.285.

11 c. Community progress

12 For salaries, support, maintenance, miscellaneous purposes,  
13 and for not more than the following full-time equivalent  
14 positions for administration of the community economic  
15 preparedness program, the Iowa community betterment program,  
16 and the city development board:

17 ..... \$ 205,000  
18 ..... FTEs 5.00

19 d. Councils of governments

20 To provide to Iowa's councils of governments funds for  
21 planning and technical assistance funds to assist local  
22 governments to develop community development strategies for  
23 addressing long-term and short-term community needs:

24 ..... \$ 300,000

25 e. Main street/rural main street program

26 For salaries and support for not more than the following  
27 full-time equivalent positions:

28 ..... \$ 365,000  
29 ..... FTEs 3.00

30 Notwithstanding section 8.33, moneys committed to grantees  
31 under contract that remain unexpended on June 30 of any fiscal  
32 year shall not revert to any fund but shall be available for  
33 expenditure for purposes of the contract during the succeeding  
34 fiscal year.

35 f. Regional economic development centers

1 For salaries, support, maintenance, and miscellaneous  
 2 purposes, and for not more than the following full-time  
 3 equivalent positions:

4 ..... \$ 710,000  
 5 ..... FTEs 3.00

6 4. INTERNATIONAL DIVISION

7 a. International trade operations

8 For salaries, support, maintenance, miscellaneous purposes,  
 9 and for not more than the following full-time equivalent  
 10 positions:

11 ..... \$ 500,000  
 12 ..... FTEs 6.00

13 b. European trade office

14 For salaries, support, maintenance, miscellaneous purposes,  
 15 and for not more than the following full-time equivalent  
 16 positions:

17 ..... \$ 340,000  
 18 ..... FTEs 2.50

19 c. Asian trade office

20 For salaries, support, maintenance, miscellaneous purposes,  
 21 and for not more than the following full-time equivalent  
 22 positions:

23 ..... \$ 255,000  
 24 ..... FTEs 2.00

25 d. Japan trade office

26 For salaries, support, maintenance, miscellaneous purposes,  
 27 and for not more than the following full-time equivalent  
 28 positions:

29 ..... \$ 300,000  
 30 ..... FTEs 2.00

31 e. Export trade activities program

32 For export trade activities, including a program to  
 33 encourage and increase participation in trade shows and trade  
 34 missions by providing financial assistance to businesses for a  
 35 percentage of their costs of participating in trade shows and

1 trade missions, by providing for the lease/sublease of  
2 showcase space in existing world trade centers, by providing  
3 temporary office space for foreign buyers, international  
4 prospects, and potential reverse investors, and by providing  
5 other promotional and assistance activities, including  
6 salaries and support for not more than the following full-time  
7 equivalent position:

8 ..... \$ 350,000  
9 ..... FTEs 0.25

10 f. Agricultural product advisory council

11 For support, maintenance, and miscellaneous purposes:

12 ..... \$ 4,000

13 g. Partner state program:

14 ..... \$ 100,000

15 The department may contract with private groups or  
16 organizations which are the most appropriate to administer  
17 this program. The groups and organizations participating in  
18 the program shall, to the fullest extent possible, provide the  
19 funds to match the appropriation made in this paragraph.

20 h. Peace institute

21 For allocation to the Iowa peace institute established in  
22 chapter 38:

23 ..... \$ 145,000

24 5. TOURISM DIVISION

25 a. Tourism operations

26 For salaries, support, maintenance, miscellaneous purposes,  
27 and for not more than the following full-time equivalent  
28 positions:

29 ..... \$ 685,000

30 ..... FTEs 15.97

31 As a condition, limitation, and qualification of the  
32 appropriation made in this paragraph, the appropriation shall  
33 not be used for advertising placements for in-state and out-  
34 of-state tourism marketing.

35 b. Tourism advertising

1 For contracting exclusively for tourism advertising for in-  
2 state and out-of-state tourism marketing services, tourism  
3 promotion programs, electronic media, print media, and printed  
4 materials:

5 ..... \$ 2,740,000

6 As a condition, limitation, and qualification of the  
7 appropriation made in this paragraph, the department shall  
8 develop public-private partnerships with Iowa businesses in  
9 the tourism industry, Iowa tour groups, Iowa tourism  
10 organizations, and political subdivisions in this state to  
11 assist in the development of advertising efforts. The  
12 department shall, to the fullest extent possible, develop  
13 cooperative efforts for advertising with contributions from  
14 other sources.

15 c. Welcome center program:

16 ..... \$ 350,000

17 Notwithstanding section 8.33, moneys committed to grantees  
18 under contract that remain unexpended on June 30 of any fiscal  
19 year shall not revert to any fund but shall be available for  
20 expenditure for purposes of the contract during the succeeding  
21 fiscal year.

22 As a condition, limitation, and qualification of the  
23 appropriations made in this subsection, moneys appropriated  
24 shall be used for implementation of the recommendations of the  
25 statewide long-range plan for developing and operating welcome  
26 centers throughout the state.

27 d. Mississippi river parkway commission

28 For support, maintenance, and miscellaneous purposes:

29 ..... \$ 19,000

30 6. WORK FORCE DEVELOPMENT DIVISION

31 a. Youth work force programs

32 For purposes of the conservation corps, including salary,  
33 support, maintenance, miscellaneous purposes, and for not more  
34 than the following full-time equivalent positions:

35 ..... \$ 1,150,000

1 ..... FTEs 1.90

2 Notwithstanding section 8.33, moneys committed to grantees  
3 under contract that remain unexpended on June 30 of any fiscal  
4 year shall not revert to any fund but shall be available for  
5 expenditure for purposes of the contract during the succeeding  
6 fiscal year.

7 b. Job retraining program

8 To the Iowa employment retraining fund created in section  
9 15.298 including salaries and support for not more than the  
10 following full-time equivalent positions:

11 ..... \$ 1,000,000

12 ..... FTEs 1.60

13 c. Work force investment program including salaries and  
14 support for not more than the following full-time equivalent  
15 position:

16 ..... \$ 1,000,000

17 ..... FTEs 0.90

18 This program shall be administered through the department  
19 of economic development in consultation with the state job  
20 training coordinating council. The program shall be operated  
21 on a competitive grant basis and funds shall be available for  
22 projects that increase Iowa's pool of available labor via  
23 training and support services. \$300,000 of the amount  
24 appropriated in this paragraph shall be available specifically  
25 for displaced homemaker programs.

26 d. Labor management councils

27 For salaries, support, maintenance, miscellaneous purposes,  
28 and for not more than the following full-time equivalent  
29 positions:

30 ..... \$ 200,000

31 ..... FTEs 1.05

32 As a condition, limitation, and qualification of receiving  
33 a grant from funds appropriated by this paragraph, grantees  
34 shall facilitate the active participation of labor as members  
35 of labor management councils. Grantees shall make a good



1 faith effort to either schedule meetings during nonworking  
2 hours, or obtain voluntary agreements with employers to allow  
3 employees time off to attend labor management council meetings  
4 with no loss of pay or other benefits.

5 Notwithstanding section 8.33, moneys committed to grantees  
6 under contract that remain unexpended on June 30 of any fiscal  
7 year shall not revert to any fund but shall be available for  
8 expenditure for purposes of the contract during the succeeding  
9 fiscal year.

10 Notwithstanding 1990 Iowa Acts, chapter 1255, section 37,  
11 subsection 2, moneys remaining unencumbered or unobligated  
12 from the funds appropriated for the labor management councils  
13 for the fiscal year beginning July 1, 1989, in section 99E.32,  
14 subsection 3, paragraph "k", shall be available for  
15 expenditure for the fiscal year beginning July 1, 1991, for  
16 the same purposes.

17 e. Productivity enhancement:

18 ..... \$ 150,000

19 Notwithstanding section 8.33, moneys committed to grantees  
20 under contract that remain unexpended on June 30 of any fiscal  
21 year shall not revert to any fund but shall be available for  
22 expenditure for purposes of the contract during the succeeding  
23 fiscal year.

24 Sec. 302. Notwithstanding section 28.120, subsections 5  
25 and 6, there is appropriated from the Iowa community  
26 development loan fund to the department of economic  
27 development for the fiscal year beginning July 1, 1991, and  
28 ending June 30, 1992, the following amount, or so much thereof  
29 as is necessary, to be used for the purposes designated:

30 RURAL DEVELOPMENT FINANCING:

31 ..... \$ 50,000

32 Notwithstanding section 8.39, funds appropriated by this  
33 section shall not be subject to transfer.

34 Sec. 303. Notwithstanding section 15.251, subsection 2,  
35 there is appropriated from the job training fund created in

1 the office of the treasurer of state for the fiscal year  
2 beginning July 1, 1991, and ending June 30, 1992, the  
3 following amount, or so much thereof as is necessary, to be  
4 used for the purpose designated:

5 For administration of chapter 280B, including salaries,  
6 support, maintenance, miscellaneous purposes, and for not more  
7 than the following full-time equivalent positions:

8 .....	\$	125,000
9 .....	FTEs	2.40

10 Sec. 304. There is appropriated from the general fund of  
11 the state to the Iowa finance authority for the fiscal year  
12 beginning July 1, 1991, and ending June 30, 1992, the  
13 following amounts, or so much thereof as is necessary, to be  
14 used for the purposes designated:

15 1. HOMELESS SHELTER PROGRAM

16 To be deposited in the housing trust fund, for the  
17 operation, construction, and rehabilitation of homeless  
18 shelters under section 220.100, subsection 2, paragraph "a":

19 ..... \$ 1,000,000

20 a. Of the amount appropriated in this subsection, as  
21 nearly as practicable, \$675,000 shall be used for operating  
22 costs, including utilities, maintenance, food, clothing, and  
23 other supplies, or staff support services for homeless  
24 shelters; \$225,000 shall be used for construction and  
25 rehabilitation of homeless shelters; and \$100,000 shall be  
26 used for assistance to homeless shelters that are facing  
27 closure. If the moneys allocated for any purposes in this  
28 paragraph are not used or dedicated by February 1 of the  
29 fiscal year, the moneys may be reallocated for the other  
30 purposes in this paragraph that have the most need as  
31 determined by the Iowa finance authority.

32 b. As a condition, limitation, and qualification of the  
33 \$1,000,000 appropriation to the housing trust fund in this  
34 subsection and notwithstanding section 200.100, subsection 6,  
35 from the moneys available for operating costs of and staff

1 support services for homeless shelters in paragraph "a", the  
2 Iowa finance authority shall contract with a nongovernmental  
3 entity to administer the funds available for operating costs  
4 of and staff support services for homeless shelters.

5 2. HOME MAINTENANCE AND RENTAL REHABILITATION PROGRAM

6 To be deposited in the housing trust fund, to be used for  
7 the programs provided in section 220.100, subsection 2,  
8 paragraphs "b" and "c":

9 ..... \$ 400,000

10 The Iowa finance authority may award reimbursement for the  
11 costs incurred in submitting grant applications.

12 3. HOUSING ASSISTANCE PROGRAM

13 a. To provide mortgage and finance assistance to  
14 individuals for the purchase or acquisition of homes:

15 ..... \$ 500,000

16 b. Of the amount appropriated in paragraph "a", \$200,000  
17 shall be used to finance the purchase or acquisition, in  
18 communities with a population of less than 10,000,  
19 manufactured homes as defined in 42 U.S.C. § 5403.

20 c. Funds provided under paragraph "a" shall not be  
21 restricted to first-time home buyers but shall be for lower  
22 income and very low income families as defined in section  
23 220.1. The assistance provided shall include at least one of  
24 the following kinds of assistance:

25 (1) Closing costs assistance.

26 (2) Down payment assistance.

27 (3) Home maintenance and repair assistance.

28 (4) Loan processing assistance through a loan endorser  
29 review contractor who would act on behalf of the authority in  
30 assisting lenders in processing loans that will qualify for  
31 government insurance or guarantee or for financing under the  
32 authority's mortgage revenue bond program.

33 (5) Mortgage insurance program.

34 Not more than 50 percent of the assistance provided by the  
35 authority shall be provided under subparagraphs (4) and (5).

1 So long as at least one of the kinds of assistance described  
2 in subparagraphs (1) through (5) are provided, additional  
3 assistance not described in subparagraphs (1) through (5) may  
4 also be provided.

5 d. Assistance provided under paragraph "a" shall be  
6 limited to mortgages under \$55,000, except in those areas of  
7 the state where the median price of homes exceeds the state  
8 average.

9 4. RURAL COMMUNITY 2000 PROGRAM:

10 ..... \$ 1,400,000

11 Notwithstanding section 15.283, subsection 4, for the  
12 fiscal year beginning July 1, 1991, and ending June 30, 1992,  
13 all funds allocated under this paragraph shall be used for the  
14 housing category as specified under section 15.286.

15 Sec. 305. There is appropriated from the general fund of  
16 the state to the Wallace technology transfer foundation for  
17 the fiscal year beginning July 1, 1991, and ending June 30,  
18 1992, the following amount, or so much thereof as is  
19 necessary, to be used for the purposes designated:

20 For salaries, support, maintenance, and other operational  
21 purposes, for funding the small business innovation research  
22 program, for transfer to the Iowa product development  
23 corporation fund established in section 28.89, and for funding  
24 activities as provided in section 28.158:

25 ..... \$ 4,460,000

26 As a condition, limitation, and qualification of the  
27 appropriation under this section, \$300,000 shall be allocated  
28 for the applied technology program at the university of  
29 northern Iowa.

30 Sec. 306. There is appropriated from the general fund of  
31 the state to INTERNET for the fiscal year beginning July 1,  
32 1991, and ending June 30, 1992, the following amount, or so  
33 much thereof as is necessary, to be used for the purposes  
34 designated:

35 For deposit in the international network on trade fund

1 created by the INTERNET board:

2 ..... \$ 515,000

3 As a condition, limitation, and qualification of the  
4 appropriation under this section, \$140,000 shall be allocated  
5 for the Iowa international development foundation for the  
6 salaries and support for not more than the following full-time  
7 equivalent positions:

8 ..... FTEs 1.50

9 The full-time equivalent positions receiving moneys under  
10 this section are employees of the department of economic  
11 development.

12 Sec. 307. There is appropriated from the general fund of  
13 the state to the following named institutions for the fiscal  
14 year beginning July 1, 1991, and ending June 30, 1992, the  
15 following amounts, or so much thereof as is necessary, to be  
16 used for the purposes designated:

17 1. To the university of northern Iowa for the decision-  
18 making science institute:

19 ..... \$ 575,000

20 2. To the Iowa state university of science and technology  
21 for funding the small business development centers:

22 ..... \$ 890,000

23 As a condition, limitation, and qualification of the  
24 appropriation under this subsection, \$100,000 shall be  
25 allocated for the federal procurement office for the salaries  
26 and support for not more than the following full-time  
27 equivalent positions:

28 ..... FTEs 2.00

29 3. To the Iowa state university of science and technology  
30 for the institute for physical research and technology:

31 ..... \$ 500,000

32 4. To the state university of Iowa for the center for  
33 biocatalysis:

34 ..... \$ 396,000

35 Sec. 308. There is appropriated from the community college

1 job training fund created in section 280C.6, subsection 1, as  
2 amended by 1991 Iowa Acts, Senate File 90, to the department  
3 of economic development for the fiscal year beginning July 1,  
4 1991, and ending June 30, 1992, the following amount, or so  
5 much thereof as is necessary, to be used for the purposes  
6 designated:

7 For salaries, support, maintenance, and miscellaneous  
8 purposes for the administration of the Iowa small business new  
9 jobs training Act, and for not more than the following full-  
10 time equivalent position:

11 .....	\$	38,954
12 .....	FTEs	.70

13 Sec. 309. Section 99E.31, subsection 2, Code 1991, is  
14 amended by striking the subsection.

15 Sec. 310. Section 99E.32, subsection 2, Code 1991, is  
16 amended by striking the subsection.

17 Sec. 311. Section 15.241, unnumbered paragraphs 1 and 2,  
18 Code 1991, are amended to read as follows:

19 ~~The department shall establish, contingent upon the~~  
20 ~~availability of funds authorized for the program, There is~~  
21 established a "self-employment loan program, account" within  
22 the strategic investment fund created in section 15.313 to  
23 provide funding for the self-employment loan program which  
24 program is to be conducted in coordination with the job  
25 training partnership program and other programs administered  
26 under section 15.108, subsection 6, paragraph "c". The  
27 department may contract with local community action agencies  
28 or other local entities in administering the program, and  
29 shall work with the department of employment services and the  
30 department of human services in developing the program.

31 The self-employment loan program shall administer a low-  
32 interest loan program to provide loans to low-income persons  
33 for the purpose of establishing or expanding small business  
34 ventures. The terms of the loans shall be determined by the  
35 department, but shall not be in excess of five thousand

1 dollars to any single applicant or at a rate to exceed five  
2 percent simple interest per annum. A self-employment-loan  
3 program-revolving-loan-fund-shall-be-established-within-the  
4 department. The department shall maintain records of all  
5 loans approved and the effectiveness of those loans in  
6 establishing or expanding small business ventures.

7 Sec. 312. Section 15.241, Code 1991, is amended by adding  
8 the following new unnumbered paragraph:

9 NEW UNNUMBERED PARAGRAPH. Payments of interest and  
10 repayments of moneys awarded under this program shall be  
11 deposited into the strategic investment fund.

12 Sec. 313. Section 15.247, subsections 2 and 3, Code 1991,  
13 are amended to read as follows:

14 2. The department shall establish, contingent upon the  
15 availability of funds authorized for the program, There is  
16 established a "targeted small business financial assistance  
17 program account" within the strategic investment fund created  
18 in section 15.313, to provide for loans, loan guarantees,  
19 revolving loans, loans secured by accounts receivable, or  
20 grants to targeted small businesses. A targeted small  
21 business in any year shall receive under this program not more  
22 than twenty-five thousand dollars in a loan or grant, and not  
23 more than forty thousand dollars in a guarantee, or a  
24 combination of loans, grants, or guarantees. The program  
25 shall provide guarantees not to exceed seventy-five percent  
26 for loans made by qualified lenders. The department shall  
27 establish a financial assistance reserve account from funds  
28 provided for this allocated to the program account, from which  
29 any default on a guaranteed loan under this section shall be  
30 paid. In administering the program the department shall not  
31 guarantee loan values in excess of the amount credited to the  
32 reserve account and only moneys set aside in the loan reserve  
33 account may be used for the payment of a default.

34 3. All moneys designated for the targeted small business  
35 financial assistance program shall be credited to the

1 ~~financial-assistance-reserve program~~ account. ~~The department~~  
2 ~~shall-also-establish-an-administrative-account-from-which-the~~  
3 ~~operating-costs-of-the-program-shall-be-paid---The department~~  
4 ~~may-transfer-moneys-between-the-reserve-and-the-administrative~~  
5 ~~accounts-except-that-not-more-than-twenty-five-percent-of-the~~  
6 ~~moneys-shall-be-used-to-administer-the-fund.~~ The department  
7 shall determine the actuarially sound reserve requirement for  
8 the amount of guaranteed loans outstanding.

9 Sec. 314. Section 15.247, Code 1991, is amended by adding  
10 the following new subsection:

11 NEW SUBSECTION. 6. Payments of interest and repayments of  
12 moneys awarded under this program shall be deposited into the  
13 strategic investment fund.

14 Sec. 315. Section 15.287, Code 1991, is amended to read as  
15 follows:

16 15.287 REVOLVING FUND.

17 The Iowa finance authority shall establish a revolving fund  
18 for the program and shall transfer to the department moneys to  
19 be administered by the department. The moneys in the  
20 revolving fund are appropriated for purposes of the program.  
21 Notwithstanding section 8.33, moneys in the fund at the end of  
22 a fiscal year shall not revert to any other fund but shall  
23 remain in the revolving fund. The fund shall consist of all  
24 appropriations, grants, or gifts received by the authority or  
25 the department specifically for use under this part and all  
26 repayments of loans or grants made under this part. However,  
27 loan repayments from loans made under section 28.120, which  
28 are not allocated to another program, shall be deposited in  
29 the revolving fund and shall be available for allocation by  
30 the director for categories administered by the department.

31 Sec. 316. NEW SECTION. 15.311 STRATEGIC INVESTMENT FUND.

32 This part shall be known as the "Iowa Strategic Investment  
33 Fund" program.

34 Sec. 317. NEW SECTION. 15.312 PURPOSE.

35 The purpose of this part shall be to provide a mechanism



1 for funding those programs listed in section 15.313,  
2 subsection 2, in order to more efficiently meet the needs  
3 identified within those individual programs.

4 Sec. 318. NEW SECTION. 15.313 STRATEGIC INVESTMENT FUND.

5 1. There is created an "Iowa strategic investment fund".

6 The fund is a revolving fund and consists of any money  
7 appropriated by the general assembly for that purpose and any  
8 other moneys available to and obtained or accepted by the  
9 department from the federal government or private sources for  
10 placement in the fund. The fund shall also include:

11 a. All unencumbered and unobligated funds from the special  
12 community economic betterment program fund created under 1990  
13 Iowa Acts, chapter 1262, section 1, subsection 18, remaining  
14 on June 30, 1991, and all repayments of loans or other awards  
15 made under the community economic betterment account or under  
16 the community economic betterment program during the preceding  
17 fiscal years beginning July 1, 1985, and subsequent fiscal  
18 years.

19 b. All unencumbered and unobligated funds from the self-  
20 employment loan program, the targeted small business financial  
21 assistance program, the microenterprise development revolving  
22 fund, and the value-added agricultural products and processes  
23 financial assistance fund remaining on June 30, 1991, and all  
24 repayments of loans or other awards made under these programs  
25 during the fiscal year beginning July 1, 1991, and subsequent  
26 fiscal years.

27 2. The assets of the fund shall be used by the department  
28 for carrying out the purposes of the following programs:

29 a. The community economic betterment program created in  
30 sections 15.315 through 15.320.

31 b. The value-added agricultural products and processes  
32 financial assistance program created in sections 28.111  
33 through 28.112.

34 c. The business development finance corporation created in  
35 sections 28.131 through 28.149.

1 d. The self-employment loan program created in section  
2 15.241.

3 e. The targeted small business financial assistance  
4 program created in section 15.247.

5 3. Annually the director shall submit to the economic  
6 development board at a regular or special meeting preceding  
7 the beginning of the fiscal year planned allocations to be  
8 made for that fiscal year to the community economic betterment  
9 program, the value-added agricultural products and processes  
10 financial assistance program, the business development finance  
11 corporation, the self-employment loan program, and the  
12 targeted small business financial assistance program. Plans  
13 may provide for increased or decreased allocations if the  
14 demand in a program indicates that the need exceeds the  
15 allocation for that program. The director shall report to the  
16 board on the status of the funds on a monthly basis and may  
17 present proposed revisions for approval by the board in  
18 January and April of each year. Unobligated and unencumbered  
19 moneys remaining in the strategic investment fund or any of  
20 its accounts on June 30 of each year shall be considered part  
21 of the fund for purposes of the next year's allocation.

22 4. Notwithstanding section 8.33, moneys in this fund at  
23 the end of each fiscal year shall not revert to any other fund  
24 but shall remain in this strategic investment fund.

25 Sec. 319. NEW SECTION. 15.315 COMMUNITY ECONOMIC  
26 BETTERMENT PROGRAM.

27 This part shall be known as the "Community Economic  
28 Betterment Program."

29 Sec. 320. NEW SECTION. 15.316 PURPOSE.

30 The purpose of this program is to assist communities and  
31 rural areas of the state with their economic development  
32 efforts and to increase employment opportunities for Iowans by  
33 increasing the level of economic activity and development  
34 within the state.

35 Sec. 321. NEW SECTION. 15.317 PROGRAM.

1     1. The department shall establish a program to effectuate  
2 the purposes of this part by providing financial assistance  
3 for small business gap financing, new business opportunities,  
4 and new product and entrepreneurial development. These  
5 purposes may be accomplished by providing the following types  
6 of assistance:

7     a. Principal buy-down program to reduce the principal of a  
8 business loan.

9     b. Interest buy-down program to reduce the interest of a  
10 business loan.

11     c. Loans or forgivable loans to aid in economic  
12 development.

13     d. Loan guarantees for business loans made by commercial  
14 lenders.

15     e. Equity-like investments.

16     2. Only a political subdivision of this state may apply to  
17 receive funds for any of the above purposes. The political  
18 subdivision shall make application to the department of  
19 economic development specifying the purpose for which the  
20 funds will be used.

21     3. The department shall not provide more than one million  
22 dollars for any project, unless at least two-thirds of the  
23 members of the economic development board vote for providing  
24 more.

25     Sec. 322. NEW SECTION. 15.318 RATING FACTORS AND  
26 CRITERIA.

27     In ranking applications for funds, the department shall  
28 consider a variety of factors including, but not limited to:

29     1. The proportion of local match to be provided.

30     2. The proportion of private contribution to be provided,  
31 including the involvement of financial institutions.

32     3. The total number of jobs to be created or retained.

33     4. The size of the business receiving assistance. The  
34 department shall award more points to small businesses as  
35 defined by the United States small business administration.

1 5. The potential for future growth in the industry  
2 represented by the business being considered for assistance.

3 6. The need of the business for financial assistance from  
4 governmental sources. More points shall be awarded to a  
5 business for which the department determines that governmental  
6 assistance is most necessary to the success of the project.

7 7. The quality of the jobs to be created. In rating the  
8 quality of the jobs the department shall award more points to  
9 those jobs that have a higher wage scale, have a lower  
10 turnover rate, are full-time or career-type positions, provide  
11 comprehensive health benefits, or have other related factors  
12 which could be considered to be higher in quality. Businesses  
13 that have wage scales substantially below that of existing  
14 Iowa businesses in that area should be rated as providing the  
15 lowest quality of jobs and should therefore be given the  
16 lowest ranking for providing such assistance.

17 8. The level of need of the political subdivision.

18 9. The impact of the proposed project on the economy of  
19 the political subdivision.

20 10. The impact of the proposed project on other businesses  
21 in competition with the business being considered for  
22 assistance. The department shall make a good faith effort to  
23 identify existing Iowa businesses within an industry in  
24 competition with the business being considered for assistance.  
25 The department shall make a good faith effort to determine the  
26 probability that the proposed financial assistance will  
27 displace employees of the existing businesses. In determining  
28 the impact on businesses in competition with the business  
29 being considered for assistance, jobs created as a result of  
30 other jobs being displaced elsewhere in the state shall not be  
31 considered direct jobs created.

32 11. The impact to the state of the proposed project. In  
33 measuring the economic impact the department shall award more  
34 points for projects which have greater consistency with the  
35 state strategic plan, such as the following:

- 1 a. A business with a greater percentage of sales out-of-  
2 state or of import substitution.
- 3 b. A business with a higher proportion of in-state  
4 suppliers.
- 5 c. A project which would provide greater diversification  
6 of the state economy.
- 7 d. A business with fewer in-state competitors.
- 8 e. A potential for future job growth.
- 9 f. A project which is not a retail operation.
- 10 12. If the business has a record of violations of the law  
11 over a period of time that tends to show a consistent pattern,  
12 the business shall be given the lowest ranking for providing  
13 assistance. The department shall make a good faith effort to  
14 compile this information.
- 15 13. If a business has, within three years of application  
16 for assistance, acquired or merged with an Iowa corporation or  
17 company, the business shall make a good faith effort to hire  
18 the workers of the acquired or merged company.
- 19 14. To be eligible for assistance a business shall provide  
20 for a preference for hiring residents of the state or the  
21 economic development area, except for out-of-state employees  
22 offered a transfer to Iowa or the economic development area.
- 23 15. All known required environmental permits must be  
24 granted and regulations met before moneys are released.
- 25 Sec. 323. NEW SECTION. 15.319 MONITORING OF JOB CREATION  
26 AND RETENTION.
- 27 1. The department shall develop definitions for the terms  
28 "job creation" and "job retention" to measure and identify the  
29 actual number of permanent, full-time positions which the  
30 businesses actually create or retain and which can be  
31 documented by comparison of the payroll reports during the  
32 twenty-four month period after the award.
- 33 2. The department shall document the actual job creation  
34 and retention effects of all businesses receiving financial  
35 assistance from the program in the context of the employer

1 contribution and payroll reports filed by the business.

2 3. The department shall require businesses which receive  
3 assistance from the program to submit historical copies of the  
4 employer contributions and payroll reports with the  
5 application for funds, require businesses to submit the  
6 reports after an award on a timely basis, and require  
7 businesses to estimate the expected job creation and retention  
8 effects for the twelve-month and twenty-four month periods  
9 after an award in terms of the number of employees and total  
10 wages as displayed in the payroll reports.

11 Sec. 324. NEW SECTION. 15.320 COMMUNITY ECONOMIC  
12 BETTERMENT PROGRAM ACCOUNT.

13 1. A community economic betterment program account is  
14 established within the strategic investment fund to be used by  
15 the department of economic development for the community  
16 economic betterment program. The account shall consist of all  
17 appropriations, grants, or gifts received by the department  
18 specifically for use under this part and any moneys allocated  
19 to the community economic betterment program account from the  
20 strategic investment fund.

21 2. Payments of interest or repayments of moneys awarded  
22 under the community economic betterment program shall be  
23 deposited into the strategic investment fund.

24 Sec. 325. Section 28.111, subsection 3, unnumbered  
25 paragraph 1, Code 1991, is amended to read as follows:

26 The department of economic development may grant financial  
27 or technical assistance to a person eligible to receive  
28 assistance under this section, upon review and evaluation of  
29 the person's application by the agricultural products advisory  
30 council as established in section 15.203. ~~The council shall~~  
31 ~~make recommendations to approve or disapprove an application~~  
32 ~~to the department.~~ The department shall consider the  
33 ~~recommendations~~ council's evaluation in granting or denying  
34 assistance. The department shall not approve an application  
35 for assistance under this section to refinance an existing

1 loan, or to finance traditional agricultural operations. An  
 2 application is eligible for consideration if the application  
 3 seeks assistance for any of the following purposes:

4 Sec. 326. Section 28.112, subsection 1, Code 1991, is  
 5 amended to read as follows:

6 1. ~~The department may establish~~ There is established a  
 7 value-added agricultural products and processes financial  
 8 assistance fund account within the strategic investment fund  
 9 created in section 15.313. The fund account shall be a  
 10 revolving fund composed consist of any money appropriated by  
 11 the general assembly for that purpose, moneys allocated to the  
 12 account from the strategic investment fund, any other moneys  
 13 available to and obtained or accepted by the department from  
 14 the federal government or private sources for placement in the  
 15 fund, and any earned interest account. Except as otherwise  
 16 provided in subsection 2, the assets of the fund account shall  
 17 be used by the department only for carrying out the purposes  
 18 of section 28.111.

19 Sec. 327. Section 28.112, subsection 2, Code 1991, is  
 20 amended by adding the following new paragraph:

21 NEW PARAGRAPH. d. Payments of interest or repayments of  
 22 moneys awarded under the value-added agricultural products and  
 23 processes financial assistance program shall be deposited into  
 24 the strategic investment fund.

25 Sec. 328. Section 28.120, Code 1991, is amended by adding  
 26 the following new subsection:

27 NEW SUBSECTION. 8. Loan repayments made under this  
 28 section and unallocated in the special account in subsection  
 29 5, shall be allocated to the revolving account of the rural  
 30 community 2000 program created in section 15.287.

31 Sec. 329. Section 28.143, subsection 1, paragraph e, Code  
 32 1991, is amended to read as follows:

33 e. The superintendent of savings and loans credit unions.

34 Sec. 330. Section 28.144, Code 1991, is amended by  
 35 striking the section and inserting in lieu thereof the

1 following:

2 28.144 PRESIDENT OF THE CORPORATION.

3 The director of the department shall appoint the president  
4 of the corporation from the division within the department  
5 that administers business financial assistance programs.  
6 Administrative and staff support shall be furnished by the  
7 department.

8 Sec. 331. Section 28.148, Code 1991, is amended to read as  
9 follows:

10 28.148 STATE ASSISTANCE FUND.

11 There is created in the treasurer of state's office a  
12 "business development finance corporation assistance fund".  
13 The fund shall consist of all appropriations, grants, or gifts  
14 received by the treasurer specifically for assistance under  
15 this division and moneys allocated from the strategic  
16 investment fund created in section 15.313. Moneys in this  
17 fund are appropriated to the corporation for the purposes  
18 stated in this division. Moneys allocated to this fund for  
19 purposes of the capital access program and repayments of  
20 moneys from the capital access program which remain  
21 unobligated at the end of a fiscal year may be returned to the  
22 strategic investment fund.

23 Sec. 332. Notwithstanding the provision in section 15.313  
24 granting the director of the department of economic  
25 development discretion in the allocation of the moneys to the  
26 various accounts in the strategic investment fund, for the  
27 fiscal year beginning July 1, 1991, a minimum of \$500,000  
28 shall be allocated to the targeted small business financial  
29 assistance program account and a minimum of \$220,000 shall be  
30 allocated to the self-employment loan program account.  
31 However, any amounts of those two minimum allocations that  
32 have not been committed on January 15, 1992, may be  
33 reallocated to the other accounts in the strategic investment  
34 fund.

35 Sec. 333. Sections 15.232 and 15.240, Code 1991, are



1 repealed.

2 DIVISION IV

3 EDUCATION APPROPRIATIONS

4 Sec. 401. There is appropriated from the general fund of  
5 the state to the department of education for the fiscal year  
6 beginning July 1, 1991, and ending June 30, 1992, the  
7 following amounts, or so much thereof as may be necessary, to  
8 be used for the purposes designated:

9 1. GENERAL ADMINISTRATION

10 For salaries, support, maintenance, miscellaneous purposes,  
11 and for not more than the following full-time equivalent  
12 positions:

13 .....	\$	<u>5,714,266</u>
14 .....	FTEs	135.75

15 As a condition, limitation, and qualification of the  
16 appropriation in this subsection, the department of education  
17 shall expend moneys to contract with institutions of higher  
18 education to provide a summer residence program for gifted and  
19 talented elementary and secondary school students and to  
20 support existing law-related education centers for training  
21 seminars and workshops in law-related education, summer  
22 institutes relating to law-related education and methodology  
23 and substance, and mock trial competitions for junior and  
24 senior high school students. The law-related education  
25 program shall include the legislative lawmaking process.  
26 Educational materials for the legislative lawmaking process  
27 segment of the program shall be developed by the law-related  
28 education centers in consultation with the legislative  
29 council.

30 As a condition, limitation, and qualification of the  
31 appropriation in this subsection, the department of education  
32 shall expend moneys to provide funds for the employment  
33 resources center administered by the fifth judicial district  
34 department of correctional services to assist clients.

35 2. CORRECTIONS EDUCATION PROGRAM

1 For educational programs at state penal institutions:  
2 ..... \$ 2,199,669

3 Funds appropriated by this subsection shall be used by the  
4 department of education, in coordination with the department  
5 of corrections, to provide expanded educational programs to  
6 inmates of the Iowa penal institutions and develop education  
7 program plans for the offenders and ex-offenders in the  
8 community-based corrections system. Educational programs  
9 shall emphasize assessment, cognition, literacy, and social  
10 skills, and shall provide continuity of instruction as the  
11 inmate progresses through the penal system. Educational  
12 technology learning systems which would support the continuity  
13 of instruction shall be used in combination with an  
14 information management system to track student progress. The  
15 information tracking system shall be available throughout the  
16 state. An individualized educational plan shall be developed  
17 for each inmate, which reflects the inmate's total needs and  
18 which can be used to assist in the selection of programs and  
19 tracking of the inmate's progress. An information management  
20 system shall be implemented to transmit education information,  
21 including the inmate's plan, programs provided, and program  
22 outcomes to institutions under whose control the inmate is  
23 placed. Evaluation of the results shall be made annually to  
24 determine needed changes and to assess results. The  
25 department of education, in coordination with the department  
26 of corrections, shall investigate, evaluate, and analyze  
27 educational technology systems which reflect inmate needs  
28 before selection of any system or systems. Funds appropriated  
29 in this subsection may be used for individualized, personal  
30 development, life management programs established by the  
31 general assembly in 1990 Iowa Acts, chapter 1257, section 23,  
32 under the department of corrections, and to provide the  
33 results of the establishment of the individualized, personal  
34 development, life management programs to the co-chairpersons  
35 and ranking members of the joint education appropriations

1 subcommittee and the legislative fiscal bureau.

2 3. BOARD OF EDUCATIONAL EXAMINERS

3 For salaries, support, maintenance, miscellaneous purposes  
4 and for not more than the following full-time equivalent  
5 positions:

6 .....	\$	128,892
7 .....	FTEs	2.00

8 4. SCHOOL FOOD SERVICE

9 For the purpose of providing assistance to students en-  
10 rolled in public school districts and nonpublic schools of the  
11 state for breakfasts, lunches, and minimal equipment programs  
12 with the funds being used as state matching funds for federal  
13 programs, which shall be disbursed according to federal  
14 regulations, including salaries and support, and for not more  
15 than the following full-time equivalent positions:

16 .....	\$	3,056,205
17 .....	FTEs	14.00

18 5. TEXTBOOKS OF NONPUBLIC SCHOOL PUPILS

19 To provide funds for costs of providing textbooks to each  
20 resident pupil who attends a nonpublic school as authorized by  
21 section 301.1. The funding is limited to \$20 per pupil and  
22 shall not exceed the comparable services offered to resident  
23 public school pupils:

24 .....	\$	643,053
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25 6. VOCATIONAL EDUCATION ADMINISTRATION

26 For salaries, support, maintenance, miscellaneous purposes,  
27 and for not more than the following full-time equivalent  
28 positions:

29 .....	\$	923,149
30 .....	FTEs	39.60

31 7. VOCATIONAL REHABILITATION DIVISION

32 a. For salaries, support, maintenance, miscellaneous  
33 purposes, and for not more than the following full-time  
34 equivalent positions:

35 .....	\$	3,611,830
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1 ..... FTEs 319.50  
 2 b. For matching funds for programs to enable severely  
 3 physically or mentally disabled persons to function more  
 4 independently, including salaries and support, and for not  
 5 more than the following full-time equivalent positions:  
 6 ..... \$ 21,303  
 7 ..... FTEs 1.50

8 8. COMMUNITY COLLEGES

9 Notwithstanding chapter 286A, for general state financial  
 10 aid to merged areas as defined in section 280A.2, for  
 11 vocational education programs in accordance with chapters 258  
 12 and 280A, to purchase instructional equipment for vocational  
 13 and technical courses of instruction in community colleges,  
 14 and for salary increases:

15 ..... \$ 92,050,864

16 The funds appropriated in this subsection shall be  
 17 allocated as follows:

- 18 a. Merged Area I ..... \$ 4,267,565
- 19 b. Merged Area II ..... \$ 5,234,059
- 20 c. Merged Area III ..... \$ 5,048,459
- 21 d. Merged Area IV ..... \$ 2,354,257
- 22 e. Merged Area V ..... \$ 4,964,545
- 23 f. Merged Area VI ..... \$ 4,709,309
- 24 g. Merged Area VII ..... \$ 6,458,233
- 25 h. Merged Area IX ..... \$ 8,112,021
- 26 i. Merged Area X ..... \$ 12,499,055
- 27 j. Merged Area XI ..... \$ 13,468,500
- 28 k. Merged Area XII ..... \$ 5,302,620
- 29 l. Merged Area XIII ..... \$ 5,453,422
- 30 m. Merged Area XIV ..... \$ 2,402,961
- 31 n. Merged Area XV ..... \$ 7,529,626
- 32 o. Merged Area XVI ..... \$ 4,246,232

33 9. COMMUNITY COLLEGE PERSONAL PROPERTY TAX REPLACEMENT

34 For general financial aid to merged areas in lieu of  
 35 personal property tax replacement payments under section

1 427A.13:

2 ..... \$ 828,012

3 The funds appropriated in this subsection shall be  
4 allocated as follows:

5	a.	Merged Area I.....	\$	65,152
6	b.	Merged Area II.....	\$	50,567
7	c.	Merged Area III.....	\$	33,891
8	d.	Merged Area IV.....	\$	23,204
9	e.	Merged Area V.....	\$	60,042
10	f.	Merged Area VI.....	\$	34,514
11	g.	Merged Area VII.....	\$	57,884
12	h.	Merged Area IX.....	\$	69,103
13	i.	Merged Area X.....	\$	97,180
14	j.	Merged Area XI.....	\$	142,463
15	k.	Merged Area XII.....	\$	46,200
16	l.	Merged Area XIII.....	\$	40,972
17	m.	Merged Area XIV.....	\$	20,826
18	n.	Merged Area XV.....	\$	55,026
19	o.	Merged Area XVI.....	\$	30,988

20 Sec. 402. There is appropriated from the general fund of  
21 the state to the department of education for the fiscal year  
22 beginning July 1, 1992, and ending June 30, 1993, the  
23 following amounts, or so much thereof as is necessary, to be  
24 used for the purposes designated:

25 1. Notwithstanding chapter 286A for state financial aid to  
26 merged areas to be accrued as income and used for expenditures  
27 incurred by the community colleges during the fiscal year  
28 beginning July 1, 1991, and ending June 30, 1992:

29 ..... \$ 16,239,328

30 The funds appropriated in this section shall be allocated  
31 as follows:

32	a.	Merged Area I.....	\$	753,100
33	b.	Merged Area II.....	\$	923,657
34	c.	Merged Area III.....	\$	890,904
35	d.	Merged Area IV.....	\$	410,516

1	e.	Merged Area V .....	\$	876,096
2	f.	Merged Area VI .....	\$	831,055
3	g.	Merged Area VII .....	\$	1,139,688
4	h.	Merged Area IX .....	\$	1,431,533
5	i.	Merged Area X .....	\$	2,205,716
6	j.	Merged Area XI .....	\$	2,376,794
7	k.	Merged Area XII .....	\$	935,757
8	l.	Merged Area XIII .....	\$	962,369
9	m.	Merged Area XIV .....	\$	424,052
10	n.	Merged Area XV .....	\$	1,328,758
11	o.	Merged Area XVI .....	\$	749,335

12 2. Funds appropriated by this section shall be allocated  
 13 pursuant to this section and paid on or about August 15, 1992.

14 Sec. 403. There is appropriated from the general fund of  
 15 the state to the department of education for the fiscal year  
 16 beginning July 1, 1992, and ending June 30, 1993, the  
 17 following amounts, or so much thereof as is necessary, to be  
 18 used for the purposes designated:

19 1. For general financial aid to merged areas in lieu of  
 20 personal property tax replacement payments under section  
 21 427A.13 to be accrued as income and used for expenditures  
 22 incurred by the community colleges during the fiscal year  
 23 beginning July 1, 1991, and ending June 30, 1992:

24	.....	\$	354,840
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25 The funds appropriated in this subsection shall be  
 26 allocated as follows:

27	a.	Merged Area I.....	\$	27,922
28	b.	Merged Area II.....	\$	21,671
29	c.	Merged Area III.....	\$	14,525
30	d.	Merged Area IV.....	\$	9,924
31	e.	Merged Area V.....	\$	25,732
32	f.	Merged Area VI.....	\$	14,792
33	g.	Merged Area VII.....	\$	24,807
34	h.	Merged Area IX.....	\$	29,615
35	i.	Merged Area X.....	\$	41,649

1	j.	Merged Area XI.....	\$	61,056
2	k.	Merged Area XII.....	\$	19,800
3	l.	Merged Area XIII.....	\$	17,559
4	m.	Merged Area XIV.....	\$	8,925
5	n.	Merged Area XV.....	\$	23,582
6	o.	Merged Area XVI.....	\$	13,281

7 2. Funds appropriated in subsection 1 shall be allocated  
 8 pursuant to this section and paid on or about August 15, 1992.

9 Sec. 404. Moneys allocated to community colleges under  
 10 section 401, subsections 8 and 9, of this division, for  
 11 expenditures incurred during the fiscal year beginning July 1,  
 12 1991, and ending June 30, 1992, shall be paid by the  
 13 department of revenue and finance in installments due on or  
 14 about November 15, February 15, and May 15 of that fiscal  
 15 year. The payments received by community colleges on or about  
 16 August 15 under sections 402 and 403 of this division are  
 17 accounts receivable for the previous fiscal year. The  
 18 installments shall be as nearly equal as possible as  
 19 determined by the department of management, taking into  
 20 consideration the relative budget and cash position of the  
 21 state resources.

22 Sec. 405. Notwithstanding the appropriation provided in  
 23 section 294A.25, subsection 1, there is appropriated from the  
 24 general fund of the state to the department of education for  
 25 the fiscal year beginning July 1, 1991, and ending June 30,  
 26 1992, the following amount, or so much thereof as may be  
 27 necessary, to be used for the purpose designated:

28	For the educational excellence program:	
29	.....	\$ 91,662,500
30	.....	FTEs 1.00

31 Sec. 406. There is appropriated from the general fund of  
 32 the state to the department of education for the fiscal year  
 33 beginning July 1, 1992, and ending June 30, 1993, the  
 34 following amounts, or so much thereof as is necessary, to be  
 35 used for the purposes designated:

1 For expenditures incurred by school districts during the  
2 previous fiscal year for vocational education aid to secondary  
3 schools:

4 ..... \$ 3,666,360

5 Sec. 407. There is appropriated from the general fund of  
6 the state to the college student aid commission for the fiscal  
7 year beginning July 1, 1991, and ending June 30, 1992, the  
8 following amounts, or so much thereof as may be necessary, to  
9 be used for the purposes designated:

10 1. GENERAL ADMINISTRATION

11 For salaries, support, maintenance, miscellaneous purposes,  
12 and for not more than the following full-time equivalent  
13 positions:

14 ..... \$ 349,411

15 ..... FTEs 8.05

16 2. UNIVERSITY OF OSTEOPATHIC MEDICINE AND HEALTH SCIENCES

17 a. For grants to juniors and seniors and for forgivable  
18 loans to freshmen and sophomores, who are Iowa students  
19 attending the university of osteopathic medicine and health  
20 sciences, under the grant program pursuant to section 261.18  
21 and the forgivable loan program pursuant to section 261.19A:

22 ..... \$ 467,000

23 b. For the university of osteopathic medicine and health  
24 sciences for the admission and education of Iowa students in  
25 each of the 4 years of classes at the university of  
26 osteopathic medicine and health sciences pursuant to section  
27 261.19:

28 ..... \$ 408,000

29 3. STUDENT AID PROGRAMS

30 For payments to students for student aid programs:

31 ..... \$ 2,008,100

32 As a condition, limitation, and qualification of the funds  
33 appropriated in this subsection, \$1,493,000 shall be expended  
34 for an Iowa grant program, with funds to be allocated to  
35 institutions in the following manner:



1 a. Total allocations to students attending regents'  
2 institutions shall be determined by multiplying \$1,498,000 by  
3 37.6 percent.

4 b. Total allocations to students attending community  
5 colleges shall be determined by multiplying \$1,498,000 by 25.9  
6 percent.

7 c. Total allocations to students attending private  
8 colleges and universities shall be determined by multiplying  
9 \$1,498,000 by 36.5 percent.

10 4. NATIONAL GUARD LOAN REPAYMENT

11 For payments to students for the national guard loan  
12 payment program in section 261.49:

13 ..... \$ 250,000

14 5. IOWA CORPS

15 For purposes of the Iowa corps, including salary, support,  
16 maintenance, miscellaneous purposes, and for not more than the  
17 following full-time equivalent position:

18 ..... \$ 110,963

19 ..... FTEs 0.75

20 Sec. 408. There is appropriated from the loan reserve  
21 account to the college student aid commission for the fiscal  
22 year beginning July 1, 1991, and ending June 30, 1992, the  
23 following amount, or so much thereof as may be necessary, to  
24 be used for the purposes designated:

25 For operating costs of the Stafford loan program including  
26 salaries, support, maintenance, miscellaneous purposes, and  
27 for not more than the following full-time equivalent  
28 positions:

29 ..... \$ 3,671,016

30 ..... FTEs 36.52

31 Sec. 409. Funds appropriated in section 407, subsection 3  
32 of this division for the Iowa grant program and the graduate  
33 student financial assistance program shall be used to  
34 supplement, not supplant, funds appropriated for existing  
35 programs at the institutions receiving allocations under this

1 division.

2 Sec. 410. There is appropriated from the general fund of  
3 the state to the state board of regents for the fiscal year  
4 beginning July 1, 1991, and ending June 30, 1992, the  
5 following amounts, or so much thereof as may be necessary, to  
6 be used for the purposes designated:

7 1. OFFICE OF STATE BOARD OF REGENTS

8 a. For salaries, support, maintenance, miscellaneous  
9 purposes, and for not more than the following full-time  
10 equivalent positions:

11 .....	\$ 1,111,820
12 .....	FTEs 18.08

13 As a condition, limitation, and qualification of the moneys  
14 appropriated in this paragraph, the state board of regents  
15 shall not use reimbursements from the institutions under the  
16 control of the state board of regents for funding the office  
17 of the state board of regents.

18 b. For allocation by the state board of regents to the  
19 state university of Iowa, the Iowa state university of science  
20 and technology, and the university of northern Iowa to  
21 reimburse the institutions for deficiencies in their operating  
22 funds resulting from the pledging of tuitions, student fees  
23 and charges, and institutional income to finance the cost of  
24 providing academic and administrative buildings and facilities  
25 and utility services at the institutions:

26 .....	\$ 19,381,162
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27 c. For funds to be allocated to the southwest Iowa  
28 graduate studies center located in Council Bluffs:

29 .....	\$ 40,000
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30 d. For funds to be allocated to the siouxland interstate  
31 metropolitan planning council for the tristate graduate center  
32 under section 262.9, subsection 21:

33 .....	\$ 75,000
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34 e. For funds to be allocated to the quad-cities graduate  
35 studies center:

1 ..... \$ 145,000

2 2. STATE UNIVERSITY OF IOWA

3 a. General university, including lakeside laboratory:

4 For salaries, support, maintenance, equipment,  
5 miscellaneous purposes, and for not more than the following  
6 full-time equivalent positions:

7 ..... \$181,389,882

8 ..... FTEs 4,287.37

9 As a condition, limitation, and qualification of the funds  
10 appropriated in this paragraph, from moneys available to the  
11 state university of Iowa, \$1,379,000 shall only be expended  
12 for salary annualization. If the department of management  
13 determines that any portion of the \$1,379,000 is not being  
14 expended for salary annualization, the department shall reduce  
15 the October 1991, payment made under section 262.28 by the  
16 annualized amount determined not to be expended during the  
17 fiscal year beginning July 1, 1991, and ending June 30, 1992,  
18 and that amount shall revert to the general fund of the state  
19 under section 8.33.

20 As a condition, limitation, and qualification of moneys  
21 appropriated in this paragraph, from moneys available to the  
22 state university of Iowa, \$550,000 shall be expended for  
23 teaching excellence awards to teaching faculty members and  
24 teaching assistants.

25 Of the \$550,000 available for teaching excellence awards,  
26 \$50,000 shall be awarded to faculty members and teaching  
27 assistants who have been recognized for exceptional teaching.  
28 An exceptional teaching recognition award is for a one-year  
29 period and is in addition to the faculty member's or teaching  
30 assistant's salary. Not later than December 15, 1991, the  
31 state board of regents shall report the names of recipients of  
32 teaching excellence awards, and the amounts of the awards  
33 granted, to the joint education appropriations subcommittee  
34 and to the legislative fiscal bureau.

35 b. Child care

1 For salaries for child care center directors:  
2 ..... \$ 40,000

3 c. College-bound voucher program  
4 From the moneys appropriated in paragraph "a", \$100,000  
5 shall be used for implementing the college-bound voucher  
6 program.

7 d. Iowa minority academic grants for economic success  
8 program:  
9 From the moneys appropriated in paragraph "a", \$720,000  
10 shall be used for the Iowa minority academic grants for  
11 economic success program.

12 e. Minority and women educators enhancement program:  
13 From the moneys appropriated in paragraph "a", \$80,000  
14 shall be used for implementing the minority and women  
15 educators enhancement program.

16 Notwithstanding section 8.33, as a condition, limitation,  
17 and qualification of the allocation in this paragraph,  
18 unobligated and unencumbered funds remaining on June 30, 1992,  
19 from the allocation for use under this paragraph, shall not  
20 revert to the general fund of the state, but shall remain  
21 available for expenditure during the fiscal year beginning  
22 July 1, 1992, for the same purpose or for other minority  
23 recruitment programs.

24 f. For funds to be allocated to the Iowa consortium for  
25 substance abuse research and evaluation:  
26 ..... \$ 60,000

27 g. University hospitals  
28 For salaries, support, maintenance, equipment,  
29 miscellaneous purposes, and for not more than the following  
30 full-time equivalent positions for medical and surgical  
31 treatment of indigent patients as provided in chapter 255:  
32 ..... \$ 27,795,998  
33 ..... FTEs 5,319.83

34 h. Psychiatric hospital  
35 For salaries, support, maintenance, equipment,

1 miscellaneous purposes, and for not more than the following  
2 full-time equivalent positions and for the care, treatment,  
3 and maintenance of committed and voluntary public patients:

4 ..... \$ 6,901,749  
5 ..... FTEs 284.57

6 i. Hospital-school

7 For salaries, support, maintenance, miscellaneous purposes,  
8 and for not more than the following full-time equivalent  
9 positions:

10 ..... \$ 5,448,363  
11 ..... FTEs 184.44

12 j. Oakdale campus

13 For salaries, support, maintenance, miscellaneous purposes,  
14 and for not more than the following full-time equivalent  
15 positions:

16 ..... \$ 2,899,698  
17 ..... FTEs 67.55

18 k. State hygienic laboratory

19 For salaries, support, maintenance, miscellaneous purposes,  
20 and for not more than the following full-time equivalent  
21 positions:

22 ..... \$ 3,020,198  
23 ..... FTEs 106.25

24 l. Family practice program

25 For allocation by the dean of the college of medicine, with  
26 approval of the advisory board, to qualified participants, to  
27 carry out chapter 148D for the family practice program,  
28 including salaries and support, and for not more than the  
29 following full-time equivalent positions:

30 ..... \$ 1,814,264  
31 ..... FTEs 177.27

32 m. Child health care services

33 For specialized child health care services, including  
34 childhood cancer diagnostic and treatment network programs;  
35 rural comprehensive care for hemophilia patients; and Iowa

1 high-risk infant follow-up program, including salaries and  
2 support, and for not more than the following full-time  
3 equivalent positions:

4 ..... \$ 430,121  
5 ..... FTEs 12.51

6 n. Agricultural health and safety programs  
7 For agricultural health and safety programs:

8 ..... \$ 225,000

9 o. For the statewide tumor registry and for not more than  
10 the following full-time positions:

11 ..... \$ 190,500  
12 ..... FTEs 5.05

13 p. As a condition, limitation, and qualification of the  
14 appropriation made in paragraph "g", the total quota allocated  
15 to the counties for indigent patients for the fiscal year  
16 commencing July 1, 1991, shall not be lower than the total  
17 quota allocated to the counties for the fiscal year commencing  
18 July 1, 1990. The total quota shall be allocated among the  
19 counties on the basis of the 1990 census pursuant to section  
20 255.16. Before a patient is eligible for the indigent patient  
21 program, the county general relief director shall first  
22 ascertain from the local office of human services if the  
23 applicant would qualify for medical assistance or the  
24 medically needy program without the spend-down provision under  
25 chapter 249A. If the applicant qualifies, then the patient  
26 shall be certified for medical assistance and shall not be  
27 counted under chapter 255. Transportation shall be provided  
28 at no charge to a patient who is certified for medical  
29 assistance under chapter 249A.

30 q. As a condition, limitation, and qualification of the  
31 appropriation made in paragraph "g", funds appropriated in  
32 that paragraph shall not be allocated to the university  
33 hospitals until the superintendent has filed with the  
34 department of revenue and finance and the legislative fiscal  
35 bureau a quarterly report containing the account required in

1 section 255.24. The report shall include the information  
2 required in section 255.24 for patients by the type of service  
3 provided.

4 r. As a condition, limitation, and qualification of the  
5 appropriation made in paragraph "g", funds appropriated in  
6 that paragraph shall not be used to perform abortions except  
7 medically necessary abortions, and shall not be used to  
8 operate the early termination of pregnancy clinic except for  
9 the performance of medically necessary abortions. For the  
10 purpose of this paragraph, an abortion is the purposeful  
11 interruption of pregnancy with the intention other than to  
12 produce a live-born infant or to remove a dead fetus, and a  
13 medically necessary abortion is one performed under one of the  
14 following conditions:

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

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

20 (3) The pregnancy is the result of a rape which is  
21 reported within 45 days of the incident to a law enforcement  
22 agency or public or private health agency which may include a  
23 family physician.

24 (4) The pregnancy is the result of incest which is  
25 reported within 150 days of the incident to a law enforcement  
26 agency or public or private health agency which may include a  
27 family physician.

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

31 3. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY

32 a. General university

33 For salaries, support, maintenance, equipment,  
34 miscellaneous purposes, and for not more than the following  
35 full-time equivalent positions:

1 ..... \$147,046,516  
2 ..... FTEs 3,737.83

3 As a condition, limitation, and qualification of the funds  
4 appropriated in this paragraph, from moneys available to the  
5 Iowa state university of science and technology, \$705,892  
6 shall only be expended for salary annualization. If the  
7 department of management determines that any portion of the  
8 \$705,892 is not being expended for salary annualization, the  
9 department shall reduce the October 1991, payment made under  
10 section 262.28 by the annualized amount determined not to be  
11 expended during the fiscal year beginning July 1, 1991, and  
12 ending June 30, 1992, and that amount shall revert to the  
13 general fund of the state under section 8.33.

14 As a condition, limitation, and qualification of moneys  
15 appropriated in this paragraph, from moneys available to Iowa  
16 state university of science and technology, \$550,000 shall be  
17 expended for teaching excellence awards to teaching faculty  
18 members and teaching assistants.

19 Of the \$550,000 available for teaching excellence awards,  
20 \$50,000 shall be awarded to faculty members and teaching  
21 assistants who have been recognized for exceptional teaching.  
22 An exceptional teaching recognition award is for a one-year  
23 period and is in addition to the faculty member or teaching  
24 assistant's salary. Not later than December 1, 1991, the  
25 state board of regents shall report the names of recipients of  
26 teaching excellence awards, and the amounts of the awards  
27 granted, to the joint education appropriations subcommittee  
28 and to the legislative fiscal bureau.

29 b. Child care

30 For subsidized evening child care:

31 ..... \$ 40,000  
32 ..... FTEs 2.0

33 c. College-bound voucher program

34 From the moneys appropriated in paragraph "a", \$100,000  
35 shall be used for implementing the college-bound voucher



1 program.

2 d. Iowa minority academic grants for economic success  
3 program:

4 From the moneys appropriated in paragraph "a", \$720,000  
5 shall be used for the Iowa minority academic grants for  
6 economic success program.

7 e. Minority and women educators enhancement program:

8 From the moneys appropriated in paragraph "a", \$80,000  
9 shall be used for implementing the minority and women  
10 educators enhancement program.

11 Notwithstanding section 8.33, as a condition, limitation,  
12 and qualification of the allocation in this paragraph,  
13 unobligated and unencumbered funds remaining on June 30, 1992,  
14 from the allocation for use under this paragraph, shall not  
15 revert to the general fund of the state, but shall remain  
16 available for expenditure during the fiscal year beginning  
17 July 1, 1992, for the same purpose or for other minority  
18 recruitment programs.

19 f. Agricultural experiment station

20 For salaries, support, maintenance, miscellaneous purposes,  
21 and for not more than the following full-time equivalent  
22 positions:

23 .....	\$ 18,024,893
24 .....	FTEs 546.92

25 g. Comprehensive agricultural research

26 For conducting the comprehensive agricultural research  
27 program:

28 .....	\$ 5,000,000
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29 h. Cooperative extension service in agriculture and home  
30 economics

31 For salaries, support, maintenance, miscellaneous purposes,  
32 and for not more than the following full-time equivalent  
33 positions:

34 .....	\$ <u>16,913,674</u>
35 .....	FTEs 475.94

1 As a condition, limitation, and qualification of the funds  
2 appropriated in this paragraph, \$25,000 shall be expended for  
3 a child farm safety program.

4 i. Fire service education

5 For salaries and support and for not more than the  
6 following full-time equivalent positions:

7 .....	\$	417,000
8 .....	FTEs	11.00

9 j. Leopold center

10 For agricultural research grants at Iowa state university  
11 under section 266.39B:

12 .....	\$	600,000
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13 4. UNIVERSITY OF NORTHERN IOWA

14 a. For salaries, support, maintenance, equipment,  
15 miscellaneous purposes, and for not more than the following  
16 full-time equivalent positions:

17 .....	\$	<u>59,892,405</u>
18 .....	FTEs	1,411.68

19 As a condition, limitation, and qualification of the funds  
20 appropriated in this paragraph, from moneys available to the  
21 university of northern Iowa, \$475,000 shall only be expended  
22 for salary annualization. If the department of management  
23 determines that any portion of the \$475,000 is not being  
24 expended for salary annualization, the department shall reduce  
25 the October 1991, payment made under section 262.28 by the  
26 annualized amount determined not to be expended during the  
27 fiscal year beginning July 1, 1991, and ending June 30, 1992,  
28 and that amount shall revert to the general fund of the state  
29 under section 8.33.

30 As a condition, limitation, and qualification of moneys  
31 appropriated in this paragraph, from moneys available to the  
32 university of northern Iowa, \$275,000 shall be expended for  
33 teaching excellence awards to teaching faculty members and  
34 teaching assistants.

35 Teaching excellence awards shall be granted to faculty

1 members and teaching assistants for excellence in the quality  
2 of classroom instruction. An award shall be built into the  
3 faculty member's or teaching assistant's base salary. Moneys  
4 appropriated for teaching excellence awards shall not result  
5 in a negative impact upon a collective bargaining agreement  
6 between an employee organization and the university. Not  
7 later than December 1, 1991, the state board of regents shall  
8 report the names of recipients of teaching excellence awards,  
9 and the amounts of the awards granted, to the joint education  
10 appropriations subcommittee and to the legislative fiscal  
11 bureau.

12 As a condition, limitation, and qualification of the  
13 appropriation in this subsection, \$50,000 shall be expended  
14 for the Iowa academy of science and no more than 20 percent of  
15 the funds shall be used for administrative purposes or for  
16 publication of the Iowa academy of science journal. The  
17 remainder of the \$50,000 shall be expended for grants for  
18 research projects and studies awarded by the Iowa academy of  
19 science.

20 As a condition, limitation, and qualification of the  
21 appropriation for the Iowa academy of science in this  
22 subsection, the Iowa academy of science shall permit all grant  
23 recipients to publish the results of the recipients' research  
24 projects and studies in the Iowa academy of science journal at  
25 no cost to the grant recipient.

26 b. Child care

27 For staff positions and building structure modifications to  
28 meet state child care facility standards:

29 .....	\$	20,000
30 .....	FTEs	1.50

31 c. College-bound voucher program:

32 From the moneys appropriated in paragraph "a", \$80,000  
33 shall be used for implementing the college-bound voucher  
34 program.

35 d. Iowa minority academic grants for economic success

1 program:

2 From the moneys appropriated in paragraph "a", \$360,000  
3 shall be used for the Iowa minority academic grants for  
4 economic success program.

5 e. Minority and women educators enhancement program:

6 From the moneys appropriated in paragraph "a", \$40,000  
7 shall be used for implementing the minority and women  
8 educators enhancement program.

9 Notwithstanding section 8.33, as a condition, limitation,  
10 and qualification of the allocation in this paragraph,  
11 unobligated and unencumbered funds remaining on June 30, 1992,  
12 from the allocation for use under this paragraph, shall not  
13 revert to the general fund of the state, but shall remain  
14 available for expenditure during the fiscal year beginning  
15 July 1, 1992, for the same purpose or for other minority  
16 recruitment programs.

17 5. STATE SCHOOL FOR THE DEAF

18 For salaries, support, maintenance, miscellaneous purposes,  
19 and for not more than the following full-time equivalent  
20 positions:

21 .....	\$	6,173,302
22 .....	FTEs	131.53

23 6. IOWA BRAILLE AND SIGHT-SAVING SCHOOL

24 For salaries, support, maintenance, miscellaneous purposes,  
25 and for not more than the following full-time equivalent  
26 positions:

27 .....	\$	3,407,922
28 .....	FTEs	92.45

29 Sec. 411. Moneys appropriated in section 410, subsection  
30 2, paragraph "a", section 410, subsection 3, paragraph "a";  
31 and section 410. subsection 4, paragraph "a", of this division  
32 and designated for the minority and women educators  
33 enhancement program under paragraph "e" of those subsections  
34 shall be used solely for the purposes for which they have been  
35 designated and not for general university purposes.

1 Sec. 412. Moneys appropriated in section 410, subsection  
2 2, paragraph "a", section 410, subsection 3, paragraph "a";  
3 and section 410, subsection 4, paragraph "a", of this division  
4 and designated for the Iowa minority academic grants for  
5 economic success program under paragraph "d" of those  
6 subsections shall be used solely for the purposes for which  
7 they have been designated and not for general university  
8 purposes.

9 Sec. 413. Reallocations of sums received under section  
10 410, subsections 2, 3, 4, 5, and 6, including sums received  
11 for salaries, shall be reported on a quarterly basis to the  
12 co-chairpersons and ranking members of both the legislative  
13 fiscal committee and the joint education appropriations  
14 subcommittee.

15 Sec. 414. As a condition, limitation, and qualification of  
16 the appropriations made to the state board of regents and  
17 regents' institutions under this division, for the fiscal  
18 years beginning July 1, 1991, and July 1, 1992, the state  
19 board of regents shall use notes, bonds, or other evidences of  
20 indebtedness issued under section 262.48 to finance projects  
21 that will result in energy cost savings in an amount that will  
22 cause the state board to recover the cost of the projects  
23 within an average of 6 years.

24 Sec. 415. There is appropriated from the general fund of  
25 the state to the department of cultural affairs for the fiscal  
26 year beginning July 1, 1991, and ending June 30, 1992, the  
27 following amounts, or so much thereof as is necessary, to be  
28 used for the purposes designated:

29 1. ARTS DIVISION

30 For salaries, support, maintenance, miscellaneous purposes,  
31 including funds to match federal grants, and for not more than  
32 the following full-time equivalent positions:

33 .....	\$	1,148,552
34 .....	FTEs	13.00

35 2. HISTORICAL DIVISION

1 For salaries, support, maintenance, miscellaneous purposes,  
 2 and for not more than the following full-time equivalent  
 3 positions:

4 ..... \$ 2,590,092  
 5 ..... FTEs 76.00

6 3. TERRACE HILL COMMISSION

7 For salaries, support, maintenance, miscellaneous purposes,  
 8 for the operation of Terrace Hill and for not more than the  
 9 following full-time equivalent positions:

10 ..... \$ 215,587  
 11 ..... FTEs 5.75

12 4. LIBRARY DIVISION

13 For salaries, support, maintenance, miscellaneous purposes,  
 14 and for not more than the following full-time equivalent  
 15 positions:

16 ..... \$ 2,179,287  
 17 ..... FTEs 42.00

18 5. REGIONAL LIBRARY SYSTEM

19 For state aid:

20 ..... \$ 1,502,698

21 6. ADMINISTRATION DIVISION

22 For salaries, support, maintenance, miscellaneous purposes,  
 23 and for not more than the following full-time equivalent  
 24 positions:

25 ..... \$ 427,737  
 26 ..... FTEs 10.00

27 7. COMMUNITY CULTURAL GRANTS

28 For planning and programming for the community cultural  
 29 grants program established under section 303.89:

30 ..... \$ 805,000

31 8. PUBLIC BROADCASTING DIVISION

32 For salaries, support, maintenance, capital expenditures,  
 33 miscellaneous purposes, and for not more than the following  
 34 full-time equivalent positions:

35 ..... \$ 6,504,051

1 ..... FTEs 103.00

2 Sec. 416. Notwithstanding sections 302.1 and 302.1A, for  
3 the fiscal year beginning July 1, 1991, and ending June 30,  
4 1992, the portion of the interest earned on the permanent  
5 school fund that is not transferred to the credit of the first  
6 in the nation in education foundation and not transferred to  
7 the credit of the national center for gifted and talented  
8 education shall be credited as a payment by the historical  
9 division of the department of cultural affairs of the  
10 principal and interest due on moneys loaned to the historical  
11 division under section 303.18.

12 Sec. 417. 1990 Iowa Acts, chapter 1272, section 9,  
13 subsection 1, is amended by adding the following new  
14 unnumbered paragraph:

15 NEW UNNUMBERED PARAGRAPH. As a condition, limitation, and  
16 qualification of the moneys appropriated in this subsection,  
17 the merged area schools shall expend at least \$370,588 for  
18 additional salary increases for full-time nonadministrative  
19 licensed faculty members and at least \$24,922 for additional  
20 salary increases for full-time salaried professional employees  
21 other than administrators, faculty, and hourly support staff  
22 at each merged area school. For purposes of this subsection,  
23 full-time licensed faculty includes instructors who teach at  
24 an area school on a half-time basis or more. Distribution of  
25 the moneys for salary increases shall be negotiated pursuant  
26 to chapter 20, if the licensed nonadministrative faculty  
27 members of the merged area school are organized for collective  
28 bargaining purposes. For purposes of this subsection,  
29 professional staff includes employees of an area school such  
30 as academic advisors, media specialists, student services  
31 staff, financial aid advisors, data processing staff, program  
32 coordinators, counselors, librarians who are not licensed  
33 faculty members, and other staff members who are funded  
34 pursuant to an existing area school foundation formula cost  
35 center under chapter 286A. Payments for salary increases

1 under this subsection shall be accrued as income and used for  
2 salary increases for the fiscal year beginning July 1, 1990,  
3 and ending June 30, 1991.

4 Sec. 418. Notwithstanding section 8.33, funds appropriated  
5 in 1990 Iowa Acts, chapter 1272, section 14, subsection 1,  
6 paragraph "b", remaining unencumbered or unobligated on June  
7 30, 1991, shall not revert to the general fund of the state  
8 but shall be available for expenditure for the purposes listed  
9 in section 410, subsection 1, paragraph "b", of this division  
10 during the fiscal year beginning July 1, 1991, and ending June  
11 30, 1992.

12 Sec. 419. Section 11.6, subsection 1, unnumbered paragraph  
13 1, Code 1991, is amended to read as follows:

14 The financial condition and transactions of all cities and  
15 city offices, counties, county hospitals organized under  
16 chapters 347 and 347A, memorial hospitals organized under  
17 chapter 37, entities organized under chapter 28E having gross  
18 receipts in excess of one hundred thousand dollars in a fiscal  
19 year, merged areas, area education agencies, and all school  
20 offices in school districts, shall be examined at least once  
21 each year, except that cities having a population of seven  
22 hundred or more but less than two thousand shall be examined  
23 at least once every four years, and cities having a population  
24 of less than seven hundred may be examined as otherwise  
25 provided in this section. The examination shall cover the  
26 fiscal year next preceding the year in which the audit is  
27 conducted. The examination of school offices shall include an  
28 audit of activity all school funds, the certified annual  
29 financial report, and the certified enrollment as provided in  
30 section 257.11. Examinations of community colleges shall  
31 include an audit of eligible and noneligible contact hours as  
32 defined in section 286A.2. Eligible and noneligible contact  
33 hours and the certified enrollment shall be certified to the  
34 department of management.

35 Sec. 420. Section 261.50, subsection 3, Code 1991, is



1 amended to read as follows:

2 3. Agrees to practice in an eligible community of fewer  
3 than five thousand population for a minimum period of four  
4 consecutive years or is practicing in a federally approved  
5 community health center or health manpower shortage area.

6 Sec. 421. NEW SECTION. 262.9A PROHIBITION ON CONTROLLED  
7 SUBSTANCES.

8 The state board of regents shall adopt a policy that  
9 prohibits unlawful possession, use, or distribution of  
10 controlled substances by students and employees on property  
11 owned or leased by an institution or in conjunction with  
12 activities sponsored by an institution governed by the board.  
13 Each institution shall provide information about the policy to  
14 all students and employees. The policy shall include a clear  
15 statement of sanctions for violation of the policy and  
16 information about available drug or alcohol counseling and  
17 rehabilitation programs. In carrying out this policy, the  
18 institutions shall provide substance abuse prevention programs  
19 for students and employees.

20 Sec. 422. Section 279.51, subsection 1, unnumbered  
21 paragraph 2, Code 1991, is amended to read as follows:

22 Notwithstanding section 256A.3, subsection 6, of the amount  
23 appropriated for the each fiscal year beginning July 1, 1990,  
24 less the amount allocated under paragraph "a", three and  
25 thirty-three hundredths percent may be used for administrative  
26 costs.

27 Sec. 423. Section 280A.34, Code 1991, is amended to read  
28 as follows:

29 280A.34 CERTAIN USES OF FUNDS PROHIBITED.

30 Funds obtained pursuant to section 280A.17; subsections 3,  
31 4, and 5 of section 280A.18; section 280A.19; and section  
32 280A.22 shall not be used for the construction or maintenance  
33 of athletic buildings or grounds but may be used for a project  
34 under section 280A.56.

35 Sec. 424. Section 280A.56, subsection 3, Code 1991, is

1 amended to read as follows:

2 3. "Project" means the acquisition by purchase, lease in  
3 accordance with section 280A.38, or construction of buildings  
4 for use as student residence halls and dormitories, including  
5 dining and other incidental facilities therefor, and additions  
6 to such buildings, the reconstruction, completion, equipment,  
7 improvement, repair or remodeling of residence halls,  
8 dormitories, or additions or incidental facilities, and the  
9 acquisition of property of every kind and description, whether  
10 real, personal, or mixed, by gift, purchase, lease,  
11 condemnation, or otherwise and the improvement of the  
12 property.

13 Sec. 425. Section 280A.56, Code 1991, is amended by adding  
14 the following new subsection:

15 NEW SUBSECTION. 4. "Bonds or notes" means revenue bonds  
16 or revenue notes which are payable solely from net rents,  
17 profits, and other income derived from the operation of  
18 residence halls, dormitories, incidental facilities, and  
19 additions.

20 Sec. 426. Section 280A.58, unnumbered paragraph 1, Code  
21 1991, is amended to read as follows:

22 To pay all or any part of the cost of carrying out any  
23 project at any institution the board is authorized to borrow  
24 money and to issue and sell negotiable bonds or notes and to  
25 refund and refinance bonds or notes issued for any project or  
26 for refunding purposes at a lower rate, the same rate, or a  
27 higher rate or rates of interest and from time to time as  
28 often as the board shall find it to be advisable and necessary  
29 so to do. Bonds or notes ~~issued-to-refund-other-bonds-or~~  
30 ~~notes~~ issued by the board for residence hall or dormitory  
31 purposes at any institution, including dining or other  
32 facilities and additions, or issued for refunding purposes,  
33 may either be sold in the manner specified for the selling of  
34 certificates under section 2803.6 and the proceeds applied to  
35 the payment of the obligations being refunded, or the

1 refunding bonds or notes may be exchanged for and in payment  
2 and discharge of the obligations being refunded. A finding by  
3 the board in the resolution authorizing the issuance of the  
4 refunding bonds or notes, that the bonds or notes being  
5 refunded were issued for a purpose specified in this division  
6 and constitute binding obligations of the board, shall be  
7 conclusive and may be relied upon by any holder of any  
8 refunding bond or note issued under the provisions of this  
9 division. The refunding bonds or notes may be sold or  
10 exchanged in installments at different times or an entire  
11 issue or series may be sold or exchanged at one time. Any  
12 issue or series of refunding bonds or notes may be exchanged  
13 in part or sold in parts in installments at different times or  
14 at one time. The refunding bonds or notes may be sold or  
15 exchanged at any time on, before, or after the maturity of any  
16 of the outstanding notes, bonds or other obligations to be  
17 refinanced thereby and may be issued for the purpose of  
18 refunding a like or greater principal amount of bonds or  
19 notes, except that the principal amount of the refunding bonds  
20 or notes may exceed the principal amount of the bonds or notes  
21 to be refunded to the extent necessary to pay any premium due  
22 on the call of the bonds or notes to be refunded ~~or~~, to fund  
23 interest in arrears or about to become due, or to allow for  
24 sufficient funding of the escrow account on the bonds to be  
25 refunded.

26 Sec. 427. Section 280A.59, Code 1991, is amended to read  
27 as follows:

28 280A.59 RATES AND TERMS OF BONDS OR NOTES.

29 The bonds or notes may bear a date or dates, may bear  
30 interest at such rate or rates, ~~payable-semiannually~~, may  
31 mature at such time or times, may be in such form, carry such  
32 registration privileges, may be payable at such place or  
33 places, may be subject to such terms of redemption prior to  
34 maturity with or without premium, if so stated on the face of  
35 the bonds, and may contain any terms and covenants as may be

1 provided by the resolution of the board authorizing the  
2 issuance of the bonds or notes. In addition to the estimated  
3 cost of construction, the cost of the project shall be deemed  
4 to include interest upon the bonds or notes during  
5 construction and for six months after the estimated completion  
6 date, the compensation of a fiscal agent or adviser, any  
7 underwriter discount, and engineering, administrative and  
8 legal expenses. The bonds or notes shall be executed by the  
9 president of the board of trustees and attested by the  
10 secretary ~~and the coupons attached to the bonds or notes shall~~  
11 ~~be executed with the original or facsimile signatures of said~~  
12 ~~president and secretary.~~ Any bonds or notes bearing the  
13 signatures of officers in office on the date of the signing  
14 shall be valid and binding for all purposes, notwithstanding  
15 that before delivery of the bonds or notes any or all persons  
16 whose signatures appear on the bonds or notes shall have  
17 ceased to be officers. Each bond or note shall state upon its  
18 face the name of the institution on behalf of which it is  
19 issued, that it is payable solely and only from the net rents,  
20 profits and income derived from the operation of residence  
21 halls or dormitories, including dining and other incidental  
22 facilities, at the institution named, and that it does not  
23 constitute a charge against the state of Iowa within the  
24 meaning or application of any constitutional or statutory  
25 limitation or provision. The issuance of bonds or notes shall  
26 be recorded in the office of the treasurer of the institution  
27 on behalf of which the bonds or notes are issued, and a  
28 certificate by such treasurer to this effect shall be printed  
29 on the back of each such bond or note.

30 Sec. 428. Section 280A.60, Code 1991, is amended to read  
31 as follows:

32 280A.60 REFUNDING ISSUANCE RESOLUTION.

33 Upon the determination by the board to undertake and carry  
34 out any project or to refund outstanding bonds or notes, the  
35 board shall adopt a resolution generally describing the

1 contemplated project and setting forth the estimated cost, or  
2 describing the obligations to be refunded, fixing the amount  
3 of bonds or notes to be issued, the maturity or maturities,  
4 the interest rate or rates and all details of the project.  
5 The resolution shall contain any covenants as may be  
6 determined by the board as to the issuance of additional bonds  
7 or notes that may be issued payable from the net rents,  
8 profits and income of the residence halls or dormitories, the  
9 amendment or modification of the resolution authorizing the  
10 issuance of any bonds or notes, the manner, terms and  
11 conditions and the amount or percentage of assenting bonds or  
12 notes necessary to effectuate the amendment or modification,  
13 and any other covenants as may be deemed necessary or  
14 desirable. In the discretion of the board any bonds or notes  
15 issued under the terms of this division may be secured by a  
16 trust indenture by and between the board and a corporate  
17 trustee, which may be any trust company or bank having the  
18 powers of a trust company within or without the boundaries of  
19 the state of Iowa, ~~but no such trust indenture shall convey or~~  
20 ~~mortgage the buildings or facilities or any part of the~~  
21 ~~buildings or facilities.~~ The provisions of this division and  
22 of any resolution or other proceedings authorizing the  
23 issuance of bonds or notes and providing for the establishment  
24 and maintenance of adequate rates, fees or rentals and the  
25 application of the proceeds thereof shall constitute a  
26 contract with the holders of the bonds or notes.

27 Sec. 429. NEW SECTION. 286A.20 PROHIBITION ON CONTROLLED  
28 SUBSTANCES.

29 Each merged area school shall adopt a policy that prohibits  
30 unlawful possession, use, or distribution of controlled  
31 substances by students and employees on property owned or  
32 leased by the merged area school or in conjunction with  
33 activities sponsored by a merged area school. Each merged  
34 area school shall provide information about the policy to all  
35 students and employees. The policy shall include a clear

1 statement of sanctions for violation of the policy and  
2 information about available drug or alcohol counseling and  
3 rehabilitation programs. In carrying out this policy, the  
4 merged area school shall provide substance abuse prevention  
5 programs for students and employees.

6 Sec. 430. Section 286A.14A, unnumbered paragraph 1, Code  
7 1991, is amended to read as follows:

8 The department of education shall provide for the  
9 establishment of a community college excellence 2000 account  
10 in the office of the treasurer of state for deposit of moneys  
11 appropriated to the account for purposes of funding quality  
12 instructional centers and program and administrative sharing  
13 agreements under sections 280A.45 and 280A.46. There is  
14 appropriated from the general fund of the state to the  
15 department of education, for the fiscal year beginning July 1,  
16 1991, one million two hundred thousand dollars. There is  
17 appropriated from the general fund of the state to the  
18 department of education for the fiscal year beginning July 1,  
19 1992, an amount equal to two and five-tenths percent of the  
20 total state general aid generated for all community colleges  
21 during the budget year under this chapter for deposit in the  
22 community college excellence 2000 account. In the next  
23 succeeding two fiscal years, the percent multiplier shall be  
24 increased in equal increments until the multiplier reaches  
25 seven and one-half percent of the total state general aid  
26 generated for all community colleges during the budget year.

27 Sec. 431. Section 286A.19, Code 1991, is repealed.

28 Sec. 432. Sections 417 and 418 of this division, being  
29 deemed of immediate importance, are effective upon enactment.

30 DIVISION V

31 HEALTH AND HUMAN RIGHTS APPROPRIATIONS

32 Sec. 501. There is appropriated from the general fund of  
33 the state to the Iowa state civil rights commission for the  
34 fiscal year beginning July 1, 1991 and ending June 30, 1992,  
35 the following amount, or so much thereof as is necessary, to

1 be used for the purposes designated:

2 For salaries, support, maintenance, miscellaneous purposes,  
3 and for not more than the following full-time equivalent posi-  
4 tions:

5 .....	\$	1,040,965
6 .....	FTEs	37.00

7 Sec. 502. There is appropriated from the general fund of  
8 the state to the department of human rights for the fiscal  
9 year beginning July 1, 1991 and ending June 30, 1992, the  
10 following amounts, or so much thereof as is necessary, to be  
11 used for the purposes designated:

12 1. CENTRAL ADMINISTRATION DIVISION

13 For salaries, support, maintenance, miscellaneous purposes,  
14 and for not more than the following full-time equivalent posi-  
15 tions:

16 .....	\$	250,106
17 .....	FTEs	9.00

18 2. LATINO AFFAIRS DIVISION

19 For salaries, support, maintenance, miscellaneous purposes,  
20 and for not more than the following full-time equivalent posi-  
21 tions:

22 .....	\$	89,887
23 .....	FTEs	2.50

24 3. PERSONS WITH DISABILITIES DIVISION

25 For salaries, support, maintenance, miscellaneous purposes,  
26 and for not more than the following full-time equivalent posi-  
27 tions:

28 .....	\$	194,648
29 .....	FTEs	4.00

30 Of the funds appropriated to the division, there is  
31 allocated an amount necessary to fund the central registry for  
32 brain injuries established pursuant to section 135.22.

33 4. STATUS OF WOMEN DIVISION

34 a. For salaries, support, maintenance, miscellaneous  
35 purposes, and for not more than the following full-time

1 equivalent positions:

2 .....	\$	354,704
3 .....	FTEs	4.10

4 Of the funds appropriated in this subsection, no less than  
5 \$140,000 shall be spent for the displaced homemaker program.

6 Of the funds appropriated in this subsection, no less than  
7 \$43,776 shall be spent for domestic violence and sexual  
8 assault related grants.

9 5. CHILDREN, YOUTH, AND FAMILIES DIVISION

10 For salaries, support, maintenance, miscellaneous purposes,  
11 and for not more than the following full-time equivalent posi-  
12 tions:

13 .....	\$	151,690
14 .....	FTEs	8.00

15 Of the funds appropriated in this subsection, no less than  
16 \$36,300 shall be spent for expenses relating to the  
17 administration of federal funds for juvenile assistance. It  
18 is the intent of the general assembly that the department of  
19 human rights employ sufficient staff to meet the federal  
20 funding match requirements established by the federal office  
21 for juvenile justice delinquency prevention. The governor's  
22 advisory council on juvenile justice shall determine the  
23 staffing level necessary to carry out federal and state  
24 mandates for juvenile justice.

25 6. DEAF SERVICES DIVISION

26 For salaries, support, maintenance, miscellaneous purposes,  
27 and for not more than the following full-time equivalent posi-  
28 tions:

29 .....	\$	295,794
30 .....	FTEs	10.00

31 The fees collected by the division for provision of  
32 interpretation services by the division to obligated agencies  
33 shall be dispersed pursuant to the provisions of section 8.32,  
34 and shall be dedicated and used by the division for the  
35 provision of continued and expanded interpretation services.



1 7. STATUS OF BLACKS DIVISION

2 For salaries, support, maintenance, miscellaneous purposes,  
3 and for not more than the following full-time equivalent posi-  
4 tions:

5 .....	\$	81,664
6 .....	FTEs	2.00

7 8. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION

8 For salaries, support, maintenance, miscellaneous purposes,  
9 and for not more than the following full-time equivalent posi-  
10 tions:

11 .....	\$	314,261
12 .....	FTEs	7.00

13 The criminal and juvenile justice planning advisory council  
14 and the juvenile justice advisory council of the division of  
15 children, youth, and families shall coordinate their efforts  
16 in carrying out their respective duties relative to juvenile  
17 justice.

18 Sec. 503. There is appropriated from the general fund of  
19 the state to the department for the blind for the fiscal year  
20 beginning July 1, 1991, and ending June 30, 1992, the  
21 following amount, or so much thereof as is necessary, to be  
22 used for the purposes designated:

23 For salaries, support, maintenance, miscellaneous purposes,  
24 and for not more than the following full-time equivalent posi-  
25 tions:

26 .....	\$	1,450,576
27 .....	FTEs	104.50

28 Sec. 504. There is appropriated from the general fund of  
29 the state to the department of elder affairs for the fiscal  
30 year beginning July 1, 1991, and ending June 30, 1992, the  
31 following amounts, or so much thereof as is necessary, to be  
32 used for the purposes designated:

33 1. For salaries, support, maintenance, miscellaneous  
34 purposes, and for not more than the following full-time  
35 equivalent positions:

1 ..... \$ 448,630

2 ..... FTEs 32.00

3 Of the funds appropriated under this subsection, \$50,000  
4 shall be allocated to fund the representative payee project  
5 established within the department of elder affairs.

6 2. For the administration of area agencies on aging:

7 ..... \$ 165,000

8 3. For the long-term care residents' advocate and the care  
9 review committees at the local area agency on aging level:

10 ..... \$ 120,000

11 As a condition, limitation, and qualification of the funds  
12 appropriated by this subsection, a local area agency on aging  
13 shall match the funds appropriated with funds from other  
14 sources on a \$4 to \$1 basis.

15 4. For the retired Iowans community employment program:

16 ..... \$ 104,000

17 5. For existing retired senior volunteer program projects:

18 ..... \$ 83,000

19 6. For the older Iowans' legislature:

20 ..... \$ 13,000

21 7. For elderly services programs:

22 ..... \$ 1,531,000

23 All funds appropriated under this subsection shall be  
24 received and disbursed by the director of elder affairs for  
25 the elderly services program, shall not be used for  
26 administrative purposes, and shall be used for citizens of  
27 Iowa over 60 years of age for chore, telephone reassurance,  
28 adult day care, and home repair services, including the  
29 winterizing of homes, and for the construction of entrance  
30 ramps which meet the requirements of section 104A.4 and make  
31 residences accessible to the physically handicapped. Funds  
32 appropriated under this subsection may be used to supplement  
33 federal funds under federal regulations. Funds appropriated  
34 under this subsection may be used for elderly services not  
35 specifically enumerated in this subsection only if approved by

1 an area agency on aging for provision of the service within  
2 the area.

3 Of the funds appropriated in this subsection, \$150,000, or  
4 so much thereof as is necessary, are allocated for the respite  
5 care program.

6 Of the funds appropriated in this subsection, area agencies  
7 on aging shall expend no less than \$250,000 on adult day care  
8 programs.

9 Of the funds appropriated in this subsection, \$150,000, or  
10 so much thereof as is necessary, shall be used for case  
11 management for the frail elderly.

12 8. For the Alzheimer's disease support program:

13 ..... \$ 75,000

14 Sec. 505. There is appropriated from the general fund of  
15 the state to the Iowa department of public health for the  
16 fiscal year beginning July 1, 1991, and ending June 30, 1992,  
17 the following amounts, or so much thereof as is necessary, to  
18 be used for the purposes designated:

19 1. CENTRAL ADMINISTRATION DIVISION

20 For salaries, support, maintenance, miscellaneous purposes,  
21 and for not more than the following full-time equivalent posi-  
22 tions:

23 ..... \$ 757,278

24 ..... FTEs 57.50

25 2. HEALTH PLANNING DIVISION

26 a. For salaries, support, maintenance, miscellaneous  
27 purposes, and for not more than the following full-time  
28 equivalent positions:

29 ..... \$ 415,852

30 ..... FTEs 12.75

31 b. For salaries, support, maintenance, miscellaneous  
32 purposes, and for not more than the following full-time  
33 equivalent positions for the office of rural health:

34 ..... \$ 164,536

35 ..... FTEs 4.00

1 (1) Of the funds appropriated in this paragraph, \$34,536  
2 is allocated for the continuation of the office of rural  
3 health.

4 (2) Of the funds appropriated in this paragraph, \$100,000  
5 is allocated to the office of rural health to provide  
6 technical assistance to rural areas in the area of health care  
7 delivery, including technical assistance in the recruitment of  
8 physicians and health care professionals.

9 (3) Of the funds appropriated in this paragraph, \$30,000  
10 is allocated for a public purpose to provide one-time  
11 competitive grants, not to exceed \$10,000 each, to hospitals  
12 networking in the Iowa agricultural health and safety services  
13 program. Hospitals shall use grant funds to create stipends  
14 for persons engaged in agriculture who are without third-party  
15 health coverage or who are otherwise unable to pay for  
16 services, and to implement the program through training  
17 personnel, developing outreach programs and educational  
18 materials, and purchasing equipment needed to offer savings.

19 As used in this subparagraph, "agriculture" means an  
20 activity relating to the production, processing, warehousing,  
21 or handling of commodities produced from farming, as defined  
22 in section 567.1. For purposes of this subparagraph, a person  
23 is engaged in agriculture if the person is consistently  
24 exposed to a related activity described in this subparagraph.

25 c. For the health data clearinghouse of the health data  
26 commission:

27 ..... \$ 300,000

28 3. DISEASE PREVENTION DIVISION

29 a. For salaries, support, maintenance, miscellaneous  
30 purposes, and for not more than the following full-time  
31 equivalent positions:

32 ..... \$ 2,446,096

33 ..... FTEs 85.54

34 (1) Of the funds appropriated under this paragraph,  
35 \$75,000 shall be used for chlamydia testing.

1 (2) Of the funds appropriated in this paragraph, \$15,000  
2 is allocated to support the surveillance and reporting of  
3 disabilities suffered by persons engaged in agriculture  
4 resulting from diseases or injuries, including identifying the  
5 amount and severity of agriculture related injuries and  
6 diseases in the state, identifying causal factors associated  
7 with agriculture related injuries and diseases, and evaluating  
8 the effectiveness of intervention programs designed to reduce  
9 injuries and diseases. The department shall cooperate with  
10 the department of agriculture and land stewardship, Iowa state  
11 university of science and technology, and the college of  
12 medicine at the state university of Iowa in accomplishing  
13 these duties.

\* 14 (3) The state university of Iowa hospitals and clinics  
15 shall not receive indirect costs from the funds appropriated  
16 under this paragraph.

17 b. For salaries, support, maintenance, miscellaneous  
18 purposes, and for not more than the following full-time  
19 equivalent positions:

20 .....	\$	975,473
21 .....	FTEs	5.00

22 It is the intent of the general assembly that the moneys  
23 appropriated under this paragraph shall be used for the  
24 training of emergency medical services (EMS) personnel at the  
25 state, county, and local levels.

26 If a person in the course of responding to an emergency  
27 renders aid to an injured person and becomes exposed to bodily  
28 fluids of the injured person, that emergency responder shall  
29 be entitled to hepatitis testing and immunization in  
30 accordance with the latest available medical technology to  
31 determine if infection with hepatitis has occurred. The  
32 person shall be entitled to reimbursement from the emergency  
33 provider fund only if the reimbursement is not available  
34 through any employer or third-party payor.

35 c. For the acquisition of emergency medical services

1 equipment:

2 ..... \$ 375,000

3 (1) The funds appropriated under this section shall be  
4 allocated to each county based upon the apportionment of funds  
5 as follows:

6 (a) 50 percent of the funds is apportioned based upon the  
7 area of a county to the total area of all counties.

8 (b) 25 percent of the funds is apportioned based upon the  
9 population of the county to the total population of all  
10 counties.

11 (c) 25 percent of the funds is apportioned based upon the  
12 rural population of the county to the total rural population  
13 of all counties.

14 (2) Each county EMS association shall propose a plan for  
15 spending the county's allocation and submit the plan to the  
16 Iowa department of public health for its review and comment.  
17 The Iowa department of public health shall review the plan and  
18 shall approve, modify, or deny the plan. If a request is  
19 denied, the county EMS association may submit a new proposal.  
20 Upon approval, the Iowa department of public health shall  
21 remit the amount approved to the award recipients. Each award  
22 of \$1 to a county shall require a \$1 match by the county or  
23 EMS provider. The Iowa department of public health shall  
24 provide assistance to the county EMS associations in reviewing  
25 the proposals.

26 (3) For the purposes of this lettered paragraph, unless  
27 the context otherwise requires:

28 (a) "Area", "county EMS association", "EMS provider", and  
29 "rural population" mean the same as defined in 641 IAC 130.

30 (b) "Emergency medical services equipment" means  
31 defibrillators, nondisposable essential EMS equipment, as  
32 defined by the Iowa department of public health,  
33 communications pagers, radios, and base repeaters. "Emergency  
34 medical services equipment" does not include ambulances,  
35 automotive parts, or buildings.

1 4. PROFESSIONAL LICENSURE DIVISION

2 For salaries, support, maintenance, miscellaneous purposes,  
3 and for not more than the following full-time equivalent posi-  
4 tions:

5 .....	\$	615,785
6 .....	FTEs	14.50

7 5. STATE BOARD OF DENTAL EXAMINERS

8 For salaries, support, maintenance, miscellaneous purposes,  
9 and for not more than the following full-time equivalent posi-  
10 tions:

11 .....	\$	226,243
12 .....	FTEs	4.00

13 6. STATE BOARD OF MEDICAL EXAMINERS

14 For salaries, support, maintenance, miscellaneous purposes,  
15 and for not more than the following full-time equivalent posi-  
16 tions:

17 .....	\$	992,539
18 .....	FTEs	19.00

19 7. STATE BOARD OF NURSING EXAMINERS

20 For salaries, support, maintenance, miscellaneous purposes,  
21 and for not more than the following full-time equivalent posi-  
22 tions:

23 .....	\$	789,058
24 .....	FTEs	17.00

25 8. STATE BOARD OF PHARMACY EXAMINERS

26 For salaries, support, maintenance, miscellaneous purposes,  
27 and for not more than the following full-time equivalent posi-  
28 tions:

29 .....	\$	599,721
30 .....	FTEs	12.00

31 9. Professional licensure division pursuant to subsection  
32 4 and the boards pursuant to subsections 5 through 8 shall  
33 prepare estimates of projected receipts to be generated by the  
34 licensing, certification, and examination fees of each board  
35 as well as a projection of the fairly apportioned

1 administrative costs and rental expenses attributable to each  
2 board. Each board shall annually review and adjust its  
3 schedule of fees so that, as nearly as possible, projected  
4 receipts equal projected costs.

5 10. SUBSTANCE ABUSE DIVISION

6 a. For salaries, support, maintenance, miscellaneous  
7 purposes, and for not more than the following full-time  
8 equivalent positions:

9 .....	\$	502,225
10 .....	FTEs	20.00

11 b. For program grants:

12 .....	\$	8,961,665
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13 c. For the provision of aftercare services for persons  
14 completing substance abuse treatment:

15 .....	\$	200,000
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16 11. FAMILY AND COMMUNITY HEALTH DIVISION

17 a. For salaries, support, maintenance, miscellaneous  
18 purposes, and for not more than the following full-time  
19 equivalent positions:

20 .....	\$	4,447,820
21 .....	FTEs	91.97

22 (1) The department shall allocate from the funds  
23 appropriated under this paragraph at least \$631,000 for the  
24 birth defects and genetics counseling program and of these  
25 funds, \$39,000 shall be allocated for a central birth defects  
26 registry program, and \$296,000 shall be allocated for regional  
27 genetic counseling services contracted from the state  
28 university of Iowa hospitals and clinics under the control of  
29 the state board of regents.

30 (2) Of the funds appropriated under this paragraph,  
31 \$99,000 shall be used for a lead abatement program.

32 (3) Of the funds appropriated under this paragraph,  
33 \$754,500 shall be used for the chronic renal disease program.

34 The types of assistance to eligible recipients under the  
35 program may include hospital and medical expenses, home



1 dialysis supplies, insurance premiums, travel expenses,  
2 prescription and nonprescription drugs, and lodging expenses  
3 for persons in training. The program expenditures shall not  
4 exceed these allocations. If projected expenditures will  
5 exceed the allocations, the department shall establish by  
6 administrative rule a mechanism to reduce financial assistance  
7 under the renal disease program in order to keep expenditures  
8 within the allocations.

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

14 (a) Mobile and regional child health specialty clinics:  
15 ..... \$ 341,500

16 The regional clinic located in Sioux City shall maintain a  
17 social worker component to assist the families of children  
18 participating in the clinic program.

19 (b) Muscular dystrophy and related genetic disease  
20 programs:  
21 ..... \$ 125,000

22 (c) Statewide perinatal program:  
23 ..... \$ 67,000

24 (5) The birth defects and genetic counseling service shall  
25 apply a sliding fee scale to determine the amount a person re-  
26 ceiving the services is required to pay for the services.  
27 These fees shall be considered repayment receipts and used for  
28 the program.

29 (6) Of the funds allocated to the mobile and regional  
30 child health specialty clinics under subparagraph (4),  
31 subparagraph subdivision (a), \$101,500 shall be used for a  
32 specialized medical home care program providing care planning  
33 and coordination of community support services for children  
34 who require technical medical care in the home.

35 (7) The state university of Iowa hospitals and clinics

1 shall not receive indirect costs from the funds for each  
2 program.

3 (8) Of the funds appropriated under this paragraph,  
4 \$1,350,000 shall be used for maternal and child health  
5 services.

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

14 (10) The Iowa department of public health, in coordination  
15 with the department of human services, shall encourage  
16 eligible children to be enrolled in the Medicaid preventive  
17 program for children, and the early and periodic screening,  
18 diagnosis, and treatment program.

19 (11) The Iowa department of public health shall review the  
20 state's process of contracting with maternal and child health  
21 centers including improvement of the coordination of related  
22 services such as the women, infants and children program,  
23 perinatal care, and child health care, through mechanisms  
24 including the combining of services into a single contract,  
25 colocation, or other means of coordination. The department  
26 shall examine means of delivering services in the most  
27 efficient and effective manner to meet local needs.

28 b. Sudden infant death syndrome autopsies:

29 For reimbursing counties for expenses resulting from autop-  
30 sies of suspected victims of sudden infant death syndrome  
31 required under section 331.802, subsection 3, paragraph "j":  
32 ..... \$ 10,000

33 c. For grants to local boards of health for the public  
34 health nursing program:

35 ..... \$ 2,732,249

1 Funds appropriated under this paragraph shall be used to  
2 maintain and expand the existing public health nursing program  
3 for elderly and low-income persons with the objective of  
4 preventing or reducing inappropriate institutionalization.  
5 The funds shall not be used for any other purpose. As used in  
6 this paragraph, "elderly person" means a person who is 60  
7 years of age or older and "low-income person" means a person  
8 whose income and resources are below the guidelines  
9 established by the department.

10 One-fourth of the total amount to be allocated shall be  
11 divided so that an equal amount is available for use in each  
12 county in the state. Three-fourths of the total amount to be  
13 allocated shall be divided so that the share available for use  
14 in each county is proportionate to the number of elderly and  
15 low-income persons living in that county in relation to the  
16 total number of elderly and low-income persons living in the  
17 state.

18 In order to receive allocations under this paragraph, the  
19 local board of health having jurisdiction shall prepare a  
20 proposal for the use of the allocated funds available for that  
21 jurisdiction that will provide the maximum benefits of  
22 expanded public health nursing care to elderly and low-income  
23 persons in the jurisdiction. After approval of the proposal  
24 by the department, the department shall enter into a contract  
25 with the local board of health. The local board of health  
26 shall subcontract with a nonprofit nurses' association, an  
27 independent nonprofit agency, or a suitable local governmental  
28 body to use the allocated funds to provide public health  
29 nursing care. Local boards of health shall make an effort to  
30 prevent duplication of services.

31 If by July 30 of the fiscal year, the department is unable  
32 to conclude contracts for use of the allocated funds in a  
33 county, the department shall consider the unused funds  
34 appropriated under this paragraph an unallocated pool. If the  
35 unallocated pool is \$50,000 or more it shall be reallocated to

1 the counties in substantially the same manner as the original  
2 allocations. The reallocated funds are available for use in  
3 those counties during the period beginning January 1 and  
4 ending June 30 of the fiscal year. If the unallocated pool is  
5 less than \$50,000, the department may allocate it to counties  
6 with demonstrated special needs for public health nursing.

7 The department shall maintain rules governing the  
8 expenditure of funds appropriated by this paragraph. The  
9 rules require each local agency receiving funds to establish  
10 and use a sliding fee scale for those persons able to pay for  
11 all or a portion of the cost of the care.

12 The department shall annually evaluate the success of the  
13 public health nursing program. The evaluation shall include  
14 the extent to which the program reduced or prevented  
15 inappropriate institutionalization, the extent to which the  
16 program increased the availability of public health nursing  
17 care to elderly and low-income persons, and the extent of  
18 public health nursing care provided to elderly and low-income  
19 persons. The department shall submit a report of each annual  
20 evaluation to the governor and the general assembly.

21 d. For grants to county boards of supervisors for the  
22 homemaker-home health aide program:

23 ..... \$ 9,275,159

24 Funds appropriated under this paragraph shall be used to  
25 provide homemaker-home health aide services with emphasis on  
26 services to elderly and persons below the poverty level and  
27 children and adults in need of protective services with the  
28 objective of preventing or reducing inappropriate  
29 institutionalization. In addition, up to 15 percent of the  
30 funds appropriated under this paragraph may be used to provide  
31 chore services. The funds shall not be used for any other  
32 purpose. As used in this paragraph:

33 (1) "Chore services" means services provided to  
34 individuals or families, who, due to incapacity, or illness,  
35 are unable to perform certain home maintenance functions. The

1 services include but are not limited to yard work such as  
2 mowing lawns, raking leaves, and shoveling walks; window and  
3 door maintenance such as hanging screen windows and doors,  
4 replacing windowpanes, and washing windows; and minor repairs  
5 to walls, floors, stairs, railings, and handles. It also  
6 includes heavy house cleaning which includes cleaning attics  
7 or basements to remove fire hazards, moving heavy furniture,  
8 extensive wall washing, floor care or painting, and trash  
9 removal.

10 (2) "Elderly person" means a person who is 60 years of age  
11 or older.

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

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

26 (5) "Protective services" means those homemaker-home  
27 health aide services intended to stabilize a child's or an  
28 adult's residential environment and relationships with  
29 relatives, caretakers, and other persons or household members  
30 in order to alleviate a situation involving abuse or neglect  
31 or to otherwise protect the child or adult from a threat of  
32 abuse or neglect.

33 The amount appropriated under this paragraph shall be  
34 allocated for use in the counties of the state. 15 percent of  
35 the amount shall be divided so that an equal amount is

1 available for use in each county in the state. The following  
2 percentages of the remaining amount shall be allocated to each  
3 county according to that county's proportion of residents with  
4 the following demographic characteristics: 60 percent  
5 according to the number of elderly persons living in the  
6 county; 20 percent according to the number of persons below  
7 the poverty level living in the county; and 20 percent  
8 according to the number of substantiated cases of child abuse  
9 in the county during the 3 most recent fiscal years for which  
10 data is available.

11 In order to receive allocations under this paragraph, the  
12 county board of supervisors, after consultation with the local  
13 boards of health, county board of social welfare, area agency  
14 on aging advisory council, local office of the department of  
15 human services, and other in-home health care provider  
16 agencies in the jurisdiction, shall prepare a proposal for the  
17 use of the allocated funds available for that jurisdiction  
18 that will provide the maximum benefits of homemaker-home  
19 health aide services to elderly and low-income persons and  
20 children and adults in need of protective services in the  
21 jurisdiction. An agency requesting service or financial  
22 information about a current subcontractor shall provide  
23 similar information concerning its own homemaker-home health  
24 aide or chore services program to the current subcontractor.  
25 The proposal may provide that a maximum of 15 percent of the  
26 allocated funds will be used to provide chore services. The  
27 proposal shall include a statement assuring that children and  
28 adults in need of protective services are given priority for  
29 homemaker-home health aide services and that the appropriate  
30 local agencies have participated in the planning for the  
31 proposal. After approval of the proposal by the department,  
32 the department shall enter into a contract with the county  
33 board of supervisors or a governmental body designated by the  
34 county board of supervisors. The county board of supervisors  
35 or its designee shall subcontract with a nonprofit nurses'

1 association, an independent nonprofit agency, the department  
2 of human services, or a suitable local governmental body to  
3 use the allocated funds to provide homemaker-home health aide  
4 services and chore services providing that the subcontract  
5 requires any service provided away from the home to be  
6 documented in a report available for review by the department,  
7 and that each homemaker-home health aide subcontracting agency  
8 shall maintain the direct service workers' time assigned to  
9 direct client service at 70 percent or more of the workers'  
10 paid time and that not more than 35 percent of the total cost  
11 of the service be included in the combined costs for service  
12 administration and agency administration. The subcontract  
13 shall require that each homemaker-home health aide  
14 subcontracting agency shall pay the employer's contribution of  
15 Social Security and provide workers' compensation coverage for  
16 persons providing direct homemaker-home health aide service  
17 and meet any other applicable legal requirements of an  
18 employer-employee relationship.

19 If by July 30 of the fiscal year, the department is unable  
20 to conclude contracts for use of the allocated funds in a  
21 county, the department shall consider the unused funds  
22 appropriated under this paragraph an unallocated pool. The  
23 department shall also identify any allocated funds which the  
24 counties do not anticipate spending during the fiscal year.  
25 If the anticipated excess funds to any county are substantial,  
26 the department and the county may agree to return those excess  
27 funds, if the funds are other than program revenues, to the  
28 department, and if returned, the department shall consider the  
29 returned funds a part of the unallocated pool. The department  
30 shall prior to February 15 of the fiscal year, reallocate the  
31 funds in the unallocated pool among the counties in which the  
32 department has concluded contracts under this paragraph. The  
33 department shall also review the first 10 months' expenditures  
34 for each county in May of the fiscal year, to determine if any  
35 counties possess contracted funds which they do not anticipate

1 spending. If such funds are identified and the county agrees  
2 to release the funds, the released funds will be considered a  
3 new reallocation pool. The department may, prior to June 1 of  
4 the fiscal year, reallocate funds from this new reallocation  
5 pool to those counties which have experienced a high  
6 utilization of protective service hours for children and  
7 dependent adults.

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

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

31 e. For the development and maintenance of well-elderly  
32 clinics in the state:

33 ..... \$ 606,945

34 Appropriations made in this paragraph shall be provided by  
35 a formula to well-elderly clinics located in counties which



1 provide funding on a matching basis for the well-elderly  
2 clinics.

3 f. For the physician care for children program:

4 ..... \$ 425,000

5 The physician services shall be subject to managed care and  
6 selective contracting provisions and shall be used to provide  
7 treatment of the children in a physician's office and shall  
8 include coverage of diagnostic procedures and prescription  
9 drugs required for the treatment. Services provided under  
10 this paragraph shall be reimbursed according to Title XIX  
11 reimbursement rates.

12 g. For primary and preventive health care for children:

13 ..... \$ 135,000

14 Funds appropriated under this section shall be for the  
15 public purpose of providing a renewable grant, following a  
16 request for proposals, to a statewide charitable organization  
17 within the meaning of section 501(c)(3) of the Internal  
18 Revenue Code which was organized prior to April 1, 1989, and  
19 has as one of its purposes the sponsorship or support for  
20 programs designed to improve the quality, awareness, and  
21 availability of health care for the young, to serve as the  
22 funding mechanism for the provision of primary health care and  
23 preventive services to children in the state who are uninsured  
24 and who are not eligible under any public plan of health  
25 insurance, provided all of the following conditions are met:

26 (1) The organization shall provide a match in advance of  
27 each state dollar provided as follows:

28 (a) In the fiscal period beginning July 1, 1989, and  
29 ending June 30, 1991, \$2.

30 (b) In the fiscal year beginning July 1, 1991, \$3.

31 (2) The organization coordinates services with new or  
32 existing public programs and services provided by or funded by  
33 appropriate state agencies in an effort to avoid inappropriate  
34 duplication of services and ensure access to care to the  
35 extent as is reasonably possible. The organization shall work

1 with the Iowa department of public health, family and  
2 community health division, to ensure duplication is minimized.

3 (3) The organization's governing board includes in its  
4 membership representatives from the executive and legislative  
5 branches of state government.

6 (4) Grant funds are available as needed to provide  
7 services and shall not be used for administrative costs of the  
8 department or the grantee.

9 (5) Notwithstanding section 8.33, funds appropriated in  
10 this section which are unencumbered or unobligated on June 30,  
11 1992, shall not revert to the general fund but shall remain  
12 available to the department for the provision of maternal and  
13 child health services.

14 Sec. 506. 1990 Iowa Acts, chapter 1166, section 2,  
15 unnumbered paragraph 2, is amended by striking the unnumbered  
16 paragraph.

17 Sec. 507. Section 135.11A, Code 1991, is amended by adding  
18 the following new unnumbered paragraph:

19 NEW UNNUMBERED PARAGRAPH. The professional licensure  
20 division and the licensing boards may expend additional funds,  
21 if those additional expenditures are directly the cause of  
22 actual examination and exceed funds budgeted for examinations.  
23 Before the division or a licensing board expends or encumbers  
24 an amount in excess of the funds budgeted for examinations,  
25 the director of the department of management shall approve the  
26 expenditure or encumbrance. Before approval is given, the  
27 department of management shall determine that the examination  
28 expenses exceed the funds budgeted by the general assembly to  
29 the division or board and the division or board does not have  
30 other funds from which examination expenses can be paid. Upon  
31 approval of the department of management the division or  
32 licensing board may expend and encumber funds for excess  
33 examination expenses. The amounts necessary to fund the  
34 excess examination expenses shall be collected as fees from  
35 additional examination applicants and shall be treated as

1 repayment receipts as defined in section 8.2.

2 Sec. 508. Section 135.103, Code 1991, is amended to read  
3 as follows:

4 135.103 GRANT PROGRAM.

5 The department shall implement a lead abatement grant  
6 program which provides matching funds to local boards of  
7 health or cities for the program after standards and  
8 requirements for the local program are developed. The state  
9 shall provide funds to approved programs on the basis of three  
10 dollars for each one dollar designated by the local board of  
11 health or city for the program for the first two years of a  
12 program, and funds on the basis of one dollar for each one  
13 dollar designated by the local board of health or city for the  
14 program for the third and fourth subsequent years of the  
15 program if such funding is determined necessary by the  
16 department for such subsequent years. ~~A-lead-abatement~~  
17 ~~program-grant-shall-not-exceed-a-time-period-of-four-years.~~

18 Sec. 509. Section 506 of this division, being deemed of  
19 immediate importance, takes effect upon enactment.

20 DIVISION VI

21 HUMAN SERVICES APPROPRIATIONS

22 Sec. 601. AID TO FAMILIES WITH DEPENDENT CHILDREN. There  
23 is appropriated from the general fund of the state to the  
24 department of human services for the fiscal year beginning  
25 July 1, 1991, and ending June 30, 1992, the following amount,  
26 or so much thereof as is necessary, to be used for the purpose  
27 designated:

28 For aid to families with dependent children:

29 ..... \$ 42,482,743

30 1. The department may fund the employee portion of the  
31 cash bonus program from unspent funds under the appropriation  
32 in this section and shall continue to evaluate the program.

33 2. As a condition, limitation, and qualification of the  
34 funds appropriated in this section, the department shall  
35 continue to contract for services in developing and monitoring

1 a demonstration waiver program to facilitate providing  
2 assistance in self-employment investment to aid to dependent  
3 children families. The demonstration waiver program shall be  
4 provided for the fiscal period beginning July 1, 1991, and  
5 ending June 30, 1993, or for as long as federal approval of  
6 the program continues. Of the funds appropriated in this  
7 section, up to \$99,592 shall be used to provide technical  
8 assistance for aid to dependent children families seeking  
9 self-employment. The technical assistance may be provided  
10 through the department or through a contract with the division  
11 of job training of the Iowa department of economic development  
12 and through a contract with the corporation for enterprise  
13 development.

14 3. As a condition, limitation, and qualification of the  
15 funds appropriated in this section, the department shall apply  
16 the self-employment investment demonstration waiver project  
17 statewide during the fiscal period delineated in the federal  
18 waiver submitted to operate the waiver project statewide,  
19 provided training is available to a recipient through a  
20 recognized self-employment training program. However, if the  
21 application for the federal waiver is denied and funding is  
22 available, the department may determine the counties in which  
23 it is feasible to operate the project and shall provide the  
24 project in those counties.

25 4. As a condition, limitation, and qualification of the  
26 funds appropriated in this section, the schedule of basic  
27 needs under the aid to families with dependent children  
28 program for the fiscal year beginning July 1, 1991, is  
29 established as follows:

- 30 a. For 1 person at \$186.
- 31 b. For 2 persons at \$366.
- 32 c. For 3 persons at \$435.
- 33 d. For 4 persons at \$502.
- 34 e. For 5 persons at \$556.
- 35 f. For 6 persons at \$619.

- 1 g. For 7 persons at \$680.
- 2 h. For 8 persons at \$742.
- 3 i. For 9 persons at \$803.
- 4 j. For 10 persons at \$879.
- 5 k. For each additional person over 10 persons at \$88.

6 5. As a condition, limitation, and qualification of the  
 7 funds appropriated in this section, the department shall  
 8 continue the special needs program under the aid to families  
 9 with dependent children program.

10 Sec. 602. EMERGENCY ASSISTANCE. There is appropriated  
 11 from the general fund of the state to the department of human  
 12 services for the fiscal year beginning July 1, 1991, and  
 13 ending June 30, 1992, the following amount, or so much thereof  
 14 as is necessary, to be used for the purpose designated:

15 For emergency assistance to families with dependent  
 16 children under Title IV-A of the federal Social Security Act  
 17 to match federal funding for homeless prevention programs:  
 18 ..... \$ 500,000

19 The emergency assistance provided for in this section shall  
 20 be available only if all other publicly funded resources have  
 21 been exhausted. The emergency assistance includes, but is not  
 22 limited to, assisting people who face eviction, potential  
 23 eviction, or foreclosure, utility shutoff or fuel shortage,  
 24 loss of heating energy supply or equipment, homelessness,  
 25 utility or rental deposits, or other specified crisis which  
 26 threatens family or living arrangements. The emergency  
 27 assistance shall be available to migrant families who would  
 28 otherwise meet eligibility criteria.

29 Sec. 603. MEDICAL ASSISTANCE. There is appropriated from  
 30 the general fund of the state to the department of human  
 31 services for the fiscal year beginning July 1, 1991, and  
 32 ending June 30, 1992, the following amount, or so much thereof  
 33 as is necessary, to be used for the purpose designated:

34 For medical assistance, including reimbursement for  
 35 abortion services, which shall be available under the medical

1 assistance program only for those abortions which are  
2 medically necessary:  
3 ..... \$231,968,287

4 1. Medically necessary abortions are those performed under  
5 any of the following conditions:

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

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

11 c. The pregnancy is the result of a rape which is reported  
12 within 45 days of the incident to a law enforcement agency or  
13 public or private health agency which may include a family  
14 physician.

15 d. The pregnancy is the result of incest which is reported  
16 within 150 days of the incident to a law enforcement agency or  
17 public or private health agency which may include a family  
18 physician.

19 e. Any spontaneous abortion, commonly known as a mis-  
20 carriage, if not all of the products of conception are ex-  
21 pelled.

22 2. Of the funds appropriated in this section, \$100,000 is  
23 allocated until January 31, 1992, for contingency assistance  
24 for the federal nutrition program for women, infants, and  
25 children and shall be transferred to the Iowa department of  
26 public health as necessary in order to fully utilize funding  
27 available for the program. The allocated funds shall be  
28 transferred as necessary to restore a reduction in federal  
29 funding for the federal fiscal year ending September 30, 1991,  
30 required to adjust for federal financial assistance provided  
31 during the federal fiscal year ending September 30, 1990, in  
32 excess of the federal funding allocation to the state for this  
33 program or to finance any state match expenditure in excess of  
34 the federal funding allocation for this program during the  
35 federal fiscal year ending September 30, 1991. Any moneys

1 allocated in this subsection which are unexpended or  
2 unobligated on January 31, 1992, shall be available during the  
3 remainder of the fiscal year to the department of human  
4 services for the purposes of this section.

5 3. Notwithstanding section 8.39, the department may  
6 transfer funds appropriated in this section to a separate  
7 account established in the department's case management unit  
8 for expenditures required to provide case management services  
9 pursuant to the appropriation in this Act for enhanced mental  
10 health, mental retardation, and developmental disabilities  
11 services, pending final settlement of the expenditures. Funds  
12 received by the case management unit in settlement of the  
13 expenditures shall be used to replace the transferred funds  
14 and are available for the purposes for which the funds were  
15 appropriated in this section.

16 4. As a condition, limitation, and qualification of the  
17 funds appropriated in this section, the department shall  
18 analyze the cost to benefits ratio associated with utilizing  
19 the medical review system offered by Value Health Sciences,  
20 Inc., and if the ratio is found to be favorable, shall  
21 implement that system or a system with a comparable cost to  
22 benefit ratio under the medical assistance program.

23 5. If a medical assistant recipient is receiving care  
24 which is reimbursed under a federally approved home and  
25 community-based services waiver but would otherwise be  
26 approved for care in an intermediate care facility for the  
27 mentally retarded, the recipient's county of legal settlement  
28 shall reimburse the department on a monthly basis for the  
29 portion of the recipient's cost of care which is not paid from  
30 federal funds.

31 6. As a condition, limitation, and qualification of the  
32 funds appropriated in this section, the department shall  
33 reimburse an ambulance service for transporting a medical  
34 assistance recipient from a location other than a medical  
35 institution to a hospital regardless of a determination of

1 medical necessity. However, the department shall develop  
2 methods to reduce recipient usage of ambulance services for  
3 reasons other than medical necessity, including notification  
4 of recipients who have received ambulance services that were  
5 not considered to be a medical necessity and ambulance  
6 services that have provided such services.

7 7. Of the funds appropriated in this section, up to  
8 \$70,929,582 shall be used for medical assistance reimbursement  
9 of nursing facilities.

10 8. As a condition, limitation, and qualification of the  
11 funds appropriated in this section, notwithstanding the  
12 adoption of an administrative rule limiting coverage of organ  
13 transplants under the medical assistance program, the  
14 department shall continue to provide medical assistance  
15 coverage for organ transplants to individuals who applied for  
16 and received approval from the department on or before January  
17 1, 1991, for medical assistance coverage of an organ  
18 transplant.

19 Sec. 604. MEDICAL CONTRACTS. There is appropriated from  
20 the general fund of the state to the department of human  
21 services for the fiscal year beginning July 1, 1991, and  
22 ending June 30, 1992, the following amount, or so much thereof  
23 as is necessary, to be used for the purpose designated:

24 For medical contracts:  
25 ..... \$ 4,102,016

26 As a condition, limitation, and qualification of the funds  
27 appropriated in this section, the department shall continue to  
28 contract for drug utilization review under the medical  
29 assistance program.

30 Sec. 605. HIV-AIDS HEALTH AND SUPPORT SERVICES. There is  
31 appropriated from the general fund of the state to the  
32 department of human services for the fiscal year beginning  
33 July 1, 1991, and ending June 30, 1992, the following amount,  
34 or so much thereof as is necessary, to be used for the purpose  
35 designated:



1 For HIV-AIDS health and support services:

2 ..... \$ 80,000

3 1. The funds appropriated in this section shall be used to  
4 provide health and support services to persons with human  
5 immunodeficiency virus infection (HIV) or acquired immune  
6 deficiency syndrome (AIDS).

7 2. The department of human services shall establish an  
8 AIDS service committee to distribute the moneys appropriated  
9 in this section. The committee shall remain active until the  
10 completion of the duties required under this section. Members  
11 of the committee are entitled to actual and necessary expenses  
12 in the performance of their official duties. The committee  
13 shall consist of persons who are knowledgeable concerning HIV  
14 infection or AIDS. The committee may consist of persons  
15 representing the following: licensed physicians and social  
16 workers, hospice organizations, home health care agencies, the  
17 homosexual community, persons with HIV infection or AIDS, and  
18 a representative of an AIDS coalition funded by the Iowa  
19 department of public health. To the extent possible, the  
20 committee members shall be the same persons who served as  
21 members of the AIDS services task force established pursuant  
22 to 1990 Iowa Acts, chapter 1259, section 6, subsection 3. The  
23 department and the committee shall cooperate with the Iowa  
24 department of public health in distributing the funds  
25 appropriated in this section.

26 3. The committee shall distribute the funds to regional  
27 HIV care consortia established pursuant to Title II of the  
28 federal Ryan White Comprehensive AIDS Resources Emergency Act,  
29 Pub. L. No. 101-381. The funds shall be used to provide  
30 health and support services to persons with HIV infection or  
31 AIDS living within the consortia area, as authorized by the  
32 federal Act and approved by the committee. The services may  
33 include, but are not limited to, case management, benefits  
34 advocacy, client basic emergency need grants, support groups,  
35 individual support programs, home health care, respite care,

1 and attendant care.

2 4. A consortia receiving funding under this section shall  
3 include representatives of agencies or organizations providing  
4 health and support services to persons with HIV infection or  
5 AIDS who reside within the consortia area and of affected  
6 persons. In addition, the consortia shall provide reasonable  
7 services to affected persons in both urban and rural portions  
8 of the consortia area. At least 10 percent of the funds  
9 provided to a consortia shall be used to provide services to  
10 women, children, and families of persons with HIV infection or  
11 AIDS. Moneys provided to a consortia under this section shall  
12 not be used to pay for an individual's services which are  
13 covered by private insurance or a publicly funded program.

14 5. A consortia receiving funds under this section shall  
15 provide information required by the committee or the  
16 department which may include but is not limited to all of the  
17 following:

18 a. The number of persons with HIV infection or AIDS in the  
19 consortia area.

20 b. Demographic information concerning the persons  
21 identified, including age and gender distributions.

22 c. The type and quantity of health and support services  
23 needs of the persons identified.

24 d. The type and quantity of health and support services  
25 provided by the consortia.

26 e. The type and quantity of health and support services  
27 the consortia is unable to provide due to lack of funding or  
28 other barrier to providing services.

29 Sec. 606. STATE SUPPLEMENTARY ASSISTANCE. There is  
30 appropriated from the general fund of the state to the  
31 department of human services for the fiscal year beginning  
32 July 1, 1991, and ending June 30, 1992, the following amount,  
33 or so much thereof as is necessary, to be used for the purpose  
34 designated:

35 For state supplementary assistance:

1 ..... \$ 19,000,391

2 The department shall increase the personal needs allowance  
3 for residents of residential care facilities by the same  
4 percentage and at the same time as federal supplemental  
5 security and federal social security benefits are increased  
6 due to a recognized increase in the cost of living.

7 Sec. 607. AID TO INDIANS. There is appropriated from the  
8 general fund of the state to the department of human services  
9 for the fiscal year beginning July 1, 1991, and ending June  
10 30, 1992, the following amount, or so much thereof as is  
11 necessary, to be used for the purpose designated:

12 For aid to Indians under section 252.43:

13 ..... \$ 38,000

14 The tribal council shall not use more than 5 percent of the  
15 funds for administration purposes.

16 Sec. 608. CHILD DAY CARE ASSISTANCE. There is  
17 appropriated from the general fund of the state to the  
18 department of human services for the fiscal year beginning  
19 July 1, 1991, and ending June 30, 1992, the following amount,  
20 or so much thereof as is necessary, to be used for the  
21 purposes designated:

22 For protective child day care assistance and state child  
23 care assistance:

24 ..... \$ 8,035,072

25 1. Of the funds appropriated under this section,  
26 \$3,530,141 shall be used for protective child day care  
27 assistance.

28 2. Of the funds appropriated under this section,  
29 \$4,246,000 shall be used for state child care assistance.

30 3. a. The funds allocated in this section for protective  
31 and state child care assistance shall be allocated to the  
32 department of human services districts and each district shall  
33 distribute the allocation to the counties within the district.

34 If a district determines that a specified portion of the funds  
35 provided to a county is sufficient to meet the county's

1 current demand and projected growth, the district may transfer  
2 the excess amount of funds to another county. If the district  
3 determines that a specified portion of the funds provided to  
4 the district is sufficient to meet the district's current  
5 demand and projected growth for the remainder of the fiscal  
6 year, the excess amount may be transferred for use in another  
7 district.

8 b. For state child care assistance, eligibility shall be  
9 limited to children whose family income is equal to or less  
10 than 150 percent of the federal office of management and  
11 budget poverty guidelines. However, on or after October 1,  
12 1991, the department may increase the income eligibility limit  
13 to be equal to or less than 75 percent of the Iowa median  
14 family income. Every effort shall be made to provide  
15 assistance for the entire fiscal year to families remaining  
16 eligible before providing assistance to eligible families who  
17 have not received assistance previously. For the entire  
18 fiscal year, the department shall develop a priority ranking  
19 of requirements for families who receive assistance, with  
20 special priority given to foster care families within the  
21 income guidelines. The requirements may include but are not  
22 limited to all of the following:

23 (1) Families with an income equal to or less than 150  
24 percent of the federal office of management and budget poverty  
25 guidelines.

26 (2) Single parent families who are at risk of becoming  
27 eligible for the aid to families with dependent children  
28 programs.

29 (3) Families who have exhausted eligibility for  
30 transitional child care assistance.

31 (4) Adolescent parents attending school.

32 (5) Families who have children with special needs.

33 (6) Families who are providing foster care if both foster  
34 parents are employed and child day care is consistent with the  
35 case plan.

1 (7) Families with an income greater than 150 percent of  
2 the federal office of management and budget poverty guidelines  
3 but no more than 75 percent of the Iowa median family income.

4 c. The department shall adopt rules necessary to qualify  
5 to receive funding from the federal child care development  
6 block grant and the federal at-risk child care program. If  
7 required as a condition of receiving these funds, the rules  
8 may provide for eligibility, health and safety requirements,  
9 parental access to children, reimbursement rates, types of  
10 service provided, licensing standards, complaint registration  
11 procedures, or other rules necessary to establish a simplified  
12 or consolidated child day care policy.

13 d. Nothing in this section shall be construed or is  
14 intended as, or shall imply, a grant of entitlement for  
15 services to persons who are eligible for assistance due to an  
16 income level consistent with the requirements of this section.  
17 Any state obligation to provide services pursuant to this  
18 section is limited to the extent of the funds appropriated  
19 under this section.

20 4. Of the funds appropriated in this section, \$258,931 is  
21 allocated for the fiscal year beginning July 1, 1991, for the  
22 statewide program for child day care resource and referral  
23 services under section 237A.26.

24 5. The department may use any of the funds appropriated in  
25 this section as a match to obtain federal grants for use in  
26 expanding child day care assistance and related programs.

27 Sec. 609. TRANSITIONAL CHILD CARE ASSISTANCE. There is  
28 appropriated from the general fund of the state to the  
29 department of human services for the fiscal year beginning  
30 July 1, 1991, and ending June 30, 1992, the following amount,  
31 or so much thereof as is necessary, to be used for the purpose  
32 designated:

33 For transitional child care assistance:

34 ..... \$ 314,125

35 Notwithstanding section 239.21, the department of human

1 services shall provide the transitional child care program in  
2 accordance with the federal Family Support Act of 1988, Pub.  
3 L. No. 100-485, § 302, and applicable federal regulations.  
4 Reimbursement for services shall be limited to registered or  
5 licensed child day care providers and programs providing care,  
6 supervision, or guidance of a child which is not included  
7 under the definition of "child day care" pursuant to section  
8 237A.1, subsection 7.

9 Sec. 610. JOBS PROGRAM. There is appropriated from the  
10 general fund of the state to the department of human services  
11 for the fiscal year beginning July 1, 1991, and ending June  
12 30, 1992, the following amount, or so much thereof as is  
13 necessary, to be used for the purposes designated:

14 For the JOBS program:

15 ..... \$ 4,857,610

16 1. Of the funds appropriated in this section, \$4,245,610  
17 is allocated for the JOBS program. Effective September 1,  
18 1991, reimbursement under the JOBS program for child day care  
19 services shall be limited to registered or licensed child day  
20 care providers and programs providing care, supervision, or  
21 guidance of a child which is not included under the definition  
22 of "child day care" pursuant to section 237A.1, subsection 7.  
23 However, this requirement shall not apply to persons specified  
24 by rule as an aid to families with dependent children relative  
25 or as otherwise eligible for reimbursement because a licensed  
26 or registered child day care provider or program is not  
27 available.

28 2. Of the funds appropriated in this section, \$445,000 is  
29 allocated to the family development and self-sufficiency grant  
30 program as provided under section 217.12. This funding shall  
31 extend current grantee funding from December 31, 1991, to June  
32 30, 1992.

33 a. No more than 5 percent of the funds appropriated in  
34 this section shall be used for administration of the program  
35 and this percentage shall be determined for the entire fiscal

1 year rather than on a 6-month basis. Federal financial participation received by the department for the family development and self-sufficiency grant program shall be used for the grant program or the JOBS program.

b. Based upon the annual evaluation report concerning each grantee funded by this appropriation, the family development and self-sufficiency council may use funds allocated to renew grants. Grant renewals shall be awarded on or before January 1, 1992, for a 6-month extension to June 30, 1992.

3. Of the funds allocated in this section, \$132,000 is allocated for the food stamp employment and training program.

Sec. 611. CHILD SUPPORT RECOVERY. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For child support recovery, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	3,134,277
.....	FTEs	253.50

1. The director of human services, within the limitations of the funds appropriated in this section, 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 director 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 or the new positions are necessary for compliance with federal requirements and the anticipated increased recovery amount exceeds the cost of salaries and support for the new

1 positions. In the event the director adds additional  
2 employees, the department shall demonstrate the cost-  
3 effectiveness of the current and additional employees by  
4 reporting to the joint human services appropriations  
5 subcommittee the ratio of the total amount of administrative  
6 costs for child support recoveries to the total amount of the  
7 child support recovered.

8 2. Notwithstanding any other provision in law, nonpublic  
9 assistance application and user fees received by the child  
10 support recovery program are appropriated and shall be used  
11 for the purposes of the program.

12 3. The director of human services, in consultation with  
13 the department of management and the legislative fiscal  
14 committee, is authorized to receive and deposit state child  
15 support incentive earnings in the manner specified under  
16 applicable federal requirements.

17 4. The director of human services may establish new  
18 positions and add additional state employees to the child  
19 support recovery unit if the director determines the employees  
20 are necessary to replace county-funded positions eliminated  
21 due to termination, reduction, or nonrenewal of a chapter 28E  
22 contract. However, the director must also determine that the  
23 resulting increase in the state share of child support  
24 recovery incentives exceeds the cost of the positions, the  
25 positions are necessary to ensure continued federal funding of  
26 the program, or the new positions can reasonably be expected  
27 to recover more than twice the amount of money to pay the  
28 salaries and support for the new positions.

29 Sec. 612. JUVENILE INSTITUTIONS. There is appropriated  
30 from the general fund of the state to the department of human  
31 services for the fiscal year beginning July 1, 1991, and  
32 ending June 30, 1992, the following amounts, or so much  
33 thereof as is necessary, to be used for the purposes  
34 designated:

35 For the operation of the state training school and the Iowa



1 juvenile home, including salaries, support, maintenance,  
2 miscellaneous purposes, and for not more than the following  
3 full-time equivalent positions:

4 1. For the Iowa juvenile home at Toledo:  
5 ..... \$ 4,721,297  
6 ..... FTEs 128.50

7 2. For the state training school at Eldora:  
8 ..... \$ 8,197,405  
9 ..... FTEs 229.00

10 3. It is the intent of the general assembly that during  
11 the fiscal year beginning July 1, 1991, the population levels  
12 at the state juvenile institutions shall not exceed the  
13 population guidelines established under 1990 Iowa Acts,  
14 chapter 1239, section 21. It is also the intent of the  
15 general assembly that the state juvenile institutions apply  
16 for an adolescent pregnancy prevention grant for the fiscal  
17 year beginning July 1, 1991.

18 Sec. 613. FOSTER CARE. There is appropriated from the  
19 general fund of the state to the department of human services  
20 for the fiscal year beginning July 1, 1991, and ending June  
21 30, 1992, the following amount, or so much thereof as is  
22 necessary, to be used for the purpose designated:

23 For foster care:  
24 ..... \$ 56,211,887

25 1. As a condition, limitation, and qualification of the  
26 funds appropriated in this section, the department shall use  
27 moneys appropriated in this section to establish 30 or more  
28 enhanced service group care facility beds during the fiscal  
29 year beginning July 1, 1991. The department may use moneys  
30 appropriated in this section to provide enhanced funding of  
31 services to family foster homes to avert placement of children  
32 in group care facilities and may continue to provide enhanced  
33 funding of services to group care facilities to avert  
34 placement of children in more expensive, less appropriate out-  
35 of-state facilities or in a state juvenile institution. The

1 department shall give priority to serving children whose  
2 placement at the state training school or the Iowa juvenile  
3 home would cause the state juvenile institution to exceed the  
4 population guidelines established under 1990 Iowa Acts,  
5 chapter 1239, section 21.

6 2. The department may transfer a portion of the funds  
7 appropriated in this section to provide subsidized adoption  
8 services or to purchase adoption services, if funds allocated  
9 in this section for adoption services are insufficient.

10 3. The department and state court administrator shall work  
11 together in implementing an agreement which enables the state  
12 to receive funding for eligible cases under the federal Social  
13 Security Act, Title IV-E.

14 4. Not more than 25 percent of the children placed in  
15 foster care funded under the federal Social Security Act,  
16 Title IV-E, shall be placed in foster care for a period of  
17 more than 24 months.

18 5. Of the funds appropriated in this section, \$92,000 is  
19 allocated for the foster home insurance fund. Notwithstanding  
20 section 237.13, the department may use funds appropriated in  
21 this section to purchase liability insurance for licensed  
22 foster parents in lieu of providing payment for claims filed  
23 against the foster home insurance fund, if comparable coverage  
24 can be obtained through private insurance. Notwithstanding  
25 section 8.33, funds remaining in the foster home insurance  
26 fund on June 30, 1992, shall not revert to the general fund  
27 but shall remain available for expenditure in the fiscal year  
28 beginning July 1, 1992, for the purposes designated.

29 6. As a condition, limitation, and qualification of the  
30 funds appropriated in this section, the department shall  
31 review the need to provide additional day treatment  
32 alternatives within the child welfare system and the potential  
33 to provide additional services by including day treatment  
34 provided by psychiatric medical institutions for children as a  
35 service reimbursed under medical assistance. The department

1 shall identify the effect of providing day treatment services  
2 reimbursement under medical assistance upon state expenditures  
3 for residential treatment and other foster care services. The  
4 department may use funds appropriated in this division for  
5 medical assistance to pay the nonfederal share of costs for  
6 services reimbursed under medical assistance which are  
7 provided in a psychiatric medical institution for children.

8 7. The department may use \$30,000 of the funds  
9 appropriated in this section to contract for a study of the  
10 effectiveness of needs-based and therapeutic family foster  
11 care and enhanced residential care.

12 8. As a condition, limitation, and qualification of the  
13 funds appropriated in this section, the department shall  
14 develop a therapeutic foster care program in at least 1  
15 district in the state. The program's foster care worker  
16 support staff shall serve not more than 7 foster families and  
17 shall provide respite and special support services to foster  
18 parents to enable them to serve in an active treatment  
19 capacity with the children under their care. Of the funds  
20 appropriated in this section, up to \$200,000 shall be used for  
21 therapeutic foster care reimbursement and \$284,667 for 8.00  
22 FTEs under the appropriation in this division for field  
23 operations.

24 9. Funds appropriated in this section may be used to  
25 recruit foster parents and to implement a pilot project  
26 utilizing the "Model Approach to Partnership in Parenting"  
27 preservice training for foster parents.

28 10. Of the funds appropriated in this section, up to  
29 \$140,000 may be used to develop and maintain the state's  
30 implementation of the national adoption and foster care  
31 information system pursuant to the requirements of Pub. L. No.  
32 99-509.

33 11. As a condition, limitation, and qualification of the  
34 funds appropriated in this section, the department shall  
35 continue a family foster care advisory committee to examine

1 department practices and policies to improve the recruitment  
2 and retention of foster parents, provide training and  
3 professional guidance where appropriate, and seek the  
4 involvement of family foster care providers in designing,  
5 developing, and participating in the creation of therapeutic  
6 foster family homes. The department shall review initiatives  
7 of other states in recruiting foster parents from appropriate  
8 families who are recipients of public assistance. In  
9 consultation with the advisory committee, the department shall  
10 seek federal waivers and make program modifications as  
11 necessary to develop a similar program for Iowa upon receiving  
12 federal approval to do so.

13 12. As a condition, limitation, and qualification of the  
14 funds appropriated in this section, the department shall  
15 establish specialized family foster care homes and provide  
16 specialized support and respite services to qualifying foster  
17 care families who accept infants with chemical addictions from  
18 intrauterine transmission who would otherwise remain in a  
19 hospital.

20 13. As a condition, limitation, and qualification of the  
21 funds appropriated in this section, the department shall  
22 continue the demonstration program to decategorize child  
23 welfare services in the 4 counties in which the program has  
24 commenced. The department may approve additional applications  
25 from a county or consortium of counties to initiate a  
26 demonstration program providing the department, the boards of  
27 supervisors in the counties, and the affected judicial  
28 districts agree to implement the program. The schedule for  
29 implementing the demonstration program in additional counties  
30 shall provide that the program be implemented on or after  
31 January 1, 1992. The department shall establish for the  
32 demonstration project counties a child welfare fund composed  
33 of all or part of the amount that would otherwise be expected  
34 to be used for residents of the counties for foster care,  
35 family-centered services, subsidized adoption, child day care,

1 local purchase of services, state juvenile institution care,  
2 mental health institute care, state hospital-school care,  
3 juvenile detention, department-direct services, and court-  
4 ordered evaluation and treatment of juvenile services and  
5 notwithstanding any other provision of law, the fund shall be  
6 considered encumbered. Notwithstanding other service funding  
7 provisions in law, the department shall establish the fund by  
8 transferring funds from the budgets affected, except for the  
9 funds appropriated for the state mental health institutes, the  
10 state hospital-schools, the state training school, and the  
11 Iowa juvenile home which shall remain on account for the  
12 county at these institutions. The child welfare fund may be  
13 used to support services and payment rates not allowable  
14 within historical program or service categories. A limited  
15 amount of the fund may be used to support services and  
16 reimbursement rates not allowable within historical program or  
17 service categories and administrative rule. It is the intent  
18 of the general assembly that the demonstration program be  
19 designed to operate in a county for a 3-year period. The 3-  
20 year time period for a decategorization project in Dubuque,  
21 Polk, Pottawattamie, or Scott county shall be considered to  
22 begin on January 1 in the first year following the year in  
23 which the county's decategorization project was approved by  
24 the department.

25 14. As a condition, limitation, and qualification of the  
26 funds appropriated in this section, the department shall seek  
27 outside funding support to continue foster care payments to  
28 foster families and foster care youths in independent living  
29 situations, if the youths wish to pursue a postsecondary  
30 education upon turning 18 years of age and eligibility for  
31 foster care payments expires. In consultation with the family  
32 foster care advisory committee, the department shall report on  
33 options available to the state to provide assistance to foster  
34 families and foster care youths who wish to pursue a  
35 postsecondary education when the youths reach 18 years of age.

1 Sec. 614. CHILD PROTECTIVE SYSTEM IMPROVEMENTS. There is  
2 appropriated from the general fund of the state to the  
3 department of human services for the fiscal year beginning  
4 July 1, 1991, and ending June 30, 1992, the following amount,  
5 or so much thereof as is necessary, to be used for the  
6 purposes designated:

7 For improvements in the state system for child protection:  
8 ..... \$ 636,500

9 The funding appropriated in this section shall be used for  
10 the following purposes:

11 1. For general administration of the department to improve  
12 staff training efforts.

13 2. For oversight of termination of parental rights and  
14 permanency planning efforts on a statewide basis on the  
15 condition that regular reports regarding the statewide program  
16 efforts shall be provided to the legislative fiscal bureau.

17 3. For use by the department in general administration to  
18 promote innovative treatment programs, write grants to obtain  
19 federal and private funding, and promote public and private  
20 efforts to treat and prevent child abuse.

21 4. For personnel, assigned by the attorney general, to  
22 provide additional services relating to termination of  
23 parental rights and child in need of assistance cases.

24 5. For funding of the state multidisciplinary team to  
25 assist with difficult cases within the child abuse and foster  
26 care system and with respect to child protective investigation  
27 and initial case planning and to develop and coordinate local  
28 multidisciplinary teams.

29 6. For use by the department in conducting outcome-  
30 oriented evaluations of child protection, prevention, and  
31 treatment programs.

32 7. For specialized foster care permanency planning field  
33 operations staff.

34 Sec. 615. HOME-BASED SERVICES. There is appropriated from  
35 the general fund of the state to the department of human

1 services for the fiscal year beginning July 1, 1991, and  
2 ending June 30, 1992, the following amount, or so much thereof  
3 as is necessary, to be used for the purpose designated:

4 For home-based services on the condition that family  
5 planning services are funded, provided that if the departmen  
6 amends the allocation to a program funded under this section,  
7 then the department shall promptly notify the legislative  
8 fiscal bureau of the change:

9 ..... \$ 19,414,903

10 1. Of the funds appropriated in this section, \$30,000  
11 shall be used by the department to contract with universities  
12 to provide ongoing research and evaluation assistance to  
13 programs and initiatives of the department involving family-  
14 centered services and foster care. The contracts shall make  
15 maximum use of any matching resources available from the  
16 universities with which the department contracts.

17 2. Of the funds appropriated in this section, \$5,086,204  
18 shall be used for family preservation and reunification  
19 services and training. A limited amount of the funds may be  
20 used for the family assistance fund to provide other resources  
21 required for a family participating in a project to stay  
22 together or to be reunified. The payment system for the  
23 project shall not be based upon units of time, but may be  
24 based upon the cost to serve a family, including adjustments  
25 according to the provider's performance and the outcome of the  
26 services provided to each family. The department shall use  
27 the statewide family preservation and decategorization  
28 committee to assist in selecting additional projects.

29 Sec. 616. COMMUNITY-BASED PROGRAMS. There is appropriated  
30 from the general fund of the state to the department of human  
31 services for the fiscal year beginning July 1, 1991, and  
32 ending June 30, 1992, the following amount, or so much thereof  
33 as is necessary, to be used for the purpose designated:

34 For community-based programs on the condition that the  
35 prevention grants relating to adolescent pregnancy are funded:

1 ..... S 3,324,421

2 1. As a condition, limitation, and qualification of the  
3 funds appropriated in this section, up to \$19,095 shall be  
4 used by the department as the entitled aid from the state  
5 under section 232.142, subsection 3, for the cost of the  
6 establishment, improvement, operation, and maintenance of  
7 approved county or multicounty juvenile homes.

8 2. Of the funds appropriated in this section, \$523,500  
9 shall be used for adolescent pregnancy prevention grants. At  
10 least 75 percent of the funds shall be used for programs which  
11 incorporate family planning and pregnancy prevention services  
12 as the major component of the program. The department shall  
13 not expend more than 7 percent of the funds for administrative  
14 costs. The department shall adopt rules to implement this  
15 subsection. A grant may be awarded to a public school  
16 corporation, a maternal and child health center, an adolescent  
17 services provider, a project involving a state juvenile  
18 institution, or a nonprofit organization which is involved in  
19 adolescent issues. Grants shall be awarded for a 1-year  
20 period and shall be based on the demonstrated need for  
21 adolescent pregnancy prevention and adolescent parent  
22 services. Preference in awarding grants shall be given to  
23 projects for children placed at a state juvenile institution  
24 and projects which utilize a variety of community resources  
25 and agencies.

26 a. As used in this subsection, "adolescent" means a person  
27 who is less than 18 years of age or a person who is attending  
28 an accredited high school or pursuing a course of study which  
29 will lead to a high school diploma or its equivalent. The  
30 department shall establish guidelines which permit a grant  
31 recipient to continue providing services to a person who  
32 receives services under the grant as an adolescent and becomes  
33 18 years of age or older.

34 b. A grant shall only be awarded to a project which  
35 provides 1 or more of the following services:



1 (1) Workshops and information programs for adolescents and  
2 parents of adolescents to improve communication between  
3 children and parents regarding human sexuality issues.

4 (2) Development and distribution of informational material  
5 designed to discourage adolescent sexual activity, to provide  
6 information regarding acquired immune deficiency syndrome and  
7 sexually transmitted diseases, and to encourage male and  
8 female adolescents to assume responsibility for their sexual  
9 activity and parenting.

10 (3) Early pregnancy detection, prenatal services including  
11 chlamydia testing, and counseling regarding decision-making  
12 options for pregnant adolescents.

13 (4) Case management and child care services provided to  
14 male and female adolescent parents.

15 c. Additional services may be offered by a grantee  
16 pursuant to a purchase of service contract with the department  
17 including child day care services; child development and  
18 parenting instruction; services to support high school  
19 completion, job training, and job placement; prevention of  
20 additional pregnancies during adolescence; and other personal  
21 services.

22 3. As a condition, limitation, and qualification of the  
23 funds appropriated in this section, at least \$250,000 shall be  
24 used to provide grants administered in accordance with the  
25 provisions for adolescent pregnancy prevention grants, except  
26 for requirements to target certain specific geographic areas  
27 of the state. The grants shall be awarded to fund any of the  
28 following purposes:

29 a. Programs targeted to children. A program shall include  
30 the following: components for parental involvement; parental  
31 education, including techniques for encouraging sexual  
32 abstinence; outreach services for recruiting parents and  
33 children into the program; and the provision of transportation  
34 to program staff and participants necessary for recruiting and  
35 encouraging program participation.

1 b. Programs intended to prevent an additional pregnancy by  
2 a parent who is less than 19 years of age. Preference in  
3 grant awards shall be given to programs which provide  
4 financial incentives to clients for their program  
5 participation and success in avoiding an additional pregnancy.

6 c. Providing additional pregnancy prevention grants.  
7 Preference in grant awards shall be given to programs which,  
8 in addition to other services, provide counseling to mixed  
9 gender groups of adolescents.

10 d. Programs intended to educate adolescents concerning the  
11 risks associated with alcohol and other drug use during  
12 pregnancy, including health, financial, emotional, and other  
13 potential long-term effects for mother and child.

14 4. As a condition, limitation, and qualification of the  
15 funds appropriated in this section, \$550,686 shall be used by  
16 the department for child abuse prevention grants.

17 Sec. 617. BLOCK GRANT SUPPLEMENTATION. There is  
18 appropriated from the general fund of the state to the  
19 department of human services for the fiscal year beginning  
20 July 1, 1991, and ending June 30, 1992, the following amount,  
21 or so much thereof as is necessary, to be used for the purpose  
22 designated:

23 For supplementation of federal social services block grant  
24 funds and for allocation to counties for the purchase of local  
25 services:

26 ..... \$ 4,643,000

27 The funds appropriated in this section shall be allocated  
28 to counties pursuant to the rules of the department in effect  
29 on January 1, 1985. The department shall increase the income  
30 guidelines for income eligible persons receiving services  
31 funded with federal social services block grant funds for the  
32 fiscal year beginning July 1, 1991, by the same percentage and  
33 at the same time as federal social security benefits are  
34 increased due to a recognized increase in the cost of living.

35 Sec. 618. COURT-ORDERED EVALUATION AND TREATMENT OF

1 JUVENILES. There is appropriated from the general fund of the  
2 state to the department of human services for the fiscal year  
3 beginning July 1, 1991, and ending June 30, 1992, the  
4 following amount, or so much thereof as is necessary, to be  
5 used for the purpose designated:

6 For court-ordered evaluation and treatment of juveniles  
7 pursuant to section 232.141, subsection 4:  
8 ..... \$ 3,755,000

9 As a condition, limitation, and qualification of the funds  
10 appropriated in this section, the department shall submit  
11 quarterly reports to the legislative fiscal committee of the  
12 legislative council which provide the expenditures of the  
13 funds appropriated in this section for each judicial district.

14 Sec. 619. IOWA VETERANS HOME. There is appropriated from  
15 the general fund of the state to the department of human  
16 services for the fiscal year beginning July 1, 1991, and  
17 ending June 30, 1992, the following amount, or so much thereof  
18 as is necessary, to be used for the purposes designated:

19 For operation of the Iowa veterans home, including  
20 salaries, support, maintenance, miscellaneous purposes, and  
21 for not more than the following full-time equivalent posi-  
22 tions:  
23 ..... \$ 29,796,783  
24 ..... FTEs 821.80

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

29 Sec. 620. MENTAL HEALTH INSTITUTES. There is appropriated  
30 from the general fund of the state to the department of human  
31 services for the fiscal year beginning July 1, 1991, and  
32 ending June 30, 1992, the following amounts, or so much  
33 thereof as is necessary, to be used for the purposes  
34 designated:

35 For the state mental health institutes for salaries,

1 support, maintenance, miscellaneous purposes, and for not more  
2 than the following full-time equivalent positions:

- 3 1. State mental health institute at Cherokee:
- 4 ..... \$ 14,928,541
- 5 ..... FTEs 389.75

6 As a condition, limitation, and qualification of the funds  
7 appropriated in this subsection, up to \$670,000 shall be used  
8 to phase in new residential treatment programs for adolescents  
9 who are substance abusers.

- 10 2. State mental health institute at Clarinda:
- 11 ..... \$ 6,575,503
- 12 ..... FTEs 160.61

- 13 3. State mental health institute at Independence:
- 14 ..... \$ 16,005,884
- 15 ..... FTEs 436.27

- 16 4. State mental health institute at Mount Pleasant:
- 17 ..... \$ 9,260,073
- 18 ..... FTEs 211.50

19 Sec. 621. HOSPITAL-SCHOOLS. There is appropriated from  
20 the general fund of the state to the department of human  
21 services for the fiscal year beginning July 1, 1991, and  
22 ending June 30, 1992, the following amounts, or so much  
23 thereof as is necessary, to be used for the purposes  
24 designated:

25 For the state hospital-schools, for salaries, support,  
26 maintenance, miscellaneous purposes, and for not more than the  
27 following full-time equivalent positions:

- 28 1. State hospital-school at Glenwood:
- 29 ..... \$ 39,142,956
- 30 ..... FTEs 1,157.00

- 31 2. State hospital-school at Woodward:
- 32 ..... \$ 32,054,985
- 33 ..... FTEs 931.85

34 Sec. 622. MENTAL HEALTH AND MENTAL RETARDATION SERVICES  
35 FUND. Notwithstanding 1990 Iowa Acts, chapter 1250, section

1 18, \$3,200,000 of the funds appropriated to the special mental  
2 health services fund established in that section shall be  
3 transferred to the state community mental health and mental  
4 retardation services fund established in section 225C.7 and  
5 shall be used for the purposes designated. The amount  
6 transferred pursuant to this section and section 623 of this  
7 division shall not be subject to the formula provided in 1990  
8 Iowa Acts, chapter 1250, section 18, subsection 4.

9 Sec. 623. ENHANCED SERVICES -- COUNTY PAYMENT.

10 Notwithstanding 1990 Iowa Acts, chapter 1250, section 18,  
11 \$2,360,000 of the funds appropriated to the special mental  
12 health services fund established in that section, or so much  
13 thereof as is necessary, shall be transferred to supplement  
14 the appropriation in section 627 of this division for the  
15 state candidate services fund for the purpose of providing  
16 funds to counties pursuant to section 627, subsection 5. The  
17 amount transferred pursuant to this section and section 622 of  
18 this division shall not be subject to the formula provided in  
19 1990 Iowa Acts, chapter 1250, section 18, subsection 4.

20 Sec. 624. MENTAL HEALTH -- MENTAL RETARDATION -- DE-  
21 VELOPMENTAL DISABILITIES SPECIAL SERVICES. There is  
22 appropriated from the general fund of the state to the  
23 department of human services for the fiscal year beginning  
24 July 1, 1991, and ending June 30, 1992, the following amount,  
25 or so much thereof as is necessary, to be used for the purpose  
26 designated:

27 For mental health, mental retardation, and developmental  
28 disabilities special services:

29 ..... \$ 610,625

30 1. The department and the Iowa finance authority shall  
31 develop methods to implement financing for community-based  
32 nursing facilities for the mentally retarded and residential  
33 care facilities for the mentally retarded. The department  
34 shall develop criteria for these facilities which will include  
35 provisions to restrict placements to current state hospital-

1 school clients and to avert the placement of persons in a  
2 state hospital-school. The department of human services shall  
3 assure that clients are referred to the facility upon  
4 development.

5 2. Of the funds appropriated in this section, \$410,625 is  
6 allocated to provide supplemental per diems to community-based  
7 residential care facilities and community living arrangements.  
8 The per diem is restricted to clients placed from the state  
9 hospital-schools and persons averted from placement in a state  
10 hospital-school who meet the appropriate level of functioning  
11 for this type of care.

12 3. Of the funds appropriated in this section, \$200,000 is  
13 allocated to provide funds for construction and start-up costs  
14 to develop community living arrangements to provide for  
15 persons who are mentally ill and homeless. These funds may be  
16 used to match federal Stewart B. McKinney Homeless Assistance  
17 Act grant funds.

18 4. As a condition, limitation, and qualification of the  
19 funds appropriated in this section, the department shall adopt  
20 rules pursuant to chapter 17A providing for reimbursement  
21 under state supplementary assistance to pay for supervised  
22 apartment living and cooperative housing arrangements for  
23 persons with mental retardation, mental illness, or  
24 developmental disabilities. The rules shall take effect July  
25 1, 1992.

26 Sec. 625. FAMILY SUPPORT SUBSIDY PROGRAM. There is  
27 appropriated from the general fund of the state to the  
28 department of human services for the fiscal year beginning  
29 July 1, 1991, and ending June 30, 1992, the following amount,  
30 or so much thereof as is necessary, to be used for the purpose  
31 designated:

32 For the family support subsidy program:  
33 ..... \$ 621,860

34 Sec. 626. SPECIAL NEEDS GRANTS. There is appropriated  
35 from the general fund of the state to the department of human

1 services for the fiscal year beginning July 1, 1991, and  
2 ending June 30, 1992, the following amount, or so much thereof  
3 as is necessary, to be used for the purpose designated:

4 To provide special needs grants to families with a family  
5 member at home who has a developmental disability or to a  
6 person with a developmental disability:

7 ..... \$ 55,000

8 Grants must be used by a family to defray special costs of  
9 caring for the family member to prevent out-of-home placement  
10 of the family member or to provide for independent living  
11 costs. A grant may provide up to \$5,000 per person for costs  
12 associated with an assistive animal. The grants may be  
13 administered by a private nonprofit agency which serves people  
14 statewide provided that no administrative costs are received  
15 by the agency. Regular reports regarding coordination of the  
16 special needs grants with the family support subsidy program  
17 shall be provided to the legislative fiscal bureau.

18 Sec. 627. ENHANCED MENTAL HEALTH -- MENTAL RETARDATION --  
19 DEVELOPMENTAL DISABILITIES SERVICES. There is appropriated  
20 from the general fund of the state to the department of human  
21 services for the fiscal year beginning July 1, 1991, and  
22 ending June 30, 1992, the following amount, or so much thereof  
23 as is necessary, to be used for the purpose designated:

24 For the state candidate services fund:

25 ..... \$ 2,545,911

26 1. The enhanced mental health, mental retardation, and  
27 developmental disabilities services plan oversight committee  
28 is continued, as established under 1988 Iowa Acts, chapter  
29 1276, section 14, subsection 1, for the fiscal year which  
30 begins July 1, 1991, and ends June 30, 1992. The oversight  
31 committee shall issue a final decision regarding any issue of  
32 disagreement between a county and the department relating to  
33 expenditures for candidate services or the county's  
34 maintenance of effort.

35 2. For purposes of this section, "candidate services"

1 means day treatment, partial hospitalization, and case  
2 management. Behavior management services shall be included in  
3 the state Title XIX plan as a candidate service if recommended  
4 by the oversight committee.

5 3. a. The county of legal settlement shall be billed for  
6 50 percent of the nonfederal share of the cost of case  
7 management provided to adults, day treatment, and partial  
8 hospitalization provided under the medical assistance program  
9 for persons with mental retardation, a developmental  
10 disability, or chronic mental illness.

11 b. If the department has contracted with a county or a  
12 consortium of counties to be the provider of case management  
13 services, the department is responsible for any costs included  
14 within the unit rate for case management services which are  
15 disallowed for reimbursement pursuant to Title XIX of the  
16 federal Social Security Act by the federal health care  
17 financing administration. The department shall use funds  
18 appropriated under this section to credit a county for the  
19 county's share of any amounts overpaid due to the disallowed  
20 costs. If certain costs are disallowed due to requirements or  
21 preferences of a particular county in the provision of case  
22 management services the county shall not receive credit for  
23 the amount of the costs.

24 4. A county is responsible to continue to expend at least  
25 the agreed upon amount expended for candidate services in the  
26 fiscal year which ended June 30, 1987, for the fiscal year  
27 beginning July 1, 1991, for services to persons with mental  
28 retardation, a developmental disability, or chronic mental  
29 illness. Notwithstanding section 8.33, if a county does not  
30 expend the agreed upon amount in the fiscal year, the balance  
31 not expended shall not revert to the general fund of the  
32 county, but shall be carried over to the next fiscal year to  
33 be expended for the provision of services to persons with  
34 mental retardation, a developmental disability, or mental  
35 illness including, but not limited to, the chronically



1 mentally ill, and shall be used as additional funds. The  
2 additional funds shall be used, to the greatest extent  
3 possible, to meet unmet needs of persons with mental  
4 retardation, a developmental disability, or mental illness.  
5 This subsection does not relieve the county from any other  
6 funding obligations required by law, including but not limited  
7 to the obligations in section 222.60.

8 5. The department, in conjunction with the oversight  
9 committee, and with the agreement of each county, shall  
10 establish the actual amount expended for each candidate  
11 service for persons with mental retardation, a developmental  
12 disability, or chronic mental illness in the fiscal year which  
13 ended June 30, 1987, and this amount shall be deemed each  
14 county's base year expenditure for the candidate service. A  
15 disagreement between the department and a county as to the  
16 actual amount expended shall be decided by the oversight  
17 committee.

18 The department, in conjunction with the oversight  
19 committee, and with the agreement of each county, shall  
20 determine the expenditures in the fiscal year beginning July  
21 1, 1991, by each county for the candidate services, including  
22 the amount the county contributes under subsection 3. If the  
23 expenditures in the fiscal year beginning July 1, 1991, exceed  
24 the base year expenditures for candidate services, then the  
25 county shall receive from the funds appropriated under this  
26 section the least amount of the following:

27 a. The difference between the total expenditures for the  
28 candidate services in the fiscal year beginning July 1, 1991,  
29 and the base year expenditures.

30 b. The amount expended by the county under subsection 3.

31 c. The amount by which total expenditures for persons with  
32 mental retardation, a developmental disability, or chronic  
33 mental illness for the fiscal year beginning July 1, 1991,  
34 less any carryover amount from the fiscal year which began  
35 July 1, 1990, exceed the maintenance of effort expenditures

1 under subsection 4.

2 6. Notwithstanding section 225C.20, case management  
3 services shall be provided by the department except when a  
4 county or a consortium of counties contracts with the  
5 department to provide the services. A county or consortium of  
6 counties may contract to be the provider at any time and the  
7 department shall agree to the contract so long as the contract  
8 meets the standards for case management adopted by the  
9 department. The county or consortium of counties may  
10 subcontract for the provision of case management services if  
11 the subcontract meets the same standards. A mental health,  
12 mental retardation, and developmental disabilities  
13 coordinating board may change the provider of individual case  
14 management services at any time. If the current or proposed  
15 contract is with the department, the coordinating board shall  
16 provide written notification of a proposed change to the  
17 department on or before August 15 and written notification of  
18 an approved change on or before October 15 in the fiscal year  
19 which precedes the fiscal year in which the change will take  
20 effect.

21 7. This section does not relieve the county from any other  
22 funding obligations required by law, including but not limited  
23 to the obligations in section 222.60.

24 8. Nothing in this division is intended by the general  
25 assembly to be the provision of a fair and equitable funding  
26 formula specified in 1985 Iowa Acts, chapter 249, section 9.  
27 Nothing in this division shall be construed as, is intended  
28 as, or shall imply a claim of entitlement to any programs or  
29 services specified in section 225C.28.

30 9. For the purposes of this section only, persons with  
31 organic mental disorders shall not be considered chronically  
32 mentally ill.

33 10. Where the department contracts with a county or  
34 consortium of counties to provide case management services,  
35 the state shall appear and defend the department's employees

1 and agents acting in an official capacity on the department's  
2 behalf and the state shall indemnify the employees and agents  
3 for acts within the scope of their employment. The state's  
4 duties to defend and indemnify shall not apply if the conduct  
5 upon which any claim is based constitutes a willful and wanton  
6 act or omission or malfeasance in office.

7 Sec. 628. FIELD OPERATIONS. There is appropriated from  
8 the general fund of the state to the department of human  
9 services for the fiscal year beginning July 1, 1991, and  
10 ending June 30, 1992, the following amount, or so much thereof  
11 as is necessary, to be used for the purposes designated:

12 For field operations, including salaries, support,  
13 maintenance, miscellaneous purposes, and for not more than the  
14 following full-time equivalent positions:

15 ..... \$ 43,527,950  
16 ..... FTEs 2,310.50

17 1. Staff who are designated as "Title XIX case management  
18 staff" are considered to be in addition to the limit for full-  
19 time equivalent positions and the funds appropriated for field  
20 operations. As a condition, limitation, and qualification of  
21 the funds appropriated in this section, the department shall  
22 report quarterly to the chairpersons and ranking members of  
23 the legislative fiscal committee of the legislative council,  
24 the members of the joint human services appropriations  
25 subcommittee, and the legislative fiscal bureau regarding the  
26 total number of Title XIX case management staff positions  
27 filled, including the number of positions which were filled by  
28 persons who were already employed by the department in another  
29 capacity.

30 2. As a condition, limitation, and qualification of the  
31 funds appropriated in this section, upon the request of a  
32 county, the department shall work with the county to develop a  
33 funding plan for persons with mental retardation, a  
34 developmental disability, or chronic mental illness who are  
35 not eligible to receive case management provided under the

1 medical assistance program and are receiving service  
2 management. With an agreed upon funding plan, the department  
3 is authorized to combine state funds that would otherwise be  
4 expended on service management with county funds to upgrade  
5 services provided to the persons from service management to  
6 case management. Staff required to implement this subsection  
7 are not subject to the limitations on full-time equivalent  
8 positions and funds appropriated for field operations.

9 3. As a condition, limitation, and qualification of the  
10 funds appropriated in this section, if the field operations  
11 staffing level meets the funded full-time equivalent position  
12 limit authorized in this section and a district identifies a  
13 critical position vacancy or a position with a caseweight  
14 factor greater than 120 percent of the budgeted caseweight  
15 factor for the position, the director of human services may  
16 exceed the full-time equivalent position limit authorized  
17 under this section in the amount necessary to fill the  
18 critical position vacancy or to reduce the caseweight factor  
19 to the budgeted level. For purposes of this subsection,  
20 "critical position vacancy" includes a clerical position in an  
21 office limited to a single clerical staff position. The  
22 budgeted caseweight factor for the fiscal year beginning July  
23 1, 1991, and ending June 30, 1992, is 163 for income  
24 maintenance workers and 212 for social workers. In addition,  
25 if the field operations staffing level meets the funded full-  
26 time equivalent position limit authorized in this section and  
27 there is a critical position vacancy in the state or the  
28 statewide average caseweight factor for a particular type of  
29 position exceeds 105 percent of the budgeted caseweight factor  
30 for that type of position, the director of human services may  
31 exceed the full-time equivalent position limit authorized in  
32 this section in an amount necessary to fill the critical  
33 position vacancy or to reduce the caseweight factor to the  
34 budgeted level. The department shall report monthly to the  
35 chairpersons and ranking members of the joint human services

1 appropriations subcommittee and to the legislative fiscal  
2 bureau regarding caseweight factor computations in each  
3 district, the statewide average caseweight factor, the  
4 existence of a critical position vacancy in any district, and  
5 action taken by the department to address any critical  
6 position vacancy problem or excess caseweight factor.

7 4. Notwithstanding the full-time equivalent position limit  
8 authorized in this section, a county implementing a  
9 decategorization project, consistent with the county's  
10 decategorization plan, may modify the staffing level in the  
11 county's human services office and the modification shall not  
12 affect other county or district human services staffing levels  
13 and shall not be considered to be subject to the full-time  
14 equivalent position limit in this section.

15 5. As a condition, limitation, and qualification of the  
16 funds appropriated in this section, the department shall  
17 reduce the number of department of human services districts  
18 from the current 8 offices to not more than 5 offices.

19 Sec. 629. GENERAL ADMINISTRATION. There is appropriated  
20 from the general fund of the state to the department of human  
21 services for the fiscal year beginning July 1, 1991, and  
22 ending June 30, 1992, the following amount, or so much thereof  
23 as is necessary, to be used for the purposes designated:

24 For general administration, including salaries, support,  
25 maintenance, miscellaneous purposes, and for not more than the  
26 following full-time equivalent positions:  
27 ..... \$ 9,187,673  
28 ..... FTEs 351.95

29 1. Full-time equivalent positions which are funded  
30 entirely with federal, public, or private grants are exempt  
31 from the limits on the number of full-time equivalent  
32 positions provided in this section, but are approved only for  
33 the period of time for which the federal funds or grants are  
34 available for the position.

35 2. As a condition, limitation, and qualification of the

1 funds appropriated in this section, if a state institution  
2 administered by the department is to be closed or reduced in  
3 size, prior to the closing or reduction the department shall  
4 initiate and coordinate efforts in cooperation with the Iowa  
5 department of economic development to develop new jobs in the  
6 area in which the state institution is located.

7 3. As a condition, limitation, and qualification of the  
8 funds appropriated in this section, the department shall seek  
9 federal approval of home and community-based waivers for  
10 services provided under medical assistance to persons with  
11 mental retardation, mental illness, or developmental  
12 disabilities and effective March 1, 1992, contingent upon  
13 federal approval of the waivers, the department shall fill  
14 4.00 FTEs to perform duties as necessary to implement the  
15 waivers.

16 4. As a condition, limitation, and qualification of the  
17 funds appropriated in this section, \$30,000 shall be  
18 transferred to the governor's planning council for  
19 developmental disabilities for use in contracting to continue  
20 operating a computerized information and referral project for  
21 Iowans with developmental disabilities and their families.

22 Sec. 630. VOLUNTEERS. There is appropriated from the  
23 general fund of the state to the department of human services  
24 for the fiscal year beginning July 1, 1991, and ending June  
25 30, 1992, the following amount, or so much thereof as is  
26 necessary, to be used for the purpose designated:

27 For development and coordination of volunteer services:  
28 ..... \$ 83,825

29 Sec. 631. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY  
30 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER THE  
31 DEPARTMENT OF HUMAN SERVICES.

32 1. For the fiscal year beginning July 1, 1991, the  
33 following providers shall not have their medical assistance  
34 reimbursement rates increased over the rates in effect on June  
35 30, 1991: providers of waived services under the home and

1 community-based programs, optometrists for service fees only,  
2 opticians for service fees only, podiatrists, dentists,  
3 chiropractors, physical therapists, birthing centers,  
4 ambulance services, independent laboratories, area education  
5 agencies, clinics, audiologists, rehabilitation agencies,  
6 community mental health centers, family planning clinics,  
7 psychologists, hearing aid dealers, orthopedic shoe dealers,  
8 ambulatory surgery centers, and genetic counseling clinics.

9 Reimbursement for optometric products shall not be increased.

10 The department of human services may utilize flexibility in  
11 allocating the increase for durable medical products and  
12 supplies so that equipment and supplies which have greater  
13 wholesale cost increases may be reimbursed at a higher rate  
14 and those which have a lower or no wholesale cost increase may  
15 be reimbursed at a lower rate or have no increase.

16 Reimbursement rates for physicians and certified registered  
17 nurse anesthetists shall not be increased. Reimbursement  
18 rates for screening centers, maternal health centers, and  
19 pediatric services shall not be increased.

20 For the fiscal year beginning July 1, 1991, the following  
21 shall have their medical assistance reimbursement rates  
22 established at the rates in effect on February 28, 1991:  
23 psychiatric medical institutions for children, early  
24 preventive screening, diagnosis, and treatment providers,  
25 providers of obstetric services when provided by physicians or  
26 certified midwives, and durable medical products and supplies.

27 The department shall provide a differential per diem  
28 reimbursement rate to a psychiatric medical institution for  
29 children for short-term treatment or diagnosis services  
30 provided within a segregated unit of the institution. The  
31 differential per diem reimbursement rate shall not exceed 120  
32 percent of the per diem rate authorized in this section for  
33 psychiatric medical institutions for children.

34 The dispensing fee for pharmacists shall remain at the rate  
35 in effect on June 30, 1991. The department shall adjust the

1 average wholesale price of drug product costs in accordance  
2 with federal regulations. Dispensing fees for pharmacists  
3 shall be further adjusted to reflect the adjustment to the  
4 average wholesale price of drug product costs. Total  
5 adjustments to reimbursements for prescription drugs shall  
6 remain within funds appropriated.

7 a. Effective July 1, 1991, reimbursement rates to  
8 hospitals shall not be increased over the rates in effect on  
9 June 30, 1991.

10 b. Reimbursement rates for rural health clinics shall be  
11 increased in accordance with increases under the federal  
12 medicare program.

13 c. Home health agencies certified for the medical  
14 assistance program, hospice services, and acute care mental  
15 hospitals shall be reimbursed for their current federal  
16 medicare audited costs.

17 d. Effective July 1, 1991, the basis for establishing the  
18 maximum medical assistance reimbursement rate for nursing  
19 facilities shall be the 70th percentile of facility costs as  
20 calculated from the June 30, 1991, unaudited compilation of  
21 cost and statistical data. However, to the extent funds are  
22 available under the allocation for reimbursement of nursing  
23 facilities within the appropriation for medical assistance in  
24 this division, the basis shall be increased to not more than  
25 the 74th percentile of facility costs as calculated from the  
26 same data.

27 (1) Nursing facilities for the mentally retarded with 15  
28 or fewer beds shall be reimbursed at 95 percent of the  
29 authorized per diem reimbursement rate for allowed leave days.

30 (2) If a resident of a residential program is admitted to  
31 a state mental health institute for short-term  
32 hospitalization, the residential program shall be reimbursed  
33 at the authorized per diem reimbursement rate for the days the  
34 resident is in the state mental health institute.

35 2. For the fiscal year beginning July 1, 1991, the maximum



1 cost reimbursement rate for residential care facilities  
2 reimbursed by the department shall be \$19.62 per day. The  
3 flat reimbursement rate for facilities electing not to file  
4 semiannual cost reports shall be \$14.03 per day. For the  
5 fiscal year beginning July 1, 1991, the maximum reimbursement  
6 rate for providers reimbursed under the in-home health-related  
7 care program shall not be increased over the rates in effect  
8 on June 30, 1991.

9 3. Notwithstanding section 18.137, the \$5,000,000  
10 appropriated in that section for the fiscal year beginning  
11 July 1, 1991, shall not be deposited in the state  
12 communications network fund but shall be provided to the  
13 department of human services and fairly apportioned to  
14 increase reimbursement rates to social services providers  
15 reimbursed by the department, including family and group  
16 foster care and shelter care services providers for the fiscal  
17 year beginning July 1, 1991.

18 4. Notwithstanding the provisions of subsection 3, the  
19 department may implement revisions of the methodology for  
20 purchasing group foster care services to establish rates for  
21 group foster care services based on the study of these issues  
22 funded by the general assembly in the fiscal year which began  
23 July 1, 1989, provided the overall budget amount for the  
24 expenditures is not exceeded and the revisions of the  
25 methodology are agreed to by the affected service providers.

26 Sec. 632. ASSISTANCE TO GAMBLERS. There is appropriated  
27 from the general fund of the state to the department of human  
28 services for the fiscal year beginning July 1, 1991, and  
29 ending June 30, 1992, the following amount, or so much thereof  
30 as is necessary, to be used for the purpose designated:

31 For the gamblers assistance program, including salaries,  
32 support, maintenance, miscellaneous purposes, and for not more  
33 than the following full-time equivalent positions:

34 .....	\$	768,540
35 .....	FTEs	3.00

1 The Iowa lottery board and the state racing and gaming  
2 commission shall cooperate with the gamblers assistance  
3 program to incorporate information regarding the gamblers  
4 assistance program and its toll-free telephone number in  
5 printed materials distributed. The commission may require  
6 licensees to have the information available in a conspicuous  
7 place as a condition of licensure.

8 Sec. 633. REQUIREMENTS RELATING TO PERSONS WITH  
9 DISABILITIES. Subject to the limitations of the  
10 appropriations in this division for the state mental health  
11 institutes and for the state hospital-schools, the department  
12 of human services shall modify staffing structures at the  
13 state hospital-schools and the state mental health institutes  
14 consistent with accreditation and certification requirements  
15 and the findings of the study on staffing commissioned by the  
16 general assembly in order to improve the level of direct  
17 staffing, reduce or simplify the levels of organizational  
18 authority where appropriate, and reduce the use of overtime.  
19 If, after review of the study recommendations, the department  
20 of human services decides to establish the position of "human  
21 resource specialist" at the state hospital-schools, the  
22 positions shall be established within the department of  
23 personnel and the department of human services may transfer to  
24 the department of personnel the associated full-time  
25 equivalent positions and moneys equal to the salary costs for  
26 the positions. The maintenance of sufficient direct care  
27 staff to assure worker and patient safety is of highest  
28 priority. The department shall work with all levels of  
29 affected employees in carrying out this staff restructuring.  
30 The department shall work to assure that vacant positions in  
31 direct care are filled promptly and expeditiously.

32 Sec. 634. FULL-TIME EQUIVALENT LIMIT NOTIFICATION. The  
33 Iowa veterans home, the state mental health institutes, and  
34 the state hospital-schools may exceed the number of full-time  
35 equivalent positions authorized in this division if the

1 additional positions are specifically related to licensing,  
2 certification, or accreditation standards or citations. The  
3 department shall notify the co-chairpersons and ranking  
4 members of the joint human services appropriations  
5 subcommittee and the legislative fiscal bureau if the  
6 specified number is exceeded. The notification shall include  
7 an estimate of the number of full-time equivalent positions  
8 added and the fiscal effect of the addition.

9     Sec. 635. COMPUTERIZATION -- ASSESSMENT OF FINANCIAL  
10 IMPACT. In order to assess the financial impact of  
11 computerizing functions within the department of human  
12 services, the department of general services, information  
13 services division, shall monitor the utilization of the  
14 central processing unit resources maintained by the division,  
15 and shall provide quarterly reports to the legislative fiscal  
16 committee of the legislative council and the legislative  
17 fiscal bureau. The quarterly reports shall contain an  
18 analysis of the central processing unit resources utilized by  
19 the department of human services by each computerized  
20 application within the department. The reports shall also  
21 contain information on computerized applications which are  
22 under development, and shall project the central processing  
23 unit utilization which will occur in 6, 12, 18, and 24 months.  
24 The reports shall be designed to enable the legislative fiscal  
25 committee and the legislative fiscal bureau to assess the  
26 fiscal impact of various computerized applications, with  
27 emphasis upon the need for the division to purchase additional  
28 computer hardware.

29     Sec. 636. RULES. The department of human services may  
30 adopt administrative rules under section 17A.4, subsection 2,  
31 and section 17A.5, subsection 2, paragraph "b", to implement  
32 the sections of this division enumerated in this section.  
33 Rules adopted pursuant to section 601, subsection 4, relating  
34 to increasing the schedule of basic needs under the aid to  
35 families with dependent children program; section 601,

1 subsection 2, relating to implementing statewide the self-  
2 employment investment demonstration waiver; section 603,  
3 subsection 6, relating to the costs of transportation  
4 connected with the health of a resident of a health care  
5 facility reimbursed under medical assistance; section 606,  
6 unnumbered paragraph 3, relating to increasing the personal  
7 needs allowance of certain persons; section 608, subsection 3,  
8 relating to child day care rules necessary to obtain federal  
9 grant moneys; section 610, subsection 1, relating to child day  
10 care reimbursement under the JOBS program; section 624,  
11 subsection 4, relating to certain reimbursements provided  
12 under the appropriation for state supplementary assistance;  
13 and section 631, relating to reimbursements of providers, of  
14 this division shall become effective immediately upon filing,  
15 unless a later effective date is specified in the rules. The  
16 rules shall also be published as notice of intended action as  
17 provided in section 17A.4.

18 Sec. 637. EFFECTIVE DATE. Section 636 of this division,  
19 being deemed of immediate importance, takes effect upon  
20 enactment.

21 DIVISION VII

22 JUSTICE SYSTEMS APPROPRIATIONS

23 Sec. 701. There is appropriated from the general fund of  
24 the state to the department of justice for the fiscal year  
25 beginning July 1, 1991, and ending June 30, 1992, the  
26 following amounts, or so much thereof as is necessary, to be  
27 used for the purposes designated:

28 1. For the general office of attorney general for  
29 salaries, support, maintenance, miscellaneous purposes, and  
30 for not more than the following full-time equivalent  
31 positions:

32 .....	\$	4,944,996
33 .....	FTEs	176.00

34 2. Prosecuting attorney training program for salaries,  
35 support, maintenance, miscellaneous purposes, and for not more

1 than the following full-time equivalent positions:

2 .....	\$	191,898
3 .....	FTEs	4.75

4 3. In addition to the funds appropriated under subsection  
5 1, there is appropriated from the general fund of the state to  
6 the department of justice for the fiscal year beginning July  
7 1, 1991, and ending June 30, 1992, an amount not exceeding  
8 \$95,000 to be used for the enforcement of the Iowa competition  
9 law under chapter 553. The expenditure of the funds  
10 appropriated under this subsection is contingent upon receipt  
11 by the general fund of the state of an amount at least equal  
12 to either the expenditures from damages awarded to the state  
13 or a political subdivision of the state by a civil judgment  
14 under chapter 553, if the judgment authorizes the use of the  
15 award for enforcement purposes or costs or attorneys fees  
16 awarded the state in state or federal antitrust actions.

17 4. In addition to funds appropriated under subsection 1,  
18 there is appropriated from the general fund of the state to  
19 the department of justice for the fiscal year beginning July  
20 1, 1991, and ending June 30, 1992, an amount not exceeding  
21 \$50,000 to be used for public education relating to consumer  
22 fraud and for enforcement of section 714.16, and \$25,000 for  
23 investigation, prosecution, and consumer education relating to  
24 consumer and criminal fraud against older Iowans. The  
25 expenditure of the funds appropriated under this subsection is  
26 contingent upon receipt by the general fund of the state of an  
27 amount at least equal to the expenditures from damages awarded  
28 to the state or a political subdivision of the state by a  
29 civil consumer fraud judgment, if the judgment authorizes the  
30 use of the award for public education on consumer fraud.  
31 Notwithstanding section 8.33, funds received in a previous  
32 fiscal year which have not been expended shall be credited to  
33 this fiscal year.

34 5. For the farm mediation service program:

35 .....	\$	200,000
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1 6. For the legal assistance for farmers program:  
2 ..... \$ 200,000

3 7. For victim assistance grants:  
4 ..... \$ 1,071,782

5 As a condition, limitation, and qualification of this  
6 appropriation, \$880,000 shall be used to provide grants to  
7 care providers providing services to crime victims of domestic  
8 abuse, and \$191,782 shall be used to provide grants to care  
9 providers providing services to crime victims of rape and  
10 sexual assault.

11 8. For the GASA prosecuting attorney program:  
12 ..... \$ 103,400  
13 ..... FTEs 1.00

14 9. The balance of the fund created under section 321J.17  
15 may be used to provide salary and support of not more than 6  
16 FTEs and to provide maintenance for the victim compensation  
17 functions of the department of justice.

18 10. The department of justice shall submit monthly  
19 financial statements to the legislative fiscal bureau and the  
20 department of management containing all appropriated accounts  
21 in the same manner as provided in the monthly financial status  
22 reports and personal services usage reports of the department  
23 of revenue and finance. The monthly financial statements  
24 shall include comparisons of the moneys and percentage spent  
25 of budgeted to actual revenues and expenditures on a  
26 cumulative basis for full-time equivalent positions and  
27 available moneys.

28 Sec. 702. There is appropriated from the general fund to  
29 the office of consumer advocate of the department of justice  
30 for the fiscal year beginning July 1, 1991, and ending June  
31 30, 1992, the following amount, or so much thereof as is  
32 necessary, to be used for the purposes designated:

33 For salaries, support, maintenance, miscellaneous purposes,  
34 and for not more than the following full-time equivalent  
35 positions:

1 ..... \$ 2,054,783

2 ..... FTEs 32.00

3 Sec. 703. There is appropriated from the general fund of  
4 the state to the board of parole for the fiscal year beginning  
5 July 1, 1991, and ending June 30, 1992, the following amount,  
6 or so much thereof as is necessary, to be used for the  
7 purposes designated:

8 For salaries, support, maintenance, miscellaneous purposes,  
9 and for not more than the following full-time equivalent  
10 positions:

11 ..... \$ 781,894

12 ..... FTEs 18.00

13 As a condition, limitation, and qualification of this  
14 appropriation the board of parole shall maintain an automated  
15 docket and shall maintain the board's automated risk  
16 assessment model.

17 As a condition, limitation, and qualification of the  
18 appropriation the board of parole shall employ 2 statistical  
19 research analysts to assist with the application of the risk  
20 assessment model in the parole decision-making process. The  
21 board of parole shall also require the board's administrative  
22 staff to be cross-trained to assure that each individual on  
23 that staff is familiar with all tasks performed by the staff.

24 It is the intent of the general assembly that the  
25 department of corrections and the board of parole shall  
26 review, and implement as necessary, the findings and  
27 recommendations contained in the final report prepared by the  
28 consultant and presented to the corrections system review task  
29 force which was established by 1988 Iowa Acts, chapter 1271,  
30 as they relate to the department of corrections and the board  
31 of parole. The board shall report to the justice system  
32 appropriations subcommittee during the 1992 legislative  
33 session, at the request of the subcommittee, steps taken to  
34 implement any of those recommendations, or the reasons for  
35 failing to implement such recommendations.

1 Sec. 704. There is appropriated from the general fund of  
2 the state to the department of corrections for the fiscal year  
3 beginning July 1, 1991, and ending June 30, 1992, the  
4 following amounts, or so much thereof as is necessary, to be  
5 used for the purposes designated:

6 1. For the operation of adult correctional institutions,  
7 to be allocated as follows:

8 a. For the operation of the Fort Madison correctional  
9 facility, including salaries, support, maintenance,  
10 miscellaneous purposes, and for not more than the following  
11 full-time equivalent positions:

12 ..... \$ 21,829,312  
13 ..... FTEs 502.50

14 As a condition, limitation, and qualification of this  
15 appropriation, the facility shall employ 310 correctional  
16 officers.

17 b. For the operation of the Anamosa correctional facility,  
18 including salaries, support, maintenance, miscellaneous  
19 purposes, and for not more than the following full-time  
20 equivalent positions:

21 ..... \$ 16,153,646  
22 ..... FTEs 356.00

23 (1) As a condition, limitation, and qualification of this  
24 appropriation, the facility shall employ 211 correctional  
25 officers and a part-time chaplain of a minority race.

26 (2) Of the funds appropriated, the department's budget for  
27 Anamosa shall include funding for 2 full-time substance abuse  
28 counselors for the Luster Heights facility, for the purpose of  
29 certification of a substance abuse program at that facility.

30 c. For the operation of the Oakdale correctional facility,  
31 including salaries, support, maintenance, miscellaneous  
32 purposes, and for not more than the following full-time  
33 equivalent positions:

34 ..... \$ 13,998,174  
35 ..... FTEs 309.64



1 As a condition, limitation, and qualification of this  
2 appropriation, the facility shall employ 151.50 correctional  
3 officers.

4 d. For the operation of the Newton correctional facility,  
5 including salaries, support, maintenance, miscellaneous  
6 purposes, and for not more than the following full-time  
7 equivalent positions:

8 .....	\$	4,347,830
9 .....	FTEs	94.03

10 As a condition, limitation, and qualification of this  
11 appropriation, the facility shall employ 39.02 correctional  
12 officers.

13 e. For the operation of the Mt. Pleasant correctional  
14 facility, including salaries, support, maintenance,  
15 miscellaneous purposes, and for not more than the following  
16 full-time equivalent positions:

17 .....	\$	11,606,136
18 .....	FTEs	267.15

19 As a condition, limitation, and qualification of this  
20 appropriation, the facility shall employ 141 correctional  
21 officers, and a full-time chaplain to provide religious  
22 counseling at the Oakdale and Mt. Pleasant correctional  
23 facilities.

24 f. For the operation of the Rockwell City correctional  
25 facility, including salaries, support, maintenance,  
26 miscellaneous purposes, and for not more than the following  
27 full-time equivalent positions:

28 .....	\$	4,178,354
29 .....	FTEs	85.24

30 As a condition, limitation, and qualification of this  
31 appropriation, the facility shall employ 46.7 correctional  
32 officers.

33 g. For the operation of the Clarinda correctional  
34 facility, including salaries, support, maintenance,  
35 miscellaneous purposes, and for not more than the following

1 full-time equivalent positions:

2 .....	\$	5,213,089
3 .....	FTEs	133.20

4 As a condition, limitation, and qualification of this  
5 appropriation, the facility shall employ 68 correctional  
6 officers.

7 h. For the operation of the Mitchellville correctional  
8 facility, including salaries, support, maintenance,  
9 miscellaneous purposes, and for not more than the following  
10 full-time equivalent positions:

11 .....	\$	4,950,807
12 .....	FTEs	114.01

13 As a condition, limitation, and qualification of this  
14 appropriation, the facility shall employ 62.78 correctional  
15 officers.

16 2. The department of corrections shall provide a report to  
17 the co-chairpersons and ranking members of the justice system  
18 appropriations subcommittee and the legislative fiscal bureau  
19 on or before January 15, 1992, outlining the implementation of  
20 the centralized education program for the correctional system.  
21 The report shall include a listing of the educational  
22 institutions that are involved, the amount of any federal  
23 funds received for use with these programs, and any other  
24 pertinent information.

25 3. If the inmate tort claim fund for inmate claims of less  
26 than \$50 is exhausted during the fiscal year, sufficient funds  
27 shall be transferred from the institutional budgets to pay  
28 approved tort claims for the balance of the fiscal year. The  
29 warden or superintendent of each institution or correctional  
30 facility shall designate an employee to receive, investigate,  
31 and recommend whether to pay any properly filed inmate tort  
32 claim for less than the above amount. The designee's  
33 recommendation shall be approved or denied by the warden or  
34 superintendent and forwarded to the department of corrections  
35 for final approval and payment. The amounts appropriated to

1 this fund pursuant to 1987 Iowa Acts, chapter 234, section  
2 304, subsection 2, are not subject to reversion under section  
3 8.33.

4 Tort claims denied at the institution shall be forwarded to  
5 the state appeal board for their consideration as if  
6 originally filed with that body. This procedure shall be used  
7 in lieu of chapter 25A for inmate tort claims of less than  
8 \$50.

9 Sec. 705. There is appropriated from the general fund of  
10 the state to the department of corrections for the fiscal year  
11 beginning July 1, 1991, and ending June 30, 1992, the  
12 following amounts, or so much thereof as is necessary, to be  
13 used for the purposes designated:

14 1. For general administration, including salaries,  
15 support, maintenance, miscellaneous purposes, and for not more  
16 than the following full-time equivalent positions:

17 .....	\$	2,263,459
18 .....	FTEs	43.52

19 As a condition, limitation, and qualification of this  
20 appropriation the department shall employ an education  
21 director and clerk to administer a centralized education  
22 program for the correctional system.

23 The department shall monitor the use of the classification  
24 model by the judicial district departments of correctional  
25 services and has the authority to override a district  
26 department's decision regarding classification of community-  
27 based clients. The department shall notify a district  
28 department of the reasons for the override.

29 2. For reimbursement of counties for temporary confinement  
30 of work release and parole violators, as provided in sections  
31 246.908, 901.7, and 906.17 and for offenders confined pursuant  
32 to section 246.513:

33 .....	\$	250,000
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34 3. For federal prison reimbursement and miscellaneous  
35 contracts:

1 ..... \$ 360,000

2 The department of corrections shall use funds appropriated  
3 by this subsection to continue to contract for the service of  
4 a Muslim imam.

5 4. For salaries, support, maintenance, miscellaneous  
6 purposes, and for not more than the following full-time  
7 equivalent positions at the correctional training center at  
8 Mt. Pleasant:

9 ..... \$ 391,342

10 ..... FTEs 8.22

11 5. For annual payment relating to the financial  
12 arrangement for the construction of expansion in prison  
13 capacity as provided in 1989 Iowa Acts, chapter 316, section  
14 7, subsection 6:

15 ..... \$ 625,860

16 6. For annual payment relating to the financial  
17 arrangement for the construction of expansion in prison  
18 capacity as provided in 1990 Iowa Acts, chapter 1257, section  
19 24:

20 ..... \$ 3,143,250

21 7. For the capital design and construction of a 192 bed  
22 prison facility at a site specified by the general assembly by  
23 reference to this appropriation:

24 ..... \$ 1,000,000

25 Sec. 706.

26 1. There is appropriated from the general fund of the  
27 state to the department of corrections for the fiscal year  
28 beginning July 1, 1991, and ending June 30, 1992, the  
29 following amounts, or so much thereof as is necessary, to be  
30 allocated as follows:

31 a. For the first judicial district department of  
32 correctional services, the following amount, or so much  
33 thereof as is necessary:

34 ..... \$ 5,791,316

35 The district department shall continue the intensive

1 supervision program established within the district in 1988  
2 Iowa Acts, chapter 1271, section 6, subsection 1, paragraph  
3 "a", and the sex offender treatment program established within  
4 the district in 1989 Iowa Acts, chapter 316, section 8,  
5 subsection 1, paragraph "a".

6 The district department, in cooperation with the chief  
7 judge of the judicial district, shall continue the  
8 implementation of a plan to divert low-risk offenders to the  
9 least restrictive sanction available.

10 b. For the second judicial district department of  
11 correctional services, the following amount, or so much  
12 thereof as is necessary:

13 ..... \$ 4,205,315

14 The district department shall continue the sex offender  
15 treatment program established within the district in 1988 Iowa  
16 Acts, chapter 1271, section 6, subsection 1, paragraph "b".

17 The district department, in cooperation with the chief  
18 judge of the judicial district, shall continue the  
19 implementation of a plan to divert low-risk offenders to the  
20 least restrictive sanction available.

21 c. For the third judicial district department of  
22 correctional services, the following amount, or so much  
23 thereof as is necessary:

24 ..... \$ 2,689,049

25 The district department shall continue the sex offender  
26 treatment program established within the district in 1988 Iowa  
27 Acts, chapter 1271, section 6, subsection 1, paragraph "c",  
28 and the intensive supervision program established within the  
29 district in 1990 Iowa Acts, chapter 1268, section 6,  
30 subsection 3, paragraph "d".

31 The district department, in cooperation with the chief  
32 judge of the judicial district, shall continue the  
33 implementation of a plan to divert low-risk offenders to the  
34 least restrictive sanction available.

35 d. For the fourth judicial district department of

1 correctional services, the following amount, or so much  
2 thereof as is necessary:

3 ..... \$ 1,968,221

4 The district department shall continue the sex offender  
5 treatment program established within the district in 1988 Iowa  
6 Acts, chapter 1271, section 6, subsection 1, paragraph "d".

7 The district department, in cooperation with the chief  
8 judge of the judicial district, shall continue the  
9 implementation of a plan to divert low-risk offenders to the  
10 least restrictive sanction available.

11 e. For the fifth judicial district department of  
12 correctional services, the following amount, or so much  
13 thereof as is necessary:

14 ..... \$ 7,287,352

15 The district department shall continue the intensive  
16 supervision program established within the district in 1988  
17 Iowa Acts, chapter 1271, section 6, subsection 1, paragraph  
18 "e", and shall continue to provide for the rental of  
19 electronic monitoring equipment.

20 The district department, in cooperation with the chief  
21 judge of the judicial district, shall continue the  
22 implementation of a plan to divert low-risk offenders to the  
23 least restrictive sanction available.

24 f. For the sixth judicial district department of  
25 correctional services, the following amount, or so much  
26 thereof as is necessary:

27 ..... \$ 5,799,038

28 The district department shall continue the intensive  
29 supervision program established within the district in 1988  
30 Iowa Acts, chapter 1271, section 6, subsection 1, paragraph  
31 "f", and the sex offender treatment program established within  
32 the district in 1989 Iowa Acts, chapter 316, section 8,  
33 subsection 1, paragraph "f".

34 The district department, in cooperation with the chief  
35 judge of the judicial district, shall continue the

1 implementation of a plan to divert low-risk offenders to the  
2 least restrictive sanction available.

3 g. For the seventh judicial district department of  
4 correctional services, the following amount, or so much  
5 thereof as is necessary:

6 ..... \$ 3,964,311

7 The district department shall continue the intensive  
8 supervision program established within the district in 1988  
9 Iowa Acts, chapter 1271, section 6, subsection 1, paragraph  
10 "g", and shall continue the sex offender treatment program  
11 established within the district in 1989 Iowa Acts, chapter  
12 316, section 8, subsection 1, paragraph "g".

13 The district department, in cooperation with the chief  
14 judge of the judicial district, shall continue the  
15 implementation of a plan to divert low-risk offenders to the  
16 least restrictive sanction available.

17 h. For the eighth judicial district department of  
18 correctional services, the following amount, or so much  
19 thereof as is necessary:

20 ..... \$ 3,314,225

21 The district department shall continue the intensive  
22 supervision program established within the district in 1988  
23 Iowa Acts, chapter 1271, section 6, subsection 1, paragraph  
24 "h", and shall continue the sex offender treatment program  
25 established within the district in 1989 Iowa Acts, chapter  
26 316, section 8, subsection 1, paragraph "h".

27 The district department, in cooperation with the chief  
28 judge of the judicial district, shall continue the  
29 implementation of a plan to divert low-risk offenders to the  
30 least restrictive sanction available.

31 i. For the department of corrections for the assistance  
32 and support of each judicial district department of  
33 correctional services, the following amount, or so much  
34 thereof as is necessary:

35 ..... \$ 104,754

1 2. The department of corrections shall continue the OWI  
2 facilities established in 1986 Iowa Acts, chapter 1246,  
3 section 402, in compliance with the conditions specified in  
4 that section.

5 3. The department of corrections shall continue to  
6 contract with a judicial district department of correctional  
7 services to provide for the rental of electronic monitoring  
8 equipment which shall be available statewide.

9 4. Each judicial district department of correctional  
10 services and the department of corrections shall continue the  
11 treatment alternatives to street crime programs established in  
12 1989 Iowa Acts, chapter 225, section 9.

13 5. The first, sixth, and eighth judicial district  
14 departments of correctional services and the department of  
15 corrections shall continue the job training and development  
16 grant programs established in 1989 Iowa Acts, chapter 316,  
17 section 7, subsection 2.

18 6. The department of corrections shall not make an  
19 intradepartmental transfer of moneys appropriated to the  
20 department, unless the department complies with section 8.39.  
21 The notice shall include information on the department's  
22 rationale for making the transfer and details concerning the  
23 work load and performance measures upon which the transfers  
24 are based.

25 Sec. 707. There is appropriated from the general fund of  
26 the state to the judicial department for the fiscal year  
27 beginning July 1, 1991, and ending June 30, 1992, the  
28 following amounts, or so much thereof as is necessary, to be  
29 used for the purposes designated:

30 1. For salaries of supreme court justices, appellate court  
31 judges, district court judges, district associate judges,  
32 judicial magistrates and staff, state court administrator,  
33 clerk of the supreme court, district court administrators,  
34 clerks of the district court, juvenile court officers, board  
35 of law examiners and board of examiners of shorthand reporters



1 and judicial qualifications commission, receipt and  
2 disbursement of child support payments, and maintenance,  
3 equipment, and miscellaneous purposes:

4 ..... \$ 73,956,679

5 As a condition, limitation, and qualification of this  
6 appropriation, the department shall reimburse the auditor of  
7 state for expenses incurred in completing audits of the  
8 offices of the clerks of the district court during the fiscal  
9 year beginning July 1, 1991.

10 Notwithstanding section 602.5205, the judicial department  
11 shall provide for the expenses of the judges of the court of  
12 appeals located outside the seat of government.

13 As a condition, limitation, and qualification of this  
14 appropriation, the judicial department, except for purposes of  
15 internal processing, shall use the current state budget  
16 system, the state payroll system, and the Iowa finance and  
17 accounting system in administration of programs and payments  
18 for services, and shall not duplicate the state payroll,  
19 accounting, and budgeting systems.

20 The judicial department shall submit monthly financial  
21 statements to the legislative fiscal bureau and the department  
22 of management containing all appropriated accounts in the same  
23 manner as provided in the monthly financial status reports and  
24 personal services usage reports of the department of revenue  
25 and finance. The monthly financial statements shall include a  
26 comparison of the dollars and percentage spent of budgeted  
27 versus actual revenues and expenditures on a cumulative basis  
28 for full-time equivalent positions and dollars.

29 Of the funds appropriated under this subsection, not more  
30 than \$1,800,000 may be transferred into the revolving fund  
31 established pursuant to section 602.1302, subsection 3, to be  
32 used for the payment of jury and witness fees and mileage.

33 2. For the juvenile victim restitution program:

34 ..... \$ 100,000

35 Sec. 708. There is appropriated from the general fund of

1 the state to the judicial department for the fiscal year  
2 beginning July 1, 1991, and ending June 30, 1992, the  
3 following amount, or so much thereof as is necessary, to be  
4 used for the purpose designated:

5 For the Iowa court information system:

6 ..... \$ 903,000

7 As a condition, limitation, and qualification of this  
8 appropriation, the judicial department, except for purposes of  
9 internal processing, shall use the current state budget  
10 system, the state payroll system, and the Iowa finance and  
11 accounting system in administration of programs and payments  
12 for services, and shall not duplicate the state payroll,  
13 accounting, and budgeting systems.

14 The judicial department shall not change the appropriations  
15 from the amounts appropriated under this section, unless the  
16 department complies with section 8.39. The notice shall  
17 include information on the department's rationale for making  
18 the changes and details concerning the work load and  
19 performance measures upon which the changes are based.

20 Sec. 709. The department of corrections, judicial district  
21 departments of correctional services, board of parole, and the  
22 judicial department shall continue to develop an automated  
23 data system for use in the sharing of information between the  
24 department of corrections, judicial district departments of  
25 correctional services, board of parole, and the judicial  
26 department. The information to be shared shall concern any  
27 individual who may, as the result of an arrest or infraction  
28 of any law, be subject to the jurisdiction of the department  
29 of corrections, judicial district departments of correctional  
30 services, or board of parole.

31 Sec. 710. Section 13.15, unnumbered paragraph 2, Code  
32 1991, is amended to read as follows:

33 The rules shall provide for an hourly mediation fee not to  
34 exceed twenty-five-dollars-per-hour-per-party fifty dollars  
35 for the borrower and one hundred dollars for the creditor.

1 The hourly mediation fee may be waived for any party  
2 demonstrating financial hardship upon application to the farm  
3 mediation service.

4 Sec. 711. NEW SECTION. 13.26 FARM ASSISTANCE FUND  
5 ESTABLISHED.

6 A farm assistance fund is established as a separate fund in  
7 the state treasury under the control of the department of  
8 justice. It is the intent of the general assembly that the  
9 moneys deposited in the fund shall be used for legal  
10 assistance to financially distressed farmers. These funds  
11 shall be used only to the extent appropriated by the general  
12 assembly. Notwithstanding section 8.33, any balance in the  
13 fund on June 30 of any fiscal year shall not revert to any  
14 fund but shall remain in the fund for the subsequent fiscal  
15 year.

16 Sec. 712. Section 356.26, unnumbered paragraph 3, Code  
17 1991, is amended to read as follows:

18 The district court may also grant by order to any person  
19 sentenced to a county jail the privilege of a sentence of in-  
20 home detention where the county sheriff has certified to the  
21 court that the jail has an in-home detention program. ~~The~~  
22 ~~department-of-corrections-shall-report-to-the-legislative~~  
23 ~~fiscal-bureau-on-a-semiannual-basis-concerning-utilization-of~~  
24 ~~in-home-detention,-including-the-counties-which-have~~  
25 ~~established-such-programs-and-the-number-of-prisoners-allowed~~  
26 ~~in-home-detention-privileges.~~

27 Sec. 713. Section 654.18, subsection 1, paragraph d, Code  
28 1991, is amended to read as follows:

29 d. The mortgagor and mortgagee shall file a jointly  
30 executed document with the county recorder in the county where  
31 the real property is located stating that the mortgagor and  
32 mortgagee have elected to follow the alternative voluntary  
33 foreclosure procedures pursuant to this section. In addition  
34 to the fee collected pursuant to section 331.604, the recorder  
35 shall collect a fee of sixty dollars for filing the document,

1 and shall remit the sixty-dollar fee to the treasurer of state  
2 for deposit in the farm assistance fund established in section  
3 13.26.

4 Sec. 714. Section 654.19, Code 1991, is amended to read as  
5 follows:

6 654.19 DEED IN LIEU OF FORECLOSURE -- AGRICULTURAL LAND.

7 In lieu of a foreclosure action in court due to default on  
8 a recorded mortgage or deed of trust of real property, if the  
9 subject property is agricultural land used for farming, as  
10 defined in section 172C.1, the mortgagee and mortgagor may  
11 enter into an agreement in which the mortgagor agrees to  
12 transfer the agricultural land to the mortgagee in  
13 satisfaction of all or part of the mortgage obligation as  
14 agreed upon by the parties. The agreement may grant the  
15 mortgagor a right to purchase the agricultural land for a  
16 period not to exceed five years, and may entitle the mortgagor  
17 to lease the agricultural land. The agreement shall be  
18 recorded with the deed transferring title to the mortgagee.  
19 In addition to the fee collected pursuant to section 331.604,  
20 the recorder shall collect a fee of sixty dollars for  
21 recording the agreement and deed, and shall remit the sixty-  
22 dollar fee to the treasurer of state for deposit in the farm  
23 assistance fund established in section 13.26. A transfer of  
24 title and agreement pursuant to this section does not  
25 constitute an equitable mortgage.

26 Sec. 715. Section 655A.7, Code 1991, is amended to read as  
27 follows:

28 655A.7 PROOF AND RECORD OF SERVICE.

29 If the terms and conditions as to which there is default  
30 are not performed within the thirty days, the party serving  
31 the notice or causing it to be served shall file for record in  
32 the office of the county recorder a copy of the notice with  
33 proofs of service required under section 655A.4 attached or  
34 endorsed on it and, in case of service by publication, a  
35 personal affidavit that personal service could not be made

1 within this state, and when those documents are filed and  
2 recorded, the record is constructive notice to all parties of  
3 the due foreclosure of the mortgage. In addition to the fee  
4 collected pursuant to section 331.604, the recorder shall  
5 collect a fee of sixty dollars for recording the documents  
6 required by this section, and shall remit the sixty dollar fee  
7 to the treasurer of state for deposit in the farm assistance  
8 fund established in section 13.26.

9 Sec. 716. Section 656.5, Code 1991, is amended to read as  
10 follows:

11 656.5 PROOF AND RECORD OF SERVICE.

12 If the terms and conditions as to which there is default  
13 are not performed within said thirty days, the party serving  
14 said notice or causing the same to be served, may file for  
15 record in the office of the county recorder a copy of the  
16 notice aforesaid with proofs of service attached or endorsed  
17 thereon (and, in case of service by publication, a personal  
18 affidavit that personal service could not be made within this  
19 state), and when so filed and recorded, the said record shall  
20 be constructive notice to all parties of the due forfeiture  
21 and cancellation of said contract. In addition to the fee  
22 collected pursuant to section 331.604, the recorder shall  
23 collect a fee of sixty dollars for filing the notice, and  
24 shall remit the sixty-dollar fee to the treasurer of state for  
25 deposit in the farm assistance fund established in section  
26 13.26.

27 Sec. 717. Section 905.4, subsection 5, Code 1991, is  
28 amended to read as follows:

29 5. Arrange for, by contract or on such alternative basis  
30 as may be mutually acceptable, and equip suitable quarters at  
31 one or more sites in the district as may be necessary for the  
32 district department's community-based correctional program,  
33 provided that the board shall to the greatest extent feasible  
34 utilize existing facilities and shall keep capital  
35 expenditures for acquisition, renovation and repair of

1 facilities to a minimum. The district board shall not enter  
2 into lease-purchase agreements for the purposes of  
3 constructing, renovating, expanding, or otherwise improving a  
4 community-based correctional facility or office unless express  
5 authorization has been granted by the general assembly, and  
6 current funding is adequate to meet the lease-purchase  
7 obligation.

8 Sec. 718. 1990 Iowa Acts, chapter 1224, section 1,  
9 unnumbered paragraph 1, is amended to read as follows:

10 In order to implement this Act, the department of human  
11 services and the judicial department shall mutually agree on a  
12 schedule to complete the transfer of support payment  
13 collection and disbursement responsibilities from the  
14 collection services center to the clerks of the district  
15 court. The schedule shall provide for the completion of the  
16 transfer of the responsibilities for all affected orders by  
17 June 30, ~~1991~~ 1993. The following procedure shall be used for  
18 any order affected by the initial transfer of  
19 responsibilities.

20 Sec. 719. 1990 Iowa Acts, chapter 1257, section 24,  
\* 21 subsection 4, is amended to read as follows:

22 4. Up to \$1,300,000 for construction of 50 minimum  
23 security dormitory style beds located in Polk county at the  
24 Newton correctional facility.

25 As a condition, limitation, and qualification of this  
26 appropriation, the beds shall be used for a 30-to-60-day shock  
27 revocation program for parole and probation violators who are  
28 male offenders. The beds shall be administered by the state  
29 department of corrections.

30 Sec. 720. 1990 Iowa Acts, chapter 1268, section 5,  
31 subsection 2, is amended to read as follows:

32 2. For reimbursement of counties for temporary confinement  
33 of work release and parole violators, as provided in sections  
34 246.908, 901.7, and 906.17 and for offenders confined pursuant  
35 to section 246.513:

1 ..... \$ 215,000

2 Sec. 721. EFFECTIVE DATE AND RETROACTIVE APPLICABILITY  
3 PROVISIONS.

4 1. Section 717 of this division takes effect on January 1,  
5 1992.

6 2. Sections 718 and 720 of this division, being deemed of  
7 immediate importance, take effect upon enactment. Section 720  
8 of the division applies retroactively to July 1, 1990.

9 DIVISION VIII

10 REGULATIONS APPROPRIATIONS

11 Sec. 801. There is appropriated from the general fund of  
12 the state to the office of the auditor of state for the fiscal  
13 year beginning July 1, 1991, and ending June 30, 1992, the  
14 following amount, or so much thereof as is necessary, to be  
15 used for the purposes designated:

16 For salaries, support, maintenance, miscellaneous purposes,  
17 and for not more than the following full-time equivalent posi-  
18 tions:

19 ..... \$ 1,600,787  
20 ..... FTEs 120.78

21 The auditor of state may expend additional moneys and  
22 retain additional full-time equivalent positions as is  
23 reasonable and necessary to perform audits, such as audits for  
24 local governments, if all of the following conditions are  
25 satisfied:

26 1. The amount expended is proportional to the costs that  
27 are reimbursable from the entity being audited, including but  
28 not limited to expenses reimbursable pursuant to section  
29 11.5A, 11.5B, 11.20, or 11.21.

30 2. The auditor of state submits a request to the  
31 department of management to expend a specific additional  
32 amount in connection with specified reimbursable audits.

33 3. The department of management approves the additional  
34 spending from any unappropriated funds in the state treasury  
35 upon a finding that all or substantially all of the amount

1 requested and approved will be reimbursable from the entity  
2 being audited.

3 4. The department of management notifies the legislative  
4 fiscal bureau of any additional moneys approved.

5 5. The department of management notifies the legislative  
6 fiscal committee of any additional moneys approved prior to  
7 the expenditure.

8 6. Upon payment or reimbursement by the entity, the  
9 auditor of state shall credit the payments to the state  
10 treasury for deposit in the general fund.

11 Sec. 802. There is appropriated from the general fund of  
12 the state to the campaign finance disclosure commission for  
13 the fiscal year beginning July 1, 1991, and ending June 30,  
14 1992, the following amount, or so much thereof as is  
15 necessary, for the purposes designated:

16 For salaries, support, maintenance, miscellaneous purposes,  
17 and for not more than the following full-time equivalent posi-  
18 tions:

19 .....	\$	283,004
20 .....	FTEs	6.75

21 Of the amount appropriated under this section, \$10,000, or  
22 so much thereof as is necessary, shall be expended for the  
23 director to attend a council of government ethics laws meeting  
24 and for computer consultation, evaluation, and software.

25 As a condition, limitation, and qualification of the funds  
26 appropriated by this section, the commission shall submit a  
27 written report to the legislative fiscal bureau no later than  
28 November 1, 1991, concerning the results of the computer  
29 consultation and evaluation. The report shall include the  
30 commission's findings, recommendations, and a discussion of  
31 the rationale for the recommendations resulting from the  
32 consultation and evaluation as to projected computer needs of  
33 the commission.

34 Sec. 803. There is appropriated from the general fund of  
35 the state to the department of employment services for the



1 fiscal year beginning July 1, 1991, and ending June 30, 1992,  
2 the following amounts, or so much thereof as is necessary, for  
3 the purposes designated:

4 1. DIVISION OF LABOR SERVICES

5 For salaries, support, maintenance, miscellaneous purposes,  
6 and for not more than the following full-time equivalent posi-  
7 tions:

8 ..... \$ 2,509,205  
9 ..... FTEs 92.80

10 From the contractor registration fees, the division of  
11 labor services shall reimburse the department of inspections  
12 and appeals for all costs associated with hearings under  
13 chapter 91C, relating to contractor registration.

14 Of the amount appropriated under this subsection, \$174,166,  
15 or so much thereof as is necessary, shall be expended for 5.00  
16 FTEs to enforce the Iowa minimum wage law.

17 2. DIVISION OF INDUSTRIAL SERVICES

18 For salaries, support, maintenance, miscellaneous purposes,  
19 and for not more than the following full-time equivalent posi-  
20 tions:

21 ..... \$ 2,116,185  
22 ..... FTEs 45.50

23 As a condition, limitation, and qualification of the funds  
24 appropriated by this subsection, \$45,396, or so much thereof  
25 as is necessary, shall be expended for 1.00 FTE, which shall  
26 be a word processor III position, to expedite the  
27 administrative hearing process for workers' compensation  
28 cases, and to assist in reducing the contested case backlog.  
29 The division shall submit a written report to the legislative  
30 fiscal bureau on a quarterly basis concerning the status of  
31 the workers' compensation contested case backlog.

32 The division shall continue charging a \$65 filing fee for  
33 workers' compensation cases. The filing fee shall be paid by  
34 the petitioner of a claim. However, the fee can be taxed as a  
35 cost and paid by the losing party, except in cases where it

1 would impose an undue hardship or be unjust under the  
2 circumstances.

3 The department of employment services, the department of  
4 personnel, and the department of management shall work  
5 together to ensure that as nearly as possible all full-time  
6 equivalent positions authorized and funded for the department  
7 of employment services will be utilized during the fiscal year  
8 beginning July 1, 1991, and ending June 30, 1992, and future  
9 fiscal years, to ensure that the backlog of cases in that  
10 department will be reduced as rapidly as possible.

11 Sec. 804.

12 1. Notwithstanding the provisions of section 96.13,  
13 subsection 3, which restrict the use of moneys in the special  
14 employment security contingency fund, moneys in the fund on  
15 June 30, 1991, shall not be transferred by the treasurer of  
16 state to either the temporary emergency surcharge fund or the  
17 unemployment compensation fund, but shall be available to the  
18 division of job service of the department of employment  
19 services for the fiscal year beginning July 1, 1991, and  
20 ending June 30, 1992, for expenditures under subsection 2.

21 2. The division of job service shall expend moneys which  
22 are credited to the special employment security contingency  
23 fund during the fiscal year beginning July 1, 1991, and ending  
24 June 30, 1992, including moneys which are available to the  
25 division of job service under subsection 1, only in accordance  
26 with the following restrictions:

27 The division shall expend up to \$550,000 for the following:  
28 \$50,000, or so much thereof as is necessary, for the removal  
29 of 2 chillers and 1 underground storage tank, and \$500,000, or  
30 so much thereof as is necessary, for asbestos removal or  
31 encapsulation at the job service site located at 1000 East  
32 Grand, Des Moines, Iowa.

33 Sec. 805. There is appropriated from the administrative  
34 contribution surcharge fund of the state to the department of  
35 employment services for the fiscal year beginning July 1,

1 1991, and ending June 30, 1992, the following amount, or so  
2 much thereof as is necessary, for the purposes designated:

3 DIVISION OF JOB SERVICE

4 Notwithstanding section 96.7, subsection 12, paragraph "c",  
5 for salaries, support, maintenance, miscellaneous purposes,  
6 and for not more than the following full-time equivalent  
7 positions:

8 .....	\$	5,916,050
9 .....	FTEs	171.80

10 As a condition, limitation, and qualification of this  
11 appropriation, the department of employment services shall  
12 provide services throughout the fiscal year beginning July 1,  
13 1991, and ending June 30, 1992, in all communities in which  
14 job service offices are operating on July 1, 1991. However,  
15 this provision shall not prevent the consolidation of multiple  
16 offices within the same city or the colocation of job service  
17 offices with another public agency.

18 Sec. 806. There is appropriated from the general fund of  
19 the state to the department of inspections and appeals for the  
20 fiscal year beginning July 1, 1991, and ending June 30, 1992,  
21 the following amounts, or so much thereof as is necessary, for  
22 the purposes designated:

23 1. FINANCE AND SERVICES DIVISION

24 For salaries, support, maintenance, miscellaneous purposes,  
25 and for not more than the following full-time equivalent  
26 positions:

27 .....	\$	578,220
28 .....	FTEs	25.00

29 2. AUDITS DIVISION

30 For salaries, support, maintenance, miscellaneous purposes,  
31 and for not more than the following full-time equivalent  
32 positions:

33 .....	\$	650,406
34 .....	FTEs	21.00

35 Of the amount appropriated in this subsection, \$78,708, or

1 so much thereof as is necessary, shall be expended for 2.00  
2 FTEs for conducting required bingo audits.

3 3. APPEALS AND FAIR HEARINGS DIVISION

4 In addition to funds appropriated in section 808 of this  
5 division from the road use tax fund, for salaries, support,  
6 maintenance, miscellaneous purposes, and for not more than the  
7 following full-time equivalent positions:

8 .....	\$	376,861
9 .....	FTEs	16.00

10 4. INVESTIGATIONS DIVISION

11 For salaries, support, maintenance, miscellaneous purposes,  
12 and for not more than the following full-time equivalent  
13 positions:

14 .....	\$	456,304
15 .....	FTEs	39.00

16 5. HEALTH FACILITIES DIVISION

17 For salaries, support, maintenance, miscellaneous purposes,  
18 and for not more than the following full-time equivalent  
19 positions:

20 .....	\$	1,832,195
21 .....	FTEs	131.00

22 Of the amount appropriated in this subsection, \$330,394, or  
23 so much thereof as is necessary, shall be expended for 21.00  
24 FTEs to regulate nursing facilities as required by the federal  
25 Nursing Home Reform Act.

26 6. INSPECTIONS DIVISION

27 For salaries, support, maintenance, miscellaneous purposes,  
28 and for not more than the following full-time equivalent  
29 positions:

30 .....	\$	913,786
31 .....	FTEs	26.50

32 7. EMPLOYMENT APPEAL BOARD

33 For salaries, support, maintenance, miscellaneous purposes,  
34 and for not more than the following full-time equivalent posi-  
35 tions:

1 ..... \$ 46,527  
 2 ..... FTEs 16.80

3 The employment appeal board shall be reimbursed by the  
 4 labor services division of the department of employment  
 5 services for all costs associated with hearings conducted  
 6 under chapter 91C, related to contractor registration. The  
 7 board is authorized to expend, in addition to the amount  
 8 appropriated under this subsection, such amounts as are  
 9 directly billable to the labor services division under this  
 10 subsection and to retain such additional full-time equivalent  
 11 positions as needed to conduct hearings required pursuant to  
 12 chapter 91C.

13 8. FOSTER CARE REVIEW BOARD

14 For salaries, support, maintenance, miscellaneous purposes,  
 15 and for not more than the following full-time equivalent posi-  
 16 tions:

17 ..... \$ 464,589  
 18 ..... FTEs 11.50

19 Of the amount appropriated in this subsection, \$38,372, or  
 20 so much thereof as is necessary, shall be expended for 1.00  
 21 FTE in support of local review board activities in the eighth  
 22 judicial district.

23 The department of human services and the foster care review  
 24 board shall enter into a contract providing that the foster  
 25 care review board shall conduct foster care review services at  
 26 the current level of operation. The department and the board  
 27 shall structure such contract in a manner approved by the  
 28 federal government for the purpose of submitting an  
 29 application to the appropriate federal agency to obtain any  
 30 available federal funding for such contract. Funding received  
 31 as a result of submitting such application shall be used to  
 32 replace state funds which then shall immediately revert to the  
 33 general fund of the state. The department and the board shall  
 34 submit a written report to the legislative fiscal bureau no  
 35 later than February 1, 1992, indicating the progress of

1 obtaining federal funding and terms of any contract entered  
2 into by the department and the board.

3 9. The department of inspections and appeals may charge  
4 state departments, agencies, and commissions for services  
5 rendered and the payment received shall be considered  
6 repayment receipts as defined in section 8.2.

7 Sec. 807.

8 1. There is appropriated from the general fund of the  
9 state to the office of the state public defender for the  
10 fiscal year beginning July 1, 1991, and ending June 30, 1992,  
11 the following amounts, or so much thereof as is necessary, for  
12 the purposes designated:

13 a. For salaries, support, maintenance, miscellaneous  
14 purposes, and for not more than the following full-time  
15 equivalent positions:

16 .....	\$	6,384,142
17 .....	FTEs	145.30

18 Of the amount appropriated under this subsection,  
19 \$2,069,100, or so much thereof as is necessary, shall be  
20 expended for 52.00 FTEs for expansion and establishment of new  
21 public defender offices in the first, second, third, fifth,  
22 and sixth judicial districts and for expansion of the  
23 appellate defender.

24 b. For indigent court-appointed attorney fees for adults  
25 and juveniles, notwithstanding section 232.141 and chapter  
26 815:

27 ..... \$ 9,401,002

28 2. The office of the state public defender shall submit  
29 written reports to the legislative fiscal bureau indicating  
30 the status of the activities of the office as a result of its  
31 expansion. The first report shall be submitted no later than  
32 August 1, 1991, and shall provide information concerning the  
33 activities of the office during fiscal year 1991. An  
34 additional report shall be submitted no later than February 1,  
35 1992, and shall provide information concerning the activities

1 of the office during the period beginning July 1, 1991, and  
2 ending December 31, 1991.

3 3. The judicial department shall provide a written report  
4 to the state public defender's office and the department of  
5 inspections and appeals, including the following information:

6 a. The number of court appointments by type of case by  
7 county and by attorney.

8 b. The cost of court-appointed cases by type of case by  
9 county and by attorney.

10 c. The amount of restitution as follows:

11 (1) By county.

12 (2) By type of case.

13 (3) Annually awarded.

14 d. The original charge and the disposition charge of each  
15 case.

16 Sec. 808. There is appropriated from the road use tax fund  
17 to the department of inspections and appeals for the fiscal  
18 year beginning July 1, 1991, and ending June 30, 1992, the  
19 following amount, or so much thereof as is necessary, for the  
20 purposes designated:

21 For salaries, support, maintenance, miscellaneous purposes,  
22 and for not more than the following full-time equivalent posi-  
23 tions:

24 .....	\$	526,837
25 .....	FTEs	11.00

26 Sec. 809. There is appropriated from the general fund of  
27 the state to the public employment relations board for the  
28 fiscal year beginning July 1, 1991, and ending June 30, 1992,  
29 the following amount, or so much thereof as is necessary, for  
30 the purposes designated:

31 For salaries, support, maintenance, miscellaneous purposes,  
32 and for not more than the following full-time equivalent posi-  
33 tions:

34 .....	\$	678,489
35 .....	FTEs	13.00

1 The public employment relations board shall submit a  
2 written report to the legislative fiscal bureau no later than  
3 February 1, 1992, which evaluates and includes any  
4 recommendations of the board concerning the videotaping of  
5 court proceedings in lieu of using court reporters whenever  
6 possible to record the proceedings. This evaluation shall  
7 include information concerning the implementation of this  
8 concept in other states.

9 Sec. 810. There is appropriated from the general fund of  
10 the state to the professional licensing and regulation  
11 division of the department of commerce, for the fiscal year  
12 beginning July 1, 1991, and ending June 30, 1992, the  
13 following amount, or so much thereof as is necessary, for the  
14 purposes designated:

15 For salaries, support, maintenance, miscellaneous purposes,  
16 and for not more than the following full-time equivalent posi-  
17 tions:

18 .....	\$	853,541
19 .....	FTEs	11.00

20 Sec. 811. There is appropriated from the general fund of  
21 the state to the administrative services division of the  
22 department of commerce for the fiscal year beginning July 1,  
23 1991, and ending June 30, 1992, the following amount, or so  
24 much thereof as is necessary, to be used for the purposes  
25 designated:

26 For salaries, support, maintenance, miscellaneous purposes,  
27 and for not more than the following full-time equivalent posi-  
28 tions:

29 .....	\$	1,491,046
30 .....	FTEs	42.50

31 The administrative services division shall assess each  
32 division to which administrative services are provided by the  
33 administrative services division an amount pursuant to a cost  
34 allocation plan established by the administrative services  
35 division. The plan shall be established by July 1, 1991, and



1 shall, to the extent practicable, be based on the proportion  
2 of the administrative services division's time allocated to  
3 each division to which administrative services are provided.  
4 All divisions in the department of commerce shall abide by the  
5 cost allocation plan and shall promptly remit the assessment  
6 to the general fund upon receiving a notice of assessment from  
7 the administrative services division. Each division shall  
8 include in any charges assessed by the division to persons  
9 regulated an amount sufficient to cover the costs of  
10 administration as assessed to the division by the  
11 administrative services division.

12 The administrative services division shall eliminate the  
13 position of deputy director.

14 Sec. 812. Notwithstanding section 123.53, there is  
15 appropriated from the general fund of the state to the  
16 alcoholic beverages division of the department of commerce for  
17 the fiscal year beginning July 1, 1991, and ending June 30,  
18 1992, the following amount, or so much thereof as is  
19 necessary, for the purposes designated:

20 For salaries, support, maintenance, miscellaneous purposes,  
21 and for not more than the following full-time equivalent posi-  
22 tions:

23 .....	\$	3,456,728
24 .....	FTEs	85.86

25 Sec. 813. There is appropriated from the general fund of  
26 the state to the banking division of the department of  
27 commerce for the fiscal year beginning July 1, 1991, and  
28 ending June 30, 1992, the following amount, or so much thereof  
29 as is necessary, to be used for the purposes designated:

30 For salaries, support, maintenance, miscellaneous purposes,  
31 and for not more than the following full-time equivalent posi-  
32 tions:

33 .....	\$	5,832,042
34 .....	FTEs	108.50

35 The banking division shall assume all duties of the savings

1 and loan division concerning the regulation of savings and  
2 loan associations and the enforcement of all state laws and  
3 rules relating to such associations.

4 The banking division may expend additional funds, including  
5 funds for additional personnel, if those additional  
6 expenditures are actual expenses which exceed the funds  
7 budgeted for bank examinations and directly result from  
8 examinations of banks and savings and loan associations.

9 Before the division expends or encumbers an amount in excess  
10 of the funds budgeted for examinations, the director of the  
11 department of management shall approve the expenditure or  
12 encumbrance. Before approval is given, the director of the  
13 department of management shall determine that the examination  
14 expenses exceed the funds budgeted by the general assembly to  
15 the division and that the division does not have other funds  
16 from which examination expenses can be paid. Upon approval of  
17 the director of the department of management the division may  
18 expend and encumber funds for excess examination expenses.

19 The amounts necessary to fund the excess examination expenses  
20 shall be collected from those banks and savings and loan  
21 associations being regulated which caused the excess  
22 expenditures, and the collections shall be treated as  
23 repayment receipts as defined in section 8.2.

24 Sec. 814. There is appropriated from the general fund of  
25 the state to the credit union division of the department of  
26 commerce for the fiscal year beginning July 1, 1991, and  
27 ending June 30, 1992, the following amount, or so much thereof  
28 as is necessary, to be used for the purposes designated:

29 For salaries, support, maintenance, miscellaneous purposes,  
30 and for not more than the following full-time equivalent posi-  
31 tions:

32 .....	\$	954,946
33 .....	FTEs	20.00

34 Sec. 815. There is appropriated from the general fund of  
35 the state to the insurance division of the department of

1 commerce for the fiscal year beginning July 1, 1991, and  
2 ending June 30, 1992, the following amount, or so much thereof  
3 as is necessary, to be used for the purposes designated:

4 For salaries, support, maintenance, miscellaneous purposes,  
5 and for not more than the following full-time equivalent posi-  
6 tions:

7 ..... \$ 4,398,671  
8 ..... FTEs 92.33

9 Sec. 816. There is appropriated from the general fund of  
10 the state to the utilities division of the department of  
11 commerce for the fiscal year beginning July 1, 1991, and  
12 ending June 30, 1992, the following amount, or so much thereof  
13 as is necessary, to be used for the purposes designated:

14 For salaries, support, maintenance, miscellaneous purposes,  
15 and for not more than the following full-time equivalent posi-  
16 tions:

17 ..... \$ 4,843,961  
18 ..... FTEs 93.50

19 Of the amount appropriated in this section, the following  
20 amounts, or so much thereof as is necessary, shall be expended  
21 for the designated purposes: \$25,300 for additional rent for  
22 hearing and conference rooms in the Lucas building and  
23 \$316,377 for 6.00 FTEs for additional energy efficiency  
24 responsibilities established by 1990 Iowa Acts, chapter 1252.

25 Sec. 817. There is appropriated from the general fund of  
26 the state to the racing and gaming commission of the  
27 department of inspections and appeals for the fiscal year  
28 beginning July 1, 1991, and ending June 30, 1992, the  
29 following amount, or so much thereof as is necessary, to be  
30 used for the purposes designated:

31 For salaries, support, maintenance, miscellaneous purposes,  
32 and for not more than the following full-time equivalent posi-  
33 tions:

34 ..... \$ 1,806,593  
35 ..... FTEs 33.36

1 Sec. 818. There is appropriated from the general fund of  
2 the state to the racing and gaming commission of the  
3 department of inspections and appeals, for the fiscal year  
4 beginning July 1, 1991, and ending June 30, 1992, the  
5 following amount, or so much thereof as is necessary, to be  
6 used for the purposes designated:

7 For salaries, support, maintenance, miscellaneous purposes,  
8 and for not more than the following full-time equivalent  
9 positions for administration and enforcement of the excursion  
10 boat gambling laws:

11 .....	\$	511,125
12 .....	FTEs	10.50

13 Sec. 819. A regulatory body, agency, or department  
14 receiving an appropriation pursuant to this division is  
15 subject to both of the following:

16 1. Funds appropriated in this division, for the fiscal  
17 year beginning July 1, 1991, and ending June 30, 1992, for a  
18 full-time equivalent position which was authorized and for  
19 which funding was provided for the fiscal year beginning July  
20 1, 1990, and ending June 30, 1991, but which is not filled  
21 during that fiscal year, and which is not filled during the  
22 first quarter of the fiscal year beginning July 1, 1991, and  
23 ending June 30, 1992, shall revert to the general fund of the  
24 state at the end of the first quarter. Such funds shall not  
25 be used for any other purpose.

26 2. Funds appropriated in this division for the fiscal year  
27 beginning July 1, 1991, and ending June 30, 1992, for a full-  
28 time equivalent position authorized in this division which is  
29 not filled during the first quarter of the fiscal year  
30 beginning July 1, 1991, and ending June 30, 1992, shall revert  
31 to the general fund of the state at the end of the first  
32 quarter. Such funds shall not be used for any other purpose.

\* 33 Sec. 820. Section 137A.12, Code 1991, is amended to read  
34 as follows:

35 137A.12 REGULAR INSPECTIONS.

1 The department shall provide for the inspection of each  
2 food establishment in the state in accordance with the  
3 standards of the retail food store sanitation code. The  
4 inspector may enter the food establishment at any reasonable  
5 hour to make the inspection. The management shall afford free  
6 access to every part of the premises and render all aid and  
7 assistance necessary to enable the inspector to make a  
8 thorough and complete inspection. However, food  
9 establishments which score ninety or greater shall be  
10 inspected biennially.

11 This section does not apply to retail food establishments  
12 which sell only prepackaged nonhazardous items.

13 Sec. 821. Section 137B.3, Code 1991, is amended by adding  
14 the following new subsection:

15 NEW SUBSECTION. 7. 10-201 shall be amended so that food  
16 services establishments are inspected annually, except that  
17 food service establishments with scores of ninety or greater  
18 shall be inspected biennially.

19 Sec. 822. Section 137C.11, Code 1991, is amended to read  
20 as follows:

21 137C.11 ANNUAL INSPECTIONS.

22 The regulatory authority shall inspect each hotel in the  
23 state at least once ~~each-calendar-year~~ biennially. The  
24 inspector may enter the hotel at any reasonable hour to make  
25 the inspection. The management shall afford free access to  
26 every part of the premises and render all aid and assistance  
27 necessary to enable the inspector to make a thorough and  
28 complete inspection.

29 Sec. 823. Section 157.11, unnumbered paragraph 1, Code  
30 1991, is amended to read as follows:

31 Commencing January 1, 1977, a beauty salon shall not  
32 operate unless the owner has obtained a license issued by the  
33 department. The owner shall apply to the department on forms  
34 prescribed by the board. The department shall perform a  
35 sanitary inspection of each beauty salon ~~annually~~ biennially

1 and may perform a sanitary inspection of a beauty salon prior  
2 to the issuance of a license. An inspection of a beauty salon  
3 shall also be conducted upon receipt of a complaint by the  
4 department.

5 Sec. 824. Section 158.9, unnumbered paragraph 1, Code  
6 1991, is amended to read as follows:

7 A barbershop shall not operate unless the owner has  
8 obtained a license issued by the department. The owner shall  
9 apply to the department on forms prescribed by the board. The  
10 department shall perform a sanitary inspection of each  
11 barbershop ~~annually~~ biennially and may perform a sanitary  
12 inspection of a barbershop prior to the issuance of a license.  
13 An inspection of a barbershop shall also be conducted upon  
14 receipt of a complaint by the department.

15 Sec. 825. Section 455C.1, subsection 5, Code 1991, is  
16 amended to read as follows:

17 5. "Distributor" means any person who engages in the sale  
18 of beverages in beverage containers to a dealer in this state,  
19 including any manufacturer who engages in such sales. The  
20 alcohol beverages division of the department of commerce is  
21 not a distributor for purposes of this chapter.

22 Sec. 826. Section 455C.2, subsection 1, Code 1991, is  
23 amended to read as follows:

24 1. Except purchases of alcoholic liquor as defined in  
25 section 123.3, subsection 8, by holders of class "A", "B", and  
26 "C", and "E" liquor control licenses, a refund value of not  
27 less than five cents shall be paid by the consumer on each  
28 beverage container sold in this state by a dealer for  
29 consumption off the premises. Upon return of the empty  
30 beverage container upon which a refund value has been paid to  
31 the dealer or person operating a redemption center and  
32 acceptance of the empty beverage container by the dealer or  
33 person operating a redemption center, the dealer or person  
34 operating a redemption center shall return the amount of the  
35 refund value to the consumer.

1 Sec. 827. Section 455C.16, Code 1991, is amended to read  
2 as follows:

3 455C.16 BEVERAGE CONTAINERS -- DISPOSAL AT SANITARY  
4 LANDFILL PROHIBITED.

5 Beginning July 1, 1990, the final disposal of beverage  
6 containers by a dealer, distributor, or manufacturer, or  
7 person operating a redemption center, in a sanitary landfill,  
8 is prohibited, except for beverage containers containing  
9 alcoholic liquor as defined in section 123.3, subsection 8.

\*10 Sec. 828. 1989 Iowa Acts, chapter 272, section 42, as  
11 amended by 1990 Iowa Acts, chapter 1261, is amended to read as  
12 follows:

13 SEC. 42. Sections 34, 35, and 36 of this Act are effective  
14 July 1, ~~1991~~ 1992.

15 Sec. 829. Section 828 of this division, being deemed of  
16 immediate importance, takes effect upon enactment.

17 DIVISION IX

18 TRANSPORTATION APPROPRIATIONS

19 Sec. 901. There is appropriated from the general fund of  
20 the state to the Iowa law enforcement academy for the fiscal  
21 year beginning July 1, 1991, and ending June 30, 1992, the  
22 following amounts, or so much thereof as is necessary, to be  
23 used for the purposes designated:

24 For salaries, support, maintenance, miscellaneous purposes,  
25 including jailer training and technical assistance, and for  
26 not more than the following full-time equivalent positions:

27 .....	\$	1,005,348
28 .....	FTEs	29.20

29 Sec. 902. There is appropriated from the general fund of  
30 the state to the department of public defense for the fiscal  
31 year beginning July 1, 1991, and ending June 30, 1992, the  
32 following amounts, or so much thereof as is necessary, to be  
33 used for the purposes designated:

34 1. MILITARY DIVISION

35 For salaries, support, maintenance, miscellaneous purposes,

1 and for not more than the following full-time equivalent  
2 positions:

3 ..... \$ 3,485,823  
4 ..... FTEs 196.59

5 2. DISASTER SERVICES DIVISION

6 For salaries, support, maintenance, miscellaneous purposes,  
7 and for not more than the following full-time equivalent  
8 positions:

9 ..... \$ 332,844  
10 ..... FTEs 12.00

11 3. VETERANS AFFAIRS DIVISION

12 For salaries, support, maintenance, miscellaneous purposes,  
13 and for not more than the following full-time equivalent  
14 positions:

15 ..... \$ 190,338  
16 ..... FTEs 6.16

17 As a condition, limitation, and qualification of the appro-  
18 priation in this subsection, at least \$40,000 shall be  
19 expended for 2 data processing clerk positions to eliminate  
20 the records backlog.

21 As a condition, limitation, and qualification of the appro-  
22 priation in this subsection, up to \$5,000 may be used for the  
23 purchase of POW/MIA flags.

24 4. WAR ORPHANS

25 For the war orphans educational aid fund established  
26 pursuant to chapter 35:

27 ..... \$ 10,185

28 Sec. 903. There is appropriated from the general fund of  
29 the state to the department of public safety for the fiscal  
30 year beginning July 1, 1991, and ending June 30, 1992, the  
31 following amounts, or so much thereof as is necessary, to be  
32 used for the purposes designated:

33 1. For the department's administrative functions including  
34 the medical examiner's office and the criminal justice  
35 information system, and for not more than the following full-



1 time equivalent positions:

2 ..... \$ 2,558,178  
 3 ..... FTEs 47.80

4 2. For purposes relating to radio communications, and for  
 5 not more than the following full-time equivalent positions:

6 ..... \$ 3,325,447  
 7 ..... FTEs 79.00

8 3. For the division of criminal investigation and bureau  
 9 of identification containing the bureaus of identification and  
 10 liquor law enforcement, and for river boat gambling  
 11 enforcement, including the state's contribution to the peace  
 12 officers' retirement, accident, and disability system provided  
 13 in chapter 97A in the amount of 18 percent of the salaries for  
 14 which the funds are appropriated, and for not more than the  
 15 following full-time equivalent positions:

16 ..... \$ 7,859,746  
 17 ..... FTEs 160.00

18 4. For the division of narcotics:

19 a. The state's contribution to the peace officers'  
 20 retirement, accident, and disability system provided in  
 21 chapter 97A in the amount of 18 percent of the salaries for  
 22 which the funds are appropriated, and for not more than the  
 23 following full-time equivalent positions:

24 ..... \$ 2,212,747  
 25 ..... FTEs 47.00

26 b. Undercover purchases:

27 ..... \$ 275,000

28 5. For the fire marshal's office, including the state's  
 29 contribution to the peace officers' retirement, accident, and  
 30 disability system provided in chapter 97A in the amount of 18  
 31 percent of the salaries for which the funds are appropriated,  
 32 and for not more than the following full-time equivalent  
 33 positions:

34 ..... \$ 1,473,233  
 35 ..... FTEs 34.00

1 6. For the capitol security division, and for not more  
2 than the following full-time equivalent positions:

3 ..... \$ 1,161,735  
4 ..... FTEs 36.00

5 7. For salaries, support, maintenance, and miscellaneous  
6 purposes of the pari-mutuel law enforcement agents, including  
7 the state's contribution to the peace officers' retirement,  
8 accident, and disability system provided in chapter 97A in the  
9 amount of 18 percent of the salaries for which the funds are  
10 appropriated, and for not more than the following full-time  
11 equivalent positions:

12 ..... \$ 286,989  
13 ..... FTEs 5.00

14 8. For use by the department to provide additional law  
15 enforcement officials for project D.A.R.E. (drug abuse  
16 resistance education) within local communities:

17 ..... \$ 29,544

18 9. For the continued purchase of the automated fingerprint  
19 information system (AFIS):

20 ..... \$ 521,915

21 Sec. 904. There is appropriated from the road use tax fund  
22 to the division of highway safety and uniformed force of the  
23 department of public safety for the fiscal year beginning July  
24 1, 1991, and ending June 30, 1992, the following amounts, or  
25 so much thereof as is necessary, to be used for the purposes  
26 designated:

27 1. For salaries, support, maintenance, and miscellaneous  
28 purposes, including the state's contribution to the peace  
29 officers' retirement, accident, and disability system provided  
30 in chapter 97A in the amount of 18 percent of the salaries for  
31 which the funds are appropriated, and for not more than the  
32 following full-time equivalent positions:

33 ..... \$ 24,198,122  
34 ..... FTEs 452.00

35 It is the intent of the general assembly, that so much as

1 is necessary of the appropriation in this subsection, shall  
2 support federal Highway Safety Act programs.

\* 3 As a condition, limitation, and qualification of the  
4 appropriation in this subsection, the Iowa law enforcement  
5 academy shall be allowed to annually select at least 5  
6 automobiles of the department of public safety, division of  
7 highway safety and uniformed force, which are being turned in  
8 to the state vehicle dispatcher to be disposed of by public  
9 auction and the Iowa law enforcement academy shall be allowed  
10 to exchange any automobile owned by the academy for each  
11 automobile selected if the selected automobile is used in  
12 training law enforcement officers at the academy. However,  
13 any automobile exchanged by the academy shall be substituted  
14 for the selected vehicle of the department of public safety  
15 and sold by public auction with the receipts being deposited  
16 in the depreciation fund to the credit of the department of  
17 public safety, division of highway safety and uniformed force.

18 An employee of the department of public safety or its  
19 successor who retires after the effective date of this section  
20 of this Act but prior to June 30, 1992, is eligible for  
21 payment of life or health insurance premiums as provided for  
22 in the collective bargaining agreement covering the public  
23 safety bargaining unit at the time of retirement if that  
24 employee previously served in a position which would have been  
25 covered by the agreement. The employee shall be given credit  
26 for the service in that prior position as though it were  
27 covered by that agreement. This section shall not operate to  
28 reduce any retirement benefits an employee may have earned  
29 under other collective bargaining agreements or retirement  
30 programs.

31 2. For the purchase of radar units:  
32 ..... \$ 294,166

33 3. For the purchase of scanners:  
34 ..... \$ 105,000

35 4. For payments to the department of personnel for

1 expenses incurred in administering workers' compensation on  
2 behalf of the division of highway safety and uniformed force:  
3 ..... \$ 362,250

4 5. For payments to the department of personnel for  
5 expenses incurred in administering the merit system on behalf  
6 of the division of highway safety and uniformed force:  
7 ..... \$ 77,350

8 Sec. 905. There is appropriated from use tax receipts  
9 collected under chapter 423 prior to deposit in the road use  
10 tax fund, to the department of public safety, for the fiscal  
11 year beginning July 1, 1991, and ending June 30, 1992, the  
12 following amount, or so much thereof as may be necessary, to  
13 be used for the purpose designated:

14 For the costs associated with the automated fingerprint  
15 information system local remote terminals:  
16 ..... \$ 373,108

17 Sec. 906. There is appropriated from the road use tax fund  
18 to the state department of transportation for the fiscal year  
19 beginning July 1, 1991, and ending June 30, 1992, the  
20 following amounts, or so much thereof as is necessary, for the  
21 purposes designated:

22 1. For the payment of costs associated with the production  
23 of motor vehicle licenses, as defined in section 321.1,  
24 subsection 77:

25 ..... \$ 500,000

26 2. For salaries, support, maintenance, miscellaneous pur-  
27 poses, and for not more than the following full-time  
28 equivalent positions:

29 a. Administrative services:

30 ..... \$ 3,749,551

31 ..... FTEs 47.50

32 b. General counsel:

33 ..... \$ 177,240

34 ..... FTEs 1.00

35 c. Planning and research:

1	.....	\$	371,101
2	.....	FTEs	9.00
3	d. Aeronautics and public transit:		
4	.....	\$	246,334
5	.....	FTEs	5.00
6	e. Motor vehicles:		
7	.....	\$	19,253,443
8	.....	FTEs	542.00
9	f. Rail and water:		
10	.....	\$	692,300
11	.....	FTEs	15.00
12	3. For payments to the department of personnel for		
13	expenses incurred in administering the merit system on behalf		
14	of the state department of transportation, as required by		
15	chapter 19A:		
16	.....	\$	39,000
17	4. Unemployment compensation:		
18	.....	\$	12,250
19	5. For payments to the department of personnel for paying		
20	workers' compensation claims under chapter 85 on behalf of		
21	employees of the state department of transportation:		
22	.....	\$	75,000
23	6. For the paving of the scale lots at LeMars and		
24	Ainsworth:		
25	.....	\$	120,000

26 The provisions of section 8.33 do not apply to the funds  
 27 appropriated by this subsection, but remain available for  
 28 expenditure for the purposes designated until June 30, 1993.  
 29 Unencumbered or unobligated funds remaining on June 30, 1993,  
 30 from funds appropriated by this subsection for the fiscal year  
 31 beginning July 1, 1991, shall revert to the fund from which  
 32 appropriated on August 30, 1993.

33 Sec. 907. There is appropriated from the primary road fund  
 34 to the state department of transportation for the fiscal year  
 35 beginning July 1, 1991, and ending June 30, 1992, the

1 following amounts, or so much thereof as is necessary, to be  
2 used for the purposes designated:

3 1. For salaries, support, maintenance, miscellaneous pur-  
4 poses, and for not more than the following full-time  
5 equivalent positions:

6 a. Administrative services:

7 ..... \$ 22,903,953

8 ..... FTEs 293.00

9 b. General counsel:

10 ..... \$ 1,088,760

11 ..... FTEs 7.00

12 c. Planning and research:

13 ..... \$ 7,050,899

14 ..... FTEs 169.00

15 d. Aeronautics and public transit:

16 ..... \$ 246,334

17 ..... FTEs 5.00

18 It is the intent of the general assembly that any state  
19 agency or individual using an airplane from the state aircraft  
20 pool shall be billed in an amount sufficient to cover  
21 operation and aircraft maintenance expense, including engine  
22 overhaul.

23 e. Highways:

24 ..... \$139,750,000

25 ..... FTEs 2,933.00

26 As a condition, limitation, and qualification of the  
27 appropriation in this paragraph, the department shall conduct  
28 a pilot project for contracting with counties for winter  
29 maintenance on state primary highways. The department shall  
30 continue this project for a duration that is sufficient to  
31 determine the feasibility for performing permanent contractual  
32 maintenance with counties. Participating counties shall meet  
33 minimum criteria relating to highway maintenance functions, as  
34 determined by the department. The department shall submit an  
35 annual report to the general assembly outlining the progress

1 of the pilot project.

2 f. Motor vehicles:

3 ..... \$ 781,745

4 ..... FTEs 22.00

5 g. Rail and water:

6 ..... \$ 296,700

7 ..... FTEs 7.00

8 2. For deposit in the state department of transportation's  
9 highway materials and equipment revolving fund established by  
10 section 307.47 for funding the increased replacement cost of  
11 vehicles:

12 ..... \$ 3,000,000

13 Moneys appropriated for the inventory and equipment  
14 replacement revolving fund shall only be transferred from the  
15 primary road fund to meet actual expenditure needs.

16 As a condition, limitation, and qualification of this  
17 appropriation, no more than \$2,782,509 from the highway  
18 materials and equipment revolving fund, plus an allocation for  
19 salary adjustment, may be expended for salaries and benefits  
20 for not more than 92 FTEs.

21 3. For payments to the department of personnel for  
22 expenses incurred in administering the merit system on behalf  
23 of the state department of transportation, as required by  
24 chapter 19A:

25 ..... \$ 741,000

26 4. Unemployment compensation:

27 ..... \$ 232,750

28 5. For payments to the department of personnel for paying  
29 workers' compensation claims under chapter 85 on behalf of the  
30 employees of the state department of transportation:

31 ..... \$ 1,425,000

32 6. For costs associated with fuel tank replacement and  
33 cleanup:

34 ..... \$ 1,000,000

35 As a condition, limitation, and qualification of this

1 appropriation, the department shall develop a comprehensive  
2 plan to determine the need for petroleum underground storage  
3 tanks operated by the department. The plan shall be submitted  
4 to the general assembly by January 15, 1992.

5 7. For conducting tests at department field facilities to  
6 determine the extent of asbestos contamination:

7 ..... \$ 40,000

8 8. For the removal of asbestos from facilities at the  
9 department central complex:

10 ..... \$ 650,000

11 9. For replacement of obsolete field facilities in the  
12 cities of Davenport, Rock Valley, Algona, and Pocahontas:

13 ..... \$ 2,810,000

14 10. For grading and resurfacing the east parking lot at  
15 the Ames complex:

16 ..... \$ 200,000

17 11. For electrical system improvements at the Ames  
18 complex:

19 ..... \$ 230,000

20 12. For central air conditioning in the south wing offices  
21 (old lab) of the Ames complex:

22 ..... \$ 300,000

23 The provisions of section 8.33 do not apply to the funds  
24 appropriated by subsections 9 through 12, but remain available  
25 for expenditure for the purposes designated until June 30,  
26 1994. Unencumbered or unobligated funds remaining on June 30,  
27 1994, from funds appropriated by subsections 9 through 12 for  
28 the fiscal year beginning July 1, 1991, shall revert to the  
29 fund from which appropriated on August 30, 1994.

30 Sec. 908. There is appropriated from the general fund of  
31 the state to the state department of transportation for the  
32 fiscal year beginning July 1, 1991, and ending June 30, 1992,  
33 the following amounts, or so much thereof as is necessary, to  
34 be used for the purposes designated:

35 1. For providing assistance for the restoration, conserva-



1 tion, improvement, and construction of railroad main lines,  
2 branch lines, switching yards, and sidings as required in  
3 section 327H.18:

4 ..... \$ 2,000,000

5 2. For use by the railway finance authority for purposes  
6 of the authority as provided in chapter 307B:

7 ..... \$ 1,000,000

8 3. For the development, improvement, and maintenance of  
9 public transit systems and any other purposes for which funds  
10 could be expended pursuant to section 601J.6:

11 ..... \$ 6,833,197

12 4. For airport engineering studies and improvement  
13 projects as provided in chapter 328:

14 ..... \$ 2,480,546

15 5. For aeronautics and public transit, for salaries,  
16 support, maintenance, miscellaneous purposes, and for not more  
17 than the following full-time equivalent positions:

18 ..... \$ 429,932

19 ..... FTEs 9.00

20 It is the intent of the general assembly that the moneys  
21 deposited in the general fund and the interest earned from the  
22 deposit of those moneys, that would have been deposited into  
23 the following funds but for the provisions of 1991 Iowa Acts,  
24 House File 173, division XII, shall only be used for the  
25 purposes for which the moneys were to be collected prior to  
26 the enactment of 1991 Iowa Acts, House File 173, division XII:

27 a. Railroad assistance fund established under section  
28 327H.18.

29 b. Special railroad facility fund established under  
30 section 307B.23.

31 c. State aviation fund established under section 328.36.

32 d. Public transit assistance fund established under  
33 section 601J.6.

34 Sec. 909. Section 101.28, Code 1991, is amended to read as  
35 follows:

1 101.28 FEES FOR CERTIFICATION INSPECTIONS OF UNDERGROUND  
2 STORAGE TANKS.

3 The state fire marshal, the state fire marshal's designee,  
4 or a local fire marshal, authorized to conduct underground  
5 storage tank certification inspections under section 455G.11,  
6 subsection 6, shall charge the person requesting a  
7 certification inspection a fee to recover the costs of  
8 authorized training, inspection, and inspection program  
9 administration subject to rules adopted by the state fire  
10 marshal. The fees collected shall be deposited into the  
11 general fund of the state.

12 Sec. 910. Section 307.12, Code 1991, is amended by adding  
13 the following new subsection:

14 NEW SUBSECTION. 14. Prepare and submit a report to the  
15 general assembly on or before January 15 of each fiscal year  
16 describing the prior fiscal year's highway construction  
17 program, actual expenditures of the program, and contractual  
18 obligations of the program.

19 Sec. 911. Section 312.2, Code 1991, is amended by adding  
20 the following new subsection:

21 NEW SUBSECTION. 21. The treasurer of state, before making  
22 the allotments provided for in this section shall credit  
23 annually from the road use tax fund to the state department of  
24 transportation the sum of six hundred fifty thousand dollars  
25 for the purpose of providing county treasurers with data  
26 processing equipment and support for vehicle registration and  
27 titling. Notwithstanding section 8.33, unobligated funds  
28 credited under this subsection remaining on June 30 of the  
29 fiscal year shall not revert but shall remain available for  
30 expenditure for purposes of this subsection in subsequent  
31 fiscal years.

32 Sec. 912. The department of public safety shall notify the  
33 legislative fiscal bureau, department of management, the  
34 chairpersons, vice chairpersons, and ranking members of the  
35 joint transportation and safety appropriation subcommittee, on

1 any request for, approval of, or notification of award of  
 2 federal funds or of any loss of federal funds. The  
 3 notification shall include the name of the funding grant,  
 4 planned expenditures, and estimated amount which will be  
 5 received. The department shall also prepare a report at the  
 6 end of each fiscal year detailing the amount received, amount  
 7 expended, and carry over balance on all nonappropriated  
 8 receipts, including federal funds, received during that fiscal  
 9 year.

\* 10 Sec. 913. Section 100.34, Code 1991, is repealed.

11 DIVISION X

12 TAXATION

13 Sec. 1001. Section 422.9, subsection 1, Code 1991, is  
 14 amended to read as follows:

15 1. An optional standard deduction, after deduction of  
 16 federal income tax, equal to one thousand two hundred thirty  
 17 dollars for a married person who files separately or a single  
 18 person or equal to three thousand thirty dollars for a husband  
 19 and wife who file a joint return, a surviving spouse, or an  
 20 unmarried head of household. The optional standard deduction  
 21 shall not exceed the amount remaining after deduction of the  
 22 federal income tax. The amount of the federal income tax  
 23 deducted shall not exceed the amount as computed under  
 24 subsection 2, paragraph "b".

25 Sec. 1002. Section 422.9, subsection 2, paragraph b, Code  
 26 1991, is amended by striking the paragraph and inserting in  
 27 lieu thereof the following:

28 b. Add the amount of federal income taxes paid or accrued,  
 29 as the case may be, for the tax year. Also add the amount of  
 30 federal income taxes paid with the federal return or as a  
 31 result of an adjustment to a federal return during the tax  
 32 year for a prior year. However, the amount of federal income  
 33 taxes deducted for the tax year shall not exceed twenty-five  
 34 thousand dollars, except that any additional taxes paid with  
 35 the federal return or as a result of an adjustment to a

1 federal return during tax years ending prior to January 1,  
2 1991, are not subject to the twenty-five thousand dollar  
3 limitation. Subtract the amount of federal income tax refunds  
4 received for the tax year to the extent that the federal  
5 income tax was deducted in a previous year. Married persons  
6 who file separately shall be limited to a federal income tax  
7 deduction for federal income taxes paid during the tax year  
8 not to exceed twenty-five thousand dollars in total for both  
9 spouses. The amount of the federal income tax deduction shall  
10 be divided between each spouse by the ratio of federal  
11 adjusted gross income of each spouse to total federal  
12 adjustment gross income of both spouses unless they can show  
13 that another method more accurately reflects the amount of  
14 federal income tax to be paid by each.

15 Sec. 1003. Sections 1001 and 1002 apply retroactively to  
16 January 1, 1991, for tax years beginning on or after that  
17 date.

18 DIVISION XI

19 SCHOOL FOUNDATION AID

20 Sec. 1101. Section 257.1, subsection 2, unnumbered  
21 paragraph 2, Code 1991, is amended to read as follows:

22 For the budget year commencing July 1, 1991, and for each  
23 succeeding budget year the regular program foundation base per  
24 pupil is eighty-three and-five-tenths percent of the regular  
25 program state cost per pupil. ~~For each succeeding budget~~  
26 ~~year, the regular program foundation base shall increase~~  
27 ~~twenty-five hundredths percent per year until the regular~~  
28 ~~program foundation base reaches eighty-five percent of the~~  
29 ~~regular program state cost per pupil, except that the regular~~  
30 program foundation base per pupil for the portion of weighted  
31 enrollment that is additional enrollment because of special  
32 education is seventy-nine percent of the regular program state  
33 cost per pupil. For the budget year commencing July 1, 1991,  
34 and for each succeeding budget year the special education  
35 support services foundation base is eighty-three-and-five-

1 tenths seventy-nine percent of the special education support  
2 services state cost per pupil. ~~It shall increase at the same~~  
3 ~~rate as the regular program foundation base.~~ The combined  
4 foundation base is the sum of the regular program foundation  
5 base and the special education support services foundation  
6 base.

7 Sec. 1102. Section 257.2, subsection 12, Code 1991, is  
8 amended by striking the subsection.

9 Sec. 1103. Section 257.15, subsection 1, Code 1991, is  
10 amended by adding the following new unnumbered paragraph:

11 NEW UNNUMBERED PARAGRAPH. For purposes of this subsection,  
12 in computing the amount of revenues generated by the  
13 foundation property tax and the additional property tax under  
14 chapter 442, Code 1989, the computation shall be based on a  
15 regular program foundation base per pupil of eighty-three  
16 percent of the regular program state cost per pupil except  
17 that for the portion of weighted enrollment that is additional  
18 enrollment because of special education the regular program  
19 foundation base per pupil shall be seventy-nine percent of the  
20 regular program state cost per pupil. The special education  
21 support services foundation base shall be seventy-nine percent  
22 of the special education support services state cost per  
23 pupil.

24 Sec. 1104. Section 257.31, subsections 6 and 11, Code  
25 1991, are amended by striking the subsections.

26 Sec. 1105. Section 442.3, unnumbered paragraph 1, Code  
27 1991, is amended to read as follows:

28 The state foundation base for the school year beginning  
29 July 1, 1986 is eighty percent of the state cost per pupil.  
30 The state foundation base for the school year beginning July  
31 1, 1987 is eighty-one and one-half percent of the state cost  
32 per pupil. For each succeeding school year, the state  
33 foundation base shall be increased by the amount of one-half  
34 percent of the state cost per pupil, up to a maximum of  
35 ~~eighty-five~~ eighty-three percent of the state cost per pupil.

1 The district foundation base is the larger of the state  
2 foundation base or the amount per pupil which the district  
3 will receive from foundation property tax and state school  
4 foundation aid.

5 Sec. 1106. Sections 1101, 1103, and 1105 of this division,  
6 being deemed of immediate importance, take effect upon  
7 enactment.

8 DIVISION XII  
9 LOTTERY REVENUES

10 Sec. 1201. Notwithstanding the requirement in section  
11 99E.10, subsection 1 to transfer lottery revenue remaining  
12 after expenses are deducted, the requirement under section  
13 99E.20, subsection 2, for the commissioner to certify and  
14 transfer a portion of the lottery fund to the CLEAN fund, nor  
15 the appropriations and allocations in section 99E.34, all  
16 lottery revenues received during the fiscal year beginning  
17 July 1, 1991, and ending June 30, 1992, after deductions for  
18 expenses as provided in section 99E.10, subsection 1 shall not  
19 be transferred to and deposited into the CLEAN fund but shall  
20 be used to reimburse the general fund of the state for each  
21 dollar spent, up to the following amounts, as a result of the  
22 appropriations made for the following purposes:

- 23 1. Soil conservation cost share in section 201, subsection  
24 6, paragraph "b", up to \$6,789,972.
- 25 2. Filter strips in section 201, subsection 6, paragraph  
26 "d", up to \$206,000.
- 27 3. Parks and preserves division in section 206, subsection  
28 4, up to \$5,000,000.
- 29 4. Forests and forestry division in section 206,  
30 subsection 5, up to \$1,500,000.
- 31 5. Environmental protection division in section 206,  
32 subsection 7, up to \$1,750,000.
- 33 6. Agricultural experiment station at Iowa state  
34 university of science and technology in section 410,  
35 subsection 3, paragraph "f", up to \$4,354,028.

1 7. Leopold center at Iowa state university of science and  
 2 technology in section 410, subsection 3, paragraph "j", up to  
 3 \$600,000.

4 8. Iowa resource enhancement and protection fund in  
 5 section 1401, up to \$20,000,000.

6 Notwithstanding section 8.33, money in the lottery fund not  
 7 used for the reimbursement of general fund expenditure for the  
 8 purposes and in the amounts specified in sections 1 through 8  
 9 shall not revert to the general fund of the state but shall  
 10 remain in the lottery fund.

11 Sec. 1202. This division takes effect July 1, 1991.

12 DIVISION XIII

13 PROPERTY TAX

14 Sec. 1301. Section 425A.1, Code 1991, is amended to read  
 15 as follows:

16 425A.1 FAMILY FARM TAX CREDIT FUND.

17 The family farm tax credit fund is created in the office of  
 18 the treasurer of state. ~~There is appropriated to the fund~~  
 19 ~~from funds in the general fund not otherwise appropriated the~~  
 20 ~~sum of ten million dollars.~~ Moneys appropriated to the  
 21 agricultural land credit fund and transferred to the family  
 22 farm credit fund as provided in section 426.1 shall be used  
 23 for purposes of this chapter. Any balance in the fund on June  
 24 30 shall revert to the general fund.

25 Sec. 1302. Section 426.1, Code 1991, is amended to read as  
 26 follows:

27 426.1 AGRICULTURAL LAND CREDIT FUND.

28 There is hereby created as a permanent fund in the office  
 29 of the treasurer of state a fund to be known as the  
 30 agricultural land credit fund, and for the purpose of  
 31 establishing and maintaining ~~said~~ this fund for each fiscal  
 32 year there is appropriated ~~thereto~~ to this fund from funds in  
 33 the general fund not otherwise appropriated the sum of forty-  
 34 three million five hundred thousand dollars. Any balance in  
 35 ~~said~~ the fund on June 30 shall revert to the general fund. Of

1 the amount appropriated for each fiscal year, ten million  
2 dollars shall be transferred for each fiscal year to the  
3 family farm tax credit fund created in section 425A.1.

4 Sec. 1303. 1990 Iowa Acts, chapter 1250, section 21, is  
5 amended to read as follows:

6 SEC. 21.

7 Sections 1, 6, 8, and 9 of this Act are effective January  
8 1, ~~1991~~ 1993, for mobile home tax claims and property tax  
9 credit claims filed on or after that date. Section 8 of this  
10 Act is applicable to rent reimbursement claims filed on or  
11 after January 1, ~~1992~~ 1994. Section 6 of this Act is also  
12 applicable to rent reimbursement claims filed on or after  
13 January 1, ~~1992~~ 1994.

14 Sec. 1304. 1990 Iowa Acts, chapter 1250, section 23, is  
15 amended to read as follows:

16 SEC. 23.

17 Section 5 of this Act is effective January 1, ~~1991~~ 1993,  
18 for homestead tax credits allowed for property taxes payable  
19 in fiscal years beginning on or after July 1, ~~1991~~ 1993.

20 Sec. 1305. Sections 1303 and 1304 of this division, being  
21 deemed of immediate importance, take effect upon enactment and  
22 apply retroactively to January 1, 1991.

23 Sec. 1306. Sections 1301 and 1302 are effective July 1,  
24 1991.

25 DIVISION XIV

26 IOWA RESOURCES ENHANCEMENT AND PROTECTION FUND

27 Sec. 1401. Notwithstanding the amount of the appropriation  
28 specified in section 455A.18, subsection 4, for the fiscal  
29 year beginning July 1, 1991, the amount of the appropriation  
30 from the general fund of the state shall be \$20,000,000.

31 Sec. 1402. This division takes effect July 1, 1991.

32 DIVISION XV

33 MISCELLANEOUS

34 Sec. 1501. The general assembly shall develop a budget  
35 reform program with the objective of holding state spending



1 within specified limits. The reform program shall provide  
2 criteria for determining the specific spending limitations.  
3 The budget reform program shall be enacted by July 1, 1991.

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HOUSE FILE 479

S-3444

1 Amend House File 479, as amended, passed, and  
2 reprinted by the House, as follows:

3 1. By striking everything after the enacting  
4 clause and inserting the following:

5 "DIVISION I

6 DEPARTMENT OF HUMAN SERVICES

7 Section 101. AID TO FAMILIES WITH DEPENDENT  
8 CHILDREN. There is appropriated from the general fund  
9 of the state to the department of human services for  
10 the fiscal year beginning July 1, 1991, and ending  
11 June 30, 1992, the following amount, or so much  
12 thereof as is necessary, to be used for the purpose  
13 designated:

14 For aid to families with dependent children:  
15 ..... \$ 41,589,415

16 1. The department may fund the cash bonus program  
17 from unspent funds under the appropriation in this  
18 section and shall continue to evaluate the program.

19 2. As a condition, limitation, and qualification  
20 of the funds appropriated in this section, the  
21 department shall continue to contract for services in  
22 developing and monitoring a demonstration waiver  
23 program to facilitate providing assistance in self-  
24 employment investment to aid to dependent children  
25 families. The demonstration waiver program shall be  
26 provided for the fiscal period beginning July 1, 1991,  
27 and ending June 30, 1993, or for as long as federal  
28 approval of the program continues. Of the funds  
29 appropriated in this section, up to \$99,592 shall be  
30 used to provide technical assistance for aid to  
31 dependent children families seeking self-employment.  
32 The technical assistance may be provided through the  
33 department or through a contract with the division of  
34 job training of the Iowa department of economic  
35 development and through a contract with the  
36 corporation for enterprise development.

37 3. As a condition, limitation, and qualification  
38 of the funds appropriated in this section, the  
39 department shall apply the self-employment investment  
40 demonstration waiver project statewide during the  
41 fiscal period delineated in the federal waiver  
42 submitted to operate the waiver project statewide,  
43 provided training is available to a recipient through  
44 a recognized self-employment training program.  
45 However, if the application for the federal waiver is  
46 denied and funding is available, the department may  
47 determine the counties in which it is feasible to  
48 operate the project and shall provide the project in  
49 those counties. The department may adopt emergency  
50 rules to implement the provisions of this subsection.

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1 4. As a condition, limitation, and qualification  
2 of the funds appropriated in this section, the  
3 department shall continue the special needs program  
4 under the aid to families with dependent children  
5 program.

6 5. As a condition, limitation, and qualification  
7 of the funds appropriated in this section, the  
8 department may use unspent funds under the  
9 appropriation in this section to continue development  
10 of the "X-PERT" eligibility determination system.

11 6. As a condition, limitation, and qualification  
12 of the funds appropriated in this section, \$42,620  
13 shall be used to expand the AFDC electronic benefits  
14 transfer (EBT) program beyond the pilot program county  
15 and to implement EBT for the food stamp program.

16 Sec. 102. EMERGENCY ASSISTANCE. There is  
17 appropriated from the general fund of the state to the  
18 department of human services for the fiscal year  
19 beginning July 1, 1991, and ending June 30, 1992, the  
20 following amount, or so much thereof as is necessary,  
21 to be used for the purpose designated:

22 For emergency assistance to families with dependent  
23 children under Title IV-A of the federal Social  
24 Security Act to match federal funding for homeless  
25 prevention programs:

26 ..... \$ 500,000

27 The emergency assistance provided for in this  
28 section shall be available beginning November 1, 1991,  
29 and shall be provided only if all other publicly  
30 funded resources have been exhausted. The emergency  
31 assistance includes, but is not limited to, assisting  
32 people who face eviction, potential eviction, or  
33 foreclosure, utility shutoff or fuel shortage, loss of  
34 heating energy supply or equipment, homelessness,  
35 utility or rental deposits, or other specified crisis  
36 which threatens family or living arrangements. The  
37 emergency assistance shall be available to migrant  
38 families who would otherwise meet eligibility  
39 criteria. The department shall notify each emergency  
40 assistance recipient that the recipient may report to  
41 the department any pressure or intimidation of the  
42 recipient resulting from the recipient's eligibility  
43 for emergency assistance. The department shall report  
44 quarterly to the legislative fiscal committee  
45 concerning the reports received by the department  
46 regarding pressure or intimidation of recipients of  
47 emergency assistance. The department may adopt  
48 emergency rules to implement the beginning date and  
49 notice provisions of this section.

50 Sec. 103. MEDICAL ASSISTANCE. There is

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1 appropriated from the general fund of the state to the  
2 department of human services for the fiscal year  
3 beginning July 1, 1991, and ending June 30, 1992, the  
4 following amount, or so much thereof as is necessary,  
5 to be used for the purpose designated:

6 For medical assistance, including reimbursement for  
7 abortion services, which shall be available under the  
8 medical assistance program only for those abortions  
9 which are medically necessary:

10 ..... \$227,029,182

11 1. Medically necessary abortions are those  
12 performed under any of the following conditions:

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

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

19 c. The pregnancy is the result of a rape which is  
20 reported within 45 days of the incident to a law  
21 enforcement agency or public or private health agency  
22 which may include a family physician.

23 d. The pregnancy is the result of incest which is  
24 reported within 150 days of the incident to a law  
25 enforcement agency or public or private health agency  
26 which may include a family physician.

27 e. Any spontaneous abortion, commonly known as a  
28 miscarriage, if not all of the products of conception  
29 are expelled.

30 2. Of the funds appropriated in this section,  
31 \$100,000 is allocated until January 31, 1992, for  
32 contingency assistance for the federal nutrition  
33 program for women, infants, and children and shall be  
34 transferred to the Iowa department of public health as  
35 necessary in order to fully utilize funding available  
36 for the program. The allocated funds shall be  
37 transferred as necessary to restore a reduction in  
38 federal funding for the federal fiscal year ending  
39 September 30, 1991, required to adjust for federal  
40 financial assistance provided during the federal  
41 fiscal year ending September 30, 1990, in excess of  
42 the federal funding allocation to the state for this  
43 program or to finance any state match expenditure in  
44 excess of the federal funding allocation for this  
45 program during the federal fiscal year ending  
46 September 30, 1991. Any moneys allocated in this  
47 subsection which are unexpended or unobligated on  
48 January 31, 1992, shall be available during the  
49 remainder of the fiscal year to the department of  
50 human services for the purposes of this section.

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1 3. Notwithstanding section 8.39, the department  
2 may transfer funds appropriated in this section to a  
3 separate account established in the department's case  
4 management unit for expenditures required to provide  
5 case management services pursuant to the appropriation  
6 in this Act for enhanced mental health, mental  
7 retardation, and developmental disabilities services,  
8 pending final settlement of the expenditures. Funds  
9 received by the case management unit in settlement of  
10 the expenditures shall be used to replace the  
11 transferred funds and are available for the purposes  
12 for which the funds were appropriated in this section.

13 4. As a condition, limitation, and qualification  
14 of the funds appropriated in this section, the  
15 department shall analyze the cost to benefits ratio  
16 associated with utilizing the medical review system  
17 offered by Value Health Sciences, Inc., and if the  
18 ratio is found to be favorable, shall implement that  
19 system or a system with a comparable cost to benefit  
20 ratio under the medical assistance program.

21 5. If a medical assistant recipient is receiving  
22 care which is reimbursed under a federally approved  
23 home and community-based services waiver but would  
24 otherwise be approved for care in an intermediate care  
25 facility for the mentally retarded, the recipient's  
26 county of legal settlement shall reimburse the  
27 department on a monthly basis for the portion of the  
28 recipient's cost of care which is not paid from  
29 federal funds.

30 6. As a condition, limitation, and qualification  
31 of the funds appropriated in this section, the  
32 department shall develop methods to reduce recipient  
33 usage of ambulance services for reasons other than  
34 medical necessity, including notification of  
35 recipients who have received ambulance services that  
36 were not considered to be a medical necessity and  
37 ambulance services that have provided such services.  
38 The department may adopt emergency rules to implement  
39 the provisions of this subsection.

40 7. Of the funds appropriated in this section, up  
41 to \$70,929,582 shall be used for medical assistance  
42 reimbursement of nursing facilities.

43 8. As a condition, limitation, and qualification  
44 of the funds appropriated in this section,  
45 notwithstanding the adoption of an administrative rule  
46 limiting coverage of organ transplants under the  
47 medical assistance program, the department shall  
48 continue to provide medical assistance coverage for  
49 organ transplants of the pancreas and the liver until  
50 the department establishes criteria for the coverage

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1 of these transplants. The criteria shall include but  
2 are not limited to health status and anticipated  
3 outcomes, including expected quality of life. The  
4 department may adopt emergency rules to implement the  
5 provisions of this subsection.

6 9. As a condition, limitation, and qualification  
7 of the funds appropriated in this section, if Senate  
8 File 342 is enacted by the Seventy-fourth General  
9 Assembly, 1991 Session, \$28,000 of the funds  
10 appropriated in this section shall be provided to the  
11 prevention of disabilities policy board or council for  
12 fulfillment of the federal matching funds requirement  
13 for use of the Iowa governor's planning council for  
14 developmental disabilities funds, for the purpose of  
15 section 225D.7.

16 10. It is the intent of the general assembly that  
17 the following programs under the medical assistance  
18 program shall be expanded which it is estimated will  
19 result in the indicated medical assistance expenditure  
20 savings: Iowa foundation for medical care utilization  
21 review, \$1,400,000; Unisys utilization review,  
22 \$105,000; and the "lock-in" program involving  
23 recipients with a history of seeking services from  
24 more than one provider, \$66,000. The department may  
25 adopt emergency rules to implement the provisions of  
26 this subsection.

27 11. As a condition, limitation, and qualification  
28 of the funds appropriated in this section, effective  
29 July 1, 1991, optional medical assistance coverage of  
30 dental services shall no longer include dentures and  
31 crowns. The department may adopt emergency rules to  
32 implement the provisions of this subsection.

33 12. As a condition, limitation, and qualification  
34 of the funds appropriated in this section, if Senate  
35 File 343, or another provision providing for group  
36 health plan cost-sharing under the medical assistance  
37 program is enacted by the Seventy-fourth General  
38 Assembly, 1991 Session, the department may adopt  
39 emergency rules to implement the cost-sharing in  
40 accordance with federal requirements.

41 Sec. 104. MEDICAL CONTRACTS. There is  
42 appropriated from the general fund of the state to the  
43 department of human services for the fiscal year  
44 beginning July 1, 1991, and ending June 30, 1992, the  
45 following amount, or so much thereof as is necessary,  
46 to be used for the purpose designated:

47 For medical contracts:  
48 ..... \$ 4,000,000

49 As a condition, limitation, and qualification of  
50 the funds appropriated in this section, the department

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1 shall continue to contract for drug utilization review  
2 under the medical assistance program.

3 Sec. 105. HIV-AIDS INSURANCE CONTINUATION  
4 ASSISTANCE PILOT PROGRAM. There is appropriated from  
5 the general fund of the state to the department of  
6 human services for the fiscal year beginning July 1,  
7 1991, and ending June 30, 1992, the following amount,  
8 or so much thereof as is necessary, to be used for the  
9 purpose designated:

10 For HIV-AIDS insurance continuation assistance  
11 pilot program:

12 ..... \$ 60,000

13 1. The department shall establish an HIV and AIDS  
14 insurance continuation assistance pilot program to be  
15 administered by the medical services division to  
16 provide insurance continuation assistance to persons  
17 with AIDS or HIV-related illnesses who are unable to  
18 maintain health insurance premium payments due to  
19 illness. The pilot program shall operate for a 2-year  
20 period beginning July 1, 1991, and ending June 30,  
21 1993. The funds shall be made available in a manner  
22 that provides the assistance to a recipient from the  
23 time of enrollment until the end of the fiscal year as  
24 needed by the recipient.

25 2. The department shall publicize the program for  
26 enrollment of potential participants through provision  
27 of information through the Iowa department of public  
28 health, the regional AIDS coalitions funded by the  
29 Iowa department of public health, physicians,  
30 hospitals, social workers, and social service  
31 providers and gay and AIDS-related groups identified  
32 by the coalitions.

33 3. The program shall provide all of the following:  
34 a. That an applicant is eligible for participation  
35 in the program if all of the following conditions are  
36 met:

- 37 (1) The applicant is a resident of the state.
- 38 (2) The applicant suffers from AIDS or an HIV-  
39 related illness.
- 40 (3) The applicant has an income of no more than  
41 300 percent of the federal poverty level as defined by  
42 the most recently revised poverty income guidelines  
43 published by the United States department of health  
44 and human services and cash assets of no more than  
45 \$10,000.
- 46 (4) The applicant is enrolled in an individual or  
47 group private health insurance plan.
- 48 (5) The applicant is unable, due to AIDS or the  
49 HIV-related illness, to continue employment in order  
50 to pay the costs of insurance premiums.

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1 (6) Enrollment in the program is the most cost-  
2 effective, available means of providing the applicant  
3 with health insurance coverage.

4 b. That an applicant is required to provide the  
5 following to verify eligibility for participation in  
6 the program:

7 (1) Documentation of income and assets, as  
8 required by rule of the department.

9 (2) Documentation through submission of a  
10 statement by the applicant's physician that the  
11 applicant suffers from AIDS or an HIV-related illness  
12 and that the applicant is, or will within a period of  
13 6 months be, unable to continue employment.

14 c. An expedited eligibility determination process  
15 to ensure that an eligible applicant is not denied  
16 coverage under the applicant's existing policy due to  
17 nonpayment of premiums during the determination  
18 process period. This may include but is not limited  
19 to accepting preapplications from any HIV-infected  
20 person or the making of payments based on preliminary  
21 determinations.

22 d. A requirement that following enrollment in the  
23 program of a person with group-based coverage, the  
24 person must apply for medical assistance, if the  
25 department determines that the person is likely to be  
26 eligible for payment of premiums under medical  
27 assistance program pursuant to the federal Omnibus  
28 Budget Reconciliation Act of 1990, section 4402, Pub.  
29 L. No. 101-508.

30 e. A requirement that, if the state elects to pay  
31 premiums for individual-based coverage under, and if  
32 the department determines that the person would be  
33 eligible for payment of premiums under medical  
34 assistance program under the provisions of the federal  
35 Omnibus Budget Reconciliation Act of 1990, section  
36 4402, Pub. L. No. 101-508, following enrollment in the  
37 program of a person with such coverage, the person  
38 must apply for medical assistance.

39 f. That all information relating to an applicant  
40 is confidential information and the provisions of  
41 chapter 141 are applicable to the information.

42 4. The department shall provide a preliminary  
43 report to the general assembly by January 1, 1992, and  
44 a final report to the general assembly by January 1,  
45 1993, regarding the cost-effectiveness of the pilot  
46 program, the impact of the requirements of federal law  
47 on the pilot program, and the current and projected  
48 costs to the state for payment of medical assistance  
49 for the health care costs of persons with AIDS or HIV-  
50 related illnesses.



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1 5. For the purposes of this section, "AIDS" and  
2 "HIV" mean "AIDS" and "HIV" as defined in section  
3 141.21.

4 6. For the purposes of this subsection, "health  
5 insurance plan" includes nonprofit health service  
6 cooperation contracts regulated under chapter 514 and  
7 health maintenance organization evidences of coverage  
8 regulated under chapter 514B.

9 Sec. 106. STATE SUPPLEMENTARY ASSISTANCE. There  
10 is appropriated from the general fund of the state to  
11 the department of human services for the fiscal year  
12 beginning July 1, 1991, and ending June 30, 1992, the  
13 following amount, or so much thereof as is necessary,  
14 to be used for the purpose designated:

15 For state supplementary assistance:  
16 ..... \$ 18,605,530

17 The department shall increase the personal needs  
18 allowance for residents of residential care facilities  
19 by the same percentage and at the same time as federal  
20 supplemental security and federal social security  
21 benefits are increased due to a recognized increase in  
22 the cost of living. The department may adopt  
23 emergency rules to implement the provisions of this  
24 paragraph.

25 Sec. 107. AID TO INDIANS. There is appropriated  
26 from the general fund of the state to the department  
27 of human services for the fiscal year beginning July  
28 1, 1991, and ending June 30, 1992, the following  
29 amount, or so much thereof as is necessary, to be used  
30 for the purpose designated:

31 For aid to Indians under section 252.43:  
32 ..... \$ 38,000

33 The tribal council shall not use more than 5  
34 percent of the funds for administration purposes. The  
35 department may adopt emergency rules to implement the  
36 provisions of this paragraph.

37 Sec. 108. CHILD DAY CARE ASSISTANCE. There is  
38 appropriated from the general fund of the state to the  
39 department of human services for the fiscal year  
40 beginning July 1, 1991, and ending June 30, 1992, the  
41 following amount, or so much thereof as is necessary,  
42 to be used for the purposes designated:

43 For protective child day care assistance and state  
44 child care assistance:  
45 ..... \$ 7,100,000

46 1. It is the intent of the general assembly that  
47 \$3,105,646 of the funds appropriated in this section  
48 be used for protective child day care assistance.

49 2. It is the intent of the general assembly that  
50 \$3,735,423 of the funds appropriated in this section

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1 be used for state child care assistance.

2 3. a. The funds allocated in this section for  
3 protective and state child care assistance shall be  
4 allocated to the department of human services  
5 districts and each district shall distribute the  
6 allocation to the counties within the district. If a  
7 district determines that a specified portion of the  
8 funds provided to a county is sufficient to meet the  
9 county's current demand and projected growth, the  
10 district may transfer the excess amount of funds to  
11 another county. If the district determines that a  
12 specified portion of the funds provided to the  
13 district is sufficient to meet the district's current  
14 demand and projected growth for the remainder of the  
15 fiscal year, the excess amount may be transferred for  
16 use in another district.

17 b. For state child care assistance, eligibility  
18 shall be limited to children whose family income is  
19 equal to or less than 150 percent of the federal  
20 office of management and budget poverty guidelines.  
21 However, on or after October 1, 1991, the department  
22 may increase the income eligibility limit to be equal  
23 to or less than 75 percent of the Iowa median family  
24 income. Every effort shall be made to provide  
25 assistance for the entire fiscal year to families  
26 remaining eligible before providing assistance to  
27 eligible families who have not received assistance  
28 previously. For the entire fiscal year, the  
29 department shall develop a priority ranking of  
30 requirements for families who receive assistance, with  
31 special priority given to foster care families within  
32 the income guidelines. The requirements may include  
33 but are not limited to all of the following:

34 (1) Families with an income equal to or less than  
35 150 percent of the federal office of management and  
36 budget poverty guidelines.

37 (2) Single parent families who are at risk of  
38 becoming eligible for the aid to families with  
39 dependent children programs.

40 (3) Families who have exhausted eligibility for  
41 transitional child care assistance.

42 (4) Adolescent parents attending school.

43 (5) Families who have children with special needs.

44 (6) Families who are providing foster care if both  
45 foster parents are employed and child day care is  
46 consistent with the case plan.

47 (7) Families with an income greater than 150  
48 percent of the federal office of management and budget  
49 poverty guidelines but no more than 75 percent of the  
50 Iowa median family income.

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1 c. The department may adopt emergency rules  
 2 necessary to qualify to receive funding from the  
 3 federal child care development block grant and the  
 4 federal at-risk child care program. If required as a  
 5 condition of receiving these funds, the rules may  
 6 provide for eligibility, health and safety  
 7 requirements, parental access to children,  
 8 reimbursement rates, types of service provided,  
 9 licensing standards, complaint registration  
 10 procedures, or other rules necessary to establish a  
 11 simplified or consolidated child day care policy.

12 d. Nothing in this section shall be construed or  
 13 is intended as, or shall imply, a grant of entitlement  
 14 for services to persons who are eligible for  
 15 assistance due to an income level consistent with the  
 16 requirements of this section. Any state obligation to  
 17 provide services pursuant to this section is limited  
 18 to the extent of the funds appropriated under this  
 19 section.

20 4. Of the funds appropriated in this section,  
 21 \$258,931 is allocated for the fiscal year beginning  
 22 July 1, 1991, for the statewide program for child day  
 23 care resource and referral services under section  
 24 237A.26.

25 5. The department may use any of the funds  
 26 appropriated in this section as a match to obtain  
 27 federal grants for use in expanding child day care  
 28 assistance and related programs.

29 Sec. 109. TRANSITIONAL CHILD CARE ASSISTANCE.  
 30 There is appropriated from the general fund of the  
 31 state to the department of human services for the  
 32 fiscal year beginning July 1, 1991, and ending June  
 33 30, 1992, the following amount, or so much thereof as  
 34 is necessary, to be used for the purpose designated:

35 For transitional child care assistance:  
 36 ..... \$ 314,125

37 Notwithstanding section 239.21, the department of  
 38 human services shall provide the transitional child  
 39 care program in accordance with the federal Family  
 40 Support Act of 1988, Pub. L. No. 100-485, § 302, and  
 41 applicable federal regulations. Reimbursement for  
 42 services shall be limited to registered or licensed  
 43 child day care providers and programs providing care,  
 44 supervision, or guidance of a child which is not  
 45 included under the definition of "child day care"  
 46 pursuant to section 237A.1, subsection 7.

47 Sec. 110. JOBS PROGRAM. There is appropriated  
 48 from the general fund of the state to the department  
 49 of human services for the fiscal year beginning July  
 50 1, 1991, and ending June 30, 1992, the following

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1 amount, or so much thereof as is necessary, to be used  
2 for the purposes designated:

3 For the JOBS program:

4 ..... S 4,647,305

5 1. Of the funds appropriated in this section,  
6 \$3,960,305 is allocated for the JOBS program. If in  
7 accordance with federal requirements, effective  
8 September 1, 1991, reimbursement under the JOBS  
9 program for child day care services shall be limited  
10 to registered or licensed child day care providers and  
11 programs providing care, supervision, or guidance of a  
12 child which is not included under the definition of  
13 "child day care" pursuant to section 237A.1,  
14 subsection 7. However, this requirement shall not  
15 apply to persons specified by rule as an aid to  
16 families with dependent children relative or as  
17 otherwise eligible for reimbursement because a  
18 licensed or registered child day care provider or  
19 program is not available.

20 2. Of the funds appropriated in this section,  
21 \$480,000 is allocated to the family development and  
22 self-sufficiency grant program as provided under  
23 section 217.12. This funding shall be used to extend  
24 current grantee funding from December 31, 1991, to  
25 June 30, 1992.

26 a. No more than 5 percent of the funds  
27 appropriated in this section shall be used for  
28 administration of the program and this percentage  
29 shall be determined for the entire fiscal year rather  
30 than on a 6-month basis. Federal financial  
31 participation received by the department for the  
32 family development and self-sufficiency grant program  
33 shall be used for the grant program or the JOBS  
34 program.

35 b. Based upon the annual evaluation report  
36 concerning each grantee funded by this appropriation,  
37 the family development and self-sufficiency council  
38 may use funds allocated to renew grants. Grant  
39 renewals shall be awarded on or before January 1,  
40 1992, for a 6-month extension to June 30, 1992.

41 3. Of the funds allocated in this section,  
42 \$132,000 is allocated for the food stamp employment  
43 and training program.

44 4. It is the intent of the general assembly that  
45 the department of human services apply to the  
46 corporation for enterprise development for Iowa's  
47 participation in the study phase of a "state human  
48 investment policy" demonstration project. Of the  
49 funds appropriated in this section, up to \$75,000  
50 shall be used for costs associated with Iowa's

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1 participation in the project. The department shall  
2 make efforts to obtain additional private and federal  
3 funding for the project, and shall submit quarterly  
4 reports on the status of the project to the  
5 legislative fiscal bureau.

6 Sec. 111. CHILD SUPPORT RECOVERY. There is  
7 appropriated from the general fund of the state to the  
8 department of human services for the fiscal year  
9 beginning July 1, 1991, and ending June 30, 1992, the  
10 following amount, or so much thereof as is necessary,  
11 to be used for the purposes designated:

12 For child support recovery, including salaries,  
13 support, maintenance, miscellaneous purposes, and for  
14 not more than the following full-time equivalent  
15 positions:

16 .....	\$	3,134,277
17 .....	FTEs	253.50

18 1. The director of human services, within the  
19 limitations of the funds appropriated in this section,  
20 or funds transferred from the aid to families with  
21 dependent children program for this purpose, may  
22 establish new positions and add additional employees  
23 to the child support recovery unit when the director  
24 determines that both the current and additional  
25 employees together can reasonably be expected to  
26 recover for the aid to families with dependent  
27 children program and the nonpublic assistance support  
28 recovery program more than twice the amount of money  
29 required to pay the salaries and support for both the  
30 current and additional employees or the new positions  
31 are necessary for compliance with federal requirements  
32 and the anticipated increased recovery amount exceeds  
33 the cost of salaries and support for the new  
34 positions. In the event the director adds additional  
35 employees, the department shall demonstrate the cost-  
36 effectiveness of the current and additional employees  
37 by reporting to the joint human services  
38 appropriations subcommittee the ratio of the total  
39 amount of administrative costs for child support  
40 recoveries to the total amount of the child support  
41 recovered.

42 2. Notwithstanding any other provision in law,  
43 nonpublic assistance application and user fees  
44 received by the child support recovery program are  
45 appropriated and shall be used for the purposes of the  
46 program. The department may adopt emergency rules as  
47 necessary to implement the provisions of this  
48 subsection. The director of human services may exceed  
49 the full-time equivalent position limit authorized in  
50 this section if fees collected relating to the new

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1 positions are sufficient to pay the salaries and  
2 support for the positions. The director shall report  
3 any new positions added pursuant to this section to  
4 the chairpersons and ranking members of the joint  
5 human services appropriations subcommittee and the  
6 legislative fiscal bureau. The department may adopt  
7 emergency rules as necessary to implement the  
8 provisions of this subsection.

9 3. The director of human services, in consultation  
10 with the department of management and the legislative  
11 fiscal committee, is authorized to receive and deposit  
12 state child support incentive earnings in the manner  
13 specified under applicable federal requirements.

14 4. The director of human services may establish  
15 new positions and add additional state employees to  
16 the child support recovery unit if the director  
17 determines the employees are necessary to replace  
18 county-funded positions eliminated due to termination,  
19 reduction, or nonrenewal of a chapter 28E contract.  
20 However, the director must also determine that the  
21 resulting increase in the state share of child support  
22 recovery incentives exceeds the cost of the positions,  
23 the positions are necessary to ensure continued  
24 federal funding of the program, or the new positions  
25 can reasonably be expected to recover more than twice  
26 the amount of money to pay the salaries and support  
27 for the new positions.

28 5. As a condition, limitation, and qualification  
29 of the funds appropriated in this section, the child  
30 support recovery unit may establish a pilot project  
31 involving employers and access to employer records.  
32 The duration of the pilot project shall be limited to  
33 the period beginning July 1, 1991, and ending June 30,  
34 1992. In implementing the project, the unit may enter  
35 into a written agreement with a participating employer  
36 in which the employer provides the unit with access to  
37 information concerning the employer's new and current  
38 employees. The access may be provided either by  
39 manual or automated means. The unit shall not use or  
40 make the information available for any other purpose  
41 other than the establishment of or enforcement of a  
42 support obligation. Notwithstanding any other  
43 provision in law, an employer who enters into a  
44 written agreement for the purposes of the pilot  
45 project shall be held harmless from any violation of  
46 legal requirements for confidentiality or release of  
47 records which is in accordance with the agreement. An  
48 evaluation of the pilot project, including  
49 recommendations for its continuation, revision,  
50 cancellation, or expansion shall be submitted to the

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1 chairpersons and ranking members of the joint human  
2 services appropriations subcommittee and the  
3 legislative fiscal bureau.

4 Sec. 112. JUVENILE INSTITUTIONS. There is  
5 appropriated from the general fund of the state to the  
6 department of human services for the fiscal year  
7 beginning July 1, 1991, and ending June 30, 1992, the  
8 following amounts, or so much thereof as is necessary,  
9 to be used for the purposes designated:

10 For the operation of the state training school and  
11 the Iowa juvenile home, including salaries, support,  
12 maintenance, miscellaneous purposes, and for not more  
13 than the following full-time equivalent positions:

14 For the state juvenile institutions:  
15 ..... \$ 12,774,025  
16 ..... FTEs 357.50

17 1. The following amounts of the funds appropriated  
18 and FTEs authorized in this section are allocated for  
19 the Iowa juvenile home at Toledo:

20 ..... \$ 4,703,508  
21 ..... FTEs 128.50

22 2. The following amounts of the funds appropriated  
23 and FTEs authorized in this section are allocated for  
24 the state training school at Eldora:

25 ..... \$ 8,070,517  
26 ..... FTEs 229.00

27 3. It is the intent of the general assembly that  
28 during the fiscal year beginning July 1, 1991, the  
29 population levels at the state juvenile institutions  
30 shall not exceed the population guidelines established  
31 under 1990 Iowa Acts, chapter 1239, section 21. It is  
32 also the intent of the general assembly that the state  
33 juvenile institutions apply for an adolescent  
34 pregnancy prevention grant for the fiscal year  
35 beginning July 1, 1991.

36 4. Within the funds appropriated in this section,  
37 the department may reallocate funds as necessary to  
38 best fulfill the needs of the institutions provided  
39 for in this appropriation.

40 5. The department shall report to the legislative  
41 fiscal bureau, on or before the 20th day of each  
42 month, the department's current expenditures for the  
43 institutions receiving allocations under this  
44 appropriation. The report shall include a comparison  
45 of actual to budgeted expenditures for each  
46 institution.

47 Sec. 113. FOSTER CARE. There is appropriated from  
48 the general fund of the state to the department of  
49 human services for the fiscal year beginning July 1,  
50 1991, and ending June 30, 1992, the following amount,

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1 or so much thereof as is necessary, to be used for the  
 2 purpose designated:  
 3 For foster care:  
 4 ..... \$ 53,629,282

5 1. As a condition, limitation, and qualification  
 6 of the funds appropriated in this section, the  
 7 department shall use moneys appropriated in this  
 8 section to establish 30 or more enhanced service group  
 9 care facility beds during the fiscal year beginning  
 10 July 1, 1991. The department may use moneys  
 11 appropriated in this section to provide enhanced  
 12 funding of services to family foster homes to avert  
 13 placement of children in group care facilities and may  
 14 continue to provide enhanced funding of services to  
 15 group care facilities to avert placement of children  
 16 in more expensive, less appropriate out-of-state  
 17 facilities or in a state juvenile institution. The  
 18 department shall give priority to serving children  
 19 whose placement at the state training school or the  
 20 Iowa juvenile home would cause the state juvenile  
 21 institution to exceed the population guidelines  
 22 established under 1990 Iowa Acts, chapter 1239,  
 23 section 21.

24 2. The department may transfer a portion of the  
 25 funds appropriated in this section to provide  
 26 subsidized adoption services or to purchase adoption  
 27 services, if funds allocated in this section for  
 28 adoption services are insufficient.

29 3. The department and state court administrator  
 30 shall work together in implementing an agreement which  
 31 enables the state to receive funding for eligible  
 32 cases under the federal Social Security Act, Title IV-  
 33 E.

34 4. Not more than 25 percent of the children placed  
 35 in foster care funded under the federal Social  
 36 Security Act, Title IV-E, shall be placed in foster  
 37 care for a period of more than 24 months.

38 5. Of the funds appropriated in this section,  
 39 \$92,000 is allocated for the foster home insurance  
 40 fund. Notwithstanding section 237.13, the department  
 41 may use funds appropriated in this section to purchase  
 42 liability insurance for licensed foster parents in  
 43 lieu of providing payment for claims filed against the  
 44 foster home insurance fund, if comparable coverage can  
 45 be obtained through private insurance.

46 Notwithstanding section 8.33, funds remaining in the  
 47 foster home insurance fund on June 30, 1992, shall not  
 48 revert to the general fund but shall remain available  
 49 for expenditure in the fiscal year beginning July 1,  
 50 1992, for the purposes designated.



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1 6. As a condition, limitation, and qualification  
2 of the funds appropriated in this section, the  
3 department shall review the need to provide additional  
4 day treatment alternatives within the child welfare  
5 system and the potential to provide additional  
6 services by including day treatment provided by  
7 psychiatric medical institutions for children as a  
8 service reimbursed under medical assistance. The  
9 department shall identify the effect of providing day  
10 treatment services reimbursement under medical  
11 assistance upon state expenditures for residential  
12 treatment and other foster care services. The  
13 department may use funds appropriated in this Act for  
14 medical assistance to pay the nonfederal share of  
15 costs for services reimbursed under medical assistance  
16 which are provided in a psychiatric medical  
17 institution for children.

18 7. The department may use \$30,000 of the funds  
19 appropriated in this section to contract for a study  
20 of the effectiveness of needs-based and therapeutic  
21 family foster care and enhanced residential care.

22 8. As a condition, limitation, and qualification  
23 of the funds appropriated in this section, the  
24 department shall develop a therapeutic foster care  
25 program in at least 1 district in the state. The  
26 program's foster care worker support staff shall serve  
27 not more than 7 foster families and shall provide  
28 respite and special support services to foster parents  
29 to enable them to serve in an active treatment  
30 capacity with the children under their care. Of the  
31 funds appropriated in this section, up to \$200,000  
32 shall be used for therapeutic foster care  
33 reimbursement and \$284,667 for 8.00 FTEs under the  
34 appropriation in this Act for field operations.

35 9. Funds appropriated in this section may be used  
36 to recruit foster parents and to provide preservice  
37 and in-service training for foster parents.

38 10. Of the funds appropriated in this section, up  
39 to \$140,000 may be used to develop and maintain the  
40 state's implementation of the national adoption and  
41 foster care information system pursuant to the  
42 requirements of Pub. L. No. 99-509.

43 11. As a condition, limitation, and qualification  
44 of the funds appropriated in this section, the  
45 department shall continue a family foster care  
46 advisory committee to examine department practices and  
47 policies to improve the recruitment and retention of  
48 foster parents, provide training and professional  
49 guidance where appropriate, and seek the involvement  
50 of family foster care providers in designing,

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1 developing, and participating in the creation of  
2 therapeutic foster family homes. The department shall  
3 review initiatives of other states in recruiting  
4 foster parents from appropriate families who are  
5 recipients of public assistance. In consultation with  
6 the advisory committee, the department shall seek  
7 federal waivers and make program modifications as  
8 necessary to develop a similar program for Iowa upon  
9 receiving federal approval to do so.

10 12. As a condition, limitation, and qualification  
11 of the funds appropriated in this section, the  
12 department shall establish specialized family foster  
13 care homes and provide specialized support and respite  
14 services to qualifying foster care families who accept  
15 infants with chemical addictions from intrauterine  
16 transmission who would otherwise remain in a hospital.

17 13. As a condition, limitation, and qualification  
18 of the funds appropriated in this section, the  
19 department shall continue the demonstration program to  
20 decategorize child welfare services in the 4 counties  
21 in which the program has commenced. The department  
22 may approve additional applications from a county or  
23 consortium of counties to initiate a demonstration  
24 program providing the department, the boards of  
25 supervisors in the counties, and the affected judicial  
26 districts agree to implement the program. The  
27 schedule for implementing the demonstration program in  
28 additional counties shall provide that the program be  
29 implemented on or after January 1, 1992. The  
30 department shall establish for the demonstration  
31 project counties a child welfare fund composed of all  
32 or part of the amount that would otherwise be expected  
33 to be used for residents of the counties for foster  
34 care, family-centered services, subsidized adoption,  
35 child day care, local purchase of services, state  
36 juvenile institution care, mental health institute  
37 care, state hospital-school care, juvenile detention,  
38 department-direct services, and court-ordered  
39 evaluation and treatment of juvenile services and  
40 notwithstanding any other provision of law, the fund  
41 shall be considered encumbered. Notwithstanding other  
42 service funding provisions in law, the department  
43 shall establish the fund by transferring funds from  
44 the budgets affected, except for the funds  
45 appropriated for the state mental health institutes,  
46 the state hospital-schools, the state training school,  
47 and the Iowa juvenile home which shall remain on  
48 account for the county at these institutions. The  
49 child welfare fund may be used to support services and  
50 payment rates not allowable within historical program

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1 or service categories. A limited amount of the fund  
 2 may be used to support services and reimbursement  
 3 rates not allowable within historical program or  
 4 service categories and administrative rule. In  
 5 addition, a limited amount of the child welfare fund  
 6 may be used for the family assistance fund to provide  
 7 resources for a family to remain together or to be  
 8 unified. It is the intent of the general assembly  
 9 that the demonstration program be designed to operate  
 10 in a county for a 3-year period. The 3-year time  
 11 period for a decategorization project in Dubuque,  
 12 Polk, Pottawattamie, or Scott county shall be  
 13 considered to begin on January 1 in the first year  
 14 following the year in which the county's  
 15 decategorization project was approved by the  
 16 department.

17 14. As a condition, limitation, and qualification  
 18 of the funds appropriated in this section, effective  
 19 July 1, 1991, foster care shall not be provided to  
 20 persons who are 18 years of age or older. The  
 21 department may adopt emergency rules to implement the  
 22 provisions of this subsection.

23 Sec. 114. CHILD PROTECTIVE SYSTEM IMPROVEMENTS.

24 There is appropriated from the general fund of the  
 25 state to the department of human services for the  
 26 fiscal year beginning July 1, 1991, and ending June  
 27 30, 1992, the following amount, or so much thereof as  
 28 is necessary, to be used for the purposes designated:

29 For improvements in the state system for child  
 30 protection:

31 ..... \$ 587,500

32 The funding appropriated in this section shall be  
 33 used as determined by the department for any of the  
 34 following purposes:

35 1. For general administration of the department to  
 36 improve staff training efforts.

37 2. For oversight of termination of parental rights  
 38 and permanency planning efforts on a statewide basis  
 39 on the condition that regular reports regarding the  
 40 statewide program efforts shall be provided to the  
 41 legislative fiscal bureau.

42 3. For use by the department in general  
 43 administration to promote innovative treatment  
 44 programs, write grants to obtain federal and private  
 45 funding, and promote public and private efforts to  
 46 treat and prevent child abuse.

47 4. For personnel, assigned by the attorney  
 48 general, to provide additional services relating to  
 49 termination of parental rights and child in need of  
 50 assistance cases.

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1 5. For funding of the state multidisciplinary team  
2 to assist with difficult cases within the child abuse  
3 and foster care system and with respect to child  
4 protective investigation and initial case planning and  
5 to develop and coordinate local multidisciplinary  
6 teams.

7 6. For use by the department in conducting  
8 outcome-oriented evaluations of child protection,  
9 prevention, and treatment programs.

10 7. For specialized foster care permanency planning  
11 field operations staff.

12 Sec. 115. HOME-BASED SERVICES. There is  
13 appropriated from the general fund of the state to the  
14 department of human services for the fiscal year  
15 beginning July 1, 1991, and ending June 30, 1992, the  
16 following amount, or so much thereof as is necessary,  
17 to be used for the purpose designated:

18 For home-based services on the condition that  
19 family planning services are funded, provided that if  
20 the department amends the allocation to a program  
21 funded under this section, then the department shall  
22 promptly notify the legislative fiscal bureau of the  
23 change:

24 ..... \$ 19,414,903

25 1. Of the funds appropriated in this section,  
26 \$30,000 shall be used by the department to contract  
27 with universities to provide ongoing research and  
28 evaluation assistance to programs and initiatives of  
29 the department involving family-centered services and  
30 foster care. The contracts shall make maximum use of  
31 any matching resources available from the universities  
32 with which the department contracts.

33 2. Of the funds appropriated in this section,  
34 \$5,086,204 shall be used for family preservation and  
35 reunification services and training. A limited amount  
36 of the funds may be used for the family assistance  
37 fund to provide other resources required for a family  
38 participating in a project to stay together or to be  
39 reunified. The payment system for the project shall  
40 not be based upon units of time, but may be based upon  
41 the cost to serve a family, including adjustments  
42 according to the provider's performance and the  
43 outcome of the services provided to each family. The  
44 department shall use the statewide family preservation  
45 and decategorization committee to assist in selecting  
46 additional projects.

47 Sec. 116. COMMUNITY-BASED PROGRAMS. There is  
48 appropriated from the general fund of the state to the  
49 department of human services for the fiscal year  
50 beginning July 1, 1991, and ending June 30, 1992, the

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1 following amount, or so much thereof as is necessary,  
2 to be used for the purpose designated:

3 For community-based programs on the condition that  
4 the prevention grants relating to adolescent pregnancy  
5 are funded:

6 ..... \$ 2,662,421

7 1. As a condition, limitation, and qualification  
8 of the funds appropriated in this section, up to  
9 \$19,095 shall be used by the department as the  
10 financial aid from the state under section 232.142,  
11 subsection 3, for the cost of the establishment,  
12 improvement, operation, and maintenance of approved  
13 county or multicounty juvenile homes. Notwithstanding  
14 section 232.142, subsection 3, the amount provided in  
15 this subsection shall be the maximum amount of  
16 financial aid the state is obligated to provide  
17 pursuant to that provision.

18 2. Of the funds appropriated in this section,  
19 \$261,750 shall be used for adolescent pregnancy  
20 prevention grants. At least 75 percent of the funds  
21 shall be used for programs which incorporate family  
22 planning and pregnancy prevention services as the  
23 major component of the program. The department shall  
24 not expend more than 7 percent of the funds for  
25 administrative costs. The department shall adopt  
26 rules to implement this subsection. A grant may be  
27 awarded to a public school corporation, a maternal and  
28 child health center, an adolescent services provider,  
29 a project involving a state juvenile institution, or a  
30 nonprofit organization which is involved in adolescent  
31 issues. Grants shall be awarded for a 1-year period  
32 and shall be based on the demonstrated need for  
33 adolescent pregnancy prevention and adolescent parent  
34 services. Preference in awarding grants shall be  
35 given to projects for children placed at a state  
36 juvenile institution and projects which utilize a  
37 variety of community resources and agencies and the  
38 department may adopt emergency rules to implement the  
39 preference.

40 a. As used in this subsection, "adolescent" means  
41 a person who is less than 18 years of age or a person  
42 who is attending an accredited high school or pursuing  
43 a course of study which will lead to a high school  
44 diploma or its equivalent. The department shall  
45 establish guidelines which permit a grant recipient to  
46 continue providing services to a person who receives  
47 services under the grant as an adolescent and becomes  
48 18 years of age or older.

49 b. A grant shall only be awarded to a project  
50 which provides 1 or more of the following services:

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1 (1) Workshops and information programs for  
2 adolescents and parents of adolescents to improve  
3 communication between children and parents regarding  
4 human sexuality issues.

5 (2) Development and distribution of informational  
6 material designed to discourage adolescent sexual  
7 activity, to provide information regarding acquired  
8 immune deficiency syndrome and sexually transmitted  
9 diseases, and to encourage male and female adolescents  
10 to assume responsibility for their sexual activity and  
11 parenting.

12 (3) Early pregnancy detection, prenatal services  
13 including chlamydia testing, and counseling regarding  
14 decision-making options for pregnant adolescents.

15 (4) Case management and child care services  
16 provided to male and female adolescent parents.

17 c. Additional services may be offered by a grantee  
18 pursuant to a purchase of service contract with the  
19 department including child day care services; child  
20 development and parenting instruction; services to  
21 support high school completion, job training, and job  
22 placement; prevention of additional pregnancies during  
23 adolescence; and other personal services.

24 3. As a condition, limitation, and qualification  
25 of the funds appropriated in this section, at least  
26 \$125,000 shall be used to provide grants administered  
27 in accordance with the provisions for adolescent  
28 pregnancy prevention grants, except for requirements  
29 to target certain specific geographic areas of the  
30 state. The grants shall be awarded to fund any of the  
31 following purposes:

32 a. Programs targeted to children. A program shall  
33 include the following: components for parental  
34 involvement; parental education, including techniques  
35 for encouraging sexual abstinence; outreach services  
36 for recruiting parents and children into the program;  
37 and the provision of transportation to program staff  
38 and participants necessary for recruiting and  
39 encouraging program participation.

40 b. Programs intended to prevent an additional  
41 pregnancy by a parent who is less than 19 years of  
42 age. Preference in grant awards shall be given to  
43 programs which provide financial incentives to clients  
44 for their program participation and success in  
45 avoiding an additional pregnancy.

46 c. Providing additional pregnancy prevention  
47 grants. Preference in grant awards shall be given to  
48 programs which, in addition to other services, provide  
49 counseling to mixed gender groups of adolescents.

50 d. Programs intended to educate adolescents

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1 concerning the risks associated with alcohol and other  
2 drug use during pregnancy, including health,  
3 financial, emotional, and other potential long-term  
4 effects for mother and child.

5 4. As a condition, limitation, and qualification  
6 of the funds appropriated in this section, \$275,343  
7 shall be used by the department for child abuse  
8 prevention grants.

9 Sec. 117. BLOCK GRANT SUPPLEMENTATION. There is  
10 appropriated from the general fund of the state to the  
11 department of human services for the fiscal year  
12 beginning July 1, 1991, and ending June 30, 1992, the  
13 following amount, or so much thereof as is necessary,  
14 to be used for the purpose designated:

15 For supplementation of federal social services  
16 block grant funds and for allocation to counties for  
17 the purchase of local services:

18 ..... \$ 4,935,958

19 The funds appropriated in this section shall be  
20 allocated to counties pursuant to the rules of the  
21 department in effect on January 1, 1985. The  
22 department shall increase the income guidelines for  
23 income eligible persons receiving services funded with  
24 federal social services block grant funds for the  
25 fiscal year beginning July 1, 1991, by the same  
26 percentage and at the same time as federal social  
27 security benefits are increased due to a recognized  
28 increase in the cost of living. The department may  
29 adopt emergency rules to implement the provisions of  
30 this subsection relating to an increase in the cost of  
31 living.

32 Sec. 118. COURT-ORDERED SERVICES PROVIDED TO  
33 JUVENILES. There is appropriated from the general  
34 fund of the state to the department of human services  
35 for the fiscal year beginning July 1, 1991, and ending  
36 June 30, 1992, the following amount, or so much  
37 thereof as is necessary, to be used for the purpose  
38 designated:

39 Payment of the expenses of court-ordered services  
40 provided to juveniles which are a charge upon the  
41 state pursuant to section 232.141, subsection 4:

42 ..... \$ 3,755,000

43 1. It is the intent of the general assembly that  
44 the funds appropriated in this section shall be used  
45 in a manner that allows provision of court-ordered  
46 services to juveniles for the entire specified fiscal  
47 period without the need for supplemental funding. The  
48 court shall consider the overall cost-effectiveness of  
49 services ordered by the court for juveniles under  
50 chapter 232.

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1 2. As a condition, limitation, and qualification  
2 of the funds appropriated in this section, and  
3 notwithstanding any other provision of law, \$6,150,000  
4 of the funds appropriated in this Act for home-based  
5 services shall be used in providing court-ordered  
6 family-centered, family preservation and family  
7 reunification services designed to achieve the goals  
8 contained in a juvenile's foster care case permanency  
9 plan. The department shall develop policies and  
10 procedures to ensure that priority for these services  
11 is given to juveniles who are at-risk of being  
12 adjudicated as a delinquent, being found to be a child  
13 in need of assistance, or being involuntarily  
14 committed under chapter 125 or 229.

15 3. As a condition, limitation, and qualification  
16 of the funds appropriated in this section, and  
17 notwithstanding section 232.141 or any other provision  
18 of law, the funds appropriated in this section shall  
19 be allocated to the department of human services'  
20 districts as provided in this subsection. The  
21 allocations to the districts shall be made according  
22 to a formula developed pursuant to recommendations of  
23 a committee consisting of a representative of the  
24 director of human services, a representative of the  
25 state court administrator, a representative of the  
26 Iowa state association of counties, and a  
27 representative of service providers selected by the  
28 director of human services. The director of human  
29 services shall make the final decision on the  
30 allocations on or before June 15, 1991.

31 4. Each department of human services' district  
32 shall establish a planning group for the court-ordered  
33 services for juveniles provided in that district. A  
34 district planning group shall be appointed by the  
35 district administrator and shall include local  
36 representatives of the department of human services,  
37 youth advocates, public defenders where appropriate,  
38 the judicial department, county officials or staff,  
39 and service providers. A district planning group  
40 shall meet at least quarterly and shall perform all of  
41 the following activities:

42 a. Establish service priorities for spending the  
43 court-ordered services funds allocated to the  
44 district.

45 b. Develop procedures to evaluate and improve the  
46 quality and effectiveness of the services being  
47 provided.

48 c. Make recommendations concerning changes in the  
49 child welfare system that are needed to ensure that  
50 children and families receive the services necessary



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1 to meet their unique needs. Each district planning  
2 group shall submit an annual report to the department  
3 of human services. The department shall compile these  
4 reports and submit the reports to the chairpersons and  
5 ranking members of the joint human services  
6 appropriations subcommittee and the legislative fiscal  
7 bureau.

8 5. On or before June 15, 1991, the department of  
9 human services shall develop policies and procedures  
10 to ensure that the funds appropriated in this section  
11 are spent only after all reasonable efforts have been  
12 made to utilize other funding sources and community-  
13 based services. The policies and procedures shall be  
14 designed to achieve the following objectives relating  
15 to services provided under chapter 232:

16 a. Maximize the utilization of funds which may be  
17 available from the medical assistance program

18 including usage of the early preventive, screening,  
19 diagnosis, and treatment (EPSDT) program.

20 b. Recover payments from any third-party insurance  
21 coverage which is liable for coverage of the services,  
22 including health insurance coverage.

23 6. The department of human services, in  
24 consultation with district administrators, shall  
25 compile a report describing spending in the districts  
26 for court-ordered services for juveniles, including  
27 the utilization of the medical assistance program.  
28 The reports shall be submitted on or before the  
29 twentieth day of each month to the chairpersons and  
30 ranking members of the joint human services  
31 appropriations subcommittee and the legislative fiscal  
32 bureau.

33 7. Notwithstanding chapter 232 or any other  
34 provision of law, a district or juvenile court in a  
35 department of human services district shall not order  
36 any service which is a charge upon the state pursuant  
37 to section 232.141 if there are insufficient funds  
38 available in the district allocation to pay for the  
39 service. The district administrator shall work with  
40 the district planning group to encourage use of the  
41 funds appropriated in this section such that there are  
42 sufficient funds during the entire year.

43 8. Notwithstanding any provision of law, a  
44 district or juvenile court shall not order a county to  
45 pay for any service provided to a juvenile pursuant to  
46 an order entered under chapter 232 which is a charge  
47 upon the state under section 232.141.

48 9. As a condition, limitation, and qualification  
49 of the funds appropriated in this section, and  
50 notwithstanding any provision of law to the contrary,

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1 \$50,000 of the funds appropriated in this section may  
2 be used by the department for the administration of  
3 the programs and services provided pursuant to orders  
4 entered under chapter 232, as a supplement to funds  
5 provided in other appropriations. The department  
6 shall cooperate with the legislative fiscal bureau in  
7 developing a management information system for  
8 spending for services ordered under chapter 232.

9 10. The department may adopt emergency rules to  
10 implement the provisions of this section.

11 Sec. 119. IOWA VETERANS HOME. There is  
12 appropriated from the general fund of the state to the  
13 department of human services for the fiscal year  
14 beginning July 1, 1991, and ending June 30, 1992, the  
15 following amount, or so much thereof as is necessary,  
16 to be used for the purposes designated:

17 For operation of the Iowa veterans home, including  
18 salaries, support, maintenance, miscellaneous  
19 purposes, and for not more than the following full-  
20 time equivalent positions:

21 ..... \$ 29,522,461  
22 ..... FTEs 821.80

23 The department may use the gifts accepted by the  
24 director of human services pursuant to section 218.96  
25 and other resources available to the department for  
26 use at the Iowa veterans home for purposes identified  
27 by the department.

28 Sec. 120. MENTAL HEALTH INSTITUTES. There is  
29 appropriated from the general fund of the state to the  
30 department of human services for the fiscal year  
31 beginning July 1, 1991, and ending June 30, 1992, the  
32 following amounts, or so much thereof as is necessary,  
33 to be used for the purposes designated:

34 For the state mental health institutes for  
35 salaries, support, maintenance, miscellaneous  
36 purposes, and for not more than the following full-  
37 time equivalent positions:

38 ..... \$ 47,255,753  
39 ..... FTEs 1,226.28

40 1. The following amounts of the funds appropriated  
41 and full-time equivalent positions authorized in this  
42 section are allocated for the state mental health  
43 institute at Cherokee:

44 ..... \$ 14,928,541  
45 ..... FTEs 389.75

46 2. The following amounts of the funds appropriated  
47 and full-time equivalent positions authorized in this  
48 section are allocated for the state mental health  
49 institute at Clarinda:

50 ..... \$ 7,638,209

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1 ..... FTEs 189.16

2 3. The following amounts of the funds appropriated  
3 and full-time equivalent positions authorized in this  
4 section are allocated for the state mental health  
5 institute at Independence:

6 ..... \$ 15,573,504

7 ..... FTEs 436.27

8 4. The following amounts of the funds appropriated  
9 and full-time equivalent positions authorized in this  
10 section are allocated for the state mental health  
11 institute at Mount Pleasant:

12 ..... \$ 9,115,499

13 ..... FTEs 211.50

14 5. Within the funds appropriated in this section,  
15 the department may reallocate funds as necessary to  
16 best fulfill the needs of the institutions provided  
17 for in this appropriation.

18 6. The department shall report to the legislative  
19 fiscal bureau, on or before the 20th day of each  
20 month, the department's current expenditures for the  
21 institutions receiving allocations under this  
22 appropriation. The report shall include a comparison  
23 of actual to budgeted expenditures for each  
24 institution.

25 Sec. 121. HOSPITAL-SCHOOLS. There is appropriated  
26 from the general fund of the state to the department  
27 of human services for the fiscal year beginning July  
28 1, 1991, and ending June 30, 1992, the following  
29 amounts, or so much thereof as is necessary, to be  
30 used for the purposes designated:

31 For the state hospital-schools, for salaries,  
32 support, maintenance, miscellaneous purposes, and for  
33 not more than the following full-time equivalent  
34 positions:

35 ..... \$ 71,197,941

36 ..... FTEs 2,088.85

37 1. The following amounts of the funds appropriated  
38 and full-time equivalent positions authorized in this  
39 section are allocated for the state hospital-school at  
40 Glenwood:

41 ..... \$ 39,142,956

42 ..... FTEs 1,157.00

43 2. The following amounts of the funds appropriated  
44 and full-time equivalent positions authorized in this  
45 section are allocated for the state hospital-school at  
46 Woodward:

47 ..... \$ 32,054,985

48 ..... FTEs 931.85

49 3. Within the funds appropriated in this section,  
50 the department may reallocate funds as necessary to

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1 best fulfill the needs of the institutions provided  
2 for in this appropriation.

3 4. The department shall report to the legislative  
4 fiscal bureau, on or before the 20th day of each  
5 month, the department's current expenditures for the  
6 institutions receiving allocations under this  
7 appropriation. The report shall include a comparison  
8 of actual to budgeted expenditures for each  
9 institution.

10 Sec. 122. MENTAL HEALTH AND MENTAL RETARDATION  
11 SERVICES FUND. There is appropriated from the general  
12 fund of the state to the state community mental health  
13 and mental retardation services fund established in  
14 section 225C.7 for the fiscal year beginning July 1,  
15 1991, and ending June 30, 1992, the following amount,  
16 or so much thereof as is necessary:

17 ..... \$ 2,000,000

18 Notwithstanding 1990 Iowa Acts, chapter 1250,  
19 section 18, \$1,200,000 of the funds appropriated to  
20 the special mental health services fund established in  
21 that section shall be transferred to the state  
22 community mental health and mental retardation  
23 services fund established in section 225C.7 and shall  
24 be used in addition to the funds appropriated in this  
25 section for the purposes designated. The amount  
26 transferred pursuant to this section and section 123  
27 of this Act shall not be subject to the formula  
28 provided in 1990 Iowa Acts, chapter 1250, section 18,  
29 subsection 4.

30 Sec. 123. ENHANCED SERVICES -- COUNTY PAYMENT.  
31 Notwithstanding 1990 Iowa Acts, chapter 1250, section  
32 18, \$2,360,000 of the funds appropriated to the  
33 special mental health services fund established in  
34 that section, or so much thereof as is necessary,  
35 shall be transferred to supplement the appropriation  
36 in section 127 of this Act for the state candidate  
37 services fund for the purpose of providing funds to  
38 counties pursuant to section 127, subsection 5. The  
39 amount transferred pursuant to this section and  
40 section 122 of this Act shall not be subject to the  
41 formula provided in 1990 Iowa Acts, chapter 1250,  
42 section 18, subsection 4.

43 Sec. 124. MENTAL HEALTH -- MENTAL RETARDATION --  
44 DEVELOPMENTAL DISABILITIES SPECIAL SERVICES. There is  
45 appropriated from the general fund of the state to the  
46 department of human services for the fiscal year  
47 beginning July 1, 1991, and ending June 30, 1992, the  
48 following amount, or so much thereof as is necessary,  
49 to be used for the purpose designated:

50 For mental health, mental retardation, and

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1 developmental disabilities special services:

2 ..... \$ 425,000

3 1. The department and the Iowa finance authority  
4 shall develop methods to implement the financing for  
5 existing community-based facilities and to implement  
6 financing for small community-based facilities,  
7 including those facilities which may be developed  
8 under a federally approved home and community-based  
9 waiver for services provided under the medical  
10 assistance program. The department shall develop  
11 criteria for these facilities which may include  
12 provisions to restrict placements to current state  
13 hospital-school clients or to avert the placement of  
14 persons in a state hospital-school. The department  
15 shall assure that clients are referred to these  
16 facilities upon their development.

17 2. Of the funds appropriated in this section,  
18 \$284,750 is allocated to provide supplemental per  
19 diems to community-based residential care facilities  
20 and community living arrangements. The per diem is  
21 restricted to clients placed from the state hospital-  
22 schools and persons averted from placement in a state  
23 hospital-school who meet the appropriate level of  
24 functioning for this type of care.

25 3. Of the funds appropriated in this section,  
26 \$140,250 is allocated to provide funds for  
27 construction and start-up costs to develop community  
28 living arrangements to provide for persons who are  
29 mentally ill and homeless. These funds may be used to  
30 match federal Stewart B. McKinney Homeless Assistance  
31 Act grant funds.

32 4. As a condition, limitation, and qualification  
33 of the funds appropriated in this section, the  
34 department shall adopt rules pursuant to chapter 17A  
35 providing for reimbursement under state supplementary  
36 assistance to pay for supervised apartment living and  
37 cooperative housing arrangements for persons with  
38 disabilities. The rules shall take effect July 1,  
39 1992.

40 Sec. 125. FAMILY SUPPORT SUBSIDY PROGRAM. There  
41 is appropriated from the general fund of the state to  
42 the department of human services for the fiscal year  
43 beginning July 1, 1991, and ending June 30, 1992, the  
44 following amount, or so much thereof as is necessary,  
45 to be used for the purpose designated:

46 For the family support subsidy program:  
47 ..... \$ 590,000

48 Sec. 126. SPECIAL NEEDS GRANTS. There is  
49 appropriated from the general fund of the state to the  
50 department of human services for the fiscal year

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1 beginning July 1, 1991, and ending June 30, 1992, the  
2 following amount, or so much thereof as is necessary,  
3 to be used for the purpose designated:

4 To provide special needs grants to families with a  
5 family member at home who has a developmental  
6 disability or to a person with a developmental  
7 disability:

8 ..... \$ 55,000

9 Grants must be used by a family to defray special  
10 costs of caring for the family member to prevent out-  
11 of-home placement of the family member or to provide  
12 for independent living costs. A grant may provide up  
13 to \$5,000 per person for costs associated with an  
14 assistive animal. The grants may be administered by a  
15 private nonprofit agency which serves people statewide  
16 provided that no administrative costs are received by  
17 the agency. Regular reports regarding coordination of  
18 the special needs grants with the family support  
19 subsidy program shall be provided to the legislative  
20 fiscal bureau.

21 Sec. 127. ENHANCED MENTAL HEALTH -- MENTAL  
22 RETARDATION -- DEVELOPMENTAL DISABILITIES SERVICES.

23 There is appropriated from the general fund of the  
24 state to the department of human services for the  
25 fiscal year beginning July 1, 1991, and ending June  
26 30, 1992, the following amount, or so much thereof as  
27 is necessary, to be used for the purpose designated:

28 For the state candidate services fund:  
29 ..... \$ 2,630,000

30 1. The enhanced mental health, mental retardation,  
31 and developmental disabilities services plan oversight  
32 committee is continued, as established under 1988 Iowa  
33 Acts, chapter 1276, section 14, subsection 1, for the  
34 fiscal year which begins July 1, 1991, and ends June  
35 30, 1992. The oversight committee shall issue a final  
36 decision regarding any issue of disagreement between a  
37 county and the department relating to expenditures for  
38 candidate services or the county's maintenance of  
39 effort.

40 2. For purposes of this section, "candidate  
41 services" means day treatment, partial  
42 hospitalization, and case management.

43 3. a. The county of legal settlement shall be  
44 billed for 50 percent of the nonfederal share of the  
45 cost of case management provided to adults, day  
46 treatment, and partial hospitalization provided under  
47 the medical assistance program for persons with mental  
48 retardation, a developmental disability, or chronic  
49 mental illness.

50 b. If the department has contracted with a county

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1 or a consortium of counties to be the provider of case  
2 management services, the department is responsible for  
3 any costs included within the unit rate for case  
4 management services which are disallowed for  
5 reimbursement pursuant to Title XIX of the federal  
6 Social Security Act by the federal health care  
7 financing administration. The department shall use  
8 funds appropriated under this section to credit a  
9 county for the county's share of any amounts overpaid  
10 due to the disallowed costs. If certain costs are  
11 disallowed due to requirements or preferences of a  
12 particular county in the provision of case management  
13 services the county shall not receive credit for the  
14 amount of the costs.

15 c. Case management services provided to children  
16 shall only be reimbursed under the medical assistance  
17 program if the services are provided in a county  
18 approved by the department to implement the program to  
19 decategorize child welfare services. In addition, the  
20 county's decategorization plan must demonstrate that  
21 the amount necessary for payment of the nonfederal  
22 share of the cost for the services is available within  
23 funds allocated for the purpose of decategorization.  
24 The department may adopt emergency rules to implement  
25 the provisions of this paragraph.

26 4. A county is responsible to continue to expend  
27 at least the agreed upon amount expended for services  
28 in the fiscal year which ended June 30, 1987, for the  
29 fiscal year beginning July 1, 1991, for services to  
30 persons with mental retardation, a developmental  
31 disability, or chronic mental illness.  
32 Notwithstanding section 8.33, if a county does not  
33 expend the agreed upon amount in the fiscal year, the  
34 balance not expended shall not revert to the general  
35 fund of the county, but shall be carried over to the  
36 next fiscal year to be expended for the provision of  
37 services to persons with mental retardation, a  
38 developmental disability, or mental illness including,  
39 but not limited to, the chronically mentally ill, and  
40 shall be used as additional funds. The additional  
41 funds shall be used, to the greatest extent possible,  
42 to meet unmet needs of persons with mental  
43 retardation, a developmental disability, or mental  
44 illness. This subsection does not relieve the county  
45 from any other funding obligations required by law,  
46 including but not limited to the obligations in  
47 section 222.60.

48 5. The department, in conjunction with the  
49 oversight committee, and with the agreement of each  
50 county, shall establish the actual amount expended for

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1 each candidate service for persons with mental  
2 retardation, a developmental disability, or chronic  
3 mental illness in the fiscal year which ended June 30,  
4 1987, and this amount shall be deemed each county's  
5 base year expenditure for the candidate service. A  
6 disagreement between the department and a county as to  
7 the actual amount expended shall be decided by the  
8 oversight committee.

9 The department, in conjunction with the oversight  
10 committee, and with the agreement of each county,  
11 shall determine the expenditures in the fiscal year  
12 beginning July 1, 1990, by each county for the  
13 candidate services, including the amount the county  
14 contributes under subsection 3. If the expenditures  
15 in the fiscal year beginning July 1, 1990, exceed the  
16 base year expenditures for candidate services, then  
17 the county shall receive from the funds appropriated  
18 under this section the least amount of the following:

19 a. The difference between the total expenditures  
20 for the candidate services in the fiscal year  
21 beginning July 1, 1990, and the base year  
22 expenditures.

23 b. The amount expended by the county under  
24 subsection 3.

25 c. The amount by which total expenditures for  
26 persons with mental retardation, a developmental  
27 disability, or chronic mental illness for the fiscal  
28 year beginning July 1, 1990, less any carryover amount  
29 from the fiscal year which began July 1, 1989, exceed  
30 the maintenance of effort expenditures under  
31 subsection 4.

32 6. Notwithstanding section 225C.20, case  
33 management services shall be provided by the  
34 department except when a county or a consortium of  
35 counties contracts with the department to provide the  
36 services. A county or consortium of counties may  
37 contract to be the provider at any time and the  
38 department shall agree to the contract so long as the  
39 contract meets the standards for case management  
40 adopted by the department. The county or consortium  
41 of counties may subcontract for the provision of case  
42 management services if the subcontract meets the same  
43 standards. A mental health, mental retardation, and  
44 developmental disabilities coordinating board may  
45 change the provider of individual case management  
46 services at any time. If the current or proposed  
47 contract is with the department, the coordinating  
48 board shall provide written notification of a proposed  
49 change to the department on or before August 15 and  
50 written notification of an approved change on or



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1 before October 15 in the fiscal year which precedes  
2 the fiscal year in which the change will take effect.

3 7. This section does not relieve the county from  
4 any other funding obligations required by law,  
5 including but not limited to the obligations in  
6 section 222.60.

7 8. Nothing in this Act is intended by the general  
8 assembly to be the provision of a fair and equitable  
9 funding formula specified in 1985 Iowa Acts, chapter  
10 249, section 9. Nothing in this Act shall be  
11 construed as, is intended as, or shall imply a claim  
12 of entitlement to any programs or services specified  
13 in section 225C.28.

14 9. For the purposes of this section only, persons  
15 with organic mental disorders shall not be considered  
16 chronically mentally ill.

17 10. Where the department contracts with a county  
18 or consortium of counties to provide case management  
19 services, the state shall appear and defend the  
20 department's employees and agents acting in an  
21 official capacity on the department's behalf and the  
22 state shall indemnify the employees and agents for  
23 acts within the scope of their employment. The  
24 state's duties to defend and indemnify shall not apply  
25 if the conduct upon which any claim is based  
26 constitutes a willful and wanton act or omission or  
27 malfeasance in office.

28 Sec. 128. FIELD OPERATIONS. There is appropriated  
29 from the general fund of the state to the department  
30 of human services for the fiscal year beginning July  
31 1, 1991, and ending June 30, 1992, the following  
32 amount, or so much thereof as is necessary, to be used  
33 for the purposes designated:

34 For field operations, including salaries, support,  
35 maintenance, miscellaneous purposes, and for not more  
36 than the following full-time equivalent positions:

37 .....	\$ 43,864,127
38 .....	FTEs 2,310.50

39 1. Staff who are designated as "Title XIX case  
40 management staff" are considered to be in addition to  
41 the limit for full-time equivalent positions and the  
42 funds appropriated for field operations. As a  
43 condition, limitation, and qualification of the funds  
44 appropriated in this section, the department shall  
45 report quarterly to the chairpersons and ranking  
46 members of the legislative fiscal committee of the  
47 legislative council, the members of the joint human  
48 services appropriations subcommittee, and the  
49 legislative fiscal bureau regarding the total number  
50 of Title XIX case management staff positions filled,

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1 including the number of positions which were filled by  
2 persons who were already employed by the department in  
3 another capacity.

4 2. As a condition, limitation, and qualification  
5 of the funds appropriated in this section, upon the  
6 request of a county, the department shall work with  
7 the county to develop a funding plan for persons with  
8 mental retardation, a developmental disability, or  
9 chronic mental illness who are not eligible to receive  
10 case management provided under the medical assistance  
11 program and are receiving service management. With an  
12 agreed upon funding plan, the department is authorized  
13 to combine state funds that would otherwise be  
14 expended on service management with county funds to  
15 upgrade services provided to the persons from service  
16 management to case management. Staff required to  
17 implement this subsection are not subject to the  
18 limitations on full-time equivalent positions and  
19 funds appropriated for field operations.

20 3. As a condition, limitation, and qualification  
21 of the funds appropriated in this section, if the  
22 field operations staffing level meets the funded full-  
23 time equivalent position limit authorized in this  
24 section and a district identifies a critical position  
25 vacancy or a position with a caseweight factor greater  
26 than 120 percent of the budgeted caseweight factor for  
27 the position, the director of human services may  
28 exceed the full-time equivalent position limit  
29 authorized under this section in the amount necessary  
30 to fill the critical position vacancy or to reduce the  
31 caseweight factor to the budgeted level. For purposes  
32 of this subsection, "critical position vacancy"  
33 includes a clerical position in an office limited to a  
34 single clerical staff position. The budgeted  
35 caseweight factor for the fiscal year beginning July  
36 1, 1991, and ending June 30, 1992, is 196 for income  
37 maintenance workers and 191 for service workers. If  
38 the department is able to increase federal financial  
39 participation relating to field operations, the moneys  
40 shall be used to reduce budgeted caseweight factor  
41 funded by the appropriation in this section for income  
42 maintenance and service workers. In addition, if the  
43 field operations staffing level meets the funded full-  
44 time equivalent position limit authorized in this  
45 section and there is a critical position vacancy in  
46 the state or the statewide average caseweight factor  
47 for a particular type of position exceeds 105 percent  
48 of the budgeted caseweight factor for that type of  
49 position, the director of human services may exceed  
50 the full-time equivalent position limit authorized in

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1 this section in an amount necessary to fill the  
 2 critical position vacancy or to reduce the caseweight  
 3 factor to the budgeted level. The department shall  
 4 report monthly to the chairpersons and ranking members  
 5 of the joint human services appropriations  
 6 subcommittee and to the legislative fiscal bureau  
 7 regarding caseweight factor computations in each  
 8 district, the statewide average caseweight factor, the  
 9 existence of a critical position vacancy in any  
 10 district, and action taken by the department to  
 11 address any critical position vacancy problem or  
 12 excess caseweight factor.

13 4. Notwithstanding the full-time equivalent  
 14 position limit authorized in this section, a county  
 15 implementing a decategorization project, consistent  
 16 with the county's decategorization plan, may modify  
 17 the staffing level in the county's human services  
 18 office and the modification shall not affect other  
 19 county or district human services staffing levels and  
 20 shall not be considered to be subject to the full-time  
 21 equivalent position limit in this section.

22 Sec. 129. GENERAL ADMINISTRATION. There is  
 23 appropriated from the general fund of the state to the  
 24 department of human services for the fiscal year  
 25 beginning July 1, 1991, and ending June 30, 1992, the  
 26 following amount, or so much thereof as is necessary,  
 27 to be used for the purposes designated:

28 For general administration, including salaries,  
 29 support, maintenance, miscellaneous purposes, and for  
 30 not more than the following full-time equivalent  
 31 positions:

32 .....	\$ 9,056,673
33 .....	FTEs 352.95

34 1. Full-time equivalent positions which are funded  
 35 entirely with federal, public, or private grants are  
 36 exempt from the limits on the number of full-time  
 37 equivalent positions provided in this section, but are  
 38 approved only for the period of time for which the  
 39 federal funds or grants are available for the  
 40 position.

41 2. As a condition, limitation, and qualification  
 42 of the funds appropriated in this section, if a state  
 43 institution administered by the department is to be  
 44 closed or reduced in size, prior to the closing or  
 45 reduction the department shall initiate and coordinate  
 46 efforts in cooperation with the Iowa department of  
 47 economic development to develop new jobs in the area  
 48 in which the state institution is located.

49 3. As a condition, limitation, and qualification  
 50 of the funds appropriated in this section, the

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1 department shall seek federal approval of home and  
 2 community-based waivers for services provided under  
 3 medical assistance to persons with mental retardation,  
 4 mental illness, or developmental disabilities and  
 5 effective February 1, 1992, contingent upon federal  
 6 approval of the waivers, the department shall fill not  
 7 more than 12 employee positions to perform duties as  
 8 necessary to implement the waivers. The department  
 9 shall fill the positions in a manner which results in  
 10 the positions being equivalent to 4.00 FTEs for the  
 11 fiscal year, however, the positions shall be  
 12 annualized for the purposes of establishing the number  
 13 of full-time equivalent positions in this  
 14 appropriation for the fiscal year.

15 4. As a condition, limitation, and qualification  
 16 of the funds appropriated in this section, \$30,000  
 17 shall be transferred to the governor's planning  
 18 council for developmental disabilities for use in  
 19 contracting to continue operating a computerized  
 20 information and referral project for Iowans with  
 21 developmental disabilities and their families.

22 5. As a condition, limitation, and qualification  
 23 of the funds appropriated in this section, 1.00 FTE  
 24 shall be assigned to expand the AFDC electronic  
 25 benefits transfer program (EBT) beyond the pilot  
 26 program county and to implement EBT for the food stamp  
 27 program.

28 Sec. 130. VOLUNTEERS. There is appropriated from  
 29 the general fund of the state to the department of  
 30 human services for the fiscal year beginning July 1,  
 31 1991, and ending June 30, 1992, the following amount,  
 32 or so much thereof as is necessary, to be used for the  
 33 purpose designated:

34 For development and coordination of volunteer  
 35 services:

36 ..... \$ 88,825

37 Sec. 131. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY  
 38 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED  
 39 UNDER THE DEPARTMENT OF HUMAN SERVICES.

40 1. a. For the fiscal year beginning July 1, 1991,  
 41 the following providers shall not have their medical  
 42 assistance reimbursement rates increased over the  
 43 rates in effect on June 30, 1991: providers of  
 44 waived services under the home and community-based  
 45 programs, optometrists for service fees only,  
 46 opticians for service fees only, podiatrists,  
 47 dentists, chiropractors, physical therapists, birthing  
 48 centers, ambulance services, independent laboratories,  
 49 area education agencies, clinics, audiologists,  
 50 rehabilitation agencies, community mental health

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1 centers, family planning clinics, psychologists,  
2 hearing aid dealers, orthopedic shoe dealers,  
3 ambulatory surgery centers, and genetic counseling  
4 clinics. Reimbursement for optometric products shall  
5 not be increased. The department of human services  
6 may utilize flexibility in allocating the increase for  
7 durable medical products and supplies so that  
8 equipment and supplies which have greater wholesale  
9 cost increases may be reimbursed at a higher rate and  
10 those which have a lower or no wholesale cost increase  
11 may be reimbursed at a lower rate or have no increase.  
12 Reimbursement rates for physicians and certified  
13 registered nurse anesthetists shall not be increased.  
14 Reimbursement rates for maternal health centers and  
15 pediatric services shall not be increased.

16 b. For the fiscal year beginning July 1, 1991, the  
17 following shall have their medical assistance  
18 reimbursement rates established at the rates in effect  
19 on February 28, 1991: psychiatric medical  
20 institutions for children, early preventive screening,  
21 diagnosis, and treatment providers, providers of  
22 obstetric services when provided by physicians or  
23 certified midwives, and durable medical products and  
24 supplies.

25 c. The department shall provide a differential per  
26 diem reimbursement rate to a psychiatric medical  
27 institution for children for short-term treatment or  
28 diagnosis services provided within a segregated unit  
29 of the institution. The differential per diem  
30 reimbursement rate shall not exceed 120 percent of the  
31 per diem rate authorized in this section for  
32 psychiatric medical institutions for children.

33 d. The dispensing fee for pharmacists shall remain  
34 at the rate in effect on June 30, 1991. The  
35 department shall adjust the average wholesale price of  
36 drug product costs in accordance with federal  
37 regulations. Dispensing fees for pharmacists shall be  
38 further adjusted to reflect the adjustment to the  
39 average wholesale price of drug product costs. Total  
40 adjustments to reimbursements for prescription drugs  
41 shall remain within funds appropriated.

42 e. Effective July 1, 1991, reimbursement rates to  
43 hospitals shall not be increased over the rates in  
44 effect on June 30, 1991.

45 f. Reimbursement rates for rural health clinics  
46 shall be increased in accordance with increases under  
47 the federal medicare program.

48 g. Home health agencies certified for the medical  
49 assistance program, hospice services, and acute care  
50 mental hospitals shall be reimbursed for their current

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1 federal medicare audited costs.

2 h. Effective July 1, 1991, the basis for  
3 establishing the maximum medical assistance  
4 reimbursement rate for nursing facilities shall be the  
5 70th percentile of facility costs as calculated from  
6 the June 30, 1991, unaudited compilation of cost and  
7 statistical data. However, to the extent funds are  
8 available under the allocation for reimbursement of  
9 nursing facilities within the appropriation for  
10 medical assistance in this Act, the basis shall be  
11 increased to not more than the 74th percentile of  
12 facility costs as calculated from the same data.

13 i. Effective July 1, 1991, the amount provided  
14 under the medical assistance program to nursing  
15 facilities during the fiscal year ending June 30,  
16 1991, in addition to the approved per diem rate,  
17 pursuant to 1990 Iowa Acts, chapter 1270, section 31,  
18 subsection 1, paragraph "e", subparagraph (1), shall  
19 no longer be provided.

20 2. For the fiscal year beginning July 1, 1991, the  
21 maximum cost reimbursement rate for residential care  
22 facilities reimbursed by the department shall be  
23 \$20.01 per day. The flat reimbursement rate for  
24 facilities electing not to file semiannual cost  
25 reports shall be \$14.31 per day. For the fiscal year  
26 beginning July 1, 1991, the maximum reimbursement rate  
27 for providers reimbursed under the in-home health-  
28 related care program shall not be increased over the  
29 rates in effect on June 30, 1991.

30 3. For services provided by social service  
31 providers reimbursed by the department in the fiscal  
32 year beginning July 1, 1991, rates shall not be  
33 increased over the unreduced rates in effect on June  
34 30, 1991. Rates for foster care and shelter care  
35 services, except for enhanced residential treatment  
36 providers, shall be increased by 2 percent over the  
37 rate in effect on June 30, 1991.

38 4. Notwithstanding the provisions of subsection 3,  
39 the department may implement revisions of the  
40 methodology for purchasing group foster care services  
41 to establish rates for group foster care services  
42 based on the study of these issues funded by the  
43 general assembly in the fiscal year which began July  
44 1, 1989, provided the overall budget amount for the  
45 expenditures is not exceeded and the revisions of the  
46 methodology are agreed to by the affected service  
47 providers.

48 5. For services reimbursed under the federal  
49 social services block grant in the fiscal year  
50 beginning July 1, 1991, reimbursement rates shall be

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1 increased by 2 percent over the rates in effect on  
2 June 30, 1991.

3 6. The department may adopt emergency rates to  
4 implement the provisions of this section.

5 Sec. 132. ASSISTANCE TO GAMBLERS. There is  
6 appropriated from the general fund of the state to the  
7 department of human services for the fiscal year  
8 beginning July 1, 1991, and ending June 30, 1992, the  
9 following amount, or so much thereof as is necessary,  
10 to be used for the purpose designated:

11 For the gamblers assistance program, including  
12 salaries, support, maintenance, miscellaneous  
13 purposes, and for not more than the following full-  
14 time equivalent positions:

15 .....	\$	400,000
16 .....	FTEs	3.00

17 The Iowa lottery board and the state racing and  
18 gaming commission shall cooperate with the gamblers  
19 assistance program to incorporate information  
20 regarding the gamblers assistance program and its  
21 toll-free telephone number in printed materials  
22 distributed. The commission may require licensees to  
23 have the information available in a conspicuous place  
24 as a condition of licensure.

25 Sec. 133. REQUIREMENTS RELATING TO PERSONS WITH  
26 DISABILITIES. Subject to the limitations of the  
27 appropriations in this Act for the state mental health  
28 institutes and for the state hospital-schools, the  
29 department of human services shall modify staffing  
30 structures at the state hospital-schools and the state  
31 mental health institutes consistent with accreditation  
32 and certification requirements and the findings of the  
33 study on staffing commissioned by the general assembly  
34 in order to improve the level of direct staffing,  
35 reduce or simplify the levels of organizational  
36 authority where appropriate, and reduce the use of  
37 overtime. If, after review of the study  
38 recommendations, the department of human services  
39 decides to establish the position of "human resource  
40 specialist" at the state hospital-schools, the  
41 positions shall be established within the department  
42 of personnel and the department of human services may  
43 transfer to the department of personnel the associated  
44 full-time equivalent positions and moneys equal to the  
45 salary costs for the positions. The maintenance of  
46 sufficient direct care staff to assure worker and  
47 patient safety is of highest priority. The department  
48 shall work with all levels of affected employees in  
49 carrying out this staff restructuring. The department  
50 shall work to assure that vacant positions in direct

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1 care are filled promptly and expeditiously.

2 Sec. 134. FULL-TIME EQUIVALENT LIMIT NOTIFICATION.

3 The Iowa veterans home, the state mental health  
4 institutes, and the state hospital-schools may exceed  
5 the number of full-time equivalent positions  
6 authorized in this Act if the additional positions are  
7 specifically related to licensing, certification, or  
8 accreditation standards or citations. The department  
9 shall notify the co-chairpersons and ranking members  
10 of the joint human services appropriations  
11 subcommittee and the legislative fiscal bureau if the  
12 specified number is exceeded. The notification shall  
13 include an estimate of the number of full-time  
14 equivalent positions added and the fiscal effect of  
15 the addition.

16 Sec. 135. COMPUTERIZATION -- ASSESSMENT OF  
17 FINANCIAL IMPACT. In order to assess the financial  
18 impact of computerizing functions within the  
19 department of human services, the department of  
20 general services, information services division, shall  
21 monitor the utilization of the central processing unit  
22 resources maintained by the division, and shall  
23 provide quarterly reports to the legislative fiscal  
24 committee of the legislative council and the  
25 legislative fiscal bureau. The quarterly reports  
26 shall contain an analysis of the central processing  
27 unit resources utilized by the department of human  
28 services by each computerized application within the  
29 department. The reports shall also contain  
30 information on computerized applications which are  
31 under development, and shall project the central  
32 processing unit utilization which will occur in 6, 12,  
33 18, and 24 months. The reports shall be designed to  
34 enable the legislative fiscal committee and the  
35 legislative fiscal bureau to assess the fiscal impact  
36 of various computerized applications, with emphasis  
37 upon the need for the division to purchase additional  
38 computer hardware.

39 Sec. 136. EMERGENCY RULES. If specifically  
40 authorized by a provision of this division, the  
41 department of human services may adopt administrative  
42 rules under section 17A.4, subsection 2, and section  
43 17A.5, subsection 2, paragraph "b", to implement the  
44 provisions and the rules shall become effective  
45 immediately upon filing, unless a later effective date  
46 is specified in the rules. In addition, the  
47 department may adopt administrative rules in  
48 accordance with the provisions of this section as  
49 necessary to comply with federal requirements or to  
50 adjust to a change in the level of federal funding



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1 which affect refugee programs during the fiscal period  
2 beginning July 1, 1990, and ending June 30, 1992. Any  
3 rules adopted in accordance with the provisions of  
4 this section shall also be published as notice of  
5 intended action as provided in section 17A.4.

6 Sec. 137. EFFECTIVE DATE. Section 103, subsection  
7 8, and section 136 of this Act, being deemed of  
8 immediate importance, take effect upon enactment.

9 DIVISION II

10 DEPARTMENT OF EDUCATION

11 Sec. 201. There is appropriated from the general  
12 fund of the state to the department of education for  
13 the fiscal year beginning July 1, 1991, and ending  
14 June 30, 1992, the following amounts, or so much  
15 thereof as may be necessary, to be used for the  
16 purposes designated:

17 1. GENERAL ADMINISTRATION

18 For salaries, support, maintenance, miscellaneous  
19 purposes, and for not more than the following full-  
20 time equivalent positions:

21 .....	\$	5,720,000
22 .....	FTEs	137.25

23 2. CORRECTIONS EDUCATION PROGRAM

24 For educational programs at state penal  
25 institutions:

26 .....	\$	2,120,000
----------	----	-----------

27 As a condition, limitation, and qualification of  
28 the appropriation in this subsection, the utilization  
29 of educational technology in the prison education  
30 system shall be expanded and a tracking system shall  
31 be developed and implemented to provide information  
32 regarding the effects of recidivism and employment  
33 success.

34 Persons employed to provide instructional services  
35 under this paragraph who were previously employed  
36 through the department of corrections to provide  
37 instructional services to inmates under programs under  
38 the jurisdiction of the department of corrections  
39 shall be given credit for all unused sick leave that  
40 the persons accrued while employed through the  
41 department of corrections.

42 3. BOARD OF EDUCATIONAL EXAMINERS

43 For salaries, support, maintenance, miscellaneous  
44 purposes and for not more than the following full-time  
45 equivalent positions:

46 .....	\$	128,000
47 .....	FTEs	2.00

48 4. SCHOOL FOOD SERVICE

49 For use as state matching funds for federal  
50 programs which shall be disbursed according to federal

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1 regulations, including salaries, support, maintenance,  
2 miscellaneous purposes, and for not more than the  
3 following full-time equivalent positions:  
4 ..... \$ 2,980,000  
5 ..... FTEs 14.00  
6 5. TEXTBOOKS OF NONPUBLIC SCHOOL PUPILS  
7 To provide funds for costs of providing textbooks  
8 to each resident pupil who attends a nonpublic school  
9 as authorized by section 301.1. The funding is  
10 limited to \$20 per pupil and shall not exceed the  
11 comparable services offered to resident public school  
12 pupils:  
13 ..... \$ 600,000  
14 6. VOCATIONAL EDUCATION ADMINISTRATION  
15 For salaries, support, maintenance, miscellaneous  
16 purposes, and for not more than the following full-  
17 time equivalent positions:  
18 ..... \$ 893,000  
19 ..... FTEs 39.60  
20 7. VOCATIONAL AGRICULTURE YOUTH ORGANIZATION  
21 To assist a vocational agriculture youth  
22 organization sponsored by the schools to support the  
23 foundation established by that vocational agriculture  
24 youth organization:  
25 ..... \$ 39,000  
26 8. VOCATIONAL REHABILITATION DIVISION  
27 a. For salaries, support, maintenance,  
28 miscellaneous purposes, and for not more than the  
29 following full-time equivalent positions:  
30 ..... \$ 3,680,000  
31 ..... FTEs 319.50  
32 b. For matching funds for programs to enable  
33 severely physically or mentally disabled persons to  
34 function more independently, including salaries and  
35 support, and for not more than the following full-time  
36 equivalent positions:  
37 ..... \$ 21,303  
38 ..... FTEs 1.50  
39 9. COMMUNITY COLLEGES  
40 Notwithstanding chapter 286A, for general state  
41 financial aid to merged areas as defined in section  
42 280A.2, for vocational education programs in  
43 accordance with chapters 258 and 280A, to purchase  
44 instructional equipment for vocational and technical  
45 courses of instruction in community colleges, and for  
46 salary increases:  
47 ..... \$ 88,100,576  
48 The funds appropriated in this subsection shall be  
49 allocated as follows:  
50 a. Merged Area I ..... \$ 4,102,609

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1	b.	Merged Area II .....	\$ 4,977,600
2	c.	Merged Area III .....	\$ 4,815,675
3	d.	Merged Area IV .....	\$ 2,261,745
4	e.	Merged Area V .....	\$ 4,773,379
5	f.	Merged Area VI .....	\$ 4,496,944
6	g.	Merged Area VII .....	\$ 6,170,827
7	h.	Merged Area IX .....	\$ 7,752,617
8	i.	Merged Area X .....	\$ 11,990,368
9	j.	Merged Area XI .....	\$ 12,882,530
10	k.	Merged Area XII .....	\$ 5,084,076
11	l.	Merged Area XIII .....	\$ 5,235,629
12	m.	Merged Area XIV .....	\$ 2,314,451
13	n.	Merged Area XV .....	\$ 7,180,989
14	o.	Merged Area XVI .....	\$ 4,061,137

15 Sec. 202. There is appropriated from the general  
 16 fund of the state to the department of education for  
 17 the fiscal year beginning July 1, 1992, and ending  
 18 June 30, 1993, the following amounts, or so much  
 19 thereof as is necessary, to be used for the purposes  
 20 designated:

21 1. Notwithstanding chapter 286A for state  
 22 financial aid to merged areas to be accrued as income  
 23 and used for expenditures incurred by the community  
 24 colleges during the fiscal year beginning July 1,  
 25 1991, and ending June 30, 1992:

26 ..... \$ 17,133,590

27 The funds appropriated in this section shall be  
 28 allocated as follows:

29	a.	Merged Area I .....	\$ 797,866
30	b.	Merged Area II .....	\$ 968,032
31	c.	Merged Area III .....	\$ 936,541
32	d.	Merged Area IV .....	\$ 439,859
33	e.	Merged Area V .....	\$ 928,315
34	f.	Merged Area VI .....	\$ 874,555
35	g.	Merged Area VII .....	\$ 1,200,088
36	h.	Merged Area IX .....	\$ 1,507,711
37	i.	Merged Area X .....	\$ 2,331,857
38	j.	Merged Area XI .....	\$ 2,505,363
39	k.	Merged Area XII .....	\$ 988,739
40	l.	Merged Area XIII .....	\$ 1,018,213
41	m.	Merged Area XIV .....	\$ 450,109
42	n.	Merged Area XV .....	\$ 1,396,542
43	o.	Merged Area XVI .....	\$ 789,800

44 2. Funds appropriated by this section shall be  
 45 allocated pursuant to this section and paid on or  
 46 about August 15, 1992.

47 Sec. 203. Moneys allocated to community colleges  
 48 under section 201, subsection 9 of this division, for  
 49 expenditures incurred during the fiscal year beginning  
 50 July 1, 1991, and ending June 30, 1992, shall be paid

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1 by the department of revenue and finance in  
 2 installments due on or about November 15, February 15,  
 3 and May 15 of that fiscal year. The installments  
 4 shall be as nearly equal as possible as determined by  
 5 the department of management, taking into  
 6 consideration the relative budget and cash position of  
 7 the state resources. The payments received by  
 8 community colleges on or about August 15 under section  
 9 202 of this division are accounts receivable for the  
 10 previous fiscal year.

11 Sec. 204. Notwithstanding the appropriation  
 12 provided in section 294A.25, subsection 1, there is  
 13 appropriated from the general fund of the state to the  
 14 department of education for the fiscal year beginning  
 15 July 1, 1991, and ending June 30, 1992, the following  
 16 amount, or so much thereof as may be necessary, to be  
 17 used for the purpose designated and for not more than  
 18 the following full-time equivalent position:

19 For the educational excellence program:  
 20 ..... \$ 90,745,875  
 21 ..... FTEs 1.00

22 As a condition, limitation, and qualification of  
 23 the funds appropriated in this section, and  
 24 notwithstanding the allocation specified for phase III  
 25 under section 294A.25, subsection 6, from the moneys  
 26 appropriated under this section and available for  
 27 expenditure for phase III, the department shall,  
 28 subject to the review of the chairpersons and ranking  
 29 members of the education committees of the general  
 30 assembly, expend \$250,000 to provide demonstration  
 31 projects in comprehensive school transformation in no  
 32 more than ten public school districts. The objective  
 33 of the projects shall be to demonstrate how public  
 34 schools can be transformed from corporate to collegial  
 35 learning environments for teachers, students, and  
 36 administrators for the purpose of maximizing student  
 37 learning and to diffuse information about the process  
 38 of transformation to neighboring schools. The  
 39 projects shall also demonstrate how phase III funds  
 40 can be used to promote school transformation by  
 41 providing focus to phase III efforts in such areas as  
 42 technology, individualization of instruction, and  
 43 decentralization of decision-making. However, funds  
 44 allocated to districts under this section shall not be  
 45 used to supplant funds available to a district under  
 46 phase III. Districts participating in a project may  
 47 use phase III funds to supplement the purposes and  
 48 activities of the project in the manner provided under  
 49 section 294A.14. Districts participating in a project  
 50 may also pool funds to provide conferences and to

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1 contract with consultants and facilitators to provide  
 2 services to support the goals of the project.  
 3 Projects shall use the school building as the basic  
 4 administrative and clinical unit for demonstration.  
 5 The department may expend up to \$10,000 for purposes  
 6 of developing guidelines and administering the  
 7 selection, approval, and evaluation process for  
 8 proposed projects. In developing a selection process  
 9 for demonstration projects, the department of  
 10 education shall establish an eleven-member selection  
 11 committee, which shall include, but is not limited to,  
 12 licensed practitioners and ex officio nonvoting  
 13 members of the general assembly. A majority of the  
 14 members of the committee shall consist of licensed  
 15 teachers and principals. The committee shall select  
 16 projects which give promise of accomplishing  
 17 comprehensive school transformation at the building  
 18 level during the time that the project is in place.  
 19 Each project shall contain an evaluation component,  
 20 which provides for self-evaluation by participating  
 21 districts and evaluation by the department of  
 22 education. The selection committee shall establish  
 23 criteria for ascertaining a particular district's  
 24 readiness for comprehensive change and give preference  
 25 in the project selection process to districts which  
 26 meet the readiness criteria. Each participating  
 27 district shall, at the conclusion of a project, submit  
 28 a copy of the district's self-evaluation in a report  
 29 to the department of education. The department shall  
 30 compile the reports, along with the department's  
 31 evaluations of each of the projects, and submit the  
 32 results in a report to the general assembly by March  
 33 1, 1994.

34 Sec. 205. There is appropriated from the general  
 35 fund of the state to the department of education for  
 36 the fiscal year beginning July 1, 1992, and ending  
 37 June 30, 1993, the following amounts, or so much  
 38 thereof as is necessary, to be used for the purposes  
 39 designated:

40 For expenditures incurred by school districts  
 41 during the previous fiscal year for vocational  
 42 education aid to secondary schools:  
 43 ..... \$ 3,666,360

44 Funds appropriated by this section shall be used  
 45 for expenditures made by school districts to meet the  
 46 standards set in sections 256.11, 258.4, and 280A.23  
 47 as a result of the enactment of 1989 Iowa Acts,  
 48 chapter 278. Funds shall be used as reimbursement for  
 49 vocational education expenditures made by secondary  
 50 schools in the manner provided by the department of

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1 education for implementation of the standards set in  
2 1989 Iowa Acts, chapter 278. The department shall  
3 inform school districts by July 1, 1991, of the  
4 criteria for reimbursement with funds appropriated  
5 under this section.

6 COLLEGE STUDENT AID COMMISSION

7 Sec. 206. There is appropriated from the general  
8 fund of the state to the college student aid  
9 commission for the fiscal year beginning July 1, 1991,  
10 and ending June 30, 1992, the following amounts, or so  
11 much thereof as may be necessary, to be used for the  
12 purposes designated:

13 1. GENERAL ADMINISTRATION

14 For salaries, support, maintenance, miscellaneous  
15 purposes, and for not more than the following full-  
16 time equivalent positions:

17 ..... \$ 346,000  
18 ..... FTES 8.05

19 2. UNIVERSITY OF OSTEOPATHIC MEDICINE AND HEALTH  
20 SCIENCES

21 a. For grants to juniors and seniors and for  
22 forgivable loans to freshmen and sophomores, who are  
23 Iowa students attending the university of osteopathic  
24 medicine and health sciences, under the grant program  
25 pursuant to section 261.18 and the forgivable loan  
26 program pursuant to section 261.19A:

27 ..... \$ 400,000

28 b. For the university of osteopathic medicine and  
29 health sciences for the admission and education of  
30 Iowa students in each of the 4 years of classes at the  
31 university of osteopathic medicine and health sciences  
32 pursuant to section 261.19:

33 ..... \$ 407,000

34 3. STUDENT AID PROGRAMS

35 For payments to students for student aid programs:

36 ..... \$ 1,976,000

37 As a condition, limitation, and qualification of  
38 the funds appropriated in this subsection, \$1,474,062  
39 shall be expended for an Iowa grant program, with  
40 funds to be allocated to institutions pursuant to  
41 section 261.93A.

42 4. NATIONAL GUARD LOAN REPAYMENT

43 For payments to students for the national guard  
44 loan repayment program in section 261.49:

45 ..... \$ 237,000

46 Sec. 207. There is appropriated from the loan  
47 reserve account to the college student aid commission  
48 for the fiscal year beginning July 1, 1991, and ending  
49 June 30, 1992, the following amount, or so much  
50 thereof as may be necessary, to be used for the

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1 purposes designated:

2 For operating costs of the Stafford loan program  
3 including salaries, support, maintenance,  
4 miscellaneous purposes, and for not more than the  
5 following full-time equivalent positions:

6 ..... \$ 3,671,016  
7 ..... FTES 36.52

8 STATE BOARD OF REGENTS

9 Sec. 208. There is appropriated from the general  
10 fund of the state to the state board of regents for  
11 the fiscal year beginning July 1, 1991, and ending  
12 June 30, 1992, the following amounts, or so much  
13 thereof as may be necessary, to be used for the  
14 purposes designated:

15 1. OFFICE OF STATE BOARD OF REGENTS

16 a. For salaries, support, maintenance,  
17 miscellaneous purposes, and for not more than the  
18 following full-time equivalent positions:

19 ..... \$ 1,131,000  
20 ..... FTES 19.08

21 As a condition, limitation, and qualification of  
22 the moneys appropriated in this paragraph, the state  
23 board of regents shall not use reimbursements from the  
24 institutions under the control of the state board of  
25 regents for funding the office of the state board of  
26 regents.

27 As a condition, limitation, and qualification of  
28 the funds appropriated in this paragraph, the state  
29 board of regents shall permit KUNI to broadcast from  
30 the greater Des Moines area if KUNI acquires a  
31 transmitter at no cost to the university of northern  
32 Iowa or the state for the basis of simulcasting KUNI's  
33 programming, receives an assigned frequency, and  
34 obtains necessary federal communication commission  
35 (FCC) licensing.

36 b. For allocation by the state board of regents to  
37 the state university of Iowa, the Iowa state  
38 university of science and technology, and the  
39 university of northern Iowa to reimburse the  
40 institutions for deficiencies in their operating funds  
41 resulting from the pledging of tuitions, student fees  
42 and charges, and institutional income to finance the  
43 cost of providing academic and administrative  
44 buildings and facilities and utility services at the  
45 institutions:

46 ..... \$ 19,381,162

47 c. For funds to be allocated to the southwest Iowa  
48 graduate studies center located in Council Bluffs:

49 ..... \$ 37,000

50 d. For funds to be allocated to the siouxland

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1 interstate metropolitan planning council for the  
 2 tristate graduate center under section 262.9,  
 3 subsection 21:  
 4 ..... \$ 71,000  
 5 e. For funds to be allocated to the quad-cities  
 6 graduate studies center:  
 7 ..... \$ 145,000

8 2. STATE UNIVERSITY OF IOWA

9 a. General university, including lakeside  
 10 laboratory  
 11 For salaries, support, maintenance, equipment,  
 12 miscellaneous purposes, and for not more than the  
 13 following full-time equivalent positions:  
 14 ..... \$168,455,000  
 15 ..... FTES 4,287.37

16 To the extent the appropriation made in this  
 17 paragraph is a reduction in the total amount budgeted  
 18 for the fiscal year beginning July 1, 1991, and ending  
 19 June 30, 1992, and the state university of Iowa  
 20 determines the amount is insufficient to fund all of  
 21 the university's budgetary units, consideration shall  
 22 be given to adjustments reducing budgetary units in  
 23 the following order of priority:  
 24 (1) University administrative moneys.  
 25 (2) Equipment and maintenance.  
 26 (3) Short-term furloughs of administrative  
 27 personnel.  
 28 (4) Short-term furloughs of other personnel.  
 29 (5) Other operating budget expenditures.  
 30 (6) Force reduction.

31 As a condition, limitation, and qualification of  
 32 the funds appropriated in this paragraph, if the state  
 33 university of Iowa receives total funds in excess of  
 34 \$90,201,000 from federal support, interest, tuition  
 35 fees, reimbursement for indirect costs, sales and  
 36 service, and any other income source not appropriated  
 37 by the state, the funds in excess of that amount in  
 38 fiscal year 1992 shall be allocated to a one-time  
 39 expenditure account. Notwithstanding the provisions  
 40 of section 8.33, all moneys from this account shall be  
 41 available for expenditure or encumbrance during the  
 42 fiscal year ending June 30, 1992, and if there is a  
 43 balance in this account at the end of that fiscal  
 44 year, the balance may be carried forward and expended  
 45 or encumbered during the fiscal year ending June 30,  
 46 1993. All moneys deposited in this account shall be  
 47 expended for the one-time, nonrecurring costs of the  
 48 priorities of the state board of regents for the  
 49 fiscal year 1992 requests which are listed separately  
 50 from restoration packages, annualization, inflation,



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1 utilities, and opening new buildings in the order  
 2 established by the state board of regents. Funds  
 3 shall not be expended to complete a project in the  
 4 next level of priority before funding of a project in  
 5 the prior category is completed. The state board of  
 6 regents shall submit a report listing the moneys  
 7 available in the one-time expenditure account and the  
 8 completed projects and anticipated projects funded to  
 9 the department of management and the legislative  
 10 fiscal bureau by August 1, 1991.

11 As a condition, limitation, and qualification of  
 12 moneys appropriated in this paragraph, from moneys  
 13 available to the state university of Iowa, \$50,000  
 14 shall be awarded to faculty members and teaching  
 15 assistants who have been recognized for exceptional  
 16 teaching. An exceptional teaching recognition award  
 17 is for a one-year period and is in addition to the  
 18 faculty member's or teaching assistant's salary. Not  
 19 later than December 15, 1991, the state board of  
 20 regents shall report the names of recipients of  
 21 teaching excellence awards, and the amounts of the  
 22 awards granted, to the joint education appropriations  
 23 subcommittee and to the legislative fiscal bureau.

24 It is the intent of the general assembly to provide  
 25 sufficient funding necessary to ensure the university  
 26 of Iowa receives federal matching funds for the  
 27 university of Iowa driving simulation center if funds  
 28 from federal and private sources are available for  
 29 expenditure by the center.

30 b. Child care

31 For salaries for child care center directors:  
 32 ..... \$ 60,000

33 c. University hospitals

34 For salaries, support, maintenance, equipment,  
 35 miscellaneous purposes, and for not more than the  
 36 following full-time equivalent positions for medical  
 37 and surgical treatment of indigent patients as  
 38 provided in chapter 255:  
 39 ..... \$ 27,425,000  
 40 ..... FTEs 5,319.83

41 d. Psychiatric hospital

42 For salaries, support, maintenance, equipment,  
 43 miscellaneous purposes, and for not more than the  
 44 following full-time equivalent positions and for the  
 45 care, treatment, and maintenance of committed and  
 46 voluntary public patients:  
 47 ..... \$ 6,538,000  
 48 ..... FTEs 284.57

49 e. Hospital-school

50 For salaries, support, maintenance, miscellaneous

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1 purposes, and for not more than the following full-  
2 time equivalent positions:  
3 ..... \$ 5,161,000  
4 ..... FTEs 184.44  
5 f. Oakdale campus  
6 For salaries, support, maintenance, miscellaneous  
7 purposes, and for not more than the following full-  
8 time equivalent positions:  
9 ..... \$ 2,747,000  
10 ..... FTEs 67.55  
11 g. State hygienic laboratory  
12 For salaries, support, maintenance, miscellaneous  
13 purposes, and for not more than the following full-  
14 time equivalent positions:  
15 ..... \$ 2,861,000  
16 ..... FTEs 106.25  
17 h. Family practice program  
18 For allocation by the dean of the college of  
19 medicine, with approval of the advisory board, to  
20 qualified participants, to carry out chapter 148D for  
21 the family practice program, including salaries and  
22 support, and for not more than the following full-time  
23 equivalent positions:  
24 ..... \$ 1,718,000  
25 ..... FTEs 177.27  
26 i. Child health care services  
27 For specialized child health care services,  
28 including childhood cancer diagnostic and treatment  
29 network programs; rural comprehensive care for  
30 hemophilia patients; and Iowa high-risk infant follow-  
31 up program, including salaries and support, and for  
32 not more than the following full-time equivalent  
33 positions:  
34 ..... \$ 407,000  
35 ..... FTEs 12.51  
36 j. Agricultural health and safety programs  
37 For agricultural health and safety programs:  
38 ..... \$ 236,000  
39 k. For the statewide tumor registry and for not  
40 more than the following full-time positions:  
41 ..... \$ 180,000  
42 ..... FTEs 5.05  
43 l. As a condition, limitation, and qualification  
44 of the appropriation made in paragraph "c", funds  
45 appropriated in that paragraph shall not be used to  
46 perform abortions except medically necessary  
47 abortions, and shall not be used to operate the early  
48 termination of pregnancy clinic except for the  
49 performance of medically necessary abortions. For the  
50 purpose of this paragraph, an abortion is the

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1 purposeful interruption of pregnancy with the  
2 intention other than to produce a live-born infant or  
3 to remove a dead fetus, and a medically necessary  
4 abortion is one performed under one of the following  
5 conditions:

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

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

12 (3) The pregnancy is the result of a rape which is  
13 reported within 45 days of the incident to a law  
14 enforcement agency or public or private health agency  
15 which may include a family physician.

16 (4) The pregnancy is the result of incest which is  
17 reported within 150 days of the incident to a law  
18 enforcement agency or public or private health agency  
19 which may include a family physician.

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

23 3. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY

24 a. General university

25 For salaries, support, maintenance, equipment,  
26 miscellaneous purposes, and for not more than the  
27 following full-time equivalent positions:

28 .....	\$137,109,000
29 .....	FTEs 3,737.83

30 To the extent the appropriation made in this  
31 paragraph is a reduction in the total amount budgeted  
32 for the fiscal year beginning July 1, 1991, and ending  
33 June 30, 1992, and the Iowa state university of  
34 science and technology determines the amount is  
35 insufficient to fund all of the university's budgetary  
36 units, consideration shall be given to adjustments  
37 reducing budgetary units in the following order of  
38 priority:

- 39 (1) University administrative moneys.
- 40 (2) Equipment and deferred maintenance.
- 41 (3) Short-term furloughs of administrative
- 42 personnel.
- 43 (4) Short-term furloughs of other personnel.
- 44 (5) Other operating budget expenditures.
- 45 (6) Force reduction.

46 As a condition, limitation, and qualification of  
47 the funds appropriated under this paragraph, if the  
48 Iowa state university of science and technology  
49 receives total funds in excess of \$69,503,000 from  
50 federal support, interest, tuition fees, reimbursement

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1 for indirect costs, sales and service, and any other  
 2 income not appropriated by the state, the funds in  
 3 excess of that amount in fiscal year 1992 shall be  
 4 allocated to a one-time expenditure account.  
 5 Notwithstanding the provisions of section 8.33, all  
 6 moneys from this account shall be available for  
 7 expenditure or encumbrance during the fiscal year  
 8 ending June 30, 1992, and if there is a balance in  
 9 this account at the end of that fiscal year, the  
 10 balance may be carried forward and expended or  
 11 encumbered during the fiscal year ending June 30,  
 12 1993. All moneys deposited in this account shall be  
 13 expended for the one-time, nonrecurring costs of the  
 14 priorities of the state board of regents for the  
 15 fiscal year 1992 requests which are listed separately  
 16 from restoration packages, annualization, inflation,  
 17 utilities, and opening new buildings in the order  
 18 established by the state board of regents. Funds  
 19 shall not be expended to complete a project in the  
 20 next level of priority before funding of a project in  
 21 the prior category is completed. The state board of  
 22 regents shall submit a report listing the moneys  
 23 available in the one-time expenditure account and the  
 24 completed projects and anticipated projects funded to  
 25 the department of management and the legislative  
 26 fiscal bureau by August 1, 1991.

27 As a condition, limitation, and qualification of  
 28 moneys appropriated in this paragraph, from moneys  
 29 available to Iowa state university of science and  
 30 technology, \$50,000 shall be awarded to faculty  
 31 members and teaching assistants who have been  
 32 recognized for exceptional teaching. An exceptional  
 33 teaching recognition award is for a one-year period  
 34 and is in addition to the faculty member or teaching  
 35 assistant's salary. Not later than December 1, 1991,  
 36 the state board of regents shall report the names of  
 37 recipients of teaching excellence awards, and the  
 38 amounts of the awards granted, to the joint education  
 39 appropriations subcommittee and to the legislative  
 40 fiscal bureau.

41 b. Child care

42 For subsidized evening child care:

43 .....	\$	60,000
44 .....	FTEs	2.00

45 c. Agricultural experiment station

46 For salaries, support, maintenance, miscellaneous  
47 purposes, and for not more than the following full-  
48 time equivalent positions:

49 .....	\$	17,067,000
50 .....	FTEs	546.92

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1 d. Comprehensive agricultural research  
 2 For conducting the comprehensive agricultural  
 3 research program:  
 4 ..... \$ 3,787,000

5 e. Cooperative extension service in agriculture  
 6 and home economics  
 7 For salaries, support, maintenance, miscellaneous  
 8 purposes, and for not more than the following full-  
 9 time equivalent positions:  
 10 ..... \$ 15,991,000  
 11 ..... FTEs 475.94

12 f. Fire service education  
 13 For salaries and support and for not more than the  
 14 following full-time equivalent positions:  
 15 ..... \$ 394,000  
 16 ..... FTEs 11.00

17 g. Leopold center  
 18 For agricultural research grants at Iowa state  
 19 university under section 266.39B:  
 20 ..... \$ 568,000

21 4. UNIVERSITY OF NORTHERN IOWA  
 22 a. For salaries, support, maintenance, equipment,  
 23 miscellaneous purposes, and for not more than the  
 24 following full-time equivalent positions:  
 25 ..... \$ 55,387,000  
 26 ..... FTEs 1,411.68

27 To the extent the appropriation made in this  
 28 paragraph is a reduction in the total amount budgeted  
 29 for the fiscal year beginning July 1, 1991, and ending  
 30 June 30, 1992, and the university of northern Iowa  
 31 determines the amount is insufficient to fund all of  
 32 the university's budgetary units, consideration shall  
 33 be given to adjustments reducing budgetary units in  
 34 the following order of priority:

- 35 (1) University administrative moneys.
- 36 (2) Equipment and deferred maintenance.
- 37 (3) Short-term furloughs of administrative
- 38 personnel.
- 39 (4) Short-term furloughs of other personnel.
- 40 (5) Other operating budget expenditures.
- 41 (6) Force reduction.

42 As a condition, limitation, and qualification of  
 43 the funds appropriated under this paragraph, if the  
 44 university of northern Iowa receives total funds in  
 45 excess of \$22,146,000 from federal support, interest,  
 46 tuition fees, reimbursement for indirect costs, sales  
 47 and service, and any other income not appropriated by  
 48 the state, the funds in excess of that amount in  
 49 fiscal year 1992 shall be allocated to a one-time  
 50 expenditure account. Notwithstanding the provisions

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1 of section 8.33, all moneys from this account shall be  
 2 available for expenditure or encumbrance during the  
 3 fiscal year ending June 30, 1992, and if there is a  
 4 balance in this account at the end of that fiscal  
 5 year, the balance may be carried forward and expended  
 6 or encumbered during the fiscal year ending June 30,  
 7 1993. All moneys deposited in this account shall be  
 8 expended for the one-time, nonrecurring costs of the  
 9 priorities of the state board of regents for the  
 10 fiscal year 1992 requests which are listed separately  
 11 from restoration packages, annualization, inflation,  
 12 utilities, and other new buildings in the order  
 13 established by the state board of regents. Funds  
 14 shall not be expended to complete a project in the  
 15 next level of priority before funding of a project in  
 16 the prior category is completed. The state board of  
 17 regents shall submit a report listing the moneys  
 18 available in the one-time expenditure account and the  
 19 completed projects and anticipated projects funded to  
 20 the department of management and the legislative  
 21 fiscal bureau by August 1, 1991.

22 As a condition, limitation, and qualification of  
 23 the funds appropriated in paragraph "a", from moneys  
 24 available for salaries at the university of northern  
 25 Iowa, the university shall expend \$25,000 for teaching  
 26 excellence awards to teaching faculty members and  
 27 teaching assistants. Teaching excellence awards shall  
 28 be granted to faculty members and teaching assistants  
 29 for excellence in the quality of classroom  
 30 instruction. Awards may either be built into a  
 31 faculty member's or teaching assistant's base salary  
 32 or given as a one-time award and shall not be in  
 33 conflict with a collective bargaining agreement  
 34 between an employee organization and the university.  
 35 Not later than December 1, 1991, the state board of  
 36 regents shall report the names of the recipients of  
 37 teaching excellence awards, and the amounts of the  
 38 awards granted to the joint education appropriations  
 39 subcommittee of the general assembly, and to the  
 40 legislative fiscal bureau.

41 b. Child care

42 For staff positions and building structure  
 43 modifications to meet state child care facility  
 44 standards:

45 .....	\$	60,000
46 .....	FTEs	1.50

47 5. STATE SCHOOL FOR THE DEAF

48 For salaries, support, maintenance, miscellaneous  
 49 purposes, and for not more than the following full-  
 50 time equivalent positions:

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1	.....	\$	5,743,000
2	.....	FTEs	131.53

3 6. IOWA BRAILLE AND SIGHT-SAVING SCHOOL  
 4 For salaries, support, maintenance, miscellaneous  
 5 purposes, and for not more than the following full-  
 6 time equivalent positions:

7	.....	\$	3,196,000
8	.....	FTEs	92.45

9 Sec. 209. Reallocations of sums received under  
 10 section 208, subsections 2, 3, 4, 5, and 6, of this  
 11 division, including sums received for salaries, shall  
 12 be reported on a quarterly basis to the co-  
 13 chairpersons and ranking members of both the  
 14 legislative fiscal committee and the joint education  
 15 appropriations subcommittee.

16 DEPARTMENT OF CULTURAL AFFAIRS

17 Sec. 210. There is appropriated from the general  
 18 fund of the state to the department of cultural  
 19 affairs for the fiscal year beginning July 1, 1991,  
 20 and ending June 30, 1992, the following amounts, or so  
 21 much thereof as is necessary, to be used for the  
 22 purposes designated:

23 1. ARTS DIVISION

24 For salaries, support, maintenance, miscellaneous  
 25 purposes, including funds to match federal grants, and  
 26 for not more than the following full-time equivalent  
 27 positions:

28	.....	\$	1,167,000
29	.....	FTEs	13.00

30 2. HISTORICAL DIVISION

31 For salaries, support, maintenance, miscellaneous  
 32 purposes, and for not more than the following full-  
 33 time equivalent positions:

34	.....	\$	2,643,000
35	.....	FTEs	76.00

36 3. TERRACE HILL COMMISSION

37 For salaries, support, maintenance, miscellaneous  
 38 purposes, for the operation of Terrace Hill and for  
 39 not more than the following full-time equivalent  
 40 positions:

41	.....	\$	200,000
42	.....	FTEs	5.75

43 4. LIBRARY DIVISION

44 For salaries, support, maintenance, miscellaneous  
 45 purposes, and for not more than the following full-  
 46 time equivalent positions:

47	.....	\$	2,179,000
48	.....	FTEs	42.00

49 5. REGIONAL LIBRARY SYSTEM

50 For state aid:

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1 ..... \$ 1,607,000

2 6. ADMINISTRATION DIVISION

3 For salaries, support, maintenance, miscellaneous

4 purposes, and for not more than the following full-

5 time equivalent positions:

6 ..... \$ 427,000

7 ..... FTEs 10.00

8 7. COMMUNITY CULTURAL GRANTS

9 For planning and programming for the community

10 cultural grants program established under section

11 303.89:

12 ..... \$ 784,000

13 From the amount appropriated in this subsection,

14 \$40,000 or so much thereof as may be necessary, may be

15 used for commemorative art memorializing veterans of

16 the Persian Gulf War or other recent wars or police

17 actions, under guidelines defined in section 303.3.

18 The grant may be increased to \$50,000 if the Iowa arts

19 council determines that the work has original or

20 historical significance. No more than \$25,000 shall

21 be expended per project and at least three projects

22 shall be funded with grant moneys.

23 8. TOWN SQUARE PROJECT

24 For the Iowa town square project:

25 ..... \$ 66,000

26 9. PUBLIC BROADCASTING DIVISION

27 For salaries, support, maintenance, capital

28 expenditures, miscellaneous purposes, and for not more

29 than the following full-time equivalent positions:

30 ..... \$ 6,365,000

31 ..... FTEs 103.00

32 Sec. 211. The legislative council is requested to

33 consider the recommendations of the higher education

34 task force and other methods designed to focus the

35 attention of the general assembly on higher education,

36 to receive and discuss the strategic plans developed

37 by the higher education strategic planning council,

38 and to develop policies and address issues related to

39 higher education.

40 Sec. 212. Notwithstanding section 8.33, funds

41 appropriated in 1990 Iowa Acts, chapter 1272, section

42 14, subsection 1, paragraph "b", remaining

43 unencumbered or unobligated on June 30, 1991, shall

44 not revert to the general fund of the state but shall

45 be available for expenditure for the purposes listed

46 in section 208, subsection 1, paragraph "b", of this

47 division during the fiscal year beginning July 1,

48 1991, and ending June 30, 1992.

49 Sec. 213. Notwithstanding sections 258.16 and

50 282.7 effective July 1, 1992, community colleges,



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1 local education agencies, and area education agencies  
2 may establish by mutual agreement area vocational  
3 consortia to assume and exercise the duties and  
4 responsibilities established for regional vocational  
5 education planning boards under those sections.

6 Sec. 214. Section 261.25, subsections 1, 2, and 3,  
7 Code 1991, as amended by 1991 Iowa Acts, House File  
8 173, section 908, are amended to read as follows:

9 1. There is appropriated from the general fund of  
10 the state to the commission for each fiscal year the  
11 sum of thirty-two million ~~six~~ four hundred eight  
12 eighty thousand ~~seven-hundred-ninety-five~~ dollars for  
13 tuition grants.

14 2. There is appropriated from the general fund of  
15 the state to the commission for each fiscal year the  
16 sum of eight hundred thirteen thousand ~~eight-hundred~~  
17 forty dollars for scholarships.

18 3. There is appropriated from the general fund of  
19 the state to the commission for each fiscal year the  
20 sum of one million three hundred fifteen thousand ~~six~~  
21 hundred-forty-seven dollars for vocational-technical  
22 tuition grants.

23 Sec. 215. Section 261.38, subsection 5, Code 1991,  
24 is amended to read as follows:

25 5. The treasurer of state shall invest any funds,  
26 including those in the loan reserve account, and the  
27 interest income earned shall be credited back to the  
28 loan reserve account. The treasurer may invest up to  
29 forty percent of the funds in the loan reserve account  
30 in tax-exempt investments issued by a political  
31 subdivision of the state of Iowa.

32 Sec. 216. Section 261.85, unnumbered paragraph 1,  
33 Code 1991, as amended by 1991 Iowa Acts, House File  
34 173, section 909, is amended to read as follows:

35 There is appropriated from the general fund of the  
36 state to the commission for each fiscal year the sum  
37 of three million eighty-five thousand ~~six-hundred~~  
38 eighty-four dollars for the work-study program.

39 Sec. 217. Notwithstanding the allocation of phase  
40 III moneys under sections 294A.14 and 294A.25, for the  
41 fiscal year beginning July 1, 1991, prior to the  
42 allocation to school districts and area education  
43 agencies, \$125,000 of the moneys allocated for phase  
44 III shall be retained by the department of education  
45 to continue to contract with the regional educational  
46 laboratory for this state to establish and monitor an  
47 independent evaluation of the operation of phase III  
48 of the educational excellence program. The results of  
49 the evaluation shall be reported to the department of  
50 education and to the general assembly by January 1,

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1 1992.

2 Sec. 218. In the event that the anticipated  
3 unexpended and unencumbered ending balance of the  
4 general fund of the state for the fiscal year ending  
5 June 30, 1992, as certified by the director of the  
6 department of management, exceeds the ending balance  
7 projected on the effective date of this division,  
8 \$600,000, or so much thereof as may be available or  
9 necessary, shall be used for purposes of awarding  
10 funds to community colleges for approved program or  
11 administrative sharing agreements under section  
12 280A.46.

13 Sec. 219. Notwithstanding sections 302.1 and  
14 302.1A, for the fiscal year beginning July 1, 1991,  
15 and ending June 30, 1992, the portion of the interest  
16 earned on the permanent school fund that is not  
17 transferred to the credit of the first in the nation  
18 in education foundation and not transferred to the  
19 credit of the national center for gifted and talented  
20 education shall be credited as a payment by the  
21 historical division of the department of cultural  
22 affairs of the principal and interest due on moneys  
23 loaned to the historical division under section  
24 303.18.

25 Sec. 220. Section 11.6, subsection 1, unnumbered  
26 paragraph 1, Code 1991, is amended to read as follows:

27 The financial condition and transactions of all  
28 cities and city offices, counties, county hospitals  
29 organized under chapters 347 and 347A, memorial  
30 hospitals organized under chapter 37, entities  
31 organized under chapter 28E having gross receipts in  
32 excess of one hundred thousand dollars in a fiscal  
33 year, merged areas, area education agencies, and all  
34 school offices in school districts, shall be examined  
35 at least once each year, except that cities having a  
36 population of seven hundred or more but less than two  
37 thousand shall be examined at least once every four  
38 years, and cities having a population of less than  
39 seven hundred may be examined as otherwise provided in  
40 this section. The examination shall cover the fiscal  
41 year next preceding the year in which the audit is  
42 conducted. The examination of school offices shall  
43 include an audit of ~~activity~~ all school funds, the  
44 certified annual financial report, and the certified  
45 enrollment as provided in section 257.11.  
46 Examinations of community colleges shall include an  
47 audit of eligible and noneligible contact hours as  
48 defined in section 286A.2. Eligible and noneligible  
49 contact hours and the certified enrollment shall be  
50 certified to the department of management.

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1 Sec. 221. Section 255.1, Code 1991, is amended by  
2 adding the following new unnumbered paragraph:  
3 NEW UNNUMBERED PARAGRAPH. The county general  
4 relief director shall ascertain from the local office  
5 of human services if an applicant for the indigent  
6 patient program would qualify for medical assistance  
7 or the medically needy program under chapter 249A  
8 without the spend-down provision required pursuant to  
9 section 249A.3, subsection 2, paragraph "g". If the  
10 applicant qualifies, the patient shall be certified  
11 for medical assistance and shall not be counted under  
12 chapter 255.

13 Sec. 222. Section 255.16, Code 1991, is amended to  
14 read as follows:

15 255.16 COUNTY QUOTAS.

16 Subject to subsequent qualifications in this  
17 section, there shall be treated at the university  
18 hospital during each fiscal year a number of committed  
19 indigent patients from each county which bears the  
20 same a relation to the total number of committed  
21 indigent patients admitted during the year as the  
22 population of the county bears to the total population  
23 of the state according to the last preceding official  
24 census, but shall not be lower than the total quota  
25 allocated to the counties for the prior fiscal year.

26 This standard shall apply to indigent patients, the  
27 expenses of whose commitment, transportation, care and  
28 treatment shall be borne by appropriated funds and  
29 shall not govern the admission of obstetrical patients  
30 under chapter 255A, obstetrical or orthopedic patients  
31 under this chapter in accordance with eligibility  
32 standards pursuant to section 255A.5. If the number  
33 of patients admitted from any county exceeds by more  
34 than ten percent the county quota as fixed and  
35 ascertained under the first sentence of this section,  
36 the charges and expenses of the care and treatment of  
37 such patients in excess of ten percent of the quota  
38 shall be paid from the funds of such county at actual  
39 cost; but if the number of excess patients from any  
40 county does not exceed ten percent, all costs,  
41 expenses, and charges incurred in their behalf shall  
42 be paid from the appropriation for the support of the  
43 hospital. Notwithstanding the quota established for a  
44 county under this section, the governor, upon a  
45 finding of necessity due to a regional or statewide  
46 economic emergency, may increase a county's quota of  
47 the number of committed indigent patients admitted to  
48 the university hospital.

49 Sec. 223. Section 255.26, unnumbered paragraph 3,  
50 Code 1991, is amended to read as follows:

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1 The state auditor shall certify the total cost of  
2 ~~commitment-transportation~~ and caring for each  
3 indigent patient under the terms of this statute to  
4 the county auditor of such patient's legal residence,  
5 and such certificate shall be preserved by the county  
6 auditor and shall be a debt due from the patient or  
7 the persons legally responsible for the patient's  
8 care, maintenance or support; and whenever in the  
9 judgment of the board of supervisors the same or any  
10 part thereof shall be collectible, the said board may  
11 in its own name collect the same and is hereby  
12 authorized to institute suits for such purpose; and  
13 after deducting the county's share of such cost shall  
14 cause the balance to be paid into the state treasury  
15 to reimburse the university hospital fund.  
16 Transportation shall be provided at no charge to a  
17 patient who is certified for medical assistance under  
18 chapter 249A, and shall be reimbursed from the  
19 university hospital fund.

20 Sec. 224. Section 257.37, subsection 2, as enacted  
21 by 1991 Iowa Acts, Senate File 141, section 2, is  
22 amended by striking the subsection and inserting in  
23 lieu thereof the following:

24 2. Thirty percent of the budget of an area for  
25 media services shall be expended for media resource  
26 material which shall only be used for the purchase or  
27 replacement of material required in section 273.6,  
28 subsection 1. Funds shall be paid to area education  
29 agencies as provided in section 257.35.

30 Sec. 225. Section 261.19, unnumbered paragraph 2,  
31 Code 1991, is amended to read as follows:

32 The college student aid commission shall determine  
33 a subvention amount per resident student by dividing  
34 the funds appropriated for this section by a number  
35 equal to the total of twenty-two percent of the total  
36 students enrolled. If fewer than twenty-two percent  
37 of the total number of students enrolled are Iowa  
38 residents, the college student aid commission shall  
39 deduct from the funds-appropriated subvention amount  
40 for total Iowa students enrolled an amount equal to  
41 the product of two times the product of the subvention  
42 amount per resident student multiplied by the number  
43 of students required to equal twenty-two percent of  
44 the total students enrolled.

45 Sec. 226. Section 261.50, subsection 3, Code 1991,  
46 is amended to read as follows:

47 3. Agrees to practice in an eligible community of  
48 fewer than five thousand population for a minimum  
49 period of four consecutive years or is practicing in a  
50 federally approved community health center or health

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1 manpower shortage area.

2 Sec. 227. NEW SECTION. 261.93A APPROPRIATION --

3 PERCENTAGES.

4 Of the funds appropriated to the college student  
5 aid commission to be allocated for the Iowa grant  
6 program for each fiscal year, thirty-seven and six-  
7 tenths percent shall be reserved for students  
8 attending regents' institutions, twenty-five and nine-  
9 tenths percent shall be reserved for students  
10 attending community colleges, and thirty-six and five-  
11 tenths percent shall be reserved for students  
12 attending private colleges and universities. Funds  
13 appropriated for the Iowa grant program shall be used  
14 to supplement, not supplant, funds appropriated for  
15 other existing programs at the eligible institutions.

16 Sec. 228. Section 262.9, Code 1991, is amended by  
17 adding the following new subsection:

18 NEW SUBSECTION. 27. Develop and adopt a policy  
19 that shall govern any future asset sale of the Iowa  
20 state university of science and technology's  
21 television station, WOI-TV. The policy shall provide  
22 for the sale of the station only if anticipated  
23 revenues from the sale exceed the benefits of  
24 continued operation and the cost for the university to  
25 purchase or acquire comparable services to those that  
26 are being provided to the university by the station at  
27 the time of any sale. The policy shall further  
28 provide that the revenues received from the sale shall  
29 be placed in an endowment to be held and managed by  
30 the university. The proceeds from the endowment shall  
31 be used only for the specifically stated missions of  
32 the university.

33 a. "Station" shall be defined to include the li-  
34 cense, any share of a transmission facility, any  
35 programming contracts, any booked sales revenues, and  
36 the network affiliation agreement.

37 b. "Comparable services" shall be defined to  
38 include, but not be limited to, use of modern  
39 communications equipment by faculty, staff, and  
40 students; access to trained communications  
41 specialists; availability to internships by and  
42 employment opportunities for students; and provision  
43 for antenna location, transmission line placement, and  
44 transmitter space for the university's radio stations.

45 Sec. 229. NEW SECTION. 262.9A PROHIBITION ON  
46 CONTROLLED SUBSTANCES.

47 The state board of regents shall adopt a policy  
48 that prohibits unlawful possession, use, or  
49 distribution of controlled substances by students and  
50 employees on property owned or leased by an

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1 institution or in conjunction with activities  
2 sponsored by an institution governed by the board.  
3 Each institution shall provide information about the  
4 policy to all students and employees. The policy  
5 shall include a clear statement of sanctions for  
6 violation of the policy and information about  
7 available drug or alcohol counseling and  
8 rehabilitation programs. In carrying out this policy,  
9 the institutions shall provide substance abuse  
10 prevention programs for students and employees.

11 Sec. 230. NEW SECTION. 263A.14 INDIGENT PATIENT  
12 PROGRAM REPORT.

13 Funds shall not be allocated to the university  
14 hospital fund until the superintendent of the  
15 university of Iowa hospitals and clinics has filed  
16 with the department of revenue and finance and the  
17 legislative fiscal bureau a quarterly report  
18 containing the account required in section 255.24.  
19 The report shall include information required in  
20 section 255.24 for patients by the type of service  
21 provided.

22 Sec. 231. NEW SECTION. 268.5 IOWA ACADEMY OF  
23 SCIENCE APPROPRIATION LIMITATIONS.

24 The university shall use no more than twenty  
25 percent of the funds allocated to the university for  
26 the Iowa academy of science for administrative  
27 purposes for the Iowa academy of science or for  
28 publication of the Iowa academy of science journal.  
29 The university shall expend the remainder of the  
30 moneys appropriated for research projects and studies  
31 awarded by the Iowa academy of science. The Iowa  
32 academy of science shall permit all grant recipients  
33 to publish the results of the recipients' research  
34 projects and studies in the Iowa academy of science  
35 journal at no cost to the grant recipient.

36 Sec. 232. Section 279.51, subsection 1, paragraph  
37 f, Code 1991, is amended by adding the following new  
38 unnumbered paragraph:

39 NEW UNNUMBERED PARAGRAPH. In succeeding fiscal  
40 years, notwithstanding section 256A.3, subsection 6,  
41 of the amount appropriated for a fiscal year, less the  
42 amount allocated under paragraph "a", three and  
43 thirty-three hundredths percent may be used for  
44 administrative costs. However, if the amount  
45 appropriated for the fiscal year, less the amount  
46 allocated under paragraph "a", times three and thirty-  
47 three hundredths percent is greater than the amount  
48 received for use for administrative costs during the  
49 fiscal year beginning July 1, 1990, then the amount to  
50 be used for administrative costs shall be reduced to

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1 equal the amount received during the fiscal year  
2 beginning July 1, 1990.

3 Sec. 233. Section 280A.34, Code 1991, is amended  
4 to read as follows:

5 280A.34 CERTAIN USES OF FUNDS PROHIBITED.

6 Funds obtained pursuant to section 280A.17;  
7 subsections 3, 4, and 5 of section 280A.18; section  
8 280A.19; and section 280A.22 shall not be used for the  
9 construction or maintenance of athletic buildings or  
10 grounds but may be used for a project under section  
11 280A.56.

12 Sec. 234. NEW SECTION. 280A.40 PROHIBITION ON  
13 CONTROLLED SUBSTANCES.

14 Each merged area school shall adopt a policy that  
15 prohibits unlawful possession, use, or distribution of  
16 controlled substances by students and employees on  
17 property owned or leased by the merged area school or  
18 in conjunction with activities sponsored by a merged  
19 area school. Each merged area school shall provide  
20 information about the policy to all students and  
21 employees. The policy shall include a clear statement  
22 of sanctions for violation of the policy and  
23 information about available drug or alcohol counseling  
24 and rehabilitation programs. In carrying out this  
25 policy, the merged area school shall provide substance  
26 abuse prevention programs for students and employees.

27 Sec. 235. Section 280A.56, subsection 3, Code  
28 1991, is amended to read as follows:

29 3. "Project" means the acquisition by purchase,  
30 lease in accordance with section 280A.38, or  
31 construction of buildings for use as student residence  
32 halls and dormitories, including dining and other  
33 incidental facilities therefor, and additions to such  
34 buildings, the reconstruction, completion, equipment,  
35 improvement, repair or remodeling of residence halls,  
36 dormitories, or additions or incidental facilities,  
37 and the acquisition of property of every kind and  
38 description, whether real, personal, or mixed, by  
39 gift, purchase, lease, condemnation, or otherwise and  
40 the improvement of the property.

41 Sec. 236. Section 280A.56, Code 1991, is amended  
42 by adding the following new subsection:

43 NEW SUBSECTION. 4. "Bonds or notes" means revenue  
44 bonds or revenue notes which are payable solely from  
45 net rents, profits, and other income derived from the  
46 operation of residence halls, dormitories, incidental  
47 facilities, and additions.

48 Sec. 237. Section 280A.58, unnumbered paragraph 1,  
49 Code 1991, is amended to read as follows:

50 To pay all or any part of the cost of carrying out

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1 any project at any institution the board is authorized  
2 to borrow money and to issue and sell negotiable bonds  
3 or notes and to refund and refinance bonds or notes  
4 issued for any project or for refunding purposes at a  
5 lower rate, the same rate, or a higher rate or rates  
6 of interest and from time to time as often as the  
7 board shall find it to be advisable and necessary so  
8 to do. Bonds or notes ~~issued to refund other bonds or~~  
9 ~~notes~~ issued by the board for residence hall or  
10 dormitory purposes at any institution, including  
11 dining or other facilities and additions, or issued  
12 for refunding purposes, may either be sold in the  
13 manner specified for the selling of certificates under  
14 section 280B.6 and the proceeds applied to the payment  
15 of the obligations being refunded, or the refunding  
16 bonds or notes may be exchanged for and in payment and  
17 discharge of the obligations being refunded. A  
18 finding by the board in the resolution authorizing the  
19 issuance of the refunding bonds or notes, that the  
20 bonds or notes being refunded were issued for a  
21 purpose specified in this division and constitute  
22 binding obligations of the board, shall be conclusive  
23 and may be relied upon by any holder of any refunding  
24 bond or note issued under the provisions of this  
25 division. The refunding bonds or notes may be sold or  
26 exchanged in installments at different times or an  
27 entire issue or series may be sold or exchanged at one  
28 time. Any issue or series of refunding bonds or notes  
29 may be exchanged in part or sold in parts in  
30 installments at different times or at one time. The  
31 refunding bonds or notes may be sold or exchanged at  
32 any time on, before, or after the maturity of any of  
33 the outstanding notes, bonds or other obligations to  
34 be refinanced thereby and may be issued for the  
35 purpose of refunding a like or greater principal  
36 amount of bonds or notes, except that the principal  
37 amount of the refunding bonds or notes may exceed the  
38 principal amount of the bonds or notes to be refunded  
39 to the extent necessary to pay any premium due on the  
40 call of the bonds or notes to be refunded ~~or~~, to fund  
41 interest in arrears or about to become due, or to  
42 allow for sufficient funding of the escrow account on  
43 the bonds to be refunded.

44 Sec. 238. Section 280A.59, Code 1991, is amended  
45 to read as follows:

46 280A.59 RATES AND TERMS OF BONDS OR NOTES.

47 The bonds or notes may bear a date or dates, may  
48 bear interest at such rate or rates, payable  
49 ~~semiannually~~, may mature at such time or times, may be  
50 in such form, carry such registration privileges, may



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1 be payable at such place or places, may be subject to  
2 such terms of redemption prior to maturity with or  
3 without premium, if so stated on the face of the  
4 bonds, and may contain any terms and covenants as may  
5 be provided by the resolution of the board authorizing  
6 the issuance of the bonds or notes. In addition to  
7 the estimated cost of construction, the cost of the  
8 project shall be deemed to include interest upon the  
9 bonds or notes during construction and for six months  
10 after the estimated completion date, the compensation  
11 of a fiscal agent or adviser, any underwriter  
12 discount, and engineering, administrative and legal  
13 expenses. The bonds or notes shall be executed by the  
14 president of the board of trustees and attested by the  
15 secretary ~~and the coupons attached to the bonds or~~  
16 ~~notes shall be executed with the original or facsimile~~  
17 ~~signatures of said president and secretary.~~ Any bonds  
18 or notes bearing the signatures of officers in office  
19 on the date of the signing shall be valid and binding  
20 for all purposes, notwithstanding that before delivery  
21 of the bonds or notes any or all persons whose  
22 signatures appear on the bonds or notes shall have  
23 ceased to be officers. Each bond or note shall state  
24 upon its face the name of the institution on behalf of  
25 which it is issued, that it is payable solely and only  
26 from the net rents, profits and income derived from  
27 the operation of residence halls or dormitories,  
28 including dining and other incidental facilities, at  
29 the institution named, and that it does not constitute  
30 a charge against the state of Iowa within the meaning  
31 or application of any constitutional or statutory  
32 limitation or provision. The issuance of bonds or  
33 notes shall be recorded in the office of the treasurer  
34 of the institution on behalf of which the bonds or  
35 notes are issued, and a certificate by such treasurer  
36 to this effect shall be printed on the back of each  
37 such bond or note.

38 Sec. 239. Section 280A.60, Code 1991, is amended  
39 to read as follows:

40 280A.60 REFUNDING ISSUANCE RESOLUTION.

41 Upon the determination by the board to undertake  
42 and carry out any project or to refund outstanding  
43 bonds or notes, the board shall adopt a resolution  
44 generally describing the contemplated project and  
45 setting forth the estimated cost, or describing the  
46 obligations to be refunded, fixing the amount of bonds  
47 or notes to be issued, the maturity or maturities, the  
48 interest rate or rates and all details of the project.  
49 The resolution shall contain any covenants as may be  
50 determined by the board as to the issuance of

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1 additional bonds or notes that may be issued payable  
2 from the net rents, profits and income of the  
3 residence halls or dormitories, the amendment or  
4 modification of the resolution authorizing the  
5 issuance of any bonds or notes, the manner, terms and  
6 conditions and the amount or percentage of assenting  
7 bonds or notes necessary to effectuate the amendment  
8 or modification, and any other covenants as may be  
9 deemed necessary or desirable. In the discretion of  
10 the board any bonds or notes issued under the terms of  
11 this division may be secured by a trust indenture by  
12 and between the board and a corporate trustee, which  
13 may be any trust company or bank having the powers of  
14 a trust company within or without the boundaries of  
15 the state of Iowa, ~~but no such trust indenture shall~~  
16 ~~convey or mortgage the buildings or facilities or any~~  
17 ~~part of the buildings or facilities.~~ The provisions  
18 of this division and of any resolution or other  
19 proceedings authorizing the issuance of bonds or notes  
20 and providing for the establishment and maintenance of  
21 adequate rates, fees or rentals and the application of  
22 the proceeds thereof shall constitute a contract with  
23 the holders of the bonds or notes.

24 Sec. 240. Section 286A.11, Code 1991, is amended  
25 by adding the following new subsection:

26 NEW SUBSECTION. 5. Thirty-eight thousand dollars  
27 if the northwest Iowa technical college has filed a  
28 request with the department of education for the  
29 lease, purchase, or lease-purchase of equipment for  
30 the heavy equipment program.

31 Sec. 241. Section 286A.14A, unnumbered paragraph  
32 1, Code 1991, is amended to read as follows:

33 The department of education shall provide for the  
34 establishment of a community college excellence 2000  
35 account in the office of the treasurer of state for  
36 deposit of moneys appropriated to the account for  
37 purposes of funding quality instructional centers and  
38 program and administrative sharing agreements under  
39 sections 280A.45 and 280A.46. ~~There is appropriated~~  
40 ~~from the general fund of the state to the department~~  
41 ~~of education, for the fiscal year beginning July 1,~~  
42 ~~1991, one million two hundred thousand dollars.~~ There  
43 is appropriated from the general fund of the state to  
44 the department of education for the fiscal year  
45 beginning July 1, 1992, an amount equal to two and  
46 five-tenths percent of the total state general aid  
47 generated for all community colleges during the budget  
48 year under this chapter for deposit in the community  
49 college excellence 2000 account. In the next  
50 succeeding two fiscal years, the percent multiplier

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1 shall be increased in equal increments until the  
2 multiplier reaches seven and one-half percent of the  
3 total state general aid generated for all community  
4 colleges during the budget year.

5 Sec. 242. Section 286A.19, Code 1991, is repealed.

6 Sec. 243. Sections 205 and 212 of this division,  
7 being deemed of immediate importance, take effect upon  
8 enactment.

9 DIVISION III

10 ECONOMIC DEVELOPMENT APPROPRIATIONS

11 Sec. 301. There is appropriated from the general  
12 fund of the state to the department of economic  
13 development for the fiscal year beginning July 1,  
14 1991, and ending June 30, 1992, the following amounts,  
15 or so much thereof as is necessary, to be used for the  
16 purposes designated:

17 1. ADMINISTRATIVE SERVICES DIVISION

18 a. General administration

19 For salaries, support, maintenance, miscellaneous  
20 purposes, and for not more than the following full-  
21 time equivalent positions:

22 ..... \$ 878,350  
23 ..... FTEs 22.00

24 b. Rural resource coordination

25 For salaries, support, maintenance, miscellaneous  
26 purposes, and for not more than the following full-  
27 time equivalent positions for rural resource  
28 coordination and the rural enterprise fund:

29 ..... \$ 600,000  
30 ..... FTEs 2.50

31 As a condition, limitation, and qualification of  
32 the appropriation under this subsection, \$425,000  
33 shall be allocated to the rural enterprise fund.

34 c. Primary research and computer center

35 For salaries, support, maintenance, miscellaneous  
36 purposes, and for not more than the following full-  
37 time equivalent positions:

38 ..... \$ 350,000  
39 ..... FTEs 6.50

40 d. Film office

41 For salaries, support, maintenance, miscellaneous  
42 purposes, and for not more than the following full-  
43 time equivalent positions:

44 ..... \$ 200,000  
45 ..... FTEs 2.00

46 2. BUSINESS DEVELOPMENT DIVISION

47 a. Business development operations

48 For salaries, support, maintenance, miscellaneous  
49 purposes, and for not more than the following full-  
50 time equivalent positions:

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1	.....	\$	885,000
2	.....	FTEs	18.00
3	As a condition, limitation, and qualification of		
4	the appropriation made in this subsection, the		
5	appropriation shall not be used for advertising		
6	placement contracts for out-of-state national		
7	marketing programs.		
8	As a condition, limitation, and qualification of		
9	the appropriation made by this paragraph, the		
10	department shall establish a marketing initiative to		
11	assist Iowa companies producing recycling or		
12	reclamation equipment or services to expand into		
13	national markets.		
14	b. Marketing advertising		
15	For contracting exclusively for marketing and		
16	promotion programs and services and advertising		
17	contracts for business expansion and development		
18	programs, for electronic media, print media, and		
19	printed materials:		
20	.....	\$	2,425,000
21	c. Small business programs		
22	For salaries, support, maintenance, miscellaneous		
23	purposes, and for not more than the following full-		
24	time equivalent positions for the small business		
25	program and the small business advisory council:		
26	.....	\$	235,000
27	.....	FTEs	4.50
28	d. Federal procurement office		
29	For salaries, support, maintenance, miscellaneous		
30	purposes, and for not more than the following full-		
31	time equivalent positions:		
32	.....	\$	100,000
33	.....	FTEs	2.00
34	e. Incubators:		
35	.....	\$	70,000
36	The department may establish criteria to provide		
37	funding beyond the initial three-year start-up period		
38	to existing small business and rural incubators. The		
39	department shall consider the incubator's progress		
40	toward becoming self-sufficient during the initial		
41	award period and the incubator's plan to become self-		
42	sufficient from the need for further grants.		
43	f. Strategic investment fund		
44	For deposit in the strategic investment fund		
45	created in section 15.313 and for salaries and support		
46	for not more than the following full-time equivalent		
47	positions:		
48	.....	\$	4,680,000
49	.....	FTEs	9.40
50	g. Targeted small business program		

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1 For the salary, support, maintenance, miscellaneous  
2 purposes, and for not more than the following full-  
3 time equivalent position:

4 ..... \$ 50,000  
5 ..... FTEs 1.00

6 3. COMMUNITY AND RURAL DEVELOPMENT DIVISION

7 a. Community development block grant

8 For administration and related federal housing and  
9 urban development grant administration for salaries,  
10 support, maintenance, miscellaneous purposes, and for  
11 not more than the following full-time equivalent  
12 positions:

13 ..... \$ 320,855  
14 ..... FTEs 14.00

15 b. Rural community 2000 program

16 For salaries, support, maintenance, miscellaneous  
17 purposes, and for not more than the following full-  
18 time equivalent positions:

19 ..... \$ 1,600,000  
20 ..... FTEs 1.25

21 Notwithstanding section 15.283, subsection 4, for  
22 the fiscal year beginning July 1, 1991, and ending  
23 June 30, 1992, all funds allocated under this  
24 paragraph shall be used for traditional and new  
25 infrastructure and planning as specified under  
26 sections 15.284, 15.285, and 15.286A.

27 As a condition, limitation, and qualification of  
28 the appropriation under this paragraph, not more than  
29 \$300,000 shall be allocated for the planning category.

30 c. Community progress

31 For salaries, support, maintenance, miscellaneous  
32 purposes, and for not more than the following full-  
33 time equivalent positions for administration of the  
34 community economic preparedness program, and the Iowa  
35 community betterment program:

36 ..... \$ 410,000  
37 ..... FTEs 6.50

38 d. Councils of governments

39 To provide to Iowa's councils of governments funds  
40 for planning and technical assistance funds to assist  
41 local governments to develop community development  
42 strategies for addressing long-term and short-term  
43 community needs:

44 ..... \$ 300,000

45 e. Main street/rural main street program

46 For salaries and support for not more than the  
47 following full-time equivalent positions:

48 ..... \$ 365,000  
49 ..... FTEs 3.00

50 Notwithstanding section 8.33, moneys committed to

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1 grantees under contract that remain unexpended on June  
2 30 of any fiscal year shall not revert to any fund but  
3 shall be available for expenditure for purposes of the  
4 contract during the succeeding fiscal year.

5 f. Regional economic development centers

6 For salaries, support, maintenance, and  
7 miscellaneous purposes, and for not more than the  
8 following full-time equivalent positions:

9 ..... \$ 1,102,000  
10 ..... FTEs 3.00

11 As a condition, limitation, and qualification of  
12 the appropriation under this paragraph, not more than  
13 2 percent shall be used by the department for  
14 administration of the program.

15 4. INTERNATIONAL DIVISION

16 a. International trade operations

17 For salaries, support, maintenance, miscellaneous  
18 purposes, and for not more than the following full-  
19 time equivalent positions:

20 ..... \$ 550,000  
21 ..... FTEs 6.00

22 As a condition, limitation, and qualification of  
23 the appropriation under this paragraph, \$50,000 shall  
24 be allocated for trade initiatives in Latin America.

25 b. European trade office

26 For salaries, support, maintenance, miscellaneous  
27 purposes, and for not more than the following full-  
28 time equivalent positions:

29 ..... \$ 285,000  
30 ..... FTEs 2.50

31 c. Asian trade office

32 For salaries, support, maintenance, miscellaneous  
33 purposes, and for not more than the following full-  
34 time equivalent positions:

35 ..... \$ 255,000  
36 ..... FTEs 2.00

37 d. Japan trade office

38 For salaries, support, maintenance, miscellaneous  
39 purposes, and for not more than the following full-  
40 time equivalent positions:

41 ..... \$ 300,000  
42 ..... FTEs 2.00

43 e. Export trade activities program

44 For export trade activities, including a program to  
45 encourage and increase participation in trade shows  
46 and trade missions by providing financial assistance  
47 to businesses for a percentage of their costs of  
48 participating in trade shows and trade missions, by  
49 providing for the lease/sublease of showcase space in  
50 existing world trade centers, by providing temporary

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1 office space for foreign buyers, international  
2 prospects, and potential reverse investors, and by  
3 providing other promotional and assistance activities,  
4 including salaries and support for not more than the  
5 following full-time equivalent position:

6 ..... \$ 350,000

7 ..... FTEs 0.25

8 f. Agricultural product advisory council  
9 For support, maintenance, and miscellaneous  
10 purposes:

11 ..... \$ 4,000

12 g. Partner state program:

13 ..... \$ 100,000

14 The department may contract with private groups or  
15 organizations which are the most appropriate to  
16 administer this program. The groups and organizations  
17 participating in the program shall, to the fullest  
18 extent possible, provide the funds to match the  
19 appropriation made in this paragraph.

20 h. Peace institute

21 For allocation to the Iowa peace institute  
22 established in chapter 38:

23 ..... \$ 200,000

24 5. TOURISM DIVISION

25 a. Tourism operations

26 For salaries, support, maintenance, miscellaneous  
27 purposes, and for not more than the following full-  
28 time equivalent positions:

29 ..... \$ 685,000

30 ..... FTEs 15.97

31 As a condition, limitation, and qualification of  
32 the appropriation made in this paragraph, the  
33 appropriation shall not be used for advertising  
34 placements for in-state and out-of-state tourism  
35 marketing.

36 b. Tourism advertising

37 For contracting exclusively for tourism advertising  
38 for in-state and out-of-state tourism marketing  
39 services, tourism promotion programs, electronic  
40 media, print media, and printed materials:

41 ..... \$ 3,000,000

42 As a condition, limitation, and qualification of  
43 the appropriation made in this paragraph, the  
44 department shall develop public-private partnerships  
45 with Iowa businesses in the tourism industry, Iowa  
46 tour groups, Iowa tourism organizations, and political  
47 subdivisions in this state to assist in the  
48 development of advertising efforts. The department  
49 shall, to the fullest extent possible, develop  
50 cooperative efforts for advertising with contributions

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1 from other sources.

2 c. Welcome center program:

3 ..... \$ 350,000

4 Notwithstanding section 8.33, moneys committed to  
5 grantees under contract that remain unexpended on June  
6 30 of any fiscal year shall not revert to any fund but  
7 shall be available for expenditure for purposes of the  
8 contract during the succeeding fiscal year.

9 As a condition, limitation, and qualification of  
10 the appropriations made in this subsection, moneys  
11 appropriated shall be used for implementation of the  
12 recommendations of the statewide long-range plan for  
13 developing and operating welcome centers throughout  
14 the state.

15 Notwithstanding section 8.33, pursuant to 1990 Iowa  
16 Acts, chapter 1255, section 37, subsection 1, as  
17 amended by 1991 Iowa Acts, House File 173, section  
18 1001, the amount of \$275,000 shall be available for  
19 the fiscal year beginning July 1, 1991, for completion  
20 of contract negotiations for the establishment of the  
21 welcome center in the Council Bluffs area.

22 d. Mississippi river parkway commission

23 For support, maintenance, and miscellaneous  
24 purposes:

25 ..... \$ 19,000

26 6. WORK FORCE DEVELOPMENT DIVISION

27 a. Youth work force programs

28 For purposes of the conservation corps, including  
29 salary, support, maintenance, miscellaneous purposes,  
30 and for not more than the following full-time  
31 equivalent positions:

32 ..... \$ 1,261,614

33 ..... FTEs 1.90

34 Notwithstanding section 8.33, moneys committed to  
35 grantees under contract that remain unexpended on June  
36 30 of any fiscal year shall not revert to any fund but  
37 shall be available for expenditure for purposes of the  
38 contract during the succeeding fiscal year.

39 b. Iowa corps

40 For purposes of the Iowa corps, including salary,  
41 support, maintenance, miscellaneous purposes, and for  
42 not more than the following full-time equivalent  
43 positions:

44 ..... \$ 107,500

45 ..... FTEs 1.00

46 Notwithstanding section 8.33, moneys committed to  
47 grantees under contract that remain unexpended on June  
48 30 of any fiscal year shall not revert to any fund but  
49 shall be available for expenditure for purposes of the  
50 contract during the succeeding fiscal year.



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1 c. Job retraining program

2 To the Iowa employment retraining fund created in  
3 section 15.298 including salaries and support for not  
4 more than the following full-time equivalent  
5 positions:

6 .....	\$	1,000,000
7 .....	FTEs	1.60

8 d. Work force investment program including  
9 salaries and support for not more than the following  
10 full-time equivalent position:

11 .....	\$	1,000,000
12 .....	FTEs	0.90

13 This program shall be administered through the  
14 department of economic development in consultation  
15 with the state job training coordinating council. The  
16 program shall be operated on a competitive grant basis  
17 and funds shall be available for projects that  
18 increase Iowa's pool of available labor via training  
19 and support services. \$300,000 of the amount  
20 appropriated in this paragraph shall be available  
21 specifically for displaced homemaker programs.

22 e. Labor management councils

23 For salaries, support, maintenance, miscellaneous  
24 purposes, and for not more than the following full-  
25 time equivalent positions:

26 .....	\$	200,000
27 .....	FTEs	1.05

28 As a condition, limitation, and qualification of  
29 receiving a grant from funds appropriated by this  
30 paragraph, grantees shall facilitate the active  
31 participation of labor as members of labor management  
32 councils. Grantees shall make a good faith effort to  
33 either schedule meetings during nonworking hours, or  
34 obtain voluntary agreements with employers to allow  
35 employees time off to attend labor management council  
36 meetings with no loss of pay or other benefits.

37 Notwithstanding section 8.33, moneys committed to  
38 grantees under contract that remain unexpended on June  
39 30 of any fiscal year shall not revert to any fund but  
40 shall be available for expenditure for purposes of the  
41 contract during the succeeding fiscal year.

42 Notwithstanding section 8.33, pursuant to 1990 Iowa  
43 Acts, chapter 1255, section 37, subsection 1, as  
44 amended by 1991 Iowa Acts, House File 173, section  
45 1001, moneys remaining unencumbered or unobligated  
46 shall be available for expenditure for the fiscal year  
47 beginning July 1, 1991, for the same purposes.

48 Sec. 302. Notwithstanding section 28.120,  
49 subsections 5 and 6, there is appropriated from the  
50 Iowa community development loan fund to the department

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1 of economic development for the fiscal year beginning  
2 July 1, 1991, and ending June 30, 1992, the following  
3 amount, or so much thereof as is necessary, to be used  
4 for the purposes designated:

5 RURAL DEVELOPMENT FINANCING:

6 ..... \$ 50,000

7 Notwithstanding section 8.39, funds appropriated by  
8 this section shall not be subject to transfer.

9 Sec. 303. Notwithstanding section 15.251,  
10 subsection 2, there is appropriated from the job  
11 training fund created in the office of the treasurer  
12 of state for the fiscal year beginning July 1, 1991,  
13 and ending June 30, 1992, the following amount, or so  
14 much thereof as is necessary, to be used for the  
15 purposes designated:

16 1. For administration of chapter 280B, including  
17 salaries, support, maintenance, miscellaneous  
18 purposes, and for not more than the following full-  
19 time equivalent positions:

20 ..... \$ 125,000  
21 ..... FTEs 2.40

22 2. To the community colleges to supplement the  
23 coordination and instruction of apprentice related  
24 instruction, and instructional equipment for  
25 apprenticeship programs as provided in section  
26 280A.44:

27 ..... \$ 125,000

28 As a condition, limitation, and qualification of  
29 the appropriation under this subsection, funds shall  
30 be allocated to each community college on the basis of  
31 the percentage of total contact hours enrolled in  
32 apprenticeship training at community colleges as of  
33 July 1, 1991.

34 Sec. 304. There is appropriated from the general  
35 fund of the state to the Iowa finance authority for  
36 the fiscal year beginning July 1, 1991, and ending  
37 June 30, 1992, the following amounts, or so much  
38 thereof as is necessary, to be used for the purposes  
39 designated:

40 1. HOMELESS SHELTER PROGRAM

41 To be deposited in the housing trust fund, for the  
42 operation, construction, and rehabilitation of  
43 homeless shelters under section 220.100, subsection 2,  
44 paragraph "a":

45 ..... \$ 1,000,000

46 a. Of the amount appropriated in this subsection,  
47 as nearly as practicable, \$675,000 shall be used for  
48 operating costs, including utilities, maintenance,  
49 food, clothing, and other supplies, or staff support  
50 services for homeless shelters; \$225,000 shall be used

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1 for construction and rehabilitation of homeless  
2 shelters; and \$100,000 shall be used for assistance to  
3 homeless shelters that are facing closure. If the  
4 moneys allocated for any purposes in this paragraph  
5 are not used or dedicated by February 1 of the fiscal  
6 year, the moneys may be reallocated for the other  
7 purposes in this paragraph that have the most need as  
8 determined by the Iowa finance authority.

9 b. As a condition, limitation, and qualification  
10 of the \$1,000,000 appropriation to the housing trust  
11 fund in this subsection and notwithstanding section  
12 220.100, subsection 6, from the moneys available for  
13 operating costs of and staff support services for  
14 homeless shelters in paragraph "a", the Iowa finance  
15 authority shall contract with a nongovernmental entity  
16 to administer the funds available for operating costs  
17 of and staff support services for homeless shelters.

18 2. HOUSING ASSISTANCE PROGRAM

19 a. To provide mortgage and finance assistance to  
20 individuals for the purchase or acquisition of homes:

21 ..... \$ 900,000

22 b. Of the amount appropriated in paragraph "a", an  
23 amount not to exceed 10 percent shall be used to  
24 finance the purchase or acquisition, in communities  
25 with a population of less than 10,000, of manufactured  
26 homes as defined in 42 U.S.C. § 5403.

27 c. Funds provided under paragraph "a" shall not be  
28 restricted to first-time home buyers but shall be for  
29 lower income and very low income families as defined  
30 in section 220.1. The assistance provided shall  
31 include at least one of the following kinds of  
32 assistance:

- 33 (1) Closing costs assistance.
- 34 (2) Down payment assistance.
- 35 (3) Home maintenance and repair assistance.
- 36 (4) Loan processing assistance through a loan

37 endorser review contractor who would act on behalf of  
38 the authority in assisting lenders in processing loans  
39 that will qualify for government insurance or  
40 guarantee or for financing under the authority's  
41 mortgage revenue bond program.

- 42 (5) Mortgage insurance program.

43 Not more than 50 percent of the assistance provided  
44 by the authority shall be provided under subparagraphs  
45 (4) and (5). So long as at least one of the kinds of  
46 assistance described in subparagraphs (1) through (5)  
47 are provided, additional assistance not described in  
48 subparagraphs (1) through (5) may also be provided.

49 d. Assistance provided under paragraph "a" shall  
50 be limited to mortgages under \$55,000, except in those

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1 areas of the state where the median price of homes  
2 exceeds the state average.

3 3. RURAL COMMUNITY 2000 PROGRAM:

4 ..... \$ 1,400,000

5 Notwithstanding section 15.283, subsection 4, for  
6 the fiscal year beginning July 1, 1991, and ending  
7 June 30, 1992, all funds allocated under this  
8 paragraph shall be used for the housing category as  
9 specified under section 15.286.

10 Sec. 305. There is appropriated from the general  
11 fund of the state to the Wallace technology transfer  
12 foundation for the fiscal year beginning July 1, 1991,  
13 and ending June 30, 1992, the following amount, or so  
14 much thereof as is necessary, to be used for the  
15 purposes designated:

16 1. For salaries, support, maintenance, and other  
17 operational purposes, for funding the small business  
18 innovation research program, and for funding  
19 activities as provided in section 28.158:

20 ..... \$ 2,700,000

21 2. For transfer to the Iowa product development  
22 corporation fund established in section 28.89:

23 ..... \$ 1,000,000

24 Sec. 306. There is appropriated from the general  
25 fund of the state to INTERNET for the fiscal year  
26 beginning July 1, 1991, and ending June 30, 1992, the  
27 following amount, or so much thereof as is necessary,  
28 to be used for the purposes designated:

29 For deposit in the international network on trade  
30 fund created by the INTERNET board:

31 ..... \$ 515,000

32 As a condition, limitation, and qualification of  
33 the appropriation under this section, \$140,000 shall  
34 be allocated to the department of economic development  
35 for the Iowa international development foundation for  
36 the salaries and support for not more than the  
37 following full-time equivalent positions:

38 ..... FTEs 1.50

39 The full-time equivalent positions receiving moneys  
40 from the allocation for the Iowa international  
41 development foundation are employees of the department  
42 of economic development.

43 Sec. 307. There is appropriated from the general  
44 fund of the state to the following named institutions  
45 for the fiscal year beginning July 1, 1991, and ending  
46 June 30, 1992, the following amounts, or so much  
47 thereof as is necessary, to be used for the purposes  
48 designated:

49 1. To the university of northern Iowa for the  
50 applied technology program:

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1	.....	\$	300,000
2	2. To the university of northern Iowa for the		
3	decision-making science institute:		
4	.....	\$	575,000
5	3. To the Iowa state university of science and		
6	technology for funding the small business development		
7	centers:		
8	.....	\$	1,190,000
9	4. To the Iowa state university of science and		
10	technology for the institute for physical research and		
11	technology:		
12	.....	\$	500,000
13	5. To the state university of Iowa for the center		
14	for biocatalysis:		
15	.....	\$	396,000

16 Sec. 308. There is appropriated from the community  
 17 college job training fund created in section 280C.6,  
 18 subsection 1, as amended by 1991 Iowa Acts, Senate  
 19 File 90, to the department of economic development for  
 20 the fiscal year beginning July 1, 1991, and ending  
 21 June 30, 1992, the following amount, or so much  
 22 thereof as is necessary, to be used for the purposes  
 23 designated:

24	For salaries, support, maintenance, and		
25	miscellaneous purposes for the administration of the		
26	Iowa small business new jobs training Act, and for not		
27	more than the following full-time equivalent position:		
28	.....	\$	38,954
29	.....	FTEs	.70

30 Sec. 309. Section 99E.31, subsection 2, Code 1991,  
 31 is amended by striking the subsection.

32 Sec. 310. Section 99E.32, subsection 2, Code 1991,  
 33 is amended by striking the subsection.

34 Sec. 311. Section 15.241, unnumbered paragraphs 1  
 35 and 2, Code 1991, are amended to read as follows:

36 ~~The department shall establish contingent upon the~~  
 37 ~~availability of funds authorized for the program.~~  
 38 There is established a "self-employment loan program  
 39 account" within the strategic investment fund created  
 40 in section 15.313 to provide funding for the self-  
 41 employment loan program which program is to be  
 42 conducted in coordination with the job training  
 43 partnership program and other programs administered  
 44 under section 15.108, subsection 6, paragraph "c".  
 45 The department may contract with local community  
 46 action agencies or other local entities in  
 47 administering the program, and shall work with the  
 48 department of employment services and the department  
 49 of human services in developing the program.

50 The self-employment loan program shall administer a

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1 low-interest loan program to provide loans to low-  
2 income persons for the purpose of establishing or  
3 expanding small business ventures. The terms of the  
4 loans shall be determined by the department, but shall  
5 not be in excess of five thousand dollars to any  
6 single applicant or at a rate to exceed five percent  
7 simple interest per annum. ~~A self-employment loan~~  
8 ~~program revolving loan fund shall be established~~  
9 ~~within the department.~~ The department shall maintain  
10 records of all loans approved and the effectiveness of  
11 those loans in establishing or expanding small  
12 business ventures.

13 Sec. 312. Section 15.241, Code 1991, is amended by  
14 adding the following new unnumbered paragraph:

15 NEW UNNUMBERED PARAGRAPH. Payments of interest and  
16 repayments of moneys awarded under this program shall  
17 be deposited into the strategic investment fund.

18 Sec. 313. Section 15.247, subsections 2 and 3,  
19 Code 1991, are amended to read as follows:

20 2. ~~The department shall establish, contingent upon~~  
21 ~~the availability of funds authorized for the program,~~  
22 There is established a "targeted small business  
23 financial assistance program account" within the  
24 strategic investment fund created in section 15.313,  
25 to provide for loans, loan guarantees, revolving  
26 loans, loans secured by accounts receivable, or grants  
27 to targeted small businesses. A targeted small  
28 business in any year shall receive under this program  
29 not more than twenty-five thousand dollars in a loan  
30 or grant, and not more than forty thousand dollars in  
31 a guarantee, or a combination of loans, grants, or  
32 guarantees. The program shall provide guarantees not  
33 to exceed seventy-five percent for loans made by  
34 qualified lenders. The department shall establish a  
35 financial assistance reserve account from funds  
36 provided for this allocated to the program account,  
37 from which any default on a guaranteed loan under this  
38 section shall be paid. In administering the program  
39 the department shall not guarantee loan values in  
40 excess of the amount credited to the reserve account  
41 and only moneys set aside in the loan reserve account  
42 may be used for the payment of a default.

43 3. All moneys designated for the targeted small  
44 business financial assistance program shall be  
45 credited to the financial assistance reserve program  
46 account. The department shall also establish an  
47 administrative account from which the operating costs  
48 of the program shall be paid. The department may  
49 transfer moneys between the reserve and the  
50 administrative accounts except that not more than

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~~1 twenty-five-percent-of-the-moneys-shall-be-used-to~~  
~~2 administer-the-fund.~~ The department shall determine  
3 the actuarially sound reserve requirement for the  
4 amount of guaranteed loans outstanding.

5 Sec. 314. Section 15.247, Code 1991, is amended by  
6 adding the following new subsection:

7 NEW SUBSECTION. 6. Payments of interest and  
8 repayments of moneys awarded under this program shall  
9 be deposited into the strategic investment fund.

10 Sec. 315. Section 15.287, Code 1991, is amended to  
11 read as follows:

12 15.287 REVOLVING FUND.

13 The Iowa finance authority shall establish a  
14 revolving fund for the program and shall transfer to  
15 the department moneys to be administered by the  
16 department. The moneys in the revolving fund are  
17 appropriated for purposes of the program.  
18 Notwithstanding section 8.33, moneys in the fund at  
19 the end of a fiscal year shall not revert to any other  
20 fund but shall remain in the revolving fund. The fund  
21 shall consist of all appropriations, grants, or gifts  
22 received by the authority or the department  
23 specifically for use under this part and all  
24 repayments of loans or grants made under this part.  
25 However, loan repayments from loans made under section  
26 28.120, which are not allocated to another program,  
27 shall be deposited in the revolving fund and shall be  
28 available for allocation by the director for  
29 categories administered by the department.

30 Sec. 316. NEW SECTION. 15.311 STRATEGIC  
31 INVESTMENT FUND.

32 This part shall be known as the "Iowa Strategic  
33 Investment Fund" program.

34 Sec. 317. NEW SECTION. 15.312 PURPOSE.

35 The purpose of this part shall be to provide a  
36 mechanism for funding those programs listed in section  
37 15.313, subsection 2, in order to more efficiently  
38 meet the needs identified within those individual  
39 programs.

40 Sec. 318. NEW SECTION. 15.313 STRATEGIC  
41 INVESTMENT FUND.

42 1. There is created an "Iowa strategic investment  
43 fund". The fund is a revolving fund and consists of  
44 any money appropriated by the general assembly for  
45 that purpose and any other moneys available to and  
46 obtained or accepted by the department from the  
47 federal government or private sources for placement in  
48 the fund. The fund shall also include:

49 a. All unencumbered and unobligated funds from the  
50 special community economic betterment program fund

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1 created under 1990 Iowa Acts, chapter 1262, section 1,  
2 subsection 18, remaining on June 30, 1991, and all  
3 repayments of loans or other awards made under the  
4 community economic betterment account or under the  
5 community economic betterment program during the  
6 preceding fiscal years beginning July 1, 1985, and  
7 subsequent fiscal years.

8 b. All unencumbered and unobligated funds from the  
9 self-employment loan program, the targeted small  
10 business financial assistance program, the  
11 microenterprise development revolving fund, and the  
12 value-added agricultural products and processes  
13 financial assistance fund remaining on June 30, 1991,  
14 and all repayments of loans or other awards made under  
15 these programs during the fiscal year beginning July  
16 1, 1991, and subsequent fiscal years.

17 2. The assets of the fund shall be used by the  
18 department for carrying out the purposes of the  
19 following programs:

20 a. The community economic betterment program  
21 created in sections 15.315 through 15.320.

22 b. The value-added agricultural products and  
23 processes financial assistance program created in  
24 sections 28.111 through 28.112.

25 c. The business development finance corporation  
26 created in sections 28.131 through 28.149.

27 d. The self-employment loan program created in  
28 section 15.241.

29 e. The targeted small business financial  
30 assistance program created in section 15.247.

31 3. Annually the director shall submit to the  
32 economic development board at a regular or special  
33 meeting preceding the beginning of the fiscal year  
34 planned allocations to be made for that fiscal year to  
35 the community economic betterment program, the value-  
36 added agricultural products and processes financial  
37 assistance program, the business development finance  
38 corporation, the self-employment loan program, and the  
39 targeted small business financial assistance program.  
40 Plans may provide for increased or decreased  
41 allocations if the demand in a program indicates that  
42 the need exceeds the allocation for that program. The  
43 director shall report to the board on the status of  
44 the funds on a monthly basis and may present proposed  
45 revisions for approval by the board in January and  
46 April of each year. Unobligated and unencumbered  
47 moneys remaining in the strategic investment fund or  
48 any of its accounts on June 30 of each year shall be  
49 considered part of the fund for purposes of the next  
50 year's allocation.



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1 4. Notwithstanding section 8.33, moneys in this  
2 fund at the end of each fiscal year shall not revert  
3 to any other fund but shall remain in this strategic  
4 investment fund.

5 Sec. 319. NEW SECTION. 15.315 COMMUNITY ECONOMIC  
6 BETTERMENT PROGRAM.

7 This part shall be known as the "Community Economic  
8 Betterment Program."

9 Sec. 320. NEW SECTION. 15.316 PURPOSE.

10 The purpose of this program is to assist  
11 communities and rural areas of the state with their  
12 economic development efforts and to increase  
13 employment opportunities for Iowans by increasing the  
14 level of economic activity and development within the  
15 state.

16 Sec. 321. NEW SECTION. 15.317 PROGRAM.

17 1. The department shall establish a program to  
18 effectuate the purposes of this part by providing  
19 financial assistance for small business gap financing,  
20 new business opportunities, and new product and  
21 entrepreneurial development. These purposes may be  
22 accomplished by providing the following types of  
23 assistance:

24 a. Principal buy-down program to reduce the  
25 principal of a business loan.

26 b. Interest buy-down program to reduce the  
27 interest of a business loan.

28 c. Loans or forgivable loans to aid in economic  
29 development.

30 d. Loan guarantees for business loans made by  
31 commercial lenders.

32 e. Equity-like investments.

33 2. Only a political subdivision of this state may  
34 apply to receive funds for any of the above purposes.  
35 The political subdivision shall make application to  
36 the department of economic development specifying the  
37 purpose for which the funds will be used.

38 3. The department shall not provide more than one  
39 million dollars for any project, unless at least two-  
40 thirds of the members of the economic development  
41 board vote for providing more.

42 Sec. 322. NEW SECTION. 15.318 RATING FACTORS AND  
43 CRITERIA.

44 In ranking applications for funds, the department  
45 shall consider a variety of factors including, but not  
46 limited to:

47 1. The proportion of local match to be provided.

48 2. The proportion of private contribution to be  
49 provided, including the involvement of financial  
50 institutions.

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- 1 3. The total number of jobs to be created or  
2 retained.
- 3 4. The size of the business receiving assistance.  
4 The department shall award more points to small  
5 businesses as defined by the United States small  
6 business administration.
- 7 5. The potential for future growth in the industry  
8 represented by the business being considered for  
9 assistance.
- 10 6. The need of the business for financial  
11 assistance from governmental sources. More points  
12 shall be awarded to a business for which the  
13 department determines that governmental assistance is  
14 most necessary to the success of the project.
- 15 7. The quality of the jobs to be created. In  
16 rating the quality of the jobs the department shall  
17 award more points to those jobs that have a higher  
18 wage scale, have a lower turnover rate, are full-time  
19 or career-type positions, provide comprehensive health  
20 benefits, or have other related factors which could be  
21 considered to be higher in quality. Businesses that  
22 have wage scales substantially below that of existing  
23 Iowa businesses in that area should be rated as  
24 providing the lowest quality of jobs and should  
25 therefore be given the lowest ranking for providing  
26 such assistance.
- 27 8. The level of need of the political subdivision.
- 28 9. The impact of the proposed project on the  
29 economy of the political subdivision.
- 30 10. The impact of the proposed project on other  
31 businesses in competition with the business being  
32 considered for assistance. The department shall make  
33 a good faith effort to identify existing Iowa  
34 businesses within an industry in competition with the  
35 business being considered for assistance. The  
36 department shall make a good faith effort to determine  
37 the probability that the proposed financial assistance  
38 will displace employees of the existing businesses.  
39 In determining the impact on businesses in competition  
40 with the business being considered for assistance,  
41 jobs created as a result of other jobs being displaced  
42 elsewhere in the state shall not be considered direct  
43 jobs created.
- 44 11. The impact to the state of the proposed  
45 project. In measuring the economic impact the  
46 department shall award more points for projects which  
47 have greater consistency with the state strategic  
48 plan, such as the following:
- 49 a. A business with a greater percentage of sales  
50 out-of-state or of import substitution.

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- 1 b. A business with a higher proportion of in-state  
2 suppliers.
- 3 c. A project which would provide greater  
4 diversification of the state economy.
- 5 d. A business with fewer in-state competitors.
- 6 e. A potential for future job growth.
- 7 f. A project which is not a retail operation.
- 8 12. If the business has a record of violations of  
9 the law over a period of time that tends to show a  
10 consistent pattern, the business shall be given the  
11 lowest ranking for providing assistance. The  
12 department shall make a good faith effort to compile  
13 this information.
- 14 13. If a business has, within three years of  
15 application for assistance, acquired or merged with an  
16 Iowa corporation or company, the business shall make a  
17 good faith effort to hire the workers of the acquired  
18 or merged company.
- 19 14. To be eligible for assistance a business shall  
20 provide for a preference for hiring residents of the  
21 state or the economic development area, except for  
22 out-of-state employees offered a transfer to Iowa or  
23 the economic development area.
- 24 15. All known required environmental permits must  
25 be granted and regulations met before moneys are  
26 released.
- 27 Sec. 323. NEW SECTION. 15.319 MONITORING OF JOB  
28 CREATION AND RETENTION.
- 29 1. The department shall develop definitions for  
30 the terms "job creation" and "job retention" to  
31 measure and identify the actual number of permanent,  
32 full-time positions which the businesses actually  
33 create or retain and which can be documented by  
34 comparison of the payroll reports during the twenty-  
35 four month period after the award.
- 36 2. The department shall document the actual job  
37 creation and retention effects of all businesses  
38 receiving financial assistance from the program in the  
39 context of the employer contribution and payroll  
40 reports filed by the business.
- 41 3. The department shall require businesses which  
42 receive assistance from the program to submit  
43 historical copies of the employer contributions and  
44 payroll reports with the application for funds,  
45 require businesses to submit the reports after an  
46 award on a timely basis, and require businesses to  
47 estimate the expected job creation and retention  
48 effects for the twelve-month and twenty-four month  
49 periods after an award in terms of the number of  
50 employees and total wages as displayed in the payroll

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1 reports.

2 Sec. 324. NEW SECTION. 15.320 COMMUNITY ECONOMIC  
3 BETTERMENT PROGRAM ACCOUNT.

4 1. A community economic betterment program account  
5 is established within the strategic investment fund to  
6 be used by the department of economic development for  
7 the community economic betterment program. The  
8 account shall consist of all appropriations, grants,  
9 or gifts received by the department specifically for  
10 use under this part and any moneys allocated to the  
11 community economic betterment program account from the  
12 strategic investment fund.

13 2. Payments of interest or repayments of moneys  
14 awarded under the community economic betterment  
15 program shall be deposited into the strategic  
16 investment fund.

17 Sec. 325. Section 28.111, subsection 3, unnumbered  
18 paragraph 1, Code 1991, is amended to read as follows:

19 The director of the department of economic  
20 development may grant financial or technical  
21 assistance to a person eligible to receive assistance  
22 under this section, upon review and evaluation of the  
23 person's application by the agricultural products  
24 advisory council as established in section 15.203.  
25 ~~The council shall make recommendations to approve or~~  
26 ~~disapprove an application to the department. The~~  
27 ~~department director shall consider the recommendations~~  
28 ~~council's evaluation in granting or denying~~  
29 ~~assistance. The department director shall not approve~~  
30 ~~an application for assistance under this section to~~  
31 ~~refinance an existing loan, or to finance traditional~~  
32 ~~agricultural operations. An application is eligible~~  
33 ~~for consideration if the application seeks assistance~~  
34 ~~for any of the following purposes:~~

35 Sec. 326. Section 28.112, subsection 1, Code 1991,  
36 is amended to read as follows:

37 1. ~~The department may establish~~ There is  
38 established a value-added agricultural products and  
39 processes financial assistance fund account within the  
40 strategic investment fund created in section 15.313.  
41 The fund account shall be a revolving fund composed  
42 consist of any money appropriated by the general  
43 assembly for that purpose, moneys allocated to the  
44 account from the strategic investment fund, any other  
45 moneys available to and obtained or accepted by the  
46 department from the federal government or private  
47 sources for placement in the fund, and any earned  
48 interest account. Except as otherwise provided in  
49 subsection 2, the assets of the fund account shall be  
50 used by the department only for carrying out the

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1 purposes of section 28.111.

2 Sec. 327. Section 28.112, subsection 2, Code 1991,  
3 is amended by adding the following new paragraph:

4 NEW PARAGRAPH. d. Payments of interest or  
5 repayments of moneys awarded under the value-added  
6 agricultural products and processes financial  
7 assistance program shall be deposited into the  
8 strategic investment fund.

9 Sec. 328. Section 28.120, Code 1991, is amended by  
10 adding the following new subsection:

11 NEW SUBSECTION. 8. Loan repayments made under  
12 this section and unallocated in the special account in  
13 subsection 5, shall be allocated to the revolving  
14 account of the rural community 2000 program created in  
15 section 15.287.

16 Sec. 329. Section 28.143, subsection 1, paragraph  
17 e, Code 1991, is amended to read as follows:

18 e. The superintendent of ~~savings-and-loans~~ savings and loans credit  
19 unions.

20 Sec. 330. Section 28.144, Code 1991, is amended by  
21 striking the section and inserting in lieu thereof the  
22 following:

23 28.144 PRESIDENT OF THE CORPORATION.

24 The director of the department shall appoint the  
25 president of the corporation from the division within  
26 the department that administers business financial  
27 assistance programs. Administrative and staff support  
28 shall be furnished by the department.

29 Sec. 331. Section 28.148, Code 1991, is amended to  
30 read as follows:

31 28.148 STATE ASSISTANCE FUND.

32 There is created in the treasurer of state's office  
33 a "business development finance corporation assistance  
34 fund". The fund shall consist of all appropriations,  
35 grants, or gifts received by the treasurer  
36 specifically for assistance under this division and  
37 moneys allocated from the strategic investment fund  
38 created in section 15.313. Moneys in this fund are  
39 appropriated to the corporation for the purposes  
40 stated in this division. Moneys allocated to this  
41 fund for purposes of the capital access program and  
42 repayments of moneys from the capital access program  
43 which remain unobligated at the end of a fiscal year  
44 may be returned to the strategic investment fund upon  
45 approval of the board.

46 Sec. 332. Notwithstanding the provision in section  
47 15.313 granting the director of the department of  
48 economic development discretion in the allocation of  
49 the moneys to the various accounts in the strategic  
50 investment fund, for the fiscal year beginning July 1,

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1 1991, a minimum of \$500,000 shall be allocated to the  
2 targeted small business financial assistance program  
3 account and a minimum of \$220,000 shall be allocated  
4 to the self-employment loan program account. However,  
5 any amounts of those two minimum allocations that have  
6 not been committed on January 15, 1992, may be  
7 reallocated to the other accounts in the strategic  
8 investment fund.

9 Sec. 333. Section 15.286A, subsection 2, as  
10 enacted by 1991 Iowa Acts, Senate File 254, section 9,  
11 is amended to read as follows:

12 2. A city, cluster of cities, county, group of  
13 counties, ~~unincorporated-community, group of~~  
14 ~~unincorporated-communities,~~ council of governments, or  
15 regional planning commission, or one of these entities  
16 on behalf of an unincorporated community or group of  
17 unincorporated communities, is eligible to apply for  
18 loans or grants from this category for planning  
19 efforts related to the community builder program.

20 Sec. 334. Sections 15.232 and 15.240, Code 1991,  
21 are repealed.

22 DIVISION IV  
23 JUSTICE SYSTEMS

24 Sec. 401. There is appropriated from the general  
25 fund of the state to the department of justice for the  
26 fiscal year beginning July 1, 1991, and ending June  
27 30, 1992, the following amounts, or so much thereof as  
28 is necessary, to be used for the purposes designated:

29 1. For the general office of attorney general for  
30 salaries, support, maintenance, miscellaneous  
31 purposes, and for not more than the following full-  
32 time equivalent positions:

33 ..... \$ 4,361,222  
34 ..... FTEs 175.00

35 2. Prosecuting attorney training program for  
36 salaries, support, maintenance, miscellaneous  
37 purposes, and for not more than the following full-  
38 time equivalent positions:

39 ..... \$ 137,545  
40 ..... FTEs 4.75

41 In addition to the funds appropriated in this  
42 subsection for the fiscal year beginning July 1, 1991,  
43 and ending June 30, 1992, the attorney general shall  
44 provide up to \$41,000 in state matching funds from  
45 moneys retained by the attorney general from property  
46 forfeited pursuant to section 809.13.

47 3. In addition to the funds appropriated under  
48 subsection 1, there is appropriated from the general  
49 fund of the state to the department of justice for the  
50 fiscal year beginning July 1, 1991, and ending June

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1 30, 1992, an amount not exceeding \$95,000 to be used  
 2 for the enforcement of the Iowa competition law under  
 3 chapter 553. The expenditure of the funds  
 4 appropriated under this subsection is contingent upon  
 5 receipt by the general fund of the state of an amount  
 6 at least equal to either the expenditures from damages  
 7 awarded to the state or a political subdivision of the  
 8 state by a civil judgment under chapter 553, if the  
 9 judgment authorizes the use of the award for  
 10 enforcement purposes or costs or attorneys fees  
 11 awarded the state in state or federal antitrust  
 12 actions.

13 4. In addition to funds appropriated under  
 14 subsection 1, there is appropriated from the general  
 15 fund of the state to the department of justice for the  
 16 fiscal year beginning July 1, 1991, and ending June  
 17 30, 1992, an amount not exceeding \$50,000 to be used  
 18 for public education relating to consumer fraud and  
 19 for enforcement of section 714.16, and \$25,000 for  
 20 investigation, prosecution, and consumer education  
 21 relating to consumer and criminal fraud against older  
 22 Iowans. The expenditure of the funds appropriated  
 23 under this subsection is contingent upon receipt by  
 24 the general fund of the state of an amount at least  
 25 equal to the expenditures from damages awarded to the  
 26 state or a political subdivision of the state by a  
 27 civil consumer fraud judgment, if the judgment  
 28 authorizes the use of the award for public education  
 29 on consumer fraud. Notwithstanding section 8.33,  
 30 funds received in a previous fiscal year which have  
 31 not been expended shall be credited to this fiscal  
 32 year.

- 33 5. For the farm mediation service program:
- 34 ..... \$ 100,000
- 35 6. For the legal assistance for farmers program:
- 36 ..... \$ 100,000
- 37 7. For victim assistance grants:
- 38 ..... \$ 383,650

39 As a condition, limitation, and qualification of  
 40 this appropriation, \$312,675 shall be used to provide  
 41 grants to care providers providing services to crime  
 42 victims of domestic abuse, and \$70,975 shall be used  
 43 to provide grants to care providers providing services  
 44 to crime victims of rape and sexual assault.

- 45 8. For the GASA prosecuting attorney program:
- 46 ..... \$ 103,400
- 47 ..... FTEs 1.00

48 9. The balance of the fund created under section  
 49 321J.17 may be used to provide salary and support of  
 50 not more than 6 FTE positions and to provide

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1 maintenance for the victim compensation functions of  
2 the department of justice.

3 10. The department of justice shall submit monthly  
4 financial statements to the legislative fiscal bureau  
5 and the department of management containing all  
6 appropriated accounts in the same manner as provided  
7 in the monthly financial status reports and personal  
8 services usage reports of the department of revenue  
9 and finance. The monthly financial statements shall  
10 include comparisons of the moneys and percentage spent  
11 of budgeted to actual revenues and expenditures on a  
12 cumulative basis for full-time equivalent positions  
13 and available moneys.

14 Sec. 402. There is appropriated from the general  
15 fund of the state to the office of consumer advocate  
16 of the department of justice for the fiscal year  
17 beginning July 1, 1991, and ending June 30, 1992, the  
18 following amount, or so much thereof as is necessary,  
19 to be used for the purposes designated:

20 For salaries, support, maintenance, miscellaneous  
21 purposes, and for not more than the following full-  
22 time equivalent positions:

23 .....	\$	2,000,000
24 .....	FTEs	32.00

25 Sec. 403. There is appropriated from the general  
26 fund of the state to the board of parole for the  
27 fiscal year beginning July 1, 1991, and ending June  
28 30, 1992, the following amount, or so much thereof as  
29 is necessary, to be used for the purposes designated:

30 For salaries, support, maintenance, miscellaneous  
31 purposes, and for not more than the following full-  
32 time equivalent positions:

33 .....	\$	770,000
34 .....	FTEs	18.00

35 As a condition, limitation, and qualification of  
36 this appropriation the board of parole shall maintain  
37 an automated docket and shall maintain the board's  
38 automated risk assessment model.

39 As a condition, limitation, and qualification of  
40 the appropriation the board of parole shall employ 2  
41 statistical research analysts to assist with the  
42 application of the risk assessment model in the parole  
43 decision-making process. The board of parole shall  
44 also require the board's administrative staff to be  
45 cross-trained to assure that each individual on that  
46 staff is familiar with all tasks performed by the  
47 staff.

48 It is the intent of the general assembly that the  
49 department of corrections and the board of parole  
50 shall review, and implement as necessary, the findings



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1 and recommendations contained in the final report  
 2 prepared by the consultant and presented to the  
 3 corrections system review task force which was  
 4 established by 1988 Iowa Acts, chapter 1271, as they  
 5 relate to the department of corrections and the board  
 6 of parole. The board shall report to the justice  
 7 system appropriations subcommittee during the 1992  
 8 legislative session, at the request of the  
 9 subcommittee, steps taken to implement any of those  
 10 recommendations, or the reasons for failing to  
 11 implement such recommendations.

12 Sec. 404. There is appropriated from the general  
 13 fund of the state to the department of corrections for  
 14 the fiscal year beginning July 1, 1991, and ending  
 15 June 30, 1992, the following amounts, or so much  
 16 thereof as is necessary, to be used for the purposes  
 17 designated:

18 1. For the operation of adult correctional  
 19 institutions, to be allocated as follows:

20 a. For the operation of the Fort Madison  
 21 correctional facility, including salaries, support,  
 22 maintenance, miscellaneous purposes, and for not more  
 23 than the following full-time equivalent positions:

24 ..... \$ 21,432,590  
 25 ..... FTEs 502.50

26 b. For the operation of the Anamosa correctional  
 27 facility, including salaries, support, maintenance,  
 28 miscellaneous purposes, and for not more than the  
 29 following full-time equivalent positions:

30 ..... \$ 15,803,729  
 31 ..... FTEs 356.00

32 (1) As a condition, limitation, and qualification  
 33 of this appropriation, the facility shall employ a  
 34 part-time chaplain of a minority race.

35 (2) Of the funds appropriated, the department's  
 36 budget for Anamosa shall include funding for 2 full-  
 37 time substance abuse counselors for the Luster Heights  
 38 facility, for the purpose of certification of a  
 39 substance abuse program at that facility.

40 c. For the operation of the Oakdale correctional  
 41 facility, including salaries, support, maintenance,  
 42 miscellaneous purposes, and for not more than the  
 43 following full-time equivalent positions:

44 ..... \$ 13,737,933  
 45 ..... FTEs 307.53

46 d. For the operation of the Newton correctional  
 47 facility, including salaries, support, maintenance,  
 48 miscellaneous purposes, and for not more than the  
 49 following full-time equivalent positions:

50 ..... \$ 4,149,032

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1 ..... FTEs 91.72

2 e. For the operation of the Mt. Pleasant  
3 correctional facility, including salaries, support,  
4 maintenance, miscellaneous purposes, and for not more  
5 than the following full-time equivalent positions:

6 ..... \$ 11,369,469

7 ..... FTEs 267.15

8 As a condition, limitation, and qualification of  
9 this appropriation, the facility shall employ a full-  
10 time chaplain to provide religious counseling at the  
11 Oakdale and Mt. Pleasant correctional facilities.

12 f. For the operation of the Rockwell City  
13 correctional facility, including salaries, support,  
14 maintenance, miscellaneous purposes, and for not more  
15 than the following full-time equivalent positions:

16 ..... \$ 3,988,999

17 ..... FTEs 82.39

18 g. For the operation of the Clarinda correctional  
19 facility, including salaries, support, maintenance,  
20 miscellaneous purposes, and for not more than the  
21 following full-time equivalent positions:

22 ..... \$ 5,318,793

23 ..... FTEs 137.20

24 As a condition, limitation, and qualification of  
25 this appropriation, the facility shall employ 6  
26 additional counselors to expand "The Other Way"  
27 substance abuse treatment program. The facility may  
28 provide up to \$205,250 as a state match requirement to  
29 receive federal substance abuse treatment grants.

30 h. For the operation of the Mitchellville  
31 correctional facility, including salaries, support,  
32 maintenance, miscellaneous purposes, and for not more  
33 than the following full-time equivalent positions:

34 ..... \$ 4,760,300

35 ..... FTEs 112.14

36 2. The department of corrections shall provide a  
37 report to the co-chairpersons and ranking members of  
38 the justice system appropriations subcommittee and the  
39 legislative fiscal bureau on or before January 15,  
40 1992, outlining the implementation of the centralized  
41 education program for the correctional system. The  
42 report shall include a listing of the educational  
43 institutions that are involved, the amount of any  
44 federal funds received for use with these programs,  
45 and any other pertinent information.

46 3. If the inmate tort claim fund for inmate claims  
47 of less than \$50 is exhausted during the fiscal year,  
48 sufficient funds shall be transferred from the  
49 institutional budgets to pay approved tort claims for  
50 the balance of the fiscal year. The warden or

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1 superintendent of each institution or correctional  
 2 facility shall designate an employee to receive,  
 3 investigate, and recommend whether to pay any properly  
 4 filed inmate tort claim for less than the above  
 5 amount. The designee's recommendation shall be  
 6 approved or denied by the warden or superintendent and  
 7 forwarded to the department of corrections for final  
 8 approval and payment. The amounts appropriated to  
 9 this fund pursuant to 1987 Iowa Acts, chapter 234,  
 10 section 304, subsection 2, are not subject to  
 11 reversion under section 8.33.

12 Tort claims denied at the institution shall be  
 13 forwarded to the state appeal board for their  
 14 consideration as if originally filed with that body.  
 15 This procedure shall be used in lieu of chapter 25A  
 16 for inmate tort claims of less than \$50.

17 Sec. 405. There is appropriated from the general  
 18 fund of the state to the department of corrections for  
 19 the fiscal year beginning July 1, 1991, and ending  
 20 June 30, 1992, the following amounts, or so much  
 21 thereof as is necessary, to be used for the purposes  
 22 designated:

23 1. For general administration, including salaries,  
 24 support, maintenance, miscellaneous purposes, and for  
 25 not more than the following full-time equivalent  
 26 positions:

27 .....	\$	2,141,828
28 .....	FTEs	43.52

29 As a condition, limitation, and qualification of  
 30 this appropriation the department shall employ an  
 31 education director and clerk to administer a  
 32 centralized education program for the correctional  
 33 system.

34 The department shall monitor the use of the  
 35 classification model by the judicial district  
 36 departments of correctional services and has the  
 37 authority to override a district department's decision  
 38 regarding classification of community-based clients.  
 39 The department shall notify a district department of  
 40 the reasons for the override.

41 2. For reimbursement of counties for temporary  
 42 confinement of work release and parole violators, as  
 43 provided in sections 246.908, 901.7, and 906.17 and  
 44 for offenders confined pursuant to section 246.513:  
 45 .....

46 .....	\$	250,000
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47 3. For federal prison reimbursement and  
 48 miscellaneous contracts:  
 48 .....

48 .....	\$	360,000
----------	----	---------

49 The department of corrections shall use funds  
 50 appropriated by this subsection to continue to

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1 contract for the service of a Muslim imam.  
2 4. For salaries, support, maintenance,  
3 miscellaneous purposes, and for not more than the  
4 following full-time equivalent positions at the  
5 correctional training center at Mt. Pleasant:  
6 ..... \$ 375,000  
7 ..... FTEs 8.22  
8 5. For annual payment relating to the financial  
9 arrangement for the construction of expansion in  
10 prison capacity as provided in 1989 Iowa Acts, chapter  
11 316, section 7, subsection 6:  
12 ..... \$ 625,860  
13 6. For annual payment relating to the financial  
14 arrangement for the construction of expansion in  
15 prison capacity as provided in 1990 Iowa Acts, chapter  
16 1257, section 24:  
17 ..... \$ 3,143,250  
18 Sec. 406.  
19 1. There is appropriated from the general fund of  
20 the state to the department of corrections for the  
21 fiscal year beginning July 1, 1991, and ending June  
22 30, 1992, the following amounts, or so much thereof as  
23 is necessary, to be allocated as follows:  
24 a. For the first judicial district department of  
25 correctional services, the following amount, or so  
26 much thereof as is necessary:  
27 ..... \$ 5,678,418  
28 The district department shall continue the  
29 intensive supervision program established within the  
30 district in 1988 Iowa Acts, chapter 1271, section 6,  
31 subsection 1, paragraph "a", and the sex offender  
32 treatment program established within the district in  
33 1989 Iowa Acts, chapter 316, section 8, subsection 1,  
34 paragraph "a".  
35 The district department, in cooperation with the  
36 chief judge of the judicial district, shall continue  
37 the implementation of a plan to divert low-risk  
38 offenders to the least restrictive sanction available.  
39 b. For the second judicial district department of  
40 correctional services, the following amount, or so  
41 much thereof as is necessary:  
42 ..... \$ 4,154,570  
43 The district department shall continue the sex  
44 offender treatment program established within the  
45 district in 1988 Iowa Acts, chapter 1271, section 6,  
46 subsection 1, paragraph "b".  
47 The district department, in cooperation with the  
48 chief judge of the judicial district, shall continue  
49 the implementation of a plan to divert low-risk  
50 offenders to the least restrictive sanction available.

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1 c. For the third judicial district department of  
 2 correctional services, the following amount, or so  
 3 much thereof as is necessary:  
 4 ..... \$ 2,609,784

5 The district department shall continue the sex  
 6 offender treatment program established within the  
 7 district in 1988 Iowa Acts, chapter 1271, section 6,  
 8 subsection 1, paragraph "c", and the intensive  
 9 supervision program established within the district in  
 10 1990 Iowa Acts, chapter 1268, section 6, subsection 3,  
 11 paragraph "d".

12 The district department, in cooperation with the  
 13 chief judge of the judicial district, shall continue  
 14 the implementation of a plan to divert low-risk  
 15 offenders to the least restrictive sanction available.

16 d. For the fourth judicial district department of  
 17 correctional services, the following amount, or so  
 18 much thereof as is necessary:  
 19 ..... \$ 1,996,809

20 The district department shall continue the sex  
 21 offender treatment program established within the  
 22 district in 1988 Iowa Acts, chapter 1271, section 6,  
 23 subsection 1, paragraph "d".

24 The district department, in cooperation with the  
 25 chief judge of the judicial district, shall continue  
 26 the implementation of a plan to divert low-risk  
 27 offenders to the least restrictive sanction available.

28 e. For the fifth judicial district department of  
 29 correctional services, the following amount, or so  
 30 much thereof as is necessary:  
 31 ..... \$ 7,288,870

32 The district department shall continue the  
 33 intensive supervision program established within the  
 34 district in 1988 Iowa Acts, chapter 1271, section 6,  
 35 subsection 1, paragraph "e", and shall continue to  
 36 provide for the rental of electronic monitoring  
 37 equipment.

38 The district department, in cooperation with the  
 39 chief judge of the judicial district, shall continue  
 40 the implementation of a plan to divert low-risk  
 41 offenders to the least restrictive sanction available.

42 f. For the sixth judicial district department of  
 43 correctional services, the following amount, or so  
 44 much thereof as is necessary:  
 45 ..... \$ 5,697,838

46 The district department shall continue the  
 47 intensive supervision program established within the  
 48 district in 1988 Iowa Acts, chapter 1271, section 6,  
 49 subsection 1, paragraph "f", and the sex offender  
 50 treatment program established within the district in

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1 1989 Iowa Acts, chapter 316, section 8, subsection 1,  
2 paragraph "f".

3 The district department, in cooperation with the  
4 chief judge of the judicial district, shall continue  
5 the implementation of a plan to divert low-risk  
6 offenders to the least restrictive sanction available.

7 g. For the seventh judicial district department of  
8 correctional services, the following amount, or so  
9 much thereof as is necessary:

10 ..... \$ 3,899,438

11 The district department shall continue the  
12 intensive supervision program established within the  
13 district in 1988 Iowa Acts, chapter 1271, section 6,  
14 subsection 1, paragraph "g", and shall continue the  
15 sex offender treatment program established within the  
16 district in 1989 Iowa Acts, chapter 316, section 8,  
17 subsection 1, paragraph "g".

18 The district department, in cooperation with the  
19 chief judge of the judicial district, shall continue  
20 the implementation of a plan to divert low-risk  
21 offenders to the least restrictive sanction available.

22 h. For the eighth judicial district department of  
23 correctional services, the following amount, or so  
24 much thereof as is necessary:

25 ..... \$ 3,252,985

26 The district department shall continue the  
27 intensive supervision program established within the  
28 district in 1988 Iowa Acts, chapter 1271, section 6,  
29 subsection 1, paragraph "h", and shall continue the  
30 sex offender treatment program established within the  
31 district in 1989 Iowa Acts, chapter 316, section 8,  
32 subsection 1, paragraph "h".

33 The district department, in cooperation with the  
34 chief judge of the judicial district, shall continue  
35 the implementation of a plan to divert low-risk  
36 offenders to the least restrictive sanction available.

37 i. For the department of corrections for the  
38 assistance and support of each judicial district  
39 department of correctional services, the following  
40 amount, or so much thereof as is necessary:

41 ..... \$ 91,057

42 2. The department of corrections shall continue  
43 the OWI facilities established in 1986 Iowa Acts,  
44 chapter 1246, section 402, in compliance with the  
45 conditions specified in that section.

46 3. The department of corrections shall continue to  
47 contract with a judicial district department of  
48 correctional services to provide for the rental of  
49 electronic monitoring equipment which shall be  
50 available statewide.

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1 4. Each judicial district department of  
2 correctional services and the department of  
3 corrections shall continue the treatment alternatives  
4 to street crime programs established in 1989 Iowa  
5 Acts, chapter 225, section 9.

6 5. The first, sixth, and eighth judicial district  
7 departments of correctional services and the  
8 department of corrections shall continue the job  
9 training and development grant programs established in  
10 1989 Iowa Acts, chapter 316, section 7, subsection 2.

11 6. The department of corrections shall not make an  
12 intradepartmental transfer of moneys appropriated to  
13 the department, unless notice of the intradepartmental  
14 transfer is given prior to its effective date to the  
15 legislative fiscal bureau. The notice shall include  
16 information on the department's rationale for making  
17 the transfer and details concerning the work load and  
18 performance measures upon which the transfers are  
19 based.

20 7. The governor's alliance on substance abuse  
21 shall consider federal grants made to the department  
22 of corrections for the benefit of each of the eight  
23 judicial district departments of correctional services  
24 as local government grants, as defined pursuant to  
25 federal regulations.

26 Sec. 407. There is appropriated from the general  
27 fund of the state to the judicial department for the  
28 fiscal year beginning July 1, 1991, and ending June  
29 30, 1992, the following amounts, or so much thereof as  
30 is necessary, to be used for the purposes designated:

31 1. For salaries of supreme court justices,  
32 appellate court judges, district court judges,  
33 district associate judges, judicial magistrates and  
34 staff, state court administrator, clerk of the supreme  
35 court, district court administrators, clerks of the  
36 district court, juvenile court officers, board of law  
37 examiners and board of examiners of shorthand  
38 reporters and judicial qualifications commission,  
39 receipt and disbursement of child support payments,  
40 and maintenance, equipment, and miscellaneous  
41 purposes:

42 ..... \$ 69,000,000

43 As a condition, limitation, and qualification of  
44 this appropriation, the department shall reimburse the  
45 auditor of state for expenses incurred in completing  
46 audits of the offices of the clerks of the district  
47 court during the fiscal year beginning July 1, 1991.

48 Notwithstanding section 602.5205, the judicial  
49 department shall provide for the expenses of the  
50 judges of the court of appeals located outside the

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1 seat of government.

2 As a condition, limitation, and qualification of  
3 this appropriation, the judicial department, except  
4 for purposes of internal processing, shall use the  
5 current state budget system, the state payroll system,  
6 and the Iowa finance and accounting system in  
7 administration of programs and payments for services,  
8 and shall not duplicate the state payroll, accounting,  
9 and budgeting systems.

10 The judicial department shall submit monthly  
11 financial statements to the legislative fiscal bureau  
12 and the department of management containing all  
13 appropriated accounts in the same manner as provided  
14 in the monthly financial status reports and personal  
15 services usage reports of the department of revenue  
16 and finance. The monthly financial statements shall  
17 include a comparison of the dollars and percentage  
18 spent of budgeted versus actual revenues and  
19 expenditures on a cumulative basis for full-time  
20 equivalent positions and dollars.

21 Of the funds appropriated under this subsection,  
22 not more than \$1,800,000 may be transferred into the  
23 revolving fund established pursuant to section  
24 602.1302, subsection 3, to be used for the payment of  
25 jury and witness fees and mileage.

26 2. For the juvenile victim restitution program:

27 ..... \$ 100,000

28 Sec. 408. There is appropriated from the general  
29 fund of the state to the judicial department for the  
30 fiscal year beginning July 1, 1991, and ending June  
31 30, 1992, the following amount, or so much thereof as  
32 is necessary, to be used for the purpose designated:

33 For the Iowa court information system:

34 ..... \$ 875,000

35 1. As a condition, limitation, and qualification  
36 of this appropriation, the judicial department, except  
37 for purposes of internal processing, shall use the  
38 current state budget system, the state payroll system,  
39 and the Iowa finance and accounting system in  
40 administration of programs and payments for services,  
41 and shall not duplicate the state payroll, accounting,  
42 and budgeting systems.

43 2. The judicial department shall not change the  
44 appropriations from the amounts appropriated under  
45 this section, unless notice of the revisions is given  
46 prior to their effective date to the legislative  
47 fiscal bureau. The notice shall include information  
48 on the department's rationale for making the changes  
49 and details concerning the work load and performance  
50 measures upon which the changes are based.



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1 3. The judicial department shall conduct a  
2 comparable worth study concerning juvenile court  
3 officers. As used in this paragraph, "comparable  
4 worth" means comparable worth as defined in section  
5 602.1204. The judicial department shall report its  
6 findings and recommendations to the joint justice  
7 system appropriations subcommittee by January 1, 1992.

8 Sec. 409. The department of corrections, judicial  
9 district departments of correctional services, board  
10 of parole, and the judicial department shall continue  
11 to develop an automated data system for use in the  
12 sharing of information between the department of  
13 corrections, judicial district departments of  
14 correctional services, board of parole, and the  
15 judicial department. The information to be shared  
16 shall concern any individual who may, as the result of  
17 an arrest or infraction of any law, be subject to the  
18 jurisdiction of the department of corrections,  
19 judicial district departments of correctional  
20 services, or board of parole.

21 Sec. 410. Section 13.15, unnumbered paragraph 2,  
22 Code 1991, is amended to read as follows:

23 The rules shall provide for an hourly mediation fee  
24 not to exceed twenty-five dollars per hour per party  
25 fifty dollars for the borrower and one hundred dollars  
26 for the creditor. The hourly mediation fee may be  
27 waived for any party demonstrating financial hardship  
28 upon application to the farm mediation service.

29 Sec. 411. NEW SECTION. 13.26 FARM ASSISTANCE  
30 FUND ESTABLISHED.

31 A farm assistance fund is established as a separate  
32 fund in the state treasury under the control of the  
33 department of justice. It is the intent of the  
34 general assembly that the moneys deposited in the fund  
35 shall be used for legal assistance to financially  
36 distressed farmers. These funds shall be used only to  
37 the extent appropriated by the general assembly.  
38 Notwithstanding section 8.33, any balance in the fund  
39 on June 30 of any fiscal year shall not revert to any  
40 fund but shall remain in the fund for the subsequent  
41 fiscal year.

42 Sec. 412. Section 312.2, subsection 13, Code 1991,  
43 as amended by 1991 Iowa Acts, House File 173, section  
44 1223, is amended to read as follows:

45 13. The treasurer of state, before making the  
46 allotments provided for in this section, shall credit  
47 annually to the department of justice from the road  
48 use tax fund an amount equal to twenty-five cents on  
49 each title issuance for motor vehicle fraud law  
50 enforcement and prosecution purposes including,--but

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1 ~~not-limited-to,~~ the enforcement of state and federal  
2 odometer laws, the prosecution of highway-related  
3 criminal matters, and the training of county attorney  
4 and attorney general staff in the prosecution of  
5 violations of chapters 321, 321A, and 321J, and  
6 related offenses.

7 ~~Notwithstanding the provisions of this subsection~~  
8 ~~directing that twenty-five cents on each title~~  
9 ~~issuance be annually credited to the department of~~  
10 ~~justice for deposit into the motor vehicle fraud~~  
11 ~~account, for the fiscal period beginning on July 1,~~  
12 ~~1991, and ending June 30, 1993, the twenty-five cents~~  
13 ~~on each title issuance shall be deposited into the~~  
14 ~~general fund of the state.~~

15 Sec. 413. Section 356.26, unnumbered paragraph 3,  
16 Code 1991, is amended to read as follows:

17 The district court may also grant by order to any  
18 person sentenced to a county jail the privilege of a  
19 sentence of in-home detention where the county sheriff  
20 has certified to the court that the jail has an in-  
21 home detention program. ~~The department of corrections~~  
22 ~~shall report to the legislative fiscal bureau on a~~  
23 ~~semiannual basis concerning utilization of in-home~~  
24 ~~detention, including the counties which have~~  
25 ~~established such programs and the number of prisoners~~  
26 ~~allowed in home detention privileges.~~

27 Sec. 414. Section 602.1301, subsection 2,  
28 paragraph a, subparagraph (1), Code 1991, is amended  
29 by striking the subparagraph, and inserting in lieu  
30 thereof, the following:

31 (1) Iowa court information system.

32 Sec. 415. Section 602.9204, Code 1991, is amended  
33 to read as follows:

34 602.9204 ANNUITY OF SENIOR JUDGE AND RETIRED  
35 SENIOR JUDGE.

36 A senior judge or a retired senior judge shall not  
37 be paid a salary. A senior judge or retired senior  
38 judge shall be paid an annuity under the judicial  
39 retirement system in the manner provided in section  
40 602.9109, but computed under this section in lieu of  
41 section 602.9107, as follows: The annuity paid to a  
42 senior judge or retired senior judge shall be an  
43 amount equal to three percent of the current basic  
44 salary, as of the time each payment is made, of the  
45 office in which the senior judge last served as a  
46 judge before retirement as a judge or senior judge,  
47 multiplied by the judge's years of service prior to  
48 retirement as a judge of one or more of the courts  
49 included under this article, for which contributions  
50 were made to the system, except the annual annuity of

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1 the senior judge or retired senior judge shall not  
2 exceed fifty-percent an amount equal to the maximum  
3 percentage established in section 602.9107 of the  
4 current basic annual salary. In addition, if a senior  
5 judge is under sixty-five years of age at the time the  
6 judge becomes a senior judge, the state shall pay the  
7 state's share of the senior judge's medical insurance  
8 premium until the judge attains age sixty-five.

9 Sec. 416. Section 654.18, subsection 1, paragraph  
10 d, Code 1991, is amended to read as follows:

11 d. The mortgagor and mortgagee shall file a  
12 jointly executed document with the county recorder in  
13 the county where the real property is located stating  
14 that the mortgagor and mortgagee have elected to  
15 follow the alternative voluntary foreclosure  
16 procedures pursuant to this section. If the subject  
17 property is agricultural land used for farming, as  
18 defined in section 172C.1, in addition to the fee  
19 collected pursuant to section 331.604, the recorder  
20 shall collect a fee of sixty dollars for filing the  
21 document, and shall remit the sixty-dollar fee to the  
22 treasurer of state for deposit in the farm assistance  
23 fund established in section 13.26.

24 Sec. 417. Section 654.19, Code 1991, is amended to  
25 read as follows:

26 654.19 DEED IN LIEU OF FORECLOSURE -- AGRICULTURAL  
27 LAND.

28 In lieu of a foreclosure action in court due to  
29 default on a recorded mortgage or deed of trust of  
30 real property, if the subject property is agricultural  
31 land used for farming, as defined in section 172C.1,  
32 the mortgagee and mortgagor may enter into an  
33 agreement in which the mortgagor agrees to transfer  
34 the agricultural land to the mortgagee in satisfaction  
35 of all or part of the mortgage obligation as agreed  
36 upon by the parties. The agreement may grant the  
37 mortgagor a right to purchase the agricultural land  
38 for a period not to exceed five years, and may entitle  
39 the mortgagor to lease the agricultural land. The  
40 agreement shall be recorded with the deed transferring  
41 title to the mortgagee. In addition to the fee  
42 collected pursuant to section 331.604, the recorder  
43 shall collect a fee of sixty dollars for recording the  
44 agreement and deed, and shall remit the sixty-dollar  
45 fee to the treasurer of state for deposit in the farm  
46 assistance fund established in section 13.26. A  
47 transfer of title and agreement pursuant to this  
48 section does not constitute an equitable mortgage.

49 Sec. 418. Section 656.5, Code 1991, is amended to  
50 read as follows:

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1 656.5 PROOF AND RECORD OF SERVICE.

2 If the terms and conditions as to which there is  
3 default are not performed within said thirty days, the  
4 party serving said notice or causing the same to be  
5 served, may file for record in the office of the  
6 county recorder a copy of the notice aforesaid with  
7 proofs of service attached or endorsed thereon (and,  
8 in case of service by publication, a personal  
9 affidavit that personal service could not be made  
10 within this state), and when so filed and recorded,  
11 the said record shall be constructive notice to all  
12 parties of the due forfeiture and cancellation of said  
13 contract. If the subject property is agricultural  
14 land used for farming, as defined in section 172C.1,  
15 in addition to the fee collected pursuant to section  
16 331.604, the recorder shall collect a fee of sixty  
17 dollars for filing the notice, and shall remit the  
18 sixty-dollar fee to the treasurer of state for deposit  
19 in the farm assistance fund established in section  
20 13.26.

21 Sec. 419. Section 905.1, subsection 1, Code 1991,  
22 is amended by striking the subsection.

23 Sec. 420. Section 905.4, subsection 3, Code 1991,  
24 is amended by striking the subsection.

25 Sec. 421. Section 905.4, subsection 5, Code 1991,  
26 is amended to read as follows:

27 5. Arrange for, by contract or on such alternative  
28 basis as may be mutually acceptable, and equip  
29 suitable quarters at one or more sites in the district  
30 as may be necessary for the district department's  
31 community-based correctional program, provided that  
32 the board shall to the greatest extent feasible  
33 utilize existing facilities and shall keep capital  
34 expenditures for acquisition, renovation and repair of  
35 facilities to a minimum. The district board shall not  
36 enter into lease-purchase agreements for the purposes  
37 of constructing, renovating, expanding, or otherwise  
38 improving a community-based correctional facility or  
39 office unless express authorization has been granted  
40 by the legislative council, and sufficient funds are  
41 available to the district department to make rental  
42 payments owing under these lease-purchase agreements  
43 in the current fiscal year.

44 Sec. 422. Section 905.3, Code 1991, is amended to  
45 read as follows:

46 905.5 FUNCTIONS-OF-ADMINISTRATIVE-AGENTS BUDGETS  
47 AND PERSONNEL.

48 1. ~~The county-designated-under-section-905.47~~  
49 ~~subsection-37-as-administrative-agent-for-each~~  
50 ~~district-department7-or-the-district-department~~

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~~1 itself, if designated as administrative agent by the~~  
~~2 district board, district department shall submit that~~  
~~3 district department's its budget and supporting~~  
~~4 information to the Iowa department of corrections in~~  
~~5 accordance with the provisions of chapter 8. The~~  
~~6 state department shall incorporate the budgets of each~~  
~~7 of the district departments into its own budget~~  
~~8 request, to be processed as prescribed by the uniform~~  
~~9 budget, accounting, and administrative procedures~~  
~~10 established by the department of management. Funds~~  
~~11 appropriated pursuant to the budget requests of the~~  
~~12 respective district departments shall be allocated on~~  
~~13 a quarterly basis, and the department of management~~  
~~14 shall authorize advancement of the funds so allocated~~  
~~15 to each district department's administrative agency or~~  
~~16 to the district department itself if the district~~  
~~17 department acts as administrative agent, at the~~  
~~18 beginning of each fiscal quarter.~~

19 2. For all administrative purposes, all employees  
20 of each district department shall be considered  
21 employees of the district department. However, the  
22 district departments shall follow the rules of  
23 procedure in the administration of salaries and  
24 benefits for employees adopted by the department of  
25 personnel. The district boards shall maintain hiring  
26 and termination authority.

27 ~~3. A county designated as the administrative agent~~  
28 ~~shall perform only those administrative functions~~  
29 ~~assigned to it by the district board and shall not~~  
30 ~~perform any activity unless directed to do so by the~~  
31 ~~district board.~~

32 Sec. 423. Section 905.6, subsection 5, Code 1991,  
33 is amended to read as follows:

34 5. Act as secretary to the district board, prepare  
35 its agenda and record its proceedings. The director  
36 shall provide a copy of minutes from each meeting of  
37 the district board to the legislative fiscal bureau.

38 Sec. 424. Section 905.8, unnumbered paragraph 5,  
39 Code 1991, is amended to read as follows:

40 The department of corrections shall report to the  
41 legislative fiscal bureau on a quarterly monthly basis  
42 the current expenditures of the department's various  
43 allocations to the district departments of  
44 correctional services with a comparison of actual to  
45 budgeted expenditures. The district departments shall  
46 use the Iowa finance and accounting system, the state  
47 payroll system, and department of revenue and  
48 finance's preaudit and postaudit system in the  
49 administration of programs and payment for services.  
50 The district departments shall follow the rules of the

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1 department of revenue and finance in utilizing these  
 2 state systems. Each director of a district department  
 3 shall maintain a permanent operating fund for the  
 4 district department's local receipts. Local receipts  
 5 shall be budgeted as separate organization codes  
 6 within the Iowa finance and accounting system. The  
 7 director of the district department shall budget each  
 8 local receipt with the accompanying expenditures and  
 9 full-time equivalent positions within the permanent  
 10 operating fund. The fund shall consist of the  
 11 receipts from work release client fees, the operating  
 12 while intoxicated program, residential services,  
 13 federal reimbursements, grants, county agreements,  
 14 interest earned on the fund, and miscellaneous items.  
 15 Any unspent balance in the operating fund shall carry  
 16 forward to the next fiscal year.

17 Sec. 425. 1990 Iowa Acts, chapter 1224, section 1,  
 18 unnumbered paragraph 1, is amended to read as follows:

19 In order to implement this Act, the department of  
 20 human services and the judicial department shall  
 21 mutually agree on a schedule to complete the transfer  
 22 of support payment collection and disbursement  
 23 responsibilities from the collection services center  
 24 to the clerks of the district court. The schedule  
 25 shall provide for the completion of the transfer of  
 26 the responsibilities for all affected orders by June  
 27 30, ~~1991~~ 1993. The following procedure shall be used  
 28 for any order affected by the initial transfer of  
 29 responsibilities:

30 Sec. 426. 1990 Iowa Acts, chapter 1257, section  
 31 24, subsection 4, unnumbered paragraph 2, is amended  
 32 to read as follows:

33 As a condition, limitation, and qualification of  
 34 this appropriation, the beds shall be used for a 30-  
 35 to-60-day shock revocation program for parole and  
 36 probation violators who are male offenders. The beds  
 37 shall be administered by the state department of  
 38 corrections.

39 Sec. 427. 1990 Iowa Acts, chapter 1268, section 5,  
 40 subsection 2, is amended to read as follows:

41 2. For reimbursement of counties for temporary  
 42 confinement of work release and parole violators, as  
 43 provided in sections 246.908, 901.7, and 906.17 and  
 44 for offenders confined pursuant to section 246.513:

45 ..... \$ 215,000

46 Sec. 428. EFFECTIVE DATE AND RETROACTIVE  
 47 APPLICABILITY PROVISIONS. Sections 425 and 427 of  
 48 this Act, being deemed of immediate importance, take  
 49 effect upon enactment. Section 427 of the Act applies  
 50 retroactively to July 1, 1990.

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1

## DIVISION V

2

## RELATING TO STANDING APPROPRIATIONS AND TAXES

3

Sec. 501. Notwithstanding the standing

4

appropriation in sections 425A.1 to the family farm

5

tax credit fund and 426.1 to the agricultural land tax

6

credit fund, there is appropriated from the general

7

fund of the state to the agricultural land tax credit

8

fund for the fiscal year beginning July 1, 1991, the

9

sum of \$43,065,000 of which the first \$10,000,000

10

shall be deposited into the family farm tax credit

11

fund in lieu of the standing appropriation made in

12

section 425A.1.

13

Sec. 502.

14

1. Notwithstanding the standing appropriation in

15

section 405A.8 to the department of revenue and

16

finance for personal property tax replacement under

17

chapter 405A, there is appropriated from the general

18

fund of the state under section 405A.8 for the fiscal

19

year beginning July 1, 1991, the sum of \$67,059,630 of

20

which \$10,000,000 shall be deposited into the family

21

farm tax credit fund and \$12,000,000 shall be

22

deposited into the extraordinary property tax credit

23

and reimbursement fund created in section 425.39 for

24

the purpose of claims for reimbursement of rent

25

constituting property taxes paid.

26

2. Notwithstanding the standing appropriation in

27

section 425.39, the amount appropriated from the

28

general fund of the state under section 425.39, which

29

is in addition to the amount deposited under

30

subsection 1, for the fiscal year beginning July 1,

31

1991, for purposes of implementing the extraordinary

32

property tax and reimbursement division of chapter

33

425, shall not exceed \$14,850,000. The director shall

34

pay, in full, all claims to be paid during the fiscal

35

year beginning July 1, 1991, for reimbursement of rent

36

constituting property taxes paid. If the amount of

37

claims for credit for property taxes due to be paid

38

during the fiscal year beginning July 1, 1991, exceed

39

the amount remaining after payment to renters the

40

director of revenue and finance shall prorate the

41

payments to the counties for the property tax credit.

42

Sec. 503. Notwithstanding the standing

43

appropriation from the CLEAN fund under section

44

99E.34, subsection 1, paragraph "a" and the standing

45

appropriation from the general fund of the state under

46

section 455A.18, there is appropriated from the

47

general fund of the state, in lieu of the

48

appropriations made in sections 99E.34 and 455A.18,

49

for the fiscal year beginning July 1, 1991, to the

50

Iowa resources enhancement and protection fund the sum

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1 of \$7,524,000.

2 Sec. 504. 1990 Iowa Acts, chapter 1250, section  
3 18, unnumbered paragraph 2, is amended to read as  
4 follows:

5 For the special mental health services fund:

6 ..... \$ ~~10,500,000~~  
7 10,395,000

8 Sec. 505. DEPARTMENT OF HUMAN SERVICES. There is  
9 appropriated from the general fund of the state to the  
10 department of human services for the fiscal year  
11 beginning July 1, 1991, and ending June 30, 1992, the  
12 following amounts, or so much thereof as is necessary,  
13 to be used for the purposes designated:

14 1. For payment of expenses and compensation of  
15 commission of inquiry commissioners pursuant to  
16 section 229.35:

17 ..... \$ 1,000

18 2. For payment of transfer expenses of mentally  
19 ill persons with no county of legal settlement  
20 pursuant to section 230.8 and recovery of such  
21 persons' commitment costs pursuant to section 230.11:

22 ..... \$ 107,000

23 Sec. 506. STATE BOARD OF REGENTS. There is  
24 appropriated from the general fund of the state to the  
25 state board of regents for the fiscal year beginning  
26 July 1, 1991, and ending June 30, 1992, the following  
27 amount, or so much thereof as is necessary, to be used  
28 for the purpose designated:

29 For payment of local school boards for the tuition  
30 and transportation costs of students residing in the  
31 Iowa braille and sight saving school and the state  
32 school for the deaf pursuant to section 262.43 and for  
33 payment of certain clothing and transportation costs  
34 for students at these schools pursuant to section  
35 270.5:

36 ..... \$ 7,500

37 Sec. 507. DEPARTMENT OF REVENUE AND FINANCE.  
38 There is appropriated from the general fund of the  
39 state to the department of revenue and finance for the  
40 fiscal year beginning July 1, 1991, and ending June  
41 30, 1992, the following amount, or so much thereof as  
42 is necessary, to be used for the purpose designated:

43 For payment of recording fees pursuant to section  
44 422.26:

45 ..... \$ 50,000

46 Sec. 508. Notwithstanding the standing  
47 appropriations in the following designated sections  
48 for the fiscal year beginning July 1, 1991, the amount  
49 appropriated from the general fund of the state  
50 pursuant to those sections for the following



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1 designated purposes shall not exceed the following  
2 amounts:

3 1. For administering absentee ballots of state  
4 residents serving in the armed forces under section  
5 53.50:  
6 ..... \$ 2,574

7 2. For the reimbursement of fees and charges  
8 presented to but not owed the state under section  
9 12.13:  
10 ..... \$ 0

11 3. For the cost of printing or manufacturing of  
12 cigarette and little cigar tax stamps under section  
13 98.7:  
14 ..... \$ 126,126

15 4. For deposit in and the use of the livestock  
16 disease fund under section 267.8:  
17 ..... \$ 291,060

18 5. To pay the state's portion of the cost of  
19 benefits calculated in section 411.20, subsections 2  
20 and 3, under section 411.20, subsection 1:  
21 ..... \$ 3,201,660

22 6. To reimburse counties for the loss of property  
23 tax revenues as follows:

24 a. Homestead tax credit under section 425.1:  
25 ..... \$102,960,000

26 b. Military service tax credit under section  
27 426A.1:  
28 ..... \$ 3,069,000

29 c. Machinery and computer equipment tax  
30 replacement under section 427B.13:  
31 ..... \$ 5,940,000

32 If the amounts of calculated county reimbursement  
33 exceed any of the amounts specified in this subsection  
34 the director of revenue and finance shall prorate the  
35 amount available.

36 7. For costs of postconviction relief proceedings  
37 pursuant to section 663A.5 and costs and fees of  
38 parole revocation proceedings and criminal cases  
39 brought against an inmate under section 815.1:  
40 ..... \$ 70,000

41 8. For state employees salary book printing under  
42 section 18.75, subsection 8:  
43 ..... \$ 4,950

44 9. To the expenses incurred or costs taxed to the  
45 state in a proceeding brought by or against a state  
46 department or agency under section 19.10:  
47 ..... \$ 81,180

48 10. To pay necessary expenses incurred to perform  
49 or cause to be performed any legal duty imposed on the  
50 executive council under section 19.29:

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1 ..... \$ 1,881,000  
2 11. To pay the cost of public improvement  
3 assessments against state-owned land under section  
4 307.45:  
5 ..... \$ 0  
6 12. For payment of costs of habeas corpus  
7 proceedings where plaintiff is confined in a state  
8 institution under section 663.44:  
9 ..... \$ 0  
10 13. To pay claims and awards against the state  
11 under sections 25.2 and 25A.11:  
12 ..... \$ 2,970,000  
13 14. For the payment of salary and expenses of a  
14 deputy sheriff responsible for law enforcement on the  
15 Indian settlement under section 331.660:  
16 ..... \$ 24,255  
17 15. For compensation of officers and enlisted men  
18 in and the expenses of the national guard under  
19 section 29A.29:  
20 ..... \$ 38,808  
21 16. For payment of workers' compensation claims  
22 due employees of the state under section 85.57:  
23 ..... \$ 3,880,800  
24 17. For deposit into the state communications  
25 network fund under section 18.137:  
26 ..... \$ 0  
27 18. For payment of state school foundation aid,  
28 including state aid for increasing enrollment in  
29 section 257.13, under section 257.16:  
30 ..... \$ 1,137,510,000  
31 19. For the payment of claims of public school  
32 districts for transportation services to nonpublic  
33 school pupils under section 285.2:  
34 ..... \$ 6,156,729  
35 If the claims exceed the amount available under  
36 this subsection, the director of the department of  
37 education shall prorate the claims of the school  
38 districts.  
39 20. For programs for at-risk children under  
40 section 279.51, subsection 1:  
41 ..... \$ 8,613,000  
42 21. To pay instructional support state aid under  
43 section 257.20:  
44 ..... \$ 11,880,000  
45 If the portion of the budget to be funded by  
46 instructional support state aid computed under section  
47 257.20 exceeds the amount available under this  
48 subsection, the director of the department of  
49 management shall prorate the amount available to the  
50 school districts entitled to such aid. School

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1 districts not receiving the full amount of such state  
2 aid shall not raise the lost state aid by property  
3 tax.

4 22. For payment of franchise tax allocations to  
5 cities and counties under section 422.65:

6 ..... \$ 9,702,000

7 If the amounts to be allocated as computed under  
8 section 422.65 to cities and counties exceed the  
9 amount available under this subsection, the director  
10 of revenue and finance shall prorate the amount to be  
11 paid to each city and county.

12 Sec. 509. Section 97B.72, unnumbered paragraph 2,  
13 Code 1991, is amended to read as follows:

14 There is appropriated from ~~the general fund of the~~  
15 ~~state to the department of personnel~~ moneys available  
16 to the general assembly under section 2.12 an amount  
17 sufficient to pay the contributions of the employer  
18 based on service of the members in an amount equal to  
19 the contributions which would have been made if the  
20 members of the general assembly who made employee  
21 contributions had been members of the system during  
22 their service in the general assembly plus two percent  
23 interest plus interest dividends for all completed  
24 calendar years and for any completed calendar year for  
25 which the interest dividend has not been declared and  
26 for completed months of partially completed calendar  
27 years at two percent interest plus the interest  
28 dividend rate calculated for the previous year,  
29 compounded annually, from the end of the calendar year  
30 in which contribution was made to the first day of the  
31 month of such date.

32 Sec. 510. Section 98.6, subsection 1, Code 1991,  
33 is amended to read as follows:

34 1. There is ~~hereby levied, assessed, and imposed,~~  
35 and shall be collected and paid to the department, the  
36 following taxes on all cigarettes used or otherwise  
37 disposed of in this state for any purpose whatsoever:

38 Class A. On cigarettes weighing not more than  
39 three pounds per thousand, ~~six and one-half~~ eighteen  
40 mills on each such cigarette.

41 Class B. On cigarettes weighing more than three  
42 pounds per thousand, ~~seven and one-half~~ eighteen mills  
43 on each such cigarette.

44 Sec. 511. Section 98.6, subsection 2, Code 1991,  
45 is amended by striking the subsection.

46 Sec. 512. Section 98.43, subsection 1, unnumbered  
47 paragraph 1, Code 1991, is amended to read as follows:

48 A tax is imposed upon all tobacco products in this  
49 state and upon any person engaged in business as a  
50 distributor ~~thereof~~ of tobacco products, at the rate

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1 of nineteen twenty-two percent of the wholesale sales  
2 price of the tobacco products, except little cigars as  
3 defined in section 98.42. Little cigars shall be  
4 subject to the same rate of tax imposed upon  
5 cigarettes in section 98.6, payable at the time and in  
6 the manner provided in section 98.6; and stamps shall  
7 be affixed as provided in division I of this chapter.  
8 The tax on tobacco products, excluding little cigars,  
9 shall be imposed at the time the distributor does any  
10 of the following:

11 Sec. 513. Section 98.43, subsection 2, unnumbered  
12 paragraph 1, Code 1991, is amended to read as follows:

13 A tax is imposed upon the use or storage by  
14 consumers of tobacco products in this state, and upon  
15 the consumers, at the rate of nineteen twenty-two  
16 percent of the cost of the tobacco products.

17 Sec. 514. Section 229.35, Code 1991, is amended to  
18 read as follows:

19 229.35 COMMISSION OF INQUIRY -- COMPENSATION --  
20 PAYMENT.

21 Said The commissioners of a commission of inquiry  
22 shall be entitled to their necessary expenses and a  
23 reasonable compensation, to be allowed by the judge,  
24 who shall certify the same amounts to the director of  
25 revenue and finance who shall thereupon draw the  
26 proper warrants on any funds in the state treasury not  
27 otherwise appropriated pay such amounts from moneys  
28 appropriated to the department of human services. The  
29 applicant shall pay said these costs and expenses if  
30 the judge shall so order on a finding that the  
31 complaint was filed without probable cause.

32 Sec. 515. Section 230.8, Code 1991, is amended to  
33 read as follows:

34 230.8 TRANSFERS OF MENTALLY ILL PERSONS --  
35 EXPENSES.

36 The transfer to state hospitals or to the places of  
37 their legal settlement of mentally ill persons who  
38 have no legal settlement in this state or whose legal  
39 settlement is unknown, shall be made according to the  
40 directions of the administrator, and when practicable  
41 by employees of state hospitals, and the actual and  
42 necessary expenses of such these transfers shall be  
43 paid on itemized vouchers sworn to by the claimants  
44 and approved by the administrator, from any funds in  
45 the state treasury not otherwise appropriated to the  
46 department of human services.

47 Sec. 516. Section 230.11, Code 1991, is amended to  
48 read as follows:

49 230.11 RECOVERY OF COSTS FROM STATE.

50 Costs and expenses attending the taking into

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1 custody, care, and investigation of a person who has  
2 been admitted or committed to a state hospital,  
3 veterans administration hospital or other agency of  
4 the United States government, for the mentally ill and  
5 who has no legal settlement in this state or whose  
6 legal settlement is unknown, including cost of  
7 commitment, if any, shall be paid ~~out-of-any-money-in~~  
8 ~~the-state-treasury-not-otherwise~~ from moneys  
9 appropriated to the department of human services, on  
10 itemized vouchers executed by the auditor of the  
11 county which has paid them, and approved by the  
12 administrator.

13 Sec. 517. Section 262.43, Code 1991, is amended to  
14 read as follows:

15 262.43 STUDENTS RESIDING ON STATE-OWNED LAND.

16 The state board of regents shall pay to the local  
17 school boards the tuition payments and transportation  
18 costs, as otherwise authorized by statutes for the  
19 elementary or high school education of students  
20 residing on land owned by the state and under the  
21 control of the state board of regents. Such payments  
22 for the three institutions of higher learning, the  
23 state University of Iowa, the Iowa State University of  
24 science and technology and the University of Northern  
25 Iowa, shall be made from the funds of the respective  
26 institutions other than state appropriations, and for  
27 the ~~three two~~ noncollegiate institutions, the Iowa  
28 braille and ~~sight saving school, and the state school~~  
29 ~~for the deaf and-the-state-sanatorium, there-is-hereby~~  
30 ~~appropriated-out-of-any-funds-in-the-state-treasury~~  
31 ~~not-otherwise-appropriated-a-sum-sufficient-to-make~~  
32 ~~such-payments~~ the payments and costs shall be paid  
33 from moneys appropriated to the state board of  
34 regents.

35 Sec. 518. Section 270.5, Code 1991, is amended to  
36 read as follows:

37 270.5 CERTIFICATION TO DIRECTOR OF REVENUE AND  
38 FINANCE.

39 The superintendent shall, on the first days of June  
40 and December of each year, certify to the director of  
41 revenue and finance the amounts due from ~~the-several~~  
42 counties pursuant to sections 270.4 and 270.6, and the  
43 director of revenue and finance shall thereupon-pass  
44 the-same-to-the credit of-the-institution the amounts  
45 due to the general fund of the state, and charge the  
46 amount to the proper county.

47 Sec. 519. Section 422.26, unnumbered paragraph 6,  
48 Code 1991, is amended to read as follows:

49 The department shall pay, from moneys appropriated  
50 to the department for this purpose, a recording fee as

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1 provided in section 331.604, for the recording of the  
 2 lien, or for its satisfaction.  
 3 Sec. 520. Section 820.24, Code 1991, is amended to  
 4 read as follows:  
 5 820.24 EXPENSES -- HOW PAID.  
 6 When the punishment of the crime shall be the  
 7 confinement of the criminal in the penitentiary, the  
 8 expenses shall be paid out of ~~the state treasury funds~~  
 9 appropriated to the office of the governor, on the  
 10 certificate of the governor and warrant of the  
 11 director of revenue and finance; and in all other  
 12 cases they shall be paid out of the county treasury in  
 13 the county wherein the crime is alleged to have been  
 14 committed. The expenses shall be the fees paid to the  
 15 officers of the state on whose governor the  
 16 requisition is made, and all necessary and actual  
 17 traveling expenses incurred in returning the prisoner.  
 18 Sec. 521. Section 906.10, Code 1991, is repealed.  
 19 Sec. 522. Sections 510 through 513 of this  
 20 division take effect July 1, 1991."  
 21 2. Title page, by striking lines 1 through 8 and  
 22 inserting the following: "An Act relating to  
 23 appropriations for state departments, agencies,  
 24 programs, funds, including the department of human  
 25 services, education programs and agencies, the  
 26 department of economic development, justice-related  
 27 programs and agencies, and INTERNET, and adjusting the  
 28 school foundation aid program, adjusting certain  
 29 standing appropriations, increasing the cigarette and  
 30 tobacco products tax, and providing for effective and  
 31 applicability dates."

By COMMITTEE ON APPROPRIATIONS  
LEONARD BOSWELL, Chairperson

S-3444 FILED APRIL 16, 1991

*Adopted as amended by 3446, 3449, 3455, 3462, 3477, 3488, 3479, 3478, 3480, 3486,  
3488, 3489, 3490, 3491, 3492, + 3443*

*4/18/91 (p. 1341)*

HOUSE FILE 479

S-3446

1 Amend the amendment, S-3444, to House File 479, as  
 2 amended, passed, and reprinted by the House, as  
 3 follows:  
 4 1. Page 93, by inserting after line 17, the  
 5 following:  
 6 "The district department shall continue the job  
 7 development program established within the district in  
 8 1990 Iowa Acts, chapter 1268, section 6, subsection 7,  
 9 paragraph "e"."

By MICHAEL E. GRONSTAL  
RICHARD VANDE HOEF

S-3446 FILED APRIL 17, 1991

*Adopted 4/18/91 (p. 1339)*

## HOUSE FILE 479

S-3461

1 Amend the amendment, S-3444, to House File 479, as  
 2 amended, passed, and reprinted by the House, as  
 3 follows:

4 1. Page 25, line 21, by striking the figure  
 5 "29,522,461" and inserting the following:

6 "29,722,461".

7 2. Page 25, line 22, by striking the figure  
 8 "821.80" and inserting the following: "828.80".

9 3. Page 25, by inserting after line 22, the  
 10 following:

11 "Of the moneys appropriated in this section,  
 12 \$200,000 shall be used for 10 additional beds and for  
 13 the salaries and support of 7.00 FTEs."

14 4. Page 70, by striking lines 20 through 23.

By BERL E. PRIEBE

EMIL J. HUSAK

WILLIAM D. PALMER

JOHN E. SOORHOLTZ

RICHARD VANDE HOEF

ALVIN V. MILLER

JOHN A. PETERSON

EUGENE S. FRAISE

LINN FUHRMAN

JOHN P. KIBBIE

JAMES B. KERSTEN

SHELDON RITTMER

DERRYL MCLAREN

JOE J. WELSH

RAY TAYLOR

DONALD V. DOYLE

DON E. GETTINGS

HARRY G. SLIFE

JACK NYSTROM

H. KAY HEDGE

ALLEN BORLAUG

WILMER RENSINK

PAUL D. PATE

JACK W. HESTER

MARK R. HAGERLA

S-3461 FILED APRIL 18, 1991

WITHDRAWN (p. 1341)

## HOUSE FILE 479

S-3462

1 Amend the amendment, S-3444, to House File 479, as  
 2 amended, passed, and reprinted by the House, as  
 3 follows:

4 1. Page 79, by inserting after line 30 the fol-  
 5 lowing:

6 " . All grants, loans, and forgivable loans  
 7 awarded under the programs within the strategic  
 8 investment fund shall be approved by the board."

9 2. By renumbering and correcting internal  
 10 references as necessary.

By JIM RIORDAN

MARY E. KRAMER

S-3462 FILED APRIL 18, 1991

ADOPTED (p. 1339)

HOUSE FILE 479

S-3449

1 Amend the amendment, S-3444, to House File 479, as  
2 amended, passed, and reprinted by the House as  
3 follows:

4 1. Page 96, line 7, by inserting after the figure  
5 "1992." the following: "No pay grade changes  
6 resulting from the study shall be implemented prior to  
7 July 1, 1992, subject to sufficient salary adjustment  
8 funds being appropriated specifically for that  
9 purpose."

By MICHAEL E. GRONSTAL  
RICHARD VANDE HOEF

S-3449 FILED APRIL 17, 1991

*Adopted 4/18 (p. 1340)*

HOUSE FILE 479

S-3458

1 Amend amendment, S-3444, to House File 479, as  
2 amended, passed, and reprinted by the House, as  
3 follows:

4 1. Page 94, line 49, by striking the word "shall"  
5 and inserting the following: "may".

By RICHARD VANDE HOEF  
MICHAEL E. GRONSTAL

S-3458 FILED APRIL 17, 1991

*Adopted 4/15 (p. 1541)*

HOUSE FILE 479

S-3460

1 Amend the amendment, S-3444, to House File 479 as  
2 follows:

DIV. 3 1. Page 25, line 21, by striking the figure

A 4 "29,522,461" and inserting the following:

5 "29,722,461".

6 2. Page 54, by striking lines 36 through 42.

DIV. 7 3. Page 70, line 20, by inserting before the word

B 8 "Peace" the following: "Iowa".

9 4. Page 70, line 22, by inserting after the

10 figure "38" the following: ", contingent upon

11 matching funds from private sector contributions, up

12 to".

By JEAN LLOYD-JONES  
LARRY MURPHY  
MICHAEL W. CONNOLLY

ELAINE SZYMONIAK  
JOE J. WELSH

S-3460 FILED APRIL 18, 1991

DIVISION A-WITHDRAWN, DIVISION B-LOST *(p. 1308)*

*(p. 1308)*



HOUSE FILE 479

S-3477

1 Amend the amendment, S-3444, to House File 479, as  
2 amended, passed, and reprinted by the House, as  
3 follows:

4 1. Page 5, by inserting after line 40 the

DIV.A5 following:

6 " . As a condition, limitation, and  
7 qualification of the funds appropriated in this  
8 section, notwithstanding any time limitation  
9 established in 1991 Iowa Acts, House File 173, section  
10 105, the copayment provisions established in that  
11 section shall be continued indefinitely."

12 2. Page 8, line 45, by striking the figure  
13 "7,100,000" and inserting the following: "7,282,830".

14 3. Page 8, line 47, by striking the figure  
15 "3,105,646" and inserting the following: "3,191,278".

16 4. Page 8, line 50, by striking the figure  
17 "3,735,423" and inserting the following: "3,832,621".

18 5. Page 10, line 36, by striking the figure  
19 "314,125" and inserting the following: "323,311".

20 6. Page 15, line 4, by striking the figure  
21 "53,629,282" and inserting the following:  
22 "53,674,434".

23 7. Page 18, line 20, by striking the figure "18"  
24 and inserting the following: "18.5".

25 8. Page 19, line 24, by striking the figure  
26 "19,414,903" and inserting the following:  
27 "19,680,002".

DIV 28 9. By striking page 20, line 3 through page 22,  
B 29 line 8, and inserting the following:

30 "For community-based programs:  
31 ..... \$ 2,000,328

32 1. As a condition, limitation, and qualification  
33 of the funds appropriated in this section, up to  
34 \$19,095 shall be used by the department as the  
35 financial aid from the state under section 232.142,  
36 subsection 3, for the cost of the establishment,  
37 improvement, operation, and maintenance of approved  
38 county or multicounty juvenile homes. Notwithstanding  
39 section 232.142, subsection 3, the amount provided in  
40 this subsection shall be the maximum amount of  
41 financial aid the state is obligated to provide  
42 pursuant to that provision."

DIV.43 10. Page 22, line 42, by striking the figure  
A 44 "3,755,000" and inserting the following: "4,013,271".

45 11. Page 25, line 38, by striking the figure  
46 "47,255,753" and inserting the following:  
47 "47,520,990".

48 12. Page 26, line 6, by striking the figure  
49 "15,573,504" and inserting the following:  
50 "15,706,123".

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Page 2

- DIV. 1 13. Page 26, line 12, by striking the figure  
A 2 "9,115,499" and inserting the following: "9,248,117".  
3 14. Page 28, line 47, by striking the figure  
4 "590,000" and inserting the following: "622,860".  
5 15. Page 34, by inserting after line 21 the  
6 following:  
7 "\_\_\_\_\_. As a condition, limitation, and  
8 qualification of the funds appropriated in this  
9 section, the department shall review the current field  
10 operations service delivery system structure. Within  
11 the funds budgeted and full-time equivalent positions  
12 authorized under this appropriation, the department  
13 shall make changes necessary to improve the system's  
14 administrative efficiency and effectiveness and to  
15 streamline these functions. Emphasis shall be placed  
16 upon increasing the program support, training, and  
17 supervision of staff who work directly with clients."  
18 16. Page 35, line 36, by striking the figure  
19 "88,825" and inserting the following: "93,283".  
20 17. Page 37, line 28, by striking the words "not  
21 be increased" and inserting the following: "be  
22 increased by 2 percent".  
23 18. Page 37, by striking lines 30 through 37 and  
24 inserting the following:  
25 "3. For services provided by social services  
26 providers reimbursed by the department in the fiscal  
27 year beginning July 1, 1991, rates shall be increased  
28 by 2 percent over the unreduced rates in effect on  
29 June 30, 1991. However, any increase provided under  
30 this subsection shall not cause the provider's  
31 reimbursement rate to exceed the provider's actual and  
32 allowable cost plus 7 percent."  
33 19. By striking page 37, line 48 through page 38,  
34 line 2.  
35 20. Page 38, by striking lines 5 through 16 and  
36 inserting the following:  
37 "Sec. 132. ASSISTANCE TO GAMBLERS. The department  
38 shall use funds deposited in the gamblers assistance  
39 fund established in section 99E.10 only for programs  
40 to assist gamblers. Any unspent funds shall remain in  
41 the fund and shall not be transferred or reverted to  
42 the general fund of the state. The department shall  
43 use gambler's assistance fund moneys for 3 FTEs to  
44 support the assistance to gamblers programs."  
45 21. By renumbering as necessary.

By ELAINE SZYMONIAK

MARK R. HAGERLA

S-3477 FILED APRIL 18, 1991

DIVISION A-ADOPTED, DIVISION B-ADOPTED (p. 1323)

HOUSE FILE 479

S-3478

1 Amend the amendment, S-3444, to House File 479, as  
2 amended, passed, and reprinted by the House, as  
3 follows:

4 1. Page 73, line 12, by inserting after the word  
5 "state" the following: "to the department of economic  
6 development".

7 2. Page 73, line 22, by striking the word "To"  
8 and inserting the following: "For payment to".

9 3. Page 73, by inserting after line 33 the  
10 following:

11 "3. For the target alliance program if funds  
12 remain in the job training fund after the  
13 appropriations in subsections 1 and 2 are made:

14 ..... \$ 30,000"

By JIM RIORDAN  
MARY KRAMER

S-3478 FILED APRIL 18, 1991

ADOPTED (p. 1337)

HOUSE FILE 479

S-3479

1 Amend the amendment, S-3444, to House File 479, as  
2 amended, passed, and reprinted by the House, as  
3 follows:

4 1. Page 4, by inserting after line 29 the  
5 following:

6 "\_\_\_\_\_. As a condition, limitation, and  
7 qualification of the funds appropriated in this  
8 section, the department shall adopt rules pursuant to  
9 chapter 17A that establish criteria for intermediate  
10 care facilities for the mentally retarded, providing  
11 for family-scale size, location, and appropriate  
12 inclusion in the community. In determining whether a  
13 certificate of need for an intermediate care facility  
14 for the mentally retarded shall be issued under  
15 chapter 135, the health facilities council and the  
16 Iowa department of public health shall consider  
17 whether the proposed facility is in compliance with  
18 the rules adopted pursuant to this subsection."

19 2. Page 35, line 6, by striking the word "fill"  
20 and inserting the following: "take all measures  
21 necessary to implement the waivers, including, but not  
22 limited to, filling".

By ELAINE SZYMONIAK  
LARRY MURPHY  
JOE J. WELSH

S-3479 FILED APRIL 18, 1991

ADOPTED (p. 1337)

## HOUSE FILE 479

S-3474

1 Amend the amendment, S-3444, to House File 479, as  
2 amended, passed, and reprinted by the House, as  
3 follows:

4 1. Page 66, by inserting after line 4 the  
5 following:

6 "Sec. \_\_\_\_ . Section 294A.14, unnumbered paragraph  
7 6, Code 1991, is amended to read as follows:

8 For school districts, a performance-based pay plan  
9 may provide for additional salary for individual  
10 teachers, for teachers assigned to a specific  
11 discipline, or for all teachers assigned to an  
12 attendance center. For area education agencies, a  
13 performance-based pay plan may provide for additional  
14 salary for individual teachers, for additional salary  
15 for all teachers assigned to a specific discipline  
16 within an area education agency, or for additional  
17 salary for individual teachers assigned to a  
18 multidisciplinary team within an area education  
19 agency. If the plan provides additional salary for  
20 all teachers assigned to an attendance center,  
21 specific discipline, or multidisciplinary team, the  
22 receipt of additional salary by those teachers shall  
23 be determined on the basis of whether that attendance  
24 center, specific discipline, or multidisciplinary team  
25 meets specific objectives adopted for that attendance  
26 center, specific discipline, or multidisciplinary  
27 team. For school districts, the objectives may  
28 include, but are not limited to, decreasing the  
29 dropout rate, increasing the attendance rate, or  
30 accelerating the achievement growth of students  
31 enrolled in that attendance center through use of  
32 learning techniques including, but not limited to,  
33 reading instruction using phonics techniques."

34 2. By numbering, renumbering, and changing  
35 internal references as necessary.

By RAY TAYLOR  
JIM LIND  
RICHARD VARN

LARRY MURPHY  
MICHAEL W. CONNOLLY  
DALE L. TIEDEN

S-3474 FILED APRIL 18, 1991

WITHDRAWN (p. 1341)

## HOUSE FILE 479

S-3488

1 Amend amendment, S-3444, to House File 479, as  
2 amended, passed, and reprinted by the House, as  
3 follows:

- DIV. 4 1. Page 46, line 31, by inserting after the word  
A 5 "transmitter" the following: "or translator".  
6 2. By striking page 47, line 34, through page 48,  
7 line 8, and inserting the following: "the amount  
8 projected to be received by the university from  
9 federal support, interest, tuition fees, reimbursement  
10 for indirect costs, sales and service, and income  
11 sources other than state appropriations, the  
12 university shall report the amount received, which is  
13 in excess of the amount projected, to".  
14 3. Page 49, by inserting after line 42 the  
15 following:  
16 "1. As a condition, limitation, and qualification  
17 of the appropriation made in paragraph "c", the total  
18 quota allocated to the counties for indigent patients  
19 for the fiscal year commencing July 1, 1991, shall not  
20 be lower than the total quota allocated to the  
21 counties for the fiscal year commencing July 1, 1990.  
22 The total quota shall be allocated among the counties  
23 on the basis of the 1990 census pursuant to section  
24 255.16."  
25 4. By striking page 50, line 49, through page 51,  
26 line 24, and inserting the following: "receives total  
27 funds in excess of the amount projected to be received  
28 by the university from federal support, interest,  
29 tuition fees, reimbursement for indirect costs, sales  
30 and service, and income sources other than state  
31 appropriations, the university shall report the amount  
32 received, which is in excess of the amount projected,  
33 to".  
34 5. By striking page 52, line 45, through page 53,  
35 line 19, and inserting the following: "excess of the  
36 amount projected to be received by the university from  
37 federal support, interest, tuition fees, reimbursement  
38 for indirect costs, sales and service, and income  
39 sources other than state appropriations, the  
40 university shall report the amount received, which is  
41 in excess of the amount projected, to".  
42 6. Page 55, by striking line 14 and inserting the  
43 following: "moneys may be".  
44 7. Page 55, by striking lines 18 through 22.  
45 8. Page 56, line 30 by striking the words "a  
46 political" and inserting the following: "an agency".  
47 9. Page 56, by striking line 31 and inserting the  
48 following: "of the state of Iowa. If any of the tax-  
49 exempt investments are for purposes of financing the  
50 construction or improvement of state facilities, the

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DIV. 1 executive council, established under chapter 19, shall  
A 2 review and approve the proposed construction or  
3 improvement prior to the investment of loan reserve  
4 account funds in the tax-exempt investments."

5 10. Page 57, by inserting after line 50 the  
6 following:

7 "Sec. \_\_\_\_ . Section 73.17, Code 1991, is amended by  
8 adding the following new unnumbered paragraph:

9 NEW UNNUMBERED PARAGRAPH. A community college or  
10 area education agency shall, on a quarterly basis, and  
11 a school district shall, on an annual basis, review  
12 the community college's, area education agency's, or  
13 school district's anticipated purchasing requirements.  
14 A community college, area education agency, or school  
15 district shall notify the department of education,  
16 which shall report to the department of economic  
17 development, of their anticipated purchases and  
18 recommended procurements with unit quantities and  
19 total costs for procurement contracts designated to  
20 satisfy the targeted small business procurement goal  
21 not later than August 15 of each fiscal year and  
22 quarterly thereafter, except that school districts  
23 shall report annually.

24 Sec. \_\_\_\_ . Section 73.18, Code 1991, is amended to  
25 read as follows:

26 73.18 NOTICE OF SOLICITATION FOR BIDS --  
27 IDENTIFICATION OF TARGETED SMALL BUSINESSES.

28 The director of each agency or department releasing  
29 a solicitation for bids or request for proposal under  
30 the targeted small business procurement goal program  
31 shall notify the director of the department of  
32 economic development prior to or upon release of the  
33 solicitation. A community college, area education  
34 agency, or school district shall notify the department  
35 of education which shall notify the department of  
36 economic development prior to or upon release of the  
37 release of the solicitation. The director of the  
38 department of economic development shall notify the  
39 soliciting agency or department, or community college,  
40 area education agency, or school district, of any  
41 targeted small businesses which have been certified  
42 pursuant to section 10A.104, subsection 8, and which  
43 may be qualified to bid.

44 Sec. \_\_\_\_ . Section 73.19, Code 1991, is amended to  
45 read as follows:

46 73.19 NEGOTIATED PRICE OR BID CONTRACT.

47 In awarding a contract under the targeted small  
48 business procurement goal program, a director of an  
49 agency or department, or community college, area  
50 education agency, or school district, having

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Page 3

DIV. 1 purchasing authority may use either a negotiated price  
 2 or bid contract procedure. A director of an agency or  
 3 department, or community college, area education  
 4 agency, or school district, using a negotiated  
 5 contract shall consider any targeted small business  
 6 engaged in that business. The director of the  
 7 department of economic development or the director of  
 8 the department of management may assist in the  
 9 negotiation of a contract price under this section.  
 10 Surety bonds guaranteed by the United States small  
 11 business administration are acceptable security for a  
 12 construction award under this section."  
 13 11. By striking page 58, lines 13 through 48.  
 14 12. Page 59, line 24, by striking the word  
 15 "Thirty" and inserting the following: "Twenty-eight".

DIV. 16 13. Page 66, by inserting after line 4, the  
 B 17 following:

18 "Sec. \_\_\_\_\_. Section 303.3, subsection 3, Code 1991,  
 19 is amended by striking the subsection and inserting in  
 20 lieu thereof the following:  
 21 3. Notwithstanding section 8.33, moneys committed  
 22 to grantees under contract that remain unexpended on  
 23 June 30 of any fiscal year shall not revert but shall  
 24 be available for expenditure for purposes of the  
 25 contract until August 30 of the succeeding fiscal  
 26 year."

27 14. By renumbering, relettering, or redesignating  
 28 and correcting internal references as necessary.

By RICHARD VARN  
 JIM LIND

S-3488 FILED APRIL 18, 1991

DIVISION A-ADOPTED, DIVISION B-ADOPTED (p. 1340)

## HOUSE FILE 479

S-3486

1 Amend the amendment, S-3444, to House File 479, as  
 2 amended, passed, and reprinted by the House, as  
 3 follows:  
 4 1. Page 70, line 29, by striking the figure  
 5 "685,000" and inserting the following: "745,000".  
 6 2. Page 70, line 41, by striking the figure  
 7 "3,000,000" and inserting the following: "2,940,000".  
 8 3. Page 71, by striking lines 46 through 50 and  
 9 inserting the following:  
 10 "Notwithstanding section 8.33, moneys obligated for  
 11 the payment of tuition credits under this program but  
 12 not expended at the end of the fiscal year shall not  
 13 revert to any fund but shall be available for  
 14 expenditure during succeeding fiscal years."  
 15 4. Page 84, line 45, by inserting after the word  
 16 "board" the following: "of directors of the business  
 17 development finance corporation of Iowa".

By JIM RIORDAN  
 MARY E. KRAMER

S-3486 FILED APRIL 18, 1991

ADOPTED (p. 1339)

## HOUSE FILE 479

S-3480

1 Amend the amendment, S-3444, to House File 479 as  
 2 amended, passed and reprinted by the House as follows:  
 3 1. Page 96, by striking lines 29 through 41.  
 4 2. Page 98, by striking line 9 through page 99,  
 5 line 20.

By MICHAEL E. GRONSTAL  
 RICHARD VANDE HOEF

S-3480 FILED APRIL 18, 1991

ADOPTED (p. 1340)

## HOUSE FILE 479

S-3483

1 Amend the amendment, S-3444, to House File 479, as  
 2 amended, passed, and reprinted by the House, as  
 3 follows:  
 4 1. By striking page 106, line 32, through page  
 5 107, line 16.  
 6 2. Page 109, line 18, by striking the word  
 7 "repealed." and inserting the following: "repealed."  
 8 3. Page 109, by striking lines 19 and 20.  
 9 4. Page 109, lines 29 and 30, by striking the  
 10 words "increasing the cigarette and tobacco products  
 11 tax,".

By LEONARD L. BOSWELL  
 DALE L. TIEDEN  
 EMIL J. HUSAK  
 EUGENE S. FRAISE  
 WILLIAM W. DIELEMAN

DON E. GETTINGS  
 RICHARD V. RUNNING  
 RICHARD F. DRAKE  
 JOHN W. JENSEN

S-3483 FILED APRIL 18, 1991

LOST (p. 1340)

## HOUSE FILE 479

S-3484

1 Amend the amendment, S-3444, to House File 479, as  
 2 amended, passed, and reprinted by the House as  
 3 follows:  
 4 1. Page 21, line 14, by inserting after the word  
 5 "adolescents" the following: ", which shall include,  
 6 when abortion is chosen as an option, appropriate  
 7 notification to the adolescent's parent or legal  
 8 guardian, except when parental abuse is alleged. The  
 9 department shall adopt rules to implement the  
 10 provisions of this subparagraph".

By RICHARD RUNNING  
 JOHN P. KIBBIE  
 RICHARD VANDE HOEF

S-3484 FILED APRIL 18, 1991

RULED OUT OF ORDER (p. 1322)



## HOUSE FILE 479

S-3490

1 Amend amendment, S-3444, to House File 479, as  
2 amended, passed, and reprinted by the House, as  
3 follows:

4 1. Page 75, by inserting after line 20 the  
5 following:

6 "As a condition, limitation, and qualification of  
7 the appropriation under this section, \$150,000 of the  
8 funds appropriated in this subsection shall be  
9 transferred to the Iowa quality coalition for  
10 productivity enhancement projects."

By RICHARD RUNNING

MARY KRAMER

JAMES RIORDAN

DALE L. TIEDEN

LEONARD BOSWELL

S-3490 FILED APRIL 18, 1991

ADOPTED (p. 134)

## HOUSE FILE 479

S-3489

1 Amend the amendment, S-3444, to House File 479, as  
2 amended, passed, and reprinted by the House, as  
3 follows:

4 1. Page 66, by inserting after line 4 the  
5 following:

6 "Sec. \_\_\_\_ . Section 294A.14, unnumbered paragraph  
7 6, Code 1991, is amended to read as follows:

8 For school districts, a performance-based pay plan  
9 may provide for additional salary for individual  
10 teachers, for teachers assigned to a specific  
11 discipline, or for all teachers assigned to an  
12 attendance center. For area education agencies, a  
13 performance-based pay plan may provide for additional  
14 salary for individual teachers, for additional salary  
15 for all teachers assigned to a specific discipline  
16 within an area education agency, or for additional  
17 salary for individual teachers assigned to a  
18 multidisciplinary team within an area education  
19 agency. If the plan provides additional salary for  
20 all teachers assigned to an attendance center,  
21 specific discipline, or multidisciplinary team, the  
22 receipt of additional salary by those teachers shall  
23 be determined on the basis of whether that attendance  
24 center, specific discipline, or multidisciplinary team  
25 meets specific objectives adopted for that attendance  
26 center, specific discipline, or multidisciplinary  
27 team. For school districts, the objectives may  
28 include, but are not limited to, decreasing the  
29 dropout rate, increasing the attendance rate, or  
30 accelerating the achievement growth of students  
31 enrolled in that attendance center through use of  
32 learning techniques which may include, but are not  
33 limited to, reading instruction using phonics  
34 techniques."

35 2. By numbering, renumbering, and changing  
36 internal references as necessary.

By RAY TAYLOR  
JIM LIND  
RICHARD VARN

LARRY MURPHY  
MICHAEL CONNOLLY  
DALE L. TIEDEN

S-3489 FILED APRIL 18, 1991

ADOPTED (p. 124)

## HOUSE FILE 479

S-3491

1 Amend the amendment, S-3444, to House File 479, as  
2 amended, passed, and reprinted by the House, as  
3 follows:

4 1. Page 105, by inserting after line 30 the  
5 following:

6 "Notwithstanding chapter 257, if the portion of the  
7 budget of a school district or area education agency  
8 for special education support services to be funded by  
9 state aid appropriated under section 257.16 exceeds  
10 the amount appropriated under this subsection, the  
11 director of the department of management shall  
12 allocate state aid payments in the manner provided in  
13 this subsection:

14 a. In order to allocate the reduction in the state  
15 aid to be paid to area education agencies for special  
16 education support services, the director of the  
17 department of management shall reduce the state aid  
18 paid to each area education agency by one percent of  
19 the special education support services foundation base  
20 multiplied by the weighted enrollment in the area  
21 education agency.

22 b. The director of the department of management  
23 shall determine the amounts to be paid to school  
24 districts as an advance for increasing enrollment  
25 under section 257.13 and shall reduce those amounts by  
26 one percent.

27 c. The director of the department of management  
28 shall allocate the difference between the money  
29 appropriated by this subsection and the total of the  
30 state aid payments made to area education agencies for  
31 special education support services and the amount paid  
32 to school districts as an advance for increasing  
33 enrollment. The difference shall be paid to school  
34 districts as state school foundation aid. The  
35 director of the department of management shall divide  
36 the amount to be paid to school districts by the  
37 weighted enrollment in the state to determine a per  
38 pupil amount of state aid and shall multiply that per  
39 pupil amount of state aid by one percent for the state  
40 aid reduction per pupil. The state aid paid to each  
41 school district under section 257.16 shall be reduced  
42 by an amount equal to the state aid reduction per  
43 pupil multiplied by the weighted enrollment of the  
44 district. School districts not receiving the entire  
45 amount of state school foundation aid under chapter  
46 257 for the budget year beginning July 1, 1991, shall  
47 not raise the lost state aid by a property tax levy or  
48 a cash reserve levy under section 298.4 to replace the  
49 state school foundation aid reduction.

50 Notwithstanding section 257.7, for the budget year

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1 beginning July 1, 1992, the actual unspent balance of  
2 a school district shall be reduced by the difference  
3 between the amount of state school foundation aid  
4 generated under chapter 257 and the amount of state  
5 school foundation aid received under this subsection."

By LEONARD BOSWELL  
DALE L. TIEDEN

S-3491 FILED APRIL 18, 1991

ADOPTED (p. 1341)

HOUSE FILE 479

S-3492

1 Amend the amendment, S-3444, to House File 479, as  
2 amended, passed, and reprinted by the House, as  
3 follows:

4 1. Page 102, line 41, by inserting after the word  
5 "credit." the following: "In order for the director  
6 to carry out the requirements of this subsection,  
7 notwithstanding any provision to the contrary in  
8 sections 425.16 through 425.39, claims for  
9 reimbursement for rent constituting property taxes  
10 paid filed before May 1, 1992, shall be eligible to be  
11 paid in full during the fiscal year ending June 30,  
12 1992, and those claims filed on or after May 1, 1992,  
13 shall be eligible to be paid during the fiscal year  
14 beginning July 1, 1992, and the director is not  
15 required to make payments to counties for the property  
16 tax credit before June 15, 1992."

By LEONARD L. BOSWELL  
DALE L. TIEDEN

S-3492 FILED APRIL 18, 1991

ADOPTED (p. 1341)

HOUSE FILE 479

S-3493

1 Amend the amendment, S-3444, to House File 479, as  
2 amended, passed, and reprinted by the House, as  
3 follows:

4 1. Page 38, by inserting after line 2, the  
5 following:  
6 "100. In determining reimbursement rates for  
7 facilities reimbursed under this division, including  
8 but not limited to foster care providers, residential  
9 care facilities, nursing facilities, and community  
10 living arrangements, the department shall not include  
11 private moneys contributed to the facility in its  
12 determination."

13 2. Page 38, line 4, by inserting after the word  
14 "section" the following: "except for subsection 100  
15 for which the department shall adopt nonemergency  
16 rules pursuant to chapter 17A".

17 3. By renumbering as necessary.

By RAY TAYLOR  
MARK R. HAGERLA  
ELAINE SZYMONIAK

S-3493 FILED APRIL 18, 1991

ADOPTED (p. 1341)

3873 amendments #s/ then 18

HOUSE FILE 479  
SENATE AMENDMENT TO HOUSE FILE 479

H-3734

1 Amend House File 479, as amended, passed, and  
2 reprinted by the House, as follows:  
3 1. By striking everything after the enacting  
4 clause and inserting the following:

5 "DIVISION I

6 DEPARTMENT OF HUMAN SERVICES

7 Section 101. AID TO FAMILIES WITH DEPENDENT  
8 CHILDREN. There is appropriated from the general fund  
9 of the state to the department of human services for  
10 the fiscal year beginning July 1, 1991, and ending  
11 June 30, 1992, the following amount, or so much  
12 thereof as is necessary, to be used for the purpose  
13 designated:

14 For aid to families with dependent children:

15 ..... \$ 41,589,415

16 1. The department may fund the cash bonus program  
17 from unspent funds under the appropriation in this  
18 section and shall continue to evaluate the program.

19 2. As a condition, limitation, and qualification  
20 of the funds appropriated in this section, the  
21 department shall continue to contract for services in  
22 developing and monitoring a demonstration waiver  
23 program to facilitate providing assistance in self-  
24 employment investment to aid to dependent children  
25 families. The demonstration waiver program shall be  
26 provided for the fiscal period beginning July 1, 1991,  
27 and ending June 30, 1993, or for as long as federal  
28 approval of the program continues. Of the funds  
29 appropriated in this section, up to \$99,592 shall be  
30 used to provide technical assistance for aid to  
31 dependent children families seeking self-employment.  
32 The technical assistance may be provided through the  
33 department or through a contract with the division of  
34 job training of the Iowa department of economic  
35 development and through a contract with the  
36 corporation for enterprise development.

37 3. As a condition, limitation, and qualification  
38 of the funds appropriated in this section, the  
39 department shall apply the self-employment investment  
40 demonstration waiver project statewide during the  
41 fiscal period delineated in the federal waiver  
42 submitted to operate the waiver project statewide,  
43 provided training is available to a recipient through  
44 a recognized self-employment training program.  
45 However, if the application for the federal waiver is  
46 denied and funding is available, the department may  
47 determine the counties in which it is feasible to  
48 operate the project and shall provide the project in  
49 those counties. The department may adopt emergency  
50 rules to implement the provisions of this subsection.

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1 4. As a condition, limitation, and qualification  
 2 of the funds appropriated in this section, the  
 3 department shall continue the special needs program  
 4 under the aid to families with dependent children  
 5 program.

6 5. As a condition, limitation, and qualification  
 7 of the funds appropriated in this section, the  
 8 department may use unspent funds under the  
 9 appropriation in this section to continue development  
 10 of the "X-PERT" eligibility determination system.

11 5. As a condition, limitation, and qualification  
 12 of the funds appropriated in this section, \$42,620  
 13 shall be used to expand the AFDC electronic benefits  
 14 transfer (EBT) program beyond the pilot program county  
 15 and to implement EBT for the food stamp program.

16 Sec. 102. EMERGENCY ASSISTANCE. There is  
 17 appropriated from the general fund of the state to the  
 18 department of human services for the fiscal year  
 19 beginning July 1, 1991, and ending June 30, 1992, the  
 20 following amount, or so much thereof as is necessary,  
 21 to be used for the purpose designated:

22 For emergency assistance to families with dependent  
 23 children under Title IV-A of the federal Social  
 24 Security Act to match federal funding for homeless  
 25 prevention programs:

26 ..... \$ 500,000

27 The emergency assistance provided for in this  
 28 section shall be available beginning November 1, 1991,  
 29 and shall be provided only if all other publicly  
 30 funded resources have been exhausted. The emergency  
 31 assistance includes, but is not limited to, assisting  
 32 people who face eviction, potential eviction, or  
 33 foreclosure, utility shutoff or fuel shortage, loss of  
 34 heating energy supply or equipment, homelessness,  
 35 utility or rental deposits, or other specified crisis  
 36 which threatens family or living arrangements. The  
 37 emergency assistance shall be available to migrant  
 38 families who would otherwise meet eligibility  
 39 criteria. The department shall notify each emergency  
 40 assistance recipient that the recipient may report to  
 41 the department any pressure or intimidation of the  
 42 recipient resulting from the recipient's eligibility  
 43 for emergency assistance. The department shall report  
 44 quarterly to the legislative fiscal committee  
 45 concerning the reports received by the department  
 46 regarding pressure or intimidation of recipients of  
 47 emergency assistance. The department may adopt  
 48 emergency rules to implement the beginning date and  
 49 notice provisions of this section.

50 Sec. 103. MEDICAL ASSISTANCE. There is

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1 appropriated from the general fund of the state to the  
2 department of human services for the fiscal year  
3 beginning July 1, 1991, and ending June 30, 1992, the  
4 following amount, or so much thereof as is necessary,  
5 to be used for the purpose designated:

6 For medical assistance, including reimbursement for  
7 abortion services, which shall be available under the  
8 medical assistance program only for those abortions  
9 which are medically necessary:

10 ..... \$227,029,182

11 1. Medically necessary abortions are those  
12 performed under any of the following conditions:

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

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

19 c. The pregnancy is the result of a rape which is  
20 reported within 45 days of the incident to a law  
21 enforcement agency or public or private health agency  
22 which may include a family physician.

23 d. The pregnancy is the result of incest which is  
24 reported within 150 days of the incident to a law  
25 enforcement agency or public or private health agency  
26 which may include a family physician.

27 e. Any spontaneous abortion, commonly known as a  
28 miscarriage, if not all of the products of conception  
29 are expelled.

30 2. Of the funds appropriated in this section,  
31 \$100,000 is allocated until January 31, 1992, for  
32 contingency assistance for the federal nutrition  
33 program for women, infants, and children and shall be  
34 transferred to the Iowa department of public health as  
35 necessary in order to fully utilize funding available  
36 for the program. The allocated funds shall be  
37 transferred as necessary to restore a reduction in  
38 federal funding for the federal fiscal year ending  
39 September 30, 1991, required to adjust for federal  
40 financial assistance provided during the federal  
41 fiscal year ending September 30, 1990, in excess of  
42 the federal funding allocation to the state for this  
43 program or to finance any state match expenditure in  
44 excess of the federal funding allocation for this  
45 program during the federal fiscal year ending  
46 September 30, 1991. Any moneys allocated in this  
47 subsection which are unexpended or unobligated on  
48 January 31, 1992, shall be available during the  
49 remainder of the fiscal year to the department of  
50 human services for the purposes of this section.

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1 3. Notwithstanding section 8.39, the department  
2 may transfer funds appropriated in this section to a  
3 separate account established in the department's case  
4 management unit for expenditures required to provide  
5 case management services pursuant to the appropriation  
6 in this Act for enhanced mental health, mental  
7 retardation, and developmental disabilities services,  
8 pending final settlement of the expenditures. Funds  
9 received by the case management unit in settlement of  
10 the expenditures shall be used to replace the  
11 transferred funds and are available for the purposes  
12 for which the funds were appropriated in this section.

13 4. As a condition, limitation, and qualification  
14 of the funds appropriated in this section, the  
15 department shall analyze the cost to benefits ratio  
16 associated with utilizing the medical review system  
17 offered by Value Health Sciences, Inc., and if the  
18 ratio is found to be favorable, shall implement that  
19 system or a system with a comparable cost to benefit  
20 ratio under the medical assistance program.

21 5. If a medical assistant recipient is receiving  
22 care which is reimbursed under a federally approved  
23 home and community-based services waiver but would  
24 otherwise be approved for care in an intermediate care  
25 facility for the mentally retarded, the recipient's  
26 county of legal settlement shall reimburse the  
27 department on a monthly basis for the portion of the  
28 recipient's cost of care which is not paid from  
29 federal funds.

30 6. As a condition, limitation, and qualification  
31 of the funds appropriated in this section, the  
32 department shall adopt rules pursuant to chapter 17A  
33 that establish criteria for intermediate care  
34 facilities for the mentally retarded, providing for  
35 family-scale size, location, and appropriate inclusion  
36 in the community. In determining whether a  
37 certificate of need for an intermediate care facility  
38 for the mentally retarded shall be issued under  
39 chapter 135, the health facilities council and the  
40 Iowa department of public health shall consider  
41 whether the proposed facility is in compliance with  
42 the rules adopted pursuant to this subsection.

43 7. As a condition, limitation, and qualification  
44 of the funds appropriated in this section, the  
45 department shall develop methods to reduce recipient  
46 usage of ambulance services for reasons other than  
47 medical necessity, including notification of  
48 recipients who have received ambulance services that  
49 were not considered to be a medical necessity and  
50 ambulance services that have provided such services.



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1 The department may adopt emergency rules to implement  
2 the provisions of this subsection.

3 8. Of the funds appropriated in this section, up  
4 to \$70,929,582 shall be used for medical assistance  
5 reimbursement of nursing facilities.

6 9. As a condition, limitation, and qualification  
7 of the funds appropriated in this section,  
8 notwithstanding the adoption of an administrative rule  
9 limiting coverage of organ transplants under the  
10 medical assistance program, the department shall  
11 continue to provide medical assistance coverage for  
12 organ transplants of the pancreas and the liver until  
13 the department establishes criteria for the coverage  
14 of these transplants. The criteria shall include but  
15 are not limited to health status and anticipated  
16 outcomes, including expected quality of life. The  
17 department may adopt emergency rules to implement the  
18 provisions of this subsection.

19 10. As a condition, limitation, and qualification  
20 of the funds appropriated in this section, if Senate  
21 File 342 is enacted by the Seventy-fourth General  
22 Assembly, 1991 Session, \$28,000 of the funds  
23 appropriated in this section shall be provided to the  
24 prevention of disabilities policy board or council for  
25 fulfillment of the federal matching funds requirement  
26 for use of the Iowa governor's planning council for  
27 developmental disabilities funds, for the purpose of  
28 section 225D.7.

29 11. It is the intent of the general assembly that  
30 the following programs under the medical assistance  
31 program shall be expanded which it is estimated will  
32 result in the indicated medical assistance expenditure  
33 savings: Iowa foundation for medical care utilization  
34 review, \$1,400,000; Unisys utilization review,  
35 \$105,000; and the "lock-in" program involving  
36 recipients with a history of seeking services from  
37 more than one provider, \$66,000. The department may  
38 adopt emergency rules to implement the provisions of  
39 this subsection.

40 12. As a condition, limitation, and qualification  
41 of the funds appropriated in this section, effective  
42 July 1, 1991, optional medical assistance coverage of  
43 dental services shall no longer include dentures and  
44 crowns. The department may adopt emergency rules to  
45 implement the provisions of this subsection.

46 13. As a condition, limitation, and qualification  
47 of the funds appropriated in this section, if Senate  
48 File 343, or another provision providing for group  
49 health plan cost-sharing under the medical assistance  
50 program is enacted by the Seventy-fourth General

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1 Assembly, 1991 Session, the department may adopt  
2 emergency rules to implement the cost-sharing in  
3 accordance with federal requirements.

4 14. As a condition, limitation, and qualification  
5 of the funds appropriated in this section,  
6 notwithstanding any time limitation established in  
7 1991 Iowa Acts, House File 173, section 105, the  
8 copayment provisions established in that section shall  
9 be continued indefinitely.

10 Sec. 104. MEDICAL CONTRACTS. There is  
11 appropriated from the general fund of the state to the  
12 department of human services for the fiscal year  
13 beginning July 1, 1991, and ending June 30, 1992, the  
14 following amount, or so much thereof as is necessary,  
15 to be used for the purpose designated:

16 For medical contracts:  
17 ..... \$ 4,000,000

18 As a condition, limitation, and qualification of  
19 the funds appropriated in this section, the department  
20 shall continue to contract for drug utilization review  
21 under the medical assistance program.

22 Sec. 105. HIV-AIDS INSURANCE CONTINUATION  
23 ASSISTANCE PILOT PROGRAM. There is appropriated from  
24 the general fund of the state to the department of  
25 human services for the fiscal year beginning July 1,  
26 1991, and ending June 30, 1992, the following amount,  
27 or so much thereof as is necessary, to be used for the  
28 purpose designated:

29 For HIV-AIDS insurance continuation assistance  
30 pilot program:  
31 ..... \$ 60,000

32 1. The department shall establish an HIV and AIDS  
33 insurance continuation assistance pilot program to be  
34 administered by the medical services division to  
35 provide insurance continuation assistance to persons  
36 with AIDS or HIV-related illnesses who are unable to  
37 maintain health insurance premium payments due to  
38 illness. The pilot program shall operate for a 2-year  
39 period beginning July 1, 1991, and ending June 30,  
40 1993. The funds shall be made available in a manner  
41 that provides the assistance to a recipient from the  
42 time of enrollment until the end of the fiscal year as  
43 needed by the recipient.

44 2. The department shall publicize the program for  
45 enrollment of potential participants through provision  
46 of information through the Iowa department of public  
47 health, the regional AIDS coalitions funded by the  
48 Iowa department of public health, physicians,  
49 hospitals, social workers, and social service  
50 providers and gay and AIDS-related groups identified

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1 by the coalitions.

2 3. The program shall provide all of the following:

3 a. That an applicant is eligible for participation  
4 in the program if all of the following conditions are  
5 met:

6 (1) The applicant is a resident of the state.

7 (2) The applicant suffers from AIDS or an HIV-  
8 related illness.

9 (3) The applicant has an income of no more than  
10 300 percent of the federal poverty level as defined by  
11 the most recently revised poverty income guidelines  
12 published by the United States department of health  
13 and human services and cash assets of no more than  
14 \$10,000.

15 (4) The applicant is enrolled in an individual or  
16 group private health insurance plan.

17 (5) The applicant is unable, due to AIDS or the  
18 HIV-related illness, to continue employment in order  
19 to pay the costs of insurance premiums.

20 (6) Enrollment in the program is the most cost-  
21 effective, available means of providing the applicant  
22 with health insurance coverage.

23 b. That an applicant is required to provide the  
24 following to verify eligibility for participation in  
25 the program:

26 (1) Documentation of income and assets, as  
27 required by rule of the department.

28 (2) Documentation through submission of a  
29 statement by the applicant's physician that the  
30 applicant suffers from AIDS or an HIV-related illness  
31 and that the applicant is, or will within a period of  
32 6 months be, unable to continue employment.

33 c. An expedited eligibility determination process  
34 to ensure that an eligible applicant is not denied  
35 coverage under the applicant's existing policy due to  
36 nonpayment of premiums during the determination  
37 process period. This may include but is not limited  
38 to accepting preapplications from any HIV-infected  
39 person or the making of payments based on preliminary  
40 determinations.

41 d. A requirement that following enrollment in the  
42 program of a person with group-based coverage, the  
43 person must apply for medical assistance, if the  
44 department determines that the person is likely to be  
45 eligible for payment of premiums under medical  
46 assistance program pursuant to the federal Omnibus  
47 Budget Reconciliation Act of 1990, section 4402, Pub.  
48 L. No. 101-508.

49 e. A requirement that, if the state elects to pay  
50 premiums for individual-based coverage under, and if

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1 the department determines that the person would be  
2 eligible for payment of premiums under medical  
3 assistance program under the provisions of the federal  
4 Omnibus Budget Reconciliation Act of 1990, section  
5 4402, Pub. L. No. 101-508, following enrollment in the  
6 program of a person with such coverage, the person  
7 must apply for medical assistance.

8 f. That all information relating to an applicant  
9 is confidential information and the provisions of  
10 chapter 141 are applicable to the information.

11 4. The department shall provide a preliminary  
12 report to the general assembly by January 1, 1992, and  
13 a final report to the general assembly by January 1,  
14 1993, regarding the cost-effectiveness of the pilot  
15 program, the impact of the requirements of federal law  
16 on the pilot program, and the current and projected  
17 costs to the state for payment of medical assistance  
18 for the health care costs of persons with AIDS or HIV-  
19 related illnesses.

20 5. For the purposes of this section, "AIDS" and  
21 "HIV" mean "AIDS" and "HIV" as defined in section  
22 141.21.

23 6. For the purposes of this subsection, "health  
24 insurance plan" includes nonprofit health service  
25 cooperation contracts regulated under chapter 514 and  
26 health maintenance organization evidences of coverage  
27 regulated under chapter 514B.

28 Sec. 106. STATE SUPPLEMENTARY ASSISTANCE. There  
29 is appropriated from the general fund of the state to  
30 the department of human services for the fiscal year  
31 beginning July 1, 1991, and ending June 30, 1992, the  
32 following amount, or so much thereof as is necessary,  
33 to be used for the purpose designated:

34 For state supplementary assistance:  
35 ..... \$ 18,605,530

36 The department shall increase the personal needs  
37 allowance for residents of residential care facilities  
38 by the same percentage and at the same time as federal  
39 supplemental security and federal social security  
40 benefits are increased due to a recognized increase in  
41 the cost of living. The department may adopt  
42 emergency rules to implement the provisions of this  
43 paragraph.

44 Sec. 107. AID TO INDIANS. There is appropriated  
45 from the general fund of the state to the department  
46 of human services for the fiscal year beginning July  
47 1, 1991, and ending June 30, 1992, the following  
48 amount, or so much thereof as is necessary, to be used  
49 for the purpose designated:

50 For aid to Indians under section 252.43:

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1 ..... \$ 38,000

2 The tribal council shall not use more than 5  
3 percent of the funds for administration purposes. The  
4 department may adopt emergency rules to implement the  
5 provisions of this paragraph.

6 Sec. 108. CHILD DAY CARE ASSISTANCE. There is  
7 appropriated from the general fund of the state to the  
8 department of human services for the fiscal year  
9 beginning July 1, 1991, and ending June 30, 1992, the  
10 following amount, or so much thereof as is necessary,  
11 to be used for the purposes designated:

12 For protective child day care assistance and state  
13 child care assistance:

14 ..... \$ 7,282,830

15 1. It is the intent of the general assembly that  
16 \$3,191,278 of the funds appropriated in this section  
17 be used for protective child day care assistance.

18 2. It is the intent of the general assembly that  
19 \$3,832,621 of the funds appropriated in this section  
20 be used for state child care assistance.

21 3. a. The funds allocated in this section for  
22 protective and state child care assistance shall be  
23 allocated to the department of human services  
24 districts and each district shall distribute the  
25 allocation to the counties within the district. If a  
26 district determines that a specified portion of the  
27 funds provided to a county is sufficient to meet the  
28 county's current demand and projected growth, the  
29 district may transfer the excess amount of funds to  
30 another county. If the district determines that a  
31 specified portion of the funds provided to the  
32 district is sufficient to meet the district's current  
33 demand and projected growth for the remainder of the  
34 fiscal year, the excess amount may be transferred for  
35 use in another district.

36 b. For state child care assistance, eligibility  
37 shall be limited to children whose family income is  
38 equal to or less than 150 percent of the federal  
39 office of management and budget poverty guidelines.  
40 However, on or after October 1, 1991, the department  
41 may increase the income eligibility limit to be equal  
42 to or less than 75 percent of the Iowa median family  
43 income. Every effort shall be made to provide  
44 assistance for the entire fiscal year to families  
45 remaining eligible before providing assistance to  
46 eligible families who have not received assistance  
47 previously. For the entire fiscal year, the  
48 department shall develop a priority ranking of  
49 requirements for families who receive assistance, with  
50 special priority given to foster care families within

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1 the income guidelines. The requirements may include  
2 but are not limited to all of the following:

3 (1) Families with an income equal to or less than  
4 150 percent of the federal office of management and  
5 budget poverty guidelines.

6 (2) Single parent families who are at risk of  
7 becoming eligible for the aid to families with  
8 dependent children programs.

9 (3) Families who have exhausted eligibility for  
10 transitional child care assistance.

11 (4) Adolescent parents attending school.

12 (5) Families who have children with special needs.

13 (6) Families who are providing foster care if both  
14 foster parents are employed and child day care is  
15 consistent with the case plan.

16 (7) Families with an income greater than 150  
17 percent of the federal office of management and budget  
18 poverty guidelines but no more than 75 percent of the  
19 Iowa median family income.

20 c. The department may adopt emergency rules  
21 necessary to qualify to receive funding from the  
22 federal child care development block grant and the  
23 federal at-risk child care program. If required as a  
24 condition of receiving these funds, the rules may  
25 provide for eligibility, health and safety  
26 requirements, parental access to children,  
27 reimbursement rates, types of service provided,  
28 licensing standards, complaint registration  
29 procedures, or other rules necessary to establish a  
30 simplified or consolidated child day care policy.

31 d. Nothing in this section shall be construed or  
32 is intended as, or shall imply, a grant of entitlement  
33 for services to persons who are eligible for  
34 assistance due to an income level consistent with the  
35 requirements of this section. Any state obligation to  
36 provide services pursuant to this section is limited  
37 to the extent of the funds appropriated under this  
38 section.

39 4. Of the funds appropriated in this section,  
40 \$258,931 is allocated for the fiscal year beginning  
41 July 1, 1991, for the statewide program for child day  
42 care resource and referral services under section  
43 237A.26.

44 5. The department may use any of the funds  
45 appropriated in this section as a match to obtain  
46 federal grants for use in expanding child day care  
47 assistance and related programs.

48 Sec. 109. TRANSITIONAL CHILD CARE ASSISTANCE.  
49 There is appropriated from the general fund of the  
50 state to the department of human services for the

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1 fiscal year beginning July 1, 1991, and ending June  
2 30, 1992, the following amount, or so much thereof as  
3 is necessary, to be used for the purpose designated:

4 For transitional child care assistance:  
5 ..... \$ 323,311

6 Notwithstanding section 239.21, the department of  
7 human services shall provide the transitional child  
8 care program in accordance with the federal Family  
9 Support Act of 1988, Pub. L. No. 100-485, § 302, and  
10 applicable federal regulations. Reimbursement for  
11 services shall be limited to registered or licensed  
12 child day care providers and programs providing care,  
13 supervision, or guidance of a child which is not  
14 included under the definition of "child day care"  
15 pursuant to section 237A.1, subsection 7.

16 Sec. 110. JOBS PROGRAM. There is appropriated  
17 from the general fund of the state to the department  
18 of human services for the fiscal year beginning July  
19 1, 1991, and ending June 30, 1992, the following  
20 amount, or so much thereof as is necessary, to be used  
21 for the purposes designated:

22 For the JOBS program:  
23 ..... \$ 4,647,305

24 1. Of the funds appropriated in this section,  
25 \$3,960,305 is allocated for the JOBS program. If in  
26 accordance with federal requirements, effective  
27 September 1, 1991, reimbursement under the JOBS  
28 program for child day care services shall be limited  
29 to registered or licensed child day care providers and  
30 programs providing care, supervision, or guidance of a  
31 child which is not included under the definition of  
32 "child day care" pursuant to section 237A.1,  
33 subsection 7. However, this requirement shall not  
34 apply to persons specified by rule as an aid to  
35 families with dependent children relative or as  
36 otherwise eligible for reimbursement because a  
37 licensed or registered child day care provider or  
38 program is not available.

39 2. Of the funds appropriated in this section,  
40 \$480,000 is allocated to the family development and  
41 self-sufficiency grant program as provided under  
42 section 217.12. This funding shall be used to extend  
43 current grantee funding from December 31, 1991, to  
44 June 30, 1992.

45 a. No more than 5 percent of the funds  
46 appropriated in this section shall be used for  
47 administration of the program and this percentage  
48 shall be determined for the entire fiscal year rather  
49 than on a 6-month basis. Federal financial  
50 participation received by the department for the

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1 family development and self-sufficiency grant program  
2 shall be used for the grant program or the JOBS  
3 program.

4 b. Based upon the annual evaluation report  
5 concerning each grantee funded by this appropriation,  
6 the family development and self-sufficiency council  
7 may use funds allocated to renew grants. Grant  
8 renewals shall be awarded on or before January 1,  
9 1992, for a 6-month extension to June 30, 1992.

10 3. Of the funds allocated in this section,  
11 \$132,000 is allocated for the food stamp employment  
12 and training program.

13 4. It is the intent of the general assembly that  
14 the department of human services apply to the  
15 corporation for enterprise development for Iowa's  
16 participation in the study phase of a "state human  
17 investment policy" demonstration project. Of the  
18 funds appropriated in this section, up to \$75,000  
19 shall be used for costs associated with Iowa's  
20 participation in the project. The department shall  
21 make efforts to obtain additional private and federal  
22 funding for the project, and shall submit quarterly  
23 reports on the status of the project to the  
24 legislative fiscal bureau.

25 Sec. 111. CHILD SUPPORT RECOVERY. There is  
26 appropriated from the general fund of the state to the  
27 department of human services for the fiscal year  
28 beginning July 1, 1991, and ending June 30, 1992, the  
29 following amount, or so much thereof as is necessary,  
30 to be used for the purposes designated:

31 For child support recovery, including salaries,  
32 support, maintenance, miscellaneous purposes, and for  
33 not more than the following full-time equivalent  
34 positions:

35 .....	\$	3,134,277
36 .....	FTEs	253.50

37 1. The director of human services, within the  
38 limitations of the funds appropriated in this section,  
39 or funds transferred from the aid to families with  
40 dependent children program for this purpose, may  
41 establish new positions and add additional employees  
42 to the child support recovery unit when the director  
43 determines that both the current and additional  
44 employees together can reasonably be expected to  
45 recover for the aid to families with dependent  
46 children program and the nonpublic assistance support  
47 recovery program more than twice the amount of money  
48 required to pay the salaries and support for both the  
49 current and additional employees or the new positions  
50 are necessary for compliance with federal requirements



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1 and the anticipated increased recovery amount exceeds  
2 the cost of salaries and support for the new  
3 positions. In the event the director adds additional  
4 employees, the department shall demonstrate the cost-  
5 effectiveness of the current and additional employees  
6 by reporting to the joint human services  
7 appropriations subcommittee the ratio of the total  
8 amount of administrative costs for child support  
9 recoveries to the total amount of the child support  
10 recovered.

11 2. Notwithstanding any other provision in law,  
12 nonpublic assistance application and user fees  
13 received by the child support recovery program are  
14 appropriated and shall be used for the purposes of the  
15 program. The department may adopt emergency rules as  
16 necessary to implement the provisions of this  
17 subsection. The director of human services may exceed  
18 the full-time equivalent position limit authorized in  
19 this section if fees collected relating to the new  
20 positions are sufficient to pay the salaries and  
21 support for the positions. The director shall report  
22 any new positions added pursuant to this section to  
23 the chairpersons and ranking members of the joint  
24 human services appropriations subcommittee and the  
25 legislative fiscal bureau. The department may adopt  
26 emergency rules as necessary to implement the  
27 provisions of this subsection.

28 3. The director of human services, in consultation  
29 with the department of management and the legislative  
30 fiscal committee, is authorized to receive and deposit  
31 state child support incentive earnings in the manner  
32 specified under applicable federal requirements.

33 4. The director of human services may establish  
34 new positions and add additional state employees to  
35 the child support recovery unit if the director  
36 determines the employees are necessary to replace  
37 county-funded positions eliminated due to termination,  
38 reduction, or nonrenewal of a chapter 28E contract.  
39 However, the director must also determine that the  
40 resulting increase in the state share of child support  
41 recovery incentives exceeds the cost of the positions,  
42 the positions are necessary to ensure continued  
43 federal funding of the program, or the new positions  
44 can reasonably be expected to recover more than twice  
45 the amount of money to pay the salaries and support  
46 for the new positions.

47 5. As a condition, limitation, and qualification  
48 of the funds appropriated in this section, the child  
49 support recovery unit may establish a pilot project  
50 involving employers and access to employer records.

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1 The duration of the pilot project shall be limited to  
 2 the period beginning July 1, 1991, and ending June 30,  
 3 1992. In implementing the project, the unit may enter  
 4 into a written agreement with a participating employer  
 5 in which the employer provides the unit with access to  
 6 information concerning the employer's new and current  
 7 employees. The access may be provided either by  
 8 manual or automated means. The unit shall not use or  
 9 make the information available for any other purpose  
 10 other than the establishment of or enforcement of a  
 11 support obligation. Notwithstanding any other  
 12 provision in law, an employer who enters into a  
 13 written agreement for the purposes of the pilot  
 14 project shall be held harmless from any violation of  
 15 legal requirements for confidentiality or release of  
 16 records which is in accordance with the agreement. An  
 17 evaluation of the pilot project, including  
 18 recommendations for its continuation, revision,  
 19 cancellation, or expansion shall be submitted to the  
 20 chairpersons and ranking members of the joint human  
 21 services appropriations subcommittee and the  
 22 legislative fiscal bureau.

23 Sec. 112. JUVENILE INSTITUTIONS. There is  
 24 appropriated from the general fund of the state to the  
 25 department of human services for the fiscal year  
 26 beginning July 1, 1991, and ending June 30, 1992, the  
 27 following amounts, or so much thereof as is necessary,  
 28 to be used for the purposes designated:

29 For the operation of the state training school and  
 30 the Iowa juvenile home, including salaries, support,  
 31 maintenance, miscellaneous purposes, and for not more  
 32 than the following full-time equivalent positions:

33 For the state juvenile institutions:  
 34 ..... \$ 12,774,025  
 35 ..... FTEs 357.50

36 1. The following amounts of the funds appropriated  
 37 and FTEs authorized in this section are allocated for  
 38 the Iowa juvenile home at Toledo:

39 ..... \$ 4,703,508  
 40 ..... FTEs 128.50

41 2. The following amounts of the funds appropriated  
 42 and FTEs authorized in this section are allocated for  
 43 the state training school at Eldora:

44 ..... \$ 8,070,517  
 45 ..... FTEs 229.00

46 3. It is the intent of the general assembly that  
 47 during the fiscal year beginning July 1, 1991, the  
 48 population levels at the state juvenile institutions  
 49 shall not exceed the population guidelines established  
 50 under 1990 Iowa Acts, chapter 1239, section 21. It is

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1 also the intent of the general assembly that the state  
2 juvenile institutions apply for an adolescent  
3 pregnancy prevention grant for the fiscal year  
4 beginning July 1, 1991.

5 4. Within the funds appropriated in this section,  
6 the department may reallocate funds as necessary to  
7 best fulfill the needs of the institutions provided  
8 for in this appropriation.

9 5. The department shall report to the legislative  
10 fiscal bureau, on or before the 20th day of each  
11 month, the department's current expenditures for the  
12 institutions receiving allocations under this  
13 appropriation. The report shall include a comparison  
14 of actual to budgeted expenditures for each  
15 institution.

16 Sec. 113. FOSTER CARE. There is appropriated from  
17 the general fund of the state to the department of  
18 human services for the fiscal year beginning July 1,  
19 1991, and ending June 30, 1992, the following amount,  
20 or so much thereof as is necessary, to be used for the  
21 purpose designated:

22 For foster care:

23 ..... \$ 53,674,434

24 1. As a condition, limitation, and qualification  
25 of the funds appropriated in this section, the  
26 department shall use moneys appropriated in this  
27 section to establish 30 or more enhanced service group  
28 care facility beds during the fiscal year beginning  
29 July 1, 1991. The department may use moneys  
30 appropriated in this section to provide enhanced  
31 funding of services to family foster homes to avert  
32 placement of children in group care facilities and may  
33 continue to provide enhanced funding of services to  
34 group care facilities to avert placement of children  
35 in more expensive, less appropriate out-of-state  
36 facilities or in a state juvenile institution. The  
37 department shall give priority to serving children  
38 whose placement at the state training school or the  
39 Iowa juvenile home would cause the state juvenile  
40 institution to exceed the population guidelines  
41 established under 1990 Iowa Acts, chapter 1239,  
42 section 21.

43 2. The department may transfer a portion of the  
44 funds appropriated in this section to provide  
45 subsidized adoption services or to purchase adoption  
46 services, if funds allocated in this section for  
47 adoption services are insufficient.

48 3. The department and state court administrator  
49 shall work together in implementing an agreement which  
50 enables the state to receive funding for eligible

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1 cases under the federal Social Security Act, Title IV-  
2 E.

3 4. Not more than 25 percent of the children placed  
4 in foster care funded under the federal Social  
5 Security Act, Title IV-E, shall be placed in foster  
6 care for a period of more than 24 months.

7 5. Of the funds appropriated in this section,  
8 \$92,000 is allocated for the foster home insurance  
9 fund. Notwithstanding section 237.13, the department  
10 may use funds appropriated in this section to purchase  
11 liability insurance for licensed foster parents in  
12 lieu of providing payment for claims filed against the  
13 foster home insurance fund, if comparable coverage can  
14 be obtained through private insurance.  
15 Notwithstanding section 8.33, funds remaining in the  
16 foster home insurance fund on June 30, 1992, shall not  
17 revert to the general fund but shall remain available  
18 for expenditure in the fiscal year beginning July 1,  
19 1992, for the purposes designated.

20 6. As a condition, limitation, and qualification  
21 of the funds appropriated in this section, the  
22 department shall review the need to provide additional  
23 day treatment alternatives within the child welfare  
24 system and the potential to provide additional  
25 services by including day treatment provided by  
26 psychiatric medical institutions for children as a  
27 service reimbursed under medical assistance. The  
28 department shall identify the effect of providing day  
29 treatment services reimbursement under medical  
30 assistance upon state expenditures for residential  
31 treatment and other foster care services. The  
32 department may use funds appropriated in this Act for  
33 medical assistance to pay the nonfederal share of  
34 costs for services reimbursed under medical assistance  
35 which are provided in a psychiatric medical  
36 institution for children.

37 7. The department may use \$30,000 of the funds  
38 appropriated in this section to contract for a study  
39 of the effectiveness of needs-based and therapeutic  
40 family foster care and enhanced residential care.

41 8. As a condition, limitation, and qualification  
42 of the funds appropriated in this section, the  
43 department shall develop a therapeutic foster care  
44 program in at least 1 district in the state. The  
45 program's foster care worker support staff shall serve  
46 not more than 7 foster families and shall provide  
47 respite and special support services to foster parents  
48 to enable them to serve in an active treatment  
49 capacity with the children under their care. Of the  
50 funds appropriated in this section, up to \$200,000

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1 shall be used for therapeutic foster care  
2 reimbursement and \$284,667 for 8.00 FTEs under the  
3 appropriation in this Act for field operations.

4 9. Funds appropriated in this section may be used  
5 to recruit foster parents and to provide preservice  
6 and in-service training for foster parents.

7 10. Of the funds appropriated in this section, up  
8 to \$140,000 may be used to develop and maintain the  
9 state's implementation of the national adoption and  
10 foster care information system pursuant to the  
11 requirements of Pub. L. No. 99-509.

12 11. As a condition, limitation, and qualification  
13 of the funds appropriated in this section, the  
14 department shall continue a family foster care  
15 advisory committee to examine department practices and  
16 policies to improve the recruitment and retention of  
17 foster parents, provide training and professional  
18 guidance where appropriate, and seek the involvement  
19 of family foster care providers in designing,  
20 developing, and participating in the creation of  
21 therapeutic foster family homes. The department shall  
22 review initiatives of other states in recruiting  
23 foster parents from appropriate families who are  
24 recipients of public assistance. In consultation with  
25 the advisory committee, the department shall seek  
26 federal waivers and make program modifications as  
27 necessary to develop a similar program for Iowa upon  
28 receiving federal approval to do so.

29 12. As a condition, limitation, and qualification  
30 of the funds appropriated in this section, the  
31 department shall establish specialized family foster  
32 care homes and provide specialized support and respite  
33 services to qualifying foster care families who accept  
34 infants with chemical addictions from intrauterine  
35 transmission who would otherwise remain in a hospital.

36 13. As a condition, limitation, and qualification  
37 of the funds appropriated in this section, the  
38 department shall continue the demonstration program to  
39 decategorize child welfare services in the 4 counties  
40 in which the program has commenced. The department  
41 may approve additional applications from a county or  
42 consortium of counties to initiate a demonstration  
43 program providing the department, the boards of  
44 supervisors in the counties, and the affected judicial  
45 districts agree to implement the program. The  
46 schedule for implementing the demonstration program in  
47 additional counties shall provide that the program be  
48 implemented on or after January 1, 1992. The  
49 department shall establish for the demonstration  
50 project counties a child welfare fund composed of all

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1 or part of the amount that would otherwise be expected  
2 to be used for residents of the counties for foster  
3 care, family-centered services, subsidized adoption,  
4 child day care, local purchase of services, state  
5 juvenile institution care, mental health institute  
6 care, state hospital-school care, juvenile detention,  
7 department-direct services, and court-ordered  
8 evaluation and treatment of juvenile services and  
9 notwithstanding any other provision of law, the fund  
10 shall be considered encumbered. Notwithstanding other  
11 service funding provisions in law, the department  
12 shall establish the fund by transferring funds from  
13 the budgets affected, except for the funds  
14 appropriated for the state mental health institutes,  
15 the state hospital-schools, the state training school,  
16 and the Iowa juvenile home which shall remain on  
17 account for the county at these institutions. The  
18 child welfare fund may be used to support services and  
19 payment rates not allowable within historical program  
20 or service categories. A limited amount of the fund  
21 may be used to support services and reimbursement  
22 rates not allowable within historical program or  
23 service categories and administrative rule. In  
24 addition, a limited amount of the child welfare fund  
25 may be used for the family assistance fund to provide  
26 resources for a family to remain together or to be  
27 unified. It is the intent of the general assembly  
28 that the demonstration program be designed to operate  
29 in a county for a 3-year period. The 3-year time  
30 period for a decategorization project in Dubuque,  
31 Polk, Pottawattamie, or Scott county shall be  
32 considered to begin on January 1 in the first year  
33 following the year in which the county's  
34 decategorization project was approved by the  
35 department.

36 14. As a condition, limitation, and qualification  
37 of the funds appropriated in this section, effective  
38 July 1, 1991, foster care shall not be provided to  
39 persons who are 18.5 years of age or older. The  
40 department may adopt emergency rules to implement the  
41 provisions of this subsection.

42 Sec. 114. CHILD PROTECTIVE SYSTEM IMPROVEMENTS.

43 There is appropriated from the general fund of the  
44 state to the department of human services for the  
45 fiscal year beginning July 1, 1991, and ending June  
46 30, 1992, the following amount, or so much thereof as  
47 is necessary, to be used for the purposes designated:

48 For improvements in the state system for child  
49 protection:

50 ..... \$ 587,500

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1 The funding appropriated in this section shall be  
2 used as determined by the department for any of the  
3 following purposes:

4 1. For general administration of the department to  
5 improve staff training efforts.

6 2. For oversight of termination of parental rights  
7 and permanency planning efforts on a statewide basis  
8 on the condition that regular reports regarding the  
9 statewide program efforts shall be provided to the  
10 legislative fiscal bureau.

11 3. For use by the department in general  
12 administration to promote innovative treatment  
13 programs, write grants to obtain federal and private  
14 funding, and promote public and private efforts to  
15 treat and prevent child abuse.

16 4. For personnel, assigned by the attorney  
17 general, to provide additional services relating to  
18 termination of parental rights and child in need of  
19 assistance cases.

20 5. For funding of the state multidisciplinary team  
21 to assist with difficult cases within the child abuse  
22 and foster care system and with respect to child  
23 protective investigation and initial case planning and  
24 to develop and coordinate local multidisciplinary  
25 teams.

26 6. For use by the department in conducting  
27 outcome-oriented evaluations of child protection,  
28 prevention, and treatment programs.

29 7. For specialized foster care permanency planning  
30 field operations staff.

31 Sec. 115. HOME-BASED SERVICES. There is  
32 appropriated from the general fund of the state to the  
33 department of human services for the fiscal year  
34 beginning July 1, 1991, and ending June 30, 1992, the  
35 following amount, or so much thereof as is necessary,  
36 to be used for the purpose designated:

37 For home-based services on the condition that  
38 family planning services are funded, provided that if  
39 the department amends the allocation to a program  
40 funded under this section, then the department shall  
41 promptly notify the legislative fiscal bureau of the  
42 change:

43 ..... \$ 19,680,002

44 1. Of the funds appropriated in this section,  
45 \$30,000 shall be used by the department to contract  
46 with universities to provide ongoing research and  
47 evaluation assistance to programs and initiatives of  
48 the department involving family-centered services and  
49 foster care. The contracts shall make maximum use of  
50 any matching resources available from the universities

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1 with which the department contracts.  
 2 2. Of the funds appropriated in this section,  
 3 \$5,086,204 shall be used for family preservation and  
 4 reunification services and training. A limited amount  
 5 of the funds may be used for the family assistance  
 6 fund to provide other resources required for a family  
 7 participating in a project to stay together or to be  
 8 reunified. The payment system for the project shall  
 9 not be based upon units of time, but may be based upon  
 10 the cost to serve a family, including adjustments  
 11 according to the provider's performance and the  
 12 outcome of the services provided to each family. The  
 13 department shall use the statewide family preservation  
 14 and decategorization committee to assist in selecting  
 15 additional projects.

16 Sec. 116. COMMUNITY-BASED PROGRAMS. There is  
 17 appropriated from the general fund of the state to the  
 18 department of human services for the fiscal year  
 19 beginning July 1, 1991, and ending June 30, 1992, the  
 20 following amount, or so much thereof as is necessary,  
 21 to be used for the purpose designated:

22 For community-based programs:  
 23 ..... \$ 2,000,328

24 1. As a condition, limitation, and qualification  
 25 of the funds appropriated in this section, up to  
 26 \$19,095 shall be used by the department as the  
 27 financial aid from the state under section 232.142,  
 28 subsection 3, for the cost of the establishment,  
 29 improvement, operation, and maintenance of approved  
 30 county or multicounty juvenile homes. Notwithstanding  
 31 section 232.142, subsection 3, the amount provided in  
 32 this subsection shall be the maximum amount of  
 33 financial aid the state is obligated to provide  
 34 pursuant to that provision.

35 Sec. 117. BLOCK GRANT SUPPLEMENTATION. There is  
 36 appropriated from the general fund of the state to the  
 37 department of human services for the fiscal year  
 38 beginning July 1, 1991, and ending June 30, 1992, the  
 39 following amount, or so much thereof as is necessary,  
 40 to be used for the purpose designated:

41 For supplementation of federal social services  
 42 block grant funds and for allocation to counties for  
 43 the purchase of local services:  
 44 ..... \$ 4,935,958

45 The funds appropriated in this section shall be  
 46 allocated to counties pursuant to the rules of the  
 47 department in effect on January 1, 1985. The  
 48 department shall increase the income guidelines for  
 49 income eligible persons receiving services funded with  
 50 federal social services block grant funds for the



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1 fiscal year beginning July 1, 1991, by the same  
 2 percentage and at the same time as federal social  
 3 security benefits are increased due to a recognized  
 4 increase in the cost of living. The department may  
 5 adopt emergency rules to implement the provisions of  
 6 this subsection relating to an increase in the cost of  
 7 living.

8 Sec. 118. COURT-ORDERED SERVICES PROVIDED TO  
 9 JUVENILES. There is appropriated from the general  
 10 fund of the state to the department of human services  
 11 for the fiscal year beginning July 1, 1991, and ending  
 12 June 30, 1992, the following amount, or so much  
 13 thereof as is necessary, to be used for the purpose  
 14 designated:

15 Payment of the expenses of court-ordered services  
 16 provided to juveniles which are a charge upon the  
 17 state pursuant to section 232.141, subsection 4:  
 18 ..... \$ 4,013,271

19 1. It is the intent of the general assembly that  
 20 the funds appropriated in this section shall be used  
 21 in a manner that allows provision of court-ordered  
 22 services to juveniles for the entire specified fiscal  
 23 period without the need for supplemental funding. The  
 24 court shall consider the overall cost-effectiveness of  
 25 services ordered by the court for juveniles under  
 26 chapter 232.

27 2. As a condition, limitation, and qualification  
 28 of the funds appropriated in this section, and  
 29 notwithstanding any other provision of law, \$6,150,000  
 30 of the funds appropriated in this Act for home-based  
 31 services shall be used in providing court-ordered  
 32 family-centered, family preservation and family  
 33 reunification services designed to achieve the goals  
 34 contained in a juvenile's foster care case permanency  
 35 plan. The department shall develop policies and  
 36 procedures to ensure that priority for these services  
 37 is given to juveniles who are at-risk of being  
 38 adjudicated as a delinquent, being found to be a child  
 39 in need of assistance, or being involuntarily  
 40 committed under chapter 125 or 229.

41 3. As a condition, limitation, and qualification  
 42 of the funds appropriated in this section, and  
 43 notwithstanding section 232.141 or any other provision  
 44 of law, the funds appropriated in this section shall  
 45 be allocated to the department of human services'  
 46 districts as provided in this subsection. The  
 47 allocations to the districts shall be made according  
 48 to a formula developed pursuant to recommendations of  
 49 a committee consisting of a representative of the  
 50 director of human services, a representative of the

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1 state court administrator, a representative of the  
2 Iowa state association of counties, and a  
3 representative of service providers selected by the  
4 director of human services. The director of human  
5 services shall make the final decision on the  
6 allocations on or before June 15, 1991.

7 4. Each department of human services' district  
8 shall establish a planning group for the court-ordered  
9 services for juveniles provided in that district. A  
10 district planning group shall be appointed by the  
11 district administrator and shall include local  
12 representatives of the department of human services,  
13 youth advocates, public defenders where appropriate,  
14 the judicial department, county officials or staff,  
15 and service providers. A district planning group  
16 shall meet at least quarterly and shall perform all of  
17 the following activities:

18 a. Establish service priorities for spending the  
19 court-ordered services funds allocated to the  
20 district.

21 b. Develop procedures to evaluate and improve the  
22 quality and effectiveness of the services being  
23 provided.

24 c. Make recommendations concerning changes in the  
25 child welfare system that are needed to ensure that  
26 children and families receive the services necessary  
27 to meet their unique needs. Each district planning  
28 group shall submit an annual report to the department  
29 of human services. The department shall compile these  
30 reports and submit the reports to the chairpersons and  
31 ranking members of the joint human services  
32 appropriations subcommittee and the legislative fiscal  
33 bureau.

34 5. On or before June 15, 1991, the department of  
35 human services shall develop policies and procedures  
36 to ensure that the funds appropriated in this section  
37 are spent only after all reasonable efforts have been  
38 made to utilize other funding sources and community-  
39 based services. The policies and procedures shall be  
40 designed to achieve the following objectives relating  
41 to services provided under chapter 232:

42 a. Maximize the utilization of funds which may be  
43 available from the medical assistance program  
44 including usage of the early preventive, screening,  
45 diagnosis, and treatment (EPSDT) program.

46 b. Recover payments from any third-party insurance  
47 coverage which is liable for coverage of the services,  
48 including health insurance coverage.

49 6. The department of human services, in  
50 consultation with district administrators, shall

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1 compile a report describing spending in the districts  
 2 for court-ordered services for juveniles, including  
 3 the utilization of the medical assistance program.  
 4 The reports shall be submitted on or before the  
 5 twentieth day of each month to the chairpersons and  
 6 ranking members of the joint human services  
 7 appropriations subcommittee and the legislative fiscal  
 8 bureau.

9 7. Notwithstanding chapter 232 or any other  
 10 provision of law, a district or juvenile court in a  
 11 department of human services district shall not order  
 12 any service which is a charge upon the state pursuant  
 13 to section 232.141 if there are insufficient funds  
 14 available in the district allocation to pay for the  
 15 service. The district administrator shall work with  
 16 the district planning group to encourage use of the  
 17 funds appropriated in this section such that there are  
 18 sufficient funds during the entire year.

19 8. Notwithstanding any provision of law, a  
 20 district or juvenile court shall not order a county to  
 21 pay for any service provided to a juvenile pursuant to  
 22 an order entered under chapter 232 which is a charge  
 23 upon the state under section 232.141.

24 9. As a condition, limitation, and qualification  
 25 of the funds appropriated in this section, and  
 26 notwithstanding any provision of law to the contrary,  
 27 \$50,000 of the funds appropriated in this section may  
 28 be used by the department for the administration of  
 29 the programs and services provided pursuant to orders  
 30 entered under chapter 232, as a supplement to funds  
 31 provided in other appropriations. The department  
 32 shall cooperate with the legislative fiscal bureau in  
 33 developing a management information system for  
 34 spending for services ordered under chapter 232.

35 10. The department may adopt emergency rules to  
 36 implement the provisions of this section.

37 Sec. 119. IOWA VETERANS HOME. There is  
 38 appropriated from the general fund of the state to the  
 39 department of human services for the fiscal year  
 40 beginning July 1, 1991, and ending June 30, 1992, the  
 41 following amount, or so much thereof as is necessary,  
 42 to be used for the purposes designated:

43 For operation of the Iowa veterans home, including  
 44 salaries, support, maintenance, miscellaneous  
 45 purposes, and for not more than the following full-  
 46 time equivalent positions:

* 47	.....	\$ 29,522,461
* 48	.....	FTEs 821.80

49 The department may use the gifts accepted by the  
 50 director of human services pursuant to section 218.96

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1 and other resources available to the department for  
2 use at the Iowa veterans home for purposes identified  
3 by the department.

4 Sec. 120. MENTAL HEALTH INSTITUTES. There is  
5 appropriated from the general fund of the state to the  
6 department of human services for the fiscal year  
7 beginning July 1, 1991, and ending June 30, 1992, the  
8 following amounts, or so much thereof as is necessary,  
9 to be used for the purposes designated:

10 For the state mental health institutes for  
11 salaries, support, maintenance, miscellaneous  
12 purposes, and for not more than the following full-  
13 time equivalent positions:  
14 ..... \$ 47,520,990  
15 ..... FTEs 1,226.28

16 1. The following amounts of the funds appropriated  
17 and full-time equivalent positions authorized in this  
18 section are allocated for the state mental health  
19 institute at Cherokee:  
20 ..... \$ 14,928,541  
21 ..... FTEs 389.75

22 2. The following amounts of the funds appropriated  
23 and full-time equivalent positions authorized in this  
24 section are allocated for the state mental health  
25 institute at Clarinda:  
26 ..... \$ 7,638,209  
27 ..... FTEs 189.16

28 3. The following amounts of the funds appropriated  
29 and full-time equivalent positions authorized in this  
30 section are allocated for the state mental health  
31 institute at Independence:  
32 ..... \$ 15,706,123  
33 ..... FTEs 436.27

34 4. The following amounts of the funds appropriated  
35 and full-time equivalent positions authorized in this  
36 section are allocated for the state mental health  
37 institute at Mount Pleasant:  
38 ..... \$ 9,248,117  
39 ..... FTEs 211.50

40 5. Within the funds appropriated in this section,  
41 the department may reallocate funds as necessary to  
42 best fulfill the needs of the institutions provided  
43 for in this appropriation.

44 6. The department shall report to the legislative  
45 fiscal bureau, on or before the 20th day of each  
46 month, the department's current expenditures for the  
47 institutions receiving allocations under this  
48 appropriation. The report shall include a comparison  
49 of actual to budgeted expenditures for each  
50 institution.

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1 Sec. 121. HOSPITAL-SCHOOLS. There is appropriated  
 2 from the general fund of the state to the department  
 3 of human services for the fiscal year beginning July  
 4 1, 1991, and ending June 30, 1992, the following  
 5 amounts, or so much thereof as is necessary, to be  
 6 used for the purposes designated:

7 For the state hospital-schools, for salaries,  
 8 support, maintenance, miscellaneous purposes, and for  
 9 not more than the following full-time equivalent  
 10 positions:

11 ..... \$ 71,197,941  
 12 ..... FTEs 2,088.85

13 1. The following amounts of the funds appropriated  
 14 and full-time equivalent positions authorized in this  
 15 section are allocated for the state hospital-school at  
 16 Glenwood:

17 ..... \$ 39,142,956  
 18 ..... FTEs 1,157.00

19 2. The following amounts of the funds appropriated  
 20 and full-time equivalent positions authorized in this  
 21 section are allocated for the state hospital-school at  
 22 Woodward:

23 ..... \$ 32,054,985  
 24 ..... FTEs 931.85

25 3. Within the funds appropriated in this section,  
 26 the department may reallocate funds as necessary to  
 27 best fulfill the needs of the institutions provided  
 28 for in this appropriation.

29 4. The department shall report to the legislative  
 30 fiscal bureau, on or before the 20th day of each  
 31 month, the department's current expenditures for the  
 32 institutions receiving allocations under this  
 33 appropriation. The report shall include a comparison  
 34 of actual to budgeted expenditures for each  
 35 institution.

36 Sec. 122. MENTAL HEALTH AND MENTAL RETARDATION

37 SERVICES FUND. There is appropriated from the general  
 38 fund of the state to the state community mental health  
 39 and mental retardation services fund established in  
 40 section 225C.7 for the fiscal year beginning July 1,  
 41 1991, and ending June 30, 1992, the following amount,  
 42 or so much thereof as is necessary:

43 ..... \$ 2,000,000

44 Notwithstanding 1990 Iowa Acts, chapter 1250,  
 45 section 18, \$1,200,000 of the funds appropriated to  
 46 the special mental health services fund established in  
 47 that section shall be transferred to the state  
 48 community mental health and mental retardation  
 49 services fund established in section 225C.7 and shall  
 50 be used in addition to the funds appropriated in this

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1 section for the purposes designated. The amount  
2 transferred pursuant to this section and section 123  
3 of this Act shall not be subject to the formula  
4 provided in 1990 Iowa Acts, chapter 1250, section 18,  
5 subsection 4.

6 Sec. 123. ENHANCED SERVICES -- COUNTY PAYMENT.  
7 Notwithstanding 1990 Iowa Acts, chapter 1250, section  
8 18, \$2,360,000 of the funds appropriated to the  
9 special mental health services fund established in  
10 that section, or so much thereof as is necessary,  
11 shall be transferred to supplement the appropriation  
12 in section 127 of this Act for the state candidate  
13 services fund for the purpose of providing funds to  
14 counties pursuant to section 127, subsection 5. The  
15 amount transferred pursuant to this section and  
16 section 122 of this Act shall not be subject to the  
17 formula provided in 1990 Iowa Acts, chapter 1250,  
18 section 18, subsection 4.

19 Sec. 124. MENTAL HEALTH -- MENTAL RETARDATION --  
20 DEVELOPMENTAL DISABILITIES SPECIAL SERVICES. There is  
21 appropriated from the general fund of the state to the  
22 department of human services for the fiscal year  
23 beginning July 1, 1991, and ending June 30, 1992, the  
24 following amount, or so much thereof as is necessary,  
25 to be used for the purpose designated:

26 For mental health, mental retardation, and  
27 developmental disabilities special services:

28 ..... \$ 425,000

29 1. The department and the Iowa finance authority  
30 shall develop methods to implement the financing for  
31 existing community-based facilities and to implement  
32 financing for small community-based facilities,  
33 including those facilities which may be developed  
34 under a federally approved home and community-based  
35 waiver for services provided under the medical  
36 assistance program. The department shall develop  
37 criteria for these facilities which may include  
38 provisions to restrict placements to current state  
39 hospital-school clients or to avert the placement of  
40 persons in a state hospital-school. The department  
41 shall assure that clients are referred to these  
42 facilities upon their development.

43 2. Of the funds appropriated in this section,  
44 \$284,750 is allocated to provide supplemental per  
45 diems to community-based residential care facilities  
46 and community living arrangements. The per diem is  
47 restricted to clients placed from the state hospital-  
48 schools and persons averted from placement in a state  
49 hospital-school who meet the appropriate level of  
50 functioning for this type of care.

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1 3. Of the funds appropriated in this section,  
 2 \$140,250 is allocated to provide funds for  
 3 construction and start-up costs to develop community  
 4 living arrangements to provide for persons who are  
 5 mentally ill and homeless. These funds may be used to  
 6 match federal Stewart B. McKinney Homeless Assistance  
 7 Act grant funds.

8 4. As a condition, limitation, and qualification  
 9 of the funds appropriated in this section, the  
 10 department shall adopt rules pursuant to chapter 17A  
 11 providing for reimbursement under state supplementary  
 12 assistance to pay for supervised apartment living and  
 13 cooperative housing arrangements for persons with  
 14 disabilities. The rules shall take effect July 1,  
 15 1992.

16 Sec. 125. FAMILY SUPPORT SUBSIDY PROGRAM. There  
 17 is appropriated from the general fund of the state to  
 18 the department of human services for the fiscal year  
 19 beginning July 1, 1991, and ending June 30, 1992, the  
 20 following amount, or so much thereof as is necessary,  
 21 to be used for the purpose designated:

22 For the family support subsidy program:  
 23 ..... \$ 621,860

24 Sec. 126. SPECIAL NEEDS GRANTS. There is  
 25 appropriated from the general fund of the state to the  
 26 department of human services for the fiscal year  
 27 beginning July 1, 1991, and ending June 30, 1992, the  
 28 following amount, or so much thereof as is necessary,  
 29 to be used for the purpose designated:

30 To provide special needs grants to families with a  
 31 family member at home who has a developmental  
 32 disability or to a person with a developmental  
 33 disability:  
 34 ..... \$ 55,000

35 Grants must be used by a family to defray special  
 36 costs of caring for the family member to prevent out-  
 37 of-home placement of the family member or to provide  
 38 for independent living costs. A grant may provide up  
 39 to \$5,000 per person for costs associated with an  
 40 assistive animal. The grants may be administered by a  
 41 private nonprofit agency which serves people statewide  
 42 provided that no administrative costs are received by  
 43 the agency. Regular reports regarding coordination of  
 44 the special needs grants with the family support  
 45 subsidy program shall be provided to the legislative  
 46 fiscal bureau.

47 Sec. 127. ENHANCED MENTAL HEALTH -- MENTAL  
 48 RETARDATION -- DEVELOPMENTAL DISABILITIES SERVICES.  
 49 There is appropriated from the general fund of the  
 50 state to the department of human services for the

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1 fiscal year beginning July 1, 1991, and ending June  
2 30, 1992, the following amount, or so much thereof as  
3 is necessary, to be used for the purpose designated:

4 For the state candidate services fund:  
5 ..... \$ 2,630,000

6 1. The enhanced mental health, mental retardation,  
7 and developmental disabilities services plan oversight  
8 committee is continued, as established under 1988 Iowa  
9 Acts, chapter 1276, section 14, subsection 1, for the  
10 fiscal year which begins July 1, 1991, and ends June  
11 30, 1992. The oversight committee shall issue a final  
12 decision regarding any issue of disagreement between a  
13 county and the department relating to expenditures for  
14 candidate services or the county's maintenance of  
15 effort.

16 2. For purposes of this section, "candidate  
17 services" means day treatment, partial  
18 hospitalization, and case management.

19 3. a. The county of legal settlement shall be  
20 billed for 50 percent of the nonfederal share of the  
21 cost of case management provided to adults, day  
22 treatment, and partial hospitalization provided under  
23 the medical assistance program for persons with mental  
24 retardation, a developmental disability, or chronic  
25 mental illness.

26 b. If the department has contracted with a county  
27 or a consortium of counties to be the provider of case  
28 management services, the department is responsible for  
29 any costs included within the unit rate for case  
30 management services which are disallowed for  
31 reimbursement pursuant to Title XIX of the federal  
32 Social Security Act by the federal health care  
33 financing administration. The department shall use  
34 funds appropriated under this section to credit a  
35 county for the county's share of any amounts overpaid  
36 due to the disallowed costs. If certain costs are  
37 disallowed due to requirements or preferences of a  
38 particular county in the provision of case management  
39 services the county shall not receive credit for the  
40 amount of the costs.

41 c. Case management services provided to children  
42 shall only be reimbursed under the medical assistance  
43 program if the services are provided in a county  
44 approved by the department to implement the program to  
45 decategorize child welfare services. In addition, the  
46 county's decategorization plan must demonstrate that  
47 the amount necessary for payment of the nonfederal  
48 share of the cost for the services is available within  
49 funds allocated for the purpose of decategorization.  
50 The department may adopt emergency rules to implement



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1 the provisions of this paragraph.

2 4. A county is responsible to continue to expend  
3 at least the agreed upon amount expended for services  
4 in the fiscal year which ended June 30, 1987, for the  
5 fiscal year beginning July 1, 1991, for services to  
6 persons with mental retardation, a developmental  
7 disability, or chronic mental illness.  
8 Notwithstanding section 8.33, if a county does not  
9 expend the agreed upon amount in the fiscal year, the  
10 balance not expended shall not revert to the general  
11 fund of the county, but shall be carried over to the  
12 next fiscal year to be expended for the provision of  
13 services to persons with mental retardation, a  
14 developmental disability, or mental illness including,  
15 but not limited to, the chronically mentally ill, and  
16 shall be used as additional funds. The additional  
17 funds shall be used, to the greatest extent possible,  
18 to meet unmet needs of persons with mental  
19 retardation, a developmental disability, or mental  
20 illness. This subsection does not relieve the county  
21 from any other funding obligations required by law,  
22 including but not limited to the obligations in  
23 section 222.60.

24 5. The department, in conjunction with the  
25 oversight committee, and with the agreement of each  
26 county, shall establish the actual amount expended for  
27 each candidate service for persons with mental  
28 retardation, a developmental disability, or chronic  
29 mental illness in the fiscal year which ended June 30,  
30 1987, and this amount shall be deemed each county's  
31 base year expenditure for the candidate service. A  
32 disagreement between the department and a county as to  
33 the actual amount expended shall be decided by the  
34 oversight committee.

35 The department, in conjunction with the oversight  
36 committee, and with the agreement of each county,  
37 shall determine the expenditures in the fiscal year  
38 beginning July 1, 1990, by each county for the  
39 candidate services, including the amount the county  
40 contributes under subsection 3. If the expenditures  
41 in the fiscal year beginning July 1, 1990, exceed the  
42 base year expenditures for candidate services, then  
43 the county shall receive from the funds appropriated  
44 under this section the least amount of the following:

45 a. The difference between the total expenditures  
46 for the candidate services in the fiscal year  
47 beginning July 1, 1990, and the base year  
48 expenditures.

49 b. The amount expended by the county under  
50 subsection 3.

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1 c. The amount by which total expenditures for  
2 persons with mental retardation, a developmental  
3 disability, or chronic mental illness for the fiscal  
4 year beginning July 1, 1990, less any carryover amount  
5 from the fiscal year which began July 1, 1989, exceed  
6 the maintenance of effort expenditures under  
7 subsection 4.

8 6. Notwithstanding section 225C.20, case  
9 management services shall be provided by the  
10 department except when a county or a consortium of  
11 counties contracts with the department to provide the  
12 services. A county or consortium of counties may  
13 contract to be the provider at any time and the  
14 department shall agree to the contract so long as the  
15 contract meets the standards for case management  
16 adopted by the department. The county or consortium  
17 of counties may subcontract for the provision of case  
18 management services if the subcontract meets the same  
19 standards. A mental health, mental retardation, and  
20 developmental disabilities coordinating board may  
21 change the provider of individual case management  
22 services at any time. If the current or proposed  
23 contract is with the department, the coordinating  
24 board shall provide written notification of a proposed  
25 change to the department on or before August 15 and  
26 written notification of an approved change on or  
27 before October 15 in the fiscal year which precedes  
28 the fiscal year in which the change will take effect.

29 7. This section does not relieve the county from  
30 any other funding obligations required by law,  
31 including but not limited to the obligations in  
32 section 222.60.

33 8. Nothing in this Act is intended by the general  
34 assembly to be the provision of a fair and equitable  
35 funding formula specified in 1985 Iowa Acts, chapter  
36 249, section 9. Nothing in this Act shall be  
37 construed as, is intended as, or shall imply a claim  
38 of entitlement to any programs or services specified  
39 in section 225C.28.

40 9. For the purposes of this section only, persons  
41 with organic mental disorders shall not be considered  
42 chronically mentally ill.

43 10. Where the department contracts with a county  
44 or consortium of counties to provide case management  
45 services, the state shall appear and defend the  
46 department's employees and agents acting in an  
47 official capacity on the department's behalf and the  
48 state shall indemnify the employees and agents for  
49 acts within the scope of their employment. The  
50 state's duties to defend and indemnify shall not apply

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1 if the conduct upon which any claim is based  
2 constitutes a willful and wanton act or omission or  
3 malfeasance in office.

4 Sec. 128. FIELD OPERATIONS. There is appropriated  
5 from the general fund of the state to the department  
6 of human services for the fiscal year beginning July  
7 1, 1991, and ending June 30, 1992, the following  
8 amount, or so much thereof as is necessary, to be used  
9 for the purposes designated:

10 For field operations, including salaries, support,  
11 maintenance, miscellaneous purposes, and for not more  
12 than the following full-time equivalent positions:

13 .....	\$ 43,864,127
14 .....	FTEs 2,310.50

15 1. Staff who are designated as "Title XIX case  
16 management staff" are considered to be in addition to  
17 the limit for full-time equivalent positions and the  
18 funds appropriated for field operations. As a  
19 condition, limitation, and qualification of the funds  
20 appropriated in this section, the department shall  
21 report quarterly to the chairpersons and ranking  
22 members of the legislative fiscal committee of the  
23 legislative council, the members of the joint human  
24 services appropriations subcommittee, and the  
25 legislative fiscal bureau regarding the total number  
26 of Title XIX case management staff positions filled,  
27 including the number of positions which were filled by  
28 persons who were already employed by the department in  
29 another capacity.

30 2. As a condition, limitation, and qualification  
31 of the funds appropriated in this section, upon the  
32 request of a county, the department shall work with  
33 the county to develop a funding plan for persons with  
34 mental retardation, a developmental disability, or  
35 chronic mental illness who are not eligible to receive  
36 case management provided under the medical assistance  
37 program and are receiving service management. With an  
38 agreed upon funding plan, the department is authorized  
39 to combine state funds that would otherwise be  
40 expended on service management with county funds to  
41 upgrade services provided to the persons from service  
42 management to case management. Staff required to  
43 implement this subsection are not subject to the  
44 limitations on full-time equivalent positions and  
45 funds appropriated for field operations.

46 3. As a condition, limitation, and qualification  
47 of the funds appropriated in this section, if the  
48 field operations staffing level meets the funded full-  
49 time equivalent position limit authorized in this  
50 section and a district identifies a critical position

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1 vacancy or a position with a caseweight factor greater  
2 than 120 percent of the budgeted caseweight factor for  
3 the position, the director of human services may  
4 exceed the full-time equivalent position limit  
5 authorized under this section in the amount necessary  
6 to fill the critical position vacancy or to reduce the  
7 caseweight factor to the budgeted level. For purposes  
8 of this subsection, "critical position vacancy"  
9 includes a clerical position in an office limited to a  
10 single clerical staff position. The budgeted  
11 caseweight factor for the fiscal year beginning July  
12 1, 1991, and ending June 30, 1992, is 196 for income  
13 maintenance workers and 191 for service workers. If  
14 the department is able to increase federal financial  
15 participation relating to field operations, the moneys  
16 shall be used to reduce budgeted caseweight factor  
17 funded by the appropriation in this section for income  
18 maintenance and service workers. In addition, if the  
19 field operations staffing level meets the funded full-  
20 time equivalent position limit authorized in this  
21 section and there is a critical position vacancy in  
22 the state or the statewide average caseweight factor  
23 for a particular type of position exceeds 105 percent  
24 of the budgeted caseweight factor for that type of  
25 position, the director of human services may exceed  
26 the full-time equivalent position limit authorized in  
27 this section in an amount necessary to fill the  
28 critical position vacancy or to reduce the caseweight  
29 factor to the budgeted level. The department shall  
30 report monthly to the chairpersons and ranking members  
31 of the joint human services appropriations  
32 subcommittee and to the legislative fiscal bureau  
33 regarding caseweight factor computations in each  
34 district, the statewide average caseweight factor, the  
35 existence of a critical position vacancy in any  
36 district, and action taken by the department to  
37 address any critical position vacancy problem or  
38 excess caseweight factor.

39 4. Notwithstanding the full-time equivalent  
40 position limit authorized in this section, a county  
41 implementing a decategorization project, consistent  
42 with the county's decategorization plan, may modify  
43 the staffing level in the county's human services  
44 office and the modification shall not affect other  
45 county or district human services staffing levels and  
46 shall not be considered to be subject to the full-time  
47 equivalent position limit in this section.

48 5. As a condition, limitation, and qualification  
49 of the funds appropriated in this section, the  
50 department shall review the current field operations

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1 service delivery system structure. Within the funds  
 2 budgeted and full-time equivalent positions authorized  
 3 under this appropriation, the department shall make  
 4 changes necessary to improve the system's  
 5 administrative efficiency and effectiveness and to  
 6 streamline these functions. Emphasis shall be placed  
 7 upon increasing the program support, training, and  
 8 supervision of staff who work directly with clients.

9 Sec. 129. GENERAL ADMINISTRATION. There is  
 10 appropriated from the general fund of the state to the  
 11 department of human services for the fiscal year  
 12 beginning July 1, 1991, and ending June 30, 1992, the  
 13 following amount, or so much thereof as is necessary,  
 14 to be used for the purposes designated:

15 For general administration, including salaries,  
 16 support, maintenance, miscellaneous purposes, and for  
 17 not more than the following full-time equivalent  
 18 positions:

19 ..... \$ 9,056,673  
 20 ..... FTEs 352.95

21 1. Full-time equivalent positions which are funded  
 22 entirely with federal, public, or private grants are  
 23 exempt from the limits on the number of full-time  
 24 equivalent positions provided in this section, but are  
 25 approved only for the period of time for which the  
 26 federal funds or grants are available for the  
 27 position.

28 2. As a condition, limitation, and qualification  
 29 of the funds appropriated in this section, if a state  
 30 institution administered by the department is to be  
 31 closed or reduced in size, prior to the closing or  
 32 reduction the department shall initiate and coordinate  
 33 efforts in cooperation with the Iowa department of  
 34 economic development to develop new jobs in the area  
 35 in which the state institution is located.

36 3. As a condition, limitation, and qualification  
 37 of the funds appropriated in this section, the  
 38 department shall seek federal approval of home and  
 39 community-based waivers for services provided under  
 40 medical assistance to persons with mental retardation,  
 41 mental illness, or developmental disabilities and  
 42 effective February 1, 1992, contingent upon federal  
 43 approval of the waivers, the department shall take all  
 44 measures necessary to implement the waivers,  
 45 including, but not limited to, filling not more than  
 46 12 employee positions to perform duties as necessary  
 47 to implement the waivers. The department shall fill  
 48 the positions in a manner which results in the  
 49 positions being equivalent to 4.00 FTEs for the fiscal  
 50 year, however, the positions shall be annualized for

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1 the purposes of establishing the number of full-time  
2 equivalent positions in this appropriation for the  
3 fiscal year.

4 4. As a condition, limitation, and qualification  
5 of the funds appropriated in this section, \$30,000  
6 shall be transferred to the governor's planning  
7 council for developmental disabilities for use in  
8 contracting to continue operating a computerized  
9 information and referral project for Iowans with  
10 developmental disabilities and their families.

11 5. As a condition, limitation, and qualification  
12 of the funds appropriated in this section, 1.00 FTE  
13 shall be assigned to expand the AFDC electronic  
14 benefits transfer program (EBT) beyond the pilot  
15 program county and to implement EBT for the food stamp  
16 program.

17 Sec. 130. VOLUNTEERS. There is appropriated from  
18 the general fund of the state to the department of  
19 human services for the fiscal year beginning July 1,  
20 1991, and ending June 30, 1992, the following amount,  
21 or so much thereof as is necessary, to be used for the  
22 purpose designated:

23 For development and coordination of volunteer  
24 services:

25 ..... \$ 93,283

26 Sec. 131. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY  
27 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED  
28 UNDER THE DEPARTMENT OF HUMAN SERVICES.

29 1. a. For the fiscal year beginning July 1, 1991,  
30 the following providers shall not have their medical  
31 assistance reimbursement rates increased over the  
32 rates in effect on June 30, 1991: providers of  
33 waived services under the home and community-based  
34 programs, optometrists for service fees only,  
35 opticians for service fees only, podiatrists,  
36 dentists, chiropractors, physical therapists, birthing  
37 centers, ambulance services, independent laboratories,  
38 area education agencies, clinics, audiologists,  
39 rehabilitation agencies, community mental health  
40 centers, family planning clinics, psychologists,  
41 hearing aid dealers, orthopedic shoe dealers,  
42 ambulatory surgery centers, and genetic counseling  
43 clinics. Reimbursement for optometric products shall  
44 not be increased. The department of human services  
45 may utilize flexibility in allocating the increase for  
46 durable medical products and supplies so that  
47 equipment and supplies which have greater wholesale  
48 cost increases may be reimbursed at a higher rate and  
49 those which have a lower or no wholesale cost increase  
50 may be reimbursed at a lower rate or have no increase.

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1 Reimbursement rates for physicians and certified  
2 registered nurse anesthetists shall not be increased.  
3 Reimbursement rates for maternal health centers and  
4 pediatric services shall not be increased.

5 b. For the fiscal year beginning July 1, 1991, the  
6 following shall have their medical assistance  
7 reimbursement rates established at the rates in effect  
8 on February 28, 1991: psychiatric medical  
9 institutions for children, early preventive screening,  
10 diagnosis, and treatment providers, providers of  
11 obstetric services when provided by physicians or  
12 certified midwives, and durable medical products and  
13 supplies.

14 c. The department shall provide a differential per  
15 diem reimbursement rate to a psychiatric medical  
16 institution for children for short-term treatment or  
17 diagnosis services provided within a segregated unit  
18 of the institution. The differential per diem  
19 reimbursement rate shall not exceed 120 percent of the  
20 per diem rate authorized in this section for  
21 psychiatric medical institutions for children.

22 d. The dispensing fee for pharmacists shall remain  
23 at the rate in effect on June 30, 1991. The  
24 department shall adjust the average wholesale price of  
25 drug product costs in accordance with federal  
26 regulations. Dispensing fees for pharmacists shall be  
27 further adjusted to reflect the adjustment to the  
28 average wholesale price of drug product costs. Total  
29 adjustments to reimbursements for prescription drugs  
30 shall remain within funds appropriated.

31 e. Effective July 1, 1991, reimbursement rates to  
32 hospitals shall not be increased over the rates in  
33 effect on June 30, 1991.

34 f. Reimbursement rates for rural health clinics  
35 shall be increased in accordance with increases under  
36 the federal medicare program.

37 g. Home health agencies certified for the medical  
38 assistance program, hospice services, and acute care  
39 mental hospitals shall be reimbursed for their current  
40 federal medicare audited costs.

41 h. Effective July 1, 1991, the basis for  
42 establishing the maximum medical assistance  
43 reimbursement rate for nursing facilities shall be the  
44 70th percentile of facility costs as calculated from  
45 the June 30, 1991, unaudited compilation of cost and  
46 statistical data. However, to the extent funds are  
47 available under the allocation for reimbursement of  
48 nursing facilities within the appropriation for  
49 medical assistance in this Act, the basis shall be  
50 increased to not more than the 74th percentile of

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1 facility costs as calculated from the same data.

2 1. Effective July 1, 1991, the amount provided  
3 under the medical assistance program to nursing  
4 facilities during the fiscal year ending June 30,  
5 1991, in addition to the approved per diem rate,  
6 pursuant to 1990 Iowa Acts, chapter 1270, section 31,  
7 subsection 1, paragraph "e", subparagraph (1), shall  
8 no longer be provided.

9 2. For the fiscal year beginning July 1, 1991, the  
10 maximum cost reimbursement rate for residential care  
11 facilities reimbursed by the department shall be  
12 \$20.01 per day. The flat reimbursement rate for  
13 facilities electing not to file semiannual cost  
14 reports shall be \$14.31 per day. For the fiscal year  
15 beginning July 1, 1991, the maximum reimbursement rate  
16 for providers reimbursed under the in-home health-  
17 related care program shall be increased by 2 percent  
18 over the rates in effect on June 30, 1991.

19 3. For services provided by social services  
20 providers reimbursed by the department in the fiscal  
21 year beginning July 1, 1991, rates shall be increased  
22 by 2 percent over the unreduced rates in effect on  
23 June 30, 1991. However, any increase provided under  
24 this subsection shall not cause the provider's  
25 reimbursement rate to exceed the provider's actual and  
26 allowable cost plus 7 percent.

27 4. Notwithstanding the provisions of subsection 3,  
28 the department may implement revisions of the  
29 methodology for purchasing group foster care services  
30 to establish rates for group foster care services  
31 based on the study of these issues funded by the  
32 general assembly in the fiscal year which began July  
33 1, 1989, provided the overall budget amount for the  
34 expenditures is not exceeded and the revisions of the  
35 methodology are agreed to by the affected service  
36 providers.

37 5. In determining reimbursement rates for  
38 facilities reimbursed under this division, including  
39 but not limited to foster care providers, residential  
40 care facilities, nursing facilities, and community  
41 living arrangements, the department shall not include  
42 private moneys contributed to the facility in its  
43 determination.

44 6. The department may adopt emergency rates to  
45 implement the provisions of this section except for  
46 subsection 5 for which the department shall adopt  
47 nonemergency rules pursuant to chapter 17A.

48 Sec. 132. ASSISTANCE TO GAMBLERS. The department  
49 shall use funds deposited in the gamblers assistance  
50 fund established in section 99E.10 only for programs



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1 to assist gamblers. Any unspent funds shall remain in  
2 the fund and shall not be transferred or reverted to  
3 the general fund of the state. The department shall  
4 use gambler's assistance fund moneys for 3 FTEs to  
5 support the assistance to gamblers programs.

6 The Iowa lottery board and the state racing and  
7 gaming commission shall cooperate with the gamblers  
8 assistance program to incorporate information  
9 regarding the gamblers assistance program and its  
10 toll-free telephone number in printed materials  
11 distributed. The commission may require licensees to  
12 have the information available in a conspicuous place  
13 as a condition of licensure.

14 Sec. 133. REQUIREMENTS RELATING TO PERSONS WITH  
15 DISABILITIES. Subject to the limitations of the  
16 appropriations in this Act for the state mental health  
17 institutes and for the state hospital-schools, the  
18 department of human services shall modify staffing  
19 structures at the state hospital-schools and the state  
20 mental health institutes consistent with accreditation  
21 and certification requirements and the findings of the  
22 study on staffing commissioned by the general assembly  
23 in order to improve the level of direct staffing,  
24 reduce or simplify the levels of organizational  
25 authority where appropriate, and reduce the use of  
26 overtime. If, after review of the study  
27 recommendations, the department of human services  
28 decides to establish the position of "human resource  
29 specialist" at the state hospital-schools, the  
30 positions shall be established within the department  
31 of personnel and the department of human services may  
32 transfer to the department of personnel the associated  
33 full-time equivalent positions and moneys equal to the  
34 salary costs for the positions. The maintenance of  
35 sufficient direct care staff to assure worker and  
36 patient safety is of highest priority. The department  
37 shall work with all levels of affected employees in  
38 carrying out this staff restructuring. The department  
39 shall work to assure that vacant positions in direct  
40 care are filled promptly and expeditiously.

41 Sec. 134. FULL-TIME EQUIVALENT LIMIT NOTIFICATION.  
42 The Iowa veterans home, the state mental health  
43 institutes, and the state hospital-schools may exceed  
44 the number of full-time equivalent positions  
45 authorized in this Act if the additional positions are  
46 specifically related to licensing, certification, or  
47 accreditation standards or citations. The department  
48 shall notify the co-chairpersons and ranking members  
49 of the joint human services appropriations  
50 subcommittee and the legislative fiscal bureau if the

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1 specified number is exceeded. The notification shall  
2 include an estimate of the number of full-time  
3 equivalent positions added and the fiscal effect of  
4 the addition.

5 Sec. 135. COMPUTERIZATION -- ASSESSMENT OF  
6 FINANCIAL IMPACT. In order to assess the financial  
7 impact of computerizing functions within the  
8 department of human services, the department of  
9 general services, information services division, shall  
10 monitor the utilization of the central processing unit  
11 resources maintained by the division, and shall  
12 provide quarterly reports to the legislative fiscal  
13 committee of the legislative council and the  
14 legislative fiscal bureau. The quarterly reports  
15 shall contain an analysis of the central processing  
16 unit resources utilized by the department of human  
17 services by each computerized application within the  
18 department. The reports shall also contain  
19 information on computerized applications which are  
20 under development, and shall project the central  
21 processing unit utilization which will occur in 6, 12,  
22 18, and 24 months. The reports shall be designed to  
23 enable the legislative fiscal committee and the  
24 legislative fiscal bureau to assess the fiscal impact  
25 of various computerized applications, with emphasis  
26 upon the need for the division to purchase additional  
27 computer hardware.

28 Sec. 136. EMERGENCY RULES. If specifically  
29 authorized by a provision of this division, the  
30 department of human services may adopt administrative  
31 rules under section 17A.4, subsection 2, and section  
32 17A.5, subsection 2, paragraph "b", to implement the  
33 provisions and the rules shall become effective  
34 immediately upon filing, unless a later effective date  
35 is specified in the rules. In addition, the  
36 department may adopt administrative rules in  
37 accordance with the provisions of this section as  
38 necessary to comply with federal requirements or to  
39 adjust to a change in the level of federal funding  
40 which affect refugee programs during the fiscal period  
41 beginning July 1, 1990, and ending June 30, 1992. Any  
42 rules adopted in accordance with the provisions of  
43 this section shall also be published as notice of  
44 intended action as provided in section 17A.4.

45 Sec. 137. EFFECTIVE DATE. Section 103, subsection  
46 9, and section 136 of this Act, being deemed of  
47 immediate importance, take effect upon enactment.

48

## DIVISION II

49

## DEPARTMENT OF EDUCATION

50

Sec. 201. There is appropriated from the general

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1 fund of the state to the department of education for  
2 the fiscal year beginning July 1, 1991, and ending  
3 June 30, 1992, the following amounts, or so much  
4 thereof as may be necessary, to be used for the  
5 purposes designated:

6 1. GENERAL ADMINISTRATION

7 For salaries, support, maintenance, miscellaneous  
8 purposes, and for not more than the following full-  
9 time equivalent positions:

10 ..... \$ 5,720,000  
11 ..... FTEs 137.25

12 2. CORRECTIONS EDUCATION PROGRAM

13 For educational programs at state penal  
14 institutions:

15 ..... \$ 2,120,000

16 As a condition, limitation, and qualification of  
17 the appropriation in this subsection, the utilization  
18 of educational technology in the prison education  
19 system shall be expanded and a tracking system shall  
20 be developed and implemented to provide information  
21 regarding the effects of recidivism and employment  
22 success.

23 Persons employed to provide instructional services  
24 under this paragraph who were previously employed  
25 through the department of corrections to provide  
26 instructional services to inmates under programs under  
27 the jurisdiction of the department of corrections  
28 shall be given credit for all unused sick leave that  
29 the persons accrued while employed through the  
30 department of corrections.

31 3. BOARD OF EDUCATIONAL EXAMINERS

32 For salaries, support, maintenance, miscellaneous  
33 purposes and for not more than the following full-time  
34 equivalent positions:

35 ..... \$ 128,000  
36 ..... FTEs 2.00

37 4. SCHOOL FOOD SERVICE

38 For use as state matching funds for federal  
39 programs which shall be disbursed according to federal  
40 regulations, including salaries, support, maintenance,  
41 miscellaneous purposes, and for not more than the  
42 following full-time equivalent positions:

43 ..... \$ 2,980,000  
44 ..... FTEs 14.00

45 5. TEXTBOOKS OF NONPUBLIC SCHOOL PUPILS

46 To provide funds for costs of providing textbooks  
47 to each resident pupil who attends a nonpublic school  
48 as authorized by section 301.1. The funding is  
49 limited to \$20 per pupil and shall not exceed the  
50 comparable services offered to resident public school

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1 pupils:

2 ..... \$ 600,000

3 6. VOCATIONAL EDUCATION ADMINISTRATION

4 For salaries, support, maintenance, miscellaneous

5 purposes, and for not more than the following full-

6 time equivalent positions:

7 ..... \$ 893,000

8 ..... FTEs 39.60

9 7. VOCATIONAL AGRICULTURE YOUTH ORGANIZATION

10 To assist a vocational agriculture youth

11 organization sponsored by the schools to support the

12 foundation established by that vocational agriculture

13 youth organization:

14 ..... \$ 39,000

15 8. VOCATIONAL REHABILITATION DIVISION

16 a. For salaries, support, maintenance,

17 miscellaneous purposes, and for not more than the

18 following full-time equivalent positions:

19 ..... \$ 3,680,000

20 ..... FTEs 319.50

21 b. For matching funds for programs to enable

22 severely physically or mentally disabled persons to

23 function more independently, including salaries and

24 support, and for not more than the following full-time

25 equivalent positions:

26 ..... \$ 21,303

27 ..... FTEs 1.50

28 9. COMMUNITY COLLEGES

29 Notwithstanding chapter 286A, for general state

30 financial aid to merged areas as defined in section

31 280A.2, for vocational education programs in

32 accordance with chapters 258 and 280A, to purchase

33 instructional equipment for vocational and technical

34 courses of instruction in community colleges, and for

35 salary increases:

36 ..... \$ 88,100,576

37 The funds appropriated in this subsection shall be

38 allocated as follows:

39 a. Merged Area I ..... \$ 4,102,609

40 b. Merged Area II ..... \$ 4,977,600

41 c. Merged Area III ..... \$ 4,815,675

42 d. Merged Area IV ..... \$ 2,261,745

43 e. Merged Area V ..... \$ 4,773,379

44 f. Merged Area VI ..... \$ 4,496,944

45 g. Merged Area VII ..... \$ 6,170,827

46 h. Merged Area IX ..... \$ 7,752,617

47 i. Merged Area X ..... \$ 11,990,368

48 j. Merged Area XI ..... \$ 12,882,530

49 k. Merged Area XII ..... \$ 5,084,076

50 l. Merged Area XIII ..... \$ 5,235,629

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1	m. Merged Area XIV .....	\$ 2,314,451
2	n. Merged Area XV .....	\$ 7,180,989
3	o. Merged Area XVI .....	\$ 4,061,137

4 Sec. 202. There is appropriated from the general  
5 fund of the state to the department of education for  
6 the fiscal year beginning July 1, 1992, and ending  
7 June 30, 1993, the following amounts, or so much  
8 thereof as is necessary, to be used for the purposes  
9 designated:

10	1. Notwithstanding chapter 286A for state	
11	financial aid to merged areas to be accrued as income	
12	and used for expenditures incurred by the community	
13	colleges during the fiscal year beginning July 1,	
14	1991, and ending June 30, 1992:	
15	.....	\$ 17,133,590

16 The funds appropriated in this section shall be  
17 allocated as follows:

18	a. Merged Area I .....	\$ 797,866
19	b. Merged Area II .....	\$ 968,032
20	c. Merged Area III .....	\$ 936,541
21	d. Merged Area IV .....	\$ 439,859
22	e. Merged Area V .....	\$ 928,315
23	f. Merged Area VI .....	\$ 874,555
24	g. Merged Area VII .....	\$ 1,200,088
25	h. Merged Area IX .....	\$ 1,507,711
26	i. Merged Area X .....	\$ 2,331,857
27	j. Merged Area XI .....	\$ 2,505,363
28	k. Merged Area XII .....	\$ 988,739
29	l. Merged Area XIII .....	\$ 1,018,213
30	m. Merged Area XIV .....	\$ 450,109
31	n. Merged Area XV .....	\$ 1,396,542
32	o. Merged Area XVI .....	\$ 789,800

33 2. Funds appropriated by this section shall be  
34 allocated pursuant to this section and paid on or  
35 about August 15, 1992.

36 Sec. 203. Moneys allocated to community colleges  
37 under section 201, subsection 9 of this division, for  
38 expenditures incurred during the fiscal year beginning  
39 July 1, 1991, and ending June 30, 1992, shall be paid  
40 by the department of revenue and finance in  
41 installments due on or about November 15, February 15,  
42 and May 15 of that fiscal year. The installments  
43 shall be as nearly equal as possible as determined by  
44 the department of management, taking into  
45 consideration the relative budget and cash position of  
46 the state resources. The payments received by  
47 community colleges on or about August 15 under section  
48 202 of this division are accounts receivable for the  
49 previous fiscal year.

50 Sec. 204. Notwithstanding the appropriation

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1 provided in section 294A.25, subsection 1, there is  
 2 appropriated from the general fund of the state to the  
 3 department of education for the fiscal year beginning  
 4 July 1, 1991, and ending June 30, 1992, the following  
 5 amount, or so much thereof as may be necessary, to be  
 6 used for the purpose designated and for not more than  
 7 the following full-time equivalent position:

8 For the educational excellence program:  
 9 ..... \$ 90,745,875  
 10 ..... FTEs 1.00

11 As a condition, limitation, and qualification of  
 12 the funds appropriated in this section, and  
 13 notwithstanding the allocation specified for phase III  
 14 under section 294A.25, subsection 6, from the moneys  
 15 appropriated under this section and available for  
 16 expenditure for phase III, the department shall,  
 17 subject to the review of the chairpersons and ranking  
 18 members of the education committees of the general  
 19 assembly, expend \$250,000 to provide demonstration  
 20 projects in comprehensive school transformation in no  
 21 more than ten public school districts. The objective  
 22 of the projects shall be to demonstrate how public  
 23 schools can be transformed from corporate to collegial  
 24 learning environments for teachers, students, and  
 25 administrators for the purpose of maximizing student  
 26 learning and to diffuse information about the process  
 27 of transformation to neighboring schools. The  
 28 projects shall also demonstrate how phase III funds  
 29 can be used to promote school transformation by  
 30 providing focus to phase III efforts in such areas as  
 31 technology, individualization of instruction, and  
 32 decentralization of decision-making. However, funds  
 33 allocated to districts under this section shall not be  
 34 used to supplant funds available to a district under  
 35 phase III. Districts participating in a project may  
 36 use phase III funds to supplement the purposes and  
 37 activities of the project in the manner provided under  
 38 section 294A.14. Districts participating in a project  
 39 may also pool funds to provide conferences and to  
 40 contract with consultants and facilitators to provide  
 41 services to support the goals of the project.  
 42 Projects shall use the school building as the basic  
 43 administrative and clinical unit for demonstration.  
 44 The department may expend up to \$10,000 for purposes  
 45 of developing guidelines and administering the  
 46 selection, approval, and evaluation process for  
 47 proposed projects. In developing a selection process  
 48 for demonstration projects, the department of  
 49 education shall establish an eleven-member selection  
 50 committee, which shall include, but is not limited to,

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1 licensed practitioners and ex officio nonvoting  
 2 members of the general assembly. A majority of the  
 3 members of the committee shall consist of licensed  
 4 teachers and principals. The committee shall select  
 5 projects which give promise of accomplishing  
 6 comprehensive school transformation at the building  
 7 level during the time that the project is in place.  
 8 Each project shall contain an evaluation component,  
 9 which provides for self-evaluation by participating  
 10 districts and evaluation by the department of  
 11 education. The selection committee shall establish  
 12 criteria for ascertaining a particular district's  
 13 readiness for comprehensive change and give preference  
 14 in the project selection process to districts which  
 15 meet the readiness criteria. Each participating  
 16 district shall, at the conclusion of a project, submit  
 17 a copy of the district's self-evaluation in a report  
 18 to the department of education. The department shall  
 19 compile the reports, along with the department's  
 20 evaluations of each of the projects, and submit the  
 21 results in a report to the general assembly by March  
 22 1, 1994.

23 Sec. 205. There is appropriated from the general  
 24 fund of the state to the department of education for  
 25 the fiscal year beginning July 1, 1992, and ending  
 26 June 30, 1993, the following amounts, or so much  
 27 thereof as is necessary, to be used for the purposes  
 28 designated:

29 For expenditures incurred by school districts  
 30 during the previous fiscal year for vocational  
 31 education aid to secondary schools:  
 32 ..... \$ 3,666,360

33 Funds appropriated by this section shall be used  
 34 for expenditures made by school districts to meet the  
 35 standards set in sections 256.11, 258.4, and 280A.23  
 36 as a result of the enactment of 1989 Iowa Acts,  
 37 chapter 278. Funds shall be used as reimbursement for  
 38 vocational education expenditures made by secondary  
 39 schools in the manner provided by the department of  
 40 education for implementation of the standards set in  
 41 1989 Iowa Acts, chapter 278. The department shall  
 42 inform school districts by July 1, 1991, of the  
 43 criteria for reimbursement with funds appropriated  
 44 under this section.

45 COLLEGE STUDENT AID COMMISSION

46 Sec. 206. There is appropriated from the general  
 47 fund of the state to the college student aid  
 48 commission for the fiscal year beginning July 1, 1991,  
 49 and ending June 30, 1992, the following amounts, or so  
 50 much thereof as may be necessary, to be used for the

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1 purposes designated:

2 1. GENERAL ADMINISTRATION

3 For salaries, support, maintenance, miscellaneous  
4 purposes, and for not more than the following full-  
5 time equivalent positions:

6 ..... \$ 346,000

7 ..... FTEs 8.05

8 2. UNIVERSITY OF OSTEOPATHIC MEDICINE AND HEALTH  
9 SCIENCES

10 a. For grants to juniors and seniors and for  
11 forgivable loans to freshmen and sophomores, who are  
12 Iowa students attending the university of osteopathic  
13 medicine and health sciences, under the grant program  
14 pursuant to section 261.18 and the forgivable loan  
15 program pursuant to section 261.19A:

16 ..... \$ 400,000

17 b. For the university of osteopathic medicine and  
18 health sciences for the admission and education of  
19 Iowa students in each of the 4 years of classes at the  
20 university of osteopathic medicine and health sciences  
21 pursuant to section 261.19:

22 ..... \$ 407,000

23 3. STUDENT AID PROGRAMS

24 For payments to students for student aid programs:

25 ..... \$ 1,976,000

26 As a condition, limitation, and qualification of  
27 the funds appropriated in this subsection, \$1,474,062  
28 shall be expended for an Iowa grant program, with  
29 funds to be allocated to institutions pursuant to  
30 section 261.93A.

31 4. NATIONAL GUARD LOAN REPAYMENT

32 For payments to students for the national guard  
33 loan repayment program in section 261.49:

34 ..... \$ 237,000

35 Sec. 207. There is appropriated from the loan  
36 reserve account to the college student aid commission  
37 for the fiscal year beginning July 1, 1991, and ending  
38 June 30, 1992, the following amount, or so much  
39 thereof as may be necessary, to be used for the  
40 purposes designated:

41 For operating costs of the Stafford loan program

42 including salaries, support, maintenance,  
43 miscellaneous purposes, and for not more than the  
44 following full-time equivalent positions:

45 ..... \$ 3,671,016

46 ..... FTEs 36.52

47 STATE BOARD OF REGENTS

48 Sec. 208. There is appropriated from the general  
49 fund of the state to the state board of regents for  
50 the fiscal year beginning July 1, 1991, and ending



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1 June 30, 1992, the following amounts, or so much  
2 thereof as may be necessary, to be used for the  
3 purposes designated:

4 1. OFFICE OF STATE BOARD OF REGENTS

5 a. For salaries, support, maintenance,  
6 miscellaneous purposes, and for not more than the  
7 following full-time equivalent positions:

8 ..... \$ 1,131,000  
9 ..... FTEs 19.08

10 As a condition, limitation, and qualification of  
11 the moneys appropriated in this paragraph, the state  
12 board of regents shall not use reimbursements from the  
13 institutions under the control of the state board of  
14 regents for funding the office of the state board of  
15 regents.

16 As a condition, limitation, and qualification of  
17 the funds appropriated in this paragraph, the state  
18 board of regents shall permit KUNI to broadcast from  
19 the greater Des Moines area if KUNI acquires a  
20 transmitter or translator at no cost to the university  
21 of northern Iowa or the state for the basis of  
22 simulcasting KUNI's programming, receives an assigned  
23 frequency, and obtains necessary federal communication  
24 commission (FCC) licensing.

25 b. For allocation by the state board of regents to  
26 the state university of Iowa, the Iowa state  
27 university of science and technology, and the  
28 university of northern Iowa to reimburse the  
29 institutions for deficiencies in their operating funds  
30 resulting from the pledging of tuitions, student fees  
31 and charges, and institutional income to finance the  
32 cost of providing academic and administrative  
33 buildings and facilities and utility services at the  
34 institutions:

35 ..... \$ 19,381,162

36 c. For funds to be allocated to the southwest Iowa  
37 graduate studies center located in Council Bluffs:

38 ..... \$ 37,000

39 d. For funds to be allocated to the siouxland  
40 interstate metropolitan planning council for the  
41 tristate graduate center under section 262.9,  
42 subsection 21:

43 ..... \$ 71,000

44 e. For funds to be allocated to the quad-cities  
45 graduate studies center:

46 ..... \$ 145,000

47 2. STATE UNIVERSITY OF IOWA

48 a. General university, including lakeside  
49 laboratory

50 For salaries, support, maintenance, equipment,

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1 miscellaneous purposes, and for not more than the  
 2 following full-time equivalent positions:  
 3 ..... \$168,455,000  
 4 ..... FTEs 4,287.37

5 To the extent the appropriation made in this  
 6 paragraph is a reduction in the total amount budgeted  
 7 for the fiscal year beginning July 1, 1991, and ending  
 8 June 30, 1992, and the state university of Iowa  
 9 determines the amount is insufficient to fund all of  
 10 the university's budgetary units, consideration shall  
 11 be given to adjustments reducing budgetary units in  
 12 the following order of priority:

- 13 (1) University administrative moneys.
- 14 (2) Equipment and maintenance.
- 15 (3) Short-term furloughs of administrative
- 16 personnel.
- 17 (4) Short-term furloughs of other personnel.
- 18 (5) Other operating budget expenditures.
- 19 (6) Force reduction.

20 As a condition, limitation, and qualification of  
 21 the funds appropriated in this paragraph, if the state  
 22 university of Iowa receives total funds in excess of  
 23 the amount projected to be received by the university  
 24 from federal support, interest, tuition fees,  
 25 reimbursement for indirect costs, sales and service,  
 26 and income sources other than state appropriations,  
 27 the university shall report the amount received, which  
 28 is in excess of the amount projected, to the  
 29 department of management and the legislative fiscal  
 30 bureau by August 1, 1991.

31 As a condition, limitation, and qualification of  
 32 moneys appropriated in this paragraph, from moneys  
 33 available to the state university of Iowa, \$50,000  
 34 shall be awarded to faculty members and teaching  
 35 assistants who have been recognized for exceptional  
 36 teaching. An exceptional teaching recognition award  
 37 is for a one-year period and is in addition to the  
 38 faculty member's or teaching assistant's salary. Not  
 39 later than December 15, 1991, the state board of  
 40 regents shall report the names of recipients of  
 41 teaching excellence awards, and the amounts of the  
 42 awards granted, to the joint education appropriations  
 43 subcommittee and to the legislative fiscal bureau.

44 It is the intent of the general assembly to provide  
 45 sufficient funding necessary to ensure the university  
 46 of Iowa receives federal matching funds for the  
 47 university of Iowa driving simulation center if funds  
 48 from federal and private sources are available for  
 49 expenditure by the center.

50 b. Child care

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1 For salaries for child care center directors:  
2 ..... \$ 60,000  
3 c. University hospitals  
4 For salaries, support, maintenance, equipment,  
5 miscellaneous purposes, and for not more than the  
6 following full-time equivalent positions for medical  
7 and surgical treatment of indigent patients as  
8 provided in chapter 255:  
9 ..... \$ 27,425,000  
10 ..... FTEs 5,319.83  
11 d. Psychiatric hospital  
12 For salaries, support, maintenance, equipment,  
13 miscellaneous purposes, and for not more than the  
14 following full-time equivalent positions and for the  
15 care, treatment, and maintenance of committed and  
16 voluntary public patients:  
17 ..... \$ 6,538,000  
18 ..... FTEs 284.57  
19 e. Hospital-school  
20 For salaries, support, maintenance, miscellaneous  
21 purposes, and for not more than the following full-  
22 time equivalent positions:  
23 ..... \$ 5,161,000  
24 ..... FTEs 184.44  
25 f. Oakdale campus  
26 For salaries, support, maintenance, miscellaneous  
27 purposes, and for not more than the following full-  
28 time equivalent positions:  
29 ..... \$ 2,747,000  
30 ..... FTEs 67.55  
31 g. State hygienic laboratory  
32 For salaries, support, maintenance, miscellaneous  
33 purposes, and for not more than the following full-  
34 time equivalent positions:  
35 ..... \$ 2,861,000  
36 ..... FTEs 106.25  
37 h. Family practice program  
38 For allocation by the dean of the college of  
39 medicine, with approval of the advisory board, to  
40 qualified participants, to carry out chapter 148D for  
41 the family practice program, including salaries and  
42 support, and for not more than the following full-time  
43 equivalent positions:  
44 ..... \$ 1,718,000  
45 ..... FTEs 177.27  
46 i. Child health care services  
47 For specialized child health care services,  
48 including childhood cancer diagnostic and treatment  
49 network programs; rural comprehensive care for  
50 hemophilia patients; and Iowa high-risk infant follow-

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1 up program, including salaries and support, and for  
2 not more than the following full-time equivalent  
3 positions:

4	.....	\$	407,000
5	.....	FTEs	12.51
6	j. Agricultural health and safety programs		
7	For agricultural health and safety programs:		
8	.....	\$	236,000
9	k. For the statewide tumor registry and for not		
10	more than the following full-time positions:		
11	.....	\$	180,000
12	.....	FTEs	5.05

13 l. As a condition, limitation, and qualification  
14 of the appropriation made in paragraph "c", the total  
15 quota allocated to the counties for indigent patients  
16 for the fiscal year commencing July 1, 1991, shall not  
17 be lower than the total quota allocated to the  
18 counties for the fiscal year commencing July 1, 1990.  
19 The total quota shall be allocated among the counties  
20 on the basis of the 1990 census pursuant to section  
21 255.16.

22 m. As a condition, limitation, and qualification  
23 of the appropriation made in paragraph "c", funds  
24 appropriated in that paragraph shall not be used to  
25 perform abortions except medically necessary  
26 abortions, and shall not be used to operate the early  
27 termination of pregnancy clinic except for the  
28 performance of medically necessary abortions. For the  
29 purpose of this paragraph, an abortion is the  
30 purposeful interruption of pregnancy with the  
31 intention other than to produce a live-born infant or  
32 to remove a dead fetus, and a medically necessary  
33 abortion is one performed under one of the following  
34 conditions:

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

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

41 (3) The pregnancy is the result of a rape which is  
42 reported within 45 days of the incident to a law  
43 enforcement agency or public or private health agency  
44 which may include a family physician.

45 (4) The pregnancy is the result of incest which is  
46 reported within 150 days of the incident to a law  
47 enforcement agency or public or private health agency  
48 which may include a family physician.

49 (5) The abortion is a spontaneous abortion,  
50 commonly known as a miscarriage, wherein not all of

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1 the products of conception are expelled.

2 3. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY

3 a. General university

4 For salaries, support, maintenance, equipment,

5 miscellaneous purposes, and for not more than the

6 following full-time equivalent positions:

7 ..... \$137,109,000

8 ..... FTES 3,737.83

9 To the extent the appropriation made in this  
10 paragraph is a reduction in the total amount budgeted  
11 for the fiscal year beginning July 1, 1991, and ending  
12 June 30, 1992, and the Iowa state university of  
13 science and technology determines the amount is  
14 insufficient to fund all of the university's budgetary  
15 units, consideration shall be given to adjustments  
16 reducing budgetary units in the following order of  
17 priority:

- 18 (1) University administrative moneys.
- 19 (2) Equipment and deferred maintenance.
- 20 (3) Short-term furloughs of administrative
- 21 personnel.
- 22 (4) Short-term furloughs of other personnel.
- 23 (5) Other operating budget expenditures.
- 24 (6) Force reduction.

25 As a condition, limitation, and qualification of  
26 the funds appropriated under this paragraph, if the  
27 Iowa state university of science and technology  
28 receives total funds in excess of the amount projected  
29 to be received by the university from federal support,  
30 interest, tuition fees, reimbursement for indirect  
31 costs, sales and service, and income sources other  
32 than state appropriations, the university shall report  
33 the amount received, which is in excess of the amount  
34 projected, to the department of management and the  
35 legislative fiscal bureau by August 1, 1991.

36 As a condition, limitation, and qualification of  
37 moneys appropriated in this paragraph, from moneys  
38 available to Iowa state university of science and  
39 technology, \$50,000 shall be awarded to faculty  
40 members and teaching assistants who have been  
41 recognized for exceptional teaching. An exceptional  
42 teaching recognition award is for a one-year period  
43 and is in addition to the faculty member or teaching  
44 assistant's salary. Not later than December 1, 1991,  
45 the state board of regents shall report the names of  
46 recipients of teaching excellence awards, and the  
47 amounts of the awards granted, to the joint education  
48 appropriations subcommittee and to the legislative  
49 fiscal bureau.

50 b. Child care

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1 For subsidized evening child care:

2 ..... \$ 50,000

3 ..... FTEs 2.00

4 c. Agricultural experiment station

5 For salaries, support, maintenance, miscellaneous

6 purposes, and for not more than the following full-

7 time equivalent positions:

8 ..... \$ 17,067,000

9 ..... FTEs 546.92

10 d. Comprehensive agricultural research

11 For conducting the comprehensive agricultural

12 research program:

13 ..... \$ 3,787,000

14 e. Cooperative extension service in agriculture

15 and home economics

16 For salaries, support, maintenance, miscellaneous

17 purposes, and for not more than the following full-

18 time equivalent positions:

19 ..... \$ 15,991,000

20 ..... FTEs 475.94

21 f. Fire service education

22 For salaries and support and for not more than the

23 following full-time equivalent positions:

24 ..... \$ 394,000

25 ..... FTEs 11.00

26 g. Leopold center

27 For agricultural research grants at Iowa state

28 university under section 266.39B:

29 ..... \$ 568,000

30 4. UNIVERSITY OF NORTHERN IOWA

31 a. For salaries, support, maintenance, equipment,

32 miscellaneous purposes, and for not more than the

33 following full-time equivalent positions:

34 ..... \$ 55,387,000

35 ..... FTEs 1,411.68

36 To the extent the appropriation made in this

37 paragraph is a reduction in the total amount budgeted

38 for the fiscal year beginning July 1, 1991, and ending

39 June 30, 1992, and the university of northern Iowa

40 determines the amount is insufficient to fund all of

41 the university's budgetary units, consideration shall

42 be given to adjustments reducing budgetary units in

43 the following order of priority:

44 (1) University administrative moneys.

45 (2) Equipment and deferred maintenance.

46 (3) Short-term furloughs of administrative

47 personnel.

48 (4) Short-term furloughs of other personnel.

49 (5) Other operating budget expenditures.

50 (6) Force reduction.

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1 As a condition, limitation, and qualification of  
 2 the funds appropriated under this paragraph, if the  
 3 university of northern Iowa receives total funds in  
 4 excess of the amount projected to be received by the  
 5 university from federal support, interest, tuition  
 6 fees, reimbursement for indirect costs, sales and  
 7 service, and income sources other than state  
 8 appropriations, the university shall report the amount  
 9 received, which is in excess of the amount projected,  
 10 to the department of management and the legislative  
 11 fiscal bureau by August 1, 1991.

12 As a condition, limitation, and qualification of  
 13 the funds appropriated in paragraph "a", from moneys  
 14 available for salaries at the university of northern  
 15 Iowa, the university shall expend \$25,000 for teaching  
 16 excellence awards to teaching faculty members and  
 17 teaching assistants. Teaching excellence awards shall  
 18 be granted to faculty members and teaching assistants  
 19 for excellence in the quality of classroom  
 20 instruction. Awards may either be built into a  
 21 faculty member's or teaching assistant's base salary  
 22 or given as a one-time award and shall not be in  
 23 conflict with a collective bargaining agreement  
 24 between an employee organization and the university.  
 25 Not later than December 1, 1991, the state board of  
 26 regents shall report the names of the recipients of  
 27 teaching excellence awards, and the amounts of the  
 28 awards granted to the joint education appropriations  
 29 subcommittee of the general assembly, and to the  
 30 legislative fiscal bureau.

31 b. Child care

32 For staff positions and building structure  
 33 modifications to meet state child care facility  
 34 standards:

35 .....	\$	60,000
36 .....	FTEs	1.50

37 5. STATE SCHOOL FOR THE DEAF

38 For salaries, support, maintenance, miscellaneous  
 39 purposes, and for not more than the following full-  
 40 time equivalent positions:

41 .....	\$	5,743,000
42 .....	FTEs	131.53

43 6. IOWA BRAILLE AND SIGHT-SAVING SCHOOL

44 For salaries, support, maintenance, miscellaneous  
 45 purposes, and for not more than the following full-  
 46 time equivalent positions:

47 .....	\$	3,196,000
48 .....	FTEs	92.45

49 Sec. 209. Reallocations of sums received under  
 50 section 208, subsections 2, 3, 4, 5, and 6, of this

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1 division, including sums received for salaries, shall  
2 be reported on a quarterly basis to the co-  
3 chairpersons and ranking members of both the  
4 legislative fiscal committee and the joint education  
5 appropriations subcommittee.

6 DEPARTMENT OF CULTURAL AFFAIRS

7 Sec. 210. There is appropriated from the general  
8 fund of the state to the department of cultural  
9 affairs for the fiscal year beginning July 1, 1991,  
10 and ending June 30, 1992, the following amounts, or so  
11 much thereof as is necessary, to be used for the  
12 purposes designated:

13 1. ARTS DIVISION

14 For salaries, support, maintenance, miscellaneous  
15 purposes, including funds to match federal grants, and  
16 for not more than the following full-time equivalent  
17 positions:

18 ..... \$ 1,167,000  
19 ..... FTEs 13.00

20 2. HISTORICAL DIVISION

21 For salaries, support, maintenance, miscellaneous  
22 purposes, and for not more than the following full-  
23 time equivalent positions:

24 ..... \$ 2,643,000  
25 ..... FTEs 76.00

26 3. TERRACE HILL COMMISSION

27 For salaries, support, maintenance, miscellaneous  
28 purposes, for the operation of Terrace Hill and for  
29 not more than the following full-time equivalent  
30 positions:

31 ..... \$ 200,000  
32 ..... FTEs 5.75

33 4. LIBRARY DIVISION

34 For salaries, support, maintenance, miscellaneous  
35 purposes, and for not more than the following full-  
36 time equivalent positions:

37 ..... \$ 2,179,000  
38 ..... FTEs 42.00

39 5. REGIONAL LIBRARY SYSTEM

40 For state aid:

41 ..... \$ 1,607,000

42 6. ADMINISTRATION DIVISION

43 For salaries, support, maintenance, miscellaneous  
44 purposes, and for not more than the following full-  
45 time equivalent positions:

46 ..... \$ 427,000  
47 ..... FTEs 10.00

48 7. COMMUNITY CULTURAL GRANTS

49 For planning and programming for the community  
50 cultural grants program established under section



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1 303.89:

2 ..... \$ 784,000

3 From the amount appropriated in this subsection,  
4 moneys may be used for commemorative art memorializing  
5 veterans of the Persian Gulf War or other recent wars  
6 or police actions, under guidelines defined in section  
7 303.3.

8 8. TOWN SQUARE PROJECT

9 For the Iowa town square project:

10 ..... \$ 66,000

11 9. PUBLIC BROADCASTING DIVISION

12 For salaries, support, maintenance, capital  
13 expenditures, miscellaneous purposes, and for not more  
14 than the following full-time equivalent positions:

15 ..... \$ 6,365,000

16 ..... FTEs 103.00

17 Sec. 211. The legislative council is requested to  
18 consider the recommendations of the higher education  
19 task force and other methods designed to focus the  
20 attention of the general assembly on higher education,  
21 to receive and discuss the strategic plans developed  
22 by the higher education strategic planning council,  
23 and to develop policies and address issues related to  
24 higher education.

25 Sec. 212. Notwithstanding section 8.33, funds  
26 appropriated in 1990 Iowa Acts, chapter 1272, section  
27 14, subsection 1, paragraph "b", remaining  
28 unencumbered or unobligated on June 30, 1991, shall  
29 not revert to the general fund of the state but shall  
30 be available for expenditure for the purposes listed  
31 in section 208, subsection 1, paragraph "b", of this  
32 division during the fiscal year beginning July 1,  
33 1991, and ending June 30, 1992.

34 Sec. 213. Notwithstanding sections 258.16 and  
35 282.7 effective July 1, 1992, community colleges,  
36 local education agencies, and area education agencies  
37 may establish by mutual agreement area vocational  
38 consortia to assume and exercise the duties and  
39 responsibilities established for regional vocational  
40 education planning boards under those sections.

41 Sec. 214. Section 261.25, subsections 1, 2, and 3,  
42 Code 1991, as amended by 1991 Iowa Acts, House File  
43 173, section 908, are amended to read as follows:

44 1. There is appropriated from the general fund of  
45 the state to the commission for each fiscal year the  
46 sum of thirty-two million ~~six~~ four hundred ~~eight~~  
47 eighty thousand ~~seven-hundred-ninety-five~~ dollars for  
48 tuition grants.

49 2. There is appropriated from the general fund of  
50 the state to the commission for each fiscal year the

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1 sum of eight hundred thirteen thousand ~~eight-hundred~~  
2 ~~forty~~ dollars for scholarships.

3 3. There is appropriated from the general fund of  
4 the state to the commission for each fiscal year the  
5 sum of one million three hundred fifteen thousand ~~six~~  
6 ~~hundred-forty-seven~~ dollars for vocational-technical  
7 tuition grants.

8 Sec. 215. Section 261.38, subsection 5, Code 1991,  
9 is amended to read as follows:

10 5. The treasurer of state shall invest any funds,  
11 including those in the loan reserve account, and the  
12 interest income earned shall be credited back to the  
13 loan reserve account. The treasurer may invest up to  
14 forty percent of the funds in the loan reserve account  
15 in tax-exempt investments issued by an agency of the  
16 state of Iowa. If any of the tax-exempt investments  
17 are for purposes of financing the construction or  
18 improvement of state facilities, the executive  
19 council, established under chapter 19, shall review  
20 and approve the proposed construction or improvement  
21 prior to the investment of loan reserve account funds  
22 in the tax-exempt investments.

23 Sec. 216. Section 261.85, unnumbered paragraph 1,  
24 Code 1991, as amended by 1991 Iowa Acts, House File  
25 173, section 909, is amended to read as follows:

26 There is appropriated from the general fund of the  
27 state to the commission for each fiscal year the sum  
28 of three million eighty-five thousand ~~six-hundred~~  
29 ~~eighty-four~~ dollars for the work-study program.

30 Sec. 217. Notwithstanding the allocation of phase  
31 III moneys under sections 294A.14 and 294A.25, for the  
32 fiscal year beginning July 1, 1991, prior to the  
33 allocation to school districts and area education  
34 agencies, \$125,000 of the moneys allocated for phase  
35 III shall be retained by the department of education  
36 to continue to contract with the regional educational  
37 laboratory for this state to establish and monitor an  
38 independent evaluation of the operation of phase III  
39 of the educational excellence program. The results of  
40 the evaluation shall be reported to the department of  
41 education and to the general assembly by January 1,  
42 1992.

43 Sec. 218. In the event that the anticipated  
44 unexpended and unencumbered ending balance of the  
45 general fund of the state for the fiscal year ending  
46 June 30, 1992, as certified by the director of the  
47 department of management, exceeds the ending balance  
48 projected on the effective date of this division,  
49 \$600,000, or so much thereof as may be available or  
50 necessary, shall be used for purposes of awarding

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1 funds to community colleges for approved program or  
2 administrative sharing agreements under section  
3 280A.46.

4 Sec. 219. Notwithstanding sections 302.1 and  
5 302.1A, for the fiscal year beginning July 1, 1991,  
6 and ending June 30, 1992, the portion of the interest  
7 earned on the permanent school fund that is not  
8 transferred to the credit of the first in the nation  
9 in education foundation and not transferred to the  
10 credit of the national center for gifted and talented  
11 education shall be credited as a payment by the  
12 historical division of the department of cultural  
13 affairs of the principal and interest due on moneys  
14 loaned to the historical division under section  
15 303.18.

16 Sec. 220. Section 11.6, subsection 1, unnumbered  
17 paragraph 1, Code 1991, is amended to read as follows:

18 The financial condition and transactions of all  
19 cities and city offices, counties, county hospitals  
20 organized under chapters 347 and 347A, memorial  
21 hospitals organized under chapter 37, entities  
22 organized under chapter 28E having gross receipts in  
23 excess of one hundred thousand dollars in a fiscal  
24 year, merged areas, area education agencies, and all  
25 school offices in school districts, shall be examined  
26 at least once each year, except that cities having a  
27 population of seven hundred or more but less than two  
28 thousand shall be examined at least once every four  
29 years, and cities having a population of less than  
30 seven hundred may be examined as otherwise provided in  
31 this section. The examination shall cover the fiscal  
32 year next preceding the year in which the audit is  
33 conducted. The examination of school offices shall  
34 include an audit of activity all school funds, the  
35 certified annual financial report, and the certified  
36 enrollment as provided in section 257.11.  
37 Examinations of community colleges shall include an  
38 audit of eligible and noneligible contact hours as  
39 defined in section 286A.2. Eligible and noneligible  
40 contact hours and the certified enrollment shall be  
41 certified to the department of management.

42 Sec. 221. Section 73.17, Code 1991, is amended by  
43 adding the following new unnumbered paragraph:

44 NEW UNNUMBERED PARAGRAPH. A community college or  
45 area education agency shall, on a quarterly basis, and  
46 a school district shall, on an annual basis, review  
47 the community college's, area education agency's, or  
48 school district's anticipated purchasing requirements.  
49 A community college, area education agency, or school  
50 district shall notify the department of education,

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1 which shall report to the department of economic  
2 development, of their anticipated purchases and  
3 recommended procurements with unit quantities and  
4 total costs for procurement contracts designated to  
5 satisfy the targeted small business procurement goal  
6 not later than August 15 of each fiscal year and  
7 quarterly thereafter, except that school districts  
8 shall report annually.

9 Sec. 222. Section 73.18, Code 1991, is amended to  
10 read as follows:

11 73.18 NOTICE OF SOLICITATION FOR BIDS --  
12 IDENTIFICATION OF TARGETED SMALL BUSINESSES.

13 The director of each agency or department releasing  
14 a solicitation for bids or request for proposal under  
15 the targeted small business procurement goal program  
16 shall notify the director of the department of  
17 economic development prior to or upon release of the  
18 solicitation. A community college, area education  
19 agency, or school district shall notify the department  
20 of education which shall notify the department of  
21 economic development prior to or upon release of the  
22 release of the solicitation. The director of the  
23 department of economic development shall notify the  
24 soliciting agency or department, or community college,  
25 area education agency, or school district, of any  
26 targeted small businesses which have been certified  
27 pursuant to section 10A.104, subsection 8, and which  
28 may be qualified to bid.

29 Sec. 223. Section 73.19, Code 1991, is amended to  
30 read as follows:

31 73.19 NEGOTIATED PRICE OR BID CONTRACT.

32 In awarding a contract under the targeted small  
33 business procurement goal program, a director of an  
34 agency or department, or community college, area  
35 education agency, or school district, having  
36 purchasing authority may use either a negotiated price  
37 or bid contract procedure. A director of an agency or  
38 department, or community college, area education  
39 agency, or school district, using a negotiated  
40 contract shall consider any targeted small business  
41 engaged in that business. The director of the  
42 department of economic development or the director of  
43 the department of management may assist in the  
44 negotiation of a contract price under this section.  
45 Surety bonds guaranteed by the United States small  
46 business administration are acceptable security for a  
47 construction award under this section.

48 Sec. 224. Section 255.1, Code 1991, is amended by  
49 adding the following new unnumbered paragraph:

50 NEW UNNUMBERED PARAGRAPH. The county general

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1 relief director shall ascertain from the local office  
2 of human services if an applicant for the indigent  
3 patient program would qualify for medical assistance  
4 or the medically needy program under chapter 249A  
5 without the spend-down provision required pursuant to  
6 section 249A.3, subsection 2, paragraph "g". If the  
7 applicant qualifies, the patient shall be certified  
8 for medical assistance and shall not be counted under  
9 chapter 255.

10 Sec. 225. Section 255.26, unnumbered paragraph 3,  
11 Code 1991, is amended to read as follows:

12 The state auditor shall certify the total cost of  
13 ~~commitment, transportation~~ and caring for each  
14 indigent patient under the terms of this statute to  
15 the county auditor of such patient's legal residence,  
16 and such certificate shall be preserved by the county  
17 auditor and shall be a debt due from the patient or  
18 the persons legally responsible for the patient's  
19 care, maintenance or support; and whenever in the  
20 judgment of the board of supervisors the same or any  
21 part thereof shall be collectible, the said board may  
22 in its own name collect the same and is hereby  
23 authorized to institute suits for such purpose; and  
24 after deducting the county's share of such cost shall  
25 cause the balance to be paid into the state treasury  
26 to reimburse the university hospital fund.

27 Transportation shall be provided at no charge to a  
28 patient who is certified for medical assistance under  
29 chapter 249A, and shall be reimbursed from the  
30 university hospital fund.

31 Sec. 226. Section 257.37, subsection 2, as enacted  
32 by 1991 Iowa Acts, Senate File 141, section 2, is  
33 amended by striking the subsection and inserting in  
34 lieu thereof the following:

35 2. Twenty-eight percent of the budget of an area  
36 for media services shall be expended for media  
37 resource material which shall only be used for the  
38 purchase or replacement of material required in  
39 section 273.6, subsection 1. Funds shall be paid to  
40 area education agencies as provided in section 257.35.

41 Sec. 227. Section 261.19, unnumbered paragraph 2,  
42 Code 1991, is amended to read as follows:

43 The college student aid commission shall determine  
44 a subvention amount per resident student by dividing  
45 the funds appropriated for this section by a number  
46 equal to the total of twenty-two percent of the total  
47 students enrolled. If fewer than twenty-two percent  
48 of the total number of students enrolled are Iowa  
49 residents, the college student aid commission shall  
50 deduct from the funds-appropriated subvention amount

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1 for total Iowa students enrolled an amount equal to  
2 the product of two times the product of the subvention  
3 amount per resident student multiplied by the number  
4 of students required to equal twenty-two percent of  
5 the total students enrolled.

6 Sec. 228. Section 261.50, subsection 3, Code 1991,  
7 is amended to read as follows:

8 3. Agrees to practice in an eligible community of  
9 fewer than five thousand population for a minimum  
10 period of four consecutive years or is practicing in a  
11 federally approved community health center or health  
12 manpower shortage area.

13 Sec. 229. NEW SECTION. 261.93A APPROPRIATION --  
14 PERCENTAGES.

15 Of the funds appropriated to the college student  
16 aid commission to be allocated for the Iowa grant  
17 program for each fiscal year, thirty-seven and six-  
18 tenths percent shall be reserved for students  
19 attending regents' institutions, twenty-five and nine-  
20 tenths percent shall be reserved for students  
21 attending community colleges, and thirty-six and five-  
22 tenths percent shall be reserved for students  
23 attending private colleges and universities. Funds  
24 appropriated for the Iowa grant program shall be used  
25 to supplement, not supplant, funds appropriated for  
26 other existing programs at the eligible institutions.

27 Sec. 230. Section 262.9, Code 1991, is amended by  
28 adding the following new subsection:

29 NEW SUBSECTION. 27. Develop and adopt a policy  
30 that shall govern any future asset sale of the Iowa  
31 state university of science and technology's  
32 television station, WOI-TV. The policy shall provide  
33 for the sale of the station only if anticipated  
34 revenues from the sale exceed the benefits of  
35 continued operation and the cost for the university to  
36 purchase or acquire comparable services to those that  
37 are being provided to the university by the station at  
38 the time of any sale. The policy shall further  
39 provide that the revenues received from the sale shall  
40 be placed in an endowment to be held and managed by  
41 the university. The proceeds from the endowment shall  
42 be used only for the specifically stated missions of  
43 the university.

44 a. "Station" shall be defined to include the li-  
45 cense, any share of a transmission facility, any  
46 programming contracts, any booked sales revenues, and  
47 the network affiliation agreement.

48 b. "Comparable services" shall be defined to  
49 include, but not be limited to, use of modern  
50 communications equipment by faculty, staff, and

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1 students; access to trained communications  
2 specialists; availability to internships by and  
3 employment opportunities for students; and provision  
4 for antenna location, transmission line placement, and  
5 transmitter space for the university's radio stations.

6 Sec. 231. NEW SECTION. 262.9A PROHIBITION ON  
7 CONTROLLED SUBSTANCES.

8 The state board of regents shall adopt a policy  
9 that prohibits unlawful possession, use, or  
10 distribution of controlled substances by students and  
11 employees on property owned or leased by an  
12 institution or in conjunction with activities  
13 sponsored by an institution governed by the board.  
14 Each institution shall provide information about the  
15 policy to all students and employees. The policy  
16 shall include a clear statement of sanctions for  
17 violation of the policy and information about  
18 available drug or alcohol counseling and  
19 rehabilitation programs. In carrying out this policy,  
20 the institutions shall provide substance abuse  
21 prevention programs for students and employees.

22 Sec. 232. NEW SECTION. 263A.14 INDIGENT PATIENT  
23 PROGRAM REPORT.

24 Funds shall not be allocated to the university  
25 hospital fund until the superintendent of the  
26 university of Iowa hospitals and clinics has filed  
27 with the department of revenue and finance and the  
28 legislative fiscal bureau a quarterly report  
29 containing the account required in section 255.24.  
30 The report shall include information required in  
31 section 255.24 for patients by the type of service  
32 provided.

33 Sec. 233. NEW SECTION. 268.5 IOWA ACADEMY OF  
34 SCIENCE APPROPRIATION LIMITATIONS.

35 The university shall use no more than twenty  
36 percent of the funds allocated to the university for  
37 the Iowa academy of science for administrative  
38 purposes for the Iowa academy of science or for  
39 publication of the Iowa academy of science journal.  
40 The university shall expend the remainder of the  
41 moneys appropriated for research projects and studies  
42 awarded by the Iowa academy of science. The Iowa  
43 academy of science shall permit all grant recipients  
44 to publish the results of the recipients' research  
45 projects and studies in the Iowa academy of science  
46 journal at no cost to the grant recipient.

47 Sec. 234. Section 279.51, subsection 1, paragraph  
48 f, Code 1991, is amended by adding the following new  
49 unnumbered paragraph:

50 NEW UNNUMBERED PARAGRAPH. In succeeding fiscal

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1 years, notwithstanding section 256A.3, subsection 6,  
2 of the amount appropriated for a fiscal year, less the  
3 amount allocated under paragraph "a", three and  
4 thirty-three hundredths percent may be used for  
5 administrative costs. However, if the amount  
6 appropriated for the fiscal year, less the amount  
7 allocated under paragraph "a", times three and thirty-  
8 three hundredths percent is greater than the amount  
9 received for use for administrative costs during the  
10 fiscal year beginning July 1, 1990, then the amount to  
11 be used for administrative costs shall be reduced to  
12 equal the amount received during the fiscal year  
13 beginning July 1, 1990.

14 Sec. 235. Section 280A.34, Code 1991, is amended  
15 to read as follows:

16 280A.34 CERTAIN USES OF FUNDS PROHIBITED.

17 Funds obtained pursuant to section 280A.17;  
18 subsections 3, 4, and 5 of section 280A.18; section  
19 280A.19; and section 280A.22 shall not be used for the  
20 construction or maintenance of athletic buildings or  
21 grounds but may be used for a project under section  
22 280A.56.

23 Sec. 236. NEW SECTION. 280A.40 PROHIBITION ON  
24 CONTROLLED SUBSTANCES.

25 Each merged area school shall adopt a policy that  
26 prohibits unlawful possession, use, or distribution of  
27 controlled substances by students and employees on  
28 property owned or leased by the merged area school or  
29 in conjunction with activities sponsored by a merged  
30 area school. Each merged area school shall provide  
31 information about the policy to all students and  
32 employees. The policy shall include a clear statement  
33 of sanctions for violation of the policy and  
34 information about available drug or alcohol counseling  
35 and rehabilitation programs. In carrying out this  
36 policy, the merged area school shall provide substance  
37 abuse prevention programs for students and employees.

38 Sec. 237. Section 280A.56, subsection 3, Code  
39 1991, is amended to read as follows:

40 3. "Project" means the acquisition by purchase,  
41 lease in accordance with section 280A.38, or  
42 construction of buildings for use as student residence  
43 halls and dormitories, including dining and other  
44 incidental facilities therefor, and additions to such  
45 buildings, the reconstruction, completion, equipment,  
46 improvement, repair or remodeling of residence halls,  
47 dormitories, or additions or incidental facilities,  
48 and the acquisition of property of every kind and  
49 description, whether real, personal, or mixed, by  
50 gift, purchase, lease, condemnation, or otherwise and



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1 the improvement of the property.

2 Sec. 238. Section 280A.56, Code 1991, is amended

3 by adding the following new subsection:

4 NEW SUBSECTION. 4. "Bonds or notes" means revenue  
5 bonds or revenue notes which are payable solely from  
6 net rents, profits, and other income derived from the  
7 operation of residence halls, dormitories, incidental  
8 facilities, and additions.

9 Sec. 239. Section 280A.58, unnumbered paragraph 1,  
10 Code 1991, is amended to read as follows:

11 To pay all or any part of the cost of carrying out  
12 any project at any institution the board is authorized  
13 to borrow money and to issue and sell negotiable bonds  
14 or notes and to refund and refinance bonds or notes  
15 issued for any project or for refunding purposes at a  
16 lower rate, the same rate, or a higher rate or rates  
17 of interest and from time to time as often as the  
18 board shall find it to be advisable and necessary so  
19 to do. Bonds or notes ~~issued to refund other bonds or~~  
20 ~~notes~~ issued by the board for residence hall or  
21 dormitory purposes at any institution, including  
22 dining or other facilities and additions, or issued  
23 for refunding purposes, may either be sold in the  
24 manner specified for the selling of certificates under  
25 section 280B.6 and the proceeds applied to the payment  
26 of the obligations being refunded, or the refunding  
27 bonds or notes may be exchanged for and in payment and  
28 discharge of the obligations being refunded. A  
29 finding by the board in the resolution authorizing the  
30 issuance of the refunding bonds or notes, that the  
31 bonds or notes being refunded were issued for a  
32 purpose specified in this division and constitute  
33 binding obligations of the board, shall be conclusive  
34 and may be relied upon by any holder of any refunding  
35 bond or note issued under the provisions of this  
36 division. The refunding bonds or notes may be sold or  
37 exchanged in installments at different times or an  
38 entire issue or series may be sold or exchanged at one  
39 time. Any issue or series of refunding bonds or notes  
40 may be exchanged in part or sold in parts in  
41 installments at different times or at one time. The  
42 refunding bonds or notes may be sold or exchanged at  
43 any time on, before, or after the maturity of any of  
44 the outstanding notes, bonds or other obligations to  
45 be refinanced thereby and may be issued for the  
46 purpose of refunding a like or greater principal  
47 amount of bonds or notes, except that the principal  
48 amount of the refunding bonds or notes may exceed the  
49 principal amount of the bonds or notes to be refunded  
50 to the extent necessary to pay any premium due on the

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1 call of the bonds or notes to be refunded or, to fund  
2 interest in arrears or about to become due, or to  
3 allow for sufficient funding of the escrow account on  
4 the bonds to be refunded.

5 Sec. 240. Section 280A.59, Code 1991, is amended  
6 to read as follows:

7 280A.59 RATES AND TERMS OF BONDS OR NOTES.

8 The bonds or notes may bear a date or dates, may  
9 bear interest at such rate or rates, ~~payable~~  
10 ~~semiannually~~; may mature at such time or times, may be  
11 in such form, carry such registration privileges, may  
12 be payable at such place or places, may be subject to  
13 such terms of redemption prior to maturity with or  
14 without premium, if so stated on the face of the  
15 bonds, and may contain any terms and covenants as may  
16 be provided by the resolution of the board authorizing  
17 the issuance of the bonds or notes. In addition to  
18 the estimated cost of construction, the cost of the  
19 project shall be deemed to include interest upon the  
20 bonds or notes during construction and for six months  
21 after the estimated completion date, the compensation  
22 of a fiscal agent or adviser, any underwriter  
23 discount, and engineering, administrative and legal  
24 expenses. The bonds or notes shall be executed by the  
25 president of the board of trustees and attested by the  
26 ~~secretary and the coupons attached to the bonds or~~  
27 ~~notes shall be executed with the original or facsimile~~  
28 ~~signatures of said president and secretary.~~ Any bonds  
29 or notes bearing the signatures of officers in office  
30 on the date of the signing shall be valid and binding  
31 for all purposes, notwithstanding that before delivery  
32 of the bonds or notes any or all persons whose  
33 signatures appear on the bonds or notes shall have  
34 ceased to be officers. Each bond or note shall state  
35 upon its face the name of the institution on behalf of  
36 which it is issued, that it is payable solely and only  
37 from the net rents, profits and income derived from  
38 the operation of residence halls or dormitories,  
39 including dining and other incidental facilities, at  
40 the institution named, and that it does not constitute  
41 a charge against the state of Iowa within the meaning  
42 or application of any constitutional or statutory  
43 limitation or provision. The issuance of bonds or  
44 notes shall be recorded in the office of the treasurer  
45 of the institution on behalf of which the bonds or  
46 notes are issued, and a certificate by such treasurer  
47 to this effect shall be printed on the back of each  
48 such bond or note.

49 Sec. 241. Section 280A.60, Code 1991, is amended  
50 to read as follows:

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1 280A.60 REFUNDING ISSUANCE RESOLUTION.

2 Upon the determination by the board to undertake  
3 and carry out any project or to refund outstanding  
4 bonds or notes, the board shall adopt a resolution  
5 generally describing the contemplated project and  
6 setting forth the estimated cost, or describing the  
7 obligations to be refunded, fixing the amount of bonds  
8 or notes to be issued, the maturity or maturities, the  
9 interest rate or rates and all details of the project.  
10 The resolution shall contain any covenants as may be  
11 determined by the board as to the issuance of  
12 additional bonds or notes that may be issued payable  
13 from the net rents, profits and income of the  
14 residence halls or dormitories, the amendment or  
15 modification of the resolution authorizing the  
16 issuance of any bonds or notes, the manner, terms and  
17 conditions and the amount or percentage of assenting  
18 bonds or notes necessary to effectuate the amendment  
19 or modification, and any other covenants as may be  
20 deemed necessary or desirable. In the discretion of  
21 the board any bonds or notes issued under the terms of  
22 this division may be secured by a trust indenture by  
23 and between the board and a corporate trustee, which  
24 may be any trust company or bank having the powers of  
25 a trust company within or without the boundaries of  
26 the state of Iowa~~-but-no-such-trust-indenture-shall~~  
27 ~~convey-or-mortgage-the-buildings-or-facilities-or-any~~  
28 ~~part-of-the-buildings-or-facilities.~~ The provisions  
29 of this division and of any resolution or other  
30 proceedings authorizing the issuance of bonds or notes  
31 and providing for the establishment and maintenance of  
32 adequate rates, fees or rentals and the application of  
33 the proceeds thereof shall constitute a contract with  
34 the holders of the bonds or notes.

35 Sec. 242. Section 286A.11, Code 1991, is amended  
36 by adding the following new subsection:

37 NEW SUBSECTION. 5. Thirty-eight thousand dollars  
38 if the northwest Iowa technical college has filed a  
39 request with the department of education for the  
40 lease, purchase, or lease-purchase of equipment for  
41 the heavy equipment program.

42 Sec. 243. Section 286A.14A, unnumbered paragraph  
43 1, Code 1991, is amended to read as follows:

44 The department of education shall provide for the  
45 establishment of a community college excellence 2000  
46 account in the office of the treasurer of state for  
47 deposit of moneys appropriated to the account for  
48 purposes of funding quality instructional centers and  
49 program and administrative sharing agreements under  
50 sections 280A.45 and 280A.46. ~~There-is-appropriated~~

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1 ~~from the general fund of the state to the department~~  
2 ~~of education, for the fiscal year beginning July 1,~~  
3 ~~1991, one million two hundred thousand dollars.~~ There  
4 is appropriated from the general fund of the state to  
5 the department of education for the fiscal year  
6 beginning July 1, 1992, an amount equal to two and  
7 five-tenths percent of the total state general aid  
8 generated for all community colleges during the budget  
9 year under this chapter for deposit in the community  
10 college excellence 2000 account. In the next  
11 succeeding two fiscal years, the percent multiplier  
12 shall be increased in equal increments until the  
13 multiplier reaches seven and one-half percent of the  
14 total state general aid generated for all community  
15 colleges during the budget year.

16 Sec. 244. Section 294A.14, unnumbered paragraph 6,  
17 Code 1991, is amended to read as follows:

18 For school districts, a performance-based pay plan  
19 may provide for additional salary for individual  
20 teachers, for teachers assigned to a specific  
21 discipline, or for all teachers assigned to an  
22 attendance center. For area education agencies, a  
23 performance-based pay plan may provide for additional  
24 salary for individual teachers, for additional salary  
25 for all teachers assigned to a specific discipline  
26 within an area education agency, or for additional  
27 salary for individual teachers assigned to a  
28 multidisciplinary team within an area education  
29 agency. If the plan provides additional salary for  
30 all teachers assigned to an attendance center,  
31 specific discipline, or multidisciplinary team, the  
32 receipt of additional salary by those teachers shall  
33 be determined on the basis of whether that attendance  
34 center, specific discipline, or multidisciplinary team  
35 meets specific objectives adopted for that attendance  
36 center, specific discipline, or multidisciplinary  
37 team. For school districts, the objectives may  
38 include, but are not limited to, decreasing the  
39 dropout rate, increasing the attendance rate, or  
40 accelerating the achievement growth of students  
41 enrolled in that attendance center through use of  
42 learning techniques which may include, but are not  
43 limited to, reading instruction using phonics  
44 techniques.

45 Sec. 245. Section 303.3, subsection 3, Code 1991,  
46 is amended by striking the subsection and inserting in  
47 lieu thereof the following:

48 3. Notwithstanding section 8.33, moneys committed  
49 to grantees under contract that remain unexpended on  
50 June 30 of any fiscal year shall not revert but shall

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1 be available for expenditure for purposes of the  
2 contract until August 30 of the succeeding fiscal  
3 year.

4 Sec. 246. Section 286A.19, Code 1991, is repealed.

5 Sec. 247. Sections 205 and 212 of this division,  
6 being deemed of immediate importance, take effect upon  
7 enactment.

8

DIVISION III

9

ECONOMIC DEVELOPMENT APPROPRIATIONS

10 Sec. 301. There is appropriated from the general  
11 fund of the state to the department of economic  
12 development for the fiscal year beginning July 1,  
13 1991, and ending June 30, 1992, the following amounts,  
14 or so much thereof as is necessary, to be used for the  
15 purposes designated:

16 1. ADMINISTRATIVE SERVICES DIVISION

17 a. General administration

18 For salaries, support, maintenance, miscellaneous  
19 purposes, and for not more than the following full-  
20 time equivalent positions:

21 ..... \$ 878,350  
22 ..... FTEs 22.00

23 b. Rural resource coordination

24 For salaries, support, maintenance, miscellaneous  
25 purposes, and for not more than the following full-  
26 time equivalent positions for rural resource  
27 coordination and the rural enterprise fund:

28 ..... \$ 600,000  
29 ..... FTEs 2.50

30 As a condition, limitation, and qualification of  
31 the appropriation under this subsection, \$425,000  
32 shall be allocated to the rural enterprise fund.

33 c. Primary research and computer center

34 For salaries, support, maintenance, miscellaneous  
35 purposes, and for not more than the following full-  
36 time equivalent positions:

37 ..... \$ 350,000  
38 ..... FTEs 6.50

39 d. Film office

40 For salaries, support, maintenance, miscellaneous  
41 purposes, and for not more than the following full-  
42 time equivalent positions:

43 ..... \$ 200,000  
44 ..... FTEs 2.00

45 2. BUSINESS DEVELOPMENT DIVISION

46 a. Business development operations

47 For salaries, support, maintenance, miscellaneous  
48 purposes, and for not more than the following full-  
49 time equivalent positions:

50 ..... \$ 885,000

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1 ..... FTEs 18.00

2 As a condition, limitation, and qualification of

3 the appropriation made in this subsection, the

4 appropriation shall not be used for advertising

5 placement contracts for out-of-state national

6 marketing programs.

7 As a condition, limitation, and qualification of

8 the appropriation made by this paragraph, the

9 department shall establish a marketing initiative to

10 assist Iowa companies producing recycling or

11 reclamation equipment or services to expand into

12 national markets.

13 b. Marketing advertising

14 For contracting exclusively for marketing and

15 promotion programs and services and advertising

16 contracts for business expansion and development

17 programs, for electronic media, print media, and

18 printed materials:

19 ..... \$ 2,425,000

20 c. Small business programs

21 For salaries, support, maintenance, miscellaneous

22 purposes, and for not more than the following full-

23 time equivalent positions for the small business

24 program and the small business advisory council:

25 ..... \$ 235,000

26 ..... FTEs 4.50

27 d. Federal procurement office

28 For salaries, support, maintenance, miscellaneous

29 purposes, and for not more than the following full-

30 time equivalent positions:

31 ..... \$ 100,000

32 ..... FTEs 2.00

33 e. Incubators:

34 ..... \$ 70,000

35 The department may establish criteria to provide

36 funding beyond the initial three-year start-up period

37 to existing small business and rural incubators. The

38 department shall consider the incubator's progress

39 toward becoming self-sufficient during the initial

40 award period and the incubator's plan to become self-

41 sufficient from the need for further grants.

42 f. Strategic investment fund

43 For deposit in the strategic investment fund

44 created in section 15.313 and for salaries and support

45 for not more than the following full-time equivalent

46 positions:

47 ..... \$ 4,680,000

48 ..... FTEs 9.40

49 g. Targeted small business program

50 For the salary, support, maintenance, miscellaneous

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1 purposes, and for not more than the following full-  
 2 time equivalent position:  
 3 ..... \$ 50,000  
 4 ..... FTEs 1.00

5 3. COMMUNITY AND RURAL DEVELOPMENT DIVISION

6 a. Community development block grant

7 For administration and related federal housing and  
 8 urban development grant administration for salaries,  
 9 support, maintenance, miscellaneous purposes, and for  
 10 not more than the following full-time equivalent  
 11 positions:

12 ..... \$ 320,855  
 13 ..... FTEs 14.00

14 b. Rural community 2000 program

15 For salaries, support, maintenance, miscellaneous  
 16 purposes, and for not more than the following full-  
 17 time equivalent positions:

18 ..... \$ 1,600,000  
 19 ..... FTEs 1.25

20 Notwithstanding section 15.283, subsection 4, for  
 21 the fiscal year beginning July 1, 1991, and ending  
 22 June 30, 1992, all funds allocated under this  
 23 paragraph shall be used for traditional and new  
 24 infrastructure and planning as specified under  
 25 sections 15.284, 15.285, and 15.286A.

26 As a condition, limitation, and qualification of  
 27 the appropriation under this paragraph, not more than  
 28 \$300,000 shall be allocated for the planning category.

29 c. Community progress

30 For salaries, support, maintenance, miscellaneous  
 31 purposes, and for not more than the following full-  
 32 time equivalent positions for administration of the  
 33 community economic preparedness program, and the Iowa  
 34 community betterment program:

35 ..... \$ 410,000  
 36 ..... FTEs 6.50

37 d. Councils of governments

38 To provide to Iowa's councils of governments funds  
 39 for planning and technical assistance funds to assist  
 40 local governments to develop community development  
 41 strategies for addressing long-term and short-term  
 42 community needs:

43 ..... \$ 300,000

44 e. Main street/rural main street program

45 For salaries and support for not more than the  
 46 following full-time equivalent positions:

47 ..... \$ 365,000  
 48 ..... FTEs 3.00

49 Notwithstanding section 8.33, moneys committed to  
 50 grantees under contract that remain unexpended on June

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1 30 of any fiscal year shall not revert to any fund but  
2 shall be available for expenditure for purposes of the  
3 contract during the succeeding fiscal year.

4 f. Regional economic development centers

5 For salaries, support, maintenance, and  
6 miscellaneous purposes, and for not more than the  
7 following full-time equivalent positions:

8	.....	\$	1,102,000
9	.....	FTEs	3.00

10 As a condition, limitation, and qualification of  
11 the appropriation under this paragraph, not more than  
12 2 percent shall be used by the department for  
13 administration of the program.

14 4. INTERNATIONAL DIVISION

15 a. International trade operations

16 For salaries, support, maintenance, miscellaneous  
17 purposes, and for not more than the following full-  
18 time equivalent positions:

19	.....	\$	550,000
20	.....	FTEs	6.00

21 As a condition, limitation, and qualification of  
22 the appropriation under this paragraph, \$50,000 shall  
23 be allocated for trade initiatives in Latin America.

24 b. European trade office

25 For salaries, support, maintenance, miscellaneous  
26 purposes, and for not more than the following full-  
27 time equivalent positions:

28	.....	\$	285,000
29	.....	FTEs	2.50

30 c. Asian trade office

31 For salaries, support, maintenance, miscellaneous  
32 purposes, and for not more than the following full-  
33 time equivalent positions:

34	.....	\$	255,000
35	.....	FTEs	2.00

36 d. Japan trade office

37 For salaries, support, maintenance, miscellaneous  
38 purposes, and for not more than the following full-  
39 time equivalent positions:

40	.....	\$	300,000
41	.....	FTEs	2.00

42 e. Export trade activities program

43 For export trade activities, including a program to  
44 encourage and increase participation in trade shows  
45 and trade missions by providing financial assistance  
46 to businesses for a percentage of their costs of  
47 participating in trade shows and trade missions, by  
48 providing for the lease/sublease of showcase space in  
49 existing world trade centers, by providing temporary  
50 office space for foreign buyers, international



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1 prospects, and potential reverse investors, and by  
2 providing other promotional and assistance activities,  
3 including salaries and support for not more than the  
4 following full-time equivalent position:  
5 ..... \$ 350,000  
6 ..... FTEs 0.25  
7 f. Agricultural product advisory council  
8 For support, maintenance, and miscellaneous  
9 purposes:  
10 ..... \$ 4,000  
11 g. Partner state program:  
12 ..... \$ 100,000  
13 The department may contract with private groups or  
14 organizations which are the most appropriate to  
15 administer this program. The groups and organizations  
16 participating in the program shall, to the fullest  
17 extent possible, provide the funds to match the  
18 appropriation made in this paragraph.  
19 h. Peace institute  
20 For allocation to the Iowa peace institute  
21 established in chapter 38:  
22 ..... \$ 200,000  
23 5. TOURISM DIVISION  
24 a. Tourism operations  
25 For salaries, support, maintenance, miscellaneous  
26 purposes, and for not more than the following full-  
27 time equivalent positions:  
28 ..... \$ 745,000  
29 ..... FTEs 15.97  
30 As a condition, limitation, and qualification of  
31 the appropriation made in this paragraph, the  
32 appropriation shall not be used for advertising  
33 placements for in-state and out-of-state tourism  
34 marketing.  
35 b. Tourism advertising  
36 For contracting exclusively for tourism advertising  
37 for in-state and out-of-state tourism marketing  
38 services, tourism promotion programs, electronic  
39 media, print media, and printed materials:  
40 ..... \$ 2,940,000  
41 As a condition, limitation, and qualification of  
42 the appropriation made in this paragraph, the  
43 department shall develop public-private partnerships  
44 with Iowa businesses in the tourism industry, Iowa  
45 tour groups, Iowa tourism organizations, and political  
46 subdivisions in this state to assist in the  
47 development of advertising efforts. The department  
48 shall, to the fullest extent possible, develop  
49 cooperative efforts for advertising with contributions  
50 from other sources.

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1 c. Welcome center program:  
 2 ..... \$ 350,000

3 Notwithstanding section 8.33, moneys committed to  
 4 grantees under contract that remain unexpended on June  
 5 30 of any fiscal year shall not revert to any fund but  
 6 shall be available for expenditure for purposes of the  
 7 contract during the succeeding fiscal year.

8 As a condition, limitation, and qualification of  
 9 the appropriations made in this subsection, moneys  
 10 appropriated shall be used for implementation of the  
 11 recommendations of the statewide long-range plan for  
 12 developing and operating welcome centers throughout  
 13 the state.

14 Notwithstanding section 8.33, pursuant to 1990 Iowa  
 15 Acts, chapter 1255, section 37, subsection 1, as  
 16 amended by 1991 Iowa Acts, House File 173, section  
 17 1001, the amount of \$275,000 shall be available for  
 18 the fiscal year beginning July 1, 1991, for completion  
 19 of contract negotiations for the establishment of the  
 20 welcome center in the Council Bluffs area.

21 d. Mississippi river parkway commission  
 22 For support, maintenance, and miscellaneous  
 23 purposes:

24 ..... \$ 19,000

25 6. WORK FORCE DEVELOPMENT DIVISION

26 a. Youth work force programs

27 For purposes of the conservation corps, including  
 28 salary, support, maintenance, miscellaneous purposes,  
 29 and for not more than the following full-time  
 30 equivalent positions:

31 ..... \$ 1,261,614

32 ..... FTEs 1.90

33 Notwithstanding section 8.33, moneys committed to  
 34 grantees under contract that remain unexpended on June  
 35 30 of any fiscal year shall not revert to any fund but  
 36 shall be available for expenditure for purposes of the  
 37 contract during the succeeding fiscal year.

38 b. Iowa corps

39 For purposes of the Iowa corps, including salary,  
 40 support, maintenance, miscellaneous purposes, and for  
 41 not more than the following full-time equivalent  
 42 positions:

43 ..... \$ 107,500

44 ..... FTEs 1.00

45 Notwithstanding section 8.33, moneys obligated for  
 46 the payment of tuition credits under this program but  
 47 not expended at the end of the fiscal year shall not  
 48 revert to any fund but shall be available for  
 49 expenditure during succeeding fiscal years.

50 c. Job retraining program

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1 To the Iowa employment retraining fund created in  
2 section 15.298 including salaries and support for not  
3 more than the following full-time equivalent  
4 positions:

5 .....	\$	1,000,000
6 .....	FTEs	1.60

7 d. Work force investment program including  
8 salaries and support for not more than the following  
9 full-time equivalent position:

10 .....	\$	1,000,000
11 .....	FTEs	0.90

12 This program shall be administered through the  
13 department of economic development in consultation  
14 with the state job training coordinating council. The  
15 program shall be operated on a competitive grant basis  
16 and funds shall be available for projects that  
17 increase Iowa's pool of available labor via training  
18 and support services. \$300,000 of the amount  
19 appropriated in this paragraph shall be available  
20 specifically for displaced homemaker programs.

21 e. Labor management councils

22 For salaries, support, maintenance, miscellaneous  
23 purposes, and for not more than the following full-  
24 time equivalent positions:

25 .....	\$	200,000
26 .....	FTEs	1.05

27 As a condition, limitation, and qualification of  
28 receiving a grant from funds appropriated by this  
29 paragraph, grantees shall facilitate the active  
30 participation of labor as members of labor management  
31 councils. Grantees shall make a good faith effort to  
32 either schedule meetings during nonworking hours, or  
33 obtain voluntary agreements with employers to allow  
34 employees time off to attend labor management council  
35 meetings with no loss of pay or other benefits.

36 Notwithstanding section 8.33, moneys committed to  
37 grantees under contract that remain unexpended on June  
38 30 of any fiscal year shall not revert to any fund but  
39 shall be available for expenditure for purposes of the  
40 contract during the succeeding fiscal year.

41 Notwithstanding section 8.33, pursuant to 1990 Iowa  
42 Acts, chapter 1255, section 37, subsection 1, as  
43 amended by 1991 Iowa Acts, House File 173, section  
44 1001, moneys remaining unencumbered or unobligated  
45 shall be available for expenditure for the fiscal year  
46 beginning July 1, 1991, for the same purposes.

47 Sec. 302. Notwithstanding section 28.120,  
48 subsections 5 and 6, there is appropriated from the  
49 Iowa community development loan fund to the department  
50 of economic development for the fiscal year beginning

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1 July 1, 1991, and ending June 30, 1992, the following  
2 amount, or so much thereof as is necessary, to be used  
3 for the purposes designated:

4 RURAL DEVELOPMENT FINANCING:

5 ..... \$ 50,000

6 Notwithstanding section 8.39, funds appropriated by  
7 this section shall not be subject to transfer.

8 Sec. 303. Notwithstanding section 15.251,  
9 subsection 2, there is appropriated from the job  
10 training fund created in the office of the treasurer  
11 of state to the department of economic development for  
12 the fiscal year beginning July 1, 1991, and ending  
13 June 30, 1992, the following amount, or so much  
14 thereof as is necessary, to be used for the purposes  
15 designated:

16 1. For administration of chapter 280B, including  
17 salaries, support, maintenance, miscellaneous  
18 purposes, and for not more than the following full-  
19 time equivalent positions:

20 ..... \$ 125,000

21 ..... FTEs 2.40

22 2. For payment to the community colleges to  
23 supplement the coordination and instruction of  
24 apprentice related instruction, and instructional  
25 equipment for apprenticeship programs as provided in  
26 section 280A.44:

27 ..... \$ 125,000

28 As a condition, limitation, and qualification of  
29 the appropriation under this subsection, funds shall  
30 be allocated to each community college on the basis of  
31 the percentage of total contact hours enrolled in  
32 apprenticeship training at community colleges as of  
33 July 1, 1991.

34 3. For the target alliance program if funds remain  
35 in the job training fund after the appropriations in  
36 subsections 1 and 2 are made:

37 ..... \$ 30,000

38 Sec. 304. There is appropriated from the general  
39 fund of the state to the Iowa finance authority for  
40 the fiscal year beginning July 1, 1991, and ending  
41 June 30, 1992, the following amounts, or so much  
42 thereof as is necessary, to be used for the purposes  
43 designated:

44 1. HOMELESS SHELTER PROGRAM

45 To be deposited in the housing trust fund, for the  
46 operation, construction, and rehabilitation of  
47 homeless shelters under section 220.100, subsection 2,  
48 paragraph "a":

49 ..... \$ 1,000,000

50 a. Of the amount appropriated in this subsection,

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1 as nearly as practicable, \$675,000 shall be used for  
 2 operating costs, including utilities, maintenance,  
 3 food, clothing, and other supplies, or staff support  
 4 services for homeless shelters; \$225,000 shall be used  
 5 for construction and rehabilitation of homeless  
 6 shelters; and \$100,000 shall be used for assistance to  
 7 homeless shelters that are facing closure. If the  
 8 moneys allocated for any purposes in this paragraph  
 9 are not used or dedicated by February 1 of the fiscal  
 10 year, the moneys may be reallocated for the other  
 11 purposes in this paragraph that have the most need as  
 12 determined by the Iowa finance authority.

13 b. As a condition, limitation, and qualification  
 14 of the \$1,000,000 appropriation to the housing trust  
 15 fund in this subsection and notwithstanding section  
 16 220.100, subsection 6, from the moneys available for  
 17 operating costs of and staff support services for  
 18 homeless shelters in paragraph "a", the Iowa finance  
 19 authority shall contract with a nongovernmental entity  
 20 to administer the funds available for operating costs  
 21 of and staff support services for homeless shelters.

22 2. HOUSING ASSISTANCE PROGRAM

23 a. To provide mortgage and finance assistance to  
 24 individuals for the purchase or acquisition of homes:  
 25 ..... \$ 900,000

26 b. Of the amount appropriated in paragraph "a", an  
 27 amount not to exceed 10 percent shall be used to  
 28 finance the purchase or acquisition, in communities  
 29 with a population of less than 10,000, of manufactured  
 30 homes as defined in 42 U.S.C. § 5403.

31 c. Funds provided under paragraph "a" shall not be  
 32 restricted to first-time home buyers but shall be for  
 33 lower income and very low income families as defined  
 34 in section 220.1. The assistance provided shall  
 35 include at least one of the following kinds of  
 36 assistance:

- 37 (1) Closing costs assistance.
- 38 (2) Down payment assistance.
- 39 (3) Home maintenance and repair assistance.
- 40 (4) Loan processing assistance through a loan  
 41 endorser review contractor who would act on behalf of  
 42 the authority in assisting lenders in processing loans  
 43 that will qualify for government insurance or  
 44 guarantee or for financing under the authority's  
 45 mortgage revenue bond program.

46 (5) Mortgage insurance program.  
 47 Not more than 50 percent of the assistance provided  
 48 by the authority shall be provided under subparagraphs  
 49 (4) and (5). So long as at least one of the kinds of  
 50 assistance described in subparagraphs (1) through (5)

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1 are provided, additional assistance not described in  
2 subparagraphs (1) through (5) may also be provided.

3 d. Assistance provided under paragraph "a" shall  
4 be limited to mortgages under \$55,000, except in those  
5 areas of the state where the median price of homes  
6 exceeds the state average.

7 3. RURAL COMMUNITY 2000 PROGRAM:

8 ..... \$ 1,400,000

9 Notwithstanding section 15.283, subsection 4, for  
10 the fiscal year beginning July 1, 1991, and ending  
11 June 30, 1992, all funds allocated under this  
12 paragraph shall be used for the housing category as  
13 specified under section 15.286.

14 Sec. 305. There is appropriated from the general  
15 fund of the state to the Wallace technology transfer  
16 foundation for the fiscal year beginning July 1, 1991,  
17 and ending June 30, 1992, the following amount, or so  
18 much thereof as is necessary, to be used for the  
19 purposes designated:

20 1. For salaries, support, maintenance, and other  
21 operational purposes, for funding the small business  
22 innovation research program, and for funding  
23 activities as provided in section 28.158:

24 ..... \$ 2,700,000

25 As a condition, limitation, and qualification of  
26 the appropriation under this section, \$150,000 of the  
27 funds appropriated in this subsection shall be  
28 transferred to the Iowa quality coalition for  
29 productivity enhancement projects.

30 2. For transfer to the Iowa product development  
31 corporation fund established in section 28.89:

32 ..... \$ 1,000,000

33 Sec. 306. There is appropriated from the general  
34 fund of the state to INTERNET for the fiscal year  
35 beginning July 1, 1991, and ending June 30, 1992, the  
36 following amount, or so much thereof as is necessary,  
37 to be used for the purposes designated:

38 For deposit in the international network on trade  
39 fund created by the INTERNET board:

40 ..... \$ 515,000

41 As a condition, limitation, and qualification of  
42 the appropriation under this section, \$140,000 shall  
43 be allocated to the department of economic development  
44 for the Iowa international development foundation for  
45 the salaries and support for not more than the  
46 following full-time equivalent positions:

47 ..... FTEs 1.50

48 The full-time equivalent positions receiving moneys  
49 from the allocation for the Iowa international  
50 development foundation are employees of the department

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1 of economic development.

2 Sec. 307. There is appropriated from the general  
3 fund of the state to the following named institutions  
4 for the fiscal year beginning July 1, 1991, and ending  
5 June 30, 1992, the following amounts, or so much  
6 thereof as is necessary, to be used for the purposes  
7 designated:

8 1. To the university of northern Iowa for the  
9 applied technology program:  
10 ..... \$ 300,000

11 2. To the university of northern Iowa for the  
12 decision-making science institute:  
13 ..... \$ 575,000

14 3. To the Iowa state university of science and  
15 technology for funding the small business development  
16 centers:  
17 ..... \$ 1,190,000

18 4. To the Iowa state university of science and  
19 technology for the institute for physical research and  
20 technology:  
21 ..... \$ 500,000

22 5. To the state university of Iowa for the center  
23 for biocatalysis:  
24 ..... \$ 396,000

25 Sec. 308. There is appropriated from the community  
26 college job training fund created in section 280C.6,  
27 subsection 1, as amended by 1991 Iowa Acts, Senate  
28 File 90, to the department of economic development for  
29 the fiscal year beginning July 1, 1991, and ending  
30 June 30, 1992, the following amount, or so much  
31 thereof as is necessary, to be used for the purposes  
32 designated:

33 For salaries, support, maintenance, and  
34 miscellaneous purposes for the administration of the  
35 Iowa small business new jobs training Act, and for not  
36 more than the following full-time equivalent position:  
37 ..... \$ 38,954  
38 ..... FTEs .70

39 Sec. 309. Section 99E.31, subsection 2, Code 1991,  
40 is amended by striking the subsection.

41 Sec. 310. Section 99E.32, subsection 2, Code 1991,  
42 is amended by striking the subsection.

43 Sec. 311. Section 15.241, unnumbered paragraphs 1  
44 and 2, Code 1991, are amended to read as follows:

45 ~~The department shall establish, contingent upon the~~  
46 ~~availability of funds authorized for the program,~~  
47 There is established a "self-employment loan program,  
48 account" within the strategic investment fund created  
49 in section 15.313 to provide funding for the self-  
50 employment loan program which program is to be

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1 conducted in coordination with the job training  
2 partnership program and other programs administered  
3 under section 15.108, subsection 6, paragraph "c".  
4 The department may contract with local community  
5 action agencies or other local entities in  
6 administering the program, and shall work with the  
7 department of employment services and the department  
8 of human services in developing the program.

9 The self-employment loan program shall administer a  
10 low-interest loan program to provide loans to low-  
11 income persons for the purpose of establishing or  
12 expanding small business ventures. The terms of the  
13 loans shall be determined by the department, but shall  
14 not be in excess of five thousand dollars to any  
15 single applicant or at a rate to exceed five percent  
16 simple interest per annum. ~~A-self-employment-loan~~  
17 ~~program-revolving-loan-fund-shall-be-established~~  
18 ~~within-the-department.~~ The department shall maintain  
19 records of all loans approved and the effectiveness of  
20 those loans in establishing or expanding small  
21 business ventures.

22 Sec. 312. Section 15.241, Code 1991, is amended by  
23 adding the following new unnumbered paragraph:

24 NEW UNNUMBERED PARAGRAPH. Payments of interest and  
25 repayments of moneys awarded under this program shall  
26 be deposited into the strategic investment fund.

27 Sec. 313. Section 15.247, subsections 2 and 3,  
28 Code 1991, are amended to read as follows:

29 ~~2. The-department-shall-establish-contingent-upon~~  
30 ~~the-availability-of-funds-authorized-for-the-program;~~  
31 There is established a "targeted small business  
32 financial assistance program account" within the  
33 strategic investment fund created in section 15.313,  
34 to provide for loans, loan guarantees, revolving  
35 loans, loans secured by accounts receivable, or grants  
36 to targeted small businesses. A targeted small  
37 business in any year shall receive under this program  
38 not more than twenty-five thousand dollars in a loan  
39 or grant, and not more than forty thousand dollars in  
40 a guarantee, or a combination of loans, grants, or  
41 guarantees. The program shall provide guarantees not  
42 to exceed seventy-five percent for loans made by  
43 qualified lenders. The department shall establish a  
44 financial assistance reserve account from funds  
45 provided-for-this allocated to the program account,  
46 from which any default on a guaranteed loan under this  
47 section shall be paid. In administering the program  
48 the department shall not guarantee loan values in  
49 excess of the amount credited to the reserve account  
50 and only moneys set aside in the loan reserve account



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1 may be used for the payment of a default.

2 3. All moneys designated for the targeted small  
3 business financial assistance program shall be  
4 credited to the financial-assistance-reserve program  
5 account. ~~The department shall also establish an~~  
6 ~~administrative account from which the operating costs~~  
7 ~~of the program shall be paid. The department may~~  
8 ~~transfer moneys between the reserve and the~~  
9 ~~administrative accounts except that not more than~~  
10 ~~twenty-five percent of the moneys shall be used to~~  
11 ~~administer the fund.~~ The department shall determine  
12 the actuarially sound reserve requirement for the  
13 amount of guaranteed loans outstanding.

14 Sec. 314. Section 15.247, Code 1991, is amended by  
15 adding the following new subsection:

16 NEW SUBSECTION. 6. Payments of interest and  
17 repayments of moneys awarded under this program shall  
18 be deposited into the strategic investment fund.

19 Sec. 315. Section 15.287, Code 1991, is amended to  
20 read as follows:

21 15.287 REVOLVING FUND.

22 The Iowa finance authority shall establish a  
23 revolving fund for the program and shall transfer to  
24 the department moneys to be administered by the  
25 department. The moneys in the revolving fund are  
26 appropriated for purposes of the program.  
27 Notwithstanding section 8.33, moneys in the fund at  
28 the end of a fiscal year shall not revert to any other  
29 fund but shall remain in the revolving fund. The fund  
30 shall consist of all appropriations, grants, or gifts  
31 received by the authority or the department  
32 specifically for use under this part and all  
33 repayments of loans or grants made under this part.  
34 However, loan repayments from loans made under section  
35 28.120, which are not allocated to another program,  
36 shall be deposited in the revolving fund and shall be  
37 available for allocation by the director for  
38 categories administered by the department.

39 Sec. 316. NEW SECTION. 15.311 STRATEGIC  
40 INVESTMENT FUND.

41 This part shall be known as the "Iowa Strategic  
42 Investment Fund" program.

43 Sec. 317. NEW SECTION. 15.312 PURPOSE.

44 The purpose of this part shall be to provide a  
45 mechanism for funding those programs listed in section  
46 15.313, subsection 2, in order to more efficiently  
47 meet the needs identified within those individual  
48 programs.

49 Sec. 318. NEW SECTION. 15.313 STRATEGIC  
50 INVESTMENT FUND.

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1 1. There is created an "Iowa strategic investment  
2 fund". The fund is a revolving fund and consists of  
3 any money appropriated by the general assembly for  
4 that purpose and any other moneys available to and  
5 obtained or accepted by the department from the  
6 federal government or private sources for placement in  
7 the fund. The fund shall also include:

8 a. All unencumbered and unobligated funds from the  
9 special community economic betterment program fund  
10 created under 1990 Iowa Acts, chapter 1262, section 1,  
11 subsection 18, remaining on June 30, 1991, and all  
12 repayments of loans or other awards made under the  
13 community economic betterment account or under the  
14 community economic betterment program during the  
15 preceding fiscal years beginning July 1, 1985, and  
16 subsequent fiscal years.

17 b. All unencumbered and unobligated funds from the  
18 self-employment loan program, the targeted small  
19 business financial assistance program, the  
20 microenterprise development revolving fund, and the  
21 value-added agricultural products and processes  
22 financial assistance fund remaining on June 30, 1991,  
23 and all repayments of loans or other awards made under  
24 these programs during the fiscal year beginning July  
25 1, 1991, and subsequent fiscal years.

26 2. The assets of the fund shall be used by the  
27 department for carrying out the purposes of the  
28 following programs:

29 a. The community economic betterment program  
30 created in sections 15.315 through 15.320.

31 b. The value-added agricultural products and  
32 processes financial assistance program created in  
33 sections 28.111 through 28.112.

34 c. The business development finance corporation  
35 created in sections 28.131 through 28.149.

36 d. The self-employment loan program created in  
37 section 15.241.

38 e. The targeted small business financial  
39 assistance program created in section 15.247.

40 3. All grants, loans, and forgivable loans awarded  
41 under the programs within the strategic investment  
42 fund shall be approved by the board.

43 4. Annually the director shall submit to the  
44 economic development board at a regular or special  
45 meeting preceding the beginning of the fiscal year  
46 planned allocations to be made for that fiscal year to  
47 the community economic betterment program, the value-  
48 added agricultural products and processes financial  
49 assistance program, the business development finance  
50 corporation, the self-employment loan program, and the

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1 targeted small business financial assistance program.  
2 Plans may provide for increased or decreased  
3 allocations if the demand in a program indicates that  
4 the need exceeds the allocation for that program. The  
5 director shall report to the board on the status of  
6 the funds on a monthly basis and may present proposed  
7 revisions for approval by the board in January and  
8 April of each year. Unobligated and unencumbered  
9 moneys remaining in the strategic investment fund or  
10 any of its accounts on June 30 of each year shall be  
11 considered part of the fund for purposes of the next  
12 year's allocation.

13 5. Notwithstanding section 8.33, moneys in this  
14 fund at the end of each fiscal year shall not revert  
15 to any other fund but shall remain in this strategic  
16 investment fund.

17 Sec. 319. NEW SECTION. 15.315 COMMUNITY ECONOMIC  
18 BETTERMENT PROGRAM.

19 This part shall be known as the "Community Economic  
20 Betterment Program."

21 Sec. 320. NEW SECTION. 15.316 PURPOSE.

22 The purpose of this program is to assist  
23 communities and rural areas of the state with their  
24 economic development efforts and to increase  
25 employment opportunities for Iowans by increasing the  
26 level of economic activity and development within the  
27 state.

28 Sec. 321. NEW SECTION. 15.317 PROGRAM.

29 1. The department shall establish a program to  
30 effectuate the purposes of this part by providing  
31 financial assistance for small business gap financing,  
32 new business opportunities, and new product and  
33 entrepreneurial development. These purposes may be  
34 accomplished by providing the following types of  
35 assistance:

36 a. Principal buy-down program to reduce the  
37 principal of a business loan.

38 b. Interest buy-down program to reduce the  
39 interest of a business loan.

40 c. Loans or forgivable loans to aid in economic  
41 development.

42 d. Loan guarantees for business loans made by  
43 commercial lenders.

44 e. Equity-like investments.

45 2. Only a political subdivision of this state may  
46 apply to receive funds for any of the above purposes.  
47 The political subdivision shall make application to  
48 the department of economic development specifying the  
49 purpose for which the funds will be used.

50 3. The department shall not provide more than one

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1 million dollars for any project, unless at least two-  
2 thirds of the members of the economic development  
3 board vote for providing more.

4 Sec. 322. NEW SECTION. 15.318 RATING FACTORS AND  
5 CRITERIA.

6 In ranking applications for funds, the department  
7 shall consider a variety of factors including, but not  
8 limited to:

9 1. The proportion of local match to be provided.

10 2. The proportion of private contribution to be  
11 provided, including the involvement of financial  
12 institutions.

13 3. The total number of jobs to be created or  
14 retained.

15 4. The size of the business receiving assistance.  
16 The department shall award more points to small  
17 businesses as defined by the United States small  
18 business administration.

19 5. The potential for future growth in the industry  
20 represented by the business being considered for  
21 assistance.

22 6. The need of the business for financial  
23 assistance from governmental sources. More points  
24 shall be awarded to a business for which the  
25 department determines that governmental assistance is  
26 most necessary to the success of the project.

27 7. The quality of the jobs to be created. In  
28 rating the quality of the jobs the department shall  
29 award more points to those jobs that have a higher  
30 wage scale, have a lower turnover rate, are full-time  
31 or career-type positions, provide comprehensive health  
32 benefits, or have other related factors which could be  
33 considered to be higher in quality. Businesses that  
34 have wage scales substantially below that of existing  
35 Iowa businesses in that area should be rated as  
36 providing the lowest quality of jobs and should  
37 therefore be given the lowest ranking for providing  
38 such assistance.

39 8. The level of need of the political subdivision.

40 9. The impact of the proposed project on the  
41 economy of the political subdivision.

42 10. The impact of the proposed project on other  
43 businesses in competition with the business being  
44 considered for assistance. The department shall make  
45 a good faith effort to identify existing Iowa  
46 businesses within an industry in competition with the  
47 business being considered for assistance. The  
48 department shall make a good faith effort to determine  
49 the probability that the proposed financial assistance  
50 will displace employees of the existing businesses.

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1 In determining the impact on businesses in competition  
2 with the business being considered for assistance,  
3 jobs created as a result of other jobs being displaced  
4 elsewhere in the state shall not be considered direct  
5 jobs created.

6 11. The impact to the state of the proposed  
7 project. In measuring the economic impact the  
8 department shall award more points for projects which  
9 have greater consistency with the state strategic  
10 plan, such as the following:

11 a. A business with a greater percentage of sales  
12 out-of-state or of import substitution.

13 b. A business with a higher proportion of in-state  
14 suppliers.

15 c. A project which would provide greater  
16 diversification of the state economy.

17 d. A business with fewer in-state competitors.

18 e. A potential for future job growth.

19 f. A project which is not a retail operation.

20 12. If the business has a record of violations of  
21 the law over a period of time that tends to show a  
22 consistent pattern, the business shall be given the  
23 lowest ranking for providing assistance. The  
24 department shall make a good faith effort to compile  
25 this information.

26 13. If a business has, within three years of  
27 application for assistance, acquired or merged with an  
28 Iowa corporation or company, the business shall make a  
29 good faith effort to hire the workers of the acquired  
30 or merged company.

31 14. To be eligible for assistance a business shall  
32 provide for a preference for hiring residents of the  
33 state or the economic development area, except for  
34 out-of-state employees offered a transfer to Iowa or  
35 the economic development area.

36 15. All known required environmental permits must  
37 be granted and regulations met before moneys are  
38 released.

39 Sec. 323. NEW SECTION. 15.319 MONITORING OF JOB  
40 CREATION AND RETENTION.

41 1. The department shall develop definitions for  
42 the terms "job creation" and "job retention" to  
43 measure and identify the actual number of permanent,  
44 full-time positions which the businesses actually  
45 create or retain and which can be documented by  
46 comparison of the payroll reports during the twenty-  
47 four month period after the award.

48 2. The department shall document the actual job  
49 creation and retention effects of all businesses  
50 receiving financial assistance from the program in the

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1 context of the employer contribution and payroll  
2 reports filed by the business.  
3 3. The department shall require businesses which  
4 receive assistance from the program to submit  
5 historical copies of the employer contributions and  
6 payroll reports with the application for funds,  
7 require businesses to submit the reports after an  
8 award on a timely basis, and require businesses to  
9 estimate the expected job creation and retention  
10 effects for the twelve-month and twenty-four month  
11 periods after an award in terms of the number of  
12 employees and total wages as displayed in the payroll  
13 reports.

14 Sec. 324. NEW SECTION. 15.320 COMMUNITY ECONOMIC  
15 BETTERMENT PROGRAM ACCOUNT.

16 1. A community economic betterment program account  
17 is established within the strategic investment fund to  
18 be used by the department of economic development for  
19 the community economic betterment program. The  
20 account shall consist of all appropriations, grants,  
21 or gifts received by the department specifically for  
22 use under this part and any moneys allocated to the  
23 community economic betterment program account from the  
24 strategic investment fund.

25 2. Payments of interest or repayments of moneys  
26 awarded under the community economic betterment  
27 program shall be deposited into the strategic  
28 investment fund.

29 Sec. 325. Section 28.111, subsection 3, unnumbered  
30 paragraph 1, Code 1991, is amended to read as follows:

31 The director of the department of economic  
32 development may grant financial or technical  
33 assistance to a person eligible to receive assistance  
34 under this section, upon review and evaluation of the  
35 person's application by the agricultural products  
36 advisory council as established in section 15.203.  
37 ~~The council shall make recommendations to approve or~~  
38 ~~disapprove an application to the department.~~ The  
39 department director shall consider the recommendations  
40 council's evaluation in granting or denying  
41 assistance. The department director shall not approve  
42 an application for assistance under this section to  
43 refinance an existing loan, or to finance traditional  
44 agricultural operations. An application is eligible  
45 for consideration if the application seeks assistance  
46 for any of the following purposes:

47 Sec. 326. Section 28.112, subsection 1, Code 1991,  
48 is amended to read as follows:

49 1. ~~The department may establish~~ There is  
50 established a value-added agricultural products and

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1 processes financial assistance fund account within the  
2 strategic investment fund created in section 15.313.  
3 The fund account shall be a revolving fund composed  
4 consist of any money appropriated by the general  
5 assembly for that purpose, moneys allocated to the  
6 account from the strategic investment fund, any other  
7 moneys available to and obtained or accepted by the  
8 department from the federal government or private  
9 sources for placement in the fund, and any earned  
10 interest account. Except as otherwise provided in  
11 subsection 2, the assets of the fund account shall be  
12 used by the department only for carrying out the  
13 purposes of section 28.111.

14 Sec. 327. Section 28.112, subsection 2, Code 1991,  
15 is amended by adding the following new paragraph:

16 NEW PARAGRAPH. d. Payments of interest or  
17 repayments of moneys awarded under the value-added  
18 agricultural products and processes financial  
19 assistance program shall be deposited into the  
20 strategic investment fund.

21 Sec. 328. Section 28.120, Code 1991, is amended by  
22 adding the following new subsection:

23 NEW SUBSECTION. 8. Loan repayments made under  
24 this section and unallocated in the special account in  
25 subsection 5, shall be allocated to the revolving  
26 account of the rural community 2000 program created in  
27 section 15.287.

28 Sec. 329. Section 28.143, subsection 1, paragraph  
29 e, Code 1991, is amended to read as follows:

30 e. The superintendent of savings-and-loans credit  
31 unions.

32 Sec. 330. Section 28.144, Code 1991, is amended by  
33 striking the section and inserting in lieu thereof the  
34 following:

35 28.144 PRESIDENT OF THE CORPORATION.

36 The director of the department shall appoint the  
37 president of the corporation from the division within  
38 the department that administers business financial  
39 assistance programs. Administrative and staff support  
40 shall be furnished by the department.

41 Sec. 331. Section 28.148, Code 1991, is amended to  
42 read as follows:

43 28.148 STATE ASSISTANCE FUND.

44 There is created in the treasurer of state's office  
45 a "business development finance corporation assistance  
46 fund". The fund shall consist of all appropriations,  
47 grants, or gifts received by the treasurer  
48 specifically for assistance under this division and  
49 moneys allocated from the strategic investment fund  
50 created in section 15.313. Moneys in this fund are

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1 appropriated to the corporation for the purposes  
 2 stated in this division. Moneys allocated to this  
 3 fund for purposes of the capital access program and  
 4 repayments of moneys from the capital access program  
 5 which remain unobligated at the end of a fiscal year  
 6 may be returned to the strategic investment fund upon  
 7 approval of the board of directors of the business  
 8 development finance corporation of Iowa.

9 Sec. 332. Notwithstanding the provision in section  
 10 15.313 granting the director of the department of  
 11 economic development discretion in the allocation of  
 12 the moneys to the various accounts in the strategic  
 13 investment fund, for the fiscal year beginning July 1,  
 14 1991, a minimum of \$500,000 shall be allocated to the  
 15 targeted small business financial assistance program  
 16 account and a minimum of \$220,000 shall be allocated  
 17 to the self-employment loan program account. However,  
 18 any amounts of those two minimum allocations that have  
 19 not been committed on January 15, 1992, may be  
 20 reallocated to the other accounts in the strategic  
 21 investment fund.

22 Sec. 333. Section 15.286A, subsection 2, as  
 23 enacted by 1991 Iowa Acts, Senate File 254, section 9,  
 24 is amended to read as follows:

25 2. A city, cluster of cities, county, group of  
 26 counties, ~~unincorporated-community, group of~~  
 27 ~~unincorporated-communities,~~ council of governments, or  
 28 regional planning commission, or one of these entities  
 29 on behalf of an unincorporated community or group of  
 30 unincorporated communities, is eligible to apply for  
 31 loans or grants from this category for planning  
 32 efforts related to the community builder program.

33 Sec. 334. Sections 15.232 and 15.240, Code 1991,  
 34 are repealed.

35 DIVISION IV  
 36 JUSTICE SYSTEMS

37 Sec. 401. There is appropriated from the general  
 38 fund of the state to the department of justice for the  
 39 fiscal year beginning July 1, 1991, and ending June  
 40 30, 1992, the following amounts, or so much thereof as  
 41 is necessary, to be used for the purposes designated:

42 1. For the general office of attorney general for  
 43 salaries, support, maintenance, miscellaneous  
 44 purposes, and for not more than the following full-  
 45 time equivalent positions:

46 .....	\$	4,361,222
47 .....	FTEs	175.00

48 2. Prosecuting attorney training program for  
 49 salaries, support, maintenance, miscellaneous  
 50 purposes, and for not more than the following full-



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1 time equivalent positions:

2 .....	\$	137,545
3 .....	FTEs	4.75

4 In addition to the funds appropriated in this  
5 subsection for the fiscal year beginning July 1, 1991,  
6 and ending June 30, 1992, the attorney general shall  
7 provide up to \$41,000 in state matching funds from  
8 moneys retained by the attorney general from property  
9 forfeited pursuant to section 809.13.

10 3. In addition to the funds appropriated under  
11 subsection 1, there is appropriated from the general  
12 fund of the state to the department of justice for the  
13 fiscal year beginning July 1, 1991, and ending June  
14 30, 1992, an amount not exceeding \$95,000 to be used  
15 for the enforcement of the Iowa competition law under  
16 chapter 553. The expenditure of the funds  
17 appropriated under this subsection is contingent upon  
18 receipt by the general fund of the state of an amount  
19 at least equal to either the expenditures from damages  
20 awarded to the state or a political subdivision of the  
21 state by a civil judgment under chapter 553, if the  
22 judgment authorizes the use of the award for  
23 enforcement purposes or costs or attorneys fees  
24 awarded the state in state or federal antitrust  
25 actions.

26 4. In addition to funds appropriated under  
27 subsection 1, there is appropriated from the general  
28 fund of the state to the department of justice for the  
29 fiscal year beginning July 1, 1991, and ending June  
30 30, 1992, an amount not exceeding \$50,000 to be used  
31 for public education relating to consumer fraud and  
32 for enforcement of section 714.16, and \$25,000 for  
33 investigation, prosecution, and consumer education  
34 relating to consumer and criminal fraud against older  
35 Iowans. The expenditure of the funds appropriated  
36 under this subsection is contingent upon receipt by  
37 the general fund of the state of an amount at least  
38 equal to the expenditures from damages awarded to the  
39 state or a political subdivision of the state by a  
40 civil consumer fraud judgment, if the judgment  
41 authorizes the use of the award for public education  
42 on consumer fraud. Notwithstanding section 8.33,  
43 funds received in a previous fiscal year which have  
44 not been expended shall be credited to this fiscal  
45 year.

46 5. For the farm mediation service program:		
47 .....	\$	100,000

48 6. For the legal assistance for farmers program:		
49 .....	\$	100,000

50 7. For victim assistance grants:

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1 ..... \$ 383,650

2 As a condition, limitation, and qualification of  
3 this appropriation, \$312,675 shall be used to provide  
4 grants to care providers providing services to crime  
5 victims of domestic abuse, and \$70,975 shall be used  
6 to provide grants to care providers providing services  
7 to crime victims of rape and sexual assault.

8 8. For the GASA prosecuting attorney program:  
9 ..... \$ 103,400

10 ..... FTEs 1.00

11 9. The balance of the fund created under section  
12 321J.17 may be used to provide salary and support of  
13 not more than 6 FTE positions and to provide  
14 maintenance for the victim compensation functions of  
15 the department of justice.

16 10. The department of justice shall submit monthly  
17 financial statements to the legislative fiscal bureau  
18 and the department of management containing all  
19 appropriated accounts in the same manner as provided  
20 in the monthly financial status reports and personal  
21 services usage reports of the department of revenue  
22 and finance. The monthly financial statements shall  
23 include comparisons of the moneys and percentage spent  
24 of budgeted to actual revenues and expenditures on a  
25 cumulative basis for full-time equivalent positions  
26 and available moneys.

27 Sec. 402. There is appropriated from the general  
28 fund of the state to the office of consumer advocate  
29 of the department of justice for the fiscal year  
30 beginning July 1, 1991, and ending June 30, 1992, the  
31 following amount, or so much thereof as is necessary,  
32 to be used for the purposes designated:

33 For salaries, support, maintenance, miscellaneous  
34 purposes, and for not more than the following full-  
35 time equivalent positions:

36 ..... \$ 2,000,000

37 ..... FTEs 32.00

38 Sec. 403. There is appropriated from the general  
39 fund of the state to the board of parole for the  
40 fiscal year beginning July 1, 1991, and ending June  
41 30, 1992, the following amount, or so much thereof as  
42 is necessary, to be used for the purposes designated:

43 For salaries, support, maintenance, miscellaneous  
44 purposes, and for not more than the following full-  
45 time equivalent positions:

46 ..... \$ 770,000

47 ..... FTEs 18.00

48 As a condition, limitation, and qualification of  
49 this appropriation the board of parole shall maintain  
50 an automated docket and shall maintain the board's

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1 automated risk assessment model.

2 As a condition, limitation, and qualification of  
3 the appropriation the board of parole shall employ 2  
4 statistical research analysts to assist with the  
5 application of the risk assessment model in the parole  
6 decision-making process. The board of parole shall  
7 also require the board's administrative staff to be  
8 cross-trained to assure that each individual on that  
9 staff is familiar with all tasks performed by the  
10 staff.

11 It is the intent of the general assembly that the  
12 department of corrections and the board of parole  
13 shall review, and implement as necessary, the findings  
14 and recommendations contained in the final report  
15 prepared by the consultant and presented to the  
16 corrections system review task force which was  
17 established by 1988 Iowa Acts, chapter 1271, as they  
18 relate to the department of corrections and the board  
19 of parole. The board shall report to the justice  
20 system appropriations subcommittee during the 1992  
21 legislative session, at the request of the  
22 subcommittee, steps taken to implement any of those  
23 recommendations, or the reasons for failing to  
24 implement such recommendations.

25 Sec. 404. There is appropriated from the general  
26 fund of the state to the department of corrections for  
27 the fiscal year beginning July 1, 1991, and ending  
28 June 30, 1992, the following amounts, or so much  
29 thereof as is necessary, to be used for the purposes  
30 designated:

31 1. For the operation of adult correctional  
32 institutions, to be allocated as follows:

33 a. For the operation of the Fort Madison  
34 correctional facility, including salaries, support,  
35 maintenance, miscellaneous purposes, and for not more  
36 than the following full-time equivalent positions:

37 .....	\$ 21,432,590
38 .....	FTEs 502.50

39 b. For the operation of the Anamosa correctional  
40 facility, including salaries, support, maintenance,  
41 miscellaneous purposes, and for not more than the  
42 following full-time equivalent positions:

43 .....	\$ 15,803,729
44 .....	FTEs 356.00

45 (1) As a condition, limitation, and qualification  
46 of this appropriation, the facility shall employ a  
47 part-time chaplain of a minority race.

48 (2) Of the funds appropriated, the department's  
49 budget for Anamosa shall include funding for 2 full-  
50 time substance abuse counselors for the Luster Heights

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1 facility, for the purpose of certification of a  
2 substance abuse program at that facility.

3 c. For the operation of the Oakdale correctional  
4 facility, including salaries, support, maintenance,  
5 miscellaneous purposes, and for not more than the  
6 following full-time equivalent positions:

7 ..... \$ 13,737,933  
8 ..... FTEs 307.53

9 d. For the operation of the Newton correctional  
10 facility, including salaries, support, maintenance,  
11 miscellaneous purposes, and for not more than the  
12 following full-time equivalent positions:

13 ..... \$ 4,149,032  
14 ..... FTEs 91.72

15 e. For the operation of the Mt. Pleasant  
16 correctional facility, including salaries, support,  
17 maintenance, miscellaneous purposes, and for not more  
18 than the following full-time equivalent positions:

19 ..... \$ 11,369,469  
20 ..... FTEs 267.15

21 As a condition, limitation, and qualification of  
22 this appropriation, the facility shall employ a full-  
23 time chaplain to provide religious counseling at the  
24 Oakdale and Mt. Pleasant correctional facilities.

25 f. For the operation of the Rockwell City  
26 correctional facility, including salaries, support,  
27 maintenance, miscellaneous purposes, and for not more  
28 than the following full-time equivalent positions:

29 ..... \$ 3,988,999  
30 ..... FTEs 82.89

31 g. For the operation of the Clarinda correctional  
32 facility, including salaries, support, maintenance,  
33 miscellaneous purposes, and for not more than the  
34 following full-time equivalent positions:

35 ..... \$ 5,318,793  
36 ..... FTEs 137.20

37 As a condition, limitation, and qualification of  
38 this appropriation, the facility shall employ 6  
39 additional counselors to expand "The Other Way"  
40 substance abuse treatment program. The facility may  
41 provide up to \$205,250 as a state match requirement to  
42 receive federal substance abuse treatment grants.

43 h. For the operation of the Mitchellville  
44 correctional facility, including salaries, support,  
45 maintenance, miscellaneous purposes, and for not more  
46 than the following full-time equivalent positions:

47 ..... \$ 4,760,300  
48 ..... FTEs 112.14

49 2. The department of corrections shall provide a  
50 report to the co-chairpersons and ranking members of

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1 the justice system appropriations subcommittee and the  
 2 legislative fiscal bureau on or before January 15,  
 3 1992, outlining the implementation of the centralized  
 4 education program for the correctional system. The  
 5 report shall include a listing of the educational  
 6 institutions that are involved, the amount of any  
 7 federal funds received for use with these programs,  
 8 and any other pertinent information.

9 3. If the inmate tort claim fund for inmate claims  
 10 of less than \$50 is exhausted during the fiscal year,  
 11 sufficient funds shall be transferred from the  
 12 institutional budgets to pay approved tort claims for  
 13 the balance of the fiscal year. The warden or  
 14 superintendent of each institution or correctional  
 15 facility shall designate an employee to receive,  
 16 investigate, and recommend whether to pay any properly  
 17 filed inmate tort claim for less than the above  
 18 amount. The designee's recommendation shall be  
 19 approved or denied by the warden or superintendent and  
 20 forwarded to the department of corrections for final  
 21 approval and payment. The amounts appropriated to  
 22 this fund pursuant to 1987 Iowa Acts, chapter 234,  
 23 section 304, subsection 2, are not subject to  
 24 reversion under section 8.33.

25 Tort claims denied at the institution shall be  
 26 forwarded to the state appeal board for their  
 27 consideration as if originally filed with that body.  
 28 This procedure shall be used in lieu of chapter 25A  
 29 for inmate tort claims of less than \$50.

30 Sec. 405. There is appropriated from the general  
 31 fund of the state to the department of corrections for  
 32 the fiscal year beginning July 1, 1991, and ending  
 33 June 30, 1992, the following amounts, or so much  
 34 thereof as is necessary, to be used for the purposes  
 35 designated:

36 1. For general administration, including salaries,  
 37 support, maintenance, miscellaneous purposes, and for  
 38 not more than the following full-time equivalent  
 39 positions:

40 .....	\$	2,141,828
41 .....	FTEs	43.52

42 As a condition, limitation, and qualification of  
 43 this appropriation the department shall employ an  
 44 education director and clerk to administer a  
 45 centralized education program for the correctional  
 46 system.

47 The department shall monitor the use of the  
 48 classification model by the judicial district  
 49 departments of correctional services and has the  
 50 authority to override a district department's decision

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1 regarding classification of community-based clients.  
2 The department shall notify a district department of  
3 the reasons for the override.

4 2. For reimbursement of counties for temporary  
5 confinement of work release and parole violators, as  
6 provided in sections 246.908, 901.7, and 906.17 and  
7 for offenders confined pursuant to section 246.513:  
8 ..... \$ 250,000

9 3. For federal prison reimbursement and  
10 miscellaneous contracts:  
11 ..... \$ 360,000

12 The department of corrections shall use funds  
13 appropriated by this subsection to continue to  
14 contract for the service of a Muslim imam.

15 4. For salaries, support, maintenance,  
16 miscellaneous purposes, and for not more than the  
17 following full-time equivalent positions at the  
18 correctional training center at Mt. Pleasant:  
19 ..... \$ 375,000  
20 ..... FTEs 8.22

21 5. For annual payment relating to the financial  
22 arrangement for the construction of expansion in  
23 prison capacity as provided in 1989 Iowa Acts, chapter  
24 316, section 7, subsection 6:  
25 ..... \$ 625,860

26 6. For annual payment relating to the financial  
27 arrangement for the construction of expansion in  
28 prison capacity as provided in 1990 Iowa Acts, chapter  
29 1257, section 24:  
30 ..... \$ 3,143,250

31 Sec. 406.

32 1. There is appropriated from the general fund of  
33 the state to the department of corrections for the  
34 fiscal year beginning July 1, 1991, and ending June  
35 30, 1992, the following amounts, or so much thereof as  
36 is necessary, to be allocated as follows:

37 a. For the first judicial district department of  
38 correctional services, the following amount, or so  
39 much thereof as is necessary:  
40 ..... \$ 5,678,418

41 The district department shall continue the  
42 intensive supervision program established within the  
43 district in 1988 Iowa Acts, chapter 1271, section 6,  
44 subsection 1, paragraph "a", and the sex offender  
45 treatment program established within the district in  
46 1989 Iowa Acts, chapter 316, section 8, subsection 1,  
47 paragraph "a".

48 The district department, in cooperation with the  
49 chief judge of the judicial district, shall continue  
50 the implementation of a plan to divert low-risk

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1 offenders to the least restrictive sanction available.

2 b. For the second judicial district department of  
3 correctional services, the following amount, or so  
4 much thereof as is necessary:

5 ..... \$ 4,154,570

6 The district department shall continue the sex  
7 offender treatment program established within the  
8 district in 1988 Iowa Acts, chapter 1271, section 6,  
9 subsection 1, paragraph "b".

10 The district department, in cooperation with the  
11 chief judge of the judicial district, shall continue  
12 the implementation of a plan to divert low-risk  
13 offenders to the least restrictive sanction available.

14 c. For the third judicial district department of  
15 correctional services, the following amount, or so  
16 much thereof as is necessary:

17 ..... \$ 2,609,784

18 The district department shall continue the sex  
19 offender treatment program established within the  
20 district in 1988 Iowa Acts, chapter 1271, section 6,  
21 subsection 1, paragraph "c", and the intensive  
22 supervision program established within the district in  
23 1990 Iowa Acts, chapter 1268, section 6, subsection 3,  
24 paragraph "d".

25 The district department, in cooperation with the  
26 chief judge of the judicial district, shall continue  
27 the implementation of a plan to divert low-risk  
28 offenders to the least restrictive sanction available.

29 d. For the fourth judicial district department of  
30 correctional services, the following amount, or so  
31 much thereof as is necessary:

32 ..... \$ 1,996,809

33 The district department shall continue the sex  
34 offender treatment program established within the  
35 district in 1988 Iowa Acts, chapter 1271, section 6,  
36 subsection 1, paragraph "d".

37 The district department, in cooperation with the  
38 chief judge of the judicial district, shall continue  
39 the implementation of a plan to divert low-risk  
40 offenders to the least restrictive sanction available.

41 e. For the fifth judicial district department of  
42 correctional services, the following amount, or so  
43 much thereof as is necessary:

44 ..... \$ 7,288,870

45 The district department shall continue the  
46 intensive supervision program established within the  
47 district in 1988 Iowa Acts, chapter 1271, section 6,  
48 subsection 1, paragraph "e", and shall continue to  
49 provide for the rental of electronic monitoring  
50 equipment.

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1 The district department, in cooperation with the  
2 chief judge of the judicial district, shall continue  
3 the implementation of a plan to divert low-risk  
4 offenders to the least restrictive sanction available.

5 f. For the sixth judicial district department of  
6 correctional services, the following amount, or so  
7 much thereof as is necessary:

8 ..... \$ 5,697,838

9 The district department shall continue the  
10 intensive supervision program established within the  
11 district in 1988 Iowa Acts, chapter 1271, section 6,  
12 subsection 1, paragraph "f", and the sex offender  
13 treatment program established within the district in  
14 1989 Iowa Acts, chapter 316, section 8, subsection 1,  
15 paragraph "f".

16 The district department, in cooperation with the  
17 chief judge of the judicial district, shall continue  
18 the implementation of a plan to divert low-risk  
19 offenders to the least restrictive sanction available.

20 g. For the seventh judicial district department of  
21 correctional services, the following amount, or so  
22 much thereof as is necessary:

23 ..... \$ 3,899,438

24 The district department shall continue the  
25 intensive supervision program established within the  
26 district in 1988 Iowa Acts, chapter 1271, section 6,  
27 subsection 1, paragraph "g", and shall continue the  
28 sex offender treatment program established within the  
29 district in 1989 Iowa Acts, chapter 316, section 8,  
30 subsection 1, paragraph "g".

31 The district department shall continue the job  
32 development program established within the district in  
33 1990 Iowa Acts, chapter 1268, section 6, subsection 7,  
34 paragraph "e".

35 The district department, in cooperation with the  
36 chief judge of the judicial district, shall continue  
37 the implementation of a plan to divert low-risk  
38 offenders to the least restrictive sanction available.

39 h. For the eighth judicial district department of  
40 correctional services, the following amount, or so  
41 much thereof as is necessary:

42 ..... \$ 3,252,985

43 The district department shall continue the  
44 intensive supervision program established within the  
45 district in 1988 Iowa Acts, chapter 1271, section 6,  
46 subsection 1, paragraph "h", and shall continue the  
47 sex offender treatment program established within the  
48 district in 1989 Iowa Acts, chapter 316, section 8,  
49 subsection 1, paragraph "h".

50 The district department, in cooperation with the



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1 chief judge of the judicial district, shall continue  
2 the implementation of a plan to divert low-risk  
3 offenders to the least restrictive sanction available.

4 i. For the department of corrections for the  
5 assistance and support of each judicial district  
6 department of correctional services, the following  
7 amount, or so much thereof as is necessary:

8 ..... \$ 91,057

9 2. The department of corrections shall continue  
10 the OWI facilities established in 1986 Iowa Acts,  
11 chapter 1246, section 402, in compliance with the  
12 conditions specified in that section.

13 3. The department of corrections shall continue to  
14 contract with a judicial district department of  
15 correctional services to provide for the rental of  
16 electronic monitoring equipment which shall be  
17 available statewide.

18 4. Each judicial district department of  
19 correctional services and the department of  
20 corrections shall continue the treatment alternatives  
21 to street crime programs established in 1989 Iowa  
22 Acts, chapter 225, section 9.

23 5. The first, sixth, and eighth judicial district  
24 departments of correctional services and the  
25 department of corrections shall continue the job  
26 training and development grant programs established in  
27 1989 Iowa Acts, chapter 316, section 7, subsection 2.

28 6. The department of corrections shall not make an  
29 intradepartmental transfer of moneys appropriated to  
30 the department, unless notice of the intradepartmental  
31 transfer is given prior to its effective date to the  
32 legislative fiscal bureau. The notice shall include  
33 information on the department's rationale for making  
34 the transfer and details concerning the work load and  
35 performance measures upon which the transfers are  
36 based.

37 7. The governor's alliance on substance abuse  
38 shall consider federal grants made to the department  
39 of corrections for the benefit of each of the eight  
40 judicial district departments of correctional services  
41 as local government grants, as defined pursuant to  
42 federal regulations.

43 Sec. 407. There is appropriated from the general  
44 fund of the state to the judicial department for the  
45 fiscal year beginning July 1, 1991, and ending June  
46 30, 1992, the following amounts, or so much thereof as  
47 is necessary, to be used for the purposes designated:

48 1. For salaries of supreme court justices,  
49 appellate court judges, district court judges,  
50 district associate judges, judicial magistrates and

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1 staff, state court administrator, clerk of the supreme  
 2 court, district court administrators, clerks of the  
 3 district court, juvenile court officers, board of law  
 4 examiners and board of examiners of shorthand  
 5 reporters and judicial qualifications commission,  
 6 receipt and disbursement of child support payments,  
 7 and maintenance, equipment, and miscellaneous  
 8 purposes:

9 ..... \$ 69,000,000

10 As a condition, limitation, and qualification of  
 11 this appropriation, the department shall reimburse the  
 12 auditor of state for expenses incurred in completing  
 13 audits of the offices of the clerks of the district  
 14 court during the fiscal year beginning July 1, 1991.

15 Notwithstanding section 602.5205, the judicial  
 16 department may provide for the expenses of the judges  
 17 of the court of appeals located outside the seat of  
 18 government.

19 As a condition, limitation, and qualification of  
 20 this appropriation, the judicial department, except  
 21 for purposes of internal processing, shall use the  
 22 current state budget system, the state payroll system,  
 23 and the Iowa finance and accounting system in  
 24 administration of programs and payments for services,  
 25 and shall not duplicate the state payroll, accounting,  
 26 and budgeting systems.

27 The judicial department shall submit monthly  
 28 financial statements to the legislative fiscal bureau  
 29 and the department of management containing all  
 30 appropriated accounts in the same manner as provided  
 31 in the monthly financial status reports and personal  
 32 services usage reports of the department of revenue  
 33 and finance. The monthly financial statements shall  
 34 include a comparison of the dollars and percentage  
 35 spent of budgeted versus actual revenues and  
 36 expenditures on a cumulative basis for full-time  
 37 equivalent positions and dollars.

38 Of the funds appropriated under this subsection,  
 39 not more than \$1,800,000 may be transferred into the  
 40 revolving fund established pursuant to section  
 41 602.1302, subsection 3, to be used for the payment of  
 42 jury and witness fees and mileage.

43 2. For the juvenile victim restitution program:

44 ..... \$ 100,000

45 Sec. 408. There is appropriated from the general  
 46 fund of the state to the judicial department for the  
 47 fiscal year beginning July 1, 1991, and ending June  
 48 30, 1992, the following amount, or so much thereof as  
 49 is necessary, to be used for the purpose designated:

50 For the Iowa court information system:

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1 ..... \$ 875,000

2 1. As a condition, limitation, and qualification  
3 of this appropriation, the judicial department, except  
4 for purposes of internal processing, shall use the  
5 current state budget system, the state payroll system,  
6 and the Iowa finance and accounting system in  
7 administration of programs and payments for services,  
8 and shall not duplicate the state payroll, accounting,  
9 and budgeting systems.

10 2. The judicial department shall not change the  
11 appropriations from the amounts appropriated under  
12 this section, unless notice of the revisions is given  
13 prior to their effective date to the legislative  
14 fiscal bureau. The notice shall include information  
15 on the department's rationale for making the changes  
16 and details concerning the work load and performance  
17 measures upon which the changes are based.

18 3. The judicial department shall conduct a  
19 comparable worth study concerning juvenile court  
20 officers. As used in this paragraph, "comparable  
21 worth" means comparable worth as defined in section  
22 602.1204. The judicial department shall report its  
23 findings and recommendations to the joint justice  
24 system appropriations subcommittee by January 1, 1992.  
25 No pay grade changes resulting from the study shall be  
26 implemented prior to July 1, 1992, subject to  
27 sufficient salary adjustment funds being appropriated  
28 specifically for that purpose.

29 Sec. 409. The department of corrections, judicial  
30 district departments of correctional services, board  
31 of parole, and the judicial department shall continue  
32 to develop an automated data system for use in the  
33 sharing of information between the department of  
34 corrections, judicial district departments of  
35 correctional services, board of parole, and the  
36 judicial department. The information to be shared  
37 shall concern any individual who may, as the result of  
38 an arrest or infraction of any law, be subject to the  
39 jurisdiction of the department of corrections,  
40 judicial district departments of correctional  
41 services, or board of parole.

42 Sec. 410. Section 13.15, unnumbered paragraph 2,  
43 Code 1991, is amended to read as follows:

44 The rules shall provide for an hourly mediation fee  
45 not to exceed ~~twenty-five-dollars-per-hour-per-party~~  
46 fifty dollars for the borrower and one hundred dollars  
47 for the creditor. The hourly mediation fee may be  
48 waived for any party demonstrating financial hardship  
49 upon application to the farm mediation service.

50 Sec. 411. Section 312.2, subsection 13, Code 1991,

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1 as amended by 1991 Iowa Acts, House File 173, section  
2 1223, is amended to read as follows:

3 13. The treasurer of state, before making the  
4 allotments provided for in this section, shall credit  
5 annually to the department of justice from the road  
6 use tax fund an amount equal to twenty-five cents on  
7 each title issuance for motor vehicle fraud law  
8 enforcement and prosecution purposes including, ~~but~~  
9 ~~not limited to,~~ the enforcement of state and federal  
10 odometer laws, the prosecution of highway-related  
11 criminal matters, and the training of county attorney  
12 and attorney general staff in the prosecution of  
13 violations of chapters 321, 321A, and 321J, and  
14 related offenses.

15 ~~Notwithstanding the provisions of this subsection~~  
16 ~~directing that twenty-five cents on each title~~  
17 ~~issuance be annually credited to the department of~~  
18 ~~justice for deposit into the motor vehicle fraud~~  
19 ~~account, for the fiscal period beginning on July 17~~  
20 ~~1991, and ending June 30, 1993, the twenty-five cents~~  
21 ~~on each title issuance shall be deposited into the~~  
22 ~~general fund of the state.~~

23 Sec. 412. Section 356.26, unnumbered paragraph 3,  
24 Code 1991, is amended to read as follows:

25 The district court may also grant by order to any  
26 person sentenced to a county jail the privilege of a  
27 sentence of in-home detention where the county sheriff  
28 has certified to the court that the jail has an in-  
29 home detention program. ~~The department of corrections~~  
30 ~~shall report to the legislative fiscal bureau on a~~  
31 ~~semiannual basis concerning utilization of in-home~~  
32 ~~detention, including the counties which have~~  
33 ~~established such programs and the number of prisoners~~  
34 ~~allowed in-home detention privileges.~~

35 Sec. 413. Section 602.1301, subsection 2,  
36 paragraph a, subparagraph (1), Code 1991, is amended  
37 by striking the subparagraph, and inserting in lieu  
38 thereof, the following:

39 (1) Iowa court information system.

40 Sec. 414. Section 602.9204, Code 1991, is amended  
41 to read as follows:

42 602.9204 ANNUITY OF SENIOR JUDGE AND RETIRED  
43 SENIOR JUDGE.

44 A senior judge or a retired senior judge shall not  
45 be paid a salary. A senior judge or retired senior  
46 judge shall be paid an annuity under the judicial  
47 retirement system in the manner provided in section  
48 602.9109, but computed under this section in lieu of  
49 section 602.9107, as follows: The annuity paid to a  
50 senior judge or retired senior judge shall be an

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1 amount equal to three percent of the current basic  
2 salary, as of the time each payment is made, of the  
3 office in which the senior judge last served as a  
4 judge before retirement as a judge or senior judge,  
5 multiplied by the judge's years of service prior to  
6 retirement as a judge of one or more of the courts  
7 included under this article, for which contributions  
8 were made to the system, except the annual annuity of  
9 the senior judge or retired senior judge shall not  
10 exceed fifty-percent an amount equal to the maximum  
11 percentage established in section 602.9107 of the  
12 current basic annual salary. In addition, if a senior  
13 judge is under sixty-five years of age at the time the  
14 judge becomes a senior judge, the state shall pay the  
15 state's share of the senior judge's medical insurance  
16 premium until the judge attains age sixty-five.

17 Sec. 415. Section 905.1, subsection 1, Code 1991,  
18 is amended by striking the subsection.

19 Sec. 416. Section 905.4, subsection 3, Code 1991,  
20 is amended by striking the subsection.

21 Sec. 417. Section 905.4, subsection 5, Code 1991,  
22 is amended to read as follows:

23 5. Arrange for, by contract or on such alternative  
24 basis as may be mutually acceptable, and equip  
25 suitable quarters at one or more sites in the district  
26 as may be necessary for the district department's  
27 community-based correctional program, provided that  
28 the board shall to the greatest extent feasible  
29 utilize existing facilities and shall keep capital  
30 expenditures for acquisition, renovation and repair of  
31 facilities to a minimum. The district board shall not  
32 enter into lease-purchase agreements for the purposes  
33 of constructing, renovating, expanding, or otherwise  
34 improving a community-based correctional facility or  
35 office unless express authorization has been granted  
36 by the legislative council, and sufficient funds are  
37 available to the district department to make rental  
38 payments owing under these lease-purchase agreements  
39 in the current fiscal year.

40 Sec. 418. Section 905.5, Code 1991, is amended to  
41 read as follows:

42 905.5 FUNCTIONS-OF-ADMINISTRATIVE-AGENTS BUDGETS  
43 AND PERSONNEL.

44 1. ~~The county-designated-under-section-905.4,~~  
45 ~~subsection-3, as administrative agent for each~~  
46 ~~district department, or the district department~~  
47 ~~itself, if designated as administrative agent by the~~  
48 ~~district board, district department shall submit that~~  
49 ~~district department's its~~ budget and supporting  
50 information to the Iowa department of corrections in

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1 accordance with the provisions of chapter 8. The  
2 state department shall incorporate the budgets of each  
3 of the district departments into its own budget  
4 request, to be processed as prescribed by the uniform  
5 budget, accounting, and administrative procedures  
6 established by the department of management. Funds  
7 ~~appropriated-pursuant-to-the-budget-requests-of-the~~  
8 ~~respective-district-departments-shall-be-allocated-on~~  
9 ~~a-quarterly-basis, and-the-department-of-management~~  
10 ~~shall-authorize-advancement-of-the-funds-so-allocated~~  
11 ~~to-each-district-department's-administrative-agent, or~~  
12 ~~to-the-district-department-itself-if-the-district~~  
13 ~~department-acts-as-administrative-agent, at-the~~  
14 ~~beginning-of-each-fiscal-quarter.~~

15 2. For all administrative purposes, all employees  
16 of each district department shall be considered  
17 employees of the district department. However, the  
18 district departments shall follow the rules of  
19 procedure in the administration of salaries and  
20 benefits for employees adopted by the department of  
21 personnel. The district boards shall maintain hiring  
22 and termination authority.

23 3.--~~A-county-designated-as-the-administrative-agent~~  
24 ~~shall-perform-only-those-administrative-functions~~  
25 ~~assigned-to-it-by-the-district-board-and-shall-not~~  
26 ~~perform-any-activity-unless-directed-to-do-so-by-the~~  
27 ~~district-board.~~

28 Sec. 419. Section 905.6, subsection 5, Code 1991,  
29 is amended to read as follows:

30 5. Act as secretary to the district board, prepare  
31 its agenda and record its proceedings. The director  
32 shall provide a copy of minutes from each meeting of  
33 the district board to the legislative fiscal bureau.

34 Sec. 420. Section 905.8, unnumbered paragraph 5,  
35 Code 1991, is amended to read as follows:

36 The department of corrections shall report to the  
37 legislative fiscal bureau on a quarterly monthly basis  
38 the current expenditures of the department's various  
39 allocations to the district departments of  
40 correctional services with a comparison of actual to  
41 budgeted expenditures. The district departments shall  
42 use the Iowa finance and accounting system, the state  
43 payroll system, and department of revenue and  
44 finance's preaudit and postaudit system in the  
45 administration of programs and payment for services.  
46 The district departments shall follow the rules of the  
47 department of revenue and finance in utilizing these  
48 state systems. Each director of a district department  
49 shall maintain a permanent operating fund for the  
50 district department's local receipts. Local receipts

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1 shall be budgeted as separate organization codes  
 2 within the Iowa finance and accounting system. The  
 3 director of the district department shall budget each  
 4 local receipt with the accompanying expenditures and  
 5 full-time equivalent positions within the permanent  
 6 operating fund. The fund shall consist of the  
 7 receipts from work release client fees, the operating  
 8 while intoxicated program, residential services,  
 9 federal reimbursements, grants, county agreements,  
 10 interest earned on the fund, and miscellaneous items.  
 11 Any unspent balance in the operating fund shall carry  
 12 forward to the next fiscal year.

13 Sec. 421. 1990 Iowa Acts, chapter 1224, section 1,  
 14 unnumbered paragraph 1, is amended to read as follows:

15 In order to implement this Act, the department of  
 16 human services and the judicial department shall  
 17 mutually agree on a schedule to complete the transfer  
 18 of support payment collection and disbursement  
 19 responsibilities from the collection services center  
 20 to the clerks of the district court. The schedule  
 21 shall provide for the completion of the transfer of  
 22 the responsibilities for all affected orders by June  
 23 30, ~~1991~~ 1993. The following procedure shall be used  
 24 for any order affected by the initial transfer of  
 25 responsibilities:

26 Sec. 422. 1990 Iowa Acts, chapter 1257, section  
 27 24, subsection 4, unnumbered paragraph 2, is amended  
 28 to read as follows:

29 As a condition, limitation, and qualification of  
 30 this appropriation, the beds shall be used for a 30-  
 31 to-60-day shock revocation program for parole and  
 32 probation violators who are male offenders. The beds  
 33 shall be administered by the state department of  
 34 corrections.

35 Sec. 423. 1990 Iowa Acts, chapter 1268, section 5,  
 36 subsection 2, is amended to read as follows:

37 2. For reimbursement of counties for temporary  
 38 confinement of work release and parole violators, as  
 39 provided in sections 246.908, 901.7, and 906.17 and  
 40 for offenders confined pursuant to section 246.513:

41 ..... \$ 215,000

42 Sec. 424. EFFECTIVE DATE AND RETROACTIVE  
 43 APPLICABILITY PROVISIONS. Sections 421 and 423 of  
 44 this Act, being deemed of immediate importance, take  
 45 effect upon enactment. Section 423 of the Act applies  
 46 retroactively to July 1, 1990.

47 DIVISION V  
 48 RELATING TO STANDING APPROPRIATIONS AND TAXES

49 Sec. 501. Notwithstanding the standing  
 50 appropriation in sections 425A.1 to the family farm

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1 tax credit fund and 426.1 to the agricultural land tax  
2 credit fund, there is appropriated from the general  
3 fund of the state to the agricultural land tax credit  
4 fund for the fiscal year beginning July 1, 1991, the  
5 sum of \$43,065,000 of which the first \$10,000,000  
6 shall be deposited into the family farm tax credit  
7 fund in lieu of the standing appropriation made in  
8 section 425A.1.

9 Sec. 502.

10 1. Notwithstanding the standing appropriation in  
11 section 405A.8 to the department of revenue and  
12 finance for personal property tax replacement under  
13 chapter 405A, there is appropriated from the general  
14 fund of the state under section 405A.8 for the fiscal  
15 year beginning July 1, 1991, the sum of \$67,059,630 of  
16 which \$10,000,000 shall be deposited into the family  
17 farm tax credit fund and \$12,000,000 shall be  
18 deposited into the extraordinary property tax credit  
19 and reimbursement fund created in section 425.39 for  
20 the purpose of claims for reimbursement of rent  
21 constituting property taxes paid.

22 2. Notwithstanding the standing appropriation in  
23 section 425.39, the amount appropriated from the  
24 general fund of the state under section 425.39, which  
25 is in addition to the amount deposited under  
26 subsection 1, for the fiscal year beginning July 1,  
27 1991, for purposes of implementing the extraordinary  
28 property tax and reimbursement division of chapter  
29 425, shall not exceed \$14,850,000. The director shall  
30 pay, in full, all claims to be paid during the fiscal  
31 year beginning July 1, 1991, for reimbursement of rent  
32 constituting property taxes paid. If the amount of  
33 claims for credit for property taxes due to be paid  
34 during the fiscal year beginning July 1, 1991, exceed  
35 the amount remaining after payment to renters the  
36 director of revenue and finance shall prorate the  
37 payments to the counties for the property tax credit.  
38 In order for the director to carry out the  
39 requirements of this subsection, notwithstanding any  
40 provision to the contrary in sections 425.16 through  
41 425.39, claims for reimbursement for rent constituting  
42 property taxes paid filed before May 1, 1992, shall be  
43 eligible to be paid in full during the fiscal year  
44 ending June 30, 1992, and those claims filed on or  
45 after May 1, 1992, shall be eligible to be paid during  
46 the fiscal year beginning July 1, 1992, and the  
47 director is not required to make payments to counties  
48 for the property tax credit before June 15, 1992.

49 Sec. 503. Notwithstanding the standing  
50 appropriation from the CLEAN fund under section



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1 99E.34, subsection 1, paragraph "a" and the standing  
 2 appropriation from the general fund of the state under  
 3 section 455A.18, there is appropriated from the  
 4 general fund of the state, in lieu of the  
 5 appropriations made in sections 99E.34 and 455A.18,  
 6 for the fiscal year beginning July 1, 1991, to the  
 7 Iowa resources enhancement and protection fund the sum  
 8 of \$7,524,000.

9 Sec. 504. 1990 Iowa Acts, chapter 1250, section  
 10 18, unnumbered paragraph 2, is amended to read as  
 11 follows:

12 For the special mental health services fund:

13 ..... \$ ~~10,500,000~~  
 14 10,395,000

15 Sec. 505. DEPARTMENT OF HUMAN SERVICES. There is  
 16 appropriated from the general fund of the state to the  
 17 department of human services for the fiscal year  
 18 beginning July 1, 1991, and ending June 30, 1992, the  
 19 following amounts, or so much thereof as is necessary,  
 20 to be used for the purposes designated:

21 1. For payment of expenses and compensation of  
 22 commission of inquiry commissioners pursuant to  
 23 section 229.35:

24 ..... \$ 1,000

25 2. For payment of transfer expenses of mentally  
 26 ill persons with no county of legal settlement  
 27 pursuant to section 230.8 and recovery of such  
 28 persons' commitment costs pursuant to section 230.11:

29 ..... \$ 107,000

30 Sec. 506. STATE BOARD OF REGENTS. There is  
 31 appropriated from the general fund of the state to the  
 32 state board of regents for the fiscal year beginning  
 33 July 1, 1991, and ending June 30, 1992, the following  
 34 amount, or so much thereof as is necessary, to be used  
 35 for the purpose designated:

36 For payment of local school boards for the tuition  
 37 and transportation costs of students residing in the  
 38 Iowa braille and sight saving school and the state  
 39 school for the deaf pursuant to section 262.43 and for  
 40 payment of certain clothing and transportation costs  
 41 for students at these schools pursuant to section  
 42 270.5:

43 ..... \$ 7,500

44 Sec. 507. DEPARTMENT OF REVENUE AND FINANCE.  
 45 There is appropriated from the general fund of the  
 46 state to the department of revenue and finance for the  
 47 fiscal year beginning July 1, 1991, and ending June  
 48 30, 1992, the following amount, or so much thereof as  
 49 is necessary, to be used for the purpose designated:

50 For payment of recording fees pursuant to section

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1 422.26:  
2 ..... \$ 50,000  
3 Sec. 508. Notwithstanding the standing  
4 appropriations in the following designated sections  
5 for the fiscal year beginning July 1, 1991, the amount  
6 appropriated from the general fund of the state  
7 pursuant to those sections for the following  
8 designated purposes shall not exceed the following  
9 amounts:  
10 1. For administering absentee ballots of state  
11 residents serving in the armed forces under section  
12 53.50:  
13 ..... \$ 2,574  
14 2. For the reimbursement of fees and charges  
15 presented to but not owed the state under section  
16 12.13:  
17 ..... \$ 0  
18 3. For the cost of printing or manufacturing of  
19 cigarette and little cigar tax stamps under section  
20 98.7:  
21 ..... \$ 126,126  
22 4. For deposit in and the use of the livestock  
23 disease fund under section 267.8:  
24 ..... \$ 291,060  
25 5. To pay the state's portion of the cost of  
26 benefits calculated in section 411.20, subsections 2  
27 and 3, under section 411.20, subsection 1:  
28 ..... \$ 3,201,660  
29 6. To reimburse counties for the loss of property  
30 tax revenues as follows:  
31 a. Homestead tax credit under section 425.1:  
32 ..... \$102,960,000  
33 b. Military service tax credit under section  
34 426A.1:  
35 ..... \$ 3,069,000  
36 c. Machinery and computer equipment tax  
37 replacement under section 427B.13:  
38 ..... \$ 5,940,000  
39 If the amounts of calculated county reimbursement  
40 exceed any of the amounts specified in this subsection  
41 the director of revenue and finance shall prorate the  
42 amount available.  
43 7. For costs of postconviction relief proceedings  
44 pursuant to section 663A.5 and costs and fees of  
45 parole revocation proceedings and criminal cases  
46 brought against an inmate under section 815.1:  
47 ..... \$ 70,000  
48 8. For state employees salary book printing under  
49 section 18.75, subsection 8:  
50 ..... \$ 4,950

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1 9. To the expenses incurred or costs taxed to the  
2 state in a proceeding brought by or against a state  
3 department or agency under section 19.10:  
4 ..... \$ 81,180  
5 10. To pay necessary expenses incurred to perform  
6 or cause to be performed any legal duty imposed on the  
7 executive council under section 19.29:  
8 ..... \$ 1,881,000  
9 11. To pay the cost of public improvement  
10 assessments against state-owned land under section  
11 307.45:  
12 ..... \$ 0  
13 12. For payment of costs of habeas corpus  
14 proceedings where plaintiff is confined in a state  
15 institution under section 663.44:  
16 ..... \$ 0  
17 13. To pay claims and awards against the state  
18 under sections 25.2 and 25A.11:  
19 ..... \$ 2,970,000  
20 14. For the payment of salary and expenses of a  
21 deputy sheriff responsible for law enforcement on the  
22 Indian settlement under section 331.660:  
23 ..... \$ 24,255  
24 15. For compensation of officers and enlisted men  
25 in and the expenses of the national guard under  
26 section 29A.29:  
27 ..... \$ 38,808  
28 16. For payment of workers' compensation claims  
29 due employees of the state under section 85.57:  
30 ..... \$ 3,880,800  
31 17. For deposit into the state communications  
32 network fund under section 18.137:  
33 ..... \$ 0  
34 18. For payment of state school foundation aid,  
35 including state aid for increasing enrollment in  
36 section 257.13, under section 257.16:  
37 ..... \$ 1,137,510,000  
38 Notwithstanding chapter 257, if the portion of the  
39 budget of a school district or area education agency  
40 for special education support services to be funded by  
41 state aid appropriated under section 257.16 exceeds  
42 the amount appropriated under this subsection, the  
43 director of the department of management shall  
44 allocate state aid payments in the manner provided in  
45 this subsection:  
46 a. In order to allocate the reduction in the state  
47 aid to be paid to area education agencies for special  
48 education support services, the director of the  
49 department of management shall reduce the state aid  
50 paid to each area education agency by one percent of

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1 the special education support services foundation base  
2 multiplied by the weighted enrollment in the area  
3 education agency.

4 b. The director of the department of management  
5 shall determine the amounts to be paid to school  
6 districts as an advance for increasing enrollment  
7 under section 257.13 and shall reduce those amounts by  
8 one percent.

9 c. The director of the department of management  
10 shall allocate the difference between the money  
11 appropriated by this subsection and the total of the  
12 state aid payments made to area education agencies for  
13 special education support services and the amount paid  
14 to school districts as an advance for increasing  
15 enrollment. The difference shall be paid to school  
16 districts as state school foundation aid. The  
17 director of the department of management shall divide  
18 the amount to be paid to school districts by the  
19 weighted enrollment in the state to determine a per  
20 pupil amount of state aid and shall multiply that per  
21 pupil amount of state aid by one percent for the state  
22 aid reduction per pupil. The state aid paid to each  
23 school district under section 257.16 shall be reduced  
24 by an amount equal to the state aid reduction per  
25 pupil multiplied by the weighted enrollment of the  
26 district. School districts not receiving the entire  
27 amount of state school foundation aid under chapter  
28 257 for the budget year beginning July 1, 1991, shall  
29 not raise the lost state aid by a property tax levy or  
30 a cash reserve levy under section 298.4 to replace the  
31 state school foundation aid reduction.

32 Notwithstanding section 257.7, for the budget year  
33 beginning July 1, 1992, the actual unspent balance of  
34 a school district shall be reduced by the difference  
35 between the amount of state school foundation aid  
36 generated under chapter 257 and the amount of state  
37 school foundation aid received under this subsection.

38 19. For the payment of claims of public school  
39 districts for transportation services to nonpublic  
40 school pupils under section 285.2:

41 ..... \$ 6,156,729

42 If the claims exceed the amount available under  
43 this subsection, the director of the department of  
44 education shall prorate the claims of the school  
45 districts.

46 20. For programs for at-risk children under  
47 section 279.51, subsection 1:

48 ..... \$ 8,613,000

49 21. To pay instructional support state aid under  
50 section 257.20:

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1 ..... \$ 11,880,000  
 2 If the portion of the budget to be funded by  
 3 instructional support state aid computed under section  
 4 257.20 exceeds the amount available under this  
 5 subsection, the director of the department of  
 6 management shall prorate the amount available to the  
 7 school districts entitled to such aid. School  
 8 districts not receiving the full amount of such state  
 9 aid shall not raise the lost state aid by property  
 10 tax.

11 22. For payment of franchise tax allocations to  
 12 cities and counties under section 422.65:  
 13 ..... \$ 9,702,000

14 If the amounts to be allocated as computed under  
 15 section 422.65 to cities and counties exceed the  
 16 amount available under this subsection, the director  
 17 of revenue and finance shall prorate the amount to be  
 18 paid to each city and county.

19 Sec. 509. Section 97B.72, unnumbered paragraph 2,  
 20 Code 1991, is amended to read as follows:

21 There is appropriated from ~~the general fund of the~~  
 22 ~~state to the department of personnel~~ moneys available  
 23 to the general assembly under section 2.12 an amount  
 24 sufficient to pay the contributions of the employer  
 25 based on service of the members in an amount equal to  
 26 the contributions which would have been made if the  
 27 members of the general assembly who made employee  
 28 contributions had been members of the system during  
 29 their service in the general assembly plus two percent  
 30 interest plus interest dividends for all completed  
 31 calendar years and for any completed calendar year for  
 32 which the interest dividend has not been declared and  
 33 for completed months of partially completed calendar  
 34 years at two percent interest plus the interest  
 35 dividend rate calculated for the previous year,  
 36 compounded annually, from the end of the calendar year  
 37 in which contribution was made to the first day of the  
 38 month of such date.

39 Sec. 510. Section 98.6, subsection 1, Code 1991,  
 40 is amended to read as follows:

41 1. There is ~~hereby levied, assessed, and~~ imposed,  
 42 and shall be collected and paid to the department, the  
 43 following taxes on all cigarettes used or otherwise  
 44 disposed of in this state for any purpose whatsoever:

45 Class A. On cigarettes weighing not more than  
 46 three pounds per thousand, ~~six and one-half~~ eighteen  
 47 mills on each such cigarette.

48 Class B. On cigarettes weighing more than three  
 49 pounds per thousand, ~~seven and one-half~~ eighteen mills  
 50 on each such cigarette.

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1 Sec. 511. Section 98.6, subsection 2, Code 1991,  
2 is amended by striking the subsection.

3 Sec. 512. Section 98.43, subsection 1, unnumbered  
4 paragraph 1, Code 1991, is amended to read as follows:

5 A tax is imposed upon all tobacco products in this  
6 state and upon any person engaged in business as a  
7 distributor ~~thereof of tobacco products~~, at the rate  
8 of ~~nineteen~~ twenty-two percent of the wholesale sales  
9 price of the tobacco products, except little cigars as  
10 defined in section 98.42. Little cigars shall be  
11 subject to the same rate of tax imposed upon  
12 cigarettes in section 98.6, payable at the time and in  
13 the manner provided in section 98.6; and stamps shall  
14 be affixed as provided in division I of this chapter.  
15 The tax on tobacco products, excluding little cigars,  
16 shall be imposed at the time the distributor does any  
17 of the following:

18 Sec. 513. Section 98.43, subsection 2, unnumbered  
19 paragraph 1, Code 1991, is amended to read as follows:

20 A tax is imposed upon the use or storage by  
21 consumers of tobacco products in this state, and upon  
22 the consumers, at the rate of ~~nineteen~~ twenty-two  
23 percent of the cost of the tobacco products.

24 Sec. 514. Section 229.35, Code 1991, is amended to  
25 read as follows:

26 229.35 COMMISSION OF INQUIRY -- COMPENSATION --  
27 PAYMENT.

28 ~~Said~~ The commissioners of a commission of inquiry  
29 shall be entitled to their necessary expenses and a  
30 reasonable compensation, to be allowed by the judge,  
31 who shall certify the same amounts to the director of  
32 revenue and finance who shall thereupon draw the  
33 proper warrants on any funds in the state treasury not  
34 otherwise appropriated pay such amounts from moneys  
35 appropriated to the department of human services. The  
36 applicant shall pay ~~said~~ these costs and expenses if  
37 the judge shall so order on a finding that the  
38 complaint was filed without probable cause.

39 Sec. 515. Section 230.8, Code 1991, is amended to  
40 read as follows:

41 230.8 TRANSFERS OF MENTALLY ILL PERSONS --  
42 EXPENSES.

43 The transfer to state hospitals or to the places of  
44 their legal settlement of mentally ill persons who  
45 have no legal settlement in this state or whose legal  
46 settlement is unknown, shall be made according to the  
47 directions of the administrator, and when practicable  
48 by employees of state hospitals, and the actual and  
49 necessary expenses of such these transfers shall be  
50 paid on itemized vouchers sworn to by the claimants

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1 and approved by the administrator, from ~~any funds in~~  
2 ~~the-state-treasury-not-otherwise~~ appropriated to the  
3 department of human services.

4 Sec. 516. Section 230.11, Code 1991, is amended to  
5 read as follows:

6 230.11 RECOVERY OF COSTS FROM STATE.

7 Costs and expenses attending the taking into  
8 custody, care, and investigation of a person who has  
9 been admitted or committed to a state hospital,  
10 veterans administration hospital or other agency of  
11 the United States government, for the mentally ill and  
12 who has no legal settlement in this state or whose  
13 legal settlement is unknown, including cost of  
14 commitment, if any, shall be paid ~~out-of-any-money-in~~  
15 ~~the-state-treasury-not-otherwise~~ from moneys  
16 appropriated to the department of human services, on  
17 itemized vouchers executed by the auditor of the  
18 county which has paid them, and approved by the  
19 administrator.

20 Sec. 517. Section 262.43, Code 1991, is amended to  
21 read as follows:

22 262.43 STUDENTS RESIDING ON STATE-OWNED LAND.

23 The state board of regents shall pay to the local  
24 school boards the tuition payments and transportation  
25 costs, as otherwise authorized by statutes for the  
26 elementary or high school education of students  
27 residing on land owned by the state and under the  
28 control of the state board of regents. Such payments  
29 for the three institutions of higher learning, the  
30 state University of Iowa, the Iowa State University of  
31 science and technology and the University of Northern  
32 Iowa, shall be made from the funds of the respective  
33 institutions other than state appropriations, and for  
34 the ~~three two~~ noncollegiate institutions, the Iowa  
35 braille and sight saving school, ~~and the state school~~  
36 ~~for the deaf and the state sanatorium, there is hereby~~  
37 ~~appropriated-out-of-any-funds-in-the-state-treasury~~  
38 ~~not-otherwise-appropriated-a-sum-sufficient-to-make~~  
39 ~~such-payments~~ the payments and costs shall be paid  
40 from moneys appropriated to the state board of  
41 regents.

42 Sec. 518. Section 270.5, Code 1991, is amended to  
43 read as follows:

44 270.5 CERTIFICATION TO DIRECTOR OF REVENUE AND  
45 FINANCE.

46 The superintendent shall, on the first days of June  
47 and December of each year, certify to the director of  
48 revenue and finance the amounts due from ~~the-several~~  
49 counties pursuant to sections 270.4 and 270.6, and the  
50 director of revenue and finance shall ~~thereupon-pass~~

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1 ~~the same to the credit of the institution~~ the amounts  
2 due to the general fund of the state, and charge the  
3 amount to the proper county.

4 Sec. 519. Section 422.26, unnumbered paragraph 6,  
5 Code 1991, is amended to read as follows:

6 The department shall pay, from moneys appropriated  
7 to the department for this purpose, a recording fee as  
8 provided in section 331.604, for the recording of the  
9 lien, or for its satisfaction.

10 Sec. 520. Section 820.24, Code 1991, is amended to  
11 read as follows:

12 820.24 EXPENSES -- HOW PAID.

13 When the punishment of the crime shall be the  
14 confinement of the criminal in the penitentiary, the  
15 expenses shall be paid out of the state treasury funds  
16 appropriated to the office of the governor, on the  
17 certificate of the governor and warrant of the  
18 director of revenue and finance; and in all other  
19 cases they shall be paid out of the county treasury in  
20 the county wherein the crime is alleged to have been  
21 committed. The expenses shall be the fees paid to the  
22 officers of the state on whose governor the  
23 requisition is made, and all necessary and actual  
24 traveling expenses incurred in returning the prisoner.

25 Sec. 521. Section 906.10, Code 1991, is repealed.

26 Sec. 522. Sections 510 through 513 of this  
27 division take effect July 1, 1991."

28 2. Title page, by striking lines 1 through 8 and  
29 inserting the following: "An Act relating to  
30 appropriations for state departments, agencies,  
31 programs, funds, including the department of human  
32 services, education programs and agencies, the  
33 department of economic development, justice-related  
34 programs and agencies, and INTERNET, and adjusting the  
35 school foundation aid program, adjusting certain  
36 standing appropriations, increasing the cigarette and  
37 tobacco products tax, and providing for effective and  
38 applicability dates."

RECEIVED FROM THE SENATE

H-3734 FILED APRIL 19, 1991

*House Amended (3132, 3875 as amended, 83900.  
and Concurred 4/26/91 (q. 1991)*



## HOUSE FILE 479

H-3832

- 1 Amend the amendment, H-3734, to House File 479, as  
 2 amended, passed, and reprinted by the House, as  
 3 follows:  
 4 1. By striking page 105, line 39 through page  
 5 106, line 23.  
 6 2. Page 108, by striking lines 26 and 27.  
 7 3. Page 108, lines 36 and 37, by striking the  
 8 words "increasing the cigarette and tobacco products  
 9 tax".  
 10 4. By renumbering as necessary.

By MILLAGE of Scott  
 CONNORS of Polk  
 BARTZ of Worth

H-3832 FILED APRIL 25, 1991

*Adopted 4/26/91 (p. 1867)*

## HOUSE FILE 479

H-3840

- 1 Amend the amendment, H-3734, to House File 479, as  
 2 amended, passed, and reprinted by the House, as  
 3 follows:  
 4 1. Page 108, by inserting after line 27, the  
 5 following:  
 6 "DIVISION  
 7 FISCAL YEAR 1993 BUDGET REQUESTS  
 8 Sec. \_\_\_\_ . It is the intent of the general assembly  
 9 that all departments and agencies of the state shall  
 10 submit budget requests for fiscal year 1993 that do  
 11 not exceed the full-time equivalent position  
 12 authorization limits set by the general assembly for  
 13 fiscal year 1992. Departments and agencies may make  
 14 intradepartmental or intraagency transfers of full-  
 15 time equivalent positions in their fiscal year 1993  
 16 requests. The general assembly may make  
 17 interdepartmental or interagency transfers of full-  
 18 time equivalent positions, provided that the total  
 19 number of full-time equivalent positions does not  
 20 exceed the number of positions authorized for fiscal  
 21 year 1992.  
 22 Departments and agencies of this state shall  
 23 provide recommendations to the general assembly for  
 24 changes in the Code necessary for them to meet the  
 25 intent of the general assembly for full-time  
 26 equivalent positions for fiscal year 1993."  
 27 2. By renumbering as necessary.

By GRUBBS of Scott

H-3840 FILED APRIL 25, 1991

*o/d 4/26/91 (p. 1867)*

## HOUSE FILE 479

3849

1 Amend the Senate amendment, H-3734, to House File  
2 479, as amended, passed, and reprinted by the House,  
3 as follows:

4 1. Page 107, by inserting after line 19, the  
5 following:

6 "Sec. \_\_\_\_ . Section 237A.3, subsection 1, Code  
7 1991, is amended to read as follows:

8 1. A person who operates or establishes a family  
9 day care home may apply to the department for  
10 registration under this chapter. The department shall  
11 issue a certificate of registration upon receipt of a  
12 statement from the family day care home that the home  
13 complies with rules adopted by the department. The  
14 registration certificate shall be posted in a  
15 conspicuous place in the family day care home, shall  
16 state the name of the registrant, the number of  
17 individuals who may be received for care at any one  
18 time, and the address of the home, and shall include a  
19 check list of registration compliances. No greater  
20 number of children than is authorized by the  
21 certificate shall be kept in the family day care home  
22 at any one time. However, a registered or  
23 unregistered family day care home may provide care for  
24 more than six but less than twelve children at any one  
25 time for a period of less than two hours, ~~but shall~~  
26 ~~not do so unless the home does not provide care at any~~  
27 ~~one time for more than~~ provided that each child in  
28 excess of six children who are not attending is  
29 attending school full-time on a regular basis. In  
30 determining the number of children cared for at any  
31 one time in a registered or unregistered family day  
32 care home, if the person who operates or establishes  
33 the home is a child's parent, guardian, relative, or  
34 custodian and the child is not attending school full-  
35 time on a regular basis, the child shall be considered  
36 to be receiving child day care from the person and  
37 shall be counted as one of the children cared for in  
38 the home. The registration process may be repeated on  
39 an annual basis. A child day care provider or program  
40 which is not a family day care home by reason of the  
41 definition of child day care in section 237A.1,  
42 subsection 7, but which provides care, supervision or  
43 guidance to a child may be issued a certificate of  
44 registration under this chapter."

45 2. Renumber as necessary.

By BARTZ of Worth

H-3849 FILED APRIL 25, 1991

10/20 4/26 (7 1991)

HOUSE FILE 479

H-3780

1 Amend the Senate amendment, H-3734, to House File  
2 479, as amended, passed, and reprinted by the House,  
3 as follows:

4 1. Page 23, line 47, by striking the figure  
5 "29,522,461" and inserting the following:  
6 "29,722,461".

7 2. Page 23, line 48, by striking the figure  
8 "821.80" and inserting the following: "828.80".

9 3. Page 23, by inserting after line 48, the  
10 following:

11 "Of the moneys appropriated in this section,  
12 \$200,000 shall be used for 10 additional beds and for  
13 the salaries and support of 7.00 FTEs."

14 4. Page 69, by striking lines 19 through 22.

By MERTZ of Kossuth	SURLEY of Fayette
KREBSBACH of Mitchell	MILLER of Cherokee
SVOBODA of Tama	IVERSON of Wright
BURKE of Marshall	MCNEAL of Hardin
FOGARTY of Palo Alto	GARMAN of Story
BRANSTAD of Winnebago	CORBETT of Linn
BENNETT of Ida	GRUBBS of Scott

H-3780 FILED APRIL 23, 1991

*c/o 7/25 (by 7/22)*

HOUSE FILE 479

H-3868

1 Amend the amendment, H-3734, to House File 479, as  
2 amended, passed, and reprinted by the House, as  
3 follows:

4 1. By striking page 103, line 34, through page  
5 104, line 37.

6 2. By renumbering and correcting internal  
7 references as necessary.

By OLLIE of Clinton  
HANSON of Black Hawk  
DIEMER of Black Hawk

H-3868 FILED APRIL 25, 1991

HOUSE FILE 479

H-3871

1 Amend the amendment, H-3734, to House File 479, as  
2 amended, passed, and reprinted by the House, as  
3 follows:

4 1. Page 39, line 15, by striking the figure  
5 "2,120,000" and inserting the following: "1,670,000".

6 2. Page 86, line 1, by striking the figure  
7 "383,650" and inserting the following: "833,650".

By RAFFERTY of Scott

H-3871 FILED APRIL 25, 1991

HOUSE FILE 479

H-3841

1 Amend the amendment, H-3734, to House File 479, as  
2 amended, passed, and reprinted by the House, as  
3 follows:

4 1. Page 94, line 9, by striking the figure  
5 "69,000,000" and inserting the following:  
6 "73,957,000".

By MCNEAL of Hardin

H-3841 FILED APRIL 25, 1991

## HOUSE FILE 479

H-3868

1 Amend the amendment, H-3734, to House File 479, as  
2 amended, passed, and reprinted by the House, as  
3 follows:

4 1. By striking page 103, line 34, through page  
5 104, line 37.

6 2. By renumbering and correcting internal  
7 references as necessary.

By OLLIE of Clinton  
HANSON of Black Hawk  
DIEMER of Black Hawk

H-3868 FILED APRIL 25, 1991

*Placed o/a 4/26 (p. 1362)*

## HOUSE FILE 479

H-3871

1 Amend the amendment, H-3734, to House File 479, as  
2 amended, passed, and reprinted by the House, as  
3 follows:

4 1. Page 39, line 15, by striking the figure  
5 "2,120,000" and inserting the following: "1,670,000".

6 2. Page 86, line 1, by striking the figure  
7 "383,650" and inserting the following: "833,630".

By RAFFERTY of Scott

H-3871 FILED APRIL 25, 1991

*Placed o/a 4/26 (p. 1362)*

## HOUSE FILE 479

H-3841

1 Amend the amendment, H-3734, to House File 479, as  
2 amended, passed, and reprinted by the House, as  
3 follows:

4 1. Page 94, line 9, by striking the figure  
5 "69,000,000" and inserting the following:

6 "73,957,000".

By McNEAL of Hardin

H-3841 FILED APRIL 25, 1991

*Placed o/a 4/26 (p. 1362)*

HOUSE FILE 479

H-3861

1 Amend the Senate amendment, H-3734, to House File  
 2 479, as amended, passed, and reprinted by the House,  
 3 as follows:  
 4 1. Page 51, by inserting after line 36, the  
 5 following:  
 6 "c. Enrollment growth  
 7 For payment of costs associated with increases in  
 8 enrollment, including, but not limited to, salaries  
 9 for additional faculty members:  
 10 ..... \$ 1,500,000"  
 11 2. By renumbering and correcting internal  
 12 references as necessary.

By DIEMER of Black Hawk  
 HANSON of Black Hawk

H-3861 FILED APRIL 25, 1991

*Revised 4/26 (p. 1366)*

HOUSE FILE 479

H-3865

1 Amend the amendment, H-3734, to House File 479, as  
 2 amended, passed, and reprinted by the House, as  
 3 follows:  
 4 1. Page 57, line 35, by striking the words  
 5 "Twenty-eight" and inserting the following: "Thirty".

By OLLIE of Clinton  
 IVERSON of Wright

H-3865 FILED APRIL 25, 1991

*Revised 4/26 (p. 1366)*

HOUSE FILE 479

H-3867

1 Amend the Senate amendment, H-3734, to House File  
 2 479, as amended, passed, and reprinted by the House,  
 3 as follows:  
 4 1. Page 104, line 28, by striking the word  
 5 "shall" and inserting the following: "may".  
 6 2. Page 104, by striking line 29, and inserting  
 7 the following: "replace the lost state aid by raising  
 8 funds through a property tax levy or".  
 9 3. Page 104, lines 30 and 31, by striking the  
 10 words "to replace the state school foundation aid  
 11 reduction".

By HANSON of Black Hawk  
 OLLIE of Clinton  
 DIEMER of Black Hawk

H-3867 FILED APRIL 25, 1991

*cto 4/26 (p. 1366)*

HOUSE FILE 479

H-3873

1 Amend the Senate amendment, H-3734, to House File  
2 479, as amended, passed, and reprinted by the House,  
3 as follows:

4 1. By striking page 1, line 5 through page 105,  
5 line 38 and inserting the following:

6 "DIVISION I

7 DEPARTMENT OF HUMAN SERVICES

8 Sec. 101. AID TO FAMILIES WITH DEPENDENT CHILDREN.

9 There is appropriated from the general fund of the  
10 state to the department of human services for the  
11 fiscal year beginning July 1, 1991, and ending June  
12 30, 1992, the following amount, or so much thereof as  
13 is necessary, to be used for the purpose designated:

14 For aid to families with dependent children:

15 ..... \$ 41,355,571

16 1. The department may fund the employee portion of  
17 the cash bonus program from unspent funds under the  
18 appropriation in this section and shall continue to  
19 evaluate the program.

20 2. As a condition, limitation, and qualification  
21 of the funds appropriated in this section, the  
22 department shall continue the special needs program  
23 under the aid to families with dependent children  
24 program.

25 3. As a condition, limitation, and qualification  
26 of the funds appropriated in this section, the  
27 department may use unspent funds under the  
28 appropriation in this section to continue development  
29 of the "X-PERT" eligibility determination system.

30 4. Notwithstanding section 239.1, subsection 4,  
31 effective July 1, 1991, through June 30, 1992,  
32 assistance shall not be provided under the provision  
33 of this appropriation to persons whose dependent child  
34 is 18 years of age or older. The department may adopt  
35 emergency rules to implement the provisions of this  
36 subsection.

37 5. Moneys are not appropriated in this Act for the  
38 payment of funeral expenses under section 239.9 and  
39 payment under that section shall not be made during  
40 the fiscal year beginning July 1, 1991. The  
41 department may adopt emergency rules to implement the  
42 provisions of this subsection.

43 Sec. 102. EMERGENCY ASSISTANCE. There is  
44 appropriated from the general fund of the state to the  
45 department of human services for the fiscal year  
46 beginning July 1, 1991, and ending June 30, 1992, the  
47 following amount, or so much thereof as is necessary,  
48 to be used for the purpose designated:

49 For emergency assistance to families with dependent  
50 children under Title IV-A of the federal Social

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Page 2

1 Security Act to match federal funding for homeless  
2 prevention programs:

3 ..... \$ 500,000

4 The emergency assistance provided for in this  
5 section shall be provided only if all other publicly  
6 funded resources have been exhausted. Twenty-five  
7 percent of the emergency assistance moneys shall be  
8 available from July 1, 1991, through October 31, 1991,  
9 and seventy-five percent shall be available beginning  
10 November 1, 1991, for the remainder of the fiscal  
11 year. The emergency assistance includes, but is not  
12 limited to, assisting people who face eviction,  
13 potential eviction, or foreclosure, utility shutoff or  
14 fuel shortage, loss of heating energy supply or  
15 equipment, homelessness, utility or rental deposits,  
16 or other specified crisis which threatens family or  
17 living arrangements. The emergency assistance shall  
18 be available to migrant families who would otherwise  
19 meet eligibility criteria. The department shall  
20 notify each emergency assistance recipient that the  
21 recipient may report to the department any pressure or  
22 intimidation of the recipient resulting from the  
23 recipient's eligibility for emergency assistance. The  
24 department shall report quarterly to the legislative  
25 fiscal committee concerning the reports received by  
26 the department regarding pressure or intimidation of  
27 recipients of emergency assistance. The department  
28 may adopt emergency rules to implement the beginning  
29 date and notice provisions of this section.

30 Sec. 103. MEDICAL ASSISTANCE. There is  
31 appropriated from the general fund of the state to the  
32 department of human services for the fiscal year  
33 beginning July 1, 1991, and ending June 30, 1992, the  
34 following amount, or so much thereof as is necessary,  
35 to be used for the purpose designated:

36 For medical assistance, including reimbursement for  
37 abortion services, which shall be available under the  
38 medical assistance program only for those abortions  
39 which are medically necessary:  
40 ..... \$241,176,470

- 41 1. Medically necessary abortions are those  
42 performed under any of the following conditions:
  - 43 a. The attending physician certifies that  
44 continuing the pregnancy would endanger the life of  
45 the pregnant woman.
  - 46 b. The attending physician certifies that the  
47 fetus is physically deformed, mentally deficient, or  
48 afflicted with a congenital illness.
  - 49 c. The pregnancy is the result of a rape which is  
50 reported within 45 days of the incident to a law

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1 enforcement agency or public or private health agency  
2 which may include a family physician.

3 d. The pregnancy is the result of incest which is  
4 reported within 150 days of the incident to a law  
5 enforcement agency or public or private health agency  
6 which may include a family physician.

7 e. Any spontaneous abortion, commonly known as a  
8 miscarriage, if not all of the products of conception  
9 are expelled.

10 2. Of the funds appropriated in this section,  
11 \$100,000 is allocated until January 31, 1992, for  
12 contingency assistance for the federal nutrition  
13 program for women, infants, and children and shall be  
14 transferred to the Iowa department of public health as  
15 necessary in order to fully utilize funding available  
16 for the program. The allocated funds shall be  
17 transferred as necessary to restore a reduction in  
18 federal funding for the federal fiscal year ending  
19 September 30, 1991, required to adjust for federal  
20 financial assistance provided during the federal  
21 fiscal year ending September 30, 1990, in excess of  
22 the federal funding allocation to the state for this  
23 program or to finance any state match expenditure in  
24 excess of the federal funding allocation for this  
25 program during the federal fiscal year ending  
26 September 30, 1991. Any moneys allocated in this  
27 subsection which are unexpended or unobligated on  
28 January 31, 1992, shall be available during the  
29 remainder of the fiscal year to the department of  
30 human services for the purposes of this section.

31 3. Notwithstanding section 8.39, the department  
32 may transfer funds appropriated in this section to a  
33 separate account established in the department's case  
34 management unit for expenditures required to provide  
35 case management services pursuant to the appropriation  
36 in this Act for enhanced mental health, mental  
37 retardation, and developmental disabilities services,  
38 pending final settlement of the expenditures. Funds  
39 received by the case management unit in settlement of  
40 the expenditures shall be used to replace the  
41 transferred funds and are available for the purposes  
42 for which the funds were appropriated in this section.

43 4. As a condition, limitation, and qualification  
44 of the funds appropriated in this section, the  
45 department shall analyze the cost to benefits ratio  
46 associated with utilizing the medical review system  
47 offered by Value Health Sciences, Inc., and if the  
48 ratio is found to be favorable, shall implement that  
49 system or a system with a comparable cost to benefit  
50 ratio under the medical assistance program.



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1 5. If a medical assistant recipient is receiving  
2 care which is reimbursed under a federally approved  
3 home and community-based services waiver but would  
4 otherwise be approved for care in an intermediate care  
5 facility for the mentally retarded, the recipient's  
6 county of legal settlement shall reimburse the  
7 department on a monthly basis for the portion of the  
8 recipient's cost of care which is not paid from  
9 federal funds.

10 6. As a condition, limitation, and qualification  
11 of the funds appropriated in this section, the  
12 department shall adopt rules pursuant to chapter 17A  
13 that establish criteria for intermediate care  
14 facilities for the mentally retarded, providing for  
15 family-scale size, location, and appropriate inclusion  
16 in the community. In determining whether a  
17 certificate of need for an intermediate care facility  
18 for the mentally retarded shall be issued under  
19 chapter 135, the health facilities council and the  
20 Iowa department of public health shall consider  
21 whether the proposed facility is in compliance with  
22 the rules adopted pursuant to this subsection.

23 7. As a condition, limitation, and qualification  
24 of the funds appropriated in this section, the  
25 department shall develop methods to reduce recipient  
26 usage of ambulance services for reasons other than  
27 medical necessity, including notification of  
28 recipients who have received ambulance services that  
29 were not considered to be a medical necessity and  
30 ambulance services that have provided such services.  
31 The department may adopt emergency rules to implement  
32 the provisions of this subsection.

33 8. Of the funds appropriated in this section, up  
34 to \$70,929,582 shall be used for medical assistance  
35 reimbursement of nursing facilities.

36 9. As a condition, limitation, and qualification  
37 of the funds appropriated in this section,  
38 notwithstanding the adoption of an administrative rule  
39 limiting coverage of organ transplants under the  
40 medical assistance program, the department shall  
41 continue to provide medical assistance coverage for  
42 organ transplants to individuals who applied for and  
43 received approval from the department on or before  
44 January 1, 1991, for medical assistance coverage of an  
45 organ transplant.

46 10. As a condition, limitation, and qualification  
47 of the funds appropriated in this section, if Senate  
48 File 342 is enacted by the Seventy-fourth General  
49 Assembly, 1991 Session, \$28,000 of the funds  
50 appropriated in this section shall be provided to the

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1 prevention of disabilities policy board or council for  
2 fulfillment of the federal matching funds requirement  
3 for use of the Iowa governor's planning council for  
4 developmental disabilities funds, for the purpose of  
5 section 225D.7.

6 11. It is the intent of the general assembly that  
7 the following programs under the medical assistance  
8 program shall be expanded which it is estimated will  
9 result in the indicated medical assistance expenditure  
10 savings: Iowa foundation for medical care utilization  
11 review, \$1,400,000; Unisys utilization review,  
12 \$105,000; and the "lock-in" program involving  
13 recipients with a history of seeking services from  
14 more than one provider, \$66,000. The department may  
15 adopt emergency rules to implement the provisions of  
16 this subsection.

17 12. As a condition, limitation, and qualification  
18 of the funds appropriated in this section, if Senate  
19 File 343, or another provision providing for group  
20 health plan cost-sharing under the medical assistance  
21 program is enacted by the Seventy-fourth General  
22 Assembly, 1991 Session, the department may adopt  
23 emergency rules to implement the cost-sharing in  
24 accordance with federal requirements.

25 13. As a condition, limitation, and qualification  
26 of the funds appropriated in this section, the  
27 department shall work with the Iowa state association  
28 of counties and the accounting firm of Ryun, Givens,  
29 Smith & Co., or another capable entity, to develop  
30 requirements for intermediate care facilities for the  
31 mentally retarded to implement generally accepted  
32 accounting principles and an audit reporting format  
33 which includes cost containment measures permitted  
34 under federal medicaid requirements. The department  
35 shall adopt rules pursuant to chapter 17A to implement  
36 the requirements developed under this subsection.

37 Sec. 104. MEDICAL CONTRACTS. There is  
38 appropriated from the general fund of the state to the  
39 department of human services for the fiscal year  
40 beginning July 1, 1991, and ending June 30, 1992, the  
41 following amount, or so much thereof as is necessary,  
42 to be used for the purpose designated:

43 For medical contracts:

44 ..... \$ 4,102,016

45 As a condition, limitation, and qualification of  
46 the funds appropriated in this section, the department  
47 shall continue to contract for drug utilization review  
48 under the medical assistance program.

49 Sec. 105. HIV-AIDS INSURANCE CONTINUATION

50 ASSISTANCE PILOT PROGRAM. There is appropriated from

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1 the general fund of the state to the department of  
2 human services for the fiscal year beginning July 1,  
3 1991, and ending June 30, 1992, the following amount,  
4 or so much thereof as is necessary, to be used for the  
5 purpose designated:

6 For HIV-AIDS insurance continuation assistance  
7 pilot program:

8 ..... \$ 60,000

9 1. The department shall establish an HIV and AIDS  
10 insurance continuation assistance pilot program to be  
11 administered by the medical services division to  
12 provide insurance continuation assistance to persons  
13 with AIDS or HIV-related illnesses who are unable to  
14 maintain health insurance premium payments due to  
15 illness. The pilot program shall operate for a 2-year  
16 period beginning October 1, 1991. The funds shall be  
17 made available in a manner that provides the  
18 assistance to not more than 30 recipients from October  
19 1 until the end of the fiscal year.

20 2. The department shall publicize the program for  
21 enrollment of potential participants through provision  
22 of information through the Iowa department of public  
23 health, the regional AIDS coalitions funded by the  
24 Iowa department of public health, physicians,  
25 hospitals, social workers, and social service  
26 providers and gay and AIDS-related groups identified  
27 by the coalitions.

28 3. The program shall provide all of the following:  
29 a. That an applicant is eligible for participation  
30 in the program if all of the following conditions are  
31 met:

- 32 (1) The applicant is a resident of the state.
- 33 (2) The applicant suffers from AIDS or an HIV-  
34 related illness.
- 35 (3) The applicant has an income of no more than  
36 300 percent of the federal poverty level as defined by  
37 the most recently revised poverty income guidelines  
38 published by the United States department of health  
39 and human services and cash assets of no more than  
40 \$10,000.

41 (4) The applicant is enrolled in an individual or  
42 group private health insurance plan.

43 (5) The applicant is unable, due to AIDS or the  
44 HIV-related illness, to continue employment in order  
45 to pay the costs of insurance premiums.

46 (6) Enrollment in the program is the most cost-  
47 effective, available means of providing the applicant  
48 with health insurance coverage.

49 b. That an applicant is required to provide the  
50 following to verify eligibility for participation in

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1 the program:

2 (1) Documentation of income and assets, as  
3 required by rule of the department. .

4 (2) Documentation through submission of a  
5 statement by the applicant's physician that the  
6 applicant suffers from AIDS or an HIV-related illness  
7 and that the applicant is, or will within a period of  
8 6 months be, unable to continue employment.

9 c. An expedited eligibility determination process  
10 to ensure that an eligible applicant is not denied  
11 coverage under the applicant's existing policy due to  
12 nonpayment of premiums during the determination  
13 process period. This may include but is not limited  
14 to accepting preapplications from any HIV-infected  
15 person or the making of payments based on preliminary  
16 determinations.

17 d. A requirement that following enrollment in the  
18 program of a person with group-based coverage, the  
19 person must apply for medical assistance, if the  
20 department determines that the person is likely to be  
21 eligible for payment of premiums under medical  
22 assistance program pursuant to the federal Omnibus  
23 Budget Reconciliation Act of 1990, section 4402, Pub.  
24 L. No. 101-508.

25 e. A requirement that, if the state elects to pay  
26 premiums for individual-based coverage under, and if  
27 the department determines that the person would be  
28 eligible for payment of premiums under medical  
29 assistance program under the provisions of the federal  
30 Omnibus Budget Reconciliation Act of 1990, section  
31 4402, Pub. L. No. 101-508, following enrollment in the  
32 program of a person with such coverage, the person  
33 must apply for medical assistance.

34 f. That all information relating to an applicant  
35 is confidential information and the provisions of  
36 chapter 141 are applicable to the information.

37 4. The department shall provide a preliminary  
38 report to the general assembly by January 1, 1992, and  
39 a final report to the general assembly by January 1,  
40 1993, regarding the cost-effectiveness of the pilot  
41 program, the impact of the requirements of federal law  
42 on the pilot program, and the current and projected  
43 costs to the state for payment of medical assistance  
44 for the health care costs of persons with AIDS or HIV-  
45 related illnesses.

46 5. For the purposes of this section, "AIDS" and  
47 "HIV" mean "AIDS" and "HIV" as defined in section  
48 141.21.

49 6. For the purposes of this section, "health  
50 insurance plan" includes nonprofit health service

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1 cooperation contracts regulated under chapter 514 and  
2 health maintenance organization evidences of coverage  
3 regulated under chapter 514B.

4 7. As a condition, limitation, and qualification  
5 of the funds appropriated in this section, the  
6 department may transfer not more than \$10,000 of the  
7 funds appropriated in this section to the  
8 appropriation in this division for general  
9 administration to be used for administrative costs  
10 associated with this program. The department is  
11 authorized a 0.5 FTE position in addition to the  
12 positions authorized in the appropriation in this  
13 division for general administration in order to  
14 administer the program.

15 8. The program shall start by October 1, 1991, and  
16 the department is authorized to adopt emergency rules  
17 to implement the provisions of this section by that  
18 date.

19 Sec. 106. STATE SUPPLEMENTARY ASSISTANCE. There  
20 is appropriated from the general fund of the state to  
21 the department of human services for the fiscal year  
22 beginning July 1, 1991, and ending June 30, 1992, the  
23 following amount, or so much thereof as is necessary,  
24 to be used for the purpose designated:

25 For state supplementary assistance:  
26 ..... \$ 19,000,391

27 The department shall increase the personal needs  
28 allowance for residents of residential care facilities  
29 by the same percentage and at the same time as federal  
30 supplemental security and federal social security  
31 benefits are increased due to a recognized increase in  
32 the cost of living. The department may adopt  
33 emergency rules to implement the provisions of this  
34 paragraph.

35 Sec. 107. AID TO INDIANS. There is appropriated  
36 from the general fund of the state to the department  
37 of human services for the fiscal year beginning July  
38 1, 1991, and ending June 30, 1992, the following  
39 amount, or so much thereof as is necessary, to be used  
40 for the purpose designated:

41 For aid to Indians under section 252.43:  
42 ..... \$ 38,000

43 The tribal council shall not use more than 5  
44 percent of the funds for administration purposes. The  
45 department may adopt emergency rules to implement the  
46 provisions of this paragraph.

47 Sec. 108. CHILD DAY CARE ASSISTANCE. There is  
48 appropriated from the general fund of the state to the  
49 department of human services for the fiscal year  
50 beginning July 1, 1991, and ending June 30, 1992, the

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1 following amount, or so much thereof as is necessary,  
2 to be used for the purposes designated:

3 For protective child day care assistance and state  
4 child care assistance:

5 ..... \$ 7,104,072

6 1. It is the intent of the general assembly that  
7 \$3,107,695 of the funds appropriated in this section  
8 be used for protective child day care assistance.

9 2. It is the intent of the general assembly that  
10 \$3,737,446 of the funds appropriated in this section  
11 be used for state child care assistance.

12 3. a. The funds allocated in this section for  
13 protective and state child care assistance shall be  
14 allocated to the department of human services  
15 districts and each district shall distribute the  
16 allocation to the counties within the district. If a  
17 district determines that a specified portion of the  
18 funds provided to a county is sufficient to meet the  
19 county's current demand and projected growth, the  
20 district may transfer the excess amount of funds to  
21 another county. If the district determines that a  
22 specified portion of the funds provided to the  
23 district is sufficient to meet the district's current  
24 demand and projected growth for the remainder of the  
25 fiscal year, the excess amount may be transferred for  
26 use in another district.

27 b. For state child care assistance, eligibility  
28 shall be limited to children whose family income is  
29 equal to or less than 150 percent of the federal  
30 office of management and budget poverty guidelines.  
31 However, on or after October 1, 1991, the department  
32 may increase the income eligibility limit to be equal  
33 to or less than 75 percent of the Iowa median family  
34 income. Every effort shall be made to provide  
35 assistance for the entire fiscal year to families  
36 remaining eligible before providing assistance to  
37 eligible families who have not received assistance  
38 previously. For the entire fiscal year, the  
39 department shall develop a priority ranking of  
40 requirements for families who receive assistance, with  
41 special priority given to foster care families within  
42 the income guidelines. The requirements may include  
43 but are not limited to all of the following:

44 (1) Families with an income equal to or less than  
45 150 percent of the federal office of management and  
46 budget poverty guidelines.

47 (2) Single parent families who are at risk of  
48 becoming eligible for the aid to families with  
49 dependent children programs.

50 (3) Families who have exhausted eligibility for

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1 transitional child care assistance.

2 (4) Adolescent parents attending school.

3 (5) Families who have children with special needs.

4 (6) Families who are providing foster care if both

5 foster parents are employed and child day care is

6 consistent with the case plan.

7 (7) Families with an income greater than 150

8 percent of the federal office of management and budget

9 poverty guidelines but no more than 75 percent of the

10 Iowa median family income.

11 c. The department may adopt emergency rules

12 necessary to qualify to receive funding from the

13 federal child care development block grant and the

14 federal at-risk child care program. If required as a

15 condition of receiving these funds, the rules may

16 provide for eligibility, health and safety

17 requirements, parental access to children,

18 reimbursement rates, types of service provided,

19 licensing standards, complaint registration

20 procedures, or other rules necessary to establish a

21 simplified or consolidated child day care policy.

22 d. Nothing in this section shall be construed or

23 is intended as, or shall imply, a grant of entitlement

24 for services to persons who are eligible for

25 assistance due to an income level consistent with the

26 requirements of this section. Any state obligation to

27 provide services pursuant to this section is limited

28 to the extent of the funds appropriated under this

29 section.

30 4. Of the funds appropriated in this section,

31 \$258,931 is allocated for the fiscal year beginning

32 July 1, 1991, for the statewide program for child day

33 care resource and referral services under section

34 237A.26.

35 5. The department may use any of the funds

36 appropriated in this section as a match to obtain

37 federal grants for use in expanding child day care

38 assistance and related programs.

39 Sec. 109. TRANSITIONAL CHILD CARE ASSISTANCE.

40 There is appropriated from the general fund of the

41 state to the department of human services for the

42 fiscal year beginning July 1, 1991, and ending June

43 30, 1992, the following amount, or so much thereof as

44 is necessary, to be used for the purpose designated:

45 For transitional child care assistance:

46 ..... \$ 323,311

47 Notwithstanding section 239.21, the department of

48 human services shall provide the transitional child

49 care program in accordance with the federal Family

50 Support Act of 1988, Pub. L. No. 100-485, § 302, and

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1 applicable federal regulations. Reimbursement for  
2 services shall be limited to registered or licensed  
3 child day care providers and programs providing care,  
4 supervision, or guidance of a child which is not  
5 included under the definition of "child day care"  
6 pursuant to section 237A.1, subsection 7.

7 Sec. 110. JOBS PROGRAM. There is appropriated  
8 from the general fund of the state to the department  
9 of human services for the fiscal year beginning July  
10 1, 1991, and ending June 30, 1992, the following  
11 amount, or so much thereof as is necessary, to be used  
12 for the purposes designated:

13 For the JOBS program:

14 ..... \$ 4,307,610

15 1. Of the funds appropriated in this section,  
16 \$3,255,610 is allocated for the JOBS program. If in  
17 accordance with federal requirements, effective  
18 September 1, 1991, reimbursement under the JOBS  
19 program for child day care services shall be limited  
20 to registered or licensed child day care providers and  
21 programs providing care, supervision, or guidance of a  
22 child which is not included under the definition of  
23 "child day care" pursuant to section 237A.1,  
24 subsection 7. However, this requirement shall not  
25 apply to persons specified by rule as an aid to  
26 families with dependent children relative or as  
27 otherwise eligible for reimbursement because a  
28 licensed or registered child day care provider or  
29 program is not available.

30 2. Of the funds allocated in this section, \$52,000  
31 is allocated for the food stamp employment and  
32 training program.

33 3. It is the intent of the general assembly that  
34 the department of human services apply to the  
35 corporation for enterprise development for Iowa's  
36 participation in the study phase of a "state human  
37 investment policy" demonstration project. Of the  
38 funds appropriated in this section, up to \$75,000  
39 shall be used for costs associated with Iowa's  
40 participation in the project. The department shall  
41 make efforts to obtain additional private and federal  
42 funding for the project, and shall submit quarterly  
43 reports on the status of the project to the  
44 legislative fiscal bureau.

45 4. As a condition, limitation, and qualification  
46 of the funds appropriated in this section, the  
47 department shall work with family development and  
48 self-sufficiency grantees and the state's community  
49 action agencies to develop a structure that permits  
50 initiatives which raise local funds to match federal



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1 funds under the JOBS program in order to expand or to  
2 develop additional family development program  
3 initiatives.

4 Sec. 111. CHILD SUPPORT RECOVERY. There is  
5 appropriated from the general fund of the state to the  
6 department of human services for the fiscal year  
7 beginning July 1, 1991, and ending June 30, 1992, the  
8 following amount, or so much thereof as is necessary,  
9 to be used for the purposes designated:

10 For child support recovery, including salaries,  
11 support, maintenance, miscellaneous purposes, and for  
12 not more than the following full-time equivalent  
13 positions:

14 .....	\$	3,134,277
15 .....	FTEs	253.50

16 1. The director of human services, within the  
17 limitations of the funds appropriated in this section,  
18 or funds transferred from the aid to families with  
19 dependent children program for this purpose, may  
20 establish new positions and add additional employees  
21 to the child support recovery unit when the director  
22 determines that both the current and additional  
23 employees together can reasonably be expected to  
24 recover for the aid to families with dependent  
25 children program and the nonpublic assistance support  
26 recovery program more than twice the amount of money  
27 required to pay the salaries and support for both the  
28 current and additional employees or the new positions  
29 are necessary for compliance with federal requirements  
30 and the anticipated increased recovery amount exceeds  
31 the cost of salaries and support for the new  
32 positions. In the event the director adds additional  
33 employees, the department shall demonstrate the cost-  
34 effectiveness of the current and additional employees  
35 by reporting to the joint human services  
36 appropriations subcommittee the ratio of the total  
37 amount of administrative costs for child support  
38 recoveries to the total amount of the child support  
39 recovered.

40 2. Notwithstanding any other provision in law,  
41 nonpublic assistance application and user fees  
42 received by the child support recovery program are  
43 appropriated and shall be used for the purposes of the  
44 program. The department may adopt emergency rules as  
45 necessary to implement the provisions of this  
46 subsection. The director of human services may exceed  
47 the full-time equivalent position limit authorized in  
48 this section if fees collected relating to the new  
49 positions are sufficient to pay the salaries and  
50 support for the positions. The director shall report

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1 any new positions added pursuant to this section to  
2 the chairpersons and ranking members of the joint  
3 human services appropriations subcommittee and the  
4 legislative fiscal bureau. The department may adopt  
5 emergency rules as necessary to implement the  
6 provisions of this subsection.

7 3. The director of human services, in consultation  
8 with the department of management and the legislative  
9 fiscal committee, is authorized to receive and deposit  
10 state child support incentive earnings in the manner  
11 specified under applicable federal requirements.

12 4. The director of human services may establish  
13 new positions and add additional state employees to  
14 the child support recovery unit if the director  
15 determines the employees are necessary to replace  
16 county-funded positions eliminated due to termination,  
17 reduction, or nonrenewal of a chapter 28E contract.  
18 However, the director must also determine that the  
19 resulting increase in the state share of child support  
20 recovery incentives exceeds the cost of the positions,  
21 the positions are necessary to ensure continued  
22 federal funding of the program, or the new positions  
23 can reasonably be expected to recover more than twice  
24 the amount of money to pay the salaries and support  
25 for the new positions.

26 Sec. 112. JUVENILE INSTITUTIONS. There is  
27 appropriated from the general fund of the state to the  
28 department of human services for the fiscal year  
29 beginning July 1, 1991, and ending June 30, 1992, the  
30 following amounts, or so much thereof as is necessary,  
31 to be used for the purposes designated:

32 For the operation of the state training school and  
33 the Iowa juvenile home, including salaries, support,  
34 maintenance, miscellaneous purposes, and for not more  
35 than the following full-time equivalent positions:

36 1. For the Iowa juvenile home at Toledo:

37 .....	\$	4,703,508
38 .....	FTEs	128.50

39 2. For the state training school at Eldora:

40 .....	\$	8,070,507
41 .....	FTEs	229.00

42 3. It is the intent of the general assembly that  
43 during the fiscal year beginning July 1, 1991, the  
44 population levels at the state juvenile institutions  
45 shall not exceed the population guidelines established  
46 under 1990 Iowa Acts, chapter 1239, section 21. It is  
47 also the intent of the general assembly that the state  
48 juvenile institutions apply for an adolescent  
49 pregnancy prevention grant for the fiscal year  
50 beginning July 1, 1991.

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1 Sec. 113. FOSTER CARE. There is appropriated from  
2 the general fund of the state to the department of  
3 human services for the fiscal year beginning July 1,  
4 1991, and ending June 30, 1992, the following amount,  
5 or so much thereof as is necessary, to be used for the  
6 purpose designated:

7 For foster care:  
8 ..... \$ 53,366,361

9 1. As a condition, limitation, and qualification  
10 of the funds appropriated in this section, the  
11 department shall use moneys appropriated in this  
12 section to establish 30 or more enhanced service group  
13 care facility beds during the fiscal year beginning  
14 July 1, 1991. The department may use moneys  
15 appropriated in this section to provide enhanced  
16 funding of services to family foster homes to avert  
17 placement of children in group care facilities and may  
18 continue to provide enhanced funding of services to  
19 group care facilities to avert placement of children  
20 in more expensive, less appropriate out-of-state  
21 facilities or in a state juvenile institution. The  
22 department shall give priority to serving children  
23 whose placement at the state training school or the  
24 Iowa juvenile home would cause the state juvenile  
25 institution to exceed the population guidelines  
26 established under 1990 Iowa Acts, chapter 1239,  
27 section 21.

28 2. The department may transfer a portion of the  
29 funds appropriated in this section to provide  
30 subsidized adoption services or to purchase adoption  
31 services, if funds allocated in this section for  
32 adoption services are insufficient.

33 3. The department and state court administrator  
34 shall work together in implementing an agreement which  
35 enables the state to receive funding for eligible  
36 cases under the federal Social Security Act, Title IV-  
37 E.

38 4. Not more than 25 percent of the children placed  
39 in foster care funded under the federal Social  
40 Security Act, Title IV-E, shall be placed in foster  
41 care for a period of more than 24 months.

42 5. Of the funds appropriated in this section,  
43 \$92,000 is allocated for the foster home insurance  
44 fund. Notwithstanding section 237.13, the department  
45 may use funds appropriated in this section to purchase  
46 liability insurance for licensed foster parents in  
47 lieu of providing payment for claims filed against the  
48 foster home insurance fund, if comparable coverage can  
49 be obtained through private insurance.

50 Notwithstanding section 8.33, funds remaining in the

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1 foster home insurance fund on June 30, 1992, shall not  
2 revert to the general fund but shall remain available  
3 for expenditure in the fiscal year beginning July 1,  
4 1992, for the purposes designated.

5 6. As a condition, limitation, and qualification  
6 of the funds appropriated in this section, the  
7 department shall review the need to provide additional  
8 day treatment alternatives within the child welfare  
9 system and the potential to provide additional  
10 services by including day treatment provided by  
11 psychiatric medical institutions for children as a  
12 service reimbursed under medical assistance. The  
13 department shall identify the effect of providing day  
14 treatment services reimbursement under medical  
15 assistance upon state expenditures for residential  
16 treatment and other foster care services. The  
17 department may use funds appropriated in this Act for  
18 medical assistance to pay the nonfederal share of  
19 costs for services reimbursed under medical assistance  
20 which are provided in a psychiatric medical  
21 institution for children.

22 7. The department may use \$30,000 of the funds  
23 appropriated in this section to contract for a study  
24 of the effectiveness of needs-based and therapeutic  
25 family foster care and enhanced residential care.

26 8. As a condition, limitation, and qualification  
27 of the funds appropriated in this section, the  
28 department shall develop a therapeutic foster care  
29 program in at least 1 district in the state. The  
30 program's foster care worker support staff shall serve  
31 not more than 7 foster families and shall provide  
32 respite and special support services to foster parents  
33 to enable them to serve in an active treatment  
34 capacity with the children under their care. Of the  
35 funds appropriated in this section, up to \$200,000  
36 shall be used for therapeutic foster care  
37 reimbursement and \$284,667 for 8.00 FTEs under the  
38 appropriation in this Act for field operations.

39 9. Funds appropriated in this section may be used  
40 to recruit foster parents and to provide preservice  
41 and in-service training for foster parents.

42 10. Of the funds appropriated in this section, up  
43 to \$140,000 may be used to develop and maintain the  
44 state's implementation of the national adoption and  
45 foster care information system pursuant to the  
46 requirements of Pub. L. No. 99-509.

47 11. As a condition, limitation, and qualification  
48 of the funds appropriated in this section, the  
49 department shall continue a family foster care  
50 advisory committee to examine department practices and

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1 policies to improve the recruitment and retention of  
2 foster parents, provide training and professional  
3 guidance where appropriate, and seek the involvement  
4 of family foster care providers in designing,  
5 developing, and participating in the creation of  
6 therapeutic foster family homes. The department shall  
7 review initiatives of other states in recruiting  
8 foster parents from appropriate families who are  
9 recipients of public assistance. In consultation with  
10 the advisory committee, the department shall seek  
11 federal waivers and make program modifications as  
12 necessary to develop a similar program for Iowa upon  
13 receiving federal approval to do so.

14 12. As a condition, limitation, and qualification  
15 of the funds appropriated in this section, the  
16 department shall establish specialized family foster  
17 care homes and provide specialized support and respite  
18 services to qualifying foster care families who accept  
19 infants with chemical addictions from intrauterine  
20 transmission who would otherwise remain in a hospital.

21 13. As a condition, limitation, and qualification  
22 of the funds appropriated in this section, the  
23 department shall continue the demonstration program to  
24 decategorize child welfare services in the 4 counties  
25 in which the program has commenced. The department  
26 may approve additional applications from a county or  
27 consortium of counties to initiate a demonstration  
28 program providing the department, the boards of  
29 supervisors in the counties, and the affected judicial  
30 districts agree to implement the program. The  
31 schedule for implementing the demonstration program in  
32 additional counties shall provide that the program be  
33 implemented on or after January 1, 1992. The  
34 department shall establish for the demonstration  
35 project counties a child welfare fund composed of all  
36 or part of the amount that would otherwise be expected  
37 to be used for residents of the counties for foster  
38 care, family-centered services, subsidized adoption,  
39 child day care, local purchase of services, state  
40 juvenile institution care, mental health institute  
41 care, state hospital-school care, juvenile detention,  
42 department-direct services, and court-ordered  
43 evaluation and treatment of juvenile services and  
44 notwithstanding any other provision of law, the fund  
45 shall be considered encumbered. Notwithstanding other  
46 service funding provisions in law, the department  
47 shall establish the fund by transferring funds from  
48 the budgets affected, except for the funds  
49 appropriated for the state mental health institutes,  
50 the state hospital-schools, the state training school,

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1 and the Iowa juvenile home which shall remain on  
2 account for the county at these institutions. The  
3 child welfare fund may be used to support services and  
4 payment rates not allowable within historical program  
5 or service categories. A limited amount of the fund  
6 may be used to support services and reimbursement  
7 rates not allowable within historical program or  
8 service categories and administrative rule. In  
9 addition, a limited amount of the child welfare fund  
10 may be used for the family assistance fund to provide  
11 resources for a family to remain together or to be  
12 unified. It is the intent of the general assembly  
13 that the demonstration program be designed to operate  
14 in a county for a 3-year period. The 3-year time  
15 period for a decategorization project in Dubuque,  
16 Polk, Pottawattamie, or Scott county shall be  
17 considered to begin on January 1 in the first year  
18 following the year in which the county's  
19 decategorization project was approved by the  
20 department.

21 14. As a condition, limitation, and qualification  
22 of the funds appropriated in this section,  
23 notwithstanding section 239.1, subsection 4, effective  
24 July 1, 1991, foster care shall not be provided to  
25 persons who are 18 years of age or older. The  
26 department may adopt emergency rules to implement the  
27 provisions of this subsection.

28 15. As a condition, limitation, and qualification  
29 of the funds appropriated in this section, federal  
30 financial participation provided under Title IV-E of  
31 the federal Social Security Act in excess of \$595,000,  
32 which is received as a result of service definition  
33 changes relating to provider services shall be  
34 apportioned to the providers implementing the changes.  
35 The excess amount shall be apportioned after the  
36 department has received all federal Title IV-E  
37 payments for the fiscal year. The excess amount shall  
38 be apportioned as a payment according to each pro-  
39 vider's percentage of the total amount of payments  
40 made to providers implementing the changes under  
41 federal Title IV-E.

42 16. As a condition, limitation, and qualification  
43 of the funds appropriated in this section, not more  
44 than \$30,000 of the funds appropriated in this section  
45 shall be used to contract with the coalition of family  
46 and children's services or another suitable entity for  
47 the development of a computerized foster care  
48 placement information system for the state. The  
49 system shall be designed utilizing previously  
50 developed software techniques used in Pennsylvania and

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1 shall be capable of providing an on-line data base of  
2 the availability of particular foster care placements,  
3 technical support, training, and appropriate user  
4 documentation.

5 Sec. 114. CHILD PROTECTIVE SYSTEM IMPROVEMENTS.

6 There is appropriated from the general fund of the  
7 state to the department of human services for the  
8 fiscal year beginning July 1, 1991, and ending June  
9 30, 1992, the following amount, or so much thereof as  
10 is necessary, to be used for the purposes designated:

11 For improvements in the state system for child  
12 protection:

13 ..... \$ 561,500

14 The funding appropriated in this section shall be  
15 used as determined by the department for any of the  
16 following purposes:

17 1. For general administration of the department to  
18 improve staff training efforts.

19 2. For oversight of termination of parental rights  
20 and permanency planning efforts on a statewide basis  
21 on the condition that regular reports regarding the  
22 statewide program efforts shall be provided to the  
23 legislative fiscal bureau.

24 3. For use by the department in general  
25 administration to promote innovative treatment  
26 programs, write grants to obtain federal and private  
27 funding, and promote public and private efforts to  
28 treat and prevent child abuse.

29 4. For personnel, assigned by the attorney  
30 general, to provide additional services relating to  
31 termination of parental rights and child in need of  
32 assistance cases.

33 5. For funding of the state multidisciplinary team  
34 to assist with difficult cases within the child abuse  
35 and foster care system and with respect to child  
36 protective investigation and initial case planning and  
37 to develop and coordinate local multidisciplinary  
38 teams.

39 6. For use by the department in conducting  
40 outcome-oriented evaluations of child protection,  
41 prevention, and treatment programs.

42 7. For specialized foster care permanency planning  
43 field operations staff.

44 Sec. 115. HOME-BASED SERVICES. There is  
45 appropriated from the general fund of the state to the  
46 department of human services for the fiscal year  
47 beginning July 1, 1991, and ending June 30, 1992, the  
48 following amount, or so much thereof as is necessary,  
49 to be used for the purpose designated:

50 For home-based services on the condition that

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1 family planning services are funded, provided that if  
2 the department amends the allocation to a program  
3 funded under this section, then the department shall  
4 promptly notify the legislative fiscal bureau of the  
5 change:

6 ..... \$ 19,414,903

7 1. Of the funds appropriated in this section,  
8 \$30,000 shall be used by the department to contract  
9 with universities to provide ongoing research and  
10 evaluation assistance to programs and initiatives of  
11 the department involving family-centered services and  
12 foster care. The contracts shall make maximum use of  
13 any matching resources available from the universities  
14 with which the department contracts.

15 2. Of the funds appropriated in this section,  
16 \$5,086,204 shall be used for family preservation and  
17 reunification services and training. A limited amount  
18 of the funds may be used for the family assistance  
19 fund to provide other resources required for a family  
20 participating in a project to stay together or to be  
21 reunified. The payment system for the project shall  
22 not be based upon units of time, but may be based upon  
23 the cost to serve a family, including adjustments  
24 according to the provider's performance and the  
25 outcome of the services provided to each family. The  
26 department shall use the statewide family preservation  
27 and decategorization committee to assist in selecting  
28 additional projects.

29 Sec. 116. COMMUNITY-BASED PROGRAMS. There is  
30 appropriated from the general fund of the state to the  
31 department of human services for the fiscal year  
32 beginning July 1, 1991, and ending June 30, 1992, the  
33 following amount, or so much thereof as is necessary,  
34 to be used for the purpose designated:

35 For community-based programs:  
36 ..... \$ 2,551,014

37 1. As a condition, limitation, and qualification  
38 of the funds appropriated in this section, up to  
39 \$19,095 shall be used by the department as the  
40 financial aid from the state under section 232.142,  
41 subsection 3, for the cost of the establishment,  
42 improvement, operation, and maintenance of approved  
43 county or multicounty juvenile homes. Notwithstanding  
44 section 232.142, subsection 3, the amount provided in  
45 this subsection shall be the maximum amount of  
46 financial aid the state is obligated to provide  
47 pursuant to that provision.

48 2. As a condition, limitation, and qualification  
49 of the funds appropriated in this section, \$550,686  
50 shall be used by the department for child abuse



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1 prevention grants.

2 Sec. 117. BLOCK GRANT SUPPLEMENTATION. There is  
3 appropriated from the general fund of the state to the  
4 department of human services for the fiscal year  
5 beginning July 1, 1991, and ending June 30, 1992, the  
6 following amount, or so much thereof as is necessary,  
7 to be used for the purpose designated:

8 For supplementation of federal social services  
9 block grant funds and for allocation to counties for  
10 the purchase of local services:

11 ..... \$ 4,643,000

12 The funds appropriated in this section shall be  
13 allocated to counties pursuant to the rules of the  
14 department in effect on January 1, 1985. The  
15 department shall increase the income guidelines for  
16 income eligible persons receiving services funded with  
17 federal social services block grant funds for the  
18 fiscal year beginning July 1, 1991, by the same  
19 percentage and at the same time as federal social  
20 security benefits are increased due to a recognized  
21 increase in the cost of living. The department may  
22 adopt emergency rules to implement the provisions of  
23 this subsection relating to an increase in the cost of  
24 living.

25 Sec. 118. COURT-ORDERED SERVICES PROVIDED TO  
26 JUVENILES. There is appropriated from the general  
27 fund of the state to the department of human services  
28 for the fiscal year beginning July 1, 1991, and ending  
29 June 30, 1992, the following amount, or so much  
30 thereof as is necessary, to be used for the purpose  
31 designated:

32 Payment of the expenses of court-ordered services  
33 provided to juveniles which are a charge upon the  
34 state pursuant to section 232.141, subsection 4:

35 ..... \$ 4,013,271

36 1. It is the intent of the general assembly that  
37 the funds appropriated in this section shall be used  
38 in a manner that allows provision of court-ordered  
39 services to juveniles for the entire specified fiscal  
40 period without the need for supplemental funding. The  
41 court shall consider the overall cost-effectiveness of  
42 services ordered by the court for juveniles under  
43 chapter 232.

44 2. As a condition, limitation, and qualification  
45 of the funds appropriated in this section, and  
46 notwithstanding any other provision of law, \$6,150,000  
47 of the funds appropriated in this Act for home-based  
48 services shall be used in providing court-ordered  
49 family-centered, family preservation and family  
50 reunification services designed to achieve the goals

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1 contained in a juvenile's foster care case permanency  
2 plan. The department of human services shall develop  
3 policies and procedures to ensure that priority for  
4 these services is given to juveniles who are at-risk  
5 of being adjudicated as a delinquent, being found to  
6 be a child in need of assistance, or being  
7 involuntarily committed under chapter 125 or 229.  
8 3. As a condition, limitation, and qualification  
9 of the funds appropriated in this section, and  
10 notwithstanding section 232.141 or any other provision  
11 of law, the funds appropriated in this section shall  
12 be allocated to the judicial districts as provided in  
13 this subsection. The allocations to the districts  
14 shall be made according to a formula developed  
15 pursuant to recommendations of a committee consisting  
16 of a representative of the director of human services,  
17 a representative of the state court administrator, a  
18 representative of the Iowa state association of  
19 counties, and a representative of service providers  
20 selected by the coalition of family and children's  
21 services. The recommendations shall be based upon  
22 each judicial district's utilization of juvenile  
23 justice moneys paid pursuant to section 232.141,  
24 subsection 4, during the period beginning July 1,  
25 1985, and ending June 30, 1990. However, to the  
26 extent possible, services paid for pursuant to that  
27 section that would have been eligible for payment  
28 under other provisions shall not be included. The  
29 judicial district's population of juveniles,  
30 adjudicated juvenile delinquents, and children and  
31 families found to be in need of assistance, during the  
32 period beginning January 1, 1990, and ending December  
33 31, 1990, shall also be considered in developing the  
34 recommendations. The state court administrator shall  
35 make the final decision on the allocations on or  
36 before June 15, 1991.

37 4. Each judicial district shall establish a  
38 planning group for the court-ordered services for  
39 juveniles provided in that district. A district  
40 planning group shall be appointed by the chief judge  
41 of the judicial district and shall include local  
42 representatives of the department of human services,  
43 youth advocates, public defenders where appropriate,  
44 the judicial department, county officials or staff,  
45 and service providers. A district planning group  
46 shall meet at least quarterly and shall perform all of  
47 the following activities:  
48 a. Establish service priorities for spending the  
49 court-ordered services funds allocated to the  
50 district.

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- 1 b. Develop procedures to evaluate and improve the  
2 quality and effectiveness of the services being  
3 provided.
- 4 c. Make recommendations concerning changes in the  
5 child welfare system that are needed to ensure that  
6 children and families receive the services necessary  
7 to meet their unique needs.
- 8 d. Make efforts to ensure quality services are  
9 provided at a reasonable cost.
- 10 e. Consider billings submitted for payment under  
11 this section to ensure that no other payment source is  
12 available.
- 13 Each district planning group shall submit an annual  
14 report to the state court administrator and the  
15 department of human services. The administrator and  
16 the department shall compile these reports and submit  
17 the reports to the chairpersons and ranking members of  
18 the joint human services appropriations subcommittee  
19 and the legislative fiscal bureau.
- 20 5. On or before June 15, 1991, the department of  
21 human services shall develop policies and procedures  
22 to ensure that the funds appropriated in this section  
23 are spent only after all reasonable efforts have been  
24 made to utilize other funding sources and community-  
25 based services. The policies and procedures shall be  
26 designed to achieve the following objectives relating  
27 to services provided under chapter 232:
- 28 a. Maximize the utilization of funds which may be  
29 available from the medical assistance program  
30 including usage of the early preventive, screening,  
31 diagnosis, and treatment (EPSDT) program.
- 32 b. Recover payments from any third-party insurance  
33 coverage which is liable for coverage of the services,  
34 including health insurance coverage.
- 35 c. Pursue development of agreements with regularly  
36 utilized out-of-state service providers which are  
37 intended to reduce per diem costs.
- 38 6. The department of human services, in  
39 consultation with the state court administrator and  
40 the judicial district planning groups, shall compile a  
41 monthly report describing spending in the districts  
42 for court-ordered services for juveniles, including  
43 the utilization of the medical assistance program.  
44 The reports shall be submitted on or before the  
45 twentieth day of each month to the chairpersons and  
46 ranking members of the joint human services  
47 appropriations subcommittee and the legislative fiscal  
48 bureau.
- 49 7. Notwithstanding chapter 232 or any other  
50 provision of law, a district or juvenile court in a

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1 department of human services district shall not order  
 2 any service which is a charge upon the state pursuant  
 3 to section 232.141 if there are insufficient funds  
 4 available in the district allocation to pay for the  
 5 service. The chief juvenile court officer shall work  
 6 with the district planning group to encourage use of  
 7 the funds appropriated in this section such that there  
 8 are sufficient funds during the entire year. The  
 9 chief juvenile court officers shall attempt to  
 10 anticipate potential surpluses and shortfalls in the  
 11 allocations and shall cooperatively transfer funds  
 12 between the districts' allocations as prudent.

13 8. Notwithstanding any provision of law, a  
 14 district or juvenile court shall not order a county to  
 15 pay for any service provided to a juvenile pursuant to  
 16 an order entered under chapter 232 which is a charge  
 17 upon the state under section 232.141.

18 9. As a condition, limitation, and qualification  
 19 of the funds appropriated in this section, and  
 20 notwithstanding any provision of law to the contrary,  
 21 \$50,000 of the funds appropriated in this section may  
 22 be used by the department for the administration of  
 23 the programs and services provided pursuant to orders  
 24 entered under chapter 232, as a supplement to funds  
 25 provided in other appropriations. The department  
 26 shall cooperate with the legislative fiscal bureau in  
 27 developing a management information system for  
 28 spending for services ordered under chapter 232.

29 10. As a condition, limitation, and qualification  
 30 of the funds appropriated in this section, up to  
 31 \$202,000 of the funds appropriated in this section may  
 32 be used by the judicial department for administration  
 33 of the requirements under this section and for travel  
 34 associated with court-ordered placements which are a  
 35 charge upon the state pursuant to section 232.141,  
 36 subsection 4.

37 11. The department of human services may adopt  
 38 emergency rules to implement the provisions of this  
 39 section.

40 Sec. 119. IOWA VETERANS HOME. There is  
 41 appropriated from the general fund of the state to the  
 42 department of human services for the fiscal year  
 43 beginning July 1, 1991, and ending June 30, 1992, the  
 44 following amount, or so much thereof as is necessary,  
 45 to be used for the purposes designated:

46 For operation of the Iowa veterans home, including  
 47 salaries, support, maintenance, miscellaneous  
 48 purposes, and for not more than the following full-  
 49 time equivalent positions:

50 ..... \$ 29,522,461

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1 ..... FTEs 821.80

2 The department may use the gifts accepted by the  
3 director of human services pursuant to section 218.96  
4 and other resources available to the department for  
5 use at the Iowa veterans home for purposes identified  
6 by the department.

7 Sec. 120. MENTAL HEALTH INSTITUTES. There is  
8 appropriated from the general fund of the state to the  
9 department of human services for the fiscal year  
10 beginning July 1, 1991, and ending June 30, 1992, the  
11 following amounts, or so much thereof as is necessary,  
12 to be used for the purposes designated:

13 For the state mental health institutes for  
14 salaries, support, maintenance, miscellaneous  
15 purposes, and for not more than the following full-  
16 time equivalent positions:

17 1. State mental health institute at Cherokee:  
18 ..... \$ 14,928,541

19 ..... FTEs 389.75

20 2. State mental health institute at Clarinda:  
21 ..... \$ 6,575,503

22 ..... FTEs 160.61

23 Effective July 1, 1991, the long-term substance  
24 abuse beds in the state mental health institute at  
25 Clarinda shall be closed.

26 3. State mental health institute at Independence:  
27 ..... \$ 16,005,884

28 ..... FTEs 436.27

29 4. State mental health institute at Mount  
30 Pleasant:

31 ..... \$ 9,260,073

32 ..... FTEs 211.50

33 Sec. 121. HOSPITAL-SCHOOLS. There is appropriated  
34 from the general fund of the state to the department  
35 of human services for the fiscal year beginning July  
36 1, 1991, and ending June 30, 1992, the following  
37 amounts, or so much thereof as is necessary, to be  
38 used for the purposes designated:

39 For the state hospital-schools, for salaries,  
40 support, maintenance, miscellaneous purposes, and for  
41 not more than the following full-time equivalent  
42 positions:

43 1. State hospital-school at Glenwood:  
44 ..... \$ 39,142,956

45 ..... FTEs 1,157.00

46 2. State hospital-school at Woodward:  
47 ..... \$ 32,054,985

48 ..... FTEs 931.85

49 Sec. 122. MENTAL HEALTH AND MENTAL RETARDATION  
50 SERVICES FUND. There is appropriated from the general

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1 fund of the state to the state community mental health  
2 and mental retardation services fund established in  
3 section 225C.7 for the fiscal year beginning July 1,  
4 1991, and ending June 30, 1992, the following amount,  
5 or so much thereof as is necessary:

6 ..... \$ 2,000,000

7 1. Notwithstanding 1990 Iowa Acts, chapter 1250,  
8 section 18, \$1,200,000 of the funds appropriated to  
9 the special mental health services fund established in  
10 that section shall be transferred to the state  
11 community mental health and mental retardation  
12 services fund established in section 225C.7 and shall  
13 be used in addition to the funds appropriated in this  
14 section for the purposes designated. The amount  
15 transferred pursuant to this section and section 123  
16 of this Act shall not be subject to the formula  
17 provided in 1990 Iowa Acts, chapter 1250, section 18,  
18 subsection 4.

19 2. Notwithstanding section 225C.7 and any other  
20 provision of chapter 225C or other provision of law,  
21 the state community mental health and mental  
22 retardation services fund shall not be divided into  
23 two parts but shall be distributed only as provided in  
24 chapter 225C for the general allocation.

25 Sec. 123. ENHANCED SERVICES -- COUNTY PAYMENT.  
26 Notwithstanding 1990 Iowa Acts, chapter 1250, section  
27 18, \$2,360,000 of the funds appropriated to the  
28 special mental health services fund established in  
29 that section, or so much thereof as is necessary,  
30 shall be transferred to supplement the appropriation  
31 in section 127 of this Act for the state candidate  
32 services fund for the purpose of providing funds to  
33 counties pursuant to section 127, subsection 5. The  
34 amount transferred pursuant to this section and  
35 section 122 of this Act shall not be subject to the  
36 formula provided in 1990 Iowa Acts, chapter 1250,  
37 section 18, subsection 4.

38 Sec. 124. MENTAL HEALTH -- MENTAL RETARDATION --  
39 DEVELOPMENTAL DISABILITIES SPECIAL SERVICES. There is  
40 appropriated from the general fund of the state to the  
41 department of human services for the fiscal year  
42 beginning July 1, 1991, and ending June 30, 1992, the  
43 following amount, or so much thereof as is necessary,  
44 to be used for the purpose designated:

45 For mental health, mental retardation, and  
46 developmental disabilities special services:

47 ..... \$ 382,500

48 1. The department and the Iowa finance authority  
49 shall develop methods to implement the financing for  
50 existing community-based facilities and to implement

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1 financing for small community-based facilities,  
 2 including those facilities which may be developed  
 3 under a federally approved home and community-based  
 4 waiver for services provided under the medical  
 5 assistance program. The department shall develop  
 6 criteria for these facilities which may include  
 7 provisions to restrict placements to current state  
 8 hospital-school clients or to avert the placement of  
 9 persons in a state hospital-school. The department  
 10 shall assure that clients are referred to these  
 11 facilities upon their development.

12 2. Of the funds appropriated in this section,  
 13 \$257,219 is allocated to provide supplemental per  
 14 diems to community-based residential care facilities  
 15 and community living arrangements. The per diem is  
 16 restricted to clients placed from the state hospital-  
 17 schools and persons averted from placement in a state  
 18 hospital-school who meet the appropriate level of  
 19 functioning for this type of care.

20 3. Of the funds appropriated in this section,  
 21 \$125,281 is allocated to provide funds for  
 22 construction and start-up costs to develop community  
 23 living arrangements to provide for persons who are  
 24 mentally ill and homeless. These funds may be used to  
 25 match federal Stewart B. McKinney Homeless Assistance  
 26 Act grant funds.

27 4. As a condition, limitation, and qualification  
 28 of the funds appropriated in this section, the  
 29 department shall adopt rules pursuant to chapter 17A  
 30 providing for reimbursement under state supplementary  
 31 assistance to pay for supervised apartment living and  
 32 cooperative housing arrangements for persons with  
 33 disabilities. The rules shall take effect July 1,  
 34 1992.

35 Sec. 125. FAMILY SUPPORT SUBSIDY PROGRAM. There  
 36 is appropriated from the general fund of the state to  
 37 the department of human services for the fiscal year  
 38 beginning July 1, 1991, and ending June 30, 1992, the  
 39 following amount, or so much thereof as is necessary,  
 40 to be used for the purpose designated:

41 For the family support subsidy program:  
 42 ..... \$ 621,860

43 Sec. 126. SPECIAL NEEDS GRANTS. There is  
 44 appropriated from the general fund of the state to the  
 45 department of human services for the fiscal year  
 46 beginning July 1, 1991, and ending June 30, 1992, the  
 47 following amount, or so much thereof as is necessary,  
 48 to be used for the purpose designated:

49 To provide special needs grants to families with a  
 50 family member at home who has a developmental

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1 disability or to a person with a developmental  
2 disability:

3 ..... \$ 55,000

4 Grants must be used by a family to defray special  
5 costs of caring for the family member to prevent out-  
6 of-home placement of the family member or to provide  
7 for independent living costs. A grant may provide up  
8 to \$5,000 per person for costs associated with an  
9 assistive animal. The grants may be administered by a  
10 private nonprofit agency which serves people statewide  
11 provided that no administrative costs are received by  
12 the agency. Regular reports regarding coordination of  
13 the special needs grants with the family support  
14 subsidy program shall be provided to the legislative  
15 fiscal bureau.

16 Sec. 127. ENHANCED MENTAL HEALTH -- MENTAL  
17 RETARDATION -- DEVELOPMENTAL DISABILITIES SERVICES.

18 There is appropriated from the general fund of the  
19 state to the department of human services for the  
20 fiscal year beginning July 1, 1991, and ending June  
21 30, 1992, the following amount, or so much thereof as  
22 is necessary, to be used for the purpose designated:

23 For the state candidate services fund:

24 ..... \$ 2,545,911

25 1. The enhanced mental health, mental retardation,  
26 and developmental disabilities services plan oversight  
27 committee is continued, as established under 1988 Iowa  
28 Acts, chapter 1276, section 14, subsection 1, for the  
29 fiscal year which begins July 1, 1991, and ends June  
30 30, 1992. The oversight committee shall issue a final  
31 decision regarding any issue of disagreement between a  
32 county and the department relating to expenditures for  
33 candidate services or the county's maintenance of  
34 effort.

35 2. For purposes of this section, "candidate  
36 services" means day treatment, partial  
37 hospitalization, and case management.

38 3. a. The county of legal settlement shall be  
39 billed for 50 percent of the nonfederal share of the  
40 cost of case management provided to adults, day  
41 treatment, and partial hospitalization provided under  
42 the medical assistance program for persons with mental  
43 retardation, a developmental disability, or chronic  
44 mental illness.

45 b. If the department has contracted with a county  
46 or a consortium of counties to be the provider of case  
47 management services, the department is responsible for  
48 any costs included within the unit rate for case  
49 management services which are disallowed for  
50 reimbursement pursuant to Title XIX of the federal



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1 Social Security Act by the federal health care  
2 financing administration. The department shall use  
3 funds appropriated under this section to credit a  
4 county for the county's share of any amounts overpaid  
5 due to the disallowed costs. If certain costs are  
6 disallowed due to requirements or preferences of a  
7 particular county in the provision of case management  
8 services the county shall not receive credit for the  
9 amount of the costs.

10 4. A county is responsible to continue to expend  
11 at least the agreed upon amount expended for services  
12 in the fiscal year which ended June 30, 1987, for the  
13 fiscal year beginning July 1, 1991, for services to  
14 persons with mental retardation, a developmental  
15 disability, or chronic mental illness.  
16 Notwithstanding section 8.33, if a county does not  
17 expend the agreed upon amount in the fiscal year, the  
18 balance not expended shall not revert to the general  
19 fund of the county, but shall be carried over to the  
20 next fiscal year to be expended for the provision of  
21 services to persons with mental retardation, a  
22 developmental disability, or mental illness including,  
23 but not limited to, the chronically mentally ill, and  
24 shall be used as additional funds. The additional  
25 funds shall be used, to the greatest extent possible,  
26 to meet unmet needs of persons with mental  
27 retardation, a developmental disability, or mental  
28 illness. This subsection does not relieve the county  
29 from any other funding obligations required by law,  
30 including but not limited to the obligations in  
31 section 222.60.

32 5. The department, in conjunction with the  
33 oversight committee, and with the agreement of each  
34 county, shall establish the actual amount expended for  
35 each candidate service for persons with mental  
36 retardation, a developmental disability, or chronic  
37 mental illness in the fiscal year which ended June 30,  
38 1987, and this amount shall be deemed each county's  
39 base year expenditure for the candidate service. A  
40 disagreement between the department and a county as to  
41 the actual amount expended shall be decided by the  
42 oversight committee.

43 The department, in conjunction with the oversight  
44 committee, and with the agreement of each county,  
45 shall determine the expenditures in the fiscal year  
46 beginning July 1, 1990, by each county for the  
47 candidate services, including the amount the county  
48 contributes under subsection 3. If the expenditures  
49 in the fiscal year beginning July 1, 1990, exceed the  
50 base year expenditures for candidate services, then

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1 the county shall receive from the funds appropriated  
2 under this section the least amount of the following:  
3 a. The difference between the total expenditures  
4 for the candidate services in the fiscal year  
5 beginning July 1, 1990, and the base year  
6 expenditures.  
7 b. The amount expended by the county under  
8 subsection 3.  
9 c. The amount by which total expenditures for  
10 persons with mental retardation, a developmental  
11 disability, or chronic mental illness for the fiscal  
12 year beginning July 1, 1990, less any carryover amount  
13 from the fiscal year which began July 1, 1989, exceed  
14 the maintenance of effort expenditures under  
15 subsection 4.  
16 6. Notwithstanding section 225C.20, case  
17 management services shall be provided by the  
18 department except when a county or a consortium of  
19 counties contracts with the department to provide the  
20 services. A county or consortium of counties may  
21 contract to be the provider at any time and the  
22 department shall agree to the contract so long as the  
23 contract meets the standards for case management  
24 adopted by the department. The county or consortium  
25 of counties may subcontract for the provision of case  
26 management services if the subcontract meets the same  
27 standards. A mental health, mental retardation, and  
28 developmental disabilities coordinating board may  
29 change the provider of individual case management  
30 services at any time. If the current or proposed  
31 contract is with the department, the coordinating  
32 board shall provide written notification of a proposed  
33 change to the department on or before August 15 and  
34 written notification of an approved change on or  
35 before October 15 in the fiscal year which precedes  
36 the fiscal year in which the change will take effect.  
37 7. This section does not relieve the county from  
38 any other funding obligations required by law,  
39 including but not limited to the obligations in  
40 section 222.60.  
41 8. Nothing in this Act is intended by the general  
42 assembly to be the provision of a fair and equitable  
43 funding formula specified in 1985 Iowa Acts, chapter  
44 249, section 9. Nothing in this Act shall be  
45 construed as, is intended as, or shall imply a claim  
46 of entitlement to any programs or services specified  
47 in section 225C.28.  
48 9. For the purposes of this section only, persons  
49 with organic mental disorders shall not be considered  
50 chronically mentally ill.

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1 10. Where the department contracts with a county  
 2 or consortium of counties to provide case management  
 3 services, the state shall appear and defend the  
 4 department's employees and agents acting in an  
 5 official capacity on the department's behalf and the  
 6 state shall indemnify the employees and agents for  
 7 acts within the scope of their employment. The  
 8 state's duties to defend and indemnify shall not apply  
 9 if the conduct upon which any claim is based  
 10 constitutes a willful and wanton act or omission or  
 11 malfeasance in office.

12 Sec. 128. FIELD OPERATIONS. There is appropriated  
 13 from the general fund of the state to the department  
 14 of human services for the fiscal year beginning July  
 15 1, 1991, and ending June 30, 1992, the following  
 16 amount, or so much thereof as is necessary, to be used  
 17 for the purposes designated:

18 For field operations, including salaries, support,  
 19 maintenance, miscellaneous purposes, and for not more  
 20 than the following full-time equivalent positions:  
 21 ..... \$ 43,527,950  
 22 ..... FTEs 2,310.50

23 1. Staff who are designated as "Title XIX case  
 24 management staff" are considered to be in addition to  
 25 the limit for full-time equivalent positions and the  
 26 funds appropriated for field operations. As a  
 27 condition, limitation, and qualification of the funds  
 28 appropriated in this section, the department shall  
 29 report quarterly to the chairpersons and ranking  
 30 members of the legislative fiscal committee of the  
 31 legislative council, the members of the joint human  
 32 services appropriations subcommittee, and the  
 33 legislative fiscal bureau regarding the total number  
 34 of Title XIX case management staff positions filled,  
 35 including the number of positions which were filled by  
 36 persons who were already employed by the department in  
 37 another capacity.

38 2. As a condition, limitation, and qualification  
 39 of the funds appropriated in this section, upon the  
 40 request of a county, the department shall work with  
 41 the county to develop a funding plan for persons with  
 42 mental retardation, a developmental disability, or  
 43 chronic mental illness who are not eligible to receive  
 44 case management provided under the medical assistance  
 45 program and are receiving service management. With an  
 46 agreed upon funding plan, the department is authorized  
 47 to combine state funds that would otherwise be  
 48 expended on service management with county funds to  
 49 upgrade services provided to the persons from service  
 50 management to case management. Staff required to

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1 implement this subsection are not subject to the  
2 limitations on full-time equivalent positions and  
3 funds appropriated for field operations.  
4 3. As a condition, limitation, and qualification  
5 of the funds appropriated in this section, if the  
6 field operations staffing level meets the funded full-  
7 time equivalent position limit authorized in this  
8 section and a district identifies a critical position  
9 vacancy or a position with a caseweight factor greater  
10 than 120 percent of the budgeted caseweight factor for  
11 the position, the director of human services may  
12 exceed the full-time equivalent position limit  
13 authorized under this section in the amount necessary  
14 to fill the critical position vacancy or to reduce the  
15 caseweight factor to the budgeted level. For purposes  
16 of this subsection, "critical position vacancy"  
17 includes a clerical position in an office limited to a  
18 single clerical staff position. The budgeted  
19 caseweight factor for the fiscal year beginning July  
20 1, 1991, and ending June 30, 1992, is 196 for income  
21 maintenance workers and 191 for service workers. If  
22 the department is able to increase federal financial  
23 participation relating to field operations, the moneys  
24 shall be used to reduce budgeted caseweight factor  
25 funded by the appropriation in this section for income  
26 maintenance and service workers. In addition, if the  
27 field operations staffing level meets the funded full-  
28 time equivalent position limit authorized in this  
29 section and there is a critical position vacancy in  
30 the state or the statewide average caseweight factor  
31 for a particular type of position exceeds 105 percent  
32 of the budgeted caseweight factor for that type of  
33 position, the director of human services may exceed  
34 the full-time equivalent position limit authorized in  
35 this section in an amount necessary to fill the  
36 critical position vacancy or to reduce the caseweight  
37 factor to the budgeted level. The department shall  
38 report monthly to the chairpersons and ranking members  
39 of the joint human services appropriations  
40 subcommittee and to the legislative fiscal bureau  
41 regarding caseweight factor computations in each  
42 district, the statewide average caseweight factor, the  
43 existence of a critical position vacancy in any  
44 district, and action taken by the department to  
45 address any critical position vacancy problem or  
46 excess caseweight factor.  
47 4. Notwithstanding the full-time equivalent  
48 position limit authorized in this section, a county  
49 implementing a decategorization project, consistent  
50 with the county's decategorization plan, may modify

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1 the staffing level in the county's human services  
2 office and the modification shall not affect other  
3 county or district human services staffing levels and  
4 shall not be considered to be subject to the full-time  
5 equivalent position limit in this section.

6 5. As a condition, limitation, and qualification  
7 of the funds appropriated in this section, the  
8 department shall review the current field operations  
9 service delivery system structure. Within the funds  
10 budgeted and full-time equivalent positions authorized  
11 under this appropriation, the department shall make  
12 changes necessary to improve the system's  
13 administrative efficiency and effectiveness and to  
14 streamline these functions. Emphasis shall be placed  
15 upon increasing the program support, training, and  
16 supervision of staff who work directly with clients.

17 6. As a condition, limitation, and qualification  
18 of the funds appropriated in this section, the  
19 department, in consultation with the child development  
20 coordinating council and the family development and  
21 self-sufficiency council, shall develop a proposal for  
22 submission to the federal family support  
23 administration for a state family resource and support  
24 program grant under the federal Family Resource and  
25 Support Act of 1990, H.R. 4151, § 946. The department  
26 may also apply for a planning grant under that Act.  
27 In making application, the department shall build upon  
28 existing effective programs in Iowa provided through  
29 the child development coordinating council, the family  
30 development and self-sufficiency council, adolescent  
31 pregnancy prevention grants, and child abuse pre-  
32 vention grants.

33 7. As a condition, limitation, and qualification  
34 of the funds appropriated in this section, the  
35 department shall consolidate into a single report the  
36 cost reports used by service providers for  
37 reimbursement under the state supplementary assistance  
38 program and for reimbursement of purchase of service  
39 contracts under the social services block grant. This  
40 consolidation shall be completed on or before October  
41 1, 1991.

42 Sec. 129. GENERAL ADMINISTRATION. There is  
43 appropriated from the general fund of the state to the  
44 department of human services for the fiscal year  
45 beginning July 1, 1991, and ending June 30, 1992, the  
46 following amount, or so much thereof as is necessary,  
47 to be used for the purposes designated:

48 For general administration, including salaries,  
49 support, maintenance, miscellaneous purposes, and for  
50 not more than the following full-time equivalent

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1 positions:

2 ..... \$ 9,187,673

3 ..... FTEs 352.95

4 1. Full-time equivalent positions which are funded  
5 entirely with federal, public, or private grants are  
6 exempt from the limits on the number of full-time  
7 equivalent positions provided in this section, but are  
8 approved only for the period of time for which the  
9 federal funds or grants are available for the  
10 position.

11 2. As a condition, limitation, and qualification  
12 of the funds appropriated in this section, if a state  
13 institution administered by the department is to be  
14 closed or reduced in size, prior to the closing or  
15 reduction the department shall initiate and coordinate  
16 efforts in cooperation with the Iowa department of  
17 economic development to develop new jobs in the area  
18 in which the state institution is located.

19 3. As a condition, limitation, and qualification  
20 of the funds appropriated in this section, the  
21 department shall seek federal approval of home and  
22 community-based waivers for services provided under  
23 medical assistance to persons with mental retardation,  
24 mental illness, or developmental disabilities and  
25 effective February 1, 1992, contingent upon federal  
26 approval of the waivers, the department shall take all  
27 measures necessary to implement the waivers,  
28 including, but not limited to, filling not more than  
29 12 employee positions to perform duties as necessary  
30 to implement the waivers. The department shall fill  
31 the positions in a manner which results in the  
32 positions being equivalent to 4.00 FTEs for the fiscal  
33 year, however, the positions shall be annualized for  
34 the purposes of establishing the number of full-time  
35 equivalent positions in this appropriation for the  
36 fiscal year.

37 4. As a condition, limitation, and qualification  
38 of the funds appropriated in this section, \$30,000  
39 shall be transferred to the governor's planning  
40 council for developmental disabilities for use in  
41 contracting to continue operating a computerized  
42 information and referral project for Iowans with  
43 developmental disabilities and their families.

44 5. As a condition, limitation, and qualification  
45 of the funds appropriated in this section, the  
46 department shall apply to the Robert Wood Johnson  
47 foundation for a grant to investigate the feasibility  
48 of establishing a system with a single state authority  
49 and regional subauthorities for the planning, funding,  
50 and administration of services for persons with mental

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1 illness. The application process shall be coordinated  
2 with the requirements of the federal Mental Health  
3 Planning Act, Pub. L. No. 99-660 and federal mental  
4 health law amendments enacted in 1990. The department  
5 shall work with legislators, advocacy groups, county  
6 representatives, and service providers as necessary in  
7 developing the grant application.

8 Sec. 130. VOLUNTEERS. There is appropriated from  
9 the general fund of the state to the department of  
10 human services for the fiscal year beginning July 1,  
11 1991, and ending June 30, 1992, the following amount,  
12 or so much thereof as is necessary, to be used for the  
13 purpose designated:

14 For development and coordination of volunteer  
15 services:

16 ..... \$ 93,283

17 Sec. 131. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY  
18 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED  
19 UNDER THE DEPARTMENT OF HUMAN SERVICES.

20 1. a. For the fiscal year beginning July 1, 1991,  
21 the following providers shall not have their medical  
22 assistance reimbursement rates increased over the  
23 rates in effect on June 30, 1991: providers of  
24 waived services under the home and community-based  
25 programs, optometrists for service fees only,  
26 opticians for service fees only, podiatrists,  
27 dentists, chiropractors, physical therapists, birthing  
28 centers, ambulance services, independent laboratories,  
29 area education agencies, clinics, audiologists,  
30 rehabilitation agencies, community mental health  
31 centers, family planning clinics, psychologists,  
32 hearing aid dealers, orthopedic shoe dealers,  
33 ambulatory surgery centers, and genetic counseling  
34 clinics. Reimbursement for optometric products shall  
35 not be increased. The department of human services  
36 may utilize flexibility in allocating the increase for  
37 durable medical products and supplies so that  
38 equipment and supplies which have greater wholesale  
39 cost increases may be reimbursed at a higher rate and  
40 those which have a lower or no wholesale cost increase  
41 may be reimbursed at a lower rate or have no increase.  
42 Reimbursement rates for physicians and certified  
43 registered nurse anesthetists shall not be increased.  
44 Reimbursement rates for maternal health centers and  
45 pediatric services shall not be increased.

46 b. For the fiscal year beginning July 1, 1991, the  
47 following shall have their medical assistance  
48 reimbursement rates established at the rates in effect  
49 on February 28, 1991: psychiatric medical  
50 institutions for children, early preventive screening,

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1 diagnosis, and treatment providers, providers of  
2 obstetric services when provided by physicians or  
3 certified midwives, and durable medical products and  
4 supplies.

5 c. The department shall provide a differential per  
6 diem reimbursement rate to a psychiatric medical  
7 institution for children for short-term treatment or  
8 diagnosis services provided within a segregated unit  
9 of the institution. The differential per diem  
10 reimbursement rate shall not exceed 120 percent of the  
11 per diem rate authorized in this section for  
12 psychiatric medical institutions for children.

13 d. The dispensing fee for pharmacists shall remain  
14 at the rate in effect on June 30, 1991. The  
15 department shall adjust the average wholesale price of  
16 drug product costs in accordance with federal  
17 regulations. Dispensing fees for pharmacists shall be  
18 further adjusted to reflect the adjustment to the  
19 average wholesale price of drug product costs. Total  
20 adjustments to reimbursements for prescription drugs  
21 shall remain within funds appropriated.

22 e. Effective July 1, 1991, reimbursement rates to  
23 hospitals shall not be increased over the rates in  
24 effect on June 30, 1991.

25 f. Reimbursement rates for rural health clinics  
26 shall be increased in accordance with increases under  
27 the federal medicare program.

28 g. Home health agencies certified for the medical  
29 assistance program, hospice services, and acute care  
30 mental hospitals shall be reimbursed for their current  
31 federal medicare audited costs.

32 h. Effective July 1, 1991, the basis for  
33 establishing the maximum medical assistance  
34 reimbursement rate for nursing facilities shall be the  
35 70th percentile of facility costs as calculated from  
36 the June 30, 1991, unaudited compilation of cost and  
37 statistical data. However, to the extent funds are  
38 available under the allocation for reimbursement of  
39 nursing facilities within the appropriation for  
40 medical assistance in this Act, the basis shall be  
41 increased to not more than the 74th percentile of  
42 facility costs as calculated from the same data.

43 i. Effective July 1, 1991, the amount provided  
44 under the medical assistance program to nursing  
45 facilities during the fiscal year ending June 30,  
46 1991, in addition to the approved per diem rate,  
47 pursuant to 1990 Iowa Acts, chapter 1270, section 31,  
48 subsection 1, paragraph "e", subparagraph (1), shall  
49 no longer be provided.

50 2. For the fiscal year beginning July 1, 1991, the



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1 maximum cost reimbursement rate for residential care  
2 facilities reimbursed by the department shall be  
3 \$19.62 per day. The flat reimbursement rate for  
4 facilities electing not to file semiannual cost  
5 reports shall be \$14.03 per day.

6 3. For services provided by social services  
7 providers reimbursed by the department in the fiscal  
8 year beginning July 1, 1991, rates shall be increased  
9 by 2 percent over the unreduced rates in effect on  
10 June 30, 1991. However, any increase provided under  
11 this subsection shall not cause the provider's  
12 reimbursement rate to exceed the provider's actual and  
13 allowable cost plus the inflationary factor authorized  
14 under this section.

15 4. Notwithstanding the provisions of subsection 3,  
16 the department may implement revisions of the  
17 methodology for purchasing group foster care services  
18 to establish rates for group foster care services  
19 based on the study of these issues funded by the  
20 general assembly in the fiscal year which began July  
21 1, 1989, provided the overall budget amount for the  
22 expenditures is not exceeded and the revisions of the  
23 methodology are agreed to by the affected service  
24 providers.

25 5. In determining reimbursement rates for  
26 facilities reimbursed under this division, including  
27 but not limited to foster care providers, residential  
28 care facilities, nursing facilities, and community  
29 living arrangements, the department shall not include  
30 private moneys contributed to the facility in its  
31 determination.

32 6. If the department's reimbursement methodology  
33 for any provider reimbursed in accordance with this  
34 section includes an inflation factor, this factor  
35 shall not exceed the amount by which the consumer  
36 price index increased during the calendar year ending  
37 December 31, 1990.

38 7. The department may adopt emergency rates to  
39 implement the provisions of this section except for  
40 subsection 5 for which the department shall adopt  
41 nonemergency rules pursuant to chapter 17A.

42 Sec. 132. ASSISTANCE TO GAMBLERS. There is  
43 appropriated from the general fund of the state to the  
44 department of human services for the fiscal year  
45 beginning July 1, 1991, and ending June 30, 1992, the  
46 following amount, or so much thereof as is necessary,  
47 to be used for the purpose designated:

48 For the gamblers assistance program, including  
49 salaries, support, maintenance, miscellaneous  
50 purposes, and for not more than the following full-

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1 time equivalent positions:

2	.....	\$	400,000
3	.....	PTEs	3.00

4 The Iowa lottery board and the state racing and  
 5 gaming commission shall cooperate with the gamblers  
 6 assistance program to incorporate information  
 7 regarding the gamblers assistance program and its  
 8 toll-free telephone number in printed materials  
 9 distributed. The commission may require licensees to  
 10 have the information available in a conspicuous place  
 11 as a condition of licensure.

12 Sec. 133. REQUIREMENTS RELATING TO PERSONS WITH  
 13 DISABILITIES. Subject to the limitations of the  
 14 appropriations in this Act for the state mental health  
 15 institutes and for the state hospital-schools, the  
 16 department of human services shall modify staffing  
 17 structures at the state hospital-schools and the state  
 18 mental health institutes consistent with accreditation  
 19 and certification requirements and the findings of the  
 20 study on staffing commissioned by the general assembly  
 21 in order to improve the level of direct staffing,  
 22 reduce or simplify the levels of organizational  
 23 authority where appropriate, and reduce the use of  
 24 overtime. If, after review of the study  
 25 recommendations, the department of human services  
 26 decides to establish the position of "human resource  
 27 specialist" at the state hospital-schools, the  
 28 positions shall be established within the department  
 29 of personnel and the department of human services may  
 30 transfer to the department of personnel the associated  
 31 full-time equivalent positions and moneys equal to the  
 32 salary costs for the positions. The maintenance of  
 33 sufficient direct care staff to assure worker and  
 34 patient safety is of highest priority. The department  
 35 shall work with all levels of affected employees in  
 36 carrying out this staff restructuring. The department  
 37 shall work to assure that vacant positions in direct  
 38 care are filled promptly and expeditiously.

39 Sec. 134. FULL-TIME EQUIVALENT LIMIT NOTIFICATION.  
 40 The Iowa veterans home, the state mental health  
 41 institutes, and the state hospital-schools may exceed  
 42 the number of full-time equivalent positions  
 43 authorized in this division if the additional  
 44 positions are specifically related to licensing,  
 45 certification, or accreditation standards or  
 46 citations. The department shall notify the co-  
 47 chairpersons and ranking members of the joint human  
 48 services appropriations subcommittee and the  
 49 legislative fiscal bureau if the specified number is  
 50 exceeded. The notification shall include an estimate

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1 of the number of full-time equivalent positions added  
2 and the fiscal effect of the addition.  
3 Sec. 135. COMPUTERIZATION -- ASSESSMENT OF  
4 FINANCIAL IMPACT. In order to assess the financial  
5 impact of computerizing functions within the  
6 department of human services, the department of  
7 general services, information services division, shall  
8 monitor the utilization of the central processing unit  
9 resources maintained by the division, and shall  
10 provide quarterly reports to the legislative fiscal  
11 committee of the legislative council and the  
12 legislative fiscal bureau. The quarterly reports  
13 shall contain an analysis of the central processing  
14 unit resources utilized by the department of human  
15 services by each computerized application within the  
16 department. The reports shall also contain  
17 information on computerized applications which are  
18 under development, and shall project the central  
19 processing unit utilization which will occur in 6, 12,  
20 18, and 24 months. The reports shall be designed to  
21 enable the legislative fiscal committee and the  
22 legislative fiscal bureau to assess the fiscal impact  
23 of various computerized applications, with emphasis  
24 upon the need for the division to purchase additional  
25 computer hardware.

26 Sec. 136. Section 99E.10, subsection 1, paragraph  
27 a, Code 1991, is amended by adding the following new  
28 unnumbered paragraph:

29 NEW UNNUMBERED PARAGRAPH. Notwithstanding the  
30 provisions of this lettered paragraph, directing that  
31 a portion of gross lottery revenues be deposited into  
32 the gamblers assistance fund or the provisions of  
33 section 99F.11 directing that a portion of the  
34 adjusted gross receipts under chapter 99F be deposited  
35 into the gamblers assistance fund, for the fiscal  
36 period beginning July 1, 1991, and ending June 30,  
37 1993, moneys that were to be deposited into the  
38 gamblers assistance fund pursuant to this lettered  
39 paragraph and section 99F.11, subsection 3, shall be  
40 deposited into the general fund of the state.

41 Sec. 137. Section 135C.2, subsection 5, paragraph  
42 b, Code 1991, is amended to read as follows:

43 b. A facility must be located in an area zoned for  
44 single or multiple-family housing or in an  
45 unincorporated area and must be constructed in  
46 compliance with applicable local housing codes and the  
47 rules adopted for the special classification by the  
48 state fire marshal in accordance with the concept of  
49 the least restrictive environment for the facility  
50 residents. The rules adopted by the state fire

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1 marshal for the special classification shall be no  
2 more restrictive than the rules adopted by the state  
3 fire marshal for demonstration waiver project  
4 facilities pursuant to 1986 Iowa Acts, chapter 1246,  
5 section 206, subsection 2. Local housing codes shall  
6 not be more restrictive than the rules adopted for the  
7 special classification by the state fire marshal and  
8 the state building code requirements for single or  
9 multiple-family housing.

10 Sec. 138. Section 230.11, Code 1991, is amended to  
11 read as follows:

12 230.11 RECOVERY OF COSTS FROM STATE.

13 Costs and expenses attending the taking into  
14 custody, care, and investigation of a person who has  
15 been admitted or committed to ~~a state hospital,~~  
16 ~~veterans administration hospital or other agency of~~  
17 ~~the United States government, for the mentally ill~~  
18 under chapter 229 and who has no legal settlement in  
19 this state or whose legal settlement is unknown,  
20 including cost of commitment, if any, shall be paid  
21 out of any money in the state treasury not otherwise  
22 appropriated, on itemized vouchers executed by the  
23 auditor of the county which has paid them, and  
24 approved by the administrator.

25 Sec. 139. EMERGENCY RULES. If specifically  
26 authorized by a provision of this division, the  
27 department of human services may adopt administrative  
28 rules under section 17A.4, subsection 2, and section  
29 17A.5, subsection 2, paragraph "b", to implement the  
30 provisions and the rules shall become effective  
31 immediately upon filing, unless a later effective date  
32 is specified in the rules. In addition, the  
33 department may adopt administrative rules in  
34 accordance with the provisions of this section as  
35 necessary to comply with federal requirements or to  
36 adjust to a change in the level of federal funding  
37 which affect refugee programs during the fiscal period  
38 beginning July 1, 1990, and ending June 30, 1992. Any  
39 rules adopted in accordance with the provisions of  
40 this section shall also be published as notice of  
41 intended action as provided in section 17A.4.

42 Sec. 140. EFFECTIVE DATE. Section 103, subsection  
43 9, section 129, subsection 5, and section 139 of this  
44 division, being deemed of immediate importance, take  
45 effect upon enactment.

46 DIVISION II  
47 DEPARTMENT OF EDUCATION

48 Sec. 201. There is appropriated from the general  
49 fund of the state to the department of education for  
50 the fiscal year beginning July 1, 1991, and ending

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1 June 30, 1992, the following amounts, or so much  
2 thereof as may be necessary, to be used for the  
3 purposes designated:

4 1. GENERAL ADMINISTRATION

5 For salaries, support, maintenance, miscellaneous  
6 purposes, and for not more than the following full-  
7 time equivalent positions:

8 ..... \$ 5,507,266  
9 ..... FTEs 137.25

10 2. CORRECTIONS EDUCATION PROGRAM

11 For educational programs at state penal  
12 institutions:

13 ..... \$ 1,999,669

14 As a condition, limitation, and qualification of  
15 the appropriation in this subsection, the utilization  
16 of educational technology in the prison education  
17 system shall be expanded and a tracking system shall  
18 be developed and implemented to provide information  
19 regarding the effects of recidivism and employment  
20 success.

21 Persons employed to provide instructional services  
22 under this paragraph who were previously employed  
23 through the department of corrections to provide  
24 instructional services to inmates under programs under  
25 the jurisdiction of the department of corrections  
26 shall be given credit for all unused sick leave that  
27 the persons accrued while employed through the  
28 department of corrections.

29 3. BOARD OF EDUCATIONAL EXAMINERS

30 For salaries, support, maintenance, miscellaneous  
31 purposes and for not more than the following full-time  
32 equivalent positions:

33 ..... \$ 128,000  
34 ..... FTEs 2.00

35 4. SCHOOL FOOD SERVICE

36 For use as state matching funds for federal  
37 programs which shall be disbursed according to federal  
38 regulations, including salaries, support, maintenance,  
39 miscellaneous purposes, and for not more than the  
40 following full-time equivalent positions:

41 ..... \$ 3,056,205  
42 ..... FTEs 14.00

43 5. TEXTBOOKS OF NONPUBLIC SCHOOL PUPILS

44 To provide funds for costs of providing textbooks  
45 to each resident pupil who attends a nonpublic school  
46 as authorized by section 301.1. The funding is  
47 limited to \$20 per pupil and shall not exceed the  
48 comparable services offered to resident public school  
49 pupils:

50 ..... \$ 600,000

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1 6. VOCATIONAL EDUCATION ADMINISTRATION  
2 For salaries, support, maintenance, miscellaneous  
3 purposes, and for not more than the following full-  
4 time equivalent positions:  
5 ..... \$ 923,149  
6 ..... FTEs 39.60

7 7. VOCATIONAL REHABILITATION DIVISION  
8 a. For salaries, support, maintenance,  
9 miscellaneous purposes, and for not more than the  
10 following full-time equivalent positions:  
11 ..... \$ 3,680,000  
12 ..... FTEs 319.50

13 b. For matching funds for programs to enable  
14 severely physically or mentally disabled persons to  
15 function more independently, including salaries and  
16 support, and for not more than the following full-time  
17 equivalent positions:  
18 ..... \$ 21,303  
19 ..... FTEs 1.50

20 8. COMMUNITY COLLEGES  
21 Notwithstanding chapter 286A, for general state  
22 financial aid to merged areas as defined in section  
23 280A.2, for vocational education programs in  
24 accordance with chapters 258 and 280A, to purchase  
25 instructional equipment for vocational and technical  
26 courses of instruction in community colleges, and for  
27 salary increases:  
28 ..... \$ 89,328,644

29 The funds appropriated in this subsection shall be  
30 allocated as follows:  
31 a. Merged Area I ..... \$ 4,159,797  
32 b. Merged Area II ..... \$ 5,046,985  
33 c. Merged Area III ..... \$ 4,882,802  
34 d. Merged Area IV ..... \$ 2,293,272  
35 e. Merged Area V ..... \$ 4,839,917  
36 f. Merged Area VI ..... \$ 4,559,628  
37 g. Merged Area VII ..... \$ 6,256,844  
38 h. Merged Area IX ..... \$ 7,860,684  
39 i. Merged Area X ..... \$ 12,157,506  
40 j. Merged Area XI ..... \$ 13,062,104  
41 k. Merged Area XII ..... \$ 5,154,945  
42 l. Merged Area XIII ..... \$ 5,308,611  
43 m. Merged Area XIV ..... \$ 2,346,713  
44 n. Merged Area XV ..... \$ 7,281,088  
45 o. Merged Area XVI ..... \$ 4,117,747

46 9. COMMUNITY COLLEGE PERSONAL PROPERTY TAX  
47 REPLACEMENT  
48 For general financial aid to merged areas in lieu  
49 of personal property tax replacement payments under  
50 section 427A.13:

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1	.....	\$	828,012
2	The funds appropriated in this subsection shall be		
3	allocated as follows:		
4	a. Merged Area I.....	\$	65,152
5	b. Merged Area II.....	\$	50,567
6	c. Merged Area III.....	\$	33,891
7	d. Merged Area IV.....	\$	23,204
8	e. Merged Area V.....	\$	60,042
9	f. Merged Area VI.....	\$	34,514
10	g. Merged Area VII.....	\$	57,884
11	h. Merged Area IX.....	\$	69,103
12	i. Merged Area X.....	\$	97,180
13	j. Merged Area XI.....	\$	142,463
14	k. Merged Area XII.....	\$	46,200
15	l. Merged Area XIII.....	\$	40,972
16	m. Merged Area XIV.....	\$	20,826
17	n. Merged Area XV.....	\$	55,026
18	o. Merged Area XVI.....	\$	30,988

19 Sec. 202. There is appropriated from the general  
 20 fund of the state to the department of education for  
 21 the fiscal year beginning July 1, 1992, and ending  
 22 June 30, 1993, the following amounts, or so much  
 23 thereof as is necessary, to be used for the purposes  
 24 designated:

25 1. Notwithstanding chapter 286A for state  
 26 financial aid to merged areas to be accrued as income  
 27 and used for expenditures incurred by the community  
 28 colleges during the fiscal year beginning July 1,  
 29 1991, and ending June 30, 1992:

30	.....	\$	15,763,878
----	-------	----	------------

31 The funds appropriated in this section shall be  
 32 allocated as follows:

33	a. Merged Area I.....	\$	734,082
34	b. Merged Area II.....	\$	890,644
35	c. Merged Area III.....	\$	861,671
36	d. Merged Area IV.....	\$	404,695
37	e. Merged Area V.....	\$	854,103
38	f. Merged Area VI.....	\$	804,640
39	g. Merged Area VII.....	\$	1,104,149
40	h. Merged Area IX.....	\$	1,387,180
41	i. Merged Area X.....	\$	2,145,442
42	j. Merged Area XI.....	\$	2,305,077
43	k. Merged Area XII.....	\$	909,696
44	l. Merged Area XIII.....	\$	936,814
45	m. Merged Area XIV.....	\$	414,126
46	n. Merged Area XV.....	\$	1,264,898
47	o. Merged Area XVI.....	\$	726,661

48 2. Funds appropriated by this section shall be  
 49 allocated pursuant to this section and paid on or  
 50 about August 15, 1992.

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1 Sec. 203. There is appropriated from the general  
2 fund of the state to the department of education for  
3 the fiscal year beginning July 1, 1992, and ending  
4 June 30, 1993, the following amounts, or so much  
5 thereof as is necessary, to be used for the purposes  
6 designated:

7 1. For general financial aid to merged areas in  
8 lieu of personal property tax replacement payments  
9 under section 427A.13 to be accrued as income and used  
10 for expenditures incurred by the community colleges  
11 during the fiscal year beginning July 1, 1991, and  
12 ending June 30, 1992:

13 ..... \$ 354,840

14 The funds appropriated in this subsection shall be  
15 allocated as follows:

16	a. Merged Area I.....	\$	27,922
17	b. Merged Area II.....	\$	21,671
18	c. Merged Area III.....	\$	14,525
19	d. Merged Area IV.....	\$	9,924
20	e. Merged Area V.....	\$	25,732
21	f. Merged Area VI.....	\$	14,792
22	g. Merged Area VII.....	\$	24,807
23	h. Merged Area IX.....	\$	29,615
24	i. Merged Area X.....	\$	41,649
25	j. Merged Area XI.....	\$	61,056
26	k. Merged Area XII.....	\$	19,800
27	l. Merged Area XIII.....	\$	17,559
28	m. Merged Area XIV.....	\$	8,925
29	n. Merged Area XV.....	\$	23,582
30	o. Merged Area XVI.....	\$	13,281

31 2. Funds appropriated in subsection 1 shall be  
32 allocated pursuant to this section and paid on or  
33 about August 15, 1992.

34 Sec. 204. Moneys allocated to community colleges  
35 under section 201, subsections 8 and 9 of this  
36 division, for expenditures incurred during the fiscal  
37 year beginning July 1, 1991, and ending June 30, 1992,  
38 shall be paid by the department of revenue and finance  
39 in installments due on or about November 15, February  
40 15, and May 15 of that fiscal year. The installments  
41 shall be as nearly equal as possible as determined by  
42 the department of management, taking into  
43 consideration the relative budget and cash position of  
44 the state resources. The payments received by  
45 community colleges on or about August 15 under  
46 sections 202 and 203 of this division are accounts  
47 receivable for the previous fiscal year.

48 Sec. 205. Notwithstanding the appropriation  
49 provided in section 294A.25, subsection 1, there is  
50 appropriated from the general fund of the state to the



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1 department of education for the fiscal year beginning  
2 July 1, 1991, and ending June 30, 1992, the following  
3 amount, or so much thereof as may be necessary, to be  
4 used for the purpose designated and for not more than  
5 the following full-time equivalent position:

6	For the educational excellence program:	
7	.....	\$ 91,662,500
8	..... FTEs	1.00

9 As a condition, limitation, and qualification of  
10 the funds appropriated in this section, and  
11 notwithstanding the allocation specified for phase III  
12 under section 294A.25, subsection 6, from the moneys  
13 appropriated under this section and available for  
14 expenditure for phase III, the department shall,  
15 subject to the review of the chairpersons and ranking  
16 members of the education committees of the general  
17 assembly, expend \$250,000 to provide demonstration  
18 projects in comprehensive school transformation in no  
19 more than ten public school districts. The objective  
20 of the projects shall be to demonstrate how public  
21 schools can be transformed from corporate to collegial  
22 learning environments for teachers, students, and  
23 administrators for the purpose of maximizing student  
24 learning and to diffuse information about the process  
25 of transformation to neighboring schools. The  
26 projects shall also demonstrate how phase III funds  
27 can be used to promote school transformation by  
28 providing focus to phase III efforts in such areas as  
29 technology, individualization of instruction, and  
30 decentralization of decision-making. However, funds  
31 allocated to districts under this section shall not be  
32 used to supplant funds available to a district under  
33 phase III. Districts participating in a project may  
34 use phase III funds to supplement the purposes and  
35 activities of the project in the manner provided under  
36 section 294A.14. Districts participating in a project  
37 may also pool funds to provide conferences and to  
38 contract with consultants and facilitators to provide  
39 services to support the goals of the project.  
40 Projects shall use the school building as the basic  
41 administrative and clinical unit for demonstration.  
42 The department may expend up to \$10,000 for purposes  
43 of developing guidelines and administering the  
44 selection, approval, and evaluation process for  
45 proposed projects. In developing a selection process  
46 for demonstration projects, the department of  
47 education shall establish an eleven-member selection  
48 committee, which shall include, but is not limited to,  
49 licensed practitioners and ex officio nonvoting  
50 members of the general assembly. A majority of the

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1 members of the committee shall consist of licensed  
 2 teachers and principals. The committee shall select  
 3 projects which give promise of accomplishing  
 4 comprehensive school transformation at the building  
 5 level during the time that the project is in place.  
 6 Each project shall contain an evaluation component,  
 7 which provides for self-evaluation by participating  
 8 districts and evaluation by the department of  
 9 education. The selection committee shall establish  
 10 criteria for ascertaining a particular district's  
 11 readiness for comprehensive change and give preference  
 12 in the project selection process to districts which  
 13 meet the readiness criteria. Each participating  
 14 district shall, at the conclusion of a project, submit  
 15 a copy of the district's self-evaluation in a report  
 16 to the department of education. The department shall  
 17 compile the reports, along with the department's  
 18 evaluations of each of the projects, and submit the  
 19 results in a report to the general assembly by March  
 20 1, 1994.

21 Sec. 206. There is appropriated from the general  
 22 fund of the state to the department of education for  
 23 the fiscal year beginning July 1, 1992, and ending  
 24 June 30, 1993, the following amounts, or so much  
 25 thereof as is necessary, to be used for the purposes  
 26 designated:

27 For expenditures incurred by school districts  
 28 during the previous fiscal year for vocational  
 29 education aid to secondary schools:

30 ..... \$ 3,666,360

31 Funds appropriated by this section shall be used  
 32 for expenditures made by school districts to meet the  
 33 standards set in sections 256.11, 258.4, and 280A.23  
 34 as a result of the enactment of 1989 Iowa Acts,  
 35 chapter 278. Funds shall be used as reimbursement for  
 36 vocational education expenditures made by secondary  
 37 schools in the manner provided by the department of  
 38 education for implementation of the standards set in  
 39 1989 Iowa Acts, chapter 278. The department shall  
 40 inform school districts by July 1, 1991, of the  
 41 criteria for reimbursement with funds appropriated  
 42 under this section.

43 COLLEGE STUDENT AID COMMISSION

44 Sec. 207. There is appropriated from the general  
 45 fund of the state to the college student aid  
 46 commission for the fiscal year beginning July 1, 1991,  
 47 and ending June 30, 1992, the following amounts, or so  
 48 much thereof as may be necessary, to be used for the  
 49 purposes designated:

50 1. GENERAL ADMINISTRATION

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1 For salaries, support, maintenance, miscellaneous  
2 purposes, and for not more than the following full-  
3 time equivalent positions:

4 ..... \$ 346,000  
5 ..... FTEs 8.05

6 2. UNIVERSITY OF OSTEOPATHIC MEDICINE AND HEALTH  
7 SCIENCES

8 a. For grants to juniors and seniors and for  
9 forgivable loans to freshmen and sophomores, who are  
10 Iowa students attending the university of osteopathic  
11 medicine and health sciences, under the grant program  
12 pursuant to section 261.18 and the forgivable loan  
13 program pursuant to section 261.19A:

14 ..... \$ 400,000

15 b. For the university of osteopathic medicine and  
16 health sciences for the admission and education of  
17 Iowa students in each of the 4 years of classes at the  
18 university of osteopathic medicine and health sciences  
19 pursuant to section 261.19:

20 ..... \$ 393,000

21 3. STUDENT AID PROGRAMS

22 For payments to students for student aid programs:

23 ..... \$ 1,866,112

24 As a condition, limitation, and qualification of  
25 the funds appropriated in this subsection, \$1,363,112  
26 shall be expended for an Iowa grant program, with  
27 funds to be allocated to institutions pursuant to  
28 section 261.93A.

29 4. NATIONAL GUARD LOAN REPAYMENT

30 For payments to students for the national guard  
31 loan repayment program in section 261.49:

32 ..... \$ 225,000

33 Sec. 208. There is appropriated from the loan  
34 reserve account to the college student aid commission  
35 for the fiscal year beginning July 1, 1991, and ending  
36 June 30, 1992, the following amount, or so much  
37 thereof as may be necessary, to be used for the  
38 purposes designated:

39 For operating costs of the Stafford loan program  
40 including salaries, support, maintenance,  
41 miscellaneous purposes, and for not more than the  
42 following full-time equivalent positions:

43 ..... \$ 3,671,016

44 ..... FTEs 36.52

45 STATE BOARD OF REGENTS

46 Sec. 209. There is appropriated from the general  
47 fund of the state to the state board of regents for  
48 the fiscal year beginning July 1, 1991, and ending  
49 June 30, 1992, the following amounts, or so much  
50 thereof as may be necessary, to be used for the

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1 purposes designated:

2 1. OFFICE OF STATE BOARD OF REGENTS

3 a. For salaries, support, maintenance,  
4 miscellaneous purposes, and for not more than the  
5 following full-time equivalent positions:

6 ..... \$ 1,111,820  
7 ..... FTEs 18.08

8 As a condition, limitation, and qualification of  
9 the moneys appropriated in this paragraph, the state  
10 board of regents shall not use reimbursements from the  
11 institutions under the control of the state board of  
12 regents for funding the office of the state board of  
13 regents.

14 b. For allocation by the state board of regents to  
15 the state university of Iowa, the Iowa state  
16 university of science and technology, and the  
17 university of northern Iowa to reimburse the  
18 institutions for deficiencies in their operating funds  
19 resulting from the pledging of tuitions, student fees  
20 and charges, and institutional income to finance the  
21 cost of providing academic and administrative  
22 buildings and facilities and utility services at the  
23 institutions:

24 ..... \$ 19,381,162

25 c. For funds to be allocated to the southwest Iowa  
26 graduate studies center located in Council Bluffs:

27 ..... \$ 40,000

28 d. For funds to be allocated to the siouxland  
29 interstate metropolitan planning council for the  
30 tristate graduate center under section 262.9,  
31 subsection 21:

32 ..... \$ 75,000

33 e. For funds to be allocated to the quad-cities  
34 graduate studies center:

35 ..... \$ 145,000

36 2. STATE UNIVERSITY OF IOWA

37 a. General university, including lakeside  
38 laboratory

39 For salaries, support, maintenance, equipment,  
40 miscellaneous purposes, and for not more than the  
41 following full-time equivalent positions:

42 ..... \$179,226,812  
43 ..... FTEs 4,287.37

44 To the extent the appropriation made in this  
45 paragraph is a reduction in the total amount budgeted  
46 for the fiscal year beginning July 1, 1991, and ending  
47 June 30, 1992, and the state university of Iowa  
48 determines the amount is insufficient to fund all of  
49 the university's budgetary units, consideration shall  
50 be given to adjustments reducing budgetary units in

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1 the following order of priority:

- 2 (1) University administrative moneys.
- 3 (2) Equipment and maintenance.
- 4 (3) Short-term furloughs of administrative
- 5 personnel.
- 6 (4) Short-term furloughs of other personnel.
- 7 (5) Other operating budget expenditures.
- 8 (6) Force reduction.

9 As a condition, limitation, and qualification of  
 10 the funds appropriated in this paragraph, if the state  
 11 university of Iowa receives total funds in excess of  
 12 the amount projected to be received by the university  
 13 from federal support, interest, tuition fees,  
 14 reimbursement for indirect costs, sales and service,  
 15 and income sources other than state appropriations,  
 16 the university shall report the amount received, which  
 17 is in excess of the amount projected, to the  
 18 department of management and the legislative fiscal  
 19 bureau by August 1, 1991.

20 As a condition, limitation, and qualification of  
 21 moneys appropriated in this paragraph, from moneys  
 22 available to the state university of Iowa, \$50,000  
 23 shall be awarded to faculty members and teaching  
 24 assistants who have been recognized for exceptional  
 25 teaching. An exceptional teaching recognition award  
 26 is for a one-year period and is in addition to the  
 27 faculty member's or teaching assistant's salary. Not  
 28 later than December 15, 1991, the state board of  
 29 regents shall report the names of recipients of  
 30 teaching excellence awards, and the amounts of the  
 31 awards granted, to the joint education appropriations  
 32 subcommittee and to the legislative fiscal bureau.

33 b. Child care

34 For salaries for child care center directors:  
 35 ..... \$ 60,000

36 c. For funds to be allocated to the Iowa  
 37 consortium for substance abuse research and  
 38 evaluation:  
 39 ..... \$ 60,000

40 d. University hospitals

41 For salaries, support, maintenance, equipment,  
 42 miscellaneous purposes, and for not more than the  
 43 following full-time equivalent positions for medical  
 44 and surgical treatment of indigent patients as  
 45 provided in chapter 255:  
 46 ..... \$ 27,713,416

47 ..... FTEs 5,319.83

48 e. Psychiatric hospital

49 For salaries, support, maintenance, equipment,  
 50 miscellaneous purposes, and for not more than the

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1 following full-time equivalent positions and for the  
 2 care, treatment, and maintenance of committed and  
 3 voluntary public patients:  
 4 ..... \$ 6,881,244  
 5 ..... FTEs 284.57  
 6 f. Hospital-school  
 7 For salaries, support, maintenance, miscellaneous  
 8 purposes, and for not more than the following full-  
 9 time equivalent positions:  
 10 ..... \$ 5,432,176  
 11 ..... FTEs 184.44  
 12 g. Oakdale campus  
 13 For salaries, support, maintenance, miscellaneous  
 14 purposes, and for not more than the following full-  
 15 time equivalent positions:  
 16 ..... \$ 2,891,083  
 17 ..... FTEs 67.55  
 18 h. State hygienic laboratory  
 19 For salaries, support, maintenance, miscellaneous  
 20 purposes, and for not more than the following full-  
 21 time equivalent positions:  
 22 ..... \$ 3,011,225  
 23 ..... FTEs 106.25  
 24 i. Family practice program  
 25 For allocation by the dean of the college of  
 26 medicine, with approval of the advisory board, to  
 27 qualified participants, to carry out chapter 148D for  
 28 the family practice program, including salaries and  
 29 support, and for not more than the following full-time  
 30 equivalent positions:  
 31 ..... \$ 1,808,874  
 32 ..... FTEs 177.27  
 33 j. Child health care services  
 34 For specialized child health care services,  
 35 including childhood cancer diagnostic and treatment  
 36 network programs; rural comprehensive care for  
 37 hemophilia patients; and Iowa high-risk infant follow-  
 38 up program, including salaries and support, and for  
 39 not more than the following full-time equivalent  
 40 positions:  
 41 ..... \$ 428,843  
 42 ..... FTEs 12.51  
 43 k. Agricultural health and safety programs  
 44 For agricultural health and safety programs:  
 45 ..... \$ 224,332  
 46 l. For the statewide tumor registry and for not  
 47 more than the following full-time positions:  
 48 ..... \$ 189,934  
 49 ..... FTEs 5.05  
 50 m. As a condition, limitation, and qualification

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1 of the appropriation made in paragraph "d", the total  
 2 quota allocated to the counties for indigent patients  
 3 for the fiscal year commencing July 1, 1991, shall not  
 4 be lower than the total quota allocated to the  
 5 counties for the fiscal year commencing July 1, 1990.  
 6 The total quota shall be allocated among the counties  
 7 on the basis of the 1990 census pursuant to section  
 8 255.16.

9 n. As a condition, limitation, and qualification  
 10 of the appropriation made in paragraph "d", funds  
 11 appropriated in that paragraph shall not be used to  
 12 perform abortions except medically necessary  
 13 abortions, and shall not be used to operate the early  
 14 termination of pregnancy clinic except for the  
 15 performance of medically necessary abortions. For the  
 16 purpose of this paragraph, an abortion is the  
 17 purposeful interruption of pregnancy with the  
 18 intention other than to produce a live-born infant or  
 19 to remove a dead fetus, and a medically necessary  
 20 abortion is one performed under one of the following  
 21 conditions:

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

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

28 (3) The pregnancy is the result of a rape which is  
 29 reported within 45 days of the incident to a law  
 30 enforcement agency or public or private health agency  
 31 which may include a family physician.

32 (4) The pregnancy is the result of incest which is  
 33 reported within 150 days of the incident to a law  
 34 enforcement agency or public or private health agency  
 35 which may include a family physician.

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

39 3. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY

40 a. General university

41 For salaries, support, maintenance, equipment,  
 42 miscellaneous purposes, and for not more than the  
 43 following full-time equivalent positions:

44 .....	\$145,905,846
45 .....	FTEs 3,737.83

46 To the extent the appropriation made in this  
 47 paragraph is a reduction in the total amount budgeted  
 48 for the fiscal year beginning July 1, 1991, and ending  
 49 June 30, 1992, and the Iowa state university of  
 50 science and technology determines the amount is

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1 insufficient to fund all of the university's budgetary  
2 units, consideration shall be given to adjustments  
3 reducing budgetary units in the following order of  
4 priority:

- 5 (1) University administrative moneys.
- 6 (2) Equipment and deferred maintenance.
- 7 (3) Short-term furloughs of administrative  
8 personnel.
- 9 (4) Short-term furloughs of other personnel.
- 10 (5) Other operating budget expenditures.
- 11 (6) Force reduction.

12 As a condition, limitation, and qualification of  
13 the funds appropriated under this paragraph, if the  
14 Iowa state university of science and technology  
15 receives total funds in excess of the amount projected  
16 to be received by the university from federal support,  
17 interest, tuition fees, reimbursement for indirect  
18 costs, sales and service, and income sources other  
19 than state appropriations, the university shall report  
20 the amount received, which is in excess of the amount  
21 projected, to the department of management and the  
22 legislative fiscal bureau by August 1, 1991.

23 As a condition, limitation, and qualification of  
24 moneys appropriated in this paragraph, from moneys  
25 available to Iowa state university of science and  
26 technology, \$50,000 shall be awarded to faculty  
27 members and teaching assistants who have been  
28 recognized for exceptional teaching. An exceptional  
29 teaching recognition award is for a one-year period  
30 and is in addition to the faculty member or teaching  
31 assistant's salary. Not later than December 1, 1991,  
32 the state board of regents shall report the names of  
33 recipients of teaching excellence awards, and the  
34 amounts of the awards granted, to the joint education  
35 appropriations subcommittee and to the legislative  
36 fiscal bureau.

37 b. Child care

38 For subsidized evening child care:		
39 .....	\$	60,000
40 .....	FTEs	2.00

41 c. Agricultural experiment station

42 For salaries, support, maintenance, miscellaneous		
43 purposes, and for not more than the following full-		
44 time equivalent positions:		
45 .....	\$	17,971,341
46 .....	FTEs	546.92

47 d. Comprehensive agricultural research

48 For conducting the comprehensive agricultural		
49 research program:		
50 .....	\$	4,100,000



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1 e. Cooperative extension service in agriculture  
2 and home economics

3 For salaries, support, maintenance, miscellaneous  
4 purposes, and for not more than the following full-  
5 time equivalent positions:

6 ..... \$ 16,016,000  
7 ..... FTEs 475.94

8 As a condition, limitation, and qualification of  
9 the funds appropriated in this paragraph, \$25,000  
10 shall be expended for a child farm safety program.

11 f. Fire service education

12 For salaries and support and for not more than the  
13 following full-time equivalent positions:

14 ..... \$ 415,761  
15 ..... FTEs 11.00

16 g. Leopold center

17 For agricultural research grants at Iowa state  
18 university under section 266.39B:

19 ..... \$ 598,217

20 4. UNIVERSITY OF NORTHERN IOWA

21 a. For salaries, support, maintenance, equipment,  
22 miscellaneous purposes, and for not more than the  
23 following full-time equivalent positions:

24 ..... \$ 59,042,956  
25 ..... FTEs 1,411.68

26 To the extent the appropriation made in this  
27 paragraph is a reduction in the total amount budgeted  
28 for the fiscal year beginning July 1, 1991, and ending  
29 June 30, 1992, and the university of northern Iowa  
30 determines the amount is insufficient to fund all of  
31 the university's budgetary units, consideration shall  
32 be given to adjustments reducing budgetary units in  
33 the following order of priority:

- 34 (1) University administrative moneys.
- 35 (2) Equipment and deferred maintenance.
- 36 (3) Short-term furloughs of administrative
- 37 personnel.
- 38 (4) Short-term furloughs of other personnel.
- 39 (5) Other operating budget expenditures.
- 40 (6) Force reduction.

41 As a condition, limitation, and qualification of  
42 the funds appropriated under this paragraph, if the  
43 university of northern Iowa receives total funds in  
44 excess of the amount projected to be received by the  
45 university from federal support, interest, tuition  
46 fees, reimbursement for indirect costs, sales and  
47 service, and income sources other than state  
48 appropriations, the university shall report the amount  
49 received, which is in excess of the amount projected,  
50 to the department of management and the legislative

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1 fiscal bureau by August 1, 1991.  
 2 As a condition, limitation, and qualification of  
 3 the funds appropriated in paragraph "a", from moneys  
 4 available for salaries at the university of northern  
 5 Iowa, the university shall expend \$25,000 for teaching  
 6 excellence awards to teaching faculty members and  
 7 teaching assistants. Teaching excellence awards shall  
 8 be granted to faculty members and teaching assistants  
 9 for excellence in the quality of classroom  
 10 instruction. Awards may either be built into a  
 11 faculty member's or teaching assistant's base salary  
 12 or given as a one-time award and shall not be in  
 13 conflict with a collective bargaining agreement  
 14 between an employee organization and the university.  
 15 Not later than December 1, 1991, the state board of  
 16 regents shall report the names of the recipients of  
 17 teaching excellence awards, and the amounts of the  
 18 awards granted to the joint education appropriations  
 19 subcommittee of the general assembly, and to the  
 20 legislative fiscal bureau.

21 b. Child care

22 For staff positions and building structure  
 23 modifications to meet state child care facility  
 24 standards:

25 .....	\$	60,000
26 .....	FTEs	1.50

27 5. STATE SCHOOL FOR THE DEAF

28 For salaries, support, maintenance, miscellaneous  
 29 purposes, and for not more than the following full-  
 30 time equivalent positions:

31 .....	\$	6,052,581
32 .....	FTEs	131.53

33 6. IOWA BRAILLE AND SIGHT-SAVING SCHOOL

34 For salaries, support, maintenance, miscellaneous  
 35 purposes, and for not more than the following full-  
 36 time equivalent positions:

37 .....	\$	3,367,922
38 .....	FTEs	92.45

39 Sec. 210. Reallocations of sums received under  
 40 section 209, subsections 2, 3, 4, 5, and 6, of this  
 41 division, including sums received for salaries, shall  
 42 be reported on a quarterly basis to the co-  
 43 chairpersons and ranking members of both the  
 44 legislative fiscal committee and the joint education  
 45 appropriations subcommittee.

46 Sec. 211. As a condition, limitation, and  
 47 qualification of the appropriations made to the state  
 48 board of regents and regents' institutions under this  
 49 division, for the fiscal years beginning July 1, 1991,  
 50 and July 1, 1992, the state board of regents shall use

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1 notes, bonds, or other evidences of indebtedness  
2 issued under section 262.48 to finance projects that  
3 will result in energy cost savings in an amount that  
4 will cause the state board to recover the cost of the  
5 projects within an average of 6 years.

6 DEPARTMENT OF CULTURAL AFFAIRS

7 Sec. 212. There is appropriated from the general  
8 fund of the state to the department of cultural  
9 affairs for the fiscal year beginning July 1, 1991,  
10 and ending June 30, 1992, the following amounts, or so  
11 much thereof as is necessary, to be used for the  
12 purposes designated:

13 1. ARTS DIVISION

14 For salaries, support, maintenance, miscellaneous  
15 purposes, including funds to match federal grants, and  
16 for not more than the following full-time equivalent  
17 positions:

18 ..... \$ 1,004,752  
19 ..... FTEs 13.00

20 2. HISTORICAL DIVISION

21 For salaries, support, maintenance, miscellaneous  
22 purposes, and for not more than the following full-  
23 time equivalent positions:

24 ..... \$ 2,531,092  
25 ..... FTEs 76.00

26 3. TERRACE HILL COMMISSION

27 For salaries, support, maintenance, miscellaneous  
28 purposes, for the operation of Terrace Hill and for  
29 not more than the following full-time equivalent  
30 positions:

31 ..... \$ 200,000  
32 ..... FTEs 5.75

33 4. LIBRARY DIVISION

34 For salaries, support, maintenance, miscellaneous  
35 purposes, and for not more than the following full-  
36 time equivalent positions:

37 ..... \$ 2,179,000  
38 ..... FTEs 42.00

39 5. REGIONAL LIBRARY SYSTEM

40 For state aid:

41 ..... \$ 1,502,698

42 6. ADMINISTRATION DIVISION

43 For salaries, support, maintenance, miscellaneous  
44 purposes, and for not more than the following full-  
45 time equivalent positions:

46 ..... \$ 427,000  
47 ..... FTEs 10.00

48 7. COMMUNITY CULTURAL GRANTS

49 For planning and programming for the community  
50 cultural grants program established under section

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1 303.89:

2 ..... \$ 605,000

3 8. PUBLIC BROADCASTING DIVISION

4 For salaries, support, maintenance, capital  
5 expenditures, miscellaneous purposes, and for not more  
6 than the following full-time equivalent positions:

7 ..... \$ 6,365,000

8 ..... FTEs 103.00

9 Sec. 213. The legislative council is requested to  
10 consider the recommendations of the higher education  
11 task force and other methods designed to focus the  
12 attention of the general assembly on higher education,  
13 to receive and discuss the strategic plans developed  
14 by the higher education strategic planning council,  
15 and to develop policies and address issues related to  
16 higher education.

17 Sec. 214. Notwithstanding section 8.33, funds  
18 appropriated in 1990 Iowa Acts, chapter 1272, section  
19 14, subsection 1, paragraph "b", remaining  
20 unencumbered or unobligated on June 30, 1991, shall  
21 not revert to the general fund of the state but shall  
22 be available for expenditure for the purposes listed  
23 in section 208, subsection 1, paragraph "b", of this  
24 division during the fiscal year beginning July 1,  
25 1991, and ending June 30, 1992.

26 Sec. 215. Notwithstanding sections 258.16 and  
27 282.7 effective July 1, 1992, community colleges,  
28 local education agencies, and area education agencies  
29 may establish by mutual agreement area vocational  
30 consortia to assume and exercise the duties and  
31 responsibilities established for regional vocational  
32 education planning boards under those sections.

33 Sec. 216. Section 261.25, subsections 1, 2, and 3,  
34 Code 1991, as amended by 1991 Iowa Acts, House File  
35 173, section 908, are amended to read as follows:

36 1. There is appropriated from the general fund of  
37 the state to the commission for each fiscal year the  
38 sum of thirty-two million ~~six~~ five hundred eight  
39 thirteen thousand seven-hundred-ninety-five three  
40 hundred twenty-eight dollars for tuition grants.

41 2. There is appropriated from the general fund of  
42 the state to the commission for each fiscal year the  
43 sum of eight hundred thirteen thousand ~~eight-hundred~~  
44 forty dollars for scholarships.

45 3. There is appropriated from the general fund of  
46 the state to the commission for each fiscal year the  
47 sum of one million three hundred fifteen thousand ~~six~~  
48 hundred-forty-seven dollars for vocational-technical  
49 tuition grants.

50 Sec. 217. Section 261.85, unnumbered paragraph 1,

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1 Code 1991, as amended by 1991 Iowa Acts, House File  
2 173, section 909, is amended to read as follows:

3 There is appropriated from the general fund of the  
4 state to the commission for each fiscal year the sum  
5 of three million ~~eighty-five~~ fifty thousand six  
6 ~~hundred-eighty-four~~ dollars for the work-study  
7 program.

8 Sec. 218. Notwithstanding the allocation of phase  
9 III moneys under sections 294A.14 and 294A.25, for the  
10 fiscal year beginning July 1, 1991, prior to the  
11 allocation to school districts and area education  
12 agencies, \$125,000 of the moneys allocated for phase  
13 III shall be retained by the department of education  
14 to continue to contract with the regional educational  
15 laboratory for this state to establish and monitor an  
16 independent evaluation of the operation of phase III  
17 of the educational excellence program. The results of  
18 the evaluation shall be reported to the department of  
19 education and to the general assembly by January 1,  
20 1992.

21 Sec. 219. Notwithstanding sections 302.1 and  
22 302.1A, for the fiscal year beginning July 1, 1991,  
23 and ending June 30, 1992, the portion of the interest  
24 earned on the permanent school fund that is not  
25 transferred to the credit of the first in the nation  
26 in education foundation and not transferred to the  
27 credit of the national center for gifted and talented  
28 education shall be credited as a payment by the  
29 historical division of the department of cultural  
30 affairs of the principal and interest due on moneys  
31 loaned to the historical division under section  
32 303.18.

33 Sec. 220. Notwithstanding any restrictions on  
34 allocations of funds under the historical resource  
35 development program contained in section 303.16, and  
36 funded under section 455A.19, subsection 1, paragraph  
37 "f", of the moneys available for the historical  
38 resource development program, \$50,000 shall be  
39 allocated for grants to any national heritage museum  
40 located or locating in the state, which obtains  
41 matching funds in an amount equal to twice the total  
42 amount of the grant.

43 Sec. 221. Section 11.6, subsection 1, unnumbered  
44 paragraph 1, Code 1991, is amended to read as follows:

45 The financial condition and transactions of all  
46 cities and city offices, counties, county hospitals  
47 organized under chapters 347 and 347A, memorial  
48 hospitals organized under chapter 37, entities  
49 organized under chapter 28E having gross receipts in  
50 excess of one hundred thousand dollars in a fiscal

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1 year, merged areas, area education agencies, and all  
2 school offices in school districts, shall be examined  
3 at least once each year, except that cities having a  
4 population of seven hundred or more but less than two  
5 thousand shall be examined at least once every four  
6 years, and cities having a population of less than  
7 seven hundred may be examined as otherwise provided in  
8 this section. The examination shall cover the fiscal  
9 year next preceding the year in which the audit is  
10 conducted. The examination of school offices shall  
11 include an audit of activity all school funds, the  
12 certified annual financial report, and the certified  
13 enrollment as provided in section 257.11.  
14 Examinations of community colleges shall include an  
15 audit of eligible and noneligible contact hours as  
16 defined in section 286A.2. Eligible and noneligible  
17 contact hours and the certified enrollment shall be  
18 certified to the department of management.

19 Sec. 222. Section 73.17, Code 1991, is amended by  
20 adding the following new unnumbered paragraph:

21 NEW UNNUMBERED PARAGRAPH. A community college or  
22 area education agency shall, on a quarterly basis, and  
23 a school district shall, on an annual basis, review  
24 the community college's, area education agency's, or  
25 school district's anticipated purchasing requirements.  
26 A community college, area education agency, or school  
27 district shall notify the department of education,  
28 which shall report to the department of economic  
29 development, of their anticipated purchases and  
30 recommended procurements with unit quantities and  
31 total costs for procurement contracts designated to  
32 satisfy the targeted small business procurement goal  
33 not later than August 15 of each fiscal year and  
34 quarterly thereafter, except that school districts  
35 shall report annually.

36 Sec. 223. Section 73.18, Code 1991, is amended to  
37 read as follows:

38 73.18 NOTICE OF SOLICITATION FOR BIDS --  
39 IDENTIFICATION OF TARGETED SMALL BUSINESSES.

40 The director of each agency or department releasing  
41 a solicitation for bids or request for proposal under  
42 the targeted small business procurement goal program  
43 shall notify the director of the department of  
44 economic development prior to or upon release of the  
45 solicitation. A community college, area education  
46 agency, or school district shall notify the department  
47 of education which shall notify the department of  
48 economic development prior to or upon release of the  
49 release of the solicitation. The director of the  
50 department of economic development shall notify the

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1 soliciting agency or department, or community college,  
2 area education agency, or school district, of any  
3 targeted small businesses which have been certified  
4 pursuant to section 10A.104, subsection 8, and which  
5 may be qualified to bid.

6 Sec. 224. Section 73.19, Code 1991, is amended to  
7 read as follows:

8 73.19 NEGOTIATED PRICE OR BID CONTRACT.

9 In awarding a contract under the targeted small  
10 business procurement goal program, a director of an  
11 agency or department, or community college, area  
12 education agency, or school district, having  
13 purchasing authority may use either a negotiated price  
14 or bid contract procedure. A director of an agency or  
15 department, or community college, area education  
16 agency, or school district, using a negotiated  
17 contract shall consider any targeted small business  
18 engaged in that business. The director of the  
19 department of economic development or the director of  
20 the department of management may assist in the  
21 negotiation of a contract price under this section.  
22 Surety bonds guaranteed by the United States small  
23 business administration are acceptable security for a  
24 construction award under this section.

25 Sec. 225. Section 255.1, Code 1991, is amended by  
26 adding the following new unnumbered paragraph:

27 NEW UNNUMBERED PARAGRAPH. The county general  
28 relief director shall ascertain from the local office  
29 of human services if an applicant for the indigent  
30 patient program would qualify for medical assistance  
31 or the medically needy program under chapter 249A  
32 without the spend-down provision required pursuant to  
33 section 249A.3, subsection 2, paragraph "g". If the  
34 applicant qualifies, the patient shall be certified  
35 for medical assistance and shall not be counted under  
36 chapter 255.

37 Sec. 226. Section 255.26, unnumbered paragraph 3,  
38 Code 1991, is amended to read as follows:

39 The state auditor shall certify the total cost of  
40 ~~commitment, transportation~~ and caring for each  
41 indigent patient under the terms of this statute to  
42 the county auditor of such patient's legal residence,  
43 and such certificate shall be preserved by the county  
44 auditor and shall be a debt due from the patient or  
45 the persons legally responsible for the patient's  
46 care, maintenance or support; and whenever in the  
47 judgment of the board of supervisors the same or any  
48 part thereof shall be collectible, the said board may  
49 in its own name collect the same and is hereby  
50 authorized to institute suits for such purpose; and

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1 after deducting the county's share of such cost shall  
2 cause the balance to be paid into the state treasury  
3 to reimburse the university hospital fund.  
4 Transportation shall be provided at no charge to a  
5 patient who is certified for medical assistance under  
6 chapter 249A, and shall be reimbursed from the  
7 university hospital fund.

8 Sec. 227. Section 257.37, subsection 2, as enacted  
9 by 1991 Iowa Acts, Senate File 141, section 2, is  
10 amended by striking the subsection and inserting in  
11 lieu thereof the following:

12 2. Twenty-eight percent of the budget of an area  
13 for media services shall be expended for media  
14 resource material which shall only be used for the  
15 purchase or replacement of material required in  
16 section 273.6, subsection 1. Funds shall be paid to  
17 area education agencies as provided in section 257.35.

18 Sec. 228. Section 261.19, unnumbered paragraph 2,  
19 Code 1991, is amended to read as follows:

20 The college student aid commission shall determine  
21 a subvention amount per resident student by dividing  
22 the funds appropriated for this section by a number  
23 equal to the total of twenty-two percent of the total  
24 students enrolled. If fewer than twenty-two percent  
25 of the total number of students enrolled are Iowa  
26 residents, the college student aid commission shall  
27 deduct from the funds-appropriated subvention amount  
28 for total Iowa students enrolled an amount equal to  
29 the product of two times the product of the subvention  
30 amount per resident student multiplied by the number  
31 of students required to equal twenty-two percent of  
32 the total students enrolled.

33 Sec. 229. Section 261.19A, unnumbered paragraph 2,  
34 Code 1991, is amended to read as follows:

35 An eligible student is eligible for loan  
36 forgiveness in the amount of three thousand ~~five~~  
37 ~~hundred~~ dollars per year of practice in the state of  
38 Iowa for up to a maximum of four years. If a student  
39 fails to complete a year of practice in the state, as  
40 practice is defined by the college student aid  
41 commission, the loan amount for that year shall not be  
42 forgiven. Forgivable loans to eligible students shall  
43 not become due, for repayment purposes, until after  
44 the student has completed the student's residency.

45 Sec. 230. Section 261.38, subsection 5, Code 1991,  
46 is amended to read as follows:

47 5. The treasurer of state shall invest any funds,  
48 including those in the loan reserve account, and the  
49 interest income earned shall be credited back to the  
50 loan reserve account. The treasurer may invest up to



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1 forty percent of the funds in the loan reserve account  
2 in tax-exempt investments issued by an agency of the  
3 state of Iowa. If any of the tax-exempt investments  
4 are for purposes of financing the construction or  
5 improvement of state facilities, the executive  
6 council, established under chapter 19, shall review  
7 and approve the proposed construction or improvement  
8 prior to the investment of loan reserve account funds  
9 in the tax-exempt investments.

10 Sec. 231. Section 261.50, subsection 3, Code 1991,  
11 is amended to read as follows:

12 3. Agrees to practice in an eligible community of  
13 fewer than five thousand population for a minimum  
14 period of four consecutive years or is practicing in a  
15 federally approved community health center or health  
16 manpower shortage area.

17 Sec. 232. NEW SECTION. 261.93A APPROPRIATION --  
18 PERCENTAGES.

19 Of the funds appropriated to the college student  
20 aid commission to be allocated for the Iowa grant  
21 program for each fiscal year, thirty-seven and six-  
22 tenths percent shall be reserved for students  
23 attending regents' institutions, twenty-five and nine-  
24 tenths percent shall be reserved for students  
25 attending community colleges, and thirty-six and five-  
26 tenths percent shall be reserved for students  
27 attending private colleges and universities. Funds  
28 appropriated for the Iowa grant program shall be used  
29 to supplement, not supplant, funds appropriated for  
30 other existing programs at the eligible institutions.

31 Sec. 233. Section 262.9, Code 1991, is amended by  
32 adding the following new subsection:

33 NEW SUBSECTION. 27. Develop and adopt a policy  
34 that shall govern any future asset sale of the Iowa  
35 state university of science and technology's  
36 television station, WOI-TV. The policy shall provide  
37 for the sale of the station only if anticipated  
38 revenues from the sale exceed the benefits of  
39 continued operation and the cost for the university to  
40 purchase or acquire comparable services to those that  
41 are being provided to the university by the station at  
42 the time of any sale. The policy shall further  
43 provide that the revenues received from the sale shall  
44 be placed in an endowment to be held and managed by  
45 the university. The proceeds from the endowment shall  
46 be used only for the specifically stated missions of  
47 the university.

48 a. "Station" shall be defined to include the li-  
49 cense, any share of a transmission facility, any  
50 programming contracts, any booked sales revenues, and

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1 the network affiliation agreement.

2 b. "Comparable services" shall be defined to  
3 include, but not be limited to, use of modern  
4 communications equipment by faculty, staff, and  
5 students; access to trained communications  
6 specialists; availability to internships by and  
7 employment opportunities for students; and provision  
8 for antenna location, transmission line placement, and  
9 transmitter space for the university's radio stations.

10 Sec. 234. NEW SECTION. 262.9A PROHIBITION ON  
11 CONTROLLED SUBSTANCES.

12 The state board of regents shall adopt a policy  
13 that prohibits unlawful possession, use, or  
14 distribution of controlled substances by students and  
15 employees on property owned or leased by an  
16 institution or in conjunction with activities  
17 sponsored by an institution governed by the board.  
18 Each institution shall provide information about the  
19 policy to all students and employees. The policy  
20 shall include a clear statement of sanctions for  
21 violation of the policy and information about  
22 available drug or alcohol counseling and  
23 rehabilitation programs. In carrying out this policy,  
24 the institutions shall provide substance abuse  
25 prevention programs for students and employees.

26 Sec. 235. NEW SECTION. 263A.14 INDIGENT PATIENT  
27 PROGRAM REPORT.

28 Funds shall not be allocated to the university  
29 hospital fund until the superintendent of the  
30 university of Iowa hospitals and clinics has filed  
31 with the department of revenue and finance and the  
32 legislative fiscal bureau a quarterly report  
33 containing the account required in section 255.24.  
34 The report shall include information required in  
35 section 255.24 for patients by the type of service  
36 provided.

37 Sec. 236. NEW SECTION. 268.5 IOWA ACADEMY OF  
38 SCIENCE APPROPRIATION LIMITATIONS.

39 The university shall use no more than twenty  
40 percent of the funds allocated to the university for  
41 the Iowa academy of science for administrative  
42 purposes for the Iowa academy of science or for  
43 publication of the Iowa academy of science journal.  
44 The university shall expend the remainder of the  
45 moneys appropriated for research projects and studies  
46 awarded by the Iowa academy of science. The Iowa  
47 academy of science shall permit all grant recipients  
48 to publish the results of the recipients' research  
49 projects and studies in the Iowa academy of science  
50 journal at no cost to the grant recipient.

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1 Sec. 237. NEW SECTION. 279.48 EQUIPMENT  
2 PURCHASES -- NOTES -- BOARD RESOLUTION -- SCHOOLHOUSE  
3 FUND.

4 1. The board of directors of a school corporation  
5 may purchase equipment, including transportation  
6 equipment and recreational equipment, and may enter  
7 into a contract and issue a note to pay for this  
8 equipment. The note must mature within five years and  
9 bear interest at a rate to be determined by the board  
10 of directors in the manner provided in section 74A.3,  
11 subsection 1. The board of directors shall provide,  
12 by resolution, for the form contract and note.

13 Principal and interest on the note must be payable  
14 from budgeted receipts in the current budget for each  
15 year of a period up to five years. The equipment  
16 shall be security for the balance due.

17 2. A board of directors may, by resolution,  
18 restrict the use of money in the general fund or the  
19 schoolhouse fund as a reserve for the purchase of  
20 equipment from the general fund or schoolhouse fund.  
21 If the board, by resolution, restricts the use of  
22 money in a fund for such a purchase, the use is  
23 restricted and unavailable for any other purpose until  
24 the board removes the restriction. The removal is not  
25 effective until all obligations of the restriction  
26 have been satisfied or the next fiscal year, whichever  
27 occurs later.

28 Sec. 238. Section 279.51, subsection 1, paragraph  
29 f, Code 1991, is amended by adding the following new  
30 unnumbered paragraph:

31 NEW UNNUMBERED PARAGRAPH. In succeeding fiscal  
32 years, notwithstanding section 256A.3, subsection 6,  
33 of the amount appropriated for a fiscal year, less the  
34 amount allocated under paragraph "a", three and  
35 thirty-three hundredths percent may be used for  
36 administrative costs. However, if the amount  
37 appropriated for the fiscal year, less the amount  
38 allocated under paragraph "a", times three and thirty-  
39 three hundredths percent is greater than the amount  
40 received for use for administrative costs during the  
41 fiscal year beginning July 1, 1990, then the amount to  
42 be used for administrative costs shall be reduced to  
43 equal the amount received during the fiscal year  
44 beginning July 1, 1990.

45 Sec. 239. Section 280A.34, Code 1991, is amended  
46 to read as follows:

47 280A.34 CERTAIN USES OF FUNDS PROHIBITED.

48 Funds obtained pursuant to section 280A.17;  
49 subsections 3, 4, and 5 of section 280A.18; section  
50 280A.19; and section 280A.22 shall not be used for the

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1 construction or maintenance of athletic buildings or  
2 grounds but may be used for a project under section  
3 280A.56.

4 Sec. 240. NEW SECTION. 280A.40 PROHIBITION ON  
5 CONTROLLED SUBSTANCES.

6 Each merged area school shall adopt a policy that  
7 prohibits unlawful possession, use, or distribution of  
8 controlled substances by students and employees on  
9 property owned or leased by the merged area school or  
10 in conjunction with activities sponsored by a merged  
11 area school. Each merged area school shall provide  
12 information about the policy to all students and  
13 employees. The policy shall include a clear statement  
14 of sanctions for violation of the policy and  
15 information about available drug or alcohol counseling  
16 and rehabilitation programs. In carrying out this  
17 policy, the merged area school shall provide substance  
18 abuse prevention programs for students and employees.

19 Sec. 241. Section 280A.56, subsection 3, Code  
20 1991, is amended to read as follows:

21 3. "Project" means the acquisition by purchase,  
22 lease in accordance with section 280A.38, or  
23 construction of buildings for use as student residence  
24 halls and dormitories, including dining and other  
25 incidental facilities therefor, and additions to such  
26 buildings, the reconstruction, completion, equipment,  
27 improvement, repair or remodeling of residence halls,  
28 dormitories, or additions or incidental facilities,  
29 and the acquisition of property of every kind and  
30 description, whether real, personal, or mixed, by  
31 gift, purchase, lease, condemnation, or otherwise and  
32 the improvement of the property.

33 Sec. 242. Section 280A.56, Code 1991, is amended  
34 by adding the following new subsection:

35 NEW SUBSECTION. 4. "Bonds or notes" means revenue  
36 bonds or revenue notes which are payable solely from  
37 net rents, profits, and other income derived from the  
38 operation of residence halls, dormitories, incidental  
39 facilities, and additions.

40 Sec. 243. Section 280A.58, unnumbered paragraph 1,  
41 Code 1991, is amended to read as follows:

42 To pay all or any part of the cost of carrying out  
43 any project at any institution the board is authorized  
44 to borrow money and to issue and sell negotiable bonds  
45 or notes and to refund and refinance bonds or notes  
46 issued for any project or for refunding purposes at a  
47 lower rate, the same rate, or a higher rate or rates  
48 of interest and from time to time as often as the  
49 board shall find it to be advisable and necessary so  
50 to do. Bonds or notes ~~issued to refund other bonds or~~

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1 notes issued by the board for residence hall or  
2 dormitory purposes at any institution, including  
3 dining or other facilities and additions, or issued  
4 for refunding purposes, may either be sold in the  
5 manner specified for the selling of certificates under  
6 section 280B.6 and the proceeds applied to the payment  
7 of the obligations being refunded, or the refunding  
8 bonds or notes may be exchanged for and in payment and  
9 discharge of the obligations being refunded. A  
10 finding by the board in the resolution authorizing the  
11 issuance of the refunding bonds or notes, that the  
12 bonds or notes being refunded were issued for a  
13 purpose specified in this division and constitute  
14 binding obligations of the board, shall be conclusive  
15 and may be relied upon by any holder of any refunding  
16 bond or note issued under the provisions of this  
17 division. The refunding bonds or notes may be sold or  
18 exchanged in installments at different times or an  
19 entire issue or series may be sold or exchanged at one  
20 time. Any issue or series of refunding bonds or notes  
21 may be exchanged in part or sold in parts in  
22 installments at different times or at one time. The  
23 refunding bonds or notes may be sold or exchanged at  
24 any time on, before, or after the maturity of any of  
25 the outstanding notes, bonds or other obligations to  
26 be refinanced thereby and may be issued for the  
27 purpose of refunding a like or greater principal  
28 amount of bonds or notes, except that the principal  
29 amount of the refunding bonds or notes may exceed the  
30 principal amount of the bonds or notes to be refunded  
31 to the extent necessary to pay any premium due on the  
32 call of the bonds or notes to be refunded or, to fund  
33 interest in arrears or about to become due, or to  
34 allow for sufficient funding of the escrow account on  
35 the bonds to be refunded.

36 Sec. 244. Section 280A.59, Code 1991, is amended  
37 to read as follows:

38 280A.59 RATES AND TERMS OF BONDS OR NOTES.

39 The bonds or notes may bear a date or dates, may  
40 bear interest at such rate or rates, payable  
41 ~~semiannually~~, may mature at such time or times, may be  
42 in such form, carry such registration privileges, may  
43 be payable at such place or places, may be subject to  
44 such terms of redemption prior to maturity with or  
45 without premium, if so stated on the face of the  
46 bonds, and may contain any terms and covenants as may  
47 be provided by the resolution of the board authorizing  
48 the issuance of the bonds or notes. In addition to  
49 the estimated cost of construction, the cost of the  
50 project shall be deemed to include interest upon the

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1 bonds or notes during construction and for six months  
2 after the estimated completion date, the compensation  
3 of a fiscal agent or adviser, any underwriter  
4 discount, and engineering, administrative and legal  
5 expenses. The bonds or notes shall be executed by the  
6 president of the board of trustees and attested by the  
7 secretary ~~and the coupons attached to the bonds or~~  
8 ~~notes shall be executed with the original or facsimile~~  
9 ~~signatures of said president and secretary.~~ Any bonds  
10 or notes bearing the signatures of officers in office  
11 on the date of the signing shall be valid and binding  
12 for all purposes, notwithstanding that before delivery  
13 of the bonds or notes any or all persons whose  
14 signatures appear on the bonds or notes shall have  
15 ceased to be officers. Each bond or note shall state  
16 upon its face the name of the institution on behalf of  
17 which it is issued, that it is payable solely and only  
18 from the net rents, profits and income derived from  
19 the operation of residence halls or dormitories,  
20 including dining and other incidental facilities, at  
21 the institution named, and that it does not constitute  
22 a charge against the state of Iowa within the meaning  
23 or application of any constitutional or statutory  
24 limitation or provision. The issuance of bonds or  
25 notes shall be recorded in the office of the treasurer  
26 of the institution on behalf of which the bonds or  
27 notes are issued, and a certificate by such treasurer  
28 to this effect shall be printed on the back of each  
29 such bond or note.

30 Sec. 245. Section 280A.60, Code 1991, is amended  
31 to read as follows:

32 280A.60 REFUNDING ISSUANCE RESOLUTION.

33 Upon the determination by the board to undertake  
34 and carry out any project or to refund outstanding  
35 bonds or notes, the board shall adopt a resolution  
36 generally describing the contemplated project and  
37 setting forth the estimated cost, or describing the  
38 obligations to be refunded, fixing the amount of bonds  
39 or notes to be issued, the maturity or maturities, the  
40 interest rate or rates and all details of the project.  
41 The resolution shall contain any covenants as may be  
42 determined by the board as to the issuance of  
43 additional bonds or notes that may be issued payable  
44 from the net rents, profits and income of the  
45 residence halls or dormitories, the amendment or  
46 modification of the resolution authorizing the  
47 issuance of any bonds or notes, the manner, terms and  
48 conditions and the amount or percentage of assenting  
49 bonds or notes necessary to effectuate the amendment  
50 or modification, and any other covenants as may be

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1 deemed necessary or desirable. In the discretion of  
2 the board any bonds or notes issued under the terms of  
3 this division may be secured by a trust indenture by  
4 and between the board and a corporate trustee, which  
5 may be any trust company or bank having the powers of  
6 a trust company within or without the boundaries of  
7 the state of Iowa, ~~but no such trust indenture shall~~  
8 ~~convey or mortgage the buildings or facilities or any~~  
9 ~~part of the buildings or facilities.~~ The provisions  
10 of this division and of any resolution or other  
11 proceedings authorizing the issuance of bonds or notes  
12 and providing for the establishment and maintenance of  
13 adequate rates, fees or rentals and the application of  
14 the proceeds thereof shall constitute a contract with  
15 the holders of the bonds or notes.

16 Sec. 246. Section 286A.11, Code 1991, is amended  
17 by adding the following new subsection:

18 NEW SUBSECTION. 5. Thirty-eight thousand dollars  
19 if the northwest Iowa technical college has filed a  
20 request with the department of education for the  
21 lease, purchase, or lease-purchase of equipment for  
22 the heavy equipment program.

23 Sec. 247. Section 286A.14A, unnumbered paragraph  
24 1, Code 1991, is amended to read as follows:

25 The department of education shall provide for the  
26 establishment of a community college excellence 2000  
27 account in the office of the treasurer of state for  
28 deposit of moneys appropriated to the account for  
29 purposes of funding quality instructional centers and  
30 program and administrative sharing agreements under  
31 sections 280A.45 and 280A.46. ~~There is appropriated~~  
32 ~~from the general fund of the state to the department~~  
33 ~~of education, for the fiscal year beginning July 1,~~  
34 ~~1991, one million two hundred thousand dollars.~~ There  
35 is appropriated from the general fund of the state to  
36 the department of education for the fiscal year  
37 beginning July 1, 1992, an amount equal to two and  
38 five-tenths percent of the total state general aid  
39 generated for all community colleges during the budget  
40 year under this chapter for deposit in the community  
41 college excellence 2000 account. In the next  
42 succeeding two fiscal years, the percent multiplier  
43 shall be increased in equal increments until the  
44 multiplier reaches seven and one-half percent of the  
45 total state general aid generated for all community  
46 colleges during the budget year.

47 Sec. 248. Section 294A.14, unnumbered paragraph 6,  
48 Code 1991, is amended to read as follows:

49 For school districts, a performance-based pay plan  
50 may provide for additional salary for individual

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1 teachers, for teachers assigned to a specific  
2 discipline, or for all teachers assigned to an  
3 attendance center. For area education agencies, a  
4 performance-based pay plan may provide for additional  
5 salary for individual teachers, for additional salary  
6 for all teachers assigned to a specific discipline  
7 within an area education agency, or for additional  
8 salary for individual teachers assigned to a  
9 multidisciplinary team within an area education  
10 agency. If the plan provides additional salary for  
11 all teachers assigned to an attendance center,  
12 specific discipline, or multidisciplinary team, the  
13 receipt of additional salary by those teachers shall  
14 be determined on the basis of whether that attendance  
15 center, specific discipline, or multidisciplinary team  
16 meets specific objectives adopted for that attendance  
17 center, specific discipline, or multidisciplinary  
18 team. For school districts, the objectives may  
19 include, but are not limited to, decreasing the  
20 dropout rate, increasing the attendance rate, or  
21 accelerating the achievement growth of students  
22 enrolled in that attendance center through use of  
23 learning techniques which may include, but are not  
24 limited to, reading instruction using phonics  
25 techniques.

26 Sec. 249. Section 298.3, subsection 3, Code 1991,  
27 is amended to read as follows:

28 3. The purchase of buildings and the purchase of a  
29 ~~single-unit-of~~ equipment exceeding five thousand  
30 dollars in value.

31 Sec. 250. Section 298.3, Code 1991, is amended by  
32 adding the following new unnumbered paragraph:

33 NEW UNNUMBERED PARAGRAPH. Notwithstanding section  
34 291.13, unencumbered funds collected prior to July 1,  
35 1991, from the levy previously authorized under  
36 section 297.5, may be expended for the purposes listed  
37 in this section.

38 Sec. 251. Section 298.4, Code 1991, is amended by  
39 adding the following new unnumbered paragraph:

40 NEW UNNUMBERED PARAGRAPH. Notwithstanding section  
41 291.13, unencumbered funds collected from the levies  
42 authorized in sections 96.13, 279.46, and 296.7 prior  
43 to July 1, 1991, may be expended for the purposes  
44 listed in subsections 1, 3, and 5.

45 Sec. 252. Section 298.16, Code 1991, is amended to  
46 read as follows:

47 298.16 JUDGMENT TAX.

48 If the proper fund is not sufficient, then, unless  
49 its board has provided by the issuance of bonds for  
50 raising the amount necessary to pay a judgment, the



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1 cost of the judgment shall be included in the district  
2 management levy or, if the school corporation is an  
3 area education agency or a community college, the  
4 board of the school corporation shall levy a tax on  
5 the property of the school corporation for purposes of  
6 payment of the judgment costs.

7 Sec. 253. Section 303.3, subsection 3, Code 1991,  
8 is amended by striking the subsection and inserting in  
9 lieu thereof the following:

10 3. Notwithstanding section 8.33, moneys committed  
11 to grantees under contract that remain unexpended on  
12 June 30 of any fiscal year shall not revert but shall  
13 be available for expenditure for purposes of the  
14 contract until August 30 of the succeeding fiscal  
15 year.

16 Sec. 254. Section 286A.19, Code 1991, is repealed.

17 Sec. 255. Sections 206 and 214 of this division,  
18 being deemed of immediate importance, take effect upon  
19 enactment.

20 DIVISION III

21 ECONOMIC DEVELOPMENT APPROPRIATIONS

22 Sec. 301. There is appropriated from the general  
23 fund of the state to the department of economic  
24 development for the fiscal year beginning July 1,  
25 1991, and ending June 30, 1992, the following amounts,  
26 or so much thereof as is necessary, to be used for the  
27 purposes designated:

28 1. ADMINISTRATIVE SERVICES DIVISION

29 a. General administration

30 For salaries, support, maintenance, miscellaneous  
31 purposes, and for not more than the following full-  
32 time equivalent positions:

33 .....	\$	915,000
34 .....	FTEs	23.00

35 b. Rural resource coordination

36 For salaries, support, maintenance, miscellaneous  
37 purposes, and for not more than the following full-  
38 time equivalent positions for rural resource  
39 coordination, rural community leadership, and the  
40 rural enterprise fund:

41 .....	\$	740,000
42 .....	FTEs	2.50

43 As a condition, limitation, and qualification of  
44 the appropriation under this subsection, \$425,000  
45 shall be allocated to the rural enterprise fund, and  
46 \$140,000 shall be allocated for rural community  
47 leadership.

48 c. Primary research and computer center

49 For salaries, support, maintenance, miscellaneous  
50 purposes, and for not more than the following full-

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1	time equivalent positions:	\$	350,000
2	.....	FTEs	6.50
3	.....		
4	d. Film office		
5	For salaries, support, maintenance, miscellaneous		
6	purposes, and for not more than the following full-		
7	time equivalent positions:	\$	190,000
8	.....	FTEs	2.00
9	.....		
10	2. BUSINESS DEVELOPMENT DIVISION		
11	a. Business development operations		
12	For salaries, support, maintenance, miscellaneous		
13	purposes, and for not more than the following full-		
14	time equivalent positions:	\$	225,586
15	.....	FTEs	4.50
16	.....		
17	As a condition, limitation, and qualification of		
18	the appropriation made by this paragraph, the		
19	department shall establish a marketing initiative to		
20	assist Iowa companies producing recycling or		
21	reclamation equipment or services to expand into		
22	national markets.		
23	b. Small business programs		
24	For salaries, support, maintenance, miscellaneous		
25	purposes, and for not more than the following full-		
26	time equivalent positions for the small business		
27	program and the small business advisory council:	\$	235,000
28	.....	FTEs	4.50
29	.....		
30	c. Federal procurement office		
31	For salaries, support, maintenance, miscellaneous		
32	purposes, and for not more than the following full-		
33	time equivalent positions:	\$	100,000
34	.....	FTEs	3.00
35	.....		
36	d. Incubators:	\$	70,000
37	.....		
38	The department may establish criteria to provide		
39	funding beyond the initial three-year start-up period		
40	to existing small business and rural incubators. The		
41	department shall consider the incubator's progress		
42	toward becoming self-sufficient during the initial		
43	award period and the incubator's plan to become self-		
44	sufficient from the need for further grants.		
45	e. Strategic investment fund		
46	For deposit in the strategic investment fund		
47	created in section 15.313 and for salaries and support		
48	for not more than the following full-time equivalent		
49	positions:	\$	4,481,456
50	.....		

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1	.....	FTEs	9.40
2	f. Targeted small business program		
3	For the salary, support, maintenance, miscellaneous		
4	purposes, and for not more than the following full-		
5	time equivalent position:		
6	.....	\$	50,000
7	.....	FTEs	1.00
8	3. COMMUNITY AND RURAL DEVELOPMENT DIVISION		
9	a. Community development block grant		
10	For administration and related federal housing and		
11	urban development grant administration for salaries,		
12	support, maintenance, miscellaneous purposes, and for		
13	not more than the following full-time equivalent		
14	positions:		
15	.....	\$	320,855
16	.....	FTEs	14.00
17	b. Rural community 2000 program		
18	For salaries, support, maintenance, miscellaneous		
19	purposes, and for not more than the following full-		
20	time equivalent positions:		
21	.....	\$	1,600,000
22	.....	FTEs	1.25
23	Notwithstanding section 15.283, subsection 4, for		
24	the fiscal year beginning July 1, 1991, and ending		
25	June 30, 1992, all funds allocated under this		
26	paragraph shall be used for traditional and new		
27	infrastructure and planning as specified under		
28	sections 15.284, 15.285, and 15.286A.		
29	As a condition, limitation, and qualification of		
30	the appropriation under this paragraph, not more than		
31	\$300,000 shall be allocated for the planning category.		
32	c. Community progress		
33	For salaries, support, maintenance, miscellaneous		
34	purposes, and for not more than the following full-		
35	time equivalent positions for administration of the		
36	community economic preparedness program, the Iowa		
37	community betterment program, and the city development		
38	board:		
39	.....	\$	467,350
40	.....	FTEs	7.50
41	d. Councils of governments		
42	To provide to Iowa's councils of governments funds		
43	for planning and technical assistance funds to assist		
44	local governments to develop community development		
45	strategies for addressing long-term and short-term		
46	community needs:		
47	.....	\$	300,000
48	e. Main street/rural main street program		
49	For salaries and support for not more than the		
50	following full-time equivalent positions:		

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1	.....	\$	365,000
2	.....	FTEs	3.00
3	Notwithstanding section 8.33, moneys committed to		
4	grantees under contract that remain unexpended on June		
5	30 of any fiscal year shall not revert to any fund but		
6	shall be available for expenditure for purposes of the		
7	contract during the succeeding fiscal year.		
8	The legislative council is requested to establish		
9	an interim study committee to develop recommendations		
10	on how to more efficiently deliver regional economic		
11	development assistance to businesses and communities.		
12	4. INTERNATIONAL DIVISION		
13	a. International trade operations		
14	For salaries, support, maintenance, miscellaneous		
15	purposes, and for not more than the following full-		
16	time equivalent positions:		
17	.....	\$	500,000
18	.....	FTEs	6.00
19	b. European trade office		
20	For salaries, support, maintenance, miscellaneous		
21	purposes, and for not more than the following full-		
22	time equivalent positions:		
23	.....	\$	255,000
24	.....	FTEs	2.50
25	c. Asian trade office		
26	For salaries, support, maintenance, miscellaneous		
27	purposes, and for not more than the following full-		
28	time equivalent positions:		
29	.....	\$	255,000
30	.....	FTEs	2.00
31	d. Japan trade office		
32	For salaries, support, maintenance, miscellaneous		
33	purposes, and for not more than the following full-		
34	time equivalent positions:		
35	.....	\$	300,000
36	.....	FTEs	2.00
37	e. Export trade activities program		
38	For export trade activities, including a program to		
39	encourage and increase participation in trade shows		
40	and trade missions by providing financial assistance		
41	to businesses for a percentage of their costs of		
42	participating in trade shows and trade missions, by		
43	providing for the lease/sublease of showcase space in		
44	existing world trade centers, by providing temporary		
45	office space for foreign buyers, international		
46	prospects, and potential reverse investors, and by		
47	providing other promotional and assistance activities,		
48	including salaries and support for not more than the		
49	following full-time equivalent position:		
50	.....	\$	350,000

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1 ..... FTEs 0.25  
 2 f. Agricultural product advisory council  
 3 For support, maintenance, and miscellaneous  
 4 purposes:

5 ..... \$ 4,000  
 6 g. Partner state program:  
 7 ..... \$ 100,000

8 The department may contract with private groups or  
 9 organizations which are the most appropriate to  
 10 administer this program. The groups and organizations  
 11 participating in the program shall, to the fullest  
 12 extent possible, provide the funds to match the  
 13 appropriation made in this paragraph.

14 h. Peace institute  
 15 For allocation to the Iowa peace institute  
 16 established in chapter 38:  
 17 ..... \$ 200,000

18 5. TOURISM DIVISION

19 a. Tourism operations  
 20 For salaries, support, maintenance, miscellaneous  
 21 purposes, and for not more than the following full-  
 22 time equivalent positions:  
 23 ..... \$ 745,000  
 24 ..... FTEs 15.97

25 As a condition, limitation, and qualification of  
 26 the appropriation made in this paragraph, the  
 27 appropriation shall not be used for advertising  
 28 placements for in-state and out-of-state tourism  
 29 marketing.

30 b. Tourism advertising  
 31 For contracting exclusively for tourism advertising  
 32 for in-state and out-of-state tourism marketing  
 33 services, tourism promotion programs, electronic  
 34 media, print media, and printed materials:  
 35 ..... \$ 2,940,000

36 As a condition, limitation, and qualification of  
 37 the appropriation made in this paragraph, the  
 38 department shall develop public-private partnerships  
 39 with Iowa businesses in the tourism industry, Iowa  
 40 tour groups, Iowa tourism organizations, and political  
 41 subdivisions in this state to assist in the  
 42 development of advertising efforts. The department  
 43 shall, to the fullest extent possible, develop  
 44 cooperative efforts for advertising with contributions  
 45 from other sources.

46 c. Welcome center program:  
 47 ..... \$ 350,000

48 Notwithstanding section 8.33, moneys committed to  
 49 grantees under contract that remain unexpended on June  
 50 30 of any fiscal year shall not revert to any fund but

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1 shall be available for expenditure for purposes of the  
2 contract during the succeeding fiscal year.

3 As a condition, limitation, and qualification of  
4 the appropriations made in this subsection, moneys  
5 appropriated shall be used for implementation of the  
6 recommendations of the statewide long-range plan for  
7 developing and operating welcome centers throughout  
8 the state.

9 Notwithstanding section 8.33, pursuant to 1990 Iowa  
10 Acts, chapter 1255, section 37, subsection 1, as  
11 amended by 1991 Iowa Acts, House File 173, section  
12 1001, the amount of \$275,000 shall be available for  
13 the fiscal year beginning July 1, 1991, for completion  
14 of contract negotiations for the establishment of the  
15 welcome center in the Council Bluffs area.

16 d. Mississippi river parkway commission

17 For support, maintenance, and miscellaneous  
18 purposes:

19 ..... \$ 19,000

20 6. WORK FORCE DEVELOPMENT DIVISION

21 a. Youth work force programs

22 For purposes of the conservation corps, including  
23 salary, support, maintenance, miscellaneous purposes,  
24 and for not more than the following full-time  
25 equivalent positions:

26 ..... \$ 1,261,614  
27 ..... FTEs 1.90

28 Notwithstanding section 8.33, moneys committed to  
29 grantees under contract that remain unexpended on June  
30 30 of any fiscal year shall not revert to any fund but  
31 shall be available for expenditure for purposes of the  
32 contract during the succeeding fiscal year.

33 b. Iowa corps

34 For purposes of the Iowa corps, including salary,  
35 support, maintenance, miscellaneous purposes, and for  
36 not more than the following full-time equivalent  
37 positions:

38 ..... \$ 107,500  
39 ..... FTEs 1.00

40 Notwithstanding section 8.33, moneys obligated for  
41 the payment of tuition credits under this program but  
42 not expended at the end of the fiscal year shall not  
43 revert to any fund but shall be available for  
44 expenditure during succeeding fiscal years.

45 c. Job retraining program

46 To the Iowa employment retraining fund created in  
47 section 15.298 including salaries and support for not  
48 more than the following full-time equivalent  
49 positions:

50 ..... \$ 1,000,000

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1	.....	FTEs	1.60
2	d. Work force investment program including		
3	salaries and support for not more than the following		
4	full-time equivalent position:		
5	.....	\$	1,000,000
6	.....	FTEs	0.90

7 This program shall be administered through the  
8 department of economic development in consultation  
9 with the state job training coordinating council. The  
10 program shall be operated on a competitive grant basis  
11 and funds shall be available for projects that  
12 increase Iowa's pool of available labor via training  
13 and support services. \$300,000 of the amount  
14 appropriated in this paragraph shall be available  
15 specifically for displaced homemaker programs.

16	e. Labor management councils		
17	For salaries, support, maintenance, miscellaneous		
18	purposes, and for not more than the following full-		
19	time equivalent positions:		
20	.....	\$	202,320
21	.....	FTEs	1.05

22 As a condition, limitation, and qualification of  
23 the funds appropriated in this subsection, \$50,000  
24 shall be allocated for productivity enhancement  
25 projects.

26 As a condition, limitation, and qualification of  
27 receiving a grant from funds appropriated by this  
28 paragraph, grantees shall facilitate the active  
29 participation of labor as members of labor management  
30 councils. Grantees shall make a good faith effort to  
31 either schedule meetings during nonworking hours, or  
32 obtain voluntary agreements with employers to allow  
33 employees time off to attend labor management council  
34 meetings with no loss of pay or other benefits.

35 Notwithstanding section 8.33, moneys committed to  
36 grantees under contract that remain unexpended on June  
37 30 of any fiscal year shall not revert to any fund but  
38 shall be available for expenditure for purposes of the  
39 contract during the succeeding fiscal year.

40 Notwithstanding section 8.33, pursuant to 1990 Iowa  
41 Acts, chapter 1255, section 37, subsection 1, as  
42 amended by 1991 Iowa Acts, House File 173, section  
43 1001, moneys remaining unencumbered or unobligated  
44 shall be available for expenditure for the fiscal year  
45 beginning July 1, 1991, for the same purposes.

46 Sec. 302. Notwithstanding section 28.120,  
47 subsections 5 and 6, there is appropriated from the  
48 Iowa community development loan fund to the department  
49 of economic development for the fiscal year beginning  
50 July 1, 1991, and ending June 30, 1992, the following

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1 amount, or so much thereof as is necessary, to be used  
2 for the purposes designated:

3 RURAL DEVELOPMENT FINANCING:

4 ..... \$ 50,000

5 Notwithstanding section 8.39, funds appropriated by  
6 this section shall not be subject to transfer.

7 Sec. 303. Notwithstanding section 15.251,  
8 subsection 2, there is appropriated from the job  
9 training fund created in the office of the treasurer  
10 of state to the department of economic development for  
11 the fiscal year beginning July 1, 1991, and ending  
12 June 30, 1992, the following amount, or so much  
13 thereof as is necessary, to be used for the purposes  
14 designated:

15 1. For administration of chapter 280B, including  
16 salaries, support, maintenance, miscellaneous  
17 purposes, and for not more than the following full-  
18 time equivalent positions:

19 ..... \$ 125,000

20 ..... FTEs 2.40

21 2. For payment to the community colleges to  
22 supplement the coordination and instruction of  
23 apprentice related instruction, and instructional  
24 equipment for apprenticeship programs as provided in  
25 section 280A.44:

26 ..... \$ 125,000

27 As a condition, limitation, and qualification of  
28 the appropriation under this subsection, funds shall  
29 be allocated to each community college on the basis of  
30 the percentage of total contact hours enrolled in  
31 apprenticeship training at community colleges as of  
32 July 1, 1991.

33 3. For the target alliance program if funds remain  
34 in the job training fund after the appropriations in  
35 subsections 1 and 2 are made:

36 ..... \$ 30,000

37 Sec. 304. There is appropriated from the general  
38 fund of the state to the Iowa finance authority for  
39 the fiscal year beginning July 1, 1991, and ending  
40 June 30, 1992, the following amounts, or so much  
41 thereof as is necessary, to be used for the purposes  
42 designated:

43 1. HOMELESS SHELTER PROGRAM

44 To be deposited in the housing trust fund, for the  
45 operation, construction, and rehabilitation of  
46 homeless shelters under section 220.100, subsection 2,  
47 paragraph "a":

48 ..... \$ 1,000,000

49 a. Of the amount appropriated in this subsection,  
50 as nearly as practicable, \$675,000 shall be used for



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1 operating costs, including utilities, maintenance,  
 2 food, clothing, and other supplies, or staff support  
 3 services for homeless shelters; \$225,000 shall be used  
 4 for construction and rehabilitation of homeless  
 5 shelters; and \$100,000 shall be used for assistance to  
 6 homeless shelters that are facing closure. If the  
 7 moneys allocated for any purposes in this paragraph  
 8 are not used or dedicated by February 1 of the fiscal  
 9 year, the moneys may be reallocated for the other  
 10 purposes in this paragraph that have the most need as  
 11 determined by the Iowa finance authority.

12 b. As a condition, limitation, and qualification  
 13 of the \$1,000,000 appropriation to the housing trust  
 14 fund in this subsection and notwithstanding section  
 15 220.100, subsection 6, from the moneys available for  
 16 operating costs of and staff support services for  
 17 homeless shelters in paragraph "a", the Iowa finance  
 18 authority shall contract with a nongovernmental entity  
 19 to administer the funds available for operating costs  
 20 of and staff support services for homeless shelters.

21 2. HOUSING ASSISTANCE PROGRAM

22 a. To provide mortgage and finance assistance to  
 23 individuals for the purchase or acquisition of homes:  
 24 ..... \$ 900,000

25 b. Of the amount appropriated in paragraph "a", an  
 26 amount not to exceed 10 percent shall be used to  
 27 finance the purchase or acquisition, in communities  
 28 with a population of less than 10,000, of manufactured  
 29 homes as defined in 42 U.S.C. § 5403.

30 c. Funds provided under paragraph "a" shall not be  
 31 restricted to first-time home buyers but shall be for  
 32 lower income and very low income families as defined  
 33 in section 220.1. The assistance provided shall  
 34 include at least one of the following kinds of  
 35 assistance:

- 36 (1) Closing costs assistance.
- 37 (2) Down payment assistance.
- 38 (3) Home maintenance and repair assistance.
- 39 (4) Loan processing assistance through a loan
- 40 endorser review contractor who would act on behalf of
- 41 the authority in assisting lenders in processing loans
- 42 that will qualify for government insurance or
- 43 guarantee or for financing under the authority's
- 44 mortgage revenue bond program.

45 (5) Mortgage insurance program.

46 Not more than 50 percent of the assistance provided  
 47 by the authority shall be provided under subparagraphs  
 48 (4) and (5). So long as at least one of the kinds of  
 49 assistance described in subparagraphs (1) through (5)  
 50 are provided, additional assistance not described in

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1 subparagraphs (1) through (5) may also be provided.  
2 d. Assistance provided under paragraph "a" shall  
3 be limited to mortgages under \$55,000, except in those  
4 areas of the state where the median price of homes  
5 exceeds the state average.

6 3. RURAL COMMUNITY 2000 PROGRAM:

7 ..... \$ 342,457

8 Notwithstanding section 15.283, subsection 4, for  
9 the fiscal year beginning July 1, 1991, and ending  
10 June 30, 1992, all funds allocated under this  
11 paragraph shall be used for the housing category as  
12 specified under section 15.286.

13 Sec. 305. There is appropriated from the general  
14 fund of the state to the Wallace technology transfer  
15 foundation for the fiscal year beginning July 1, 1991,  
16 and ending June 30, 1992, the following amount, or so  
17 much thereof as is necessary, to be used for the  
18 purposes designated:

19 1. For salaries, support, maintenance, and other  
20 operational purposes, for funding the small business  
21 innovation research program, and for funding  
22 activities as provided in section 28.158:  
23 ..... \$ 2,660,000

24 2. For transfer to the Iowa product development  
25 corporation fund established in section 28.89:  
26 ..... \$ 1,000,000

27 Sec. 306. There is appropriated from the general  
28 fund of the state to INTERNET for the fiscal year  
29 beginning July 1, 1991, and ending June 30, 1992, the  
30 following amount, or so much thereof as is necessary,  
31 to be used for the purposes designated:

32 For deposit in the international network on trade  
33 fund created by the INTERNET board:  
34 ..... \$ 465,000

35 As a condition, limitation, and qualification of  
36 the appropriation under this section, \$90,000 shall be  
37 allocated to the department of economic development  
38 for the Iowa international development foundation for  
39 the salaries and support for not more than the  
40 following full-time equivalent positions:

41 ..... FTEs 1.50

42 The full-time equivalent positions receiving moneys  
43 from the allocation for the Iowa international  
44 development foundation are employees of the department  
45 of economic development.

46 Sec. 307. There is appropriated from the general  
47 fund of the state to the following named institutions  
48 for the fiscal year beginning July 1, 1991, and ending  
49 June 30, 1992, the following amounts, or so much  
50 thereof as is necessary, to be used for the purposes

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1 designated:  
2 1. To the university of northern Iowa for the  
3 applied technology program:  
4 ..... \$ 300,000  
5 2. To the university of northern Iowa for the  
6 decision-making science institute:  
7 ..... \$ 575,000  
8 3. To the Iowa state university of science and  
9 technology for funding the small business development  
10 centers:  
11 ..... \$ 1,190,000  
12 4. To the Iowa state university of science and  
13 technology for the institute for physical research and  
14 technology:  
15 ..... \$ 500,000  
16 5. To the state university of Iowa for the center  
17 for biocatalysis:  
18 ..... \$ 396,000

19 Sec. 308. There is appropriated from the community  
20 college job training fund created in section 280C.6,  
21 subsection 1, as amended by 1991 Iowa Acts, Senate  
22 File 90, to the department of economic development for  
23 the fiscal year beginning July 1, 1991, and ending  
24 June 30, 1992, the following amount, or so much  
25 thereof as is necessary, to be used for the purposes  
26 designated:

27 For salaries, support, maintenance, and  
28 miscellaneous purposes for the administration of the  
29 Iowa small business new jobs training Act, and for not  
30 more than the following full-time equivalent position:  
31 ..... \$ 38,954  
32 ..... FTEs .70

33 Sec. 309. Section 99E.31, subsection 2, Code 1991,  
34 is amended by striking the subsection.

35 Sec. 310. Section 99E.32, subsection 2, Code 1991,  
36 is amended by striking the subsection.

37 Sec. 311. Section 15.241, unnumbered paragraphs 1  
38 and 2, Code 1991, are amended to read as follows:

39 ~~The department shall establish, contingent upon the~~  
40 ~~availability of funds authorized for the program,~~  
41 There is established a "self-employment loan program  
42 account" within the strategic investment fund created  
43 in section 15.313 to provide funding for the self-  
44 employment loan program which program is to be  
45 conducted in coordination with the job training  
46 partnership program and other programs administered  
47 under section 15.108, subsection 6, paragraph "c".  
48 The department may contract with local community  
49 action agencies or other local entities in  
50 administering the program, and shall work with the

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1 department of employment services and the department  
2 of human services in developing the program.

3 The self-employment loan program shall administer a  
4 low-interest loan program to provide loans to low-  
5 income persons for the purpose of establishing or  
6 expanding small business ventures. The terms of the  
7 loans shall be determined by the department, but shall  
8 not be in excess of five thousand dollars to any  
9 single applicant or at a rate to exceed five percent  
10 simple interest per annum. ~~A self-employment loan  
11 program revolving loan fund shall be established  
12 within the department.~~ The department shall maintain  
13 records of all loans approved and the effectiveness of  
14 those loans in establishing or expanding small  
15 business ventures.

16 Sec. 312. Section 15.241, Code 1991, is amended by  
17 adding the following new unnumbered paragraph:

18 NEW UNNUMBERED PARAGRAPH. Payments of interest and  
19 repayments of moneys awarded under this program shall  
20 be deposited into the strategic investment fund.

21 Sec. 313. Section 15.247, subsections 2 and 3,  
22 Code 1991, are amended to read as follows:

23 2. ~~The department shall establish, contingent upon  
24 the availability of funds authorized for the program,~~

25 There is established a "targeted small business  
26 financial assistance program account" within the  
27 strategic investment fund created in section 15.313,  
28 to provide for loans, loan guarantees, revolving  
29 loans, loans secured by accounts receivable, or grants  
30 to targeted small businesses. A targeted small  
31 business in any year shall receive under this program  
32 not more than twenty-five thousand dollars in a loan  
33 or grant, and not more than forty thousand dollars in  
34 a guarantee, or a combination of loans, grants, or  
35 guarantees. The program shall provide guarantees not  
36 to exceed seventy-five percent for loans made by  
37 qualified lenders. The department shall establish a  
38 financial assistance reserve account from funds  
39 provided for this allocated to the program account,  
40 from which any default on a guaranteed loan under this  
41 section shall be paid. In administering the program  
42 the department shall not guarantee loan values in  
43 excess of the amount credited to the reserve account  
44 and only moneys set aside in the loan reserve account  
45 may be used for the payment of a default.

46 3. All moneys designated for the targeted small  
47 business financial assistance program shall be  
48 credited to the financial assistance reserve program  
49 account. ~~The department shall also establish an  
50 administrative account from which the operating costs~~

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~~1 of-the-program-shall-be-paid---The-department-may~~  
~~2 transfer-moneys-between-the-reserve-and-the~~  
~~3 administrative-accounts-except-that-not-more-than~~  
~~4 twenty-five-percent-of-the-moneys-shall-be-used-to~~  
~~5 administer-the-fund.~~ The department shall determine  
6 the actuarially sound reserve requirement for the  
7 amount of guaranteed loans outstanding.

8 Sec. 314. Section 15.247, Code 1991, is amended by  
9 adding the following new subsection:

10 NEW SUBSECTION. 6. Payments of interest and  
11 repayments of moneys awarded under this program shall  
12 be deposited into the strategic investment fund.

13 Sec. 315. Section 15.287, Code 1991, is amended to  
14 read as follows:

15 15.287 REVOLVING FUND.

16 The Iowa finance authority shall establish a  
17 revolving fund for the program and shall transfer to  
18 the department moneys to be administered by the  
19 department. The moneys in the revolving fund are  
20 appropriated for purposes of the program.  
21 Notwithstanding section 8.33, moneys in the fund at  
22 the end of a fiscal year shall not revert to any other  
23 fund but shall remain in the revolving fund. The fund  
24 shall consist of all appropriations, grants, or gifts  
25 received by the authority or the department  
26 specifically for use under this part and all  
27 repayments of loans or grants made under this part.  
28 However, loan repayments from loans made under section  
29 28.120, which are not allocated to another program,  
30 shall be deposited in the revolving fund and shall be  
31 available for allocation by the director for  
32 categories administered by the department.

33 Sec. 316. NEW SECTION. 15.311 STRATEGIC  
34 INVESTMENT FUND.

35 This part shall be known as the "Iowa Strategic  
36 Investment Fund" program.

37 Sec. 317. NEW SECTION. 15.312 PURPOSE.

38 The purpose of this part shall be to provide a  
39 mechanism for funding those programs listed in section  
40 15.313, subsection 2, in order to more efficiently  
41 meet the needs identified within those individual  
42 programs.

43 Sec. 318. NEW SECTION. 15.313 STRATEGIC  
44 INVESTMENT FUND.

45 1. There is created an "Iowa strategic investment  
46 fund". The fund is a revolving fund and consists of  
47 any money appropriated by the general assembly for  
48 that purpose and any other moneys available to and  
49 obtained or accepted by the department from the  
50 federal government or private sources for placement in

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1 the fund. The fund shall also include:

2 a. All unencumbered and unobligated funds from the  
3 special community economic betterment program fund  
4 created under 1990 Iowa Acts, chapter 1262, section 1,  
5 subsection 18, remaining on June 30, 1991, and all  
6 repayments of loans or other awards made under the  
7 community economic betterment account or under the  
8 community economic betterment program during the  
9 preceding fiscal years beginning July 1, 1985, and  
10 subsequent fiscal years.

11 b. All unencumbered and unobligated funds from the  
12 self-employment loan program, the targeted small  
13 business financial assistance program, the  
14 microenterprise development revolving fund, and the  
15 value-added agricultural products and processes  
16 financial assistance fund remaining on June 30, 1991,  
17 and all repayments of loans or other awards made under  
18 these programs during the fiscal year beginning July  
19 1, 1991, and subsequent fiscal years.

20 2. The assets of the fund shall be used by the  
21 department for carrying out the purposes of the  
22 following programs:

23 a. The community economic betterment program  
24 created in sections 15.315 through 15.320.

25 b. The value-added agricultural products and  
26 processes financial assistance program created in  
27 sections 28.111 through 28.112.

28 c. The business development finance corporation  
29 created in sections 28.131 through 28.149.

30 d. The self-employment loan program created in  
31 section 15.241.

32 e. The targeted small business financial  
33 assistance program created in section 15.247.

34 3. All grants, loans, and forgivable loans awarded  
35 under subsection 2, paragraphs "a" and "b", shall be  
36 approved by the board.

37 4. Annually the director shall submit to the  
38 economic development board at a regular or special  
39 meeting preceding the beginning of the fiscal year  
40 planned allocations to be made for that fiscal year to  
41 the community economic betterment program, the value-  
42 added agricultural products and processes financial  
43 assistance program, the business development finance  
44 corporation, the self-employment loan program, and the  
45 targeted small business financial assistance program.  
46 Plans may provide for increased or decreased  
47 allocations if the demand in a program indicates that  
48 the need exceeds the allocation for that program. The  
49 director shall report to the board on the status of  
50 the funds on a monthly basis and may present proposed

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1 revisions for approval by the board in January and  
2 April of each year. Unobligated and unencumbered  
3 moneys remaining in the strategic investment fund or  
4 any of its accounts on June 30 of each year shall be  
5 considered part of the fund for purposes of the next  
6 year's allocation.

7 5. Notwithstanding section 8.33, moneys in this  
8 fund at the end of each fiscal year shall not revert  
9 to any other fund but shall remain in this strategic  
10 investment fund.

11 Sec. 319. NEW SECTION. 15.315 COMMUNITY ECONOMIC  
12 BETTERMENT PROGRAM.

13 This part shall be known as the "Community Economic  
14 Betterment Program."

15 Sec. 320. NEW SECTION. 15.316 PURPOSE.

16 The purpose of this program is to assist  
17 communities and rural areas of the state with their  
18 economic development efforts and to increase  
19 employment opportunities for Iowans by increasing the  
20 level of economic activity and development within the  
21 state.

22 Sec. 321. NEW SECTION. 15.317 PROGRAM.

23 1. The department shall establish a program to  
24 effectuate the purposes of this part by providing  
25 financial assistance for small business gap financing,  
26 new business opportunities, and new product and  
27 entrepreneurial development. These purposes may be  
28 accomplished by providing the following types of  
29 assistance:

30 a. Principal buy-down program to reduce the  
31 principal of a business loan.

32 b. Interest buy-down program to reduce the  
33 interest of a business loan.

34 c. Loans or forgivable loans to aid in economic  
35 development.

36 d. Loan guarantees for business loans made by  
37 commercial lenders.

38 e. Equity-like investments.

39 2. Only a political subdivision of this state may  
40 apply to receive funds for any of the above purposes.  
41 The political subdivision shall make application to  
42 the department of economic development specifying the  
43 purpose for which the funds will be used.

44 3. The department shall not provide more than one  
45 million dollars for any project, unless at least two-  
46 thirds of the members of the economic development  
47 board vote for providing more.

48 Sec. 322. NEW SECTION. 15.318 RATING FACTORS AND  
49 CRITERIA.

50 In ranking applications for funds, the department

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1 shall consider a variety of factors including, but not  
2 limited to:

3 1. The proportion of local match to be provided.

4 2. The proportion of private contribution to be  
5 provided, including the involvement of financial  
6 institutions.

7 3. The total number of jobs to be created or  
8 retained.

9 4. The size of the business receiving assistance.

10 The department shall award more points to small  
11 businesses as defined by the United States small  
12 business administration.

13 5. The potential for future growth in the industry  
14 represented by the business being considered for  
15 assistance.

16 6. The need of the business for financial  
17 assistance from governmental sources. More points  
18 shall be awarded to a business for which the  
19 department determines that governmental assistance is  
20 most necessary to the success of the project.

21 7. The quality of the jobs to be created. In  
22 rating the quality of the jobs the department shall  
23 award more points to those jobs that have a higher  
24 wage scale, have a lower turnover rate, are full-time  
25 or career-type positions, provide comprehensive health  
26 benefits, or have other related factors which could be  
27 considered to be higher in quality. Businesses that  
28 have wage scales substantially below that of existing  
29 Iowa businesses in that area should be rated as  
30 providing the lowest quality of jobs and should  
31 therefore be given the lowest ranking for providing  
32 such assistance.

33 8. The level of need of the political subdivision.

34 9. The impact of the proposed project on the  
35 economy of the political subdivision.

36 10. The impact of the proposed project on other  
37 businesses in competition with the business being  
38 considered for assistance. The department shall make  
39 a good faith effort to identify existing Iowa  
40 businesses within an industry in competition with the  
41 business being considered for assistance. The  
42 department shall make a good faith effort to determine  
43 the probability that the proposed financial assistance  
44 will displace employees of the existing businesses.  
45 In determining the impact on businesses in competition  
46 with the business being considered for assistance,  
47 jobs created as a result of other jobs being displaced  
48 elsewhere in the state shall not be considered direct  
49 jobs created.

50 11. The impact to the state of the proposed



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1 project. In measuring the economic impact the  
2 department shall award more points for projects which  
3 have greater consistency with the state strategic  
4 plan, such as the following:

- 5 a. A business with a greater percentage of sales  
6 out-of-state or of import substitution.
- 7 b. A business with a higher proportion of in-state  
8 suppliers.
- 9 c. A project which would provide greater  
10 diversification of the state economy.
- 11 d. A business with fewer in-state competitors.
- 12 e. A potential for future job growth.
- 13 f. A project which is not a retail operation.

14 12. If the business has a record of violations of  
15 the law over a period of time that tends to show a  
16 consistent pattern, the business shall be given the  
17 lowest ranking for providing assistance. The  
18 department shall make a good faith effort to compile  
19 this information.

20 13. If a business has, within three years of  
21 application for assistance, acquired or merged with an  
22 Iowa corporation or company, the business shall make a  
23 good faith effort to hire the workers of the acquired  
24 or merged company.

25 14. To be eligible for assistance a business shall  
26 provide for a preference for hiring residents of the  
27 state or the economic development area, except for  
28 out-of-state employees offered a transfer to Iowa or  
29 the economic development area.

30 15. All known required environmental permits must  
31 be granted and regulations met before moneys are  
32 released.

33 Sec. 323. NEW SECTION. 15.319 MONITORING OF JOB  
34 CREATION AND RETENTION.

- 35 1. The department shall develop definitions for  
36 the terms "job creation" and "job retention" to  
37 measure and identify the actual number of permanent,  
38 full-time positions which the businesses actually  
39 create or retain and which can be documented by  
40 comparison of the payroll reports during the twenty-  
41 four month period after the award.
- 42 2. The department shall document the actual job  
43 creation and retention effects of all businesses  
44 receiving financial assistance from the program in the  
45 context of the employer contribution and payroll  
46 reports filed by the business.
- 47 3. The department shall require businesses which  
48 receive assistance from the program to submit  
49 historical copies of the employer contributions and  
50 payroll reports with the application for funds,

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1 require businesses to submit the reports after an  
2 award on a timely basis, and require businesses to  
3 estimate the expected job creation and retention  
4 effects for the twelve-month and twenty-four month  
5 periods after an award in terms of the number of  
6 employees and total wages as displayed in the payroll  
7 reports.

8 Sec. 324. NEW SECTION. 15.320 COMMUNITY ECONOMIC  
9 BETTERMENT PROGRAM ACCOUNT.

10 1. A community economic betterment program account  
11 is established within the strategic investment fund to  
12 be used by the department of economic development for  
13 the community economic betterment program. The  
14 account shall consist of all appropriations, grants,  
15 or gifts received by the department specifically for  
16 use under this part and any moneys allocated to the  
17 community economic betterment program account from the  
18 strategic investment fund.

19 2. Payments of interest or repayments of moneys  
20 awarded under the community economic betterment  
21 program shall be deposited into the strategic  
22 investment fund.

23 Sec. 325. Section 28.111, subsection 3, unnumbered  
24 paragraph 1, Code 1991, is amended to read as follows:

25 The director of the department of economic  
26 development may grant financial or technical  
27 assistance to a person eligible to receive assistance  
28 under this section, upon review and evaluation of the  
29 person's application by the agricultural products  
30 advisory council as established in section 15.203.  
31 ~~The council shall make recommendations to approve or~~  
32 ~~disapprove an application to the department.~~ The  
33 department director shall consider the recommendations  
34 council's evaluation in granting or denying  
35 assistance. The department director shall not approve  
36 an application for assistance under this section to  
37 refinance an existing loan, or to finance traditional  
38 agricultural operations. An application is eligible  
39 for consideration if the application seeks assistance  
40 for any of the following purposes:

41 Sec. 326. Section 28.112, subsection 1, Code 1991,  
42 is amended to read as follows:

43 1. ~~The department may establish~~ There is  
44 established a value-added agricultural products and  
45 processes financial assistance fund account within the  
46 strategic investment fund created in section 15.313.  
47 ~~The fund account shall be a revolving fund composed~~  
48 consist of any money appropriated by the general  
49 assembly for that purpose, moneys allocated to the  
50 account from the strategic investment fund, any other

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1 moneys available to and obtained or accepted by the  
2 department from the federal government or private  
3 sources for placement in the ~~fund~~-~~and~~-~~any~~-~~existing~~  
4 interest account. Except as otherwise provided in  
5 subsection 2, the assets of the fund account shall be  
6 used by the department only for carrying out the  
7 purposes of section 28.111.

8 Sec. 327. Section 28.112, subsection 2, Code 1991,  
9 is amended by adding the following new paragraphs:

10 NEW PARAGRAPH. d. Payments of interest or  
11 repayments of moneys awarded under the value-added  
12 agricultural products and processes financial  
13 assistance program shall be deposited into the  
14 strategic investment fund.

15 Sec. 328. Section 28.120, Code 1991, is amended by  
16 adding the following new subsection:

17 NEW SUBSECTION. 8. Loan repayments made under  
18 this section and unallocated in the special account in  
19 subsection 5, shall be allocated to the revolving  
20 account of the rural community 2000 program created in  
21 section 15.287.

22 Sec. 329. Section 28.143, subsection 1, paragraph  
23 e, Code 1991, is amended to read as follows:

24 e. The superintendent of ~~savings-and-loans~~ credit  
25 unions.

26 Sec. 330. Section 28.144, Code 1991, is amended by  
27 striking the section and inserting in lieu thereof the  
28 following:

29 28.144 PRESIDENT OF THE CORPORATION.

30 The director of the department shall appoint the  
31 president of the corporation from the division within  
32 the department that administers business financial  
33 assistance programs. Administrative and staff support  
34 shall be furnished by the department.

35 Sec. 331. Section 28.148, Code 1991, is amended to  
36 read as follows:

37 28.148 STATE ASSISTANCE FUND.

38 There is created in the treasurer of state's office  
39 a "business development finance corporation assistance  
40 fund". The fund shall consist of all appropriations,  
41 grants, or gifts received by the treasurer  
42 specifically for assistance under this division and  
43 moneys allocated from the strategic investment fund  
44 created in section 15.313. Moneys in this fund are  
45 appropriated to the corporation for the purposes  
46 stated in this division. Moneys allocated to this  
47 fund for purposes of the capital access program and  
48 repayments of moneys from the capital access program  
49 which remain unobligated at the end of a fiscal year  
50 may be returned to the strategic investment fund upon

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1 approval of the board of directors of the business  
2 development finance corporation of Iowa.

3 Sec. 332. Notwithstanding the provision in section  
4 15.313 granting the director of the department of  
5 economic development discretion in the allocation of  
6 the moneys to the various accounts in the strategic  
7 investment fund, for the fiscal year beginning July 1,  
8 1991, a minimum of \$500,000 shall be allocated to the  
9 targeted small business financial assistance program  
10 account and a minimum of \$220,000 shall be allocated  
11 to the self-employment loan program account. However,  
12 any amounts of those two minimum allocations that have  
13 not been committed on January 15, 1992, may be  
14 reallocated to the other accounts in the strategic  
15 investment fund.

16 Sec. 333. Section 15.286A, subsection 2, as  
17 enacted by 1991 Iowa Acts, Senate File 254, section 9,  
18 is amended to read as follows:

19 2. A city, cluster of cities, county, group of  
20 counties, ~~unincorporated community, group of~~  
21 ~~unincorporated communities,~~ council of governments, or  
22 regional planning commission, or one of these entities  
23 on behalf of an unincorporated community or group of  
24 unincorporated communities, is eligible to apply for  
25 loans or grants from this category for planning  
26 efforts related to the community builder program.

27 Sec. 334. Sections 15.232 and 15.240, Code 1991,  
28 are repealed.

29 DIVISION IV

30 JUSTICE SYSTEMS APPROPRIATIONS

31 Sec. 401. There is appropriated from the general  
32 fund of the state to the department of justice for the  
33 fiscal year beginning July 1, 1991, and ending June  
34 30, 1992, the following amounts, or so much thereof as  
35 is necessary, to be used for the purposes designated:

36 1. For the general office of attorney general for  
37 salaries, support, maintenance, miscellaneous  
38 purposes, and for not more than the following full-  
39 time equivalent positions:

40 ..... \$ 4,944,996  
41 ..... FTEs 176.00

42 2. Prosecuting attorney training program for  
43 salaries, support, maintenance, miscellaneous  
44 purposes, and for not more than the following full-  
45 time equivalent positions:

46 ..... \$ 191,898  
47 ..... FTEs 4.75

48 3. In addition to the funds appropriated under  
49 subsection 1, there is appropriated from the general  
50 fund of the state to the department of justice for the

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1 fiscal year beginning July 1, 1991, and ending June  
 2 30, 1992, an amount not exceeding \$95,000 to be used  
 3 for the enforcement of the Iowa competition law under  
 4 chapter 553. The expenditure of the funds  
 5 appropriated under this subsection is contingent upon  
 6 receipt by the general fund of the state of an amount  
 7 at least equal to either the expenditures from damages  
 8 awarded to the state or a political subdivision of the  
 9 state by a civil judgment under chapter 553, if the  
 10 judgment authorizes the use of the award for  
 11 enforcement purposes or costs or attorneys fees  
 12 awarded the state in state or federal antitrust  
 13 actions.

14 4. In addition to funds appropriated under  
 15 subsection 1, there is appropriated from the general  
 16 fund of the state to the department of justice for the  
 17 fiscal year beginning July 1, 1991, and ending June  
 18 30, 1992, an amount not exceeding \$50,000 to be used  
 19 for public education relating to consumer fraud and  
 20 for enforcement of section 714.16, and \$25,000 for  
 21 investigation, prosecution, and consumer education  
 22 relating to consumer and criminal fraud against older  
 23 Iowans. The expenditure of the funds appropriated  
 24 under this subsection is contingent upon receipt by  
 25 the general fund of the state of an amount at least  
 26 equal to the expenditures from damages awarded to the  
 27 state or a political subdivision of the state by a  
 28 civil consumer fraud judgment, if the judgment  
 29 authorizes the use of the award for public education  
 30 on consumer fraud. Notwithstanding section 8.33,  
 31 funds received in a previous fiscal year which have  
 32 not been expended shall be credited to this fiscal  
 33 year.

- 34 5. For the farm mediation service program:
- 35 ..... \$ 100,000
- 36 6. For the legal assistance for farmers program:
- 37 ..... \$ 100,000
- 38 7. For victim assistance grants:
- 39 ..... \$ 1,071,782

40 As a condition, limitation, and qualification of  
 41 this appropriation, \$880,000 shall be used to provide  
 42 grants to care providers providing services to crime  
 43 victims of domestic abuse, and \$191,782 shall be used  
 44 to provide grants to care providers providing services  
 45 to crime victims of rape and sexual assault.

- 46 8. For the GASA prosecuting attorney program:
- 47 ..... \$ 103,400
- 48 ..... FTEs 1.00

49 9. The balance of the fund created under section  
 50 321J.17 may be used to provide salary and support of

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1 not more than 6 FTEs and to provide maintenance for  
2 the victim compensation functions of the department of  
3 justice.

4 10. The department of justice shall submit monthly  
5 financial statements to the legislative fiscal bureau  
6 and the department of management containing all  
7 appropriated accounts in the same manner as provided  
8 in the monthly financial status reports and personal  
9 services usage reports of the department of revenue  
10 and finance. The monthly financial statements shall  
11 include comparisons of the moneys and percentage spent  
12 of budgeted to actual revenues and expenditures on a  
13 cumulative basis for full-time equivalent positions  
14 and available moneys.

15 Sec. 402. There is appropriated from the general  
16 fund to the office of consumer advocate of the  
17 department of justice for the fiscal year beginning  
18 July 1, 1991, and ending June 30, 1992, the following  
19 amount, or so much thereof as is necessary, to be used  
20 for the purposes designated:

21 For salaries, support, maintenance, miscellaneous  
22 purposes, and for not more than the following full-  
23 time equivalent positions:

24 .....	\$	2,054,783
25 .....	FTEs	32.00

26 Sec. 403. There is appropriated from the general  
27 fund of the state to the board of parole for the  
28 fiscal year beginning July 1, 1991, and ending June  
29 30, 1992, the following amount, or so much thereof as  
30 is necessary, to be used for the purposes designated:

31 For salaries, support, maintenance, miscellaneous  
32 purposes, and for not more than the following full-  
33 time equivalent positions:

34 .....	\$	781,894
35 .....	FTEs	18.00

36 As a condition, limitation, and qualification of  
37 this appropriation the board of parole shall maintain  
38 an automated docket and shall maintain the board's  
39 automated risk assessment model.

40 As a condition, limitation, and qualification of  
41 the appropriation the board of parole shall employ 2  
42 statistical research analysts to assist with the  
43 application of the risk assessment model in the parole  
44 decision-making process. The board of parole shall  
45 also require the board's administrative staff to be  
46 cross-trained to assure that each individual on that  
47 staff is familiar with all tasks performed by the  
48 staff.

49 It is the intent of the general assembly that the  
50 department of corrections and the board of parole

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1 shall review, and implement as necessary, the findings  
 2 and recommendations contained in the final report  
 3 prepared by the consultant and presented to the  
 4 corrections system review task force which was  
 5 established by 1988 Iowa Acts, chapter 1271, as they  
 6 relate to the department of corrections and the board  
 7 of parole. The board shall report to the justice  
 8 system appropriations subcommittee during the 1992  
 9 legislative session, at the request of the  
 10 subcommittee, steps taken to implement any of those  
 11 recommendations, or the reasons for failing to  
 12 implement such recommendations.

13 Sec. 404. There is appropriated from the general  
 14 fund of the state to the department of corrections for  
 15 the fiscal year beginning July 1, 1991, and ending  
 16 June 30, 1992, the following amounts, or so much  
 17 thereof as is necessary, to be used for the purposes  
 18 designated:

19 1. For the operation of adult correctional  
 20 institutions, to be allocated as follows:

21 a. For the operation of the Fort Madison  
 22 correctional facility, including salaries, support,  
 23 maintenance, miscellaneous purposes, and for not more  
 24 than the following full-time equivalent positions:

25 .....	\$ 21,829,312
26 .....	FTEs 502.50

27 As a condition, limitation, and qualification of  
 28 this appropriation, the facility shall employ 310  
 29 correctional officers.

30 b. For the operation of the Anamosa correctional  
 31 facility, including salaries, support, maintenance,  
 32 miscellaneous purposes, and for not more than the  
 33 following full-time equivalent positions:

34 .....	\$ 16,153,646
35 .....	FTEs 356.00

36 (1) As a condition, limitation, and qualification  
 37 of this appropriation, the facility shall employ 211  
 38 correctional officers and a part-time chaplain of a  
 39 minority race.

40 (2) Of the funds appropriated, the department's  
 41 budget for Anamosa shall include funding for 2 full-  
 42 time substance abuse counselors for the Luster Heights  
 43 facility, for the purpose of certification of a  
 44 substance abuse program at that facility.

45 c. For the operation of the Oakdale correctional  
 46 facility, including salaries, support, maintenance,  
 47 miscellaneous purposes, and for not more than the  
 48 following full-time equivalent positions:

49 .....	\$ 13,998,174
50 .....	FTEs 309.64

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1 As a condition, limitation, and qualification of  
2 this appropriation, the facility shall employ 151.50  
3 correctional officers.

4 d. For the operation of the Newton correctional  
5 facility, including salaries, support, maintenance,  
6 miscellaneous purposes, and for not more than the  
7 following full-time equivalent positions:

8 ..... \$ 4,347,830  
9 ..... FTEs 94.03

10 As a condition, limitation, and qualification of  
11 this appropriation, the facility shall employ 39.02  
12 correctional officers.

13 e. For the operation of the Mt. Pleasant  
14 correctional facility, including salaries, support,  
15 maintenance, miscellaneous purposes, and for not more  
16 than the following full-time equivalent positions:

17 ..... \$ 11,606,136  
18 ..... FTEs 267.15

19 As a condition, limitation, and qualification of  
20 this appropriation, the facility shall employ 141  
21 correctional officers, and a full-time chaplain to  
22 provide religious counseling at the Oakdale and Mt.  
23 Pleasant correctional facilities.

24 f. For the operation of the Rockwell City  
25 correctional facility, including salaries, support,  
26 maintenance, miscellaneous purposes, and for not more  
27 than the following full-time equivalent positions:

28 ..... \$ 4,031,837  
29 ..... FTEs 81.75

30 As a condition, limitation, and qualification of  
31 this appropriation, the facility shall employ 44.51  
32 correctional officers.

33 g. For the operation of the Clarinda correctional  
34 facility, including salaries, support, maintenance,  
35 miscellaneous purposes, and for not more than the  
36 following full-time equivalent positions:

37 ..... \$ 5,213,089  
38 ..... FTEs 133.20

39 As a condition, limitation, and qualification of  
40 this appropriation, the facility shall employ 68  
41 correctional officers.

42 h. For the operation of the Mitchellville  
43 correctional facility, including salaries, support,  
44 maintenance, miscellaneous purposes, and for not more  
45 than the following full-time equivalent positions:

46 ..... \$ 4,885,117  
47 ..... FTEs 112.40

48 As a condition, limitation, and qualification of  
49 this appropriation, the facility shall employ 62.02  
50 correctional officers.



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1 2. The department of corrections shall provide a  
 2 report to the co-chairpersons and ranking members of  
 3 the justice system appropriations subcommittee and the  
 4 legislative fiscal bureau on or before January 15,  
 5 1992, outlining the implementation of the centralized  
 6 education program for the correctional system. The  
 7 report shall include a listing of the educational  
 8 institutions that are involved, the amount of any  
 9 federal funds received for use with these programs,  
 10 and any other pertinent information.

11 3. If the inmate tort claim fund for inmate claims  
 12 of less than \$50 is exhausted during the fiscal year,  
 13 sufficient funds shall be transferred from the  
 14 institutional budgets to pay approved tort claims for  
 15 the balance of the fiscal year. The warden or  
 16 superintendent of each institution or correctional  
 17 facility shall designate an employee to receive,  
 18 investigate, and recommend whether to pay any properly  
 19 filed inmate tort claim for less than the above  
 20 amount. The designee's recommendation shall be  
 21 approved or denied by the warden or superintendent and  
 22 forwarded to the department of corrections for final  
 23 approval and payment. The amounts appropriated to  
 24 this fund pursuant to 1987 Iowa Acts, chapter 234,  
 25 section 304, subsection 2, are not subject to  
 26 reversion under section 8.33.

27 Tort claims denied at the institution shall be  
 28 forwarded to the state appeal board for their  
 29 consideration as if originally filed with that body.  
 30 This procedure shall be used in lieu of chapter 25A  
 31 for inmate tort claims of less than \$50.

32 Sec. 405. There is appropriated from the general  
 33 fund of the state to the department of corrections for  
 34 the fiscal year beginning July 1, 1991, and ending  
 35 June 30, 1992, the following amounts, or so much  
 36 thereof as is necessary, to be used for the purposes  
 37 designated:

38 1. For general administration, including salaries,  
 39 support, maintenance, miscellaneous purposes, and for  
 40 not more than the following full-time equivalent  
 41 positions:

42 .....	\$	2,263,459
43 .....	FTEs	43.52

44 As a condition, limitation, and qualification of  
 45 this appropriation the department shall employ an  
 46 education director and clerk to administer a  
 47 centralized education program for the correctional  
 48 system.

49 The department shall monitor the use of the  
 50 classification model by the judicial district

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1 departments of correctional services and has the  
2 authority to override a district department's decision  
3 regarding classification of community-based clients.  
4 The department shall notify a district department of  
5 the reasons for the override.

6 2. For reimbursement of counties for temporary  
7 confinement of work release and parole violators, as  
8 provided in sections 246.908, 901.7, and 906.17 and  
9 for offenders confined pursuant to section 246.513:

10 ..... \$ 250,000

11 3. For federal prison reimbursement and  
12 miscellaneous contracts:

13 ..... \$ 360,000

14 The department of corrections shall use funds  
15 appropriated by this subsection to continue to  
16 contract for the service of a Muslim imam.

17 4. For salaries, support, maintenance,  
18 miscellaneous purposes, and for not more than the  
19 following full-time equivalent positions at the  
20 correctional training center at Mt. Pleasant:

21 ..... \$ 391,342

22 ..... FTEs 8.22

23 5. For annual payment relating to the financial  
24 arrangement for the construction of expansion in  
25 prison capacity as provided in 1989 Iowa Acts, chapter  
26 316, section 7, subsection 6:

27 ..... \$ 625,860

28 6. For annual payment relating to the financial  
29 arrangement for the construction of expansion in  
30 prison capacity as provided in 1990 Iowa Acts, chapter  
31 1257, section 24:

32 ..... \$ 3,143,250

33 7. For the capital design and construction of a  
34 192 bed prison facility at a site specified by the  
35 general assembly by reference to this appropriation:

36 ..... \$ 1,000,000

37 Sec. 406.

38 1. There is appropriated from the general fund of  
39 the state to the department of corrections for the  
40 fiscal year beginning July 1, 1991, and ending June  
41 30, 1992, the following amounts, or so much thereof as  
42 is necessary, to be allocated as follows:

43 a. For the first judicial district department of  
44 correctional services, the following amount, or so  
45 much thereof as is necessary:

46 ..... \$ 5,662,589

47 The district department shall continue the  
48 intensive supervision program established within the  
49 district in 1988 Iowa Acts, chapter 1271, section 6,  
50 subsection 1, paragraph "a", and the sex offender

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1 treatment program established within the district in  
2 1989 Iowa Acts, chapter 316, section 8, subsection 1,  
3 paragraph "a".

4 The district department, in cooperation with the  
5 chief judge of the judicial district, shall continue  
6 the implementation of a plan to divert low-risk  
7 offenders to the least restrictive sanction available.

8 b. For the second judicial district department of  
9 correctional services, the following amount, or so  
10 much thereof as is necessary:

11 ..... \$ 3,975,633

12 The district department shall continue the sex  
13 offender treatment program established within the  
14 district in 1988 Iowa Acts, chapter 1271, section 6,  
15 subsection 1, paragraph "b".

16 The district department, in cooperation with the  
17 chief judge of the judicial district, shall continue  
18 the implementation of a plan to divert low-risk  
19 offenders to the least restrictive sanction available.

20 c. For the third judicial district department of  
21 correctional services, the following amount, or so  
22 much thereof as is necessary:

23 ..... \$ 2,488,959

24 The district department shall continue the sex  
25 offender treatment program established within the  
26 district in 1988 Iowa Acts, chapter 1271, section 6,  
27 subsection 1, paragraph "c", and the intensive  
28 supervision program established within the district in  
29 1990 Iowa Acts, chapter 1268, section 6, subsection 3,  
30 paragraph "d".

31 The district department, in cooperation with the  
32 chief judge of the judicial district, shall continue  
33 the implementation of a plan to divert low-risk  
34 offenders to the least restrictive sanction available.

35 d. For the fourth judicial district department of  
36 correctional services, the following amount, or so  
37 much thereof as is necessary:

38 ..... \$ 1,968,221

39 The district department shall continue the sex  
40 offender treatment program established within the  
41 district in 1988 Iowa Acts, chapter 1271, section 6,  
42 subsection 1, paragraph "d".

43 The district department, in cooperation with the  
44 chief judge of the judicial district, shall continue  
45 the implementation of a plan to divert low-risk  
46 offenders to the least restrictive sanction available.

47 e. For the fifth judicial district department of  
48 correctional services, the following amount, or so  
49 much thereof as is necessary:

50 ..... \$ 7,066,072

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1 The district department shall continue the  
2 intensive supervision program established within the  
3 district in 1988 Iowa Acts, chapter 1271, section 6,  
4 subsection 1, paragraph "e", and shall continue to  
5 provide for the rental of electronic monitoring  
6 equipment.

7 The district department, in cooperation with the  
8 chief judge of the judicial district, shall continue  
9 the implementation of a plan to divert low-risk  
10 offenders to the least restrictive sanction available.

11 f. For the sixth judicial district department of  
12 correctional services, the following amount, or so  
13 much thereof as is necessary:

14 ..... \$ 5,668,432

15 The district department shall continue the  
16 intensive supervision program established within the  
17 district in 1988 Iowa Acts, chapter 1271, section 6,  
18 subsection 1, paragraph "f", and the sex offender  
19 treatment program established within the district in  
20 1989 Iowa Acts, chapter 316, section 8, subsection 1,  
21 paragraph "f".

22 The district department, in cooperation with the  
23 chief judge of the judicial district, shall continue  
24 the implementation of a plan to divert low-risk  
25 offenders to the least restrictive sanction available.

26 g. For the seventh judicial district department of  
27 correctional services, the following amount, or so  
28 much thereof as is necessary:

29 ..... \$ 3,913,619

30 The district department shall continue the  
31 intensive supervision program established within the  
32 district in 1988 Iowa Acts, chapter 1271, section 6,  
33 subsection 1, paragraph "g", and shall continue the  
34 sex offender treatment program established within the  
35 district in 1989 Iowa Acts, chapter 316, section 8,  
36 subsection 1, paragraph "g".

37 The district department, in cooperation with the  
38 chief judge of the judicial district, shall continue  
39 the implementation of a plan to divert low-risk  
40 offenders to the least restrictive sanction available.

41 h. For the eighth judicial district department of  
42 correctional services, the following amount, or so  
43 much thereof as is necessary:

44 ..... \$ 3,171,958

45 The district department shall continue the  
46 intensive supervision program established within the  
47 district in 1988 Iowa Acts, chapter 1271, section 6,  
48 subsection 1, paragraph "h", and shall continue the  
49 sex offender treatment program established within the  
50 district in 1989 Iowa Acts, chapter 316, section 8,

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1 subsection 1, paragraph "h".

2 The district department, in cooperation with the  
3 chief judge of the judicial district, shall continue  
4 the implementation of a plan to divert low-risk  
5 offenders to the least restrictive sanction available.

6 i. For the department of corrections for the  
7 assistance and support of each judicial district  
8 department of correctional services, the following  
9 amount, or so much thereof as is necessary:

10 ..... \$ 104,754

11 2. The department of corrections shall continue  
12 the OWI facilities established in 1986 Iowa Acts,  
13 chapter 1246, section 402, in compliance with the  
14 conditions specified in that section.

15 3. The department of corrections shall continue to  
16 contract with a judicial district department of  
17 correctional services to provide for the rental of  
18 electronic monitoring equipment which shall be  
19 available statewide.

20 4. Each judicial district department of  
21 correctional services and the department of  
22 corrections shall continue the treatment alternatives  
23 to street crime programs established in 1989 Iowa  
24 Acts, chapter 225, section 9.

25 5. The first, sixth, and eighth judicial district  
26 departments of correctional services and the  
27 department of corrections shall continue the job  
28 training and development grant programs established in  
29 1989 Iowa Acts, chapter 316, section 7, subsection 2.

30 6. The department of corrections shall not make an  
31 intradepartmental transfer of moneys appropriated to  
32 the department, unless the department complies with  
33 section 8.39. The notice shall include information on  
34 the department's rationale for making the transfer and  
35 details concerning the work load and performance  
36 measures upon which the transfers are based.

37 Sec. 407. There is appropriated from the general  
38 fund of the state to the judicial department for the  
39 fiscal year beginning July 1, 1991, and ending June  
40 30, 1992, the following amounts, or so much thereof as  
41 is necessary, to be used for the purposes designated:

42 1. For salaries of supreme court justices,  
43 appellate court judges, district court judges,  
44 district associate judges, judicial magistrates and  
45 staff, state court administrator, clerk of the supreme  
46 court, district court administrators, clerks of the  
47 district court, juvenile court officers, board of law  
48 examiners and board of examiners of shorthand  
49 reporters and judicial qualifications commission,  
50 receipt and disbursement of child support payments,

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1 and maintenance, equipment, and miscellaneous  
2 purposes:

3 ..... \$ 73,956,679

4 As a condition, limitation, and qualification of  
5 this appropriation, the department shall reimburse the  
6 auditor of state for expenses incurred in completing  
7 audits of the offices of the clerks of the district  
8 court during the fiscal year beginning July 1, 1991.

9 Notwithstanding section 602.5205, the judicial  
10 department shall provide for the expenses of the  
11 judges of the court of appeals located outside the  
12 seat of government.

13 As a condition, limitation, and qualification of  
14 this appropriation, the judicial department, except  
15 for purposes of internal processing, shall use the  
16 current state budget system, the state payroll system,  
17 and the Iowa finance and accounting system in  
18 administration of programs and payments for services,  
19 and shall not duplicate the state payroll, accounting,  
20 and budgeting systems.

21 The judicial department shall submit monthly  
22 financial statements to the legislative fiscal bureau  
23 and the department of management containing all  
24 appropriated accounts in the same manner as provided  
25 in the monthly financial status reports and personal  
26 services usage reports of the department of revenue  
27 and finance. The monthly financial statements shall  
28 include a comparison of the dollars and percentage  
29 spent of budgeted versus actual revenues and  
30 expenditures on a cumulative basis for full-time  
31 equivalent positions and dollars.

32 Of the funds appropriated under this subsection,  
33 not more than \$1,800,000 may be transferred into the  
34 revolving fund established pursuant to section  
35 602.1302, subsection 3, to be used for the payment of  
36 jury and witness fees and mileage.

37 2. For the juvenile victim restitution program:  
38 ..... \$ 100,000

39 Sec. 408. There is appropriated from the general  
40 fund of the state to the judicial department for the  
41 fiscal year beginning July 1, 1991, and ending June  
42 30, 1992, the following amount, or so much thereof as  
43 is necessary, to be used for the purpose designated:

44 For the Iowa court information system:  
45 ..... \$ 903,000

46 As a condition, limitation, and qualification of  
47 this appropriation, the judicial department, except  
48 for purposes of internal processing, shall use the  
49 current state budget system, the state payroll system,  
50 and the Iowa finance and accounting system in

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1 administration of programs and payments for services,  
2 and shall not duplicate the state payroll, accounting,  
3 and budgeting systems.

4 The judicial department shall not change the  
5 appropriations from the amounts appropriated under  
6 this section, unless the department complies with  
7 section 8.39. The notice shall include information on  
8 the department's rationale for making the changes and  
9 details concerning the work load and performance  
10 measures upon which the changes are based.

11 Sec. 409. The department of corrections, judicial  
12 district departments of correctional services, board  
13 of parole, and the judicial department shall continue  
14 to develop an automated data system for use in the  
15 sharing of information between the department of  
16 corrections, judicial district departments of  
17 correctional services, board of parole, and the  
18 judicial department. The information to be shared  
19 shall concern any individual who may, as the result of  
20 an arrest or infraction of any law, be subject to the  
21 jurisdiction of the department of corrections,  
22 judicial district departments of correctional  
23 services, or board of parole.

24 Sec. 410. Section 13.15, unnumbered paragraph 2,  
25 Code 1991, is amended to read as follows:

26 The rules shall provide for an hourly mediation fee  
27 not to exceed twenty-five-dollars-per-hour-per-party  
28 fifty dollars for the borrower and one hundred dollars  
29 for the creditor. The hourly mediation fee may be  
30 waived for any party demonstrating financial hardship  
31 upon application to the farm mediation service.

32 Sec. 411. NEW SECTION. 13.26 FARM ASSISTANCE  
33 FUND ESTABLISHED.

34 A farm assistance fund is established as a separate  
35 fund in the state treasury under the control of the  
36 department of justice. It is the intent of the  
37 general assembly that the moneys deposited in the fund  
38 shall be used for legal assistance to financially  
39 distressed farmers. These funds shall be used only to  
40 the extent appropriated by the general assembly.  
41 Notwithstanding section 8.33, any balance in the fund  
42 on June 30 of any fiscal year shall not revert to any  
43 fund but shall remain in the fund for the subsequent  
44 fiscal year.

45 Sec. 412. Section 356.26, unnumbered paragraph 3,  
46 Code 1991, is amended to read as follows:

47 The district court may also grant by order to any  
48 person sentenced to a county jail the privilege of a  
49 sentence of in-home detention where the county sheriff  
50 has certified to the court that the jail has an in-

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~~1 home detention program. The department of corrections  
2 shall report to the legislative fiscal bureau on a  
3 semiannual basis concerning utilization of in-home  
4 detention, including the counties which have  
5 established such programs and the number of prisoners  
6 allowed in home detention privileges.~~

7 Sec. 413. Section 654.18, subsection 1, paragraph  
8 d, Code 1991, is amended to read as follows:

9 d. The mortgagor and mortgagee shall file a  
10 jointly executed document with the county recorder in  
11 the county where the real property is located stating  
12 that the mortgagor and mortgagee have elected to  
13 follow the alternative voluntary foreclosure  
14 procedures pursuant to this section. In addition to  
15 the fee collected pursuant to section 331.604, the  
16 recorder shall collect a fee of sixty dollars for  
17 filing the document, and shall remit the sixty-dollar  
18 fee to the treasurer of state for deposit in the farm  
19 assistance fund established in section 13.26.

20 Sec. 414. Section 654.19, Code 1991, is amended to  
21 read as follows:

22 654.19 DEED IN LIEU OF FORECLOSURE -- AGRICULTURAL  
23 LAND.

24 In lieu of a foreclosure action in court due to  
25 default on a recorded mortgage or deed of trust of  
26 real property, if the subject property is agricultural  
27 land used for farming, as defined in section 172C.1,  
28 the mortgagee and mortgagor may enter into an  
29 agreement in which the mortgagor agrees to transfer  
30 the agricultural land to the mortgagee in satisfaction  
31 of all or part of the mortgage obligation as agreed  
32 upon by the parties. The agreement may grant the  
33 mortgagor a right to purchase the agricultural land  
34 for a period not to exceed five years, and may entitle  
35 the mortgagor to lease the agricultural land. The  
36 agreement shall be recorded with the deed transferring  
37 title to the mortgagee. In addition to the fee  
38 collected pursuant to section 331.604, the recorder  
39 shall collect a fee of sixty dollars for recording the  
40 agreement and deed, and shall remit the sixty-dollar  
41 fee to the treasurer of state for deposit in the farm  
42 assistance fund established in section 13.26. A

43 transfer of title and agreement pursuant to this  
44 section does not constitute an equitable mortgage.

45 Sec. 415. Section 655A.7, Code 1991, is amended to  
46 read as follows:

47 655A.7 PROOF AND RECORD OF SERVICE.

48 If the terms and conditions as to which there is  
49 default are not performed within the thirty days, the  
50 party serving the notice or causing it to be served



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1 shall file for record in the office of the county  
2 recorder a copy of the notice with proofs of service  
3 required under section 655A.4 attached or endorsed on  
4 it and, in case of service by publication, a personal  
5 affidavit that personal service could not be made  
6 within this state, and when those documents are filed  
7 and recorded, the record is constructive notice to all  
8 parties of the due foreclosure of the mortgage. In  
9 addition to the fee collected pursuant to section  
10 331.604, the recorder shall collect a fee of sixty  
11 dollars for recording the documents required by this  
12 section, and shall remit the sixty dollar fee to the  
13 treasurer of state for deposit in the farm assistance  
14 fund established in section 13.26.

15 Sec. 416. Section 656.5, Code 1991, is amended to  
16 read as follows:

17 656.5 PROOF AND RECORD OF SERVICE.

18 If the terms and conditions as to which there is  
19 default are not performed within said thirty days, the  
20 party serving said notice or causing the same to be  
21 served, may file for record in the office of the  
22 county recorder a copy of the notice aforesaid with  
23 proofs of service attached or endorsed thereon (and,  
24 in case of service by publication, a personal  
25 affidavit that personal service could not be made  
26 within this state), and when so filed and recorded,  
27 the said record shall be constructive notice to all  
28 parties of the due forfeiture and cancellation of said  
29 contract. In addition to the fee collected pursuant  
30 to section 331.604, the recorder shall collect a fee  
31 of sixty dollars for filing the notice, and shall  
32 remit the sixty-dollar fee to the treasurer of state  
33 for deposit in the farm assistance fund established in  
34 section 13.26.

35 Sec. 417. Section 905.4, subsection 5, Code 1991,  
36 is amended to read as follows:

37 5. Arrange for, by contract or on such alternative  
38 basis as may be mutually acceptable, and equip  
39 suitable quarters at one or more sites in the district  
40 as may be necessary for the district department's  
41 community-based correctional program, provided that  
42 the board shall to the greatest extent feasible  
43 utilize existing facilities and shall keep capital  
44 expenditures for acquisition, renovation and repair of  
45 facilities to a minimum. The district board shall not  
46 enter into lease-purchase agreements for the purposes  
47 of constructing, renovating, expanding, or otherwise  
48 improving a community-based correctional facility or  
49 office unless express authorization has been granted  
50 by the general assembly, and current funding is

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1 adequate to meet the lease-purchase obligation.  
 2 Sec. 418. 1990 Iowa Acts, chapter 1224, section 1,  
 3 unnumbered paragraph 1, is amended to read as follows:  
 4 In order to implement this Act, the department of  
 5 human services and the judicial department shall  
 6 mutually agree on a schedule to complete the transfer  
 7 of support payment collection and disbursement  
 8 responsibilities from the collection services center  
 9 to the clerks of the district court. The schedule  
 10 shall provide for the completion of the transfer of  
 11 the responsibilities for all affected orders by June  
 12 30, ~~1991~~ 1993. The following procedure shall be used  
 13 for any order affected by the initial transfer of  
 14 responsibilities.

15 Sec. 419. 1990 Iowa Acts, chapter 1257, section  
 16 24, subsection 4, unnumbered paragraph 2, is amended  
 17 to read as follows:

18 As a condition, limitation, and qualification of  
 19 this appropriation, the beds shall be used for a 30-  
 20 to-60-day shock revocation program for parole and  
 21 probation violators who are male offenders. The beds  
 22 shall be administered by the state department of  
 23 corrections.

24 Sec. 420. 1990 Iowa Acts, chapter 1268, section 5,  
 25 subsection 2, is amended to read as follows:

26 2. For reimbursement of counties for temporary  
 27 confinement of work release and parole violators, as  
 28 provided in sections 246.908, 901.7, and 906.17 and  
 29 for offenders confined pursuant to section 246.513:

30 ..... \$ 215,000

31 Sec. 421. EFFECTIVE DATE AND RETROACTIVE  
 32 APPLICABILITY PROVISIONS.

33 1. Section 417 of this division takes effect on  
 34 January 1, 1992.

35 2. Sections 418 and 420 of this division, being  
 36 deemed of immediate importance, take effect upon  
 37 enactment. Section 420 of the division applies  
 38 retroactively to July 1, 1990.

39 DIVISION V  
 40 TAXATION

41 Sec. 501. Section 422.9, subsection 1, Code 1991,  
 42 is amended to read as follows:

43 1. An optional standard deduction, after deduction  
 44 of federal income tax, equal to one thousand two  
 45 hundred thirty dollars for a married person who files  
 46 separately or a single person or equal to three  
 47 thousand thirty dollars for a husband and wife who  
 48 file a joint return, a surviving spouse, or an  
 49 unmarried head of household. The optional standard  
 50 deduction shall not exceed the amount remaining after

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1 deduction of the federal income tax. The amount of  
 2 the federal income tax deducted shall not exceed the  
 3 amount as computed under subsection 2, paragraph "b".

4 Sec. 502. Section 422.9, subsection 2, paragraph  
 5 b, Code 1991, is amended by striking the paragraph and  
 6 inserting in lieu thereof the following:

7 b. Add the amount of federal income taxes paid or  
 8 accrued, as the case may be, for the tax year. Also  
 9 add the amount of federal income taxes paid with the  
 10 federal return or as a result of an adjustment to a  
 11 federal return during the tax year for a prior year.  
 12 However, the amount of federal income taxes deducted  
 13 for the tax year shall not exceed twenty-five thousand  
 14 dollars, except that any additional taxes paid with  
 15 the federal return or as a result of an adjustment to  
 16 a federal return during tax years ending prior to  
 17 January 1, 1991, are not subject to the twenty-five  
 18 thousand dollar limitation. Subtract the amount of  
 19 federal income tax refunds received for the tax year  
 20 to the extent that the federal income tax was deducted  
 21 in a previous year. Married persons who file separate  
 22 returns or file separately on combined return forms  
 23 shall be limited to a federal income tax deduction for  
 24 federal income taxes paid during the tax year not to  
 25 exceed twenty-five thousand dollars in total for both  
 26 spouses. The amount of the federal income tax  
 27 deduction shall be divided between each spouse by the  
 28 ratio of the net income of each spouse to total net  
 29 income of both spouses unless they can show that  
 30 another method more accurately reflects the amount of  
 31 federal income tax to be paid by each.

32 Sec. 503. Sections 501 and 502 apply retroactively  
 33 to January 1, 1991, for tax years beginning on or  
 34 after that date.

#### DIVISION VI

##### SCHOOL FOUNDATION AID

37 Sec. 601. Section 257.1, subsection 2, unnumbered  
 38 paragraph 2, Code 1991, is amended to read as follows:

39 For the budget year commencing July 1, 1991, and  
 40 for each succeeding budget year the regular program  
 41 foundation base per pupil is eighty-three and five-  
 42 tenths percent of the regular program state cost per  
 43 pupil. ~~For each succeeding budget year, the regular~~  
 44 ~~program foundation base shall increase twenty-five~~  
 45 ~~hundredths percent per year until the regular program~~  
 46 ~~foundation base reaches eighty-five percent of the~~  
 47 ~~regular program state cost per pupil, except that the~~  
 48 regular program foundation base per pupil for the  
 49 portion of weighted enrollment that is additional  
 50 enrollment because of special education is seventy-

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1 nine percent of the regular program state cost per  
2 pupil. For the budget year commencing July 1, 1991,  
3 and for each succeeding budget year the special  
4 education support services foundation base is eighty-  
5 three-and-five-tenths seventy-nine percent of the  
6 special education support services state cost per  
7 pupil. ~~It shall increase at the same rate as the~~  
8 regular-program-foundation-base. The combined  
9 foundation base is the sum of the regular program  
10 foundation base and the special education support  
11 services foundation base.

12 Sec. 602. Section 257.2, subsection 12, Code 1991,  
13 is amended by striking the subsection.

14 Sec. 603. Section 257.15, subsection 1, Code 1991,  
15 is amended by adding the following new unnumbered  
16 paragraph:

17 NEW UNNUMBERED PARAGRAPH. For purposes of this  
18 subsection, in computing the amount of revenues  
19 generated by the foundation property tax and the  
20 additional property tax under chapter 442, Code 1989,  
21 the computation shall be based on a regular program  
22 foundation base per pupil of eighty-three percent of  
23 the regular program state cost per pupil except that  
24 for the portion of weighted enrollment that is  
25 additional enrollment because of special education the  
26 regular program foundation base per pupil shall be  
27 seventy-nine percent of the regular program state cost  
28 per pupil. The special education support services  
29 foundation base shall be seventy-nine percent of the  
30 special education support services state cost per  
31 pupil.

32 Sec. 604. Section 257.31, subsections 6 and 11,  
33 Code 1991, are amended by striking the subsections.

34 Sec. 605. Section 442.3, unnumbered paragraph 1,  
35 Code 1991, is amended to read as follows:

36 The state foundation base for the school year  
37 beginning July 1, 1986 is eighty percent of the state  
38 cost per pupil. The state foundation base for the  
39 school year beginning July 1, 1987 is eighty-one and  
40 one-half percent of the state cost per pupil. For  
41 each succeeding school year, the state foundation base  
42 shall be increased by the amount of one-half percent  
43 of the state cost per pupil, up to a maximum of  
44 eighty-five eighty-three percent of the state cost per  
45 pupil. The district foundation base is the larger of  
46 the state foundation base or the amount per pupil  
47 which the district will receive from foundation  
48 property tax and state school foundation aid.

49 Sec. 606. Sections 601, 603, and 605 of this  
50 division, being deemed of immediate importance, take

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1 effect upon enactment.

2

## DIVISION VII

3

## PROPERTY TAX

4 Sec. 701. Section 425A.1, Code 1991, is amended to  
5 read as follows:

6 425A.1 FAMILY FARM TAX CREDIT FUND.

7 The family farm tax credit fund is created in the  
8 office of the treasurer of state. ~~There is~~  
9 ~~appropriated to the fund from funds in the general~~  
10 ~~fund not otherwise appropriated the sum of ten million~~  
11 ~~dollars. Moneys appropriated to the agricultural land~~  
12 ~~credit fund and transferred to the family farm credit~~  
13 ~~fund as provided in section 426.1 shall be used for~~  
14 ~~purposes of this chapter. Any balance in the fund on~~  
15 ~~June 30 shall revert to the general fund.~~

16 Sec. 702. Section 426.1, Code 1991, is amended to  
17 read as follows:

18 426.1 AGRICULTURAL LAND CREDIT FUND.

19 There is hereby created as a permanent fund in the  
20 office of the treasurer of state a fund to be known as  
21 the agricultural land credit fund, and for the purpose  
22 of establishing and maintaining said this fund for  
23 each fiscal year there is appropriated thereto to this  
24 fund from funds in the general fund not otherwise  
25 appropriated the sum of forty-three million five  
26 hundred thousand dollars. Any balance in ~~said the~~  
27 fund on June 30 shall revert to the general fund. Of  
28 the amount appropriated for each fiscal year, ten  
29 million dollars shall be transferred for each fiscal  
30 year to the family farm tax credit fund created in  
31 section 425A.1.

32 Sec. 703. Section 135D.22, subsection 1, paragraph  
33 b, Code 1991, is amended by adding the following new  
34 unnumbered paragraph:

35 NEW UNNUMBERED PARAGRAPH. Notwithstanding the  
36 effective date provision in 1990 Iowa Acts, chapter  
37 1250, section 21, this lettered paragraph is effective  
38 for mobile home tax claims filed on or after January  
39 1, 1993, and any claims filed under this lettered  
40 paragraph before that date shall not be allowed.

41 Sec. 704. Section 425.23, subsection 1, paragraph  
42 b, Code 1991, is amended by adding the following new  
43 unnumbered paragraph:

44 NEW UNNUMBERED PARAGRAPH. Notwithstanding the  
45 effective date provisions in 1990 Iowa Acts, chapter  
46 1250, section 21, this lettered paragraph is effective  
47 for property tax claims filed on or after January 1,  
48 1993, and for rent reimbursement claims filed on or  
49 after January 1, 1994, and all such claims filed under  
50 this lettered paragraph before such dates shall not be

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1 allowed.

2 Sec. 705. Sections 703 and 704 of this division,  
3 being deemed of immediate importance, take effect upon  
4 enactment and apply retroactively to January 1, 1991.

5 Sec. 706. Sections 701 and 702 are effective July  
6 1, 1991.

7 DIVISION VIII

8 MISCELLANEOUS

9 Sec. 801. The general assembly shall develop a  
10 budget reform program with the objective of holding  
11 state spending within specified limits. The reform  
12 program shall provide criteria for determining the  
13 specific spending limitations. The budget reform  
14 program shall be enacted by July 1, 1991.

15 DIVISION IX

16 STANDING APPROPRIATIONS

17 Sec. 901. Notwithstanding the standing  
18 appropriations in the following designated sections  
19 for the fiscal year beginning July 1, 1991, the amount  
20 appropriated from the general fund of the state  
21 pursuant to those sections for the following  
22 designated purposes shall not exceed the following  
23 amounts:

24 1. To reimburse counties for the loss of property  
25 tax revenues for machinery and computer equipment tax  
26 replacement under section 427B.13:

27 ..... \$ 0

28 If the amounts of calculated county reimbursement  
29 exceed the amount specified in this subsection the  
30 director of revenue and finance shall prorate the  
31 amount available.

32 2. For deposit into the state communications  
33 network fund under section 18.137:

34 ..... \$ 3,000,000

35 3. For programs for at-risk children under section  
36 279.51, subsection 1:

37 ..... \$ 8,700,000

38 DIVISION X

39 GENERAL REDUCTIONS

40 Sec. 1001. REDUCTIONS. Notwithstanding the  
41 specific appropriations made in this Act, all  
42 appropriations from the general fund of the state made  
43 in this Act except for appropriation amounts relating  
44 to reimbursements of social services providers under  
45 division I shall be reduced by 0.5 percent.

46 DIVISION XI

47 CIGARETTE AND TOBACCO TAX."

48 2. By striking page 106, line 24 through page  
49 108, line 25.

50 3. Page 108, line 37, by inserting after the word

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- 1 "tax," the following: "delaying the effective date of
- 2 certain tax rate reductions, credits, or rent
- 3 reimbursements, relating to the amount of federal
- 4 income taxes deductible for the state income tax."

By JOCHUM of Dubuque

H-3873 FILED APRIL 25, 1991

*Adopted as amended 4/26/91 (p. 1852)*

*Amended by 3876, 197, 198, 199, 2900, 2910, 3707, 3711, 3713, 14, 15, 16, 21, 25, 29, 36, 42, 43, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000*

HOUSE FILE 479

H-3881

- 1 Amend the amendment, H-3873, to the Senate
- 2 amendment, H-3734, to House File 479, as amended,
- 3 passed, and reprinted by the House, as follows:
- 4 1. Page 104, line 32, by striking the word and
- 5 figure "subsection 1" and inserting the following:
- 6 "subsection 2".

By JOCHUM of Dubuque

H-3881 FILED APRIL 25, 1991

*Adopted 4/26/91 (p. 1852)*

HOUSE FILE 479

H-3891

- 1 Amend the amendment, H-3734, to House File 479, as
- 2 amended, passed, and reprinted by the House, as
- 3 follows:
- 4 1. Page 39, line 15, by striking the figure
- 5 "2,120,000" and inserting the following: "1,670,000".
- 6 2. Page 86, line 1, by striking the figure
- 7 "383,650" and inserting the following: "833,650".
- 8 3. Page 86, line 3, by striking the figure
- 9 "312,675" and inserting the following: "765,675".

By RAFFERTY of Scott

H-3891 FILED APRIL 25, 1991

*Adopted 4/26/91 (p. 1866)*

## HOUSE FILE 479

H-3893

1 Amend the Senate amendment, H-3734, to House File  
2 479, as amended, passed, and reprinted by the House,  
3 as follows:

4 1. Page 64, line 16, by striking the word and  
5 figure "paragraph 6" and inserting the following:  
6 "paragraphs 1, 6, and 10".

7 2. Page 64, line 17, by striking the word "is"  
8 and inserting the following: "are".

9 3. Page 64, by inserting after line 17 the fol-  
10 lowing:

11 "For each fiscal year, the department shall  
12 allocate the remainder of the moneys appropriated by  
13 the general assembly to the fund for phase III,  
14 subject to section 294A.18. If fifty million dollars  
15 is allocated for phase III, the payments for an  
16 approved plan for a school district shall be equal to  
17 the product of a district's certified enrollment and  
18 ninety-eight dollars and sixty-three cents, and for an  
19 area education agency shall be equal to the product of  
20 an area education agency's enrollment served and four  
21 dollars and sixty cents. If the moneys allocated for  
22 phase III are either greater than or less than fifty  
23 million dollars, the department of education shall  
24 adjust the amount for each student in certified  
25 enrollment and each student in enrollment served based  
26 upon the amount allocated for phase III. Of the  
27 moneys allocated for phase III, five hundred thousand  
28 dollars shall be used for supplemental pay plans in  
29 districts which provide for additional instructional  
30 work assignments relating to college bound student  
31 support programs for minority students."

32 4. Page 64, by inserting after line 44 the fol-  
33 lowing:

34 "For school districts, additional instructional  
35 work assignments may include but are not limited to  
36 general curriculum planning and development, vertical  
37 articulation of curriculum, horizontal curriculum  
38 coordination, development of educational measurement  
39 practices for the school district, attendance at  
40 workshops and other programs for service as  
41 cooperating teachers for student teachers, development  
42 of plans for assisting beginning teachers during their  
43 first year of teaching, attendance at summer staff  
44 development programs, development of staff development  
45 programs for other teachers to be presented during the  
46 school year, participation in college bound student  
47 support programs for minority students, and other  
48 plans locally determined in the manner specified in  
49 section 294A.15 and approved by the department of  
50 education under section 294A.16 that are of equal



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1 importance or more appropriately meet the educational  
2 needs of the school district.

3 Sec. \_\_\_\_ . Section 294A.14, Code 1991, is amended  
4 by adding the following new unnumbered paragraph:

5 NEW UNNUMBERED PARAGRAPH. For purposes of this  
6 section, college bound student support programs for  
7 minority students shall include one or more of the  
8 following:

9 1. Self-esteem enhancement for minority students.

10 2. Mentoring for minority students.

11 3. Methods to provide greater involvement of  
12 minority parents in the educational process.

13 4. Individual or group academic preparedness  
14 coaching for minority students.

15 5. A continuum of academic tutorial services for  
16 minority students.

17 6. Outreach programs which connect minority  
18 students with higher education programs.

19 7. School and business partnerships which provide  
20 direct support to minority students.

21 Sec. \_\_\_\_ . Section 294A.16, unnumbered paragraph 3,  
22 Code 1991, is amended to read as follows:

23 The department of education shall review each plan  
24 and its budget and notify the department of management  
25 of the names of school districts and area education  
26 agencies with approved plans. In approving school  
27 district supplemental pay plans which provide for  
28 additional instructional work assignments relating to  
29 college bound student support programs for minority  
30 students, the department shall give preference to  
31 plans which provide for the forming of consortia with  
32 local community colleges and community-based  
33 organizations."

34 5. By numbering and renumbering, and changing  
35 internal references as necessary.

By HATCH of Polk

SHOULTZ of Black Hawk

BAKER of Polk

TEAFORD of Black Hawk

H-3893 FILED APRIL 25, 1991

*Filed 4/26 (H-3893)*

H-3894

1 Amend the amendment, H-3873, to Senate amendment,  
2 H-3734, to House File 479, as amended, passed, and  
3 reprinted by the House, as follows:

4 1. Page 71, by inserting after line 7, the  
5 following:

6 "E. Regional economic development centers  
7 For competitive grants to regional economic  
8 development centers:

9 ..... S 440,457

10 The chairpersons of the regional coordinating  
11 councils shall accept grant applications from the  
12 regional economic development centers and shall rank  
13 the applications. The rankings shall be provided to  
14 the department which shall make awards based upon the  
15 recommendations of the regional coordinating  
16 councils."

17 2. Page 72, by striking line 35 and inserting the  
18 following:

19 "..... S 2,840,000".

20 3. Page 77, by striking lines 6 through 12.

21 4. By renumbering as necessary.

By PONCY of Wapello MERTZ of Kossuth  
WISE of Lee BARTZ of Worth  
FOGARTY of Palo Alto

H-3894 FILED APRIL 25, 1991

*Adopted 4/26/91 (p. 1842)*

H-3895

1 Amend the Senate amendment, H-3734, to House File  
2 479, as amended, passed, and reprinted by the House,  
3 as follows:

4 1. Page 45, by striking lines 16 through 24.

5 2. By striking page 58, line 27, through page 59,  
6 line 5.

7 3. By renumbering and changing internal  
8 references as necessary.

By PETERSON of Carroll

H-3895 FILED APRIL 25, 1991

*Adopted 4/26/91 (p. 1842)*

H-3913

1 Amend the amendment, H-3873, to the Senate  
2 amendment, H-3734, to House File 479, as amended,  
3 passed, and reprinted by the House, as follows:

4 1. Page 33, line 2, by striking the figure  
5 "9,187,673" and inserting the following: "9,255,313".

6 2. Page 33, line 3, by striking the figure  
7 "352.95" and inserting the following: "354.45".

8 3. Page 34, by inserting after line 7, the  
9 following:

10 " . . . . . As a condition, limitation, and  
11 qualification of the funds appropriated in this  
12 section, \$69,145 and 1.5 FTEs of the moneys  
13 appropriated and positions authorized in this section  
14 shall be used to implement section 217.9A,  
15 establishing the commission on children, youth, and  
16 families in the department pursuant to Senate File  
17 479, if enacted by the Seventy-fourth General  
18 Assembly, 1991 Session."

19 4. By renumbering as necessary.

By TEAFORD of Black Hawk  
CARPENTER of Polk  
SPENNER of Henry

H-3913 FILED APRIL 25, 1991

*Adopted 4/26/91*

## HOUSE FILE 479

H-3896

1 Amend the amendment, H-3873, to the Senate  
2 amendment, H-3734, to House File 479 as amended,  
3 passed, and reprinted by the House, as follows:

4 1. Page 1, line 15, by striking the figure  
5 "41,356,571" and inserting the following:  
6 "41,456,571".

7 2. Page 1, by inserting after line 42 the  
8 following:

9 "6. As a condition, limitation, and qualification  
10 of the funds appropriated in this section, the  
11 department shall continue to contract for services in  
12 developing and monitoring a demonstration waiver  
13 program to facilitate providing assistance in self-  
14 employment investment to aid to dependent children  
15 families. The demonstration waiver program shall be  
16 provided for the fiscal period beginning July 1, 1991,  
17 and ending June 30, 1993, or for as long as federal  
18 approval of the program continues. Of the funds  
19 appropriated in this section, up to \$99,592 shall be  
20 used to provide technical assistance for aid to  
21 dependent children families seeking self-employment.  
22 The technical assistance may be provided through the  
23 department or through a contract with the division of  
24 job training of the Iowa department of economic  
25 development and through a contract with the  
26 corporation for enterprise development.

27 7. As a condition, limitation, and qualification  
28 of the funds appropriated in this section, the  
29 department shall apply the self-employment investment  
30 demonstration waiver project statewide during the  
31 fiscal period delineated in the federal waiver  
32 submitted to operate the waiver project statewide,  
33 provided training is available to a recipient through  
34 a recognized self-employment training program.  
35 However, if the application for the federal waiver is  
36 denied and funding is available, the department may  
37 determine the counties in which it is feasible to  
38 operate the project and shall provide the project in  
39 those counties. The department may adopt emergency  
40 rules to implement the provisions of this subsection."

41 3. Page 12, by inserting after line 3 the  
42 following:

43 "5. Of the funds allocated in this section for the  
44 JOBS program, \$445,000 is allocated to the family  
45 development and self-sufficiency grant program as  
46 provided under section 217.12. This funding shall  
47 extend current grantee funding from December 31, 1991,  
48 to June 30, 1992.

49 a. No more than 5 percent of the funds allocated  
50 in this subsection shall be used for administration of

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Page 2

1 the program and this percentage shall be determined  
 2 for the entire fiscal year rather than on a 6-month  
 3 basis. Federal financial participation received by  
 4 the department for the family development and self-  
 5 sufficiency grant program shall be used for the grant  
 6 program or the JOBS program.

7 b. Based upon the annual evaluation report  
 8 concerning each grantee funded by this allocation, and  
 9 family development and self-sufficiency coalition  
 10 use funds allocated to renew grants. Grant renewals  
 11 shall be awarded on or before January 1, 1992, for a  
 12 6-month extension to June 30, 1992."

By HAMMOND of Story

H-3896 FILED APRIL 25, 1991

*Adopted 4/24/91 (p. 1827)*

HOUSE FILE 479

H-3897

1 Amend the amendment, H-3873, to the Senate  
 2 amendment, H-3734, to House File 479, as amended,  
 3 passed, and reprinted by the House, as follows:

4 1. Page 17, line 25, by inserting after the word  
 5 "older" the following: "unless the persons are  
 6 pursuing a course of study leading to a high school  
 7 diploma or equivalent".

By DODERER of Johnson  
HESTER of Pottawattamie

H-3897 FILED APRIL 25, 1991

*Adopted 4/26 (p. 1860)*

HOUSE FILE 479

H-3898

1 Amend the amendment, H-3873, to the Senate  
 2 amendment, H-3734, to House File 479, as amended,  
 3 passed, and reprinted by the House, as follows:

4 1. Page 1, line 30, by striking the figure  
 5 "239.1" and inserting the following: "234.1".  
 6 2. Page 17, line 23, by striking the figure  
 7 "239.1" and inserting the following: "234.1".

By HAMMOND of Story  
JOCHUM of Dubuque

H-3898 FILED APRIL 25, 1991

*Adopted 4/26/91 (p. 1827)*

HOUSE FILE 479

H-3899

1 Amend the amendment, H-3873, to Senate amendment,  
 2 H-3734, to House File 479, as amended, passed, and  
 3 reprinted by the House, as follows:

4 1. Page 70, by striking line 1 and inserting the  
 5 following:

6 "..... FTEs 10.00"

By HARBOR of Mills  
WISE of Lee

H-3899 FILED APRIL 25, 1991

*Adopted 4/26/91 (p. 1827)*

HOUSE FILE 479

H-3905

1 Amend the amendment, H-3873, to the Senate  
 2 amendment, H-3734, to House File 479, as amended,  
 3 passed, and reprinted by the House, as follows:  
 4 1. Page 69, by striking lines 15 and 16 and  
 5 inserting the following:

6 "..... \$ 1,010,000  
 7 ..... FTEs 18.00".

8 2. Page 69, by inserting after line 22, the  
 9 following:

10 "\_\_\_\_. Marketing advertising

11 For contracting exclusively for marketing and  
 12 promotion programs and services and advertising  
 13 contracts for business expansion and development  
 14 programs, for electronic media, print media, and  
 15 printed materials:

16 ..... \$ 2,300,000".

17 3. Page 70, by striking lines 39 and 40 and  
 18 inserting the following:

19 "..... \$ 600,000  
 20 ..... FTEs 10.00".

By HARBOR of Mills

H-3905 FILED APRIL 25, 1991

*Leak 4/26/91 (Pg. 1342)*

HOUSE FILE 479

H-3906

1 Amend the amendment, H-3873, to the Senate  
 2 amendment, H-3734, to House File 479, as amended,  
 3 passed, and reprinted by the House, as follows:  
 4 1. Page 39, by inserting after line 24 the  
 5 following:

6 "Sec. \_\_\_\_ . NEW SECTION. 237A.27 CRISIS CHILD  
 7 CARE.

8 The department shall establish a special child care  
 9 registration or licensure classification for crisis  
 10 child care which is provided on a temporary emergency  
 11 basis to a child when there is reason to believe that  
 12 the child may be subject to abuse or neglect. The  
 13 special classification is not subject to the  
 14 definitional restrictions of child day care in this  
 15 chapter relating to the provision of child day care  
 16 for a period of less than twenty-four hours per day on  
 17 a regular basis. However, the provision of crisis  
 18 child care shall be limited to a period of not more  
 19 than seventy-two hours for a child during any single  
 20 stay. A person providing crisis child care must be  
 21 registered or licensed under this chapter and must be  
 22 participating in the federal crisis nursery pilot  
 23 project. The department shall adopt rules pursuant to  
 24 chapter 17A to implement this section."

25 2. By renumbering as necessary.

By PETERSON of Carroll  
 HAMMOND of Story

H-3906 FILED APRIL 25, 1991

*Adopted 4/26/91 (Pg. 1334)*

HOUSE FILE 479

H-3900

- 1 Amend the amendment, H-3873, to the Senate
- 2 amendment, H-3734, to House File 479, as amended,
- 3 passed, and reprinted by the House, as follows:
- 4 1. Page 23, line 50, by striking the figure
- 5 "29,522,461" and inserting the following:
- 6 "29,722,461".
- 7 2. Page 24, line 1, by striking the figure
- 8 "821.80" and inserting the following: "821.80"
- 9 3. Page 24, by inserting after line 1, the
- 10 following:
- 11 "Of the moneys appropriated in this section,
- 12 \$200,000 shall be used for 10 additional beds and for
- 13 the salaries and support of 7.00 FTEs."
- 14 4. Page 72, by striking lines 14 through 17.

By MERTZ of Kossuth  
KREBSBACH of Mitchell

H-3900 FILED APRIL 25, 1991

*Adopted 4/26/91 (Pg. 1832)*

HOUSE FILE 479

H-3901

- 1 Amend the amendment, H-3873, to the Senate
- 2 amendment, H-3734, to House File 479, as amended,
- 3 passed, and reprinted by the House, as follows:
- 4 1. Page 53, by inserting after line 26, the
- 5 following:
- 6 "c. Enrollment growth
- 7 For payment of costs associated with increases in
- 8 enrollment, including, but not limited to, salaries
- 9 for additional faculty members:
- 10 ..... \$ 1,500,000"
- 11 2. By renumbering and correcting internal
- 12 references as necessary.

By DIEMER of Black Hawk  
HANSON of Black Hawk

H-3901 FILED APRIL 25, 1991

*Loss 4/26/91 (Pg. 1837)*

## HOUSE FILE 479

H-3909

1 Amend the House amendment, H-3873, to the Senate  
2 amendment, H-3734, to House File 479, as amended,  
3 passed, and reprinted by the House, as follows:

4 1. Page 39, by inserting after line 24, the  
5 following:

6 "Sec. \_\_\_\_ . Section 237A.3, subsection 1, Code  
7 1991, is amended to read as follows:

8 1. A person who operates or establishes a family  
9 day care home may apply to the department for  
10 registration under this chapter. The department shall  
11 issue a certificate of registration upon receipt of a  
12 statement from the family day care home that the home  
13 complies with rules adopted by the department. The  
14 registration certificate shall be posted in a  
15 conspicuous place in the family day care home, shall  
16 state the name of the registrant, the number of  
17 individuals who may be received for care at any one  
18 time, and the address of the home, and shall include a  
19 check list of registration compliances. No greater  
20 number of children than is authorized by the  
21 certificate shall be kept in the family day care home  
22 at any one time. However, a registered or  
23 unregistered family day care home may provide care for  
24 more than six but less than twelve children at any one  
25 time for a period of less than two hours, ~~but shall~~  
26 ~~not do so unless the home does not provide care at any~~  
27 ~~one time for more than~~ provided that each child in  
28 excess of six children who are not attending is  
29 attending school full-time on a regular basis. In  
30 determining the number of children cared for at any  
31 one time in a registered or unregistered family day  
32 care home, if the person who operates or establishes  
33 the home is a child's parent, guardian, relative, or  
34 custodian and the child is not attending school full-  
35 time on a regular basis, the child shall be considered  
36 to be receiving child day care from the person and  
37 shall be counted as one of the children cared for in  
38 the home. The registration process may be repeated on  
39 an annual basis. A child day care provider or program  
40 which is not a family day care home by reason of the  
41 definition of child day care in section 237A.1,  
42 subsection 7, but which provides care, supervision or  
43 guidance to a child may be issued a certificate of  
44 registration under this chapter."

45 2. Renumber as necessary.

By BARTZ of Worth

H-3909 FILED APRIL 25, 1991

*(Adopted 4/26/91 (H. 1925))*

## HOUSE FILE 479

H-3907

- 1 Amend the amendment, H-3873, to the Senate
- 2 amendment, H-3734, to House File 479, as amended,
- 3 passed, and reprinted by the House, as follows:
- 4 1. By striking page 60, line 31 through page 61,
- 5 line 9.
- 6 2. By renumbering and changing internal
- 7 references as necessary.

By PETERSON of Carroll

H-3907 FILED APRIL 25, 1991

*Adopted 4/26/91 (p. 1838)*

## HOUSE FILE 479

H-3908

- 1 Amend the amendment, H-3873, to the Senate
- 2 amendment, H-3734, to House File 479, as amended,
- 3 passed, and reprinted by the House, as follows:
- 4 1. Page 71, by striking lines 8 through 11.
- 5 2. Page 74, line 16, by inserting after the word
- 6 "councils" the following: "/productivity
- 7 enhancement".
- 8 3. Page 87, by inserting after line 28 the
- 9 following:
- 10 "Sec. \_\_\_\_ . The legislative council is requested to
- 11 establish an interim study committee to develop
- 12 recommendations on how to more efficiently deliver
- 13 regional economic development assistance to businesses
- 14 and communities."
- 15 4. By renumbering as necessary.

By WISE of Lee  
HARBOR of Mills

H-3908 FILED APRIL 25, 1991

*Adopted 4/26/91 (p. 1843)*



HOUSE FILE 479

H-3912

- 1 Amend Senate amendment, H-3734, to House File 479,
- 2 as amended, passed, and reprinted by the House, as
- 3 follows:
- 4 1. Page 46, line 3, by striking the figure
- 5 "168,455,000" and inserting the following:
- 6 "151,609,500".
- 7 2. Page 46, by inserting after line 49 the
- 8 following:
- 9 "b. Maintenance
- 10 For maintenance at the university:
- 11 ..... \$ 16,845,500".
- 12 3. Page 49, line 7, by striking the figure
- 13 "137,109,000" and inserting the following:
- 14 "123,398,100".
- 15 4. Page 49, by inserting after line 49 the
- 16 following:
- 17 "b. Maintenance
- 18 For maintenance at the university:
- 19 ..... \$ 13,710,900".
- 20 5. Page 50, line 34, by striking the figure
- 21 "55,387,000" and inserting the following:
- 22 "49,848,300".
- 23 6. Page 51, by inserting after line 30 the
- 24 following:
- 25 "b. Maintenance
- 26 For maintenance at the university:
- 27 ..... \$ 5,538,700".
- 28 7. By renumbering as necessary.

By MAULSBY of Calhoun

H-3912 FILED APRIL 25, 1991, *Clerk's Office 4/26/91 (p. 1867)*

HOUSE FILE 479

H-3913

- 1 Amend the amendment, H-3873, to the Senate
- 2 amendment, H-3734, to House File 479, as amended,
- 3 passed, and reprinted by the House, as follows:
- 4 1. Page 33, line 2, by striking the figure
- 5 "9,187,673" and inserting the following: "9,256,818".
- 6 2. Page 33, line 3, by striking the figure
- 7 "352.95" and inserting the following: "354.45".
- 8 3. Page 34, by inserting after line 7, the
- 9 following:
- 10 "\_\_\_\_\_ . As a condition, limitation, and
- 11 qualification of the funds appropriated in this
- 12 section, \$69,145 and 1.5 FTEs of the moneys
- 13 appropriated and positions authorized in this section
- 14 shall be used to implement section 217.9A,
- 15 establishing the commission on children, youth, and
- 16 families in the department pursuant to Senate File
- 17 479, if enacted by the Seventy-fourth General
- 18 Assembly, 1991 Session."
- 19 4. By renumbering as necessary.

By TEAFORD of Black Hawk  
CARPENTER of Polk  
SPENNER of Henry

H-3913 FILED APRIL 25, 1991

*Adopted 4/26/91 (p. 1933)*

## HOUSE FILE 479

H-3910

- 1 Amend the amendment, H-3873, to the Senate
- 2 amendment, H-3734, to House File 479, as amended,
- 3 passed, and reprinted by the House, as follows:
- 4 1. Page 59, line 12, by striking the words
- 5 "Twenty-eight" and inserting the following: "Thirty".

By OLLIE of Clinton  
IVERSON of Wright

H-3910 FILED APRIL 25, 1991

*Adopted 4/26/91 (p. 1837)*

## HOUSE FILE 479

H-3911

- 1 Amend the amendment, H-3873, to the Senate
- 2 amendment, H-3734, to House File 479, as amended,
- 3 passed, and reprinted by the House as follows:
- 4 1. Page 105, line 45, by inserting after the
- 5 following: "division I" the following: "and relating
- 6 to state school foundation aid,".

By OLLIE of Clinton  
HANSON of Black Hawk

H-3911 FILED APRIL 25, 1991

*Adopted 4/26/91 (p. 1854)  
Placed o/a (p. 1857)*

## HOUSE FILE 479

H-3914

1 Amend the amendment, H-3873, to the Senate  
2 amendment, H-3734, to House File 479, as amended,  
3 passed, and reprinted by the House, as follows:

4 1. Page 66, line 47, by striking the word and  
5 figure "paragraph 6" and inserting the following:  
6 "paragraphs 1, 6, and 10".

7 2. Page 66, line 48, by striking the word "is"  
8 and inserting the following: "are".

9 3. Page 66, by inserting after line 48 the fol-  
10 lowing:

11 "For each fiscal year, the department shall  
12 allocate the remainder of the moneys appropriated by  
13 the general assembly to the fund for phase III,  
14 subject to section 294A.18. If fifty million dollars  
15 is allocated for phase III, the payments for an  
16 approved plan for a school district shall be equal to  
17 the product of a district's certified enrollment and  
18 ninety-eight dollars and sixty-three cents, and for an  
19 area education agency shall be equal to the product of  
20 an area education agency's enrollment served and four  
21 dollars and sixty cents. If the moneys allocated for  
22 phase III are either greater than or less than fifty  
23 million dollars, the department of education shall  
24 adjust the amount for each student in certified  
25 enrollment and each student in enrollment served based  
26 upon the amount allocated for phase III. Of the  
27 moneys allocated for phase III, five hundred thousand  
28 dollars shall be used for supplemental pay plans in  
29 districts which provide for additional instructional  
30 work assignments relating to college bound student  
31 support programs for minority students."

32 4. Page 67, by inserting after line 25 the fol-  
33 lowing:

34 "For school districts, additional instructional  
35 work assignments may include but are not limited to  
36 general curriculum planning and development, vertical  
37 articulation of curriculum, horizontal curriculum  
38 coordination, development of educational measurement  
39 practices for the school district, attendance at  
40 workshops and other programs for service as  
41 cooperating teachers for student teachers, development  
42 of plans for assisting beginning teachers during their  
43 first year of teaching, attendance at summer staff  
44 development programs, development of staff development  
45 programs for other teachers to be presented during the  
46 school year, participation in college bound student  
47 support programs for minority students, and other  
48 plans locally determined in the manner specified in  
49 section 294A.15 and approved by the department of  
50 education under section 294A.16 that are of equal

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1 importance or more appropriately meet the educational  
2 needs of the school district.

3 Sec. \_\_\_\_ . Section 294A.14, Code 1991, is amended  
4 by adding the following new unnumbered paragraph:

5 NEW UNNUMBERED PARAGRAPH. For purposes of this  
6 section, college bound student support programs for  
7 minority students shall include one or more of the  
8 following:

9 1. Self-esteem enhancement for minority students.

10 2. Mentoring for minority students.

11 3. Methods to provide greater involvement of  
12 minority parents in the educational process.

13 4. Individual or group academic preparedness  
14 coaching for minority students.

15 5. A continuum of academic tutorial services for  
16 minority students.

17 6. Outreach programs which connect minority  
18 students with higher education programs.

19 7. School and business partnerships which provide  
20 direct support to minority students.

21 Sec. \_\_\_\_ . Section 294A.16, unnumbered paragraph 3,  
22 Code 1991, is amended to read as follows:

23 The department of education shall review each plan  
24 and its budget and notify the department of management  
25 of the names of school districts and area education  
26 agencies with approved plans. In approving school  
27 district supplemental pay plans which provide for  
28 additional instructional work assignments relating to  
29 college bound student support programs for minority  
30 students, the department shall give preference to  
31 plans which provide for the forming of consortia with  
32 local community colleges and community-based  
33 organizations."

34 5. By numbering and renumbering, and changing  
35 internal references as necessary.

By HATCH of Polk

SHOULTZ of Black Hawk

BAKER of Polk

TEAFORD of Black Hawk

H-3914 FILED APRIL 25, 1991

*Adopted 4/26/91 (p. 1841)*

## HOUSE FILE 479

H-3916

1 Amend the amendment, H-3873, to the Senate  
2 amendment, H-3734, to House File 479, as amended,  
3 passed, and reprinted by the House as follows:

4 1. Page 5, by inserting after line 36, the  
5 following:

6 " \_\_\_\_\_. As a condition, limitation, and  
7 qualification of the funds appropriated in this  
8 section, if the department is implementing the medical  
9 assistance program through a contract with a health  
10 maintenance organization, the department shall ensure  
11 that a medical assistance recipient enrolled in a  
12 health maintenance organization is authorized to  
13 receive enhanced maternal or prenatal health services  
14 from a state supported maternal health center and that  
15 the center receives reasonable reimbursement for  
16 provision of the services. The enhanced services  
17 include but are not limited to nutritional and psycho-  
18 social counseling and medical case management."

19 2. Page 39, by inserting after line 24 the  
20 following:

21 "Sec. \_\_\_\_\_. Section 230.12, Code 1991, is amended  
22 to read as follows:

23 230.12 ACTION TO DETERMINE LEGAL SETTLEMENT.

24 1. When a dispute arises between different  
25 counties or between the administrator and a county as  
26 to the legal settlement of a person admitted or  
27 committed to a state hospital for the mentally ill,  
28 the attorney general, at the request of the  
29 administrator, shall, without the advancement of fees,  
30 cause an action to be brought in the district court of  
31 any county where such dispute exists, to determine  
32 such the legal settlement. ~~Said~~ This action may be  
33 brought at any time when it appears that ~~said the~~  
34 dispute cannot be amicably settled. All counties  
35 which may be the place of such the legal settlement,  
36 so far as known, shall be made defendants and the  
37 allegation of such the settlement may be in the  
38 alternative. ~~Said~~ The action shall be tried as in  
39 equity.

40 2. If the action involves a dispute between  
41 counties, the county determined to be the county of  
42 legal settlement shall reimburse a county for the  
43 amount of costs paid by that county on behalf of the  
44 person and for interest on this amount in accordance  
45 with section 535.3. In addition, the court may order  
46 the county determined to be the county of legal  
47 settlement to reimburse any other county involved in  
48 the dispute for the other county's reasonable legal  
49 costs related to the dispute and may tax the  
50 reasonable legal costs as court costs. The court may

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- 1 order the county determined to be the county of legal
- 2 settlement to pay a penalty to the other county, in an
- 3 amount which does not exceed twenty percent of the
- 4 total amount of reimbursement and interest."
- 5 3. By renumbering as necessary.

By HAMMOND of Story

H-3916 FILED APRIL 26, 1991

ADOPTED (p. 1831)

## HOUSE FILE 479

H-3915

- 1 Amend the amendment, H-3873, to the Senate
- 2 amendment, H-3734, to House File 479, as amended,
- 3 passed, and reprinted by the House, as follows:
- 4 1. Page 44, lines 32 and 33, by striking the
- 5 words "funds available to a district under phase III"
- 6 and inserting the following: "current phase III
- 7 expenditures".

By OLLIE of Clinton

H-3915 FILED APRIL 26, 1991

ADOPTED (p. 1835)

HOUSE FILE 479

H-3918

1 Amend the amendment, H-3873, to Senate amendment,  
2 H-3734, to House File 479, as amended, passed, and  
3 reprinted by the House, as follows:

4 1. Page 2, line 40, by striking the figure  
5 "241,176,470" and inserting the following:  
6 "241,116,470".

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

9 "Sec. \_\_\_\_ . HIV-AIDS HEALTH AND SUPPORT SERVICES.

10 There is appropriated from the general fund of the  
11 state to the department of human services for the  
12 fiscal year beginning July 1, 1991, and ending June  
13 30, 1992, the following amount, or so much thereof as  
14 is necessary, to be used for the purpose designated:

15 For HIV-AIDS health and support services:

16 ..... \$ 60,000

17 1. The funds appropriated in this section shall be  
18 used to provide health and support services to persons  
19 with human immunodeficiency virus infection (HIV) or  
20 acquired immune deficiency syndrome (AIDS).

21 2. The department of human services shall  
22 establish an AIDS services committee to distribute the  
23 moneys appropriated in this section. The committee  
24 shall remain active until the completion of the duties  
25 required under this section. Members of the committee  
26 are entitled to actual and necessary expenses in the  
27 performance of their official duties. However,  
28 expense reimbursements shall not exceed three percent  
29 of the amount appropriated in this section. The  
30 committee shall consist of persons who are  
31 knowledgeable concerning HIV infection or AIDS. The  
32 committee may consist of persons representing the  
33 following: licensed physicians and social workers,  
34 hospice organizations, home health care agencies, the  
35 homosexual community, persons with HIV infection or  
36 AIDS, and a representative of an AIDS coalition funded  
37 by the Iowa department of public health. To the  
38 extent possible, the committee members shall be the  
39 same persons who served as members of the AIDS  
40 services task force established pursuant to 1990 Iowa  
41 Acts, chapter 1259, section 6, subsection 3. The  
42 department and the committee shall cooperate with the  
43 Iowa department of public health in distributing the  
44 funds appropriated in this section.

45 3. The committee shall distribute the funds to  
46 regional HIV care consortia established pursuant to  
47 Title II of the federal Ryan White Comprehensive AIDS  
48 Resources Emergency Act, Pub. L. No. 101-381. The  
49 funds shall be used to provide health and support  
50 services to persons with HIV infection or AIDS living

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1 within the consortia area, as authorized by the  
 2 federal Act and approved by the committee. The  
 3 services may include, but are not limited to, case  
 4 management, benefits advocacy, client basic emergency  
 5 need grants, support groups, individual support  
 6 programs, home health care, respite care, and  
 7 attendant care.

8 4. A consortia receiving funding under this  
 9 section shall include representatives of agencies or  
 10 organizations providing health and support services to  
 11 persons with HIV infection or AIDS who reside within  
 12 the consortia area and of affected persons. In  
 13 addition, the consortia shall provide reasonable  
 14 services to affected persons in both urban and rural  
 15 portions of the consortia area with preference given  
 16 to underserved rural areas. At least 10 percent of  
 17 the funds provided to a consortia shall be used to  
 18 provide services to women, children, and families of  
 19 persons with HIV infection or AIDS. Moneys provided  
 20 to a consortia under this section shall not be used to  
 21 pay for an individual's services which are covered by  
 22 private insurance or a publicly funded program.

23 5. A consortia receiving funds under this section  
 24 shall provide information required by the committee or  
 25 the department which shall include but is not limited  
 26 to all of the following:

27 a. The number of persons with HIV infection or  
 28 AIDS in the consortia area.

29 b. Demographic information concerning the persons  
 30 identified, including age, race, and gender  
 31 distributions.

32 c. The type and quantity of health and support  
 33 services needs of the persons identified.

34 d. The type and quantity of health and support  
 35 services provided by the consortia.

36 e. The type and quantity of health and support  
 37 services the consortia is unable to provide due to  
 38 lack of funding or other barrier to providing  
 39 services."

By BROWN of Lucas  
 MERTZ of Kossuth  
 CARPENTER of Polk  
 HAMMOND of Story  
 BEATTY of Warren  
 MURPHY of Dubuque  
 JESSE of Jasper

DVORSKY of Johnson  
 BERNAU of Story  
 TEAFORD of Black Hawk  
 NIELSEN OF Linn  
 WISSING of Scott  
 DICKINSON of Jackson

H-3918 FILED APRIL 26, 1991

ADOPTED (4.18.91)



HOUSE FILE 479

H-3922

1 Amend the amendment, H-3873, to the Senate  
2 amendment, H-3734, to House File 479, as amended,  
3 passed, and reprinted by the House, as follows:

4 1. Page 47, line 42, by striking the figure  
5 "179,226,812" and inserting the following:  
6 "162,381,312".

7 2. Page 48, by inserting after line 32 the  
8 following:

9 "\_\_\_\_. Maintenance

10 For maintenance at the university:

11 ..... \$ 16,845,500".

12 3. Page 50, line 44, by striking the figure  
13 "145,905,846" and inserting the following:

14 "132,194,946".

15 4. Page 51, by inserting after line 36 the  
16 following:

17 "\_\_\_\_. Maintenance

18 For maintenance at the university:

19 ..... \$ 13,710,900".

20 5. Page 52, line 24, by striking the figure  
21 "59,042,956" and inserting the following:

22 "53,504,256".

23 6. Page 53, by inserting after line 20 the  
24 following:

25 "\_\_\_\_. Maintenance

26 For maintenance at the university:

27 ..... \$ 5,538,700".

28 7. By relettering as necessary.

By MAULSBY of Calhoun

H-3922 FILED APRIL 26, 1991

LOST (A 1736)

HOUSE FILE 479

H-3921

1 Amend the amendment, H-3873, to Senate amendment,  
2 H-3734, to House File 479, as amended, passed, and  
3 reprinted by the House, as follows:

4 1. Page 71, by inserting after line 7, the  
5 following:

6 "f. Regional economic development centers  
7 For competitive grants to regional economic  
8 development centers:

9 ..... \$ 440,000

10 The chairpersons of the regional coordinating  
11 councils shall accept grant applications from the  
12 regional economic development centers and shall rank  
13 the applications. The rankings shall be provided to  
14 the department which shall make awards based upon the  
15 recommendations of the regional coordinating  
16 councils."

17 2. Page 72, by striking line 35 and inserting the  
18 following:

19 "..... \$ 2,840,000".

20 3. Page 77, by striking line 7 and inserting the  
21 following:

22 "..... \$ 2,457".

23 4. By renumbering as necessary.

By PONCY of Wapello MERTZ of Kossuth  
WISE of Lee BARTZ of Worth  
FOGARTY of Palo Alto

H-3921 FILED APRIL 26, 1991

ADOPTED (j. 1843)

## HOUSE FILE 479

H-3924

1 Amend the amendment, H-3873, to the Senate  
2 amendment, H-3734, to House File 479, as amended,  
3 passed, and reprinted by the House, as follows:

4 1. Page 105, by inserting after line 14 the  
5 following:

6 "Sec. \_\_\_\_\_. Section 8.22A, Code 1991, is amended by  
7 adding the following new unnumbered paragraph:

8 NEW UNNUMBERED PARAGRAPH. By December 15, 1991,  
9 and each succeeding fiscal year, the conference shall  
10 agree to a general fund revenue estimate and a general  
11 fund ending balance estimate for the fiscal year  
12 ending the following June 30. These estimates shall  
13 be used to calculate the state general fund  
14 expenditure limitation under section 8.56.

15 Sec. \_\_\_\_\_. Section 8.55, subsections 2 and 3, Code  
16 1991, are amended to read as follows:

17 2. The maximum balance of the Iowa economic  
18 emergency fund is the amount equal to ten percent of  
19 the funds appropriated from the general fund of the  
20 state during the preceding fiscal year. There is  
21 appropriated from ~~any surplus existing in~~ the general  
22 fund of the state ~~at the conclusion of the fiscal year~~  
23 to the Iowa economic emergency fund for each fiscal  
24 year an amount equal to the smaller of the amount of  
25 the surplus or the amount necessary to achieve the  
26 maximum balance, or one percent of the previous fiscal  
27 year's general fund revenues, as determined by the  
28 latest estimate of the revenue estimating conference  
29 on or prior to December 15 of the previous fiscal  
30 year.

31 3. The moneys in the Iowa economic emergency fund  
32 may be appropriated by the general assembly only if at  
33 least sixty percent of the members in each house vote  
34 in favor of the bill, only in the fiscal year for  
35 which the appropriation is made, and only for a  
36 purpose for which the general assembly previously  
37 appropriated funds for that fiscal year. However, the  
38 balance in the Iowa economic emergency fund may be  
39 used in determining the cash position of the general  
40 fund of the state for the payment of state  
41 obligations.

42 Sec. \_\_\_\_\_. NEW SECTION. 8.56 GENERAL FUND  
43 EXPENDITURE LIMITATION.

44 1. There is created a state general fund  
45 expenditure limitation for each fiscal year beginning  
46 on or after July 1, 1990, calculated as provided in  
47 this section.

48 2. The state general fund expenditure limitation  
49 for a fiscal year equals the following:

50 a. The previous fiscal year's general fund

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1 revenues, as determined by the latest estimate of the  
2 revenue estimating conference on or prior to December  
3 15 of the previous fiscal year.

4 b. Plus the previous fiscal year's general fund  
5 ending balance, as determined by the latest estimate  
6 of the revenue estimating conference on or prior to  
7 December 15 of the previous fiscal year.

8 c. Minus the product of the fiscal year's  
9 percentage limitation, reduced by one percentage  
10 point, and the amount in paragraph "a". However, this  
11 subtraction shall not be made for the fiscal year  
12 beginning July 1, 1990.

13 d. Minus the product of one percent and the amount  
14 in paragraph "a". However, this subtraction shall not  
15 be made for the fiscal year beginning July 1, 1990.

16 3. For purposes of the computation under  
17 subsection 2, the fiscal year's percentage limitation,  
18 as used in subsection 2, paragraph "c" is the  
19 following:

20 a. For the fiscal year beginning July 1, 1990,  
21 zero percent.

22 b. For the fiscal year beginning July 1, 1991, one  
23 percent.

24 c. For the fiscal year beginning July 1, 1992, two  
25 percent.

26 d. For the fiscal year beginning July 1, 1993,  
27 three percent.

28 e. For the fiscal year beginning July 1, 1994,  
29 four percent.

30 f. For the fiscal year beginning July 1, 1995, and  
31 each subsequent fiscal year, five percent.

32 4. The state general fund expenditure limitation  
33 provided for in this section shall be used by the  
34 governor in the preparation of the budget under  
35 section 8.22 and by the general assembly in the budget  
36 process."

37 2. Page 106, line 4, by inserting after the word  
38 "tax," the following: "setting limits on general fund  
39 of the state expenditures,".

By HALVORSON of Clayton

H-3924 FILED APRIL 26, 1991

WITHDRAWN (p. 1854)

## HOUSE FILE 479

H-3927

- 1 Amend the amendment, H-3873, to the Senate  
2 amendment, H-3734, to House File 479, as amended,  
3 passed, and reprinted by the House, as follows:  
4 1. Page 102, lines 39 and 40, by striking the  
5 words "and for each succeeding budget year".  
6 2. By striking page 102, line 43 through page  
7 103, line 3, and inserting the following: "pupil.  
8 For each succeeding budget year, the regular program  
9 foundation base shall increase twenty-five hundredths  
10 percent per year until the regular program foundation  
11 base reaches eighty-five percent of the regular  
12 program state cost per pupil. For the budget year  
13 commencing July 1, 1991, the special".  
14 3. Page 103, by striking lines 7 and 8, and  
15 inserting the following: "pupil. It shall increase  
16 at the same rate as the regular program foundation  
17 base. The combined".  
18 4. Page 103, by striking lines 14 through 31.  
19 5. By renumbering as necessary.

By DAGGETT of Adams

H-3927 FILED APRIL 26, 1991

LOST (p. 1850)

## HOUSE FILE 479

H-3928

- 1 Amend amendment, H-3873, to Senate amendment, H-  
2 3734, to House File 479, as amended, passed, and  
3 reprinted by the House, as follows:  
4 1. By striking page 101, line 39, through page  
5 102, line 34.  
6 2. Page 106, by striking lines 3 and 4 and  
7 inserting the following: "reimbursements,."

By IVERSON of Wright

H-3928 FILED APRIL 26, 1991

LOST (p. 1848)

## HOUSE FILE 479

H-3925

1 Amend the amendment, H-3873, to the Senate  
2 amendment, H-3734, to House File 479, as amended,  
3 passed, and reprinted by the House, as follows:  
4 1. Page 4, by inserting after line 45 the  
5 following:  
6 "100. As a condition, limitation, and  
7 qualification of the funds appropriated in this  
8 section, notwithstanding the adoption of an  
9 administrative rule limiting coverage of organ  
10 transplants under the medical assistance program, the  
11 department shall continue to provide medical  
12 assistance coverage for organ transplants of the  
13 pancreas and the liver until the department  
14 establishes criteria for the coverage of these  
15 transplants. The criteria shall include but are not  
16 limited to health status and anticipated outcomes,  
17 including expected quality of life. The department  
18 may adopt emergency rules to implement the provisions  
19 of this subsection."  
20 2. Page 39, lines 42 and 43 by striking the word  
21 and figure "subsection 9" and inserting the following:  
22 "subsections 9 and 100".

By MURPHY of Dubuque

H-3925 FILED APRIL 26, 1991

ADOPTED (p. 1830)

## HOUSE FILE 479

H-3926

1 Amend amendment, H-3873, to Senate amendment, H-  
2 3734, to House File 479, as amended, passed, and  
3 reprinted by the House, as follows:  
4 1. Page 102, lines 39 and 40, by striking the  
5 words "and for each succeeding budget year".  
6 2. Page 102, by striking lines 43 through 47, and  
7 inserting the following: "pupil. For each succeeding  
8 budget year, the regular program foundation base shall  
9 increase twenty-five hundredths percent per year until  
10 the regular program foundation base reaches eighty-  
11 five percent of the regular program state cost per  
12 pupil, except that the".  
13 3. Page 103, line 21, by striking the words "on  
14 a" and inserting the following: "on the".  
15 4. Page 103, by striking lines 22 and 23, and  
16 inserting the following: "foundation base per pupil  
17 provided under section 257.1 except that".

By DAGGETT of Adams

H-3926 FILED APRIL 26, 1991

LOST (p. 1849)

## HOUSE FILE 479

H-3934

1 Amend the amendment, H-3873, to the Senate  
2 amendment, H-3734, to House File 479, as amended,  
3 passed, and reprinted by the House, as follows:  
4 1. Page 106, by inserting after line 4 the  
5 following:

## "DIVISION

## FISCAL YEAR 1993 BUDGET REQUESTS

6  
7 Sec. \_\_\_\_ . It is the intent of the general assembly  
8 that all departments and agencies of the state shall  
9 submit budget requests for fiscal year 1993 that do  
10 not exceed the full-time equivalent position  
11 authorization limits set by the general assembly for  
12 the fiscal year ending June 30, 1992. Departments and  
13 agencies may make intradepartmental or intraagency  
14 transfers of full-time equivalent positions in their  
15 requests for the fiscal year ending June 30, 1993.  
16 The general assembly may make interdepartmental or  
17 interagency transfers of full-time equivalent  
18 positions, provided that the total number of full-time  
19 equivalent positions does not exceed the number of  
20 positions authorized for the fiscal year ending June  
21 30, 1992.

22 Departments and agencies of this state shall  
23 provide recommendations to the general assembly for  
24 changes in the Code necessary for them to meet the  
25 intent of the general assembly for full-time  
26 equivalent positions for the fiscal year ending June  
27 30, 1993."

28 2. By renumbering as necessary.

29 By GRUBBS of Scott

H-3934 FILED APRIL 26, 1991

LOST (p. 1458)

## HOUSE FILE 479

H-3935

1 Amend the amendment, H-3873, to the Senate  
2 amendment, H-3734, to House File 479, as amended,  
3 passed, and reprinted by the House, as follows:  
4 1. Page 62, by striking lines 1 through 27.  
5 2. By renumbering as necessary.

By DAGGETT of Adams  
KISTLER of Jefferson  
MAULSBY of Calhoun

H-3935 FILED APRIL 26, 1991

LOST (p. 1829)

## HOUSE FILE 479

H-3929

- 1 Amend the amendment, H-3873, to the Senate  
2 amendment, H-3734, to House File 479, as amended,  
3 passed, and reprinted by the House, as follows:  
4 1. Page 99, line 14, by striking the word "In"  
5 and inserting the following: "If the subject property  
6 is agricultural land used for farming, as defined in  
7 section 172C.1, in".  
8 2. By striking page 99, line 45, through page  
9 100, line 14.  
10 3. Page 100, line 29, by striking the word "In"  
11 and inserting the following: "If the subject property  
12 is agricultural land used for farming, as defined in  
13 section 172C.1, in".  
14 4. By renumbering and correcting internal  
15 references as necessary.

By EDDIE of Buena Vista

H-3929 FILED APRIL 26, 1991

ADOPTED (p. 1846)

## HOUSE FILE 479

H-3930

- 1 Amend the amendment, H-3873, to the Senate  
2 amendment, H-3734, to House File 479, as amended,  
3 passed, and reprinted by the House, as follows:  
4 1. Page 24, line 21, by striking the figure  
5 "6,575,503" and inserting the following: "7,680,470".  
6 2. Page 24, by striking lines 23 through 25.

By HESTER of Pottawattamie  
HAMMOND of Story

H-3930 FILED APRIL 26, 1991

LOST (p. 1833)

## HOUSE FILE 479

H-3932

- 1 Amend the amendment, H-3873, to the Senate  
2 amendment, H-3734, to House File 479, as amended,  
3 passed, and reprinted by the House, as follows:  
4 1. Page 37, line 2, by striking the figure  
5 "400,000" and inserting the following: "750,000".  
6 2. Page 72, line 35, by striking the figure  
7 "2,940,000" and inserting the following: "2,590,000".

By HOLVECK of Polk  
CARPENTER of Polk

H-3932 FILED APRIL 26, 1991

LOST (p. 1833)



## HOUSE FILE 479

H-3942

- 1 Amend the amendment, H-3873, to the Senate
- 2 amendment, H-3734, to House File 479, as amended,
- 3 passed, and reprinted by the House, as follows:
- 4 1. Page 105, line 34, by striking the figure
- 5 "3,000,000" and inserting the following: "0".

By MILLER of Cherokee

H-3942 FILED APRIL 26, 1991

ADOPTED (7-1855)

## HOUSE FILE 479

H-3943

- 1 Amend the amendment, H-3873, to the Senate
- 2 amendment, H-3734, to House File 479, as amended,
- 3 passed, and reprinted by the House as follows:
- 4 1. Page 4, by striking line 1 and inserting the
- 5 following:
- 6 "5. Effective July 1, 1991, if a medical
- 7 assistance recipient is receiving".

By HAMMOND of Story

H-3943 FILED APRIL 26, 1991

ADOPTED (7-1858)

## HOUSE FILE 479

H-3944

- 1 Amend amendment, H-3873, to Senate amendment, H-
- 2 3734, to House File 479, as amended, passed, and
- 3 reprinted by the House, as follows:
- 4 1. Page 104, by inserting after line 15, the
- 5 following:
- 6 "Sec. \_\_\_\_ . Section 425A.3, subsection 2, paragraph
- 7 a, Code 1991, is amended to read as follows:
- 8 a. The owner, owner's spouse, owner's child or
- 9 stepchild, or owner's relative within the third degree
- 10 of consanguinity or the spouse of the owner's child or
- 11 stepchild or spouse of the owner's relative within the
- 12 third degree of consanguinity."

By BARTZ of Worth

H-3944 FILED APRIL 26, 1991

LOST (7-1851)

## HOUSE FILE 479

H-3936

- 1 Amend the amendment, H-3873, to the Senate
- 2 amendment, H-3734, to House File 479, as amended,
- 3 passed, and reprinted by the House, as follows:
- 4 1. Page 48, line 3, by striking the words "and
- 5 maintenance".
- 6 2. Page 48, by inserting after line 8 the
- 7 following:
- 8 "(7) Maintenance."
- 9 3. Page 51, line 6, by striking the words "and
- 10 deferred maintenance".
- 11 4. Page 51, by inserting after line 11 the
- 12 following:
- 13 "(7) Maintenance."
- 14 5. Page 52, line 35, by striking the words "and
- 15 deferred maintenance".
- 16 6. Page 52, by inserting after line 40 the
- 17 following:
- 18 "(7) Maintenance."
- 19 7. By renumbering as necessary.

By CORBETT of Linn

H-3936 FILED APRIL 26, 1991

ADOPTED (p. 1837)

## HOUSE FILE 479

H-3937

- 1 Amend the amendment, H-3873, to the Senate
- 2 amendment, H-3734, to House File 479, as amended,
- 3 passed, and reprinted by the House as follows:
- 4 1. Page 77, by inserting after line 23 the
- 5 following:
- 6 "Moneys appropriated in this subsection which are
- 7 used for funding activities as provided in section
- 8 28.158, shall be used to fund technology transfer and
- 9 are not to be used by the state board of regents'
- 10 institutions to fund university programs."

By JESSE of Jasper

H-3937 FILED APRIL 26, 1991

LOST (p. 1844)

## HOUSE FILE 479

H-3938

- 1 Amend the amendment, H-3873, to the Senate
- 2 amendment, H-3734, to House File 479, as amended,
- 3 passed, and reprinted by the House, as follows:
- 4 1. Page 101, by striking lines 15 through 23.
- 5 2. By renumbering and correcting internal
- 6 references as necessary.

By IVERSON of Wright  
JESSE of Jasper

H-3938 FILED APRIL 26, 1991

LOST (p. 1847)

HOUSE FILE 479

H-3946

- 1 Amend the amendment, H-3873, to the Senate
- 2 amendment, H-3734, to House File 479, as amended,
- 3 passed, and reprinted by the House, as follows:
- 4 1. Page 17, line 45, by striking the word "shall"
- 5 and inserting the following: "may".

By HAMMOND of Story

H-3946 FILED APRIL 26, 1991

ADOPTED (p. 1860)

HOUSE FILE 479

H-3947

- 1 Amend the amendment, H-3873, to the Senate
- 2 amendment, H-3734, to House File 479, as amended,
- 3 passed, and reprinted by the House, as follows:
- 4 1. Page 104, by inserting before line 16, the
- 5 following:
- 6 "Sec. \_\_\_\_ . Section 425A.2, subsection 4, Code
- 7 1991, is amended to read as follows:
- 8 4. "Eligible tract" or "eligible tract of
- 9 agricultural land" means an area of agricultural land
- 10 not exceeding four hundred acres which is described on
- 11 the property tax list as subject to property taxes and
- 12 which meets the requirements of section 425A.3,
- 13 subsection 2."
- 14 2. By renumbering as necessary.

By LAGESCHULTE of Bremer

H-3947 FILED APRIL 26, 1991

ADOPTED (p. 1852)

HOUSE FILE 479

H-3945

1 Amend the amendment, H-3873, to the Senate  
2 amendment, H-3734, to House File 479, as amended,  
3 passed, and reprinted by the House, as follows:

4 1. Page 88, by striking lines 38 through 45, and  
5 inserting the following:

6 "7. For victim assistance grants, as provided in  
7 Senate File 444, if Senate File 444 is enacted by the  
8 Seventy-fourth General Assembly, first regular  
9 session, in a manner which raises certain court costs  
10 and fees and deposits the resulting receipts either  
11 directly into the general fund of the state, or into  
12 the general fund of the state through the court  
13 revenue distribution account:

14 ..... \$ 1,700,000

15 As a condition, limitation, and qualification of  
16 this appropriation, no more than \$60,000 shall be  
17 expended for the costs of the general office of the  
18 attorney general's administrative duties pursuant to  
19 Senate File 444, and \$100,000 shall be awarded to the  
20 department of corrections for one-time costs  
21 associated with establishing batterers' treatment  
22 programs in the judicial district departments of  
23 correctional services, as set forth in Senate File  
24 444. The department of corrections shall award the  
25 \$100,000 on a competitive basis to the judicial  
26 district departments of correctional services. The  
27 remaining funds shall be used to provide grants to  
28 care providers providing services to crime victims of  
29 domestic abuse or to crime victims of rape and sexual  
30 assault.

31 However, if Senate File 444 is not enacted by the  
32 Seventy-fourth General Assembly, first regular  
33 session, in a manner which raises certain court costs  
34 and fees and deposits the resulting receipts either  
35 directly into the general fund, or into the general  
36 fund through the court revenue distribution account,  
37 there is appropriated from the general fund of the  
38 state to the department of justice for the fiscal year  
39 beginning July 1, 1991, and ending June 30, 1992, the  
40 following amount, or so much thereof as is necessary  
41 to be used for the purpose designated:

42 For victim assistance grants:  
43 ..... \$ 1,071,782

44 As a condition, limitation, and qualification of  
45 this appropriation, the funds shall be used to provide  
46 grants to care providers providing services to crime  
47 victims of domestic abuse or to crime victims of rape  
48 and sexual assault."

By SHERZAN of Polk

H-3945 FILED APRIL 26, 1991

ADOPTED (p. 184)

## HOUSE FILE 479

H-3948

1 Amend the amendment, H-3873, to the Senate  
2 amendment, H-3734, to House File 479, as amended,  
3 passed, and reprinted by the House, as follows:  
4 1. Page 9, line 5, by striking the figure  
5 "7,104,072" and inserting the following: "7,378,317".  
6 2. Page 9, line 7, by striking the figure  
7 "3,107,695" and inserting the following: "3,232,202".  
8 3. Page 9, line 10, by striking the figure  
9 "3,737,446" and inserting the following: "3,887,184".  
10 4. Page 10, line 46, by striking the figure  
11 "323,311" and inserting the following: "327,904".  
12 5. Page 14, line 8, by striking the figure  
13 "53,366,361" and inserting the following:  
14 "55,453,077".  
15 6. Page 19, line 6, by striking the figure  
16 "19,414,903" and inserting the following:  
17 "19,812,553".  
18 7. Page 19, line 36, by striking the figure  
19 "2,551,014" and inserting the following: "2,610,447".  
20 8. Page 20, line 11, by striking the figure  
21 "4,643,000" and inserting the following: "5,082,437".  
22 9. Page 20, line 35, by striking the figure  
23 "4,013,271" and inserting the following: "4,053,404".  
24 10. Page 34, line 16, by striking the figure  
25 "93,283" and inserting the following: "95,512".  
26 11. Page 36, line 9, by striking the figure "2"  
27 and inserting the following: "3".

By HALVORSON of Clayton

H-3948 FILED APRIL 26, 1991

LOST (p. 1859)

## HOUSE FILE 479

H-3950

1 Amend amendment, H-3873, to Senate amendment, H-  
2 3734, to House File 479, as amended, passed, and  
3 reprinted by the House, as follows:  
4 1. Page 105, by striking lines 40 through 45 and  
5 inserting the following:  
6 "Sec. 1001. REDUCTIONS. Notwithstanding the  
7 specific appropriations made by the Seventy-fourth  
8 General Assembly, 1991 Session, for the fiscal year  
9 beginning July 1, 1991, and ending June 30, 1992, all  
10 appropriations from the general fund of the state made  
11 for this period except for appropriation amounts  
12 relating to reimbursements of social services  
13 providers under division I of this Act shall be  
14 reduced by 0.5 percent."

By JOCHUM of Dubuque

H-3950 FILED APRIL 26, 1991

ADOPTED; MOTION TO RECONSIDER LOST (p. 185-7)

## HOUSE FILE 479

H-3949

1 Amend the amendment, H-3873, to the Senate  
2 amendment, H-3734, to House File 479, as amended,  
3 passed, and reprinted by the House, as follows:  
4 1. Page 44, line 6, by striking the word "For"  
5 and inserting the following: "Notwithstanding section  
6 294A.25, for".  
7 2. Page 44, line 7, by striking the figure  
8 "91,662,500" and inserting the following:  
9 "90,362,500".  
10 3. Page 105, line 37, by striking the figure  
11 "8,700,000" and inserting the following:  
12 "10,000,000".  
13 4. Page 105, by inserting after line 37 the  
14 following:  
15 "As a condition, limitation, and qualification of  
16 the funds appropriated in this section, and  
17 notwithstanding the allocations under section 279.51,  
18 from the moneys appropriated under this subsection for  
19 the fiscal year beginning July 1, 1991, and ending  
20 June 30, 1992, for expenditure for programs for at-  
21 risk children under section 279.51, subsection 1, the  
22 child development coordinating council shall expend an  
23 additional \$780,000 for a total of \$5,405,000 for  
24 grants awarded pursuant to section 279.51, subsection  
25 1, paragraph "b", and the department of education  
26 shall expend an additional \$520,000 for a total of  
27 \$3,520,000 for grants awarded pursuant to section  
28 279.51, subsection 1, paragraph "d". It is the intent  
29 of the general assembly that all approved proposed at-  
30 risk program grants be awarded if possible on a  
31 prorated basis. However, the child development  
32 coordinating council and the department of education  
33 shall rank grant proposals in order of priority for  
34 funding, and if the reduction in the amount  
35 appropriated causes proposed low-priority grant  
36 programs to no longer be feasible, the council and the  
37 department shall not award grant moneys to low-  
38 priority grant programs and shall redistribute the  
39 funds among the remaining grant proposals which have  
40 been assigned a higher priority."

By JAY of Appanoose  
NEUHAUSER of Johnson  
DVORSKY of Johnson

H-3949 FILED APRIL 26, 1991

ADOPTED (p. 1861)

## HOUSE FILE 479

H-3954

1 Amend the amendment, H-3873, to Senate amendment,  
2 H-3734, to House File 479, as amended, passed, and  
3 reprinted by the House, as follows:

4 1. Page 19, line 17, by inserting after the word  
5 "training." the following: "When training or  
6 counseling is provided for adolescents regarding  
7 termination of pregnancy, a parent or legal guardian  
8 shall be notified as an essential component of family  
9 preservation."

10 2. Page 39, by inserting after line 9 the  
11 following:

12 "Sec. \_\_\_\_ . NEW SECTION. 146A.1 NOTIFICATION OF  
13 PARENT PRIOR TO PERFORMANCE OF ABORTION ON MINOR --  
14 REQUIREMENTS -- EXCEPTIONS.

15 1. A person shall not perform an abortion on a  
16 pregnant minor until at least forty-eight hours prior  
17 notification is provided to a parent of the minor.

18 2. The notification shall be provided in person or  
19 by restricted certified mail to the parent of the  
20 minor at the usual place of abode of the parent. For  
21 the purposes of delivery by restricted certified mail,  
22 the time of delivery is deemed to occur at twelve  
23 o'clock noon on the next day on which regular mail  
24 delivery takes place, subsequent to the mailing.

25 3. For the purposes of this section, unless the  
26 context otherwise requires:

27 a. "Abortion" means the use of any means to  
28 terminate the pregnancy of a woman known to be  
29 pregnant with knowledge that the termination with  
30 those means will, with reasonable likelihood, cause  
31 the death of the fetus.

32 b. "Court" means the juvenile court.

33 c. "Minor" means minor as defined in chapter 599.

34 d. "Parent" means one parent of the pregnant minor  
35 or the pregnant minor's guardian or custodian.

36 4. Notification shall not be required under this  
37 section if any of the following conditions apply:

38 a. The attending physician certifies in the  
39 pregnant minor's medical record that the abortion is  
40 necessary to prevent the minor's death and there is  
41 insufficient time to provide the required  
42 notification. In such cases the attending physician  
43 shall provide the notification to the parent of the  
44 minor of the performance of the abortion as soon as is  
45 reasonably possible after the abortion, unless  
46 notification is not otherwise required.

47 b. The abortion is authorized in writing by a  
48 parent entitled to notification.

49 c. The pregnant minor declares that the pregnant  
50 minor is a victim of child abuse pursuant to section

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1 232.68, the person responsible for the care of the  
2 child is a parent of the child, and the abuse has been  
3 reported pursuant to the procedures prescribed in  
4 chapter 232, division III, part two. The department  
5 of human services shall make every reasonable effort  
6 to maintain confidentiality under chapter 232  
7 regarding the minor's pregnancy and abortion, if an  
8 abortion is obtained.

9 d. The pregnant minor elects not to allow  
10 notification of the pregnant minor's parent and a  
11 court authorizes the attending physician to perform an  
12 abortion on the pregnant minor following completion of  
13 the proceedings prescribed under subsection 4.

14 5. a. If a pregnant minor elects not to allow the  
15 notification of a parent prior to the performance of  
16 an abortion on the pregnant minor, the pregnant minor  
17 shall petition the court to authorize the performance  
18 of the abortion. The court shall authorize the  
19 attending physician to perform the abortion on the  
20 pregnant minor if either of the following conditions  
21 is met:

22 (1) The court determines that the pregnant minor  
23 is mature and capable of giving informed consent to  
24 the proposed abortion.

25 (2) The court determines that the pregnant minor  
26 is not mature, or the pregnant minor does not claim  
27 that the pregnant minor is mature, but the court  
28 determines that the performance of an abortion upon  
29 the pregnant minor without the notification of a  
30 parent of the minor is in the best interest of the  
31 pregnant minor.

32 b. The pregnant minor may participate in the  
33 proceeding in the court on the pregnant minor's own  
34 behalf and the court may appoint a guardian ad litem  
35 for the pregnant minor. The court shall advise the  
36 pregnant minor of the right to court-appointed counsel  
37 and shall appoint counsel if the pregnant minor so  
38 requests.

39 c. Proceedings under this section shall be  
40 confidential and shall be given precedence over other  
41 pending matters of the court so that a decision may be  
42 expeditious and serve the best interest of the  
43 pregnant minor. The court shall enter in the record  
44 specific finding of fact and legal conclusions to  
45 support the decision rendered.

46 d. An expedited, confidential appeal shall be  
47 available to a pregnant minor for whom the court  
48 denies an order authorizing an abortion without  
49 notification. An order authorizing an abortion  
50 without notification is not subject to appeal. A



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1 filing fee is not required of the pregnant minor at  
 2 any level of the proceedings. Access to the court  
 3 shall be afforded the pregnant minor twenty-four hours  
 4 per day, seven days a week.  
 5 6. A person who performs an abortion in violation  
 6 of this section is guilty of a serious misdemeanor. A  
 7 person is not liable under this section if the person  
 8 establishes through written evidence that the  
 9 provisions of this section have been met or that the  
 10 person has used reasonable diligence in attempting to  
 11 provide notification to the parent of the pregnant  
 12 minor.

13 7. The supreme court shall prescribe rules to  
 14 ensure the proceedings under this section are  
 15 performed in an expeditious and confidential manner.

16 8. If any provision, word, phrase, or clause of  
 17 this section or its application to any person or  
 18 circumstances is held invalid, such invalidity shall  
 19 not affect the provisions, words, phrases, clauses, or  
 20 applications of this section which can be given effect  
 21 without the invalid provision, word, phrase, clause,  
 22 or application, and to this end the provisions, words,  
 23 phrases, and clauses of this section are declared to  
 24 be severable.

25 Sec. \_\_\_\_ . NEW SECTION. 232.4 ABORTION PERFORMED  
 26 ON A MINOR -- PROCEEDINGS.

27 The court shall have exclusive jurisdiction over  
 28 the authorization of an abortion on a minor pursuant  
 29 to section 146A.1."

By MUHLBAUER of Crawford  
 KNAPP of Dubuque  
 MERTZ of Kossuth.  
 FOGARTY of Palo Alto  
 SVOBODA of Tama  
 SPEAR of Lee  
 GARMAN of Story  
 KREBSBACH of Mitchell  
 HURLEY of Fayette  
 TYRRELL of Iowa  
 PLASIER of Sioux  
 KREMER of Buchanan  
 CORBETT of Linn  
 PETERSEN of Muscatine  
 BRANSTAD of Winnebago

BEAMAN of Clarke  
 McKEAN of Jones  
 EDDIE of Buena Vista  
 IVERSON of Wright  
 DAGGETT of Adams  
 VAN MAANEN of Mahaska  
 MAULSBY of Calhoun  
 JOHNSON of Clinton  
 BARTZ of Worth  
 GIPP of Winneshiek  
 LUNDBY of Linn  
 McNEAL of Hardin  
 HANSON of Black Hawk  
 GRUBBS of Scott  
 RENKEN of Grundy

H-3954 FILED APRIL 26, 1991

NOT GERMANE; MOTION TO SUSPEND RULES LOST (p. 1864)

HOUSE AMENDMENT TO SENATE AMENDMENT TO  
HOUSE FILE 479

S-3623

1 Amend the Senate amendment, H-3734, to House File  
2 479, as amended, passed, and reprinted by the House,  
3 as follows:

4 1. By striking page 1, line 5 through page 105,  
5 line 38 and inserting the following:

6 "DIVISION I

7 DEPARTMENT OF HUMAN SERVICES

8 Sec. 101. AID TO FAMILIES WITH DEPENDENT CHILDREN.

9 There is appropriated from the general fund of the  
10 state to the department of human services for the  
11 fiscal year beginning July 1, 1991, and ending June  
12 30, 1992, the following amount, or so much thereof as  
13 is necessary, to be used for the purpose designated:

14 For aid to families with dependent children:  
15 ..... \$ 41,456,571

16 1. The department may fund the employee portion of  
17 the cash bonus program from unspent funds under the  
18 appropriation in this section and shall continue to  
19 evaluate the program.

20 2. As a condition, limitation, and qualification  
21 of the funds appropriated in this section, the  
22 department shall continue the special needs program  
23 under the aid to families with dependent children  
24 program.

25 3. As a condition, limitation, and qualification  
26 of the funds appropriated in this section, the  
27 department may use unspent funds under the  
28 appropriation in this section to continue development  
29 of the "X-PERT" eligibility determination system.

30 4. Notwithstanding section 234.1, subsection 4,  
31 effective July 1, 1991, through June 30, 1992,  
32 assistance shall not be provided under the provision  
33 of this appropriation to persons whose dependent child  
34 is 18 years of age or older. The department may adopt  
35 emergency rules to implement the provisions of this  
36 subsection.

37 5. Moneys are not appropriated in this Act for the  
38 payment of funeral expenses under section 239.9 and  
39 payment under that section shall not be made during  
40 the fiscal year beginning July 1, 1991. The  
41 department may adopt emergency rules to implement the  
42 provisions of this subsection.

43 6. As a condition, limitation, and qualification  
44 of the funds appropriated in this section, the  
45 department shall continue to contract for services in  
46 developing and monitoring a demonstration waiver  
47 program to facilitate providing assistance in self-  
48 employment investment to aid to dependent children  
49 families. The demonstration waiver program shall be  
50 provided for the fiscal period beginning July 1, 1991,

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1 and ending June 30, 1993, or for as long as federal  
 2 approval of the program continues. Of the funds  
 3 appropriated in this section, up to \$99,592 shall be  
 4 used to provide technical assistance for aid to  
 5 dependent children families seeking self-employment.  
 6 The technical assistance may be provided through the  
 7 department or through a contract with the division of  
 8 job training of the Iowa department of economic  
 9 development and through a contract with the  
 10 corporation for enterprise development.

11 7. As a condition, limitation, and qualification  
 12 of the funds appropriated in this section, the  
 13 department shall apply the self-employment investment  
 14 demonstration waiver project statewide during the  
 15 fiscal period delineated in the federal waiver  
 16 submitted to operate the waiver project statewide,  
 17 provided training is available to a recipient through  
 18 a recognized self-employment training program.  
 19 However, if the application for the federal waiver is  
 20 denied and funding is available, the department may  
 21 determine the counties in which it is feasible to  
 22 operate the project and shall provide the project in  
 23 those counties. The department may adopt emergency  
 24 rules to implement the provisions of this subsection.

25 Sec. 102. EMERGENCY ASSISTANCE. There is  
 26 appropriated from the general fund of the state to the  
 27 department of human services for the fiscal year  
 28 beginning July 1, 1991, and ending June 30, 1992, the  
 29 following amount, or so much thereof as is necessary,  
 30 to be used for the purpose designated:

31 For emergency assistance to families with dependent  
 32 children under Title IV-A of the federal Social  
 33 Security Act to match federal funding for homeless  
 34 prevention programs:

35 ..... \$ 500,000

36 The emergency assistance provided for in this  
 37 section shall be provided only if all other publicly  
 38 funded resources have been exhausted. Twenty-five  
 39 percent of the emergency assistance moneys shall be  
 40 available from July 1, 1991, through October 31, 1991,  
 41 and seventy-five percent shall be available beginning  
 42 November 1, 1991, for the remainder of the fiscal  
 43 year. The emergency assistance includes, but is not  
 44 limited to, assisting people who face eviction,  
 45 potential eviction, or foreclosure, utility shutoff or  
 46 fuel shortage, loss of heating energy supply or  
 47 equipment, homelessness, utility or rental deposits,  
 48 or other specified crisis which threatens family or  
 49 living arrangements. The emergency assistance shall  
 50 be available to migrant families who would otherwise

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1 meet eligibility criteria. The department shall  
 2 notify each emergency assistance recipient that the  
 3 recipient may report to the department any pressure or  
 4 intimidation of the recipient resulting from the  
 5 recipient's eligibility for emergency assistance. The  
 6 department shall report quarterly to the legislative  
 7 fiscal committee concerning the reports received by  
 8 the department regarding pressure or intimidation of  
 9 recipients of emergency assistance. The department  
 10 may adopt emergency rules to implement the beginning  
 11 date and notice provisions of this section.

12 Sec. 103. MEDICAL ASSISTANCE. There is  
 13 appropriated from the general fund of the state to the  
 14 department of human services for the fiscal year  
 15 beginning July 1, 1991, and ending June 30, 1992, the  
 16 following amount, or so much thereof as is necessary,  
 17 to be used for the purpose designated:

18 For medical assistance, including reimbursement for  
 19 abortion services, which shall be available under the  
 20 medical assistance program only for those abortions  
 21 which are medically necessary:  
 22 ..... \$241,116,470

23 1. Medically necessary abortions are those  
 24 performed under any of the following conditions:

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

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

31 c. The pregnancy is the result of a rape which is  
 32 reported within 45 days of the incident to a law  
 33 enforcement agency or public or private health agency  
 34 which may include a family physician.

35 d. The pregnancy is the result of incest which is  
 36 reported within 150 days of the incident to a law  
 37 enforcement agency or public or private health agency  
 38 which may include a family physician.

39 e. Any spontaneous abortion, commonly known as a  
 40 miscarriage, if not all of the products of conception  
 41 are expelled.

42 2. Of the funds appropriated in this section,  
 43 \$100,000 is allocated until January 31, 1992, for  
 44 contingency assistance for the federal nutrition  
 45 program for women, infants, and children and shall be  
 46 transferred to the Iowa department of public health as  
 47 necessary in order to fully utilize funding available  
 48 for the program. The allocated funds shall be  
 49 transferred as necessary to restore a reduction in  
 50 federal funding for the federal fiscal year ending

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1 September 30, 1991, required to adjust for federal  
2 financial assistance provided during the federal  
3 fiscal year ending September 30, 1990, in excess of  
4 the federal funding allocation to the state for this  
5 program or to finance any state match expenditure in  
6 excess of the federal funding allocation for this  
7 program during the federal fiscal year ending  
8 September 30, 1991. Any moneys allocated in this  
9 subsection which are unexpended or unobligated on  
10 January 31, 1992, shall be available during the  
11 remainder of the fiscal year to the department of  
12 human services for the purposes of this section.

13 3. Notwithstanding section 8.39, the department  
14 may transfer funds appropriated in this section to a  
15 separate account established in the department's case  
16 management unit for expenditures required to provide  
17 case management services pursuant to the appropriation  
18 in this Act for enhanced mental health, mental  
19 retardation, and developmental disabilities services,  
20 pending final settlement of the expenditures. Funds  
21 received by the case management unit in settlement of  
22 the expenditures shall be used to replace the  
23 transferred funds and are available for the purposes  
24 for which the funds were appropriated in this section.

25 4. As a condition, limitation, and qualification  
26 of the funds appropriated in this section, the  
27 department shall analyze the cost to benefits ratio  
28 associated with utilizing the medical review system  
29 offered by Value Health Sciences, Inc., and if the  
30 ratio is found to be favorable, shall implement that  
31 system or a system with a comparable cost to benefit  
32 ratio under the medical assistance program.

33 5. Effective July 1, 1991, if a medical assistance  
34 recipient is receiving care which is reimbursed under  
35 a federally approved home and community-based services  
36 waiver but would otherwise be approved for care in an  
37 intermediate care facility for the mentally retarded,  
38 the recipient's county of legal settlement shall  
39 reimburse the department on a monthly basis for the  
40 portion of the recipient's cost of care which is not  
41 paid from federal funds.

42 6. As a condition, limitation, and qualification  
43 of the funds appropriated in this section, the  
44 department shall adopt rules pursuant to chapter 17A  
45 that establish criteria for intermediate care  
46 facilities for the mentally retarded, providing for  
47 family-scale size, location, and appropriate inclusion  
48 in the community. In determining whether a  
49 certificate of need for an intermediate care facility  
50 for the mentally retarded shall be issued under

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1 chapter 135, the health facilities council and the  
2 Iowa department of public health shall consider  
3 whether the proposed facility is in compliance with  
4 the rules adopted pursuant to this subsection.

5 7. As a condition, limitation, and qualification  
6 of the funds appropriated in this section, the  
7 department shall develop methods to reduce recipient  
8 usage of ambulance services for reasons other than  
9 medical necessity, including notification of  
10 recipients who have received ambulance services that  
11 were not considered to be a medical necessity and  
12 ambulance services that have provided such services.  
13 The department may adopt emergency rules to implement  
14 the provisions of this subsection.

15 8. Of the funds appropriated in this section, up  
16 to \$70,929,582 shall be used for medical assistance  
17 reimbursement of nursing facilities.

18 9. As a condition, limitation, and qualification  
19 of the funds appropriated in this section,  
20 notwithstanding the adoption of an administrative rule  
21 limiting coverage of organ transplants under the  
22 medical assistance program, the department shall  
23 continue to provide medical assistance coverage for  
24 organ transplants to individuals who applied for and  
25 received approval from the department on or before  
26 January 1, 1991, for medical assistance coverage of an  
27 organ transplant.

28 100. As a condition, limitation, and qualification  
29 of the funds appropriated in this section,  
30 notwithstanding the adoption of an administrative rule  
31 limiting coverage of organ transplants under the  
32 medical assistance program, the department shall  
33 continue to provide medical assistance coverage for  
34 organ transplants of the pancreas and the liver until  
35 the department establishes criteria for the coverage  
36 of these transplants. The criteria shall include but  
37 are not limited to health status and anticipated  
38 outcomes, including expected quality of life. The  
39 department may adopt emergency rules to implement the  
40 provisions of this subsection.

41 10. As a condition, limitation, and qualification  
42 of the funds appropriated in this section, if Senate  
43 File 342 is enacted by the Seventy-fourth General  
44 Assembly, 1991 Session, \$28,000 of the funds  
45 appropriated in this section shall be provided to the  
46 prevention of disabilities policy board or council for  
47 fulfillment of the federal matching funds requirement  
48 for use of the Iowa governor's planning council for  
49 developmental disabilities funds, for the purpose of  
50 section 225D.7.

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1 11. It is the intent of the general assembly that  
2 the following programs under the medical assistance  
3 program shall be expanded which it is estimated will  
4 result in the indicated medical assistance expenditure  
5 savings: Iowa foundation for medical care utilization  
6 review, \$1,400,000; Unisys utilization review,  
7 \$105,000; and the "lock-in" program involving  
8 recipients with a history of seeking services from  
9 more than one provider, \$66,000. The department may  
10 adopt emergency rules to implement the provisions of  
11 this subsection.

12 12. As a condition, limitation, and qualification  
13 of the funds appropriated in this section, if Senate  
14 File 343, or another provision providing for group  
15 health plan cost-sharing under the medical assistance  
16 program is enacted by the Seventy-fourth General  
17 Assembly, 1991 Session, the department may adopt  
18 emergency rules to implement the cost-sharing in  
19 accordance with federal requirements.

20 13. As a condition, limitation, and qualification  
21 of the funds appropriated in this section, the  
22 department shall work with the Iowa state association  
23 of counties and the accounting firm of Ryun, Givens,  
24 Smith & Co., or another capable entity, to develop  
25 requirements for intermediate care facilities for the  
26 mentally retarded to implement generally accepted  
27 accounting principles and an audit reporting format  
28 which includes cost containment measures permitted  
29 under federal medicaid requirements. The department  
30 shall adopt rules pursuant to chapter 17A to implement  
31 the requirements developed under this subsection.

32 14. As a condition, limitation, and qualification  
33 of the funds appropriated in this section, if the  
34 department is implementing the medical assistance  
35 program through a contract with a health maintenance  
36 organization, the department shall ensure that a  
37 medical assistance recipient enrolled in a health  
38 maintenance organization is authorized to receive  
39 enhanced maternal or prenatal health services from a  
40 state supported maternal health center and that the  
41 center receives reasonable reimbursement for provision  
42 of the services. The enhanced services include but  
43 are not limited to nutritional and psychosocial  
44 counseling and medical case management.

45 Sec. 104. MEDICAL CONTRACTS. There is  
46 appropriated from the general fund of the state to the  
47 department of human services for the fiscal year  
48 beginning July 1, 1991, and ending June 30, 1992, the  
49 following amount, or so much thereof as is necessary,  
50 to be used for the purpose designated:

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1 For medical contracts:

2 ..... \$ 4,102,01

3 As a condition, limitation, and qualification of  
4 the funds appropriated in this section, the department  
5 shall continue to contract for drug utilization review  
6 under the medical assistance program.

7 Sec. 105. HIV-AIDS INSURANCE CONTINUATION

8 ASSISTANCE PILOT PROGRAM. There is appropriated from  
9 the general fund of the state to the department of  
10 human services for the fiscal year beginning July 1,  
11 1991, and ending June 30, 1992, the following amount  
12 or so much thereof as is necessary, to be used for the  
13 purpose designated:

14 For HIV-AIDS insurance continuation assistance  
15 pilot program:

16 ..... \$ 60,000

17 1. The department shall establish an HIV and AIDS  
18 insurance continuation assistance pilot program to be  
19 administered by the medical services division to  
20 provide insurance continuation assistance to persons  
21 with AIDS or HIV-related illnesses who are unable to  
22 maintain health insurance premium payments due to  
23 illness. The pilot program shall operate for a 2-year  
24 period beginning October 1, 1991. The funds shall be  
25 made available in a manner that provides the  
26 assistance to not more than 30 recipients from October  
27 1 until the end of the fiscal year.

28 2. The department shall publicize the program for  
29 enrollment of potential participants through provision  
30 of information through the Iowa department of public  
31 health, the regional AIDS coalitions funded by the  
32 Iowa department of public health, physicians,  
33 hospitals, social workers, and social service  
34 providers and gay and AIDS-related groups identified  
35 by the coalitions.

36 3. The program shall provide all of the following:  
37 a. That an applicant is eligible for participation  
38 in the program if all of the following conditions are  
39 met:

40 (1) The applicant is a resident of the state.

41 (2) The applicant suffers from AIDS or an HIV-  
42 related illness.

43 (3) The applicant has an income of no more than  
44 300 percent of the federal poverty level as defined by  
45 the most recently revised poverty income guidelines  
46 published by the United States department of health  
47 and human services and cash assets of no more than  
48 \$10,000.

49 (4) The applicant is enrolled in an individual or  
50 group private health insurance plan.



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1 (5) The applicant is unable, due to AIDS or the  
2 HIV-related illness, to continue employment in order  
3 to pay the costs of insurance premiums.

4 (6) Enrollment in the program is the most cost-  
5 effective, available means of providing the applicant  
6 with health insurance coverage.

7 b. That an applicant is required to provide the  
8 following to verify eligibility for participation in  
9 the program:

10 (1) Documentation of income and assets, as  
11 required by rule of the department.

12 (2) Documentation through submission of a  
13 statement by the applicant's physician that the  
14 applicant suffers from AIDS or an HIV-related illness  
15 and that the applicant is, or will within a period of  
16 6 months be, unable to continue employment.

17 c. An expedited eligibility determination process  
18 to ensure that an eligible applicant is not denied  
19 coverage under the applicant's existing policy due to  
20 nonpayment of premiums during the determination  
21 process period. This may include but is not limited  
22 to accepting preapplications from any HIV-infected  
23 person or the making of payments based on preliminary  
24 determinations.

25 d. A requirement that following enrollment in the  
26 program of a person with group-based coverage, the  
27 person must apply for medical assistance, if the  
28 department determines that the person is likely to be  
29 eligible for payment of premiums under medical  
30 assistance program pursuant to the federal Omnibus  
31 Budget Reconciliation Act of 1990, section 4402, Pub.  
32 L. No. 101-508.

33 e. A requirement that, if the state elects to pay  
34 premiums for individual-based coverage under, and if  
35 the department determines that the person would be  
36 eligible for payment of premiums under medical  
37 assistance program under the provisions of the federal  
38 Omnibus Budget Reconciliation Act of 1990, section  
39 4402, Pub. L. No. 101-508, following enrollment in the  
40 program of a person with such coverage, the person  
41 must apply for medical assistance.

42 f. That all information relating to an applicant  
43 is confidential information and the provisions of  
44 chapter 141 are applicable to the information.

45 4. The department shall provide a preliminary  
46 report to the general assembly by January 1, 1992, and  
47 a final report to the general assembly by January 1,  
48 1993, regarding the cost-effectiveness of the pilot  
49 program, the impact of the requirements of federal law  
50 on the pilot program, and the current and projected

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1 costs to the state for payment of medical assistance  
2 for the health care costs of persons with AIDS or HIV-  
3 related illnesses.

4 5. For the purposes of this section, "AIDS" and  
5 "HIV" mean "AIDS" and "HIV" as defined in section  
6 141.21.

7 6. For the purposes of this section, "health  
8 insurance plan" includes nonprofit health service  
9 cooperation contracts regulated under chapter 514 and  
10 health maintenance organization evidences of coverage  
11 regulated under chapter 514B.

12 7. As a condition, limitation, and qualification  
13 of the funds appropriated in this section, the  
14 department may transfer not more than \$10,000 of the  
15 funds appropriated in this section to the  
16 appropriation in this division for general  
17 administration to be used for administrative costs  
18 associated with this program. The department is  
19 authorized a 0.5 FTE position in addition to the  
20 positions authorized in the appropriation in this  
21 division for general administration in order to  
22 administer the program.

23 8. The program shall start by October 1, 1991, and  
24 the department is authorized to adopt emergency rules  
25 to implement the provisions of this section by that  
26 date.

27 Sec. \_\_\_\_ . HIV-AIDS HEALTH AND SUPPORT SERVICES.

28 There is appropriated from the general fund of the  
29 state to the department of human services for the  
30 fiscal year beginning July 1, 1991, and ending June  
31 30, 1992, the following amount, or so much thereof as  
32 is necessary, to be used for the purpose designated:

33 For HIV-AIDS health and support services:  
34 ..... \$ 60,000

35 1. The funds appropriated in this section shall be  
36 used to provide health and support services to persons  
37 with human immunodeficiency virus infection (HIV) or  
38 acquired immune deficiency syndrome (AIDS).

39 2. The department of human services shall  
40 establish an AIDS services committee to distribute the  
41 moneys appropriated in this section. The committee  
42 shall remain active until the completion of the duties  
43 required under this section. Members of the committee  
44 are entitled to actual and necessary expenses in the  
45 performance of their official duties. However,  
46 expense reimbursements shall not exceed three percent  
47 of the amount appropriated in this section. The  
48 committee shall consist of persons who are  
49 knowledgeable concerning HIV infection or AIDS. The  
50 committee may consist of persons representing the

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1 following: licensed physicians and social workers,  
2 hospice organizations, home health care agencies, the  
3 homosexual community, persons with HIV infection or  
4 AIDS, and a representative of an AIDS coalition funded  
5 by the Iowa department of public health. To the  
6 extent possible, the committee members shall be the  
7 same persons who served as members of the AIDS  
8 services task force established pursuant to 1990 Iowa  
9 Acts, chapter 1259, section 6, subsection 3. The  
10 department and the committee shall cooperate with the  
11 Iowa department of public health in distributing the  
12 funds appropriated in this section.

13 3. The committee shall distribute the funds to  
14 regional HIV care consortia established pursuant to  
15 Title II of the federal Ryan White Comprehensive AIDS  
16 Resources Emergency Act, Pub. L. No. 101-381. The  
17 funds shall be used to provide health and support  
18 services to persons with HIV infection or AIDS living  
19 within the consortia area, as authorized by the  
20 federal Act and approved by the committee. The  
21 services may include, but are not limited to, case  
22 management, benefits advocacy, client basic emergency  
23 need grants, support groups, individual support  
24 programs, home health care, respite care, and  
25 attendant care.

26 4. A consortia receiving funding under this  
27 section shall include representatives of agencies or  
28 organizations providing health and support services to  
29 persons with HIV infection or AIDS who reside within  
30 the consortia area and of affected persons. In  
31 addition, the consortia shall provide reasonable  
32 services to affected persons in both urban and rural  
33 portions of the consortia area with preference given  
34 to underserved rural areas. At least 10 percent of  
35 the funds provided to a consortia shall be used to  
36 provide services to women, children, and families of  
37 persons with HIV infection or AIDS. Moneys provided  
38 to a consortia under this section shall not be used to  
39 pay for an individual's services which are covered by  
40 private insurance or a publicly funded program.

41 5. A consortia receiving funds under this section  
42 shall provide information required by the committee or  
43 the department which shall include but is not limited  
44 to all of the following:

45 a. The number of persons with HIV infection or  
46 AIDS in the consortia area.

47 b. Demographic information concerning the persons  
48 identified, including age, race, and gender  
49 distributions.

50 c. The type and quantity of health and support

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1 services needs of the persons identified.

2 d. The type and quantity of health and support  
3 services provided by the consortia.

4 e. The type and quantity of health and support  
5 services the consortia is unable to provide due to  
6 lack of funding or other barrier to providing  
7 services.

8 Sec. 106. STATE SUPPLEMENTARY ASSISTANCE. There  
9 is appropriated from the general fund of the state to  
10 the department of human services for the fiscal year  
11 beginning July 1, 1991, and ending June 30, 1992, the  
12 following amount, or so much thereof as is necessary,  
13 to be used for the purpose designated:

14 For state supplementary assistance:  
15 ..... \$ 19,000,391

16 The department shall increase the personal needs  
17 allowance for residents of residential care facilities  
18 by the same percentage and at the same time as federal  
19 supplemental security and federal social security  
20 benefits are increased due to a recognized increase in  
21 the cost of living. The department may adopt  
22 emergency rules to implement the provisions of this  
23 paragraph.

24 Sec. 107. AID TO INDIANS. There is appropriated  
25 from the general fund of the state to the department  
26 of human services for the fiscal year beginning July  
27 1, 1991, and ending June 30, 1992, the following  
28 amount, or so much thereof as is necessary, to be used  
29 for the purpose designated:

30 For aid to Indians under section 252.43:  
31 ..... \$ 38,000

32 The tribal council shall not use more than 5  
33 percent of the funds for administration purposes. The  
34 department may adopt emergency rules to implement the  
35 provisions of this paragraph.

36 Sec. 108. CHILD DAY CARE ASSISTANCE. There is  
37 appropriated from the general fund of the state to the  
38 department of human services for the fiscal year  
39 beginning July 1, 1991, and ending June 30, 1992, the  
40 following amount, or so much thereof as is necessary,  
41 to be used for the purposes designated:

42 For protective child day care assistance and state  
43 child care assistance:  
44 ..... \$ 7,104,072

45 1. It is the intent of the general assembly that  
46 \$3,107,695 of the funds appropriated in this section  
47 be used for protective child day care assistance.

48 2. It is the intent of the general assembly that  
49 \$3,737,446 of the funds appropriated in this section  
50 be used for state child care assistance.

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1 3. a. The funds allocated in this section for  
2 protective and state child care assistance shall be  
3 allocated to the department of human services  
4 districts and each district shall distribute the  
5 allocation to the counties within the district. If a  
6 district determines that a specified portion of the  
7 funds provided to a county is sufficient to meet the  
8 county's current demand and projected growth, the  
9 district may transfer the excess amount of funds to  
10 another county. If the district determines that a  
11 specified portion of the funds provided to the  
12 district is sufficient to meet the district's current  
13 demand and projected growth for the remainder of the  
14 fiscal year, the excess amount may be transferred for  
15 use in another district.

16 b. For state child care assistance, eligibility  
17 shall be limited to children whose family income is  
18 equal to or less than 150 percent of the federal  
19 office of management and budget poverty guidelines.  
20 However, on or after October 1, 1991, the department  
21 may increase the income eligibility limit to be equal  
22 to or less than 75 percent of the Iowa median family  
23 income. Every effort shall be made to provide  
24 assistance for the entire fiscal year to families  
25 remaining eligible before providing assistance to  
26 eligible families who have not received assistance  
27 previously. For the entire fiscal year, the  
28 department shall develop a priority ranking of  
29 requirements for families who receive assistance, with  
30 special priority given to foster care families within  
31 the income guidelines. The requirements may include  
32 but are not limited to all of the following:

33 (1) Families with an income equal to or less than  
34 150 percent of the federal office of management and  
35 budget poverty guidelines.

36 (2) Single parent families who are at risk of  
37 becoming eligible for the aid to families with  
38 dependent children programs.

39 (3) Families who have exhausted eligibility for  
40 transitional child care assistance.

41 (4) Adolescent parents attending school.

42 (5) Families who have children with special needs.

43 (6) Families who are providing foster care if both  
44 foster parents are employed and child day care is  
45 consistent with the case plan.

46 (7) Families with an income greater than 150  
47 percent of the federal office of management and budget  
48 poverty guidelines but no more than 75 percent of the  
49 Iowa median family income.

50 c. The department may adopt emergency rules

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1 necessary to qualify to receive funding from the  
 2 federal child care development block grant and the  
 3 federal at-risk child care program. If required as a  
 4 condition of receiving these funds, the rules may  
 5 provide for eligibility, health and safety  
 6 requirements, parental access to children,  
 7 reimbursement rates, types of service provided,  
 8 licensing standards, complaint registration  
 9 procedures, or other rules necessary to establish a  
 10 simplified or consolidated child day care policy.

11 d. Nothing in this section shall be construed or  
 12 is intended as, or shall imply, a grant of entitlement  
 13 for services to persons who are eligible for  
 14 assistance due to an income level consistent with the  
 15 requirements of this section. Any state obligation to  
 16 provide services pursuant to this section is limited  
 17 to the extent of the funds appropriated under this  
 18 section.

19 4. Of the funds appropriated in this section,  
 20 \$258,931 is allocated for the fiscal year beginning  
 21 July 1, 1991, for the statewide program for child day  
 22 care resource and referral services under section  
 23 237A.26.

24 5. The department may use any of the funds  
 25 appropriated in this section as a match to obtain  
 26 federal grants for use in expanding child day care  
 27 assistance and related programs.

28 Sec. 109. TRANSITIONAL CHILD CARE ASSISTANCE.  
 29 There is appropriated from the general fund of the  
 30 state to the department of human services for the  
 31 fiscal year beginning July 1, 1991, and ending June  
 32 30, 1992, the following amount, or so much thereof as  
 33 is necessary, to be used for the purpose designated:

34 For transitional child care assistance:  
 35 ..... \$ 323,311

36 Notwithstanding section 239.21, the department of  
 37 human services shall provide the transitional child  
 38 care program in accordance with the federal Family  
 39 Support Act of 1988, Pub. L. No. 100-485, § 302, and  
 40 applicable federal regulations. Reimbursement for  
 41 services shall be limited to registered or licensed  
 42 child day care providers and programs providing care,  
 43 supervision, or guidance of a child which is not  
 44 included under the definition of "child day care"  
 45 pursuant to section 237A.1, subsection 7.

46 Sec. 110. JOBS PROGRAM. There is appropriated  
 47 from the general fund of the state to the department  
 48 of human services for the fiscal year beginning July  
 49 1, 1991, and ending June 30, 1992, the following  
 50 amount, or so much thereof as is necessary, to be used

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1 for the purposes designated:

2 For the JOBS program:

3 ..... \$ 4,307,610

4 1. Of the funds appropriated in this section,  
 5 \$3,255,610 is allocated for the JOBS program. If in  
 6 accordance with federal requirements, effective  
 7 September 1, 1991, reimbursement under the JOBS  
 8 program for child day care services shall be limited  
 9 to registered or licensed child day care providers and  
 10 programs providing care, supervision, or guidance of a  
 11 child which is not included under the definition of  
 12 "child day care" pursuant to section 237A.1,  
 13 subsection 7. However, this requirement shall not  
 14 apply to persons specified by rule as an aid to  
 15 families with dependent children relative or as  
 16 otherwise eligible for reimbursement because a  
 17 licensed or registered child day care provider or  
 18 program is not available.

19 2. Of the funds allocated in this section, \$52,000  
 20 is allocated for the food stamp employment and  
 21 training program.

22 3. It is the intent of the general assembly that  
 23 the department of human services apply to the  
 24 corporation for enterprise development for Iowa's  
 25 participation in the study phase of a "state human  
 26 investment policy" demonstration project. Of the  
 27 funds appropriated in this section, up to \$75,000  
 28 shall be used for costs associated with Iowa's  
 29 participation in the project. The department shall  
 30 make efforts to obtain additional private and federal  
 31 funding for the project, and shall submit quarterly  
 32 reports on the status of the project to the  
 33 legislative fiscal bureau.

34 4. As a condition, limitation, and qualification  
 35 of the funds appropriated in this section, the  
 36 department shall work with family development and  
 37 self-sufficiency grantees and the state's community  
 38 action agencies to develop a structure that permits  
 39 initiatives which raise local funds to match federal  
 40 funds under the JOBS program in order to expand or to  
 41 develop additional family development program  
 42 initiatives.

43 5. Of the funds allocated in this section for the  
 44 JOBS program, \$445,000 is allocated to the family  
 45 development and self-sufficiency grant program as  
 46 provided under section 217.12. This funding shall  
 47 extend current grantee funding from December 31, 1991,  
 48 to June 30, 1992.

49 a. No more than 5 percent of the funds allocated  
 50 in this subsection shall be used for administration of

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1 the program and this percentage shall be determined  
 2 for the entire fiscal year rather than on a 6-month  
 3 basis. Federal financial participation received by  
 4 the department for the family development and self-  
 5 sufficiency grant program shall be used for the grant  
 6 program or the JOBS program.

7 b. Based upon the annual evaluation report  
 8 concerning each grantee funded by this allocation, the  
 9 family development and self-sufficiency council may  
 10 use funds allocated to renew grants. Grant renewals  
 11 shall be awarded on or before January 1, 1992, for a  
 12 6-month extension to June 30, 1992.

13 Sec. 111. CHILD SUPPORT RECOVERY. There is  
 14 appropriated from the general fund of the state to the  
 15 department of human services for the fiscal year  
 16 beginning July 1, 1991, and ending June 30, 1992, the  
 17 following amount, or so much thereof as is necessary,  
 18 to be used for the purposes designated:

19 For child support recovery, including salaries,  
 20 support, maintenance, miscellaneous purposes, and for  
 21 not more than the following full-time equivalent  
 22 positions:

23 .....	\$	3,134,277
24 .....	FTEs	253.50

25 1. The director of human services, within the  
 26 limitations of the funds appropriated in this section,  
 27 or funds transferred from the aid to families with  
 28 dependent children program for this purpose, may  
 29 establish new positions and add additional employees  
 30 to the child support recovery unit when the director  
 31 determines that both the current and additional  
 32 employees together can reasonably be expected to  
 33 recover for the aid to families with dependent  
 34 children program and the nonpublic assistance support  
 35 recovery program more than twice the amount of money  
 36 required to pay the salaries and support for both the  
 37 current and additional employees or the new positions  
 38 are necessary for compliance with federal requirements  
 39 and the anticipated increased recovery amount exceeds  
 40 the cost of salaries and support for the new  
 41 positions. In the event the director adds additional  
 42 employees, the department shall demonstrate the cost-  
 43 effectiveness of the current and additional employees  
 44 by reporting to the joint human services  
 45 appropriations subcommittee the ratio of the total  
 46 amount of administrative costs for child support  
 47 recoveries to the total amount of the child support  
 48 recovered.

49 2. Notwithstanding any other provision in law,  
 50 nonpublic assistance application and user fees



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1 received by the child support recovery program are  
 2 appropriated and shall be used for the purposes of the  
 3 program. The department may adopt emergency rules as  
 4 necessary to implement the provisions of this  
 5 subsection. The director of human services may exceed  
 6 the full-time equivalent position limit authorized in  
 7 this section if fees collected relating to the new  
 8 positions are sufficient to pay the salaries and  
 9 support for the positions. The director shall report  
 10 any new positions added pursuant to this section to  
 11 the chairpersons and ranking members of the joint  
 12 human services appropriations subcommittee and the  
 13 legislative fiscal bureau. The department may adopt  
 14 emergency rules as necessary to implement the  
 15 provisions of this subsection.

16 3. The director of human services, in consultation  
 17 with the department of management and the legislative  
 18 fiscal committee, is authorized to receive and deposit  
 19 state child support incentive earnings in the manner  
 20 specified under applicable federal requirements.

21 4. The director of human services may establish  
 22 new positions and add additional state employees to  
 23 the child support recovery unit if the director  
 24 determines the employees are necessary to replace  
 25 county-funded positions eliminated due to termination,  
 26 reduction, or nonrenewal of a chapter 28E contract.  
 27 However, the director must also determine that the  
 28 resulting increase in the state share of child support  
 29 recovery incentives exceeds the cost of the positions,  
 30 the positions are necessary to ensure continued  
 31 federal funding of the program, or the new positions  
 32 can reasonably be expected to recover more than twice  
 33 the amount of money to pay the salaries and support  
 34 for the new positions.

35 Sec. 112. JUVENILE INSTITUTIONS. There is  
 36 appropriated from the general fund of the state to the  
 37 department of human services for the fiscal year  
 38 beginning July 1, 1991, and ending June 30, 1992, the  
 39 following amounts, or so much thereof as is necessary,  
 40 to be used for the purposes designated:

41 For the operation of the state training school and  
 42 the Iowa juvenile home, including salaries, support,  
 43 maintenance, miscellaneous purposes, and for not more  
 44 than the following full-time equivalent positions:

45	1. For the Iowa juvenile home at Toledo:		
46	.....	\$	4,703,508
47	.....	FTEs	128.50
48	2. For the state training school at Eldora:		
49	.....	\$	8,070,507
50	.....	FTEs	229.00

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1 3. It is the intent of the general assembly that  
 2 during the fiscal year beginning July 1, 1991, the  
 3 population levels at the state juvenile institutions  
 4 shall not exceed the population guidelines established  
 5 under 1990 Iowa Acts, chapter 1239, section 21. It is  
 6 also the intent of the general assembly that the state  
 7 juvenile institutions apply for an adolescent  
 8 pregnancy prevention grant for the fiscal year  
 9 beginning July 1, 1991.

10 Sec. 113. FOSTER CARE. There is appropriated from  
 11 the general fund of the state to the department of  
 12 human services for the fiscal year beginning July 1,  
 13 1991, and ending June 30, 1992, the following amount,  
 14 or so much thereof as is necessary, to be used for the  
 15 purpose designated:

16 For foster care:

17 ..... \$ 53,366,361

18 1. As a condition, limitation, and qualification  
 19 of the funds appropriated in this section, the  
 20 department shall use moneys appropriated in this  
 21 section to establish 30 or more enhanced service group  
 22 care facility beds during the fiscal year beginning  
 23 July 1, 1991. The department may use moneys  
 24 appropriated in this section to provide enhanced  
 25 funding of services to family foster homes to avert  
 26 placement of children in group care facilities and may  
 27 continue to provide enhanced funding of services to  
 28 group care facilities to avert placement of children  
 29 in more expensive, less appropriate out-of-state  
 30 facilities or in a state juvenile institution. The  
 31 department shall give priority to serving children  
 32 whose placement at the state training school or the  
 33 Iowa juvenile home would cause the state juvenile  
 34 institution to exceed the population guidelines  
 35 established under 1990 Iowa Acts, chapter 1239,  
 36 section 21.

37 2. The department may transfer a portion of the  
 38 funds appropriated in this section to provide  
 39 subsidized adoption services or to purchase adoption  
 40 services, if funds allocated in this section for  
 41 adoption services are insufficient.

42 3. The department and state court administrator  
 43 shall work together in implementing an agreement which  
 44 enables the state to receive funding for eligible  
 45 cases under the federal Social Security Act, Title IV-  
 46 E.

47 4. Not more than 25 percent of the children placed  
 48 in foster care funded under the federal Social  
 49 Security Act, Title IV-E, shall be placed in foster  
 50 care for a period of more than 24 months.

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1 5. Of the funds appropriated in this section,  
2 \$92,000 is allocated for the foster home insurance  
3 fund. Notwithstanding section 237.13, the department  
4 may use funds appropriated in this section to purchase  
5 liability insurance for licensed foster parents in  
6 lieu of providing payment for claims filed against the  
7 foster home insurance fund, if comparable coverage can  
8 be obtained through private insurance.

9 Notwithstanding section 8.33, funds remaining in the  
10 foster home insurance fund on June 30, 1992, shall not  
11 revert to the general fund but shall remain available  
12 for expenditure in the fiscal year beginning July 1,  
13 1992, for the purposes designated.

14 6. As a condition, limitation, and qualification  
15 of the funds appropriated in this section, the  
16 department shall review the need to provide additional  
17 day treatment alternatives within the child welfare  
18 system and the potential to provide additional  
19 services by including day treatment provided by  
20 psychiatric medical institutions for children as a  
21 service reimbursed under medical assistance. The  
22 department shall identify the effect of providing day  
23 treatment services reimbursement under medical  
24 assistance upon state expenditures for residential  
25 treatment and other foster care services. The  
26 department may use funds appropriated in this Act for  
27 medical assistance to pay the nonfederal share of  
28 costs for services reimbursed under medical assistance  
29 which are provided in a psychiatric medical  
30 institution for children.

31 7. The department may use \$30,000 of the funds  
32 appropriated in this section to contract for a study  
33 of the effectiveness of needs-based and therapeutic  
34 family foster care and enhanced residential care.

35 8. As a condition, limitation, and qualification  
36 of the funds appropriated in this section, the  
37 department shall develop a therapeutic foster care  
38 program in at least 1 district in the state. The  
39 program's foster care worker support staff shall serve  
40 not more than 7 foster families and shall provide  
41 respite and special support services to foster parents  
42 to enable them to serve in an active treatment  
43 capacity with the children under their care. Of the  
44 funds appropriated in this section, up to \$200,000  
45 shall be used for therapeutic foster care  
46 reimbursement and \$284,667 for 8.00 FTEs under the  
47 appropriation in this Act for field operations.

48 9. Funds appropriated in this section may be used  
49 to recruit foster parents and to provide preservice  
50 and in-service training for foster parents.

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1 10. Of the funds appropriated in this section, up  
2 to \$140,000 may be used to develop and maintain the  
3 state's implementation of the national adoption and  
4 foster care information system pursuant to the  
5 requirements of Pub. L. No. 99-509.

6 11. As a condition, limitation, and qualification  
7 of the funds appropriated in this section, the  
8 department shall continue a family foster care  
9 advisory committee to examine department practices and  
10 policies to improve the recruitment and retention of  
11 foster parents, provide training and professional  
12 guidance where appropriate, and seek the involvement  
13 of family foster care providers in designing,  
14 developing, and participating in the creation of  
15 therapeutic foster family homes. The department shall  
16 review initiatives of other states in recruiting  
17 foster parents from appropriate families who are  
18 recipients of public assistance. In consultation with  
19 the advisory committee, the department shall seek  
20 federal waivers and make program modifications as  
21 necessary to develop a similar program for Iowa upon  
22 receiving federal approval to do so.

23 12. As a condition, limitation, and qualification  
24 of the funds appropriated in this section, the  
25 department shall establish specialized family foster  
26 care homes and provide specialized support and respite  
27 services to qualifying foster care families who accept  
28 infants with chemical addictions from intrauterine  
29 transmission who would otherwise remain in a hospital.

30 13. As a condition, limitation, and qualification  
31 of the funds appropriated in this section, the  
32 department shall continue the demonstration program to  
33 decategorize child welfare services in the 4 counties  
34 in which the program has commenced. The department  
35 may approve additional applications from a county or  
36 consortium of counties to initiate a demonstration  
37 program providing the department, the boards of  
38 supervisors in the counties, and the affected judicial  
39 districts agree to implement the program. The  
40 schedule for implementing the demonstration program in  
41 additional counties shall provide that the program be  
42 implemented on or after January 1, 1992. The  
43 department shall establish for the demonstration  
44 project counties a child welfare fund composed of all  
45 or part of the amount that would otherwise be expected  
46 to be used for residents of the counties for foster  
47 care, family-centered services, subsidized adoption,  
48 child day care, local purchase of services, state  
49 juvenile institution care, mental health institute  
50 care, state hospital-school care, juvenile detention,

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1 department-direct services, and court-ordered  
2 evaluation and treatment of juvenile services and  
3 notwithstanding any other provision of law, the fund  
4 shall be considered encumbered. Notwithstanding other  
5 service funding provisions in law, the department  
6 shall establish the fund by transferring funds from  
7 the budgets affected, except for the funds  
8 appropriated for the state mental health institutes,  
9 the state hospital-schools, the state training school,  
10 and the Iowa juvenile home which shall remain on  
11 account for the county at these institutions. The  
12 child welfare fund may be used to support services and  
13 payment rates not allowable within historical program  
14 or service categories. A limited amount of the fund  
15 may be used to support services and reimbursement  
16 rates not allowable within historical program or  
17 service categories and administrative rule. In  
18 addition, a limited amount of the child welfare fund  
19 may be used for the family assistance fund to provide  
20 resources for a family to remain together or to be  
21 unified. It is the intent of the general assembly  
22 that the demonstration program be designed to operate  
23 in a county for a 3-year period. The 3-year time  
24 period for a decategorization project in Dubuque,  
25 Polk, Pottawattamie, or Scott county shall be  
26 considered to begin on January 1 in the first year  
27 following the year in which the county's  
28 decategorization project was approved by the  
29 department.

30 14. As a condition, limitation, and qualification  
31 of the funds appropriated in this section,  
32 notwithstanding section 234.1, subsection 4, effective  
33 July 1, 1991, foster care shall not be provided to  
34 persons who are 18 years of age or older unless the  
35 persons are pursuing a course of study leading to a  
36 high school diploma or equivalent. The department may  
37 adopt emergency rules to implement the provisions of  
38 this subsection.

39 15. As a condition, limitation, and qualification  
40 of the funds appropriated in this section, federal  
41 financial participation provided under Title IV-E of  
42 the federal Social Security Act in excess of \$595,000,  
43 which is received as a result of service definition  
44 changes relating to provider services shall be  
45 apportioned to the providers implementing the changes.  
46 The excess amount shall be apportioned after the  
47 department has received all federal Title IV-E  
48 payments for the fiscal year. The excess amount shall  
49 be apportioned as a payment according to each pro-  
50 vider's percentage of the total amount of payments

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1 made to providers implementing the changes under  
 2 federal Title IV-E.  
 3 16. As a condition, limitation, and qualification  
 4 of the funds appropriated in this section, not more  
 5 than \$30,000 of the funds appropriated in this section  
 6 may be used to contract with the coalition of family  
 7 and children's services or another suitable entity for  
 8 the development of a computerized foster care  
 9 placement information system for the state. The  
 10 system shall be designed utilizing previously  
 11 developed software techniques used in Pennsylvania and  
 12 shall be capable of providing an on-line data base of  
 13 the availability of particular foster care placements,  
 14 technical support, training, and appropriate user  
 15 documentation.

16 Sec. 114. CHILD PROTECTIVE SYSTEM IMPROVEMENTS.

17 There is appropriated from the general fund of the  
 18 state to the department of human services for the  
 19 fiscal year beginning July 1, 1991, and ending June  
 20 30, 1992, the following amount, or so much thereof as  
 21 is necessary, to be used for the purposes designated:

22 For improvements in the state system for child  
 23 protection:

24 ..... \$ 561,500

25 The funding appropriated in this section shall be  
 26 used as determined by the department for any of the  
 27 following purposes:

28 1. For general administration of the department to  
 29 improve staff training efforts.

30 2. For oversight of termination of parental rights  
 31 and permanency planning efforts on a statewide basis  
 32 on the condition that regular reports regarding the  
 33 statewide program efforts shall be provided to the  
 34 legislative fiscal bureau.

35 3. For use by the department in general  
 36 administration to promote innovative treatment  
 37 programs, write grants to obtain federal and private  
 38 funding, and promote public and private efforts to  
 39 treat and prevent child abuse.

40 4. For personnel, assigned by the attorney  
 41 general, to provide additional services relating to  
 42 termination of parental rights and child in need of  
 43 assistance cases.

44 5. For funding of the state multidisciplinary team  
 45 to assist with difficult cases within the child abuse  
 46 and foster care system and with respect to child  
 47 protective investigation and initial case planning and  
 48 to develop and coordinate local multidisciplinary  
 49 teams.

50 6. For use by the department in conducting

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1 outcome-oriented evaluations of child protection,  
2 prevention, and treatment programs.

3 7. For specialized foster care permanency planning  
4 field operations staff.

5 Sec. 115. HOME-BASED SERVICES. There is  
6 appropriated from the general fund of the state to the  
7 department of human services for the fiscal year  
8 beginning July 1, 1991, and ending June 30, 1992, the  
9 following amount, or so much thereof as is necessary,  
10 to be used for the purpose designated:

11 For home-based services on the condition that  
12 family planning services are funded, provided that if  
13 the department amends the allocation to a program  
14 funded under this section, then the department shall  
15 promptly notify the legislative fiscal bureau of the  
16 change:

17 ..... \$ 19,414,903

18 1. Of the funds appropriated in this section,  
19 \$30,000 shall be used by the department to contract  
20 with universities to provide ongoing research and  
21 evaluation assistance to programs and initiatives of  
22 the department involving family-centered services and  
23 foster care. The contracts shall make maximum use of  
24 any matching resources available from the universities  
25 with which the department contracts.

26 2. Of the funds appropriated in this section,  
27 \$5,086,204 shall be used for family preservation and  
28 reunification services and training. A limited amount  
29 of the funds may be used for the family assistance  
30 fund to provide other resources required for a family  
31 participating in a project to stay together or to be  
32 reunified. The payment system for the project shall  
33 not be based upon units of time, but may be based upon  
34 the cost to serve a family, including adjustments  
35 according to the provider's performance and the  
36 outcome of the services provided to each family. The  
37 department shall use the statewide family preservation  
38 and decategorization committee to assist in selecting  
39 additional projects.

40 Sec. 116. COMMUNITY-BASED PROGRAMS. There is  
41 appropriated from the general fund of the state to the  
42 department of human services for the fiscal year  
43 beginning July 1, 1991, and ending June 30, 1992, the  
44 following amount, or so much thereof as is necessary,  
45 to be used for the purpose designated:

46 For community-based programs:  
47 ..... \$ 2,551,014

48 1. As a condition, limitation, and qualification  
49 of the funds appropriated in this section, up to  
50 \$19,095 shall be used by the department as the

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1 financial aid from the state under section 232.142,  
 2 subsection 3, for the cost of the establishment,  
 3 improvement, operation, and maintenance of approved  
 4 county or multicounty juvenile homes. Notwithstanding  
 5 section 232.142, subsection 3, the amount provided in  
 6 this subsection shall be the maximum amount of  
 7 financial aid the state is obligated to provide  
 8 pursuant to that provision.

9 2. As a condition, limitation, and qualification  
 10 of the funds appropriated in this section, \$550,586  
 11 shall be used by the department for child abuse  
 12 prevention grants.

13 Sec. 117. BLOCK GRANT SUPPLEMENTATION. There is  
 14 appropriated from the general fund of the state to the  
 15 department of human services for the fiscal year  
 16 beginning July 1, 1991, and ending June 30, 1992, the  
 17 following amount, or so much thereof as is necessary,  
 18 to be used for the purpose designated:

19 For supplementation of federal social services  
 20 block grant funds and for allocation to counties for  
 21 the purchase of local services:

22 ..... \$ 4,643,000

23 The funds appropriated in this section shall be  
 24 allocated to counties pursuant to the rules of the  
 25 department in effect on January 1, 1985. The  
 26 department shall increase the income guidelines for  
 27 income eligible persons receiving services funded with  
 28 federal social services block grant funds for the  
 29 fiscal year beginning July 1, 1991, by the same  
 30 percentage and at the same time as federal social  
 31 security benefits are increased due to a recognized  
 32 increase in the cost of living. The department may  
 33 adopt emergency rules to implement the provisions of  
 34 this subsection relating to an increase in the cost of  
 35 living.

36 Sec. 118. COURT-ORDERED SERVICES PROVIDED TO  
 37 JUVENILES. There is appropriated from the general  
 38 fund of the state to the department of human services  
 39 for the fiscal year beginning July 1, 1991, and ending  
 40 June 30, 1992, the following amount, or so much  
 41 thereof as is necessary, to be used for the purpose  
 42 designated:

43 Payment of the expenses of court-ordered services  
 44 provided to juveniles which are a charge upon the  
 45 state pursuant to section 232.141, subsection 4:

46 ..... \$ 4,013,271

47 1. It is the intent of the general assembly that  
 48 the funds appropriated in this section shall be used  
 49 in a manner that allows provision of court-ordered  
 50 services to juveniles for the entire specified fiscal



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1 period without the need for supplemental funding. The  
2 court shall consider the overall cost-effectiveness of  
3 services ordered by the court for juveniles under  
4 chapter 232.

5 2. As a condition, limitation, and qualification  
6 of the funds appropriated in this section, and  
7 notwithstanding any other provision of law, \$6,150,000  
8 of the funds appropriated in this Act for home-based  
9 services shall be used in providing court-ordered  
10 family-centered, family preservation and family  
11 reunification services designed to achieve the goals  
12 contained in a juvenile's foster care case permanency  
13 plan. The department of human services shall develop  
14 policies and procedures to ensure that priority for  
15 these services is given to juveniles who are at-risk  
16 of being adjudicated as a delinquent, being found to  
17 be a child in need of assistance, or being  
18 involuntarily committed under chapter 125 or 229.

19 3. As a condition, limitation, and qualification  
20 of the funds appropriated in this section, and  
21 notwithstanding section 232.141 or any other provision  
22 of law, the funds appropriated in this section shall  
23 be allocated to the judicial districts as provided in  
24 this subsection. The allocations to the districts  
25 shall be made according to a formula developed  
26 pursuant to recommendations of a committee consisting  
27 of a representative of the director of human services,  
28 a representative of the state court administrator, a  
29 representative of the Iowa state association of  
30 counties, and a representative of service providers  
31 selected by the coalition of family and children's  
32 services. The recommendations shall be based upon  
33 each judicial district's utilization of juvenile  
34 justice moneys paid pursuant to section 232.141,  
35 subsection 4, during the period beginning July 1,  
36 1985, and ending June 30, 1990. However, to the  
37 extent possible, services paid for pursuant to that  
38 section that would have been eligible for payment  
39 under other provisions shall not be included. The  
40 judicial district's population of juveniles,  
41 adjudicated juvenile delinquents, and children and  
42 families found to be in need of assistance, during the  
43 period beginning January 1, 1990, and ending December  
44 31, 1990, shall also be considered in developing the  
45 recommendations. The state court administrator shall  
46 make the final decision on the allocations on or  
47 before June 15, 1991.

48 4. Each judicial district shall establish a  
49 planning group for the court-ordered services for  
50 juveniles provided in that district. A district

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1 planning group shall be appointed by the chief judge  
2 of the judicial district and shall include local  
3 representatives of the department of human services,  
4 youth advocates, public defenders where appropriate,  
5 the judicial department, county officials or staff,  
6 and service providers. A district planning group  
7 shall meet at least quarterly and shall perform all of  
8 the following activities:

9 a. Establish service priorities for spending the  
10 court-ordered services funds allocated to the  
11 district.

12 b. Develop procedures to evaluate and improve the  
13 quality and effectiveness of the services being  
14 provided.

15 c. Make recommendations concerning changes in the  
16 child welfare system that are needed to ensure that  
17 children and families receive the services necessary  
18 to meet their unique needs.

19 d. Make efforts to ensure quality services are  
20 provided at a reasonable cost.

21 e. Consider billings submitted for payment under  
22 this section to ensure that no other payment source is  
23 available.

24 Each district planning group shall submit an annual  
25 report to the state court administrator and the  
26 department of human services. The administrator and  
27 the department shall compile these reports and submit  
28 the reports to the chairpersons and ranking members of  
29 the joint human services appropriations subcommittee  
30 and the legislative fiscal bureau.

31 5. On or before June 15, 1991, the department of  
32 human services shall develop policies and procedures  
33 to ensure that the funds appropriated in this section  
34 are spent only after all reasonable efforts have been  
35 made to utilize other funding sources and community-  
36 based services. The policies and procedures shall be  
37 designed to achieve the following objectives relating  
38 to services provided under chapter 232:

39 a. Maximize the utilization of funds which may be  
40 available from the medical assistance program  
41 including usage of the early preventive, screening,  
42 diagnosis, and treatment (EPSDT) program.

43 b. Recover payments from any third-party insurance  
44 coverage which is liable for coverage of the services,  
45 including health insurance coverage.

46 c. Pursue development of agreements with regularly  
47 utilized out-of-state service providers which are  
48 intended to reduce per diem costs.

49 6. The department of human services, in  
50 consultation with the state court administrator and

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1 the judicial district planning groups, shall compile a  
2 monthly report describing spending in the districts  
3 for court-ordered services for juveniles, including  
4 the utilization of the medical assistance program.  
5 The reports shall be submitted on or before the  
6 twentieth day of each month to the chairpersons and  
7 ranking members of the joint human services  
8 appropriations subcommittee and the legislative fiscal  
9 bureau.

10 7. Notwithstanding chapter 232 or any other  
11 provision of law, a district or juvenile court in a  
12 department of human services district shall not order  
13 any service which is a charge upon the state pursuant  
14 to section 232.141 if there are insufficient funds  
15 available in the district allocation to pay for the  
16 service. The chief juvenile court officer shall work  
17 with the district planning group to encourage use of  
18 the funds appropriated in this section such that there  
19 are sufficient funds during the entire year. The  
20 eight chief juvenile court officers shall attempt to  
21 anticipate potential surpluses and shortfalls in the  
22 allocations and shall cooperatively transfer funds  
23 between the districts' allocations as prudent.

24 8. Notwithstanding any provision of law, a  
25 district or juvenile court shall not order a county to  
26 pay for any service provided to a juvenile pursuant to  
27 an order entered under chapter 232 which is a charge  
28 upon the state under section 232.141.

29 9. As a condition, limitation, and qualification  
30 of the funds appropriated in this section, and  
31 notwithstanding any provision of law to the contrary,  
32 \$50,000 of the funds appropriated in this section may  
33 be used by the department for the administration of  
34 the programs and services provided pursuant to orders  
35 entered under chapter 232, as a supplement to funds  
36 provided in other appropriations. The department  
37 shall cooperate with the legislative fiscal bureau in  
38 developing a management information system for  
39 spending for services ordered under chapter 232.

40 10. As a condition, limitation, and qualification  
41 of the funds appropriated in this section, up to  
42 \$202,000 of the funds appropriated in this section may  
43 be used by the judicial department for administration  
44 of the requirements under this section and for travel  
45 associated with court-ordered placements which are a  
46 charge upon the state pursuant to section 232.141,  
47 subsection 4.

48 11. The department of human services may adopt  
49 emergency rules to implement the provisions of this  
50 section.

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1 Sec. 119. IOWA VETERANS HOME. There is  
 2 appropriated from the general fund of the state to the  
 3 department of human services for the fiscal year  
 4 beginning July 1, 1991, and ending June 30, 1992, the  
 5 following amount, or so much thereof as is necessary,  
 6 to be used for the purposes designated:

7 For operation of the Iowa veterans home, including  
 8 salaries, support, maintenance, miscellaneous  
 9 purposes, and for not more than the following full-  
 10 time equivalent positions:  
 11 ..... \$ 29,722,461  
 12 ..... FTEs 828.80

13 Of the moneys appropriated in this section,  
 14 \$200,000 shall be used for 10 additional beds and for  
 15 the salaries and support of 7.00 FTEs.

16 The department may use the gifts accepted by the  
 17 director of human services pursuant to section 218.96  
 18 and other resources available to the department for  
 19 use at the Iowa veterans home for purposes identified  
 20 by the department.

21 Sec. 120. MENTAL HEALTH INSTITUTES. There is  
 22 appropriated from the general fund of the state to the  
 23 department of human services for the fiscal year  
 24 beginning July 1, 1991, and ending June 30, 1992, the  
 25 following amounts, or so much thereof as is necessary,  
 26 to be used for the purposes designated:

27 For the state mental health institutes for  
 28 salaries, support, maintenance, miscellaneous  
 29 purposes, and for not more than the following full-  
 30 time equivalent positions:  
 31 1. State mental health institute at Cherokee:  
 32 ..... \$ 14,928,541  
 33 ..... FTEs 389.75  
 34 2. State mental health institute at Clarinda:  
 35 ..... \$ 6,575,503  
 36 ..... FTEs 160.61

37 Effective July 1, 1991, the long-term substance  
 38 abuse beds in the state mental health institute at  
 39 Clarinda shall be closed.

40 3. State mental health institute at Independence:  
 41 ..... \$ 16,005,884  
 42 ..... FTEs 436.27

43 4. State mental health institute at Mount  
 44 Pleasant:  
 45 ..... \$ 9,260,073  
 46 ..... FTEs 211.50

47 Sec. 121. HOSPITAL-SCHOOLS. There is appropriated  
 48 from the general fund of the state to the department  
 49 of human services for the fiscal year beginning July  
 50 1, 1991, and ending June 30, 1992, the following

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1 amounts, or so much thereof as is necessary, to be  
2 used for the purposes designated:

3 For the state hospital-schools, for salaries,  
4 support, maintenance, miscellaneous purposes, and for  
5 not more than the following full-time equivalent  
6 positions:

7 1. State hospital-school at Glenwood:  
8 ..... \$ 39,142,956  
9 ..... FTEs 1,157.00

10 2. State hospital-school at Woodward:  
11 ..... \$ 32,054,985  
12 ..... FTEs 931.85

13 Sec. 122. MENTAL HEALTH AND MENTAL RETARDATION  
14 SERVICES FUND. There is appropriated from the general  
15 fund of the state to the state community mental health  
16 and mental retardation services fund established in  
17 section 225C.7 for the fiscal year beginning July 1,  
18 1991, and ending June 30, 1992, the following amount,  
19 or so much thereof as is necessary:

20 ..... \$ 2,000,000

21 1. Notwithstanding 1990 Iowa Acts, chapter 1250,  
22 section 18, \$1,200,000 of the funds appropriated to  
23 the special mental health services fund established in  
24 that section shall be transferred to the state  
25 community mental health and mental retardation  
26 services fund established in section 225C.7 and shall  
27 be used in addition to the funds appropriated in this  
28 section for the purposes designated. The amount  
29 transferred pursuant to this section and section 123  
30 of this Act shall not be subject to the formula  
31 provided in 1990 Iowa Acts, chapter 1250, section 18,  
32 subsection 4.

33 2. Notwithstanding section 225C.7 and any other  
34 provision of chapter 225C or other provision of law,  
35 the state community mental health and mental  
36 retardation services fund shall not be divided into  
37 two parts but shall be distributed only as provided in  
38 chapter 225C for the general allocation.

39 Sec. 123. ENHANCED SERVICES -- COUNTY PAYMENT.  
40 Notwithstanding 1990 Iowa Acts, chapter 1250, section  
41 18, \$2,360,000 of the funds appropriated to the  
42 special mental health services fund established in  
43 that section, or so much thereof as is necessary,  
44 shall be transferred to supplement the appropriation  
45 in section 127 of this Act for the state candidate  
46 services fund for the purpose of providing funds to  
47 counties pursuant to section 127, subsection 5. The  
48 amount transferred pursuant to this section and  
49 section 122 of this Act shall not be subject to the  
50 formula provided in 1990 Iowa Acts, chapter 1250,

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1 section 18, subsection 4.  
 2 Sec. 124. MENTAL HEALTH -- MENTAL RETARDATION --  
 3 DEVELOPMENTAL DISABILITIES SPECIAL SERVICES. There is  
 4 appropriated from the general fund of the state to the  
 5 department of human services for the fiscal year  
 6 beginning July 1, 1991, and ending June 30, 1992, the  
 7 following amount, or so much thereof as is necessary,  
 8 to be used for the purpose designated:  
 9 For mental health, mental retardation, and  
 10 developmental disabilities special services:  
 11 ..... \$ 382,500

12 1. The department and the Iowa finance authority  
 13 shall develop methods to implement the financing for  
 14 existing community-based facilities and to implement  
 15 financing for small community-based facilities,  
 16 including those facilities which may be developed  
 17 under a federally approved home and community-based  
 18 waiver for services provided under the medical  
 19 assistance program. The department shall develop  
 20 criteria for these facilities which may include  
 21 provisions to restrict placements to current state  
 22 hospital-school clients or to avert the placement of  
 23 persons in a state hospital-school. The department  
 24 shall assure that clients are referred to these  
 25 facilities upon their development.

26 2. Of the funds appropriated in this section,  
 27 \$257,219 is allocated to provide supplemental per  
 28 diems to community-based residential care facilities  
 29 and community living arrangements. The per diem is  
 30 restricted to clients placed from the state hospital-  
 31 schools and persons averted from placement in a state  
 32 hospital-school who meet the appropriate level of  
 33 functioning for this type of care.

34 3. Of the funds appropriated in this section,  
 35 \$125,281 is allocated to provide funds for  
 36 construction and start-up costs to develop community  
 37 living arrangements to provide for persons who are  
 38 mentally ill and homeless. These funds may be used to  
 39 match federal Stewart B. McKinney Homeless Assistance  
 40 Act grant funds.

41 4. As a condition, limitation, and qualification  
 42 of the funds appropriated in this section, the  
 43 department shall adopt rules pursuant to chapter 17A  
 44 providing for reimbursement under state supplementary  
 45 assistance to pay for supervised apartment living and  
 46 cooperative housing arrangements for persons with  
 47 disabilities. The rules shall take effect July 1,  
 48 1992.

49 Sec. 125. FAMILY SUPPORT SUBSIDY PROGRAM. There  
 50 is appropriated from the general fund of the state to

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1 the department of human services for the fiscal year  
2 beginning July 1, 1991, and ending June 30, 1992, the  
3 following amount, or so much thereof as is necessary,  
4 to be used for the purpose designated:

5 For the family support subsidy program:  
6 ..... \$ 621,860

7 Sec. 126. SPECIAL NEEDS GRANTS. There is  
8 appropriated from the general fund of the state to the  
9 department of human services for the fiscal year  
10 beginning July 1, 1991, and ending June 30, 1992, the  
11 following amount, or so much thereof as is necessary,  
12 to be used for the purpose designated:

13 To provide special needs grants to families with a  
14 family member at home who has a developmental  
15 disability or to a person with a developmental  
16 disability:  
17 ..... \$ 55,000

18 Grants must be used by a family to defray special  
19 costs of caring for the family member to prevent out-  
20 of-home placement of the family member or to provide  
21 for independent living costs. A grant may provide up  
22 to \$5,000 per person for costs associated with an  
23 assistive animal. The grants may be administered by a  
24 private nonprofit agency which serves people statewide  
25 provided that no administrative costs are received by  
26 the agency. Regular reports regarding coordination of  
27 the special needs grants with the family support  
28 subsidy program shall be provided to the legislative  
29 fiscal bureau.

30 Sec. 127. ENHANCED MENTAL HEALTH -- MENTAL  
31 RETARDATION -- DEVELOPMENTAL DISABILITIES SERVICES.  
32 There is appropriated from the general fund of the  
33 state to the department of human services for the  
34 fiscal year beginning July 1, 1991, and ending June  
35 30, 1992, the following amount, or so much thereof as  
36 is necessary, to be used for the purpose designated:

37 For the state candidate services fund:  
38 ..... \$ 2,545,911

39 1. The enhanced mental health, mental retardation,  
40 and developmental disabilities services plan oversight  
41 committee is continued, as established under 1988 Iowa  
42 Acts, chapter 1276, section 14, subsection 1, for the  
43 fiscal year which begins July 1, 1991, and ends June  
44 30, 1992. The oversight committee shall issue a final  
45 decision regarding any issue of disagreement between a  
46 county and the department relating to expenditures for  
47 candidate services or the county's maintenance of  
48 effort.

49 2. For purposes of this section, "candidate  
50 services" means day treatment, partial

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1 hospitalization, and case management.

2 3. a. The county of legal settlement shall be  
3 billed for 50 percent of the nonfederal share of the  
4 cost of case management provided to adults, day  
5 treatment, and partial hospitalization provided under  
6 the medical assistance program for persons with mental  
7 retardation, a developmental disability, or chronic  
8 mental illness.

9 b. If the department has contracted with a county  
10 or a consortium of counties to be the provider of case  
11 management services, the department is responsible for  
12 any costs included within the unit rate for case  
13 management services which are disallowed for  
14 reimbursement pursuant to Title XIX of the federal  
15 Social Security Act by the federal health care  
16 financing administration. The department shall use  
17 funds appropriated under this section to credit a  
18 county for the county's share of any amounts overpaid  
19 due to the disallowed costs. If certain costs are  
20 disallowed due to requirements or preferences of a  
21 particular county in the provision of case management  
22 services the county shall not receive credit for the  
23 amount of the costs.

24 4. A county is responsible to continue to expend  
25 at least the agreed upon amount expended for services  
26 in the fiscal year which ended June 30, 1987, for the  
27 fiscal year beginning July 1, 1991, for services to  
28 persons with mental retardation, a developmental  
29 disability, or chronic mental illness.  
30 Notwithstanding section 8.33, if a county does not  
31 expend the agreed upon amount in the fiscal year, the  
32 balance not expended shall not revert to the general  
33 fund of the county, but shall be carried over to the  
34 next fiscal year to be expended for the provision of  
35 services to persons with mental retardation, a  
36 developmental disability, or mental illness including,  
37 but not limited to, the chronically mentally ill, and  
38 shall be used as additional funds. The additional  
39 funds shall be used, to the greatest extent possible,  
40 to meet unmet needs of persons with mental  
41 retardation, a developmental disability, or mental  
42 illness. This subsection does not relieve the county  
43 from any other funding obligations required by law,  
44 including but not limited to the obligations in  
45 section 222.60.

46 5. The department, in conjunction with the  
47 oversight committee, and with the agreement of each  
48 county, shall establish the actual amount expended for  
49 each candidate service for persons with mental  
50 retardation, a developmental disability, or chronic



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1 mental illness in the fiscal year which ended June 30,  
2 1987, and this amount shall be deemed each county's  
3 base year expenditure for the candidate service. A  
4 disagreement between the department and a county as to  
5 the actual amount expended shall be decided by the  
6 oversight committee.

7 The department, in conjunction with the oversight  
8 committee, and with the agreement of each county,  
9 shall determine the expenditures in the fiscal year  
10 beginning July 1, 1990, by each county for the  
11 candidate services, including the amount the county  
12 contributes under subsection 3. If the expenditures  
13 in the fiscal year beginning July 1, 1990, exceed the  
14 base year expenditures for candidate services, then  
15 the county shall receive from the funds appropriated  
16 under this section the least amount of the following:

17 a. The difference between the total expenditures  
18 for the candidate services in the fiscal year  
19 beginning July 1, 1990, and the base year  
20 expenditures.

21 b. The amount expended by the county under  
22 subsection 3.

23 c. The amount by which total expenditures for  
24 persons with mental retardation, a developmental  
25 disability, or chronic mental illness for the fiscal  
26 year beginning July 1, 1990, less any carryover amount  
27 from the fiscal year which began July 1, 1989, exceed  
28 the maintenance of effort expenditures under  
29 subsection 4.

30 6. Notwithstanding section 225C.20, case  
31 management services shall be provided by the  
32 department except when a county or a consortium of  
33 counties contracts with the department to provide the  
34 services. A county or consortium of counties may  
35 contract to be the provider at any time and the  
36 department shall agree to the contract so long as the  
37 contract meets the standards for case management  
38 adopted by the department. The county or consortium  
39 of counties may subcontract for the provision of case  
40 management services if the subcontract meets the same  
41 standards. A mental health, mental retardation, and  
42 developmental disabilities coordinating board may  
43 change the provider of individual case management  
44 services at any time. If the current or proposed  
45 contract is with the department, the coordinating  
46 board shall provide written notification of a proposed  
47 change to the department on or before August 15 and  
48 written notification of an approved change on or  
49 before October 15 in the fiscal year which precedes  
50 the fiscal year in which the change will take effect.

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1 7. This section does not relieve the county from  
2 any other funding obligations required by law,  
3 including but not limited to the obligations in  
4 section 222.60.

5 8. Nothing in this Act is intended by the general  
6 assembly to be the provision of a fair and equitable  
7 funding formula specified in 1985 Iowa Acts, chapter  
8 249, section 9. Nothing in this Act shall be  
9 construed as, is intended as, or shall imply a claim  
10 of entitlement to any programs or services specified  
11 in section 225C.28.

12 9. For the purposes of this section only, persons  
13 with organic mental disorders shall not be considered  
14 chronically mentally ill.

15 10. Where the department contracts with a county  
16 or consortium of counties to provide case management  
17 services, the state shall appear and defend the  
18 department's employees and agents acting in an  
19 official capacity on the department's behalf and the  
20 state shall indemnify the employees and agents for  
21 acts within the scope of their employment. The  
22 state's duties to defend and indemnify shall not apply  
23 if the conduct upon which any claim is based  
24 constitutes a willful and wanton act or omission or  
25 malfeasance in office.

26 Sec. 128. FIELD OPERATIONS. There is appropriated  
27 from the general fund of the state to the department  
28 of human services for the fiscal year beginning July  
29 1, 1991, and ending June 30, 1992, the following  
30 amount, or so much thereof as is necessary, to be used  
31 for the purposes designated:

32 For field operations, including salaries, support,  
33 maintenance, miscellaneous purposes, and for not more  
34 than the following full-time equivalent positions:

35 .....	\$ 43,527,950
36 .....	FTEs 2,310.50

37 1. Staff who are designated as "Title XIX case  
38 management staff" are considered to be in addition to  
39 the limit for full-time equivalent positions and the  
40 funds appropriated for field operations. As a  
41 condition, limitation, and qualification of the funds  
42 appropriated in this section, the department shall  
43 report quarterly to the chairpersons and ranking  
44 members of the legislative fiscal committee of the  
45 legislative council, the members of the joint human  
46 services appropriations subcommittee, and the  
47 legislative fiscal bureau regarding the total number  
48 of Title XIX case management staff positions filled,  
49 including the number of positions which were filled by  
50 persons who were already employed by the department in

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1 another capacity.

2 2. As a condition, limitation, and qualification  
3 of the funds appropriated in this section, upon the  
4 request of a county, the department shall work with  
5 the county to develop a funding plan for persons with  
6 mental retardation, a developmental disability, or  
7 chronic mental illness who are not eligible to receive  
8 case management provided under the medical assistance  
9 program and are receiving service management. With an  
10 agreed upon funding plan, the department is authorized  
11 to combine state funds that would otherwise be  
12 expended on service management with county funds to  
13 upgrade services provided to the persons from service  
14 management to case management. Staff required to  
15 implement this subsection are not subject to the  
16 limitations on full-time equivalent positions and  
17 funds appropriated for field operations.

18 3. As a condition, limitation, and qualification  
19 of the funds appropriated in this section, if the  
20 field operations staffing level meets the funded full-  
21 time equivalent position limit authorized in this  
22 section and a district identifies a critical position  
23 vacancy or a position with a caseweight factor greater  
24 than 120 percent of the budgeted caseweight factor for  
25 the position, the director of human services may  
26 exceed the full-time equivalent position limit  
27 authorized under this section in the amount necessary  
28 to fill the critical position vacancy or to reduce the  
29 caseweight factor to the budgeted level. For purposes  
30 of this subsection, "critical position vacancy"  
31 includes a clerical position in an office limited to a  
32 single clerical staff position. The budgeted  
33 caseweight factor for the fiscal year beginning July  
34 1, 1991, and ending June 30, 1992, is 196 for income  
35 maintenance workers and 191 for service workers. If  
36 the department is able to increase federal financial  
37 participation relating to field operations, the moneys  
38 shall be used to reduce budgeted caseweight factor  
39 funded by the appropriation in this section for income  
40 maintenance and service workers. In addition, if the  
41 field operations staffing level meets the funded full-  
42 time equivalent position limit authorized in this  
43 section and there is a critical position vacancy in  
44 the state or the statewide average caseweight factor  
45 for a particular type of position exceeds 105 percent  
46 of the budgeted caseweight factor for that type of  
47 position, the director of human services may exceed  
48 the full-time equivalent position limit authorized in  
49 this section in an amount necessary to fill the  
50 critical position vacancy or to reduce the caseweight

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1 factor to the budgeted level. The department shall  
2 report monthly to the chairpersons and ranking members  
3 of the joint human services appropriations  
4 subcommittee and to the legislative fiscal bureau  
5 regarding caseweight factor computations in each  
6 district, the statewide average caseweight factor, the  
7 existence of a critical position vacancy in any  
8 district, and action taken by the department to  
9 address any critical position vacancy problem or  
10 excess caseweight factor.

11 4. Notwithstanding the full-time equivalent  
12 position limit authorized in this section, a county  
13 implementing a decategorization project, consistent  
14 with the county's decategorization plan, may modify  
15 the staffing level in the county's human services  
16 office and the modification shall not affect other  
17 county or district human services staffing levels and  
18 shall not be considered to be subject to the full-time  
19 equivalent position limit in this section.

20 5. As a condition, limitation, and qualification  
21 of the funds appropriated in this section, the  
22 department shall review the current field operations  
23 service delivery system structure. Within the funds  
24 budgeted and full-time equivalent positions authorized  
25 under this appropriation, the department shall make  
26 changes necessary to improve the system's  
27 administrative efficiency and effectiveness and to  
28 streamline these functions. Emphasis shall be placed  
29 upon increasing the program support, training, and  
30 supervision of staff who work directly with clients.

31 6. As a condition, limitation, and qualification  
32 of the funds appropriated in this section, the  
33 department, in consultation with the child development  
34 coordinating council and the family development and  
35 self-sufficiency council, shall develop a proposal for  
36 submission to the federal family support  
37 administration for a state family resource and support  
38 program grant under the federal Family Resource and  
39 Support Act of 1990, H.R. 4151, § 946. The department  
40 may also apply for a planning grant under that Act.  
41 In making application, the department shall build upon  
42 existing effective programs in Iowa provided through  
43 the child development coordinating council, the family  
44 development and self-sufficiency council, adolescent  
45 pregnancy prevention grants, and child abuse pre-  
46 vention grants.

47 7. As a condition, limitation, and qualification  
48 of the funds appropriated in this section, the  
49 department shall consolidate into a single report the  
50 cost reports used by service providers for

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1 reimbursement under the state supplementary assistance  
2 program and for reimbursement of purchase of service  
3 contracts under the social services block grant. This  
4 consolidation shall be completed on or before October  
5 1, 1991.

6 Sec. 129. GENERAL ADMINISTRATION. There is  
7 appropriated from the general fund of the state to the  
8 department of human services for the fiscal year  
9 beginning July 1, 1991, and ending June 30, 1992, the  
10 following amount, or so much thereof as is necessary,  
11 to be used for the purposes designated:

12 For general administration, including salaries,  
13 support, maintenance, miscellaneous purposes, and for  
14 not more than the following full-time equivalent  
15 positions:

16 ..... \$ 9,256,818  
17 ..... FTEs 354.45

18 1. Full-time equivalent positions which are funded  
19 entirely with federal, public, or private grants are  
20 exempt from the limits on the number of full-time  
21 equivalent positions provided in this section, but are  
22 approved only for the period of time for which the  
23 federal funds or grants are available for the  
24 position.

25 2. As a condition, limitation, and qualification  
26 of the funds appropriated in this section, if a state  
27 institution administered by the department is to be  
28 closed or reduced in size, prior to the closing or  
29 reduction the department shall initiate and coordinate  
30 efforts in cooperation with the Iowa department of  
31 economic development to develop new jobs in the area  
32 in which the state institution is located.

33 3. As a condition, limitation, and qualification  
34 of the funds appropriated in this section, the  
35 department shall seek federal approval of home and  
36 community-based waivers for services provided under  
37 medical assistance to persons with mental retardation,  
38 mental illness, or developmental disabilities and  
39 effective February 1, 1992, contingent upon federal  
40 approval of the waivers, the department shall take all  
41 measures necessary to implement the waivers,  
42 including, but not limited to, filling not more than  
43 12 employee positions to perform duties as necessary  
44 to implement the waivers. The department shall fill  
45 the positions in a manner which results in the  
46 positions being equivalent to 4.00 FTEs for the fiscal  
47 year, however, the positions shall be annualized for  
48 the purposes of establishing the number of full-time  
49 equivalent positions in this appropriation for the  
50 fiscal year.

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1 4. As a condition, limitation, and qualification  
 2 of the funds appropriated in this section, \$30,000  
 3 shall be transferred to the governor's planning  
 4 council for developmental disabilities for use in  
 5 contracting to continue operating a computerized  
 6 information and referral project for Iowans with  
 7 developmental disabilities and their families.

8 5. As a condition, limitation, and qualification  
 9 of the funds appropriated in this section, the  
 10 department shall apply to the Robert Wood Johnson  
 11 foundation for a grant to investigate the feasibility  
 12 of establishing a system with a single state authority  
 13 and regional subauthorities for the planning, funding,  
 14 and administration of services for persons with mental  
 15 illness. The application process shall be coordinated  
 16 with the requirements of the federal Mental Health  
 17 Planning Act, Pub. L. No. 99-660 and federal mental  
 18 health law amendments enacted in 1990. The department  
 19 shall work with legislators, advocacy groups, county  
 20 representatives, and service providers as necessary in  
 21 developing the grant application.

22 6. As a condition, limitation, and qualification  
 23 of the funds appropriated in this section, \$69,145 and  
 24 1.5 FTEs of the moneys appropriated and positions  
 25 authorized in this section shall be used to implement  
 26 section 217.9A, establishing the commission on  
 27 children, youth, and families in the department  
 28 pursuant to Senate File 479, if enacted by the  
 29 Seventy-fourth General Assembly, 1991 Session.

30 Sec. 130. VOLUNTEERS. There is appropriated from  
 31 the general fund of the state to the department of  
 32 human services for the fiscal year beginning July 1,  
 33 1991, and ending June 30, 1992, the following amount,  
 34 or so much thereof as is necessary, to be used for the  
 35 purpose designated:

36 For development and coordination of volunteer  
 37 services:

38 ..... \$ 93,283

39 Sec. 131. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY  
 40 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED  
 41 UNDER THE DEPARTMENT OF HUMAN SERVICES.

42 1. a. For the fiscal year beginning July 1, 1991,  
 43 the following providers shall not have their medical  
 44 assistance reimbursement rates increased over the  
 45 rates in effect on June 30, 1991: providers of  
 46 waived services under the home and community-based  
 47 programs, optometrists for service fees only,  
 48 opticians for service fees only, podiatrists,  
 49 dentists, chiropractors, physical therapists, birthing  
 50 centers, ambulance services, independent laboratories,

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1 area education agencies, clinics, audiologists,  
2 rehabilitation agencies, community mental health  
3 centers, family planning clinics, psychologists,  
4 hearing aid dealers, orthopedic shoe dealers,  
5 ambulatory surgery centers, and genetic counseling  
6 clinics. Reimbursement for optometric products shall  
7 not be increased. The department of human services  
8 may utilize flexibility in allocating the increase for  
9 durable medical products and supplies so that  
10 equipment and supplies which have greater wholesale  
11 cost increases may be reimbursed at a higher rate and  
12 those which have a lower or no wholesale cost increase  
13 may be reimbursed at a lower rate or have no increase.  
14 Reimbursement rates for physicians and certified  
15 registered nurse anesthetists shall not be increased.  
16 Reimbursement rates for maternal health centers and  
17 pediatric services shall not be increased.

18 b. For the fiscal year beginning July 1, 1991, the  
19 following shall have their medical assistance  
20 reimbursement rates established at the rates in effect  
21 on February 28, 1991: psychiatric medical  
22 institutions for children, early preventive screening,  
23 diagnosis, and treatment providers, providers of  
24 obstetric services when provided by physicians or  
25 certified midwives, and durable medical products and  
26 supplies.

27 c. The department shall provide a differential per  
28 diem reimbursement rate to a psychiatric medical  
29 institution for children for short-term treatment or  
30 diagnosis services provided within a segregated unit  
31 of the institution. The differential per diem  
32 reimbursement rate shall not exceed 120 percent of the  
33 per diem rate authorized in this section for  
34 psychiatric medical institutions for children.

35 d. The dispensing fee for pharmacists shall remain  
36 at the rate in effect on June 30, 1991. The  
37 department shall adjust the average wholesale price of  
38 drug product costs in accordance with federal  
39 regulations. Dispensing fees for pharmacists shall be  
40 further adjusted to reflect the adjustment to the  
41 average wholesale price of drug product costs. Total  
42 adjustments to reimbursements for prescription drugs  
43 shall remain within funds appropriated.

44 e. Effective July 1, 1991, reimbursement rates to  
45 hospitals shall not be increased over the rates in  
46 effect on June 30, 1991.

47 f. Reimbursement rates for rural health clinics  
48 shall be increased in accordance with increases under  
49 the federal medicare program.

50 g. Home health agencies certified for the medical

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1 assistance program, hospice services, and acute care  
2 mental hospitals shall be reimbursed for their current  
3 federal medicare audited costs.

4 h. Effective July 1, 1991, the basis for  
5 establishing the maximum medical assistance  
6 reimbursement rate for nursing facilities shall be the  
7 70th percentile of facility costs as calculated from  
8 the June 30, 1991, unaudited compilation of cost and  
9 statistical data. However, to the extent funds are  
10 available under the allocation for reimbursement of  
11 nursing facilities within the appropriation for  
12 medical assistance in this Act, the basis shall be  
13 increased to not more than the 74th percentile of  
14 facility costs as calculated from the same data.

15 i. Effective July 1, 1991, the amount provided  
16 under the medical assistance program to nursing  
17 facilities during the fiscal year ending June 30,  
18 1991, in addition to the approved per diem rate,  
19 pursuant to 1990 Iowa Acts, chapter 1270, section 31,  
20 subsection 1, paragraph "e", subparagraph (1), shall  
21 no longer be provided.

22 2. For the fiscal year beginning July 1, 1991, the  
23 maximum cost reimbursement rate for residential care  
24 facilities reimbursed by the department shall be  
25 \$19.62 per day. The flat reimbursement rate for  
26 facilities electing not to file semiannual cost  
27 reports shall be \$14.03 per day.

28 3. For services provided by social services  
29 providers reimbursed by the department in the fiscal  
30 year beginning July 1, 1991, rates shall be increased  
31 by 2 percent over the unreduced rates in effect on  
32 June 30, 1991. However, any increase provided under  
33 this subsection shall not cause the provider's  
34 reimbursement rate to exceed the provider's actual and  
35 allowable cost plus the inflationary factor authorized  
36 under this section.

37 4. Notwithstanding the provisions of subsection 3,  
38 the department may implement revisions of the  
39 methodology for purchasing group foster care services  
40 to establish rates for group foster care services  
41 based on the study of these issues funded by the  
42 general assembly in the fiscal year which began July  
43 1, 1989, provided the overall budget amount for the  
44 expenditures is not exceeded and the revisions of the  
45 methodology are agreed to by the affected service  
46 providers.

47 5. In determining reimbursement rates for  
48 facilities reimbursed under this division, including  
49 but not limited to foster care providers, residential  
50 care facilities, nursing facilities, and community



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1 living arrangements, the department shall not include  
2 private moneys contributed to the facility in its  
3 determination.

4 6. If the department's reimbursement methodology  
5 for any provider reimbursed in accordance with this  
6 section includes an inflation factor, this factor  
7 shall not exceed the amount by which the consumer  
8 price index increased during the calendar year ending  
9 December 31, 1990.

10 7. The department may adopt emergency rates to  
11 implement the provisions of this section except for  
12 subsection 5 for which the department shall adopt  
13 nonemergency rules pursuant to chapter 17A.

14 Sec. 132. ASSISTANCE TO GAMBLERS. There is  
15 appropriated from the general fund of the state to the  
16 department of human services for the fiscal year  
17 beginning July 1, 1991, and ending June 30, 1992, the  
18 following amount, or so much thereof as is necessary,  
19 to be used for the purpose designated:

20 For the gamblers assistance program, including  
21 salaries, support, maintenance, miscellaneous  
22 purposes, and for not more than the following full-  
23 time equivalent positions:

24 .....	\$	400,000
25 .....	FTEs	3.00

26 The Iowa lottery board and the state racing and  
27 gaming commission shall cooperate with the gamblers  
28 assistance program to incorporate information  
29 regarding the gamblers assistance program and its  
30 toll-free telephone number in printed materials  
31 distributed. The commission may require licensees to  
32 have the information available in a conspicuous place  
33 as a condition of licensure.

34 Sec. 133. REQUIREMENTS RELATING TO PERSONS WITH  
35 DISABILITIES. Subject to the limitations of the  
36 appropriations in this Act for the state mental health  
37 institutes and for the state hospital-schools, the  
38 department of human services shall modify staffing  
39 structures at the state hospital-schools and the state  
40 mental health institutes consistent with accreditation  
41 and certification requirements and the findings of the  
42 study on staffing commissioned by the general assembly  
43 in order to improve the level of direct staffing,  
44 reduce or simplify the levels of organizational  
45 authority where appropriate, and reduce the use of  
46 overtime. If, after review of the study  
47 recommendations, the department of human services  
48 decides to establish the position of "human resource  
49 specialist" at the state hospital-schools, the  
50 positions shall be established within the department

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1 of personnel and the department of human services may  
2 transfer to the department of personnel the associated  
3 full-time equivalent positions and moneys equal to the  
4 salary costs for the positions. The maintenance of  
5 sufficient direct care staff to assure worker and  
6 patient safety is of highest priority. The department  
7 shall work with all levels of affected employees in  
8 carrying out this staff restructuring. The department  
9 shall work to assure that vacant positions in direct  
10 care are filled promptly and expeditiously.

11 Sec. 134. FULL-TIME EQUIVALENT LIMIT NOTIFICATION.

12 The Iowa veterans home, the state mental health  
13 institutes, and the state hospital-schools may exceed  
14 the number of full-time equivalent positions  
15 authorized in this division if the additional  
16 positions are specifically related to licensing,  
17 certification, or accreditation standards or  
18 citations. The department shall notify the co-  
19 chairpersons and ranking members of the joint human  
20 services appropriations subcommittee and the  
21 legislative fiscal bureau if the specified number is  
22 exceeded. The notification shall include an estimate  
23 of the number of full-time equivalent positions added  
24 and the fiscal effect of the addition.

25 Sec. 135. COMPUTERIZATION -- ASSESSMENT OF

26 FINANCIAL IMPACT. In order to assess the financial  
27 impact of computerizing functions within the  
28 department of human services, the department of  
29 general services, information services division, shall  
30 monitor the utilization of the central processing unit  
31 resources maintained by the division, and shall  
32 provide quarterly reports to the legislative fiscal  
33 committee of the legislative council and the  
34 legislative fiscal bureau. The quarterly reports  
35 shall contain an analysis of the central processing  
36 unit resources utilized by the department of human  
37 services by each computerized application within the  
38 department. The reports shall also contain  
39 information on computerized applications which are  
40 under development, and shall project the central  
41 processing unit utilization which will occur in 6, 12,  
42 18, and 24 months. The reports shall be designed to  
43 enable the legislative fiscal committee and the  
44 legislative fiscal bureau to assess the fiscal impact  
45 of various computerized applications, with emphasis  
46 upon the need for the division to purchase additional  
47 computer hardware.

48 Sec. 136. Section 99E.10, subsection 1, paragraph  
49 a, Code 1991, is amended by adding the following new  
50 unnumbered paragraph:

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1 NEW UNNUMBERED PARAGRAPH. Notwithstanding the  
2 provisions of this lettered paragraph, directing that  
3 a portion of gross lottery revenues be deposited into  
4 the gamblers assistance fund or the provisions of  
5 section 99F.11 directing that a portion of the  
6 adjusted gross receipts under chapter 99F be deposited  
7 into the gamblers assistance fund, for the fiscal  
8 period beginning July 1, 1991, and ending June 30,  
9 1993, moneys that were to be deposited into the  
10 gamblers assistance fund pursuant to this lettered  
11 paragraph and section 99F.11, subsection 3, shall be  
12 deposited into the general fund of the state.

13 Sec. 137. Section 135C.2, subsection 5, paragraph  
14 b, Code 1991, is amended to read as follows:

15 b. A facility must be located in an area zoned for  
16 single or multiple-family housing or in an  
17 unincorporated area and must be constructed in  
18 compliance with applicable local housing codes and the  
19 rules adopted for the special classification by the  
20 state fire marshal in accordance with the concept of  
21 the least restrictive environment for the facility  
22 residents. The rules adopted by the state fire  
23 marshal for the special classification shall be no  
24 more restrictive than the rules adopted by the state  
25 fire marshal for demonstration waiver project  
26 facilities pursuant to 1986 Iowa Acts, chapter 1246,  
27 section 206, subsection 2. Local housing codes shall  
28 not be more restrictive than the rules adopted for the  
29 special classification by the state fire marshal and  
30 the state building code requirements for single or  
31 multiple-family housing.

32 Sec. 138. Section 230.11, Code 1991, is amended to  
33 read as follows:

34 230.11 RECOVERY OF COSTS FROM STATE.

35 Costs and expenses attending the taking into  
36 custody, care, and investigation of a person who has  
37 been admitted or committed ~~to a state hospital,~~  
38 ~~veterans-administration-hospital-or-other-agency-of~~  
39 ~~the-United-States-government,-for-the-mentally-ill~~  
40 under chapter 229 and who has no legal settlement in  
41 this state or whose legal settlement is unknown,  
42 including cost of commitment, if any, shall be paid  
43 out of any money in the state treasury not otherwise  
44 appropriated, on itemized vouchers executed by the  
45 auditor of the county which has paid them, and  
46 approved by the administrator.

47 Sec. \_\_\_\_\_. Section 230.12, Code 1991, is amended to  
48 read as follows:

49 230.12 ACTION TO DETERMINE LEGAL SETTLEMENT.

50 1. When a dispute arises between different

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1 counties or between the administrator and a county as  
2 to the legal settlement of a person admitted or  
3 committed to a state hospital for the mentally ill,  
4 the attorney general, at the request of the  
5 administrator, shall, without the advancement of fees,  
6 cause an action to be brought in the district court of  
7 any county where such dispute exists, to determine  
8 such the legal settlement. Said This action may be  
9 brought at any time when it appears that said the  
10 dispute cannot be amicably settled. All counties  
11 which may be the place of such the legal settlement,  
12 so far as known, shall be made defendants and the  
13 allegation of such the settlement may be in the  
14 alternative. Said The action shall be tried as in  
15 equity.

16 2. If the action involves a dispute between  
17 counties, the county determined to be the county of  
18 legal settlement shall reimburse a county for the  
19 amount of costs paid by that county on behalf of the  
20 person and for interest on this amount in accordance  
21 with section 535.3. In addition, the court may order  
22 the county determined to be the county of legal  
23 settlement to reimburse any other county involved in  
24 the dispute for the other county's reasonable legal  
25 costs related to the dispute and may tax the  
26 reasonable legal costs as court costs. The court may  
27 order the county determined to be the county of legal  
28 settlement to pay a penalty to the other county, in an  
29 amount which does not exceed twenty percent of the  
30 total amount of reimbursement and interest.

31 Sec. \_\_\_\_ . Section 237A.3, subsection 1, Code 1991,  
32 is amended to read as follows:

33 1. A person who operates or establishes a family  
34 day care home may apply to the department for  
35 registration under this chapter. The department shall  
36 issue a certificate of registration upon receipt of a  
37 statement from the family day care home that the home  
38 complies with rules adopted by the department. The  
39 registration certificate shall be posted in a  
40 conspicuous place in the family day care home, shall  
41 state the name of the registrant, the number of  
42 individuals who may be received for care at any one  
43 time, and the address of the home, and shall include a  
44 check list of registration compliances. No greater  
45 number of children than is authorized by the  
46 certificate shall be kept in the family day care home  
47 at any one time. However, a registered or  
48 unregistered family day care home may provide care for  
49 more than six but less than twelve children at any one  
50 time for a period of less than two hours, ~~but-shall~~

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1 ~~not-do-so-unless-the-home-does-not-provide-care-at-any~~  
2 ~~one-time-for-more-than~~ provided that each child in  
3 ~~excess of six children who-are-not-attending is~~  
4 attending school full-time on a regular basis. In  
5 determining the number of children cared for at any  
6 one time in a registered or unregistered family day  
7 care home, if the person who operates or establishes  
8 the home is a child's parent, guardian, relative, or  
9 custodian and the child is not attending school full-  
10 time on a regular basis, the child shall be considered  
11 to be receiving child day care from the person and  
12 shall be counted as one of the children cared for in  
13 the home. The registration process may be repeated on  
14 an annual basis. A child day care provider or program  
15 which is not a family day care home by reason of the  
16 definition of child day care in section 237A.1,  
17 subsection 7, but which provides care, supervision or  
18 guidance to a child may be issued a certificate of  
19 registration under this chapter.

20 Sec. \_\_\_\_ . NEW SECTION. 237A.27 CRISIS CHILD  
21 CARE.

22 The department shall establish a special child care  
23 registration or licensure classification for crisis  
24 child care which is provided on a temporary emergency  
25 basis to a child when there is reason to believe that  
26 the child may be subject to abuse or neglect. The  
27 special classification is not subject to the  
28 definitional restrictions of child day care in this  
29 chapter relating to the provision of child day care  
30 for a period of less than twenty-four hours per day on  
31 a regular basis. However, the provision of crisis  
32 child care shall be limited to a period of not more  
33 than seventy-two hours for a child during any single  
34 stay. A person providing crisis child care must be  
35 registered or licensed under this chapter and must be  
36 participating in the federal crisis nursery pilot  
37 project. The department shall adopt rules pursuant to  
38 chapter 17A to implement this section.

39 Sec. 139. EMERGENCY RULES. If specifically  
40 authorized by a provision of this division, the  
41 department of human services may adopt administrative  
42 rules under section 17A.4, subsection 2, and section  
43 17A.5, subsection 2, paragraph "b", to implement the  
44 provisions and the rules shall become effective  
45 immediately upon filing, unless a later effective date  
46 is specified in the rules. In addition, the  
47 department may adopt administrative rules in  
48 accordance with the provisions of this section as  
49 necessary to comply with federal requirements or to  
50 adjust to a change in the level of federal funding

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1 which affect refugee programs during the fiscal period  
2 beginning July 1, 1990, and ending June 30, 1992. Any  
3 rules adopted in accordance with the provisions of  
4 this section shall also be published as notice of  
5 intended action as provided in section 17A.4.

6 Sec. 140. EFFECTIVE DATE. Section 103,  
7 subsections 9 and 100, section 129, subsection 5, and  
8 section 139 of this division, being deemed of  
9 immediate importance, take effect upon enactment.

10 DIVISION II

11 DEPARTMENT OF EDUCATION

12 Sec. 201. There is appropriated from the general  
13 fund of the state to the department of education for  
14 the fiscal year beginning July 1, 1991, and ending  
15 June 30, 1992, the following amounts, or so much  
16 thereof as may be necessary, to be used for the  
17 purposes designated:

18 1. GENERAL ADMINISTRATION

19 For salaries, support, maintenance, miscellaneous  
20 purposes, and for not more than the following full-  
21 time equivalent positions:

22 .....	\$	5,507,266
23 .....	FTEs	137.25

24 2. CORRECTIONS EDUCATION PROGRAM

25 For educational programs at state penal  
26 institutions:

27 .....	\$	1,999,669
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28 As a condition, limitation, and qualification of  
29 the appropriation in this subsection, the utilization  
30 of educational technology in the prison education  
31 system shall be expanded and a tracking system shall  
32 be developed and implemented to provide information  
33 regarding the effects of recidivism and employment  
34 success.

35 Persons employed to provide instructional services  
36 under this paragraph who were previously employed  
37 through the department of corrections to provide  
38 instructional services to inmates under programs under  
39 the jurisdiction of the department of corrections  
40 shall be given credit for all unused sick leave that  
41 the persons accrued while employed through the  
42 department of corrections.

43 3. BOARD OF EDUCATIONAL EXAMINERS

44 For salaries, support, maintenance, miscellaneous  
45 purposes and for not more than the following full-time  
46 equivalent positions:

47 .....	\$	128,000
48 .....	FTEs	2.00

49 4. SCHOOL FOOD SERVICE

50 For use as state matching funds for federal

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1 programs which shall be disbursed according to federal  
 2 regulations, including salaries, support, maintenance,  
 3 miscellaneous purposes, and for not more than the  
 4 following full-time equivalent positions:  
 5 ..... \$ 3,056,205  
 6 ..... FTEs 14.00  
 7 5. TEXTBOOKS OF NONPUBLIC SCHOOL PUPILS  
 8 To provide funds for costs of providing textbooks  
 9 to each resident pupil who attends a nonpublic school  
 10 as authorized by section 301.1. The funding is  
 11 limited to \$20 per pupil and shall not exceed the  
 12 comparable services offered to resident public school  
 13 pupils:  
 14 ..... \$ 600,000  
 15 6. VOCATIONAL EDUCATION ADMINISTRATION  
 16 For salaries, support, maintenance, miscellaneous  
 17 purposes, and for not more than the following full-  
 18 time equivalent positions:  
 19 ..... \$ 923,149  
 20 ..... FTEs 39.60  
 21 7. VOCATIONAL REHABILITATION DIVISION  
 22 a. For salaries, support, maintenance,  
 23 miscellaneous purposes, and for not more than the  
 24 following full-time equivalent positions:  
 25 ..... \$ 3,680,000  
 26 ..... FTEs 319.50  
 27 b. For matching funds for programs to enable  
 28 severely physically or mentally disabled persons to  
 29 function more independently, including salaries and  
 30 support, and for not more than the following full-time  
 31 equivalent positions:  
 32 ..... \$ 21,303  
 33 ..... FTEs 1.50  
 34 8. COMMUNITY COLLEGES  
 35 Notwithstanding chapter 286A, for general state  
 36 financial aid to merged areas as defined in section  
 37 280A.2, for vocational education programs in  
 38 accordance with chapters 258 and 280A, to purchase  
 39 instructional equipment for vocational and technical  
 40 courses of instruction in community colleges, and for  
 41 salary increases:  
 42 ..... \$ 89,328,644  
 43 The funds appropriated in this subsection shall be  
 44 allocated as follows:  
 45 a. Merged Area I ..... \$ 4,159,797  
 46 b. Merged Area II ..... \$ 5,046,985  
 47 c. Merged Area III ..... \$ 4,882,802  
 48 d. Merged Area IV ..... \$ 2,293,272  
 49 e. Merged Area V ..... \$ 4,839,917  
 50 f. Merged Area VI ..... \$ 4,559,628

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1	g.	Merged Area VII	.....	\$	6,256,844
2	h.	Merged Area IX	.....	\$	7,860,684
3	i.	Merged Area X	.....	\$	12,157,506
4	j.	Merged Area XI	.....	\$	13,062,104
5	k.	Merged Area XII	.....	\$	5,154,945
6	l.	Merged Area XIII	.....	\$	5,308,611
7	m.	Merged Area XIV	.....	\$	2,346,713
8	n.	Merged Area XV	.....	\$	7,281,088
9	o.	Merged Area XVI	.....	\$	4,117,747

10 9. COMMUNITY COLLEGE PERSONAL PROPERTY TAX

11 REPLACEMENT

12 For general financial aid to merged areas in lieu  
13 of personal property tax replacement payments under  
14 section 427A.13:

15 ..... \$ 828,012

16 The funds appropriated in this subsection shall be  
17 allocated as follows:

18	a.	Merged Area I	.....	\$	65,152
19	b.	Merged Area II	.....	\$	50,567
20	c.	Merged Area III	.....	\$	33,891
21	d.	Merged Area IV	.....	\$	23,204
22	e.	Merged Area V	.....	\$	60,042
23	f.	Merged Area VI	.....	\$	34,514
24	g.	Merged Area VII	.....	\$	57,884
25	h.	Merged Area IX	.....	\$	69,103
26	i.	Merged Area X	.....	\$	97,180
27	j.	Merged Area XI	.....	\$	142,463
28	k.	Merged Area XII	.....	\$	46,200
29	l.	Merged Area XIII	.....	\$	40,972
30	m.	Merged Area XIV	.....	\$	20,826
31	n.	Merged Area XV	.....	\$	55,026
32	o.	Merged Area XVI	.....	\$	30,988

33 Sec. 202. There is appropriated from the general  
34 fund of the state to the department of education for  
35 the fiscal year beginning July 1, 1992, and ending  
36 June 30, 1993, the following amounts, or so much  
37 thereof as is necessary, to be used for the purposes  
38 designated:

39 1. Notwithstanding chapter 286A for state  
40 financial aid to merged areas to be accrued as income  
41 and used for expenditures incurred by the community  
42 colleges during the fiscal year beginning July 1,  
43 1991, and ending June 30, 1992:

44 ..... \$ 15,763,878

45 The funds appropriated in this section shall be  
46 allocated as follows:

47	a.	Merged Area I	.....	\$	734,082
48	b.	Merged Area II	.....	\$	890,644
49	c.	Merged Area III	.....	\$	861,671
50	d.	Merged Area IV	.....	\$	404,695



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1	e.	Merged Area V .....	\$	854,103
2	f.	Merged Area VI .....	\$	804,640
3	g.	Merged Area VII .....	\$	1,104,149
4	h.	Merged Area IX .....	\$	1,387,180
5	i.	Merged Area X .....	\$	2,145,442
6	j.	Merged Area XI .....	\$	2,305,077
7	k.	Merged Area XII .....	\$	909,696
8	l.	Merged Area XIII .....	\$	936,814
9	m.	Merged Area XIV .....	\$	414,126
10	n.	Merged Area XV .....	\$	1,284,898
11	o.	Merged Area XVI .....	\$	726,661

12 2. Funds appropriated by this section shall be  
13 allocated pursuant to this section and paid on or  
14 about August 15, 1992.

15 Sec. 203. There is appropriated from the general  
16 fund of the state to the department of education for  
17 the fiscal year beginning July 1, 1992, and ending  
18 June 30, 1993, the following amounts, or so much  
19 thereof as is necessary, to be used for the purposes  
20 designated:

21 1. For general financial aid to merged areas in  
22 lieu of personal property tax replacement payments  
23 under section 427A.13 to be accrued as income and used  
24 for expenditures incurred by the community colleges  
25 during the fiscal year beginning July 1, 1991, and  
26 ending June 30, 1992:

27	.....	\$	354,840
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28 The funds appropriated in this subsection shall be  
29 allocated as follows:

30	a.	Merged Area I.....	\$	27,922
31	b.	Merged Area II.....	\$	21,671
32	c.	Merged Area III.....	\$	14,525
33	d.	Merged Area IV.....	\$	9,924
34	e.	Merged Area V.....	\$	25,732
35	f.	Merged Area VI.....	\$	14,792
36	g.	Merged Area VII.....	\$	24,807
37	h.	Merged Area IX.....	\$	29,615
38	i.	Merged Area X.....	\$	41,649
39	j.	Merged Area XI.....	\$	61,056
40	k.	Merged Area XII.....	\$	19,800
41	l.	Merged Area XIII.....	\$	17,559
42	m.	Merged Area XIV.....	\$	8,925
43	n.	Merged Area XV.....	\$	23,582
44	o.	Merged Area XVI.....	\$	13,281

45 2. Funds appropriated in subsection 1 shall be  
46 allocated pursuant to this section and paid on or  
47 about August 15, 1992.

48 Sec. 204. Moneys allocated to community colleges  
49 under section 201, subsections 8 and 9 of this  
50 division, for expenditures incurred during the fiscal

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1 year beginning July 1, 1991, and ending June 30, 1992,  
 2 shall be paid by the department of revenue and finance  
 3 in installments due on or about November 15, February  
 4 15, and May 15 of that fiscal year. The installments  
 5 shall be as nearly equal as possible as determined by  
 6 the department of management, taking into  
 7 consideration the relative budget and cash position of  
 8 the state resources. The payments received by  
 9 community colleges on or about August 15 under  
 10 sections 202 and 203 of this division are accounts  
 11 receivable for the previous fiscal year.

12 Sec. 205. Notwithstanding the appropriation  
 13 provided in section 294A.25, subsection 1, there is  
 14 appropriated from the general fund of the state to the  
 15 department of education for the fiscal year beginning  
 16 July 1, 1991, and ending June 30, 1992, the following  
 17 amount, or so much thereof as may be necessary, to be  
 18 used for the purpose designated and for not more than  
 19 the following full-time equivalent position:

20 Notwithstanding section 294A.25, for the  
 21 educational excellence program:  
 22 ..... \$ 90,362,500  
 23 ..... FTEs 1.00

24 As a condition, limitation, and qualification of  
 25 the funds appropriated in this section, and  
 26 notwithstanding the allocation specified for phase III  
 27 under section 294A.25, subsection 6, from the moneys  
 28 appropriated under this section and available for  
 29 expenditure for phase III, the department shall,  
 30 subject to the review of the chairpersons and ranking  
 31 members of the education committees of the general  
 32 assembly, expend \$250,000 to provide demonstration  
 33 projects in comprehensive school transformation in no  
 34 more than ten public school districts. The objective  
 35 of the projects shall be to demonstrate how public  
 36 schools can be transformed from corporate to collegial  
 37 learning environments for teachers, students, and  
 38 administrators for the purpose of maximizing student  
 39 learning and to diffuse information about the process  
 40 of transformation to neighboring schools. The  
 41 projects shall also demonstrate how phase III funds  
 42 can be used to promote school transformation by  
 43 providing focus to phase III efforts in such areas as  
 44 technology, individualization of instruction, and  
 45 decentralization of decision-making. However, funds  
 46 allocated to districts under this section shall not be  
 47 used to supplant current phase III expenditures.  
 48 Districts participating in a project may use phase III  
 49 funds to supplement the purposes and activities of the  
 50 project in the manner provided under section 294A.14.

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1 Districts participating in a project may also pool  
 2 funds to provide conferences and to contract with  
 3 consultants and facilitators to provide services to  
 4 support the goals of the project. Projects shall use  
 5 the school building as the basic administrative and  
 6 clinical unit for demonstration. The department may  
 7 expend up to \$10,000 for purposes of developing  
 8 guidelines and administering the selection, approval,  
 9 and evaluation process for proposed projects. In  
 10 developing a selection process for demonstration  
 11 projects, the department of education shall establish  
 12 an eleven-member selection committee, which shall  
 13 include, but is not limited to, licensed practitioners  
 14 and ex officio nonvoting members of the general  
 15 assembly. A majority of the members of the committee  
 16 shall consist of licensed teachers and principals.  
 17 The committee shall select projects which give promise  
 18 of accomplishing comprehensive school transformation  
 19 at the building level during the time that the project  
 20 is in place. Each project shall contain an evaluation  
 21 component, which provides for self-evaluation by  
 22 participating districts and evaluation by the  
 23 department of education. The selection committee  
 24 shall establish criteria for ascertaining a particular  
 25 district's readiness for comprehensive change and give  
 26 preference in the project selection process to  
 27 districts which meet the readiness criteria. Each  
 28 participating district shall, at the conclusion of a  
 29 project, submit a copy of the district's self-  
 30 evaluation in a report to the department of education.  
 31 The department shall compile the reports, along with  
 32 the department's evaluations of each of the projects,  
 33 and submit the results in a report to the general  
 34 assembly by March 1, 1994.

35 Sec. 206. There is appropriated from the general  
 36 fund of the state to the department of education for  
 37 the fiscal year beginning July 1, 1992, and ending  
 38 June 30, 1993, the following amounts, or so much  
 39 thereof as is necessary, to be used for the purposes  
 40 designated:

41 For expenditures incurred by school districts  
 42 during the previous fiscal year for vocational  
 43 education aid to secondary schools:  
 44 ..... \$ 3,666,360

45 Funds appropriated by this section shall be used  
 46 for expenditures made by school districts to meet the  
 47 standards set in sections 256.11, 258.4, and 280A.23  
 48 as a result of the enactment of 1989 Iowa Acts,  
 49 chapter 278. Funds shall be used as reimbursement for  
 50 vocational education expenditures made by secondary

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1 schools in the manner provided by the department of  
2 education for implementation of the standards set in  
3 1989 Iowa Acts, chapter 278. The department shall  
4 inform school districts by July 1, 1991, of the  
5 criteria for reimbursement with funds appropriated  
6 under this section.

7 COLLEGE STUDENT AID COMMISSION

8 Sec. 207. There is appropriated from the general  
9 fund of the state to the college student aid  
10 commission for the fiscal year beginning July 1, 1991,  
11 and ending June 30, 1992, the following amounts, or so  
12 much thereof as may be necessary, to be used for the  
13 purposes designated:

14 1. GENERAL ADMINISTRATION

15 For salaries, support, maintenance, miscellaneous  
16 purposes, and for not more than the following full-  
17 time equivalent positions:

18 ..... \$ 346,000  
19 ..... FTEs 8.05

20 2. UNIVERSITY OF OSTEOPATHIC MEDICINE AND HEALTH  
21 SCIENCES

22 a. For grants to juniors and seniors and for  
23 forgivable loans to freshmen and sophomores, who are  
24 Iowa students attending the university of osteopathic  
25 medicine and health sciences, under the grant program  
26 pursuant to section 261.18 and the forgivable loan  
27 program pursuant to section 261.19A:

28 ..... \$ 400,000

29 b. For the university of osteopathic medicine and  
30 health sciences for the admission and education of  
31 Iowa students in each of the 4 years of classes at the  
32 university of osteopathic medicine and health sciences  
33 pursuant to section 261.19:

34 ..... \$ 393,000

35 3. STUDENT AID PROGRAMS

36 For payments to students for student aid programs:

37 ..... \$ 1,866,112

38 As a condition, limitation, and qualification of  
39 the funds appropriated in this subsection, \$1,363,112  
40 shall be expended for an Iowa grant program, with  
41 funds to be allocated to institutions pursuant to  
42 section 261.93A.

43 4. NATIONAL GUARD LOAN REPAYMENT

44 For payments to students for the national guard  
45 loan repayment program in section 261.49:

46 ..... \$ 225,000

47 Sec. 208. There is appropriated from the loan  
48 reserve account to the college student aid commission  
49 for the fiscal year beginning July 1, 1991, and ending  
50 June 30, 1992, the following amount, or so much

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1 thereof as may be necessary, to be used for the  
2 purposes designated:

3 For operating costs of the Stafford loan program  
4 including salaries, support, maintenance,  
5 miscellaneous purposes, and for not more than the  
6 following full-time equivalent positions:

7 ..... \$ 3,671,016  
8 ..... FTEs 36.52

9 STATE BOARD OF REGENTS

10 Sec. 209. There is appropriated from the general  
11 fund of the state to the state board of regents for  
12 the fiscal year beginning July 1, 1991, and ending  
13 June 30, 1992, the following amounts, or so much  
14 thereof as may be necessary, to be used for the  
15 purposes designated:

16 1. OFFICE OF STATE BOARD OF REGENTS

17 a. For salaries, support, maintenance,  
18 miscellaneous purposes, and for not more than the  
19 following full-time equivalent positions:

20 ..... \$ 1,111,820  
21 ..... FTEs 18.08

22 As a condition, limitation, and qualification of  
23 the moneys appropriated in this paragraph, the state  
24 board of regents shall not use reimbursements from the  
25 institutions under the control of the state board of  
26 regents for funding the office of the state board of  
27 regents.

28 b. For allocation by the state board of regents to  
29 the state university of Iowa, the Iowa state  
30 university of science and technology, and the  
31 university of northern Iowa to reimburse the  
32 institutions for deficiencies in their operating funds  
33 resulting from the pledging of tuitions, student fees  
34 and charges, and institutional income to finance the  
35 cost of providing academic and administrative  
36 buildings and facilities and utility services at the  
37 institutions:

38 ..... \$ 19,381,162

39 c. For funds to be allocated to the southwest Iowa  
40 graduate studies center located in Council Bluffs:

41 ..... \$ 40,000

42 d. For funds to be allocated to the siouxland  
43 interstate metropolitan planning council for the  
44 tristate graduate center under section 262.9,  
45 subsection 21:

46 ..... \$ 75,000

47 e. For funds to be allocated to the quad-cities  
48 graduate studies center:

49 ..... \$ 145,000

50 2. STATE UNIVERSITY OF IOWA

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1 a. General university, including lakeside  
 2 laboratory  
 3 For salaries, support, maintenance, equipment,  
 4 miscellaneous purposes, and for not more than the  
 5 following full-time equivalent positions:  
 6 ..... \$179,226,812  
 7 ..... FTEs 4,287.37

8 To the extent the appropriation made in this  
 9 paragraph is a reduction in the total amount budgeted  
 10 for the fiscal year beginning July 1, 1991, and ending  
 11 June 30, 1992, and the state university of Iowa  
 12 determines the amount is insufficient to fund all of  
 13 the university's budgetary units, consideration shall  
 14 be given to adjustments reducing budgetary units in  
 15 the following order of priority:

- 16 (1) University administrative moneys.
- 17 (2) Equipment.
- 18 (3) Short-term furloughs of administrative  
 19 personnel.
- 20 (4) Short-term furloughs of other personnel.
- 21 (5) Other operating budget expenditures.
- 22 (6) Force reduction.
- 23 (7) Maintenance.

24 As a condition, limitation, and qualification of  
 25 the funds appropriated in this paragraph, if the state  
 26 university of Iowa receives total funds in excess of  
 27 the amount projected to be received by the university  
 28 from federal support, interest, tuition fees,  
 29 reimbursement for indirect costs, sales and service,  
 30 and income sources other than state appropriations,  
 31 the university shall report the amount received, which  
 32 is in excess of the amount projected, to the  
 33 department of management and the legislative fiscal  
 34 bureau by August 1, 1991.

35 As a condition, limitation, and qualification of  
 36 moneys appropriated in this paragraph, from moneys  
 37 available to the state university of Iowa, \$50,000  
 38 shall be awarded to faculty members and teaching  
 39 assistants who have been recognized for exceptional  
 40 teaching. An exceptional teaching recognition award  
 41 is for a one-year period and is in addition to the  
 42 faculty member's or teaching assistant's salary. Not  
 43 later than December 15, 1991, the state board of  
 44 regents shall report the names of recipients of  
 45 teaching excellence awards, and the amounts of the  
 46 awards granted, to the joint education appropriations  
 47 subcommittee and to the legislative fiscal bureau.

48 b. Child care

49 For salaries for child care center directors:  
 50 ..... \$ 60,000

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1 c. For funds to be allocated to the Iowa  
2 consortium for substance abuse research and  
3 evaluation:  
4 ..... \$ 60,000  
5 d. University hospitals  
6 For salaries, support, maintenance, equipment,  
7 miscellaneous purposes, and for not more than the  
8 following full-time equivalent positions for medical  
9 and surgical treatment of indigent patients as  
10 provided in chapter 255:  
11 ..... \$ 27,713,416  
12 ..... FTEs 5,319.83  
13 e. Psychiatric hospital  
14 For salaries, support, maintenance, equipment,  
15 miscellaneous purposes, and for not more than the  
16 following full-time equivalent positions and for the  
17 care, treatment, and maintenance of committed and  
18 voluntary public patients:  
19 ..... \$ 6,881,244  
20 ..... FTEs 284.57  
21 f. Hospital-school  
22 For salaries, support, maintenance, miscellaneous  
23 purposes, and for not more than the following full-  
24 time equivalent positions:  
25 ..... \$ 5,432,176  
26 ..... FTEs 184.44  
27 g. Oakdale campus  
28 For salaries, support, maintenance, miscellaneous  
29 purposes, and for not more than the following full-  
30 time equivalent positions:  
31 ..... \$ 2,891,083  
32 ..... FTEs 67.55  
33 h. State hygienic laboratory  
34 For salaries, support, maintenance, miscellaneous  
35 purposes, and for not more than the following full-  
36 time equivalent positions:  
37 ..... \$ 3,011,225  
38 ..... FTEs 106.25  
39 i. Family practice program  
40 For allocation by the dean of the college of  
41 medicine, with approval of the advisory board, to  
42 qualified participants, to carry out chapter 148D for  
43 the family practice program, including salaries and  
44 support, and for not more than the following full-time  
45 equivalent positions:  
46 ..... \$ 1,808,874  
47 ..... FTEs 177.27  
48 j. Child health care services  
49 For specialized child health care services,  
50 including childhood cancer diagnostic and treatment

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1 network programs; rural comprehensive care for  
2 hemophilia patients; and Iowa high-risk infant follow-  
3 up program, including salaries and support, and for  
4 not more than the following full-time equivalent  
5 positions:

6 ..... \$ 428,843  
7 ..... FTEs 12.51

8 k. Agricultural health and safety programs  
9 For agricultural health and safety programs:

10 ..... \$ 224,332

11 1. For the statewide tumor registry and for not  
12 more than the following full-time positions:

13 ..... \$ 189,934  
14 ..... FTEs 5.05

15 m. As a condition, limitation, and qualification  
16 of the appropriation made in paragraph "d", the total  
17 quota allocated to the counties for indigent patients  
18 for the fiscal year commencing July 1, 1991, shall not  
19 be lower than the total quota allocated to the  
20 counties for the fiscal year commencing July 1, 1990.  
21 The total quota shall be allocated among the counties  
22 on the basis of the 1990 census pursuant to section  
23 255.16.

24 n. As a condition, limitation, and qualification  
25 of the appropriation made in paragraph "d", funds  
26 appropriated in that paragraph shall not be used to  
27 perform abortions except medically necessary  
28 abortions, and shall not be used to operate the early  
29 termination of pregnancy clinic except for the  
30 performance of medically necessary abortions. For the  
31 purpose of this paragraph, an abortion is the  
32 purposeful interruption of pregnancy with the  
33 intention other than to produce a live-born infant or  
34 to remove a dead fetus, and a medically necessary  
35 abortion is one performed under one of the following  
36 conditions:

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

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

43 (3) The pregnancy is the result of a rape which is  
44 reported within 45 days of the incident to a law  
45 enforcement agency or public or private health agency  
46 which may include a family physician.

47 (4) The pregnancy is the result of incest which is  
48 reported within 150 days of the incident to a law  
49 enforcement agency or public or private health agency  
50 which may include a family physician.



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

4 3. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY

5 a. General university

6 For salaries, support, maintenance, equipment,  
7 miscellaneous purposes, and for not more than the  
8 following full-time equivalent positions:

9 ..... \$145,905,846

10 ..... FTEs 3,737.83

11 To the extent the appropriation made in this  
12 paragraph is a reduction in the total amount budgeted  
13 for the fiscal year beginning July 1, 1991, and ending  
14 June 30, 1992, and the Iowa state university of  
15 science and technology determines the amount is  
16 insufficient to fund all of the university's budgetary  
17 units, consideration shall be given to adjustments  
18 reducing budgetary units in the following order of  
19 priority:

- 20 (1) University administrative moneys.
- 21 (2) Equipment.
- 22 (3) Short-term furloughs of administrative
- 23 personnel.
- 24 (4) Short-term furloughs of other personnel.
- 25 (5) Other operating budget expenditures.
- 26 (6) Force reduction.
- 27 (7) Maintenance.

28 As a condition, limitation, and qualification of  
29 the funds appropriated under this paragraph, if the  
30 Iowa state university of science and technology  
31 receives total funds in excess of the amount projected  
32 to be received by the university from federal support,  
33 interest, tuition fees, reimbursement for indirect  
34 costs, sales and service, and income sources other  
35 than state appropriations, the university shall report  
36 the amount received, which is in excess of the amount  
37 projected, to the department of management and the  
38 legislative fiscal bureau by August 1, 1991.

39 As a condition, limitation, and qualification of  
40 moneys appropriated in this paragraph, from moneys  
41 available to Iowa state university of science and  
42 technology, \$50,000 shall be awarded to faculty  
43 members and teaching assistants who have been  
44 recognized for exceptional teaching. An exceptional  
45 teaching recognition award is for a one-year period  
46 and is in addition to the faculty member or teaching  
47 assistant's salary. Not later than December 1, 1991,  
48 the state board of regents shall report the names of  
49 recipients of teaching excellence awards, and the  
50 amounts of the awards granted, to the joint education

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1 appropriations subcommittee and to the legislative  
2 fiscal bureau.  
3 b. Child care  
4 For subsidized evening child care:  
5 ..... \$ 60,000  
6 ..... FTEs 2.00  
7 c. Agricultural experiment station  
8 For salaries, support, maintenance, miscellaneous  
9 purposes, and for not more than the following full-  
10 time equivalent positions:  
11 ..... \$ 17,971,341  
12 ..... FTEs 546.92  
13 d. Comprehensive agricultural research  
14 For conducting the comprehensive agricultural  
15 research program:  
16 ..... \$ 4,100,000  
17 e. Cooperative extension service in agriculture  
18 and home economics  
19 For salaries, support, maintenance, miscellaneous  
20 purposes, and for not more than the following full-  
21 time equivalent positions:  
22 ..... \$ 16,016,000  
23 ..... FTEs 475.94  
24 As a condition, limitation, and qualification of  
25 the funds appropriated in this paragraph, \$25,000  
26 shall be expended for a child farm safety program.  
27 f. Fire service education  
28 For salaries and support and for not more than the  
29 following full-time equivalent positions:  
30 ..... \$ 415,761  
31 ..... FTEs 11.00  
32 g. Leopold center  
33 For agricultural research grants at Iowa state  
34 university under section 266.39B:  
35 ..... \$ 598,217  
36 4. UNIVERSITY OF NORTHERN IOWA  
37 a. For salaries, support, maintenance, equipment,  
38 miscellaneous purposes, and for not more than the  
39 following full-time equivalent positions:  
40 ..... \$ 59,042,956  
41 ..... FTEs 1,411.68  
42 To the extent the appropriation made in this  
43 paragraph is a reduction in the total amount budgeted  
44 for the fiscal year beginning July 1, 1991, and ending  
45 June 30, 1992, and the university of northern Iowa  
46 determines the amount is insufficient to fund all of  
47 the university's budgetary units, consideration shall  
48 be given to adjustments reducing budgetary units in  
49 the following order of priority:  
50 (1) University administrative moneys.

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1 (2) Equipment.  
 2 (3) Short-term furloughs of administrative  
 3 personnel.  
 4 (4) Short-term furloughs of other personnel.  
 5 (5) Other operating budget expenditures.  
 6 (6) Force reduction.  
 7 (7) Maintenance.  
 8 As a condition, limitation, and qualification of  
 9 the funds appropriated under this paragraph, if the  
 10 university of northern Iowa receives total funds in  
 11 excess of the amount projected to be received by the  
 12 university from federal support, interest, tuition  
 13 fees, reimbursement for indirect costs, sales and  
 14 service, and income sources other than state  
 15 appropriations, the university shall report the amount  
 16 received, which is in excess of the amount projected,  
 17 to the department of management and the legislative  
 18 fiscal bureau by August 1, 1991.

19 As a condition, limitation, and qualification of  
 20 the funds appropriated in paragraph "a", from moneys  
 21 available for salaries at the university of northern  
 22 Iowa, the university shall expend \$25,000 for teaching  
 23 excellence awards to teaching faculty members and  
 24 teaching assistants. Teaching excellence awards shall  
 25 be granted to faculty members and teaching assistants  
 26 for excellence in the quality of classroom  
 27 instruction. Awards may either be built into a  
 28 faculty member's or teaching assistant's base salary  
 29 or given as a one-time award and shall not be in  
 30 conflict with a collective bargaining agreement  
 31 between an employee organization and the university.  
 32 Not later than December 1, 1991, the state board of  
 33 regents shall report the names of the recipients of  
 34 teaching excellence awards, and the amounts of the  
 35 awards granted to the joint education appropriations  
 36 subcommittee of the general assembly, and to the  
 37 legislative fiscal bureau.

38 b. Child care

39 For staff positions and building structure  
 40 modifications to meet state child care facility  
 41 standards:

42 .....	\$	60,000
43 .....	FTEs	1.50

44 5. STATE SCHOOL FOR THE DEAF

45 For salaries, support, maintenance, miscellaneous  
 46 purposes, and for not more than the following full-  
 47 time equivalent positions:

48 .....	\$	6,052,581
49 .....	FTEs	131.53

50 6. IOWA BRAILLE AND SIGHT-SAVING SCHOOL

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1 For salaries, support, maintenance, miscellaneous  
2 purposes, and for not more than the following full-  
3 time equivalent positions:

4 ..... \$ 3,367,922  
5 ..... FTEs 92.45

6 Sec. 210. Reallocations of sums received under  
7 section 209, subsections 2, 3, 4, 5, and 6, of this  
8 division, including sums received for salaries, shall  
9 be reported on a quarterly basis to the co-  
10 chairpersons and ranking members of both the  
11 legislative fiscal committee and the joint education  
12 appropriations subcommittee.

13 Sec. 211. As a condition, limitation, and  
14 qualification of the appropriations made to the state  
15 board of regents and regents' institutions under this  
16 division, for the fiscal years beginning July 1, 1991,  
17 and July 1, 1992, the state board of regents shall use  
18 notes, bonds, or other evidences of indebtedness  
19 issued under section 262.48 to finance projects that  
20 will result in energy cost savings in an amount that  
21 will cause the state board to recover the cost of the  
22 projects within an average of 6 years.

23 DEPARTMENT OF CULTURAL AFFAIRS

24 Sec. 212. There is appropriated from the general  
25 fund of the state to the department of cultural  
26 affairs for the fiscal year beginning July 1, 1991,  
27 and ending June 30, 1992, the following amounts, or so  
28 much thereof as is necessary, to be used for the  
29 purposes designated:

30 1. ARTS DIVISION

31 For salaries, support, maintenance, miscellaneous  
32 purposes, including funds to match federal grants, and  
33 for not more than the following full-time equivalent  
34 positions:

35 ..... \$ 1,004,752  
36 ..... FTEs 13.00

37 2. HISTORICAL DIVISION

38 For salaries, support, maintenance, miscellaneous  
39 purposes, and for not more than the following full-  
40 time equivalent positions:

41 ..... \$ 2,531,092  
42 ..... FTEs 76.00

43 3. TERRACE HILL COMMISSION

44 For salaries, support, maintenance, miscellaneous  
45 purposes, for the operation of Terrace Hill and for  
46 not more than the following full-time equivalent  
47 positions:

48 ..... \$ 200,000  
49 ..... FTEs 5.75

50 4. LIBRARY DIVISION

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1 For salaries, support, maintenance, miscellaneous  
 2 purposes, and for not more than the following full-  
 3 time equivalent positions:  
 4 ..... \$ 2,179,000  
 5 ..... FTEs 42.00

6 5. REGIONAL LIBRARY SYSTEM

7 For state aid:  
 8 ..... \$ 1,502,698

9 6. ADMINISTRATION DIVISION

10 For salaries, support, maintenance, miscellaneous  
 11 purposes, and for not more than the following full-  
 12 time equivalent positions:  
 13 ..... \$ 427,000  
 14 ..... FTEs 10.00

15 7. COMMUNITY CULTURAL GRANTS

16 For planning and programming for the community  
 17 cultural grants program established under section  
 18 303.89:  
 19 ..... \$ 605,000

20 8. PUBLIC BROADCASTING DIVISION

21 For salaries, support, maintenance, capital  
 22 expenditures, miscellaneous purposes, and for not more  
 23 than the following full-time equivalent positions:  
 24 ..... \$ 6,365,000  
 25 ..... FTEs 103.00

26 Sec. 213. The legislative council is requested to  
 27 consider the recommendations of the higher education  
 28 task force and other methods designed to focus the  
 29 attention of the general assembly on higher education,  
 30 to receive and discuss the strategic plans developed  
 31 by the higher education strategic planning council,  
 32 and to develop policies and address issues related to  
 33 higher education.

34 Sec. 214. Notwithstanding section 8.33, funds  
 35 appropriated in 1990 Iowa Acts, chapter 1272, section  
 36 14, subsection 1, paragraph "b", remaining  
 37 unencumbered or unobligated on June 30, 1991, shall  
 38 not revert to the general fund of the state but shall  
 39 be available for expenditure for the purposes listed  
 40 in section 208, subsection 1, paragraph "b", of this  
 41 division during the fiscal year beginning July 1,  
 42 1991, and ending June 30, 1992.

43 Sec. 215. Notwithstanding sections 258.16 and  
 44 282.7 effective July 1, 1992, community colleges,  
 45 local education agencies, and area education agencies  
 46 may establish by mutual agreement area vocational  
 47 consortia to assume and exercise the duties and  
 48 responsibilities established for regional vocational  
 49 education planning boards under those sections.

50 Sec. 216. Section 261.25, subsections 1, 2, and 3,

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1 Code 1991, as amended by 1991 Iowa Acts, House File  
2 173, section 908, are amended to read as follows:

3 1. There is appropriated from the general fund of  
4 the state to the commission for each fiscal year the  
5 sum of thirty-two million ~~six~~ five hundred ~~eight~~  
6 thirteen thousand seven-hundred-ninety-five three  
7 hundred twenty-eight dollars for tuition grants.

8 2. There is appropriated from the general fund of  
9 the state to the commission for each fiscal year the  
10 sum of eight hundred thirteen thousand ~~eight-hundred~~  
11 forty dollars for scholarships.

12 3. There is appropriated from the general fund of  
13 the state to the commission for each fiscal year the  
14 sum of one million three hundred fifteen thousand ~~six~~  
15 hundred-forty-seven dollars for vocational-technical  
16 tuition grants.

17 Sec. 217. Section 261.85, unnumbered paragraph 1,  
18 Code 1991, as amended by 1991 Iowa Acts, House File  
19 173, section 909, is amended to read as follows:

20 There is appropriated from the general fund of the  
21 state to the commission for each fiscal year the sum  
22 of three million ~~eighty-five~~ fifty thousand ~~six~~  
23 hundred-eighty-four dollars for the work-study  
24 program.

25 Sec. 218. Notwithstanding the allocation of phase  
26 III moneys under sections 294A.14 and 294A.25, for the  
27 fiscal year beginning July 1, 1991, prior to the  
28 allocation to school districts and area education  
29 agencies, \$125,000 of the moneys allocated for phase  
30 III shall be retained by the department of education  
31 to continue to contract with the regional educational  
32 laboratory for this state to establish and monitor an  
33 independent evaluation of the operation of phase III  
34 of the educational excellence program. The results of  
35 the evaluation shall be reported to the department of  
36 education and to the general assembly by January 1,  
37 1992.

38 Sec. 219. Notwithstanding sections 302.1 and  
39 302.1A, for the fiscal year beginning July 1, 1991,  
40 and ending June 30, 1992, the portion of the interest  
41 earned on the permanent school fund that is not  
42 transferred to the credit of the first in the nation  
43 in education foundation and not transferred to the  
44 credit of the national center for gifted and talented  
45 education shall be credited as a payment by the  
46 historical division of the department of cultural  
47 affairs of the principal and interest due on moneys  
48 loaned to the historical division under section  
49 303.18.

50 Sec. 220. Notwithstanding any restrictions on

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1 allocations of funds under the historical resource  
2 development program contained in section 303.16, and  
3 funded under section 455A.19, subsection 1, paragraph  
4 "f", of the moneys available for the historical  
5 resource development program, \$50,000 shall be  
6 allocated for grants to any national heritage museum  
7 located or locating in the state, which obtains  
8 matching funds in an amount equal to twice the total  
9 amount of the grant.

10 Sec. 221. Section 11.6, subsection 1, unnumbered  
11 paragraph 1, Code 1991, is amended to read as follows:

12 The financial condition and transactions of all  
13 cities and city offices, counties, county hospitals  
14 organized under chapters 347 and 347A, memorial  
15 hospitals organized under chapter 37, entities  
16 organized under chapter 28E having gross receipts in  
17 excess of one hundred thousand dollars in a fiscal  
18 year, merged areas, area education agencies, and all  
19 school offices in school districts, shall be examined  
20 at least once each year, except that cities having a  
21 population of seven hundred or more but less than two  
22 thousand shall be examined at least once every four  
23 years, and cities having a population of less than  
24 seven hundred may be examined as otherwise provided in  
25 this section. The examination shall cover the fiscal  
26 year next preceding the year in which the audit is  
27 conducted. The examination of school offices shall  
28 include an audit of activity all school funds, the  
29 certified annual financial report, and the certified  
30 enrollment as provided in section 257.11.

31 Examinations of community colleges shall include an  
32 audit of eligible and noneligible contact hours as  
33 defined in section 286A.2. Eligible and noneligible  
34 contact hours and the certified enrollment shall be  
35 certified to the department of management.

36 Sec. 222. Section 73.17, Code 1991, is amended by  
37 adding the following new unnumbered paragraph:

38 NEW UNNUMBERED PARAGRAPH. A community college or  
39 area education agency shall, on a quarterly basis, and  
40 a school district shall, on an annual basis, review  
41 the community college's, area education agency's, or  
42 school district's anticipated purchasing requirements.  
43 A community college, area education agency, or school  
44 district shall notify the department of education,  
45 which shall report to the department of economic  
46 development, of their anticipated purchases and  
47 recommended procurements with unit quantities and  
48 total costs for procurement contracts designated to  
49 satisfy the targeted small business procurement goal  
50 not later than August 15 of each fiscal year and

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1 quarterly thereafter, except that school districts  
2 shall report annually.

3 Sec. 223. Section 73.18, Code 1991, is amended to  
4 read as follows:

5 73.18 NOTICE OF SOLICITATION FOR BIDS --  
6 IDENTIFICATION OF TARGETED SMALL BUSINESSES.

7 The director of each agency or department releasing  
8 a solicitation for bids or request for proposal under  
9 the targeted small business procurement goal program  
10 shall notify the director of the department of  
11 economic development prior to or upon release of the  
12 solicitation. A community college, area education  
13 agency, or school district shall notify the department  
14 of education which shall notify the department of  
15 economic development prior to or upon release of the  
16 release of the solicitation. The director of the  
17 department of economic development shall notify the  
18 soliciting agency or department, or community college,  
19 area education agency, or school district, of any  
20 targeted small businesses which have been certified  
21 pursuant to section 10A.104, subsection 8, and which  
22 may be qualified to bid.

23 Sec. 224. Section 73.19, Code 1991, is amended to  
24 read as follows:

25 73.19 NEGOTIATED PRICE OR BID CONTRACT.

26 In awarding a contract under the targeted small  
27 business procurement goal program, a director of an  
28 agency or department, or community college, area  
29 education agency, or school district, having  
30 purchasing authority may use either a negotiated price  
31 or bid contract procedure. A director of an agency or  
32 department, or community college, area education  
33 agency, or school district, using a negotiated  
34 contract shall consider any targeted small business  
35 engaged in that business. The director of the  
36 department of economic development or the director of  
37 the department of management may assist in the  
38 negotiation of a contract price under this section.  
39 Surety bonds guaranteed by the United States small  
40 business administration are acceptable security for a  
41 construction award under this section.

42 Sec. 225. Section 255.1, Code 1991, is amended by  
43 adding the following new unnumbered paragraph:

44 NEW UNNUMBERED PARAGRAPH. The county general  
45 relief director shall ascertain from the local office  
46 of human services if an applicant for the indigent  
47 patient program would qualify for medical assistance  
48 or the medically needy program under chapter 249A  
49 without the spend-down provision required pursuant to  
50 section 249A.3, subsection 2, paragraph "g". If the



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1 applicant qualifies, the patient shall be certified  
2 for medical assistance and shall not be counted under  
3 chapter 255.

4 Sec. 226. Section 255.26, unnumbered paragraph 3,  
5 Code 1991, is amended to read as follows:

6 The state auditor shall certify the total cost of  
7 commitment, ~~transportation~~ and caring for each  
8 indigent patient under the terms of this statute to  
9 the county auditor of such patient's legal residence,  
10 and such certificate shall be preserved by the county  
11 auditor and shall be a debt due from the patient or  
12 the persons legally responsible for the patient's  
13 care, maintenance or support; and whenever in the  
14 judgment of the board of supervisors the same or any  
15 part thereof shall be collectible, the said board may  
16 in its own name collect the same and is hereby  
17 authorized to institute suits for such purpose; and  
18 after deducting the county's share of such cost shall  
19 cause the balance to be paid into the state treasury  
20 to reimburse the university hospital fund.

21 Transportation shall be provided at no charge to a  
22 patient who is certified for medical assistance under  
23 chapter 249A, and shall be reimbursed from the  
24 university hospital fund.

25 Sec. 227. Section 257.37, subsection 2, as enacted  
26 by 1991 Iowa Acts, Senate File 141, section 2, is  
27 amended by striking the subsection and inserting in  
28 lieu thereof the following:

29 2. Thirty percent of the budget of an area for  
30 media services shall be expended for media resource  
31 material which shall only be used for the purchase or  
32 replacement of material required in section 273.6,  
33 subsection 1. Funds shall be paid to area education  
34 agencies as provided in section 257.35.

35 Sec. 228. Section 261.19, unnumbered paragraph 2,  
36 Code 1991, is amended to read as follows:

37 The college student aid commission shall determine  
38 a subvention amount per resident student by dividing  
39 the funds appropriated for this section by a number  
40 equal to the total of twenty-two percent of the total  
41 students enrolled. If fewer than twenty-two percent  
42 of the total number of students enrolled are Iowa  
43 residents, the college student aid commission shall  
44 deduct from the ~~funds-appropriated~~ subvention amount  
45 for total Iowa students enrolled an amount equal to  
46 the product of two times the product of the subvention  
47 amount per resident student multiplied by the number  
48 of students required to equal twenty-two percent of  
49 the total students enrolled.

50 Sec. 229. Section 261.19A, unnumbered paragraph 2,

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1 Code 1991, is amended to read as follows:

2 An eligible student is eligible for loan  
3 forgiveness in the amount of three thousand five  
4 hundred dollars per year of practice in the state of  
5 Iowa for up to a maximum of four years. If a student  
6 fails to complete a year of practice in the state, as  
7 practice is defined by the college student aid  
8 commission, the loan amount for that year shall not be  
9 forgiven. Forgivable loans to eligible students shall  
10 not become due, for repayment purposes, until after  
11 the student has completed the student's residency.

12 Sec. 230. Section 261.38, subsection 5, Code 1991,  
13 is amended to read as follows:

14 5. The treasurer of state shall invest any funds,  
15 including those in the loan reserve account, and the  
16 interest income earned shall be credited back to the  
17 loan reserve account. The treasurer may invest up to  
18 forty percent of the funds in the loan reserve account  
19 in tax-exempt investments issued by an agency of the  
20 state of Iowa. If any of the tax-exempt investments  
21 are for purposes of financing the construction or  
22 improvement of state facilities, the executive  
23 council, established under chapter 19, shall review  
24 and approve the proposed construction or improvement  
25 prior to the investment of loan reserve account funds  
26 in the tax-exempt investments.

27 Sec. 231. Section 261.50, subsection 3, Code 1991,  
28 is amended to read as follows:

29 3. Agrees to practice in an eligible community of  
30 fewer than five thousand population for a minimum  
31 period of four consecutive years or is practicing in a  
32 federally approved community health center or health  
33 manpower shortage area.

34 Sec. 232. NEW SECTION. 261.93A APPROPRIATION --  
35 PERCENTAGES.

36 Of the funds appropriated to the college student  
37 aid commission to be allocated for the Iowa grant  
38 program for each fiscal year, thirty-seven and six-  
39 tenths percent shall be reserved for students  
40 attending regents' institutions, twenty-five and nine-  
41 tenths percent shall be reserved for students  
42 attending community colleges, and thirty-six and five-  
43 tenths percent shall be reserved for students  
44 attending private colleges and universities. Funds  
45 appropriated for the Iowa grant program shall be used  
46 to supplement, not supplant, funds appropriated for  
47 other existing programs at the eligible institutions.

48 Sec. 234. NEW SECTION. 262.9A PROHIBITION ON  
49 CONTROLLED SUBSTANCES.

50 The state board of regents shall adopt a policy

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1 that prohibits unlawful possession, use, or  
2 distribution of controlled substances by students and  
3 employees on property owned or leased by an  
4 institution or in conjunction with activities  
5 sponsored by an institution governed by the board.  
6 Each institution shall provide information about the  
7 policy to all students and employees. The policy  
8 shall include a clear statement of sanctions for  
9 violation of the policy and information about  
10 available drug or alcohol counseling and  
11 rehabilitation programs. In carrying out this policy,  
12 the institutions shall provide substance abuse  
13 prevention programs for students and employees.

14 Sec. 235. NEW SECTION. 263A.14 INDIGENT PATIENT  
15 PROGRAM REPORT.

16 Funds shall not be allocated to the university  
17 hospital fund until the superintendent of the  
18 university of Iowa hospitals and clinics has filed  
19 with the department of revenue and finance and the  
20 legislative fiscal bureau a quarterly report  
21 containing the account required in section 255.24.  
22 The report shall include information required in  
23 section 255.24 for patients by the type of service  
24 provided.

25 Sec. 236. NEW SECTION. 268.5 IOWA ACADEMY OF  
26 SCIENCE APPROPRIATION LIMITATIONS.

27 The university shall use no more than twenty  
28 percent of the funds allocated to the university for  
29 the Iowa academy of science for administrative  
30 purposes for the Iowa academy of science or for  
31 publication of the Iowa academy of science journal.  
32 The university shall expend the remainder of the  
33 moneys appropriated for research projects and studies  
34 awarded by the Iowa academy of science. The Iowa  
35 academy of science shall permit all grant recipients  
36 to publish the results of the recipients' research  
37 projects and studies in the Iowa academy of science  
38 journal at no cost to the grant recipient.

39 Sec. 237. NEW SECTION. 279.48 EQUIPMENT  
40 PURCHASES -- NOTES -- BOARD RESOLUTION -- SCHOOLHOUSE  
41 FUND.

42 1. The board of directors of a school corporation  
43 may purchase equipment, including transportation  
44 equipment and recreational equipment, and may enter  
45 into a contract and issue a note to pay for this  
46 equipment. The note must mature within five years and  
47 bear interest at a rate to be determined by the board  
48 of directors in the manner provided in section 74A.3,  
49 subsection 1. The board of directors shall provide,  
50 by resolution, for the form contract and note.

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1 Principal and interest on the note must be payable  
2 from budgeted receipts in the current budget for each  
3 year of a period up to five years. The equipment  
4 shall be security for the balance due.

5 2. A board of directors may, by resolution,  
6 restrict the use of money in the general fund or the  
7 schoolhouse fund as a reserve for the purchase of  
8 equipment from the general fund or schoolhouse fund.  
9 If the board, by resolution, restricts the use of  
10 money in a fund for such a purchase, the use is  
11 restricted and unavailable for any other purpose until  
12 the board removes the restriction. The removal is not  
13 effective until all obligations of the restriction  
14 have been satisfied or the next fiscal year, whichever  
15 occurs later.

16 Sec. 238. Section 279.51, subsection 1, paragraph  
17 f, Code 1991, is amended by adding the following new  
18 unnumbered paragraph:

19 NEW UNNUMBERED PARAGRAPH. In succeeding fiscal  
20 years, notwithstanding section 256A.3, subsection 6,  
21 of the amount appropriated for a fiscal year, less the  
22 amount allocated under paragraph "a", three and  
23 thirty-three hundredths percent may be used for  
24 administrative costs. However, if the amount  
25 appropriated for the fiscal year, less the amount  
26 allocated under paragraph "a", times three and thirty-  
27 three hundredths percent is greater than the amount  
28 received for use for administrative costs during the  
29 fiscal year beginning July 1, 1990, then the amount to  
30 be used for administrative costs shall be reduced to  
31 equal the amount received during the fiscal year  
32 beginning July 1, 1990.

33 Sec. 239. Section 280A.34, Code 1991, is amended  
34 to read as follows:

35 280A.34 CERTAIN USES OF FUNDS PROHIBITED.

36 Funds obtained pursuant to section 280A.17;  
37 subsections 3, 4, and 5 of section 280A.18; section  
38 280A.19; and section 280A.22 shall not be used for the  
39 construction or maintenance of athletic buildings or  
40 grounds but may be used for a project under section  
41 280A.56.

42 Sec. 240. NEW SECTION. 280A.40 PROHIBITION ON  
43 CONTROLLED SUBSTANCES.

44 Each merged area school shall adopt a policy that  
45 prohibits unlawful possession, use, or distribution of  
46 controlled substances by students and employees on  
47 property owned or leased by the merged area school or  
48 in conjunction with activities sponsored by a merged  
49 area school. Each merged area school shall provide  
50 information about the policy to all students and

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1 employees. The policy shall include a clear statement  
2 of sanctions for violation of the policy and  
3 information about available drug or alcohol counseling  
4 and rehabilitation programs. In carrying out this  
5 policy, the merged area school shall provide substance  
6 abuse prevention programs for students and employees.

7 Sec. 241. Section 280A.56, subsection 3, Code  
8 1991, is amended to read as follows:

9 3. "Project" means the acquisition by purchase,  
10 lease in accordance with section 280A.38, or  
11 construction of buildings for use as student residence  
12 halls and dormitories, including dining and other  
13 incidental facilities therefor, and additions to such  
14 buildings, the reconstruction, completion, equipment,  
15 improvement, repair or remodeling of residence halls,  
16 dormitories, or additions or incidental facilities,  
17 and the acquisition of property of every kind and  
18 description, whether real, personal, or mixed, by  
19 gift, purchase, lease, condemnation, or otherwise and  
20 the improvement of the property.

21 Sec. 242. Section 280A.56, Code 1991, is amended  
22 by adding the following new subsection:

23 NEW SUBSECTION. 4. "Bonds or notes" means revenue  
24 bonds or revenue notes which are payable solely from  
25 net rents, profits, and other income derived from the  
26 operation of residence halls, dormitories, incidental  
27 facilities, and additions.

28 Sec. 243. Section 280A.58, unnumbered paragraph 1,  
29 Code 1991, is amended to read as follows:

30 To pay all or any part of the cost of carrying out  
31 any project at any institution the board is authorized  
32 to borrow money and to issue and sell negotiable bonds  
33 or notes and to refund and refinance bonds or notes  
34 issued for any project or for refunding purposes at a  
35 lower rate, the same rate, or a higher rate or rates  
36 of interest and from time to time as often as the  
37 board shall find it to be advisable and necessary so  
38 to do. Bonds or notes ~~issued to refund ether bonds or~~  
39 ~~notes~~ issued by the board for residence hall or  
40 dormitory purposes at any institution, including  
41 dining or other facilities and additions, or issued  
42 for refunding purposes, may either be sold in the  
43 manner specified for the selling of certificates under  
44 section 280B.6 and the proceeds applied to the payment  
45 of the obligations being refunded, or the refunding  
46 bonds or notes may be exchanged for and in payment and  
47 discharge of the obligations being refunded. A  
48 finding by the board in the resolution authorizing the  
49 issuance of the refunding bonds or notes, that the  
50 bonds or notes being refunded were issued for a

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1 purpose specified in this division and constitute  
2 binding obligations of the board, shall be conclusive  
3 and may be relied upon by any holder of any refunding  
4 bond or note issued under the provisions of this  
5 division. The refunding bonds or notes may be sold or  
6 exchanged in installments at different times or an  
7 entire issue or series may be sold or exchanged at one  
8 time. Any issue or series of refunding bonds or notes  
9 may be exchanged in part or sold in parts in  
10 installments at different times or at one time. The  
11 refunding bonds or notes may be sold or exchanged at  
12 any time on, before, or after the maturity of any of  
13 the outstanding notes, bonds or other obligations to  
14 be refinanced thereby and may be issued for the  
15 purpose of refunding a like or greater principal  
16 amount of bonds or notes, except that the principal  
17 amount of the refunding bonds or notes may exceed the  
18 principal amount of the bonds or notes to be refunded  
19 to the extent necessary to pay any premium due on the  
20 call of the bonds or notes to be refunded ~~or~~, to fund  
21 interest in arrears or about to become due, or to  
22 allow for sufficient funding of the escrow account on  
23 the bonds to be refunded.

24 Sec. 244. Section 280A.59, Code 1991, is amended  
25 to read as follows:

26 280A.59 RATES AND TERMS OF BONDS OR NOTES.

27 The bonds or notes may bear a date or dates, may  
28 bear interest at such rate or rates, ~~payable~~  
29 ~~semiannually~~, may mature at such time or times, may be  
30 in such form, carry such registration privileges, may  
31 be payable at such place or places, may be subject to  
32 such terms of redemption prior to maturity with or  
33 without premium, if so stated on the face of the  
34 bonds, and may contain any terms and covenants as may  
35 be provided by the resolution of the board authorizing  
36 the issuance of the bonds or notes. In addition to  
37 the estimated cost of construction, the cost of the  
38 project shall be deemed to include interest upon the  
39 bonds or notes during construction and for six months  
40 after the estimated completion date, the compensation  
41 of a fiscal agent or adviser, any underwriter  
42 discount, and engineering, administrative and legal  
43 expenses. The bonds or notes shall be executed by the  
44 president of the board of trustees and attested by the  
45 secretary ~~and the coupons attached to the bonds or~~  
46 ~~notes shall be executed with the original or facsimile~~  
47 ~~signatures of said president and secretary.~~ Any bonds  
48 or notes bearing the signatures of officers in office  
49 on the date of the signing shall be valid and binding  
50 for all purposes, notwithstanding that before delivery

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1 of the bonds or notes any or all persons whose  
2 signatures appear on the bonds or notes shall have  
3 ceased to be officers. Each bond or note shall state  
4 upon its face the name of the institution on behalf of  
5 which it is issued, that it is payable solely and only  
6 from the net rents, profits and income derived from  
7 the operation of residence halls or dormitories,  
8 including dining and other incidental facilities, at  
9 the institution named, and that it does not constitute  
10 a charge against the state of Iowa within the meaning  
11 or application of any constitutional or statutory  
12 limitation or provision. The issuance of bonds or  
13 notes shall be recorded in the office of the treasurer  
14 of the institution on behalf of which the bonds or  
15 notes are issued, and a certificate by such treasurer  
16 to this effect shall be printed on the back of each  
17 such bond or note.

18 Sec. 245. Section 280A.60, Code 1991, is amended  
19 to read as follows:

20 280A.60 REFUNDING ISSUANCE RESOLUTION.

21 Upon the determination by the board to undertake  
22 and carry out any project or to refund outstanding  
23 bonds or notes, the board shall adopt a resolution  
24 generally describing the contemplated project and  
25 setting forth the estimated cost, or describing the  
26 obligations to be refunded, fixing the amount of bonds  
27 or notes to be issued, the maturity or maturities, the  
28 interest rate or rates and all details of the project.  
29 The resolution shall contain any covenants as may be  
30 determined by the board as to the issuance of  
31 additional bonds or notes that may be issued payable  
32 from the net rents, profits and income of the  
33 residence halls or dormitories, the amendment or  
34 modification of the resolution authorizing the  
35 issuance of any bonds or notes, the manner, terms and  
36 conditions and the amount or percentage of assenting  
37 bonds or notes necessary to effectuate the amendment  
38 or modification, and any other covenants as may be  
39 deemed necessary or desirable. In the discretion of  
40 the board any bonds or notes issued under the terms of  
41 this division may be secured by a trust indenture by  
42 and between the board and a corporate trustee, which  
43 may be any trust company or bank having the powers of  
44 a trust company within or without the boundaries of  
45 the state of Iowa, ~~but no such trust indenture shall~~  
46 ~~convey or mortgage the buildings or facilities or any~~  
47 ~~part of the buildings or facilities.~~ The provisions  
48 of this division and of any resolution or other  
49 proceedings authorizing the issuance of bonds or notes  
50 and providing for the establishment and maintenance of

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1 adequate rates, fees or rentals and the application of  
2 the proceeds thereof shall constitute a contract with  
3 the holders of the bonds or notes.

4 Sec. 246. Section 286A.11, Code 1991, is amended  
5 by adding the following new subsection:

6 NEW SUBSECTION. 5. Thirty-eight thousand dollars  
7 if the northwest Iowa technical college has filed a  
8 request with the department of education for the  
9 lease, purchase, or lease-purchase of equipment for  
10 the heavy equipment program.

11 Sec. 247. Section 286A.14A, unnumbered paragraph  
12 1, Code 1991, is amended to read as follows:

13 The department of education shall provide for the  
14 establishment of a community college excellence 2000  
15 account in the office of the treasurer of state for  
16 deposit of moneys appropriated to the account for  
17 purposes of funding quality instructional centers and  
18 program and administrative sharing agreements under  
19 sections 280A.45 and 280A.46. ~~There is appropriated~~  
20 ~~from the general fund of the state to the department~~  
21 ~~of education, for the fiscal year beginning July 1,~~  
22 ~~1991, one million two hundred thousand dollars.~~ There  
23 is appropriated from the general fund of the state to  
24 the department of education for the fiscal year  
25 beginning July 1, 1992, an amount equal to two and  
26 five-tenths percent of the total state general aid  
27 generated for all community colleges during the budget  
28 year under this chapter for deposit in the community  
29 college excellence 2000 account. In the next  
30 succeeding two fiscal years, the percent multiplier  
31 shall be increased in equal increments until the  
32 multiplier reaches seven and one-half percent of the  
33 total state general aid generated for all community  
34 colleges during the budget year.

35 Sec. 248. Section 294A.14, unnumbered paragraphs  
36 1, 6, and 10, Code 1991, are amended to read as  
37 follows:

38 For each fiscal year, the department shall allocate  
39 the remainder of the moneys appropriated by the  
40 general assembly to the fund for phase III, subject to  
41 section 294A.18. If fifty million dollars is  
42 allocated for phase III, the payments for an approved  
43 plan for a school district shall be equal to the  
44 product of a district's certified enrollment and  
45 ninety-eight dollars and sixty-three cents, and for an  
46 area education agency shall be equal to the product of  
47 an area education agency's enrollment served and four  
48 dollars and sixty cents. If the moneys allocated for  
49 phase III are either greater than or less than fifty  
50 million dollars, the department of education shall



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1 adjust the amount for each student in certified  
2 enrollment and each student in enrollment served based  
3 upon the amount allocated for phase III. Of the  
4 moneys allocated for phase III, five hundred thousand  
5 dollars shall be used for supplemental pay plans in  
6 districts which provide for additional instructional  
7 work assignments relating to college bound student  
8 support programs for minority students.

9 For school districts, a performance-based pay plan  
10 may provide for additional salary for individual  
11 teachers, for teachers assigned to a specific  
12 discipline, or for all teachers assigned to an  
13 attendance center. For area education agencies, a  
14 performance-based pay plan may provide for additional  
15 salary for individual teachers, for additional salary  
16 for all teachers assigned to a specific discipline  
17 within an area education agency, or for additional  
18 salary for individual teachers assigned to a  
19 multidisciplinary team within an area education  
20 agency. If the plan provides additional salary for  
21 all teachers assigned to an attendance center,  
22 specific discipline, or multidisciplinary team, the  
23 receipt of additional salary by those teachers shall  
24 be determined on the basis of whether that attendance  
25 center, specific discipline, or multidisciplinary team  
26 meets specific objectives adopted for that attendance  
27 center, specific discipline, or multidisciplinary  
28 team. For school districts, the objectives may  
29 include, but are not limited to, decreasing the  
30 dropout rate, increasing the attendance rate, or  
31 accelerating the achievement growth of students  
32 enrolled in that attendance center through use of  
33 learning techniques which may include, but are not  
34 limited to, reading instruction using phonics  
35 techniques.

36 For school districts, additional instructional work  
37 assignments may include but are not limited to general  
38 curriculum planning and development, vertical  
39 articulation of curriculum, horizontal curriculum  
40 coordination, development of educational measurement  
41 practices for the school district, attendance at  
42 workshops and other programs for service as  
43 cooperating teachers for student teachers, development  
44 of plans for assisting beginning teachers during their  
45 first year of teaching, attendance at summer staff  
46 development programs, development of staff development  
47 programs for other teachers to be presented during the  
48 school year, participation in college bound student  
49 support programs for minority students, and other  
50 plans locally determined in the manner specified in

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1 section 294A.15 and approved by the department of  
2 education under section 294A.16 that are of equal  
3 importance or more appropriately meet the educational  
4 needs of the school district.

5 Sec. \_\_\_\_\_. Section 294A.14, Code 1991, is amended  
6 by adding the following new unnumbered paragraph:

7 NEW UNNUMBERED PARAGRAPH. For purposes of this  
8 section, college bound student support programs for  
9 minority students shall include one or more of the  
10 following:

11 1. Self-esteem enhancement for minority students.

12 2. Mentoring for minority students.

13 3. Methods to provide greater involvement of  
14 minority parents in the educational process.

15 4. Individual or group academic preparedness  
16 coaching for minority students.

17 5. A continuum of academic tutorial services for  
18 minority students.

19 6. Outreach programs which connect minority  
20 students with higher education programs.

21 7. School and business partnerships which provide  
22 direct support to minority students.

23 Sec. \_\_\_\_\_. Section 294A.16, unnumbered paragraph 3,  
24 Code 1991, is amended to read as follows:

25 The department of education shall review each plan  
26 and its budget and notify the department of management  
27 of the names of school districts and area education  
28 agencies with approved plans. In approving school  
29 district supplemental pay plans which provide for  
30 additional instructional work assignments relating to  
31 college bound student support programs for minority  
32 students, the department shall give preference to  
33 plans which provide for the forming of consortia with  
34 local community colleges and community-based  
35 organizations.

36 Sec. 249. Section 298.3, subsection 3, Code 1991,  
37 is amended to read as follows:

38 3. The purchase of buildings and the purchase of a  
39 ~~single-unit-of~~ equipment exceeding five thousand  
40 dollars in value.

41 Sec. 250. Section 298.3, Code 1991, is amended by  
42 adding the following new unnumbered paragraph:

43 NEW UNNUMBERED PARAGRAPH. Notwithstanding section  
44 291.13, unencumbered funds collected prior to July 1,  
45 1991, from the levy previously authorized under  
46 section 297.5, may be expended for the purposes listed  
47 in this section.

48 Sec. 251. Section 298.4, Code 1991, is amended by  
49 adding the following new unnumbered paragraph:

50 NEW UNNUMBERED PARAGRAPH. Notwithstanding section

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1 291.13, unencumbered funds collected from the levies  
2 authorized in sections 96.13, 279.46, and 296.7 prior  
3 to July 1, 1991, may be expended for the purposes  
4 listed in subsections 1, 3, and 5.

5 Sec. 252. Section 298.16, Code 1991, is amended to  
6 read as follows:

7 298.16 JUDGMENT TAX.

8 If the proper fund is not sufficient, then, unless  
9 its board has provided by the issuance of bonds for  
10 raising the amount necessary to pay a judgment, the  
11 cost of the judgment shall be included in the district  
12 management levy or, if the school corporation is an  
13 area education agency or a community college, the  
14 board of the school corporation shall levy a tax on  
15 the property of the school corporation for purposes of  
16 payment of the judgment costs.

17 Sec. 253. Section 303.3, subsection 3, Code 1991,  
18 is amended by striking the subsection and inserting in  
19 lieu thereof the following:

20 3. Notwithstanding section 8.33, moneys committed  
21 to grantees under contract that remain unexpended on  
22 June 30 of any fiscal year shall not revert but shall  
23 be available for expenditure for purposes of the  
24 contract until August 30 of the succeeding fiscal  
25 year.

26 Sec. 254. Section 286A.19, Code 1991, is repealed.

27 Sec. 255. Sections 206 and 214 of this division,  
28 being deemed of immediate importance, take effect upon  
29 enactment.

30 DIVISION III

31 ECONOMIC DEVELOPMENT APPROPRIATIONS

32 Sec. 301. There is appropriated from the general  
33 fund of the state to the department of economic  
34 development for the fiscal year beginning July 1,  
35 1991, and ending June 30, 1992, the following amounts,  
36 or so much thereof as is necessary, to be used for the  
37 purposes designated:

38 1. ADMINISTRATIVE SERVICES DIVISION

39 a. General administration

40 For salaries, support, maintenance, miscellaneous  
41 purposes, and for not more than the following full-  
42 time equivalent positions:

43 .....	\$	915,000
44 .....	FTEs	23.00

45 b. Rural resource coordination

46 For salaries, support, maintenance, miscellaneous  
47 purposes, and for not more than the following full-  
48 time equivalent positions for rural resource  
49 coordination, rural community leadership, and the  
50 rural enterprise fund:

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1	.....	\$	740,000
2	.....	FTEs	2.50
3	As a condition, limitation, and qualification of		
4	the appropriation under this subsection, \$425,000		
5	shall be allocated to the rural enterprise fund, and		
6	\$140,000 shall be allocated for rural community		
7	leadership.		
8	c. Primary research and computer center		
9	For salaries, support, maintenance, miscellaneous		
10	purposes, and for not more than the following full-		
11	time equivalent positions:		
12	.....	\$	350,000
13	.....	FTEs	6.50
14	d. Film office		
15	For salaries, support, maintenance, miscellaneous		
16	purposes, and for not more than the following full-		
17	time equivalent positions:		
18	.....	\$	190,000
19	.....	FTEs	2.00
20	2. BUSINESS DEVELOPMENT DIVISION		
21	a. Business development operations		
22	For salaries, support, maintenance, miscellaneous		
23	purposes, and for not more than the following full-		
24	time equivalent positions:		
25	.....	\$	225,586
26	.....	FTEs	4.50
27	As a condition, limitation, and qualification of		
28	the appropriation made by this paragraph, the		
29	department shall establish a marketing initiative to		
30	assist Iowa companies producing recycling or		
31	reclamation equipment or services to expand into		
32	national markets.		
33	b. Small business programs		
34	For salaries, support, maintenance, miscellaneous		
35	purposes, and for not more than the following full-		
36	time equivalent positions for the small business		
37	program and the small business advisory council:		
38	.....	\$	235,000
39	.....	FTEs	4.50
40	c. Federal procurement office		
41	For salaries, support, maintenance, miscellaneous		
42	purposes, and for not more than the following full-		
43	time equivalent positions:		
44	.....	\$	100,000
45	.....	FTEs	3.00
46	d. Incubators:		
47	.....	\$	70,000
48	The department may establish criteria to provide		
49	funding beyond the initial three-year start-up period		
50	to existing small business and rural incubators. The		

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1 department shall consider the incubator's progress  
2 toward becoming self-sufficient during the initial  
3 award period and the incubator's plan to become self-  
4 sufficient from the need for further grants.

5 e. Strategic investment fund

6 For deposit in the strategic investment fund  
7 created in section 15.313 and for salaries and support  
8 for not more than the following full-time equivalent  
9 positions:

10 ..... \$ 4,481,456  
11 ..... FTEs 10.00

12 f. Targeted small business program

13 For the salary, support, maintenance, miscellaneous  
14 purposes, and for not more than the following full-  
15 time equivalent position:

16 ..... \$ 50,000  
17 ..... FTEs 1.00

18 3. COMMUNITY AND RURAL DEVELOPMENT DIVISION

19 a. Community development block grant

20 For administration and related federal housing and  
21 urban development grant administration for salaries,  
22 support, maintenance, miscellaneous purposes, and for  
23 not more than the following full-time equivalent  
24 positions:

25 ..... \$ 320,855  
26 ..... FTEs 14.00

27 b. Rural community 2000 program

28 For salaries, support, maintenance, miscellaneous  
29 purposes, and for not more than the following full-  
30 time equivalent positions:

31 ..... \$ 1,600,000  
32 ..... FTEs 1.25

33 Notwithstanding section 15.283, subsection 4, for  
34 the fiscal year beginning July 1, 1991, and ending  
35 June 30, 1992, all funds allocated under this  
36 paragraph shall be used for traditional and new  
37 infrastructure and planning as specified under  
38 sections 15.284, 15.285, and 15.286A.

39 As a condition, limitation, and qualification of  
40 the appropriation under this paragraph, not more than  
41 \$300,000 shall be allocated for the planning category.

42 c. Community progress

43 For salaries, support, maintenance, miscellaneous  
44 purposes, and for not more than the following full-  
45 time equivalent positions for administration of the  
46 community economic preparedness program, the Iowa  
47 community betterment program, and the city development  
48 board:

49 ..... \$ 467,350  
50 ..... FTEs 7.50

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1 d. Councils of governments

2 To provide to Iowa's councils of governments funds  
3 for planning and technical assistance funds to assist  
4 local governments to develop community development  
5 strategies for addressing long-term and short-term  
6 community needs:

7 ..... \$ 300,000

8 e. Main street/rural main street program

9 For salaries and support for not more than the  
10 following full-time equivalent positions:

11 ..... \$ 365,000

12 ..... FTEs 3.00

13 Notwithstanding section 8.33, moneys committed to  
14 grantees under contract that remain unexpended on June  
15 30 of any fiscal year shall not revert to any fund but  
16 shall be available for expenditure for purposes of the  
17 contract during the succeeding fiscal year.

18 f. Regional economic development centers

19 For competitive grants to regional economic  
20 development centers:

21 ..... \$ 440,000

22 The chairpersons of the regional coordinating  
23 councils shall accept grant applications from the  
24 regional economic development centers and shall rank  
25 the applications. The rankings shall be provided to  
26 the department which shall make awards based upon the  
27 recommendations of the regional coordinating councils.

28 4. INTERNATIONAL DIVISION

29 a. International trade operations

30 For salaries, support, maintenance, miscellaneous  
31 purposes, and for not more than the following full-  
32 time equivalent positions:

33 ..... \$ 500,000

34 ..... FTEs 6.00

35 b. European trade office

36 For salaries, support, maintenance, miscellaneous  
37 purposes, and for not more than the following full-  
38 time equivalent positions:

39 ..... \$ 335,000

40 ..... FTEs 2.50

41 c. Asian trade office

42 For salaries, support, maintenance, miscellaneous  
43 purposes, and for not more than the following full-  
44 time equivalent positions:

45 ..... \$ 255,000

46 ..... FTEs 2.00

47 d. Japan trade office

48 For salaries, support, maintenance, miscellaneous  
49 purposes, and for not more than the following full-  
50 time equivalent positions:

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1 .....	\$	300,000
2 .....	FTEs	2.00

3 e. Export trade activities program  
 4 For export trade activities, including a program to  
 5 encourage and increase participation in trade shows  
 6 and trade missions by providing financial assistance  
 7 to businesses for a percentage of their costs of  
 8 participating in trade shows and trade missions, by  
 9 providing for the lease/sublease of showcase space in  
 10 existing world trade centers, by providing temporary  
 11 office space for foreign buyers, international  
 12 prospects, and potential reverse investors, and by  
 13 providing other promotional and assistance activities,  
 14 including salaries and support for not more than the  
 15 following full-time equivalent position:

16 .....	\$	350,000
17 .....	FTEs	0.25

18 f. Agricultural product advisory council  
 19 For support, maintenance, and miscellaneous  
 20 purposes:

21 .....	\$	4,000
----------	----	-------

22 g. Partner state program:

23 .....	\$	100,000
----------	----	---------

24 The department may contract with private groups or  
 25 organizations which are the most appropriate to  
 26 administer this program. The groups and organizations  
 27 participating in the program shall, to the fullest  
 28 extent possible, provide the funds to match the  
 29 appropriation made in this paragraph.

30 5. TOURISM DIVISION

31 a. Tourism operations

32 For salaries, support, maintenance, miscellaneous  
 33 purposes, and for not more than the following full-  
 34 time equivalent positions:

35 .....	\$	745,000
36 .....	FTEs	15.97

37 As a condition, limitation, and qualification of  
 38 the appropriation made in this paragraph, the  
 39 appropriation shall not be used for advertising  
 40 placements for in-state and out-of-state tourism  
 41 marketing.

42 b. Tourism advertising

43 For contracting exclusively for tourism advertising  
 44 for in-state and out-of-state tourism marketing  
 45 services, tourism promotion programs, electronic  
 46 media, print media, and printed materials:

47 .....	\$	2,840,000
----------	----	-----------

48 As a condition, limitation, and qualification of  
 49 the appropriation made in this paragraph, the  
 50 department shall develop public-private partnerships

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1 with Iowa businesses in the tourism industry, Iowa  
 2 tour groups, Iowa tourism organizations, and political  
 3 subdivisions in this state to assist in the  
 4 development of advertising efforts. The department  
 5 shall, to the fullest extent possible, develop  
 6 cooperative efforts for advertising with contributions  
 7 from other sources.

8 c. Welcome center program:

9 ..... \$ 350,000

10 Notwithstanding section 8.33, moneys committed to  
 11 grantees under contract that remain unexpended on June  
 12 30 of any fiscal year shall not revert to any fund but  
 13 shall be available for expenditure for purposes of the  
 14 contract during the succeeding fiscal year.

15 As a condition, limitation, and qualification of  
 16 the appropriations made in this subsection, moneys  
 17 appropriated shall be used for implementation of the  
 18 recommendations of the statewide long-range plan for  
 19 developing and operating welcome centers throughout  
 20 the state.

21 Notwithstanding section 8.33, pursuant to 1990 Iowa  
 22 Acts, chapter 1255, section 37, subsection 1, as  
 23 amended by 1991 Iowa Acts, House File 173, section  
 24 1001, the amount of \$275,000 shall be available for  
 25 the fiscal year beginning July 1, 1991, for completion  
 26 of contract negotiations for the establishment of the  
 27 welcome center in the Council Bluffs area.

28 d. Mississippi river parkway commission

29 For support, maintenance, and miscellaneous  
 30 purposes:

31 ..... \$ 19,000

32 6. WORK FORCE DEVELOPMENT DIVISION

33 a. Youth work force programs

34 For purposes of the conservation corps, including  
 35 salary, support, maintenance, miscellaneous purposes,  
 36 and for not more than the following full-time  
 37 equivalent positions:

38 ..... \$ 1,261,614

39 ..... FTEs 1.90

40 Notwithstanding section 8.33, moneys committed to  
 41 grantees under contract that remain unexpended on June  
 42 30 of any fiscal year shall not revert to any fund but  
 43 shall be available for expenditure for purposes of the  
 44 contract during the succeeding fiscal year.

45 b. Iowa corps

46 For purposes of the Iowa corps, including salary,  
 47 support, maintenance, miscellaneous purposes, and for  
 48 not more than the following full-time equivalent  
 49 positions:

50 ..... \$ 107,500



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1 ..... FTEs 1.00

2 Notwithstanding section 8.33, moneys obligated for  
3 the payment of tuition credits under this program but  
4 not expended at the end of the fiscal year shall not  
5 revert to any fund but shall be available for  
6 expenditure during succeeding fiscal years.

7 c. Job retraining program

8 To the Iowa employment retraining fund created in  
9 section 15.298 including salaries and support for not  
10 more than the following full-time equivalent  
11 positions:

12 ..... \$ 1,000,000

13 ..... FTEs 1.60

14 d. Work force investment program including  
15 salaries and support for not more than the following  
16 full-time equivalent position:

17 ..... \$ 1,000,000

18 ..... FTEs 0.90

19 This program shall be administered through the  
20 department of economic development in consultation  
21 with the state job training coordinating council. The  
22 program shall be operated on a competitive grant basis  
23 and funds shall be available for projects that  
24 increase Iowa's pool of available labor via training  
25 and support services. \$300,000 of the amount  
26 appropriated in this paragraph shall be available  
27 specifically for displaced homemaker programs.

28 e. Labor management councils /productivity  
29 enhancement

30 For salaries, support, maintenance, miscellaneous  
31 purposes, and for not more than the following full-  
32 time equivalent positions:

33 ..... \$ 202,320

34 ..... FTEs 1.05

35 As a condition, limitation, and qualification of  
36 the funds appropriated in this subsection, \$50,000  
37 shall be allocated for productivity enhancement  
38 projects.

39 As a condition, limitation, and qualification of  
40 receiving a grant from funds appropriated by this  
41 paragraph, grantees shall facilitate the active  
42 participation of labor as members of labor management  
43 councils. Grantees shall make a good faith effort to  
44 either schedule meetings during nonworking hours, or  
45 obtain voluntary agreements with employers to allow  
46 employees time off to attend labor management council  
47 meetings with no loss of pay or other benefits.

48 Notwithstanding section 8.33, moneys committed to  
49 grantees under contract that remain unexpended on June  
50 30 of any fiscal year shall not revert to any fund but

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1 shall be available for expenditure for purposes of the  
2 contract during the succeeding fiscal year.

3 Notwithstanding section 8.33, pursuant to 1990 Iowa  
4 Acts, chapter 1255, section 37, subsection 1, as  
5 amended by 1991 Iowa Acts, House File 173, section  
6 1001, moneys remaining unencumbered or unobligated  
7 shall be available for expenditure for the fiscal year  
8 beginning July 1, 1991, for the same purposes.

9 Sec. 302. Notwithstanding section 28.120,  
10 subsections 5 and 6, there is appropriated from the  
11 Iowa community development loan fund to the department  
12 of economic development for the fiscal year beginning  
13 July 1, 1991, and ending June 30, 1992, the following  
14 amount, or so much thereof as is necessary, to be used  
15 for the purposes designated:

16 RURAL DEVELOPMENT FINANCING:

17 ..... \$ 50,000

18 Notwithstanding section 8.39, funds appropriated by  
19 this section shall not be subject to transfer.

20 Sec. 303. Notwithstanding section 15.251,  
21 subsection 2, there is appropriated from the job  
22 training fund created in the office of the treasurer  
23 of state to the department of economic development for  
24 the fiscal year beginning July 1, 1991, and ending  
25 June 30, 1992, the following amount, or so much  
26 thereof as is necessary, to be used for the purposes  
27 designated:

28 1. For administration of chapter 280B, including  
29 salaries, support, maintenance, miscellaneous  
30 purposes, and for not more than the following full-  
31 time equivalent positions:

32 ..... \$ 125,000

33 ..... FTEs 2.40

34 2. For payment to the community colleges to  
35 supplement the coordination and instruction of  
36 apprentice related instruction, and instructional  
37 equipment for apprenticeship programs as provided in  
38 section 280A.44:

39 ..... \$ 125,000

40 As a condition, limitation, and qualification of  
41 the appropriation under this subsection, funds shall  
42 be allocated to each community college on the basis of  
43 the percentage of total contact hours enrolled in  
44 apprenticeship training at community colleges as of  
45 July 1, 1991.

46 3. For the target alliance program if funds remain  
47 in the job training fund after the appropriations in  
48 subsections 1 and 2 are made:

49 ..... \$ 30,000

50 Sec. 304. There is appropriated from the general

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1 fund of the state to the Iowa finance authority for  
2 the fiscal year beginning July 1, 1991, and ending  
3 June 30, 1992, the following amounts, or so much  
4 thereof as is necessary, to be used for the purposes  
5 designated:

6 1. HOMELESS SHELTER PROGRAM

7 To be deposited in the housing trust fund, for the  
8 operation, construction, and rehabilitation of  
9 homeless shelters under section 220.100, subsection 2,  
10 paragraph "a":

11 ..... \$ 1,000,000

12 a. Of the amount appropriated in this subsection,  
13 as nearly as practicable, \$675,000 shall be used for  
14 operating costs, including utilities, maintenance,  
15 food, clothing, and other supplies, or staff support  
16 services for homeless shelters; \$225,000 shall be used  
17 for construction and rehabilitation of homeless  
18 shelters; and \$100,000 shall be used for assistance to  
19 homeless shelters that are facing closure. If the  
20 moneys allocated for any purposes in this paragraph  
21 are not used or dedicated by February 1 of the fiscal  
22 year, the moneys may be reallocated for the other  
23 purposes in this paragraph that have the most need as  
24 determined by the Iowa finance authority.

25 b. As a condition, limitation, and qualification  
26 of the \$1,000,000 appropriation to the housing trust  
27 fund in this subsection and notwithstanding section  
28 220.100, subsection 6, from the moneys available for  
29 operating costs of and staff support services for  
30 homeless shelters in paragraph "a", the Iowa finance  
31 authority shall contract with a nongovernmental entity  
32 to administer the funds available for operating costs  
33 of and staff support services for homeless shelters.

34 2. HOUSING ASSISTANCE PROGRAM

35 a. To provide mortgage and finance assistance to  
36 individuals for the purchase or acquisition of homes:

37 ..... \$ 900,000

38 b. Of the amount appropriated in paragraph "a", an  
39 amount not to exceed 10 percent shall be used to  
40 finance the purchase or acquisition, in communities  
41 with a population of less than 10,000, of manufactured  
42 homes as defined in 42 U.S.C. § 5403.

43 c. Funds provided under paragraph "a" shall not be  
44 restricted to first-time home buyers but shall be for  
45 lower income and very low income families as defined  
46 in section 220.1. The assistance provided shall  
47 include at least one of the following kinds of  
48 assistance:

- 49 (1) Closing costs assistance.
- 50 (2) Down payment assistance.

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1 (3) Home maintenance and repair assistance.  
 2 (4) Loan processing assistance through a loan  
 3 endorser review contractor who would act on behalf of  
 4 the authority in assisting lenders in processing loans  
 5 that will qualify for government insurance or  
 6 guarantee or for financing under the authority's  
 7 mortgage revenue bond program.

8 (5) Mortgage insurance program.  
 9 Not more than 50 percent of the assistance provided  
 10 by the authority shall be provided under subparagraphs  
 11 (4) and (5). So long as at least one of the kinds of  
 12 assistance described in subparagraphs (1) through (5)  
 13 are provided, additional assistance not described in  
 14 subparagraphs (1) through (5) may also be provided.

15 d. Assistance provided under paragraph "a" shall  
 16 be limited to mortgages under \$55,000, except in those  
 17 areas of the state where the median price of homes  
 18 exceeds the state average.

19 3. RURAL COMMUNITY 2000 PROGRAM:

20 ..... \$ 2,457

21 Notwithstanding section 15.283, subsection 4, for  
 22 the fiscal year beginning July 1, 1991, and ending  
 23 June 30, 1992, all funds allocated under this  
 24 paragraph shall be used for the housing category as  
 25 specified under section 15.286.

26 Sec. 305. There is appropriated from the general  
 27 fund of the state to the Wallace technology transfer  
 28 foundation for the fiscal year beginning July 1, 1991,  
 29 and ending June 30, 1992, the following amount, or so  
 30 much thereof as is necessary, to be used for the  
 31 purposes designated:

32 1. For salaries, support, maintenance, and other  
 33 operational purposes, for funding the small business  
 34 innovation research program, and for funding  
 35 activities as provided in section 28.158:  
 36 ..... \$ 2,560,000

37 2. For transfer to the Iowa product development  
 38 corporation fund established in section 28.89:  
 39 ..... \$ 1,000,000

40 Sec. 306. There is appropriated from the general  
 41 fund of the state to INTERNET for the fiscal year  
 42 beginning July 1, 1991, and ending June 30, 1992, the  
 43 following amount, or so much thereof as is necessary,  
 44 to be used for the purposes designated:

45 For deposit in the international network on trade  
 46 fund created by the INTERNET board:  
 47 ..... \$ 465,000

48 As a condition, limitation, and qualification of  
 49 the appropriation under this section, \$90,000 shall be  
 50 allocated to the department of economic development

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1 for the Iowa international development foundation for  
2 the salaries and support for not more than the  
3 following full-time equivalent positions:

4 ..... FTEs 1.50

5 The full-time equivalent positions receiving moneys  
6 from the allocation for the Iowa international  
7 development foundation are employees of the department  
8 of economic development.

9 Sec. 307. There is appropriated from the general  
10 fund of the state to the following named institutions  
11 for the fiscal year beginning July 1, 1991, and ending  
12 June 30, 1992, the following amounts, or so much  
13 thereof as is necessary, to be used for the purposes  
14 designated:

15 1. To the university of northern Iowa for the  
16 applied technology program:

17 ..... \$ 300,000

18 2. To the university of northern Iowa for the  
19 decision-making science institute:

20 ..... \$ 575,000

21 3. To the Iowa state university of science and  
22 technology for funding the small business development  
23 centers:

24 ..... \$ 1,190,000

25 4. To the Iowa state university of science and  
26 technology for the institute for physical research and  
27 technology:

28 ..... \$ 500,000

29 5. To the state university of Iowa for the center  
30 for biocatalysis:

31 ..... \$ 396,000

32 Sec. 308. There is appropriated from the community  
33 college job training fund created in section 280C.6,  
34 subsection 1, as amended by 1991 Iowa Acts, Senate  
35 File 90, to the department of economic development for  
36 the fiscal year beginning July 1, 1991, and ending  
37 June 30, 1992, the following amount, or so much  
38 thereof as is necessary, to be used for the purposes  
39 designated:

40 For salaries, support, maintenance, and  
41 miscellaneous purposes for the administration of the  
42 Iowa small business new jobs training Act, and for not  
43 more than the following full-time equivalent position:

44 ..... \$ 38,954

45 ..... FTEs .70

46 Sec. 309. Section 99E.31, subsection 2, Code 1991,  
47 is amended by striking the subsection.

48 Sec. 310. Section 99E.32, subsection 2, Code 1991,  
49 is amended by striking the subsection.

50 Sec. 311. Section 15.241, unnumbered paragraphs 1

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1 and 2, Code 1991, are amended to read as follows:

~~2 The department shall establish, contingent upon the~~  
~~3 availability of funds authorized for the program,~~  
4 There is established a "self-employment loan program,  
5 account" within the strategic investment fund created  
6 in section 15.313 to provide funding for the self-  
7 employment loan program which program is to be  
8 conducted in coordination with the job training  
9 partnership program and other programs administered  
10 under section 15.108, subsection 6, paragraph "c".

11 The department may contract with local community  
12 action agencies or other local entities in  
13 administering the program, and shall work with the  
14 department of employment services and the department  
15 of human services in developing the program.

16 The self-employment loan program shall administer a  
17 low-interest loan program to provide loans to low-  
18 income persons for the purpose of establishing or  
19 expanding small business ventures. The terms of the  
20 loans shall be determined by the department, but shall  
21 not be in excess of five thousand dollars to any  
22 single applicant or at a rate to exceed five percent  
23 simple interest per annum. ~~A self-employment loan~~  
~~24 program revolving loan fund shall be established~~  
25 within the department. The department shall maintain  
26 records of all loans approved and the effectiveness of  
27 those loans in establishing or expanding small  
28 business ventures.

29 Sec. 312. Section 15.241, Code 1991, is amended by  
30 adding the following new unnumbered paragraph:

31 NEW UNNUMBERED PARAGRAPH. Payments of interest and  
32 repayments of moneys awarded under this program shall  
33 be deposited into the strategic investment fund.

34 Sec. 313. Section 15.247, subsections 2 and 3,  
35 Code 1991, are amended to read as follows:

36 2. ~~The department shall establish, contingent upon~~  
~~37 the availability of funds authorized for the program,~~  
38 There is established a "targeted small business  
39 financial assistance program account" within the  
40 strategic investment fund created in section 15.313,  
41 to provide for loans, loan guarantees, revolving  
42 loans, loans secured by accounts receivable, or grants  
43 to targeted small businesses. A targeted small  
44 business in any year shall receive under this program  
45 not more than twenty-five thousand dollars in a loan  
46 or grant, and not more than forty thousand dollars in  
47 a guarantee, or a combination of loans, grants, or  
48 guarantees. The program shall provide guarantees not  
49 to exceed seventy-five percent for loans made by  
50 qualified lenders. The department shall establish a

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1 financial assistance reserve account from funds  
2 ~~provided-for-this~~ allocated to the program account,  
3 from which any default on a guaranteed loan under this  
4 section shall be paid. In administering the program  
5 the department shall not guarantee loan values in  
6 excess of the amount credited to the reserve account  
7 and only moneys set aside in the loan reserve account  
8 may be used for the payment of a default.

9 3. All moneys designated for the targeted small  
10 business financial assistance program shall be  
11 credited to the financial-assistance-reserve program  
12 account. The department shall also establish an  
13 administrative-account-from-which-the-operating-costs  
14 of-the-program-shall-be-paid.--The department may  
15 transfer moneys between the reserve and the  
16 administrative accounts except that not more than  
17 twenty-five percent of the moneys shall be used to  
18 administer the fund. The department shall determine  
19 the actuarially sound reserve requirement for the  
20 amount of guaranteed loans outstanding.

21 Sec. 314. Section 15.247, Code 1991, is amended by  
22 adding the following new subsection:

23 NEW SUBSECTION. 6. Payments of interest and  
24 repayments of moneys awarded under this program shall  
25 be deposited into the strategic investment fund.

26 Sec. 315. Section 15.287, Code 1991, is amended to  
27 read as follows:

28 15.287 REVOLVING FUND.

29 The Iowa finance authority shall establish a  
30 revolving fund for the program and shall transfer to  
31 the department moneys to be administered by the  
32 department. The moneys in the revolving fund are  
33 appropriated for purposes of the program.  
34 Notwithstanding section 8.33, moneys in the fund at  
35 the end of a fiscal year shall not revert to any other  
36 fund but shall remain in the revolving fund. The fund  
37 shall consist of all appropriations, grants, or gifts  
38 received by the authority or the department  
39 specifically for use under this part and all  
40 repayments of loans or grants made under this part.  
41 However, loan repayments from loans made under section  
42 28.120, which are not allocated to another program,  
43 shall be deposited in the revolving fund and shall be  
44 available for allocation by the director for  
45 categories administered by the department.

46 Sec. 316. NEW SECTION. 15.311 STRATEGIC  
47 INVESTMENT FUND.

48 This part shall be known as the "Iowa Strategic  
49 Investment Fund" program.

50 Sec. 317. NEW SECTION. 15.312 PURPOSE.

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1 The purpose of this part shall be to provide a  
2 mechanism for funding those programs listed in section  
3 15.313, subsection 2, in order to more efficiently  
4 meet the needs identified within those individual  
5 programs.

6 Sec. 318. NEW SECTION. 15.313 STRATEGIC  
7 INVESTMENT FUND.

8 1. There is created an "Iowa strategic investment  
9 fund". The fund is a revolving fund and consists of  
10 any money appropriated by the general assembly for  
11 that purpose and any other moneys available to and  
12 obtained or accepted by the department from the  
13 federal government or private sources for placement in  
14 the fund. The fund shall also include:

15 a. All unencumbered and unobligated funds from the  
16 special community economic betterment funds from the  
17 created under 1990 Iowa Acts, chapter 1262, section 1,  
18 subsection 18, remaining on June 30, 1991, and all  
19 repayments of loans or other awards made under the  
20 community economic betterment account or under the  
21 community economic betterment program during the  
22 preceding fiscal years beginning July 1, 1985, and  
23 subsequent fiscal years.

24 b. All unencumbered and unobligated funds from the  
25 self-employment loan program, the targeted small  
26 business financial assistance program, the  
27 microenterprise development revolving fund, and the  
28 value-added agricultural products and processes  
29 financial assistance fund remaining on June 30, 1991,  
30 and all repayments of loans or other awards made under  
31 these programs during the fiscal year beginning July  
32 1, 1991, and subsequent fiscal years.

33 2. The assets of the fund shall be used by the  
34 department for carrying out the purposes of the  
35 following programs:

36 a. The community economic betterment program  
37 created in sections 15.315 through 15.320.

38 b. The value-added agricultural products and  
39 processes financial assistance program created in  
40 sections 28.111 through 28.112.

41 c. The business development finance corporation  
42 created in sections 28.131 through 28.149.

43 d. The self-employment loan program created in  
44 section 15.241.

45 e. The targeted small business financial  
46 assistance program created in section 15.247.

47 3. All grants, loans, and forgivable loans awarded  
48 under subsection 2, paragraphs "a" and "b", shall be  
49 approved by the board.

50 4. Annually the director shall submit to the



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1 economic development board at a regular or special  
2 meeting preceding the beginning of the fiscal year  
3 planned allocations to be made for that fiscal year to  
4 the community economic betterment program, the value-  
5 added agricultural products and processes financial  
6 assistance program, the business development finance  
7 corporation, the self-employment loan program, and the  
8 targeted small business financial assistance program.  
9 Plans may provide for increased or decreased  
10 allocations if the demand in a program indicates that  
11 the need exceeds the allocation for that program. The  
12 director shall report to the board on the status of  
13 the funds on a monthly basis and may present proposed  
14 revisions for approval by the board in January and  
15 April of each year. Unobligated and unencumbered  
16 moneys remaining in the strategic investment fund or  
17 any of its accounts on June 30 of each year shall be  
18 considered part of the fund for purposes of the next  
19 year's allocation.

20 5. Notwithstanding section 8.33, moneys in this  
21 fund at the end of each fiscal year shall not revert  
22 to any other fund but shall remain in this strategic  
23 investment fund.

24 Sec. 319. NEW SECTION. 15.315 COMMUNITY ECONOMIC  
25 BETTERMENT PROGRAM.

26 This part shall be known as the "Community Economic  
27 Betterment Program."

28 Sec. 320. NEW SECTION. 15.316 PURPOSE.

29 The purpose of this program is to assist  
30 communities and rural areas of the state with their  
31 economic development efforts and to increase  
32 employment opportunities for Iowans by increasing the  
33 level of economic activity and development within the  
34 state.

35 Sec. 321. NEW SECTION. 15.317 PROGRAM.

36 1. The department shall establish a program to  
37 effectuate the purposes of this part by providing  
38 financial assistance for small business gap financing,  
39 new business opportunities, and new product and  
40 entrepreneurial development. These purposes may be  
41 accomplished by providing the following types of  
42 assistance:

43 a. Principal buy-down program to reduce the  
44 principal of a business loan.

45 b. Interest buy-down program to reduce the  
46 interest of a business loan.

47 c. Loans or forgivable loans to aid in economic  
48 development.

49 d. Loan guarantees for business loans made by  
50 commercial lenders.

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1 e. Equity-like investments.

2 2. Only a political subdivision of this state may  
3 apply to receive funds for any of the above purposes.  
4 The political subdivision shall make application to  
5 the department of economic development specifying the  
6 purpose for which the funds will be used.

7 3. The department shall not provide more than one  
8 million dollars for any project, unless at least two-  
9 thirds of the members of the economic development  
10 board vote for providing more.

11 Sec. 322. NEW SECTION. 15.318 RATING FACTORS AND  
12 CRITERIA.

13 In ranking applications for funds, the department  
14 shall consider a variety of factors including, but not  
15 limited to:

16 1. The proportion of local match to be provided.

17 2. The proportion of private contribution to be  
18 provided, including the involvement of financial  
19 institutions.

20 3. The total number of jobs to be created or  
21 retained.

22 4. The size of the business receiving assistance.  
23 The department shall award more points to small  
24 businesses as defined by the United States small  
25 business administration.

26 5. The potential for future growth in the industry  
27 represented by the business being considered for  
28 assistance.

29 6. The need of the business for financial  
30 assistance from governmental sources. More points  
31 shall be awarded to a business for which the  
32 department determines that governmental assistance is  
33 most necessary to the success of the project.

34 7. The quality of the jobs to be created. In  
35 rating the quality of the jobs the department shall  
36 award more points to those jobs that have a higher  
37 wage scale, have a lower turnover rate, are full-time  
38 or career-type positions, provide comprehensive health  
39 benefits, or have other related factors which could be  
40 considered to be higher in quality. Businesses that  
41 have wage scales substantially below that of existing  
42 Iowa businesses in that area should be rated as  
43 providing the lowest quality of jobs and should  
44 therefore be given the lowest ranking for providing  
45 such assistance.

46 8. The level of need of the political subdivision.

47 9. The impact of the proposed project on the  
48 economy of the political subdivision.

49 10. The impact of the proposed project on other  
50 businesses in competition with the business being

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1 considered for assistance. The department shall make  
2 a good faith effort to identify existing Iowa  
3 businesses within an industry in competition with the  
4 business being considered for assistance. The  
5 department shall make a good faith effort to determine  
6 the probability that the proposed financial assistance  
7 will displace employees of the existing businesses.  
8 In determining the impact on businesses in competition  
9 with the business being considered for assistance,  
10 jobs created as a result of other jobs being displaced  
11 elsewhere in the state shall not be considered direct  
12 jobs created.

13 11. The impact to the state of the proposed  
14 project. In measuring the economic impact the  
15 department shall award more points for projects which  
16 have greater consistency with the state strategic  
17 plan, such as the following:

18 a. A business with a greater percentage of sales  
19 out-of-state or of import substitution.

20 b. A business with a higher proportion of in-state  
21 suppliers.

22 c. A project which would provide greater  
23 diversification of the state economy.

24 d. A business with fewer in-state competitors.

25 e. A potential for future job growth.

26 f. A project which is not a retail operation.

27 12. If the business has a record of violations of  
28 the law over a period of time that tends to show a  
29 consistent pattern, the business shall be given the  
30 lowest ranking for providing assistance. The  
31 department shall make a good faith effort to compile  
32 this information.

33 13. If a business has, within three years of  
34 application for assistance, acquired or merged with an  
35 Iowa corporation or company, the business shall make a  
36 good faith effort to hire the workers of the acquired  
37 or merged company.

38 14. To be eligible for assistance a business shall  
39 provide for a preference for hiring residents of the  
40 state or the economic development area, except for  
41 out-of-state employees offered a transfer to Iowa or  
42 the economic development area.

43 15. All known required environmental permits must  
44 be granted and regulations met before moneys are  
45 released.

46 Sec. 323. NEW SECTION. 15.319 MONITORING OF JOB  
47 CREATION AND RETENTION.

48 i. The department shall develop definitions for  
49 the terms "job creation" and "job retention" to  
50 measure and identify the actual number of permanent,

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1 full-time positions which the businesses actually  
2 create or retain and which can be documented by  
3 comparison of the payroll reports during the twenty-  
4 four month period after the award.

5 2. The department shall document the actual job  
6 creation and retention effects of all businesses  
7 receiving financial assistance from the program in the  
8 context of the employer contribution and payroll  
9 reports filed by the business.

10 3. The department shall require businesses which  
11 receive assistance from the program to submit  
12 historical copies of the employer contributions and  
13 payroll reports with the application for funds,  
14 require businesses to submit the reports after an  
15 award on a timely basis, and require businesses to  
16 estimate the expected job creation and retention  
17 effects for the twelve-month and twenty-four month  
18 periods after an award in terms of the number of  
19 employees and total wages as displayed in the payroll  
20 reports.

21 Sec. 324. NEW SECTION. 15.320 COMMUNITY ECONOMIC  
22 BETTERMENT PROGRAM ACCOUNT.

23 1. A community economic betterment program account  
24 is established within the strategic investment fund to  
25 be used by the department of economic development for  
26 the community economic betterment program. The  
27 account shall consist of all appropriations, grants,  
28 or gifts received by the department specifically for  
29 use under this part and any moneys allocated to the  
30 community economic betterment program account from the  
31 strategic investment fund.

32 2. Payments of interest or repayments of moneys  
33 awarded under the community economic betterment  
34 program shall be deposited into the strategic  
35 investment fund.

36 Sec. 325. Section 28.111, subsection 3, unnumbered  
37 paragraph 1, Code 1991, is amended to read as follows:

38 The director of the department of economic  
39 development may grant financial or technical  
40 assistance to a person eligible to receive assistance  
41 under this section, upon review and evaluation of the  
42 person's application by the agricultural products  
43 advisory council as established in section 15.203.  
44 ~~The council shall make recommendations to approve or~~  
45 ~~disapprove an application to the department.~~ The  
46 department director shall consider the recommendations  
47 council's evaluation in granting or denying  
48 assistance. The department director shall not approve  
49 an application for assistance under this section to  
50 refinance an existing loan, or to finance traditional

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1 agricultural operations. An application is eligible  
2 for consideration if the application seeks assistance  
3 for any of the following purposes:

4 Sec. 326. Section 28.112, subsection 1, Code 1991,  
5 is amended to read as follows:

6 1. ~~The department may establish~~ There is  
7 established a value-added agricultural products and  
8 processes financial assistance fund account within the  
9 strategic investment fund created in section 15.313.

10 The fund account shall be a revolving fund composed  
11 consist of any money appropriated by the general  
12 assembly for that purpose, moneys allocated to the  
13 account from the strategic investment fund, any other  
14 moneys available to and obtained or accepted by the  
15 department from the federal government or private  
16 sources for placement in the fund, and any earned  
17 interest account. Except as otherwise provided in  
18 subsection 2, the assets of the fund account shall be  
19 used by the department only for carrying out the  
20 purposes of section 28.111.

21 Sec. 327. Section 28.112, subsection 2, Code 1991,  
22 is amended by adding the following new paragraph:

23 NEW PARAGRAPH. d. Payments of interest or  
24 repayments of moneys awarded under the value-added  
25 agricultural products and processes financial  
26 assistance program shall be deposited into the  
27 strategic investment fund.

28 Sec. 328. Section 28.120, Code 1991, is amended by  
29 adding the following new subsection:

30 NEW SUBSECTION. 8. Loan repayments made under  
31 this section and unallocated in the special account in  
32 subsection 5, shall be allocated to the revolving  
33 account of the rural community 2000 program created in  
34 section 15.287.

35 Sec. 329. Section 28.143, subsection 1, paragraph  
36 e, Code 1991, is amended to read as follows:

37 e. The superintendent of savings-and-loans credit  
38 unions.

39 Sec. 330. Section 28.144, Code 1991, is amended by  
40 striking the section and inserting in lieu thereof the  
41 following:

42 28.144 PRESIDENT OF THE CORPORATION.

43 The director of the department shall appoint the  
44 president of the corporation from the division within  
45 the department that administers business financial  
46 assistance programs. Administrative and staff support  
47 shall be furnished by the department.

48 Sec. 331. Section 28.148, Code 1991, is amended to  
49 read as follows:

50 28.148 STATE ASSISTANCE FUND.

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1 There is created in the treasurer of state's office  
2 a "business development finance corporation assistance  
3 fund". The fund shall consist of all appropriations,  
4 grants, or gifts received by the treasurer  
5 specifically for assistance under this division and  
6 moneys allocated from the strategic investment fund  
7 created in section 15.313. Moneys in this fund are  
8 appropriated to the corporation for the purposes  
9 stated in this division. Moneys allocated to this  
10 fund for purposes of the capital access program and  
11 repayments of moneys from the capital access program  
12 which remain unobligated at the end of a fiscal year  
13 may be returned to the strategic investment fund upon  
14 approval of the board of directors of the business  
15 development finance corporation of Iowa.

16 Sec. 332. Notwithstanding the provision in section  
17 15.313 granting the director of the department of  
18 economic development discretion in the allocation of  
19 the moneys to the various accounts in the strategic  
20 investment fund, for the fiscal year beginning July 1,  
21 1991, a minimum of \$500,000 shall be allocated to the  
22 targeted small business financial assistance program  
23 account and a minimum of \$220,000 shall be allocated  
24 to the self-employment loan program account. However,  
25 any amounts of those two minimum allocations that have  
26 not been committed on January 15, 1992, may be  
27 reallocated to the other accounts in the strategic  
28 investment fund.

29 Sec. 333. Section 15.286A, subsection 2, as  
30 enacted by 1991 Iowa Acts, Senate File 254, section 9,  
31 is amended to read as follows:

32 2. A city, cluster of cities, county, group of  
33 ~~counties, unincorporated-community, group-of~~  
34 ~~unincorporated-communities,~~ council of governments, or  
35 regional planning commission, or one of these entities  
36 on behalf of an unincorporated community or group of  
37 unincorporated communities, is eligible to apply for  
38 loans or grants from this category for planning  
39 efforts related to the community builder program.

40 Sec. 334. Sections 15.232 and 15.240, Code 1991,  
41 are repealed.

42 Sec. \_\_\_\_\_. The legislative council is requested to  
43 establish an interim study committee to develop  
44 recommendations on how to more efficiently deliver  
45 regional economic development assistance to businesses  
46 and communities.

## DIVISION IV

## JUSTICE SYSTEMS APPROPRIATIONS

49 Sec. 401. There is appropriated from the general  
50 fund of the state to the department of justice for the

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1 fiscal year beginning July 1, 1991, and ending June  
2 30, 1992, the following amounts, or so much thereof as  
3 is necessary, to be used for the purposes designated:

4 1. For the general office of attorney general for  
5 salaries, support, maintenance, miscellaneous  
6 purposes, and for not more than the following full-  
7 time equivalent positions:

8 .....	\$	4,944,996
9 .....	FTEs	176.00

10 2. Prosecuting attorney training program for  
11 salaries, support, maintenance, miscellaneous  
12 purposes, and for not more than the following full-  
13 time equivalent positions:

14 .....	\$	191,898
15 .....	FTEs	4.75

16 3. In addition to the funds appropriated under  
17 subsection 1, there is appropriated from the general  
18 fund of the state to the department of justice for the  
19 fiscal year beginning July 1, 1991, and ending June  
20 30, 1992, an amount not exceeding \$95,000 to be used  
21 for the enforcement of the Iowa competition law under  
22 chapter 553. The expenditure of the funds  
23 appropriated under this subsection is contingent upon  
24 receipt by the general fund of the state of an amount  
25 at least equal to either the expenditures from damages  
26 awarded to the state or a political subdivision of the  
27 state by a civil judgment under chapter 553, if the  
28 judgment authorizes the use of the award for  
29 enforcement purposes or costs or attorneys fees  
30 awarded the state in state or federal antitrust  
31 actions.

32 4. In addition to funds appropriated under  
33 subsection 1, there is appropriated from the general  
34 fund of the state to the department of justice for the  
35 fiscal year beginning July 1, 1991, and ending June  
36 30, 1992, an amount not exceeding \$50,000 to be used  
37 for public education relating to consumer fraud and  
38 for enforcement of section 714.16, and \$25,000 for  
39 investigation, prosecution, and consumer education  
40 relating to consumer and criminal fraud against older  
41 Iowans. The expenditure of the funds appropriated  
42 under this subsection is contingent upon receipt by  
43 the general fund of the state of an amount at least  
44 equal to the expenditures from damages awarded to the  
45 state or a political subdivision of the state by a  
46 civil consumer fraud judgment, if the judgment  
47 authorizes the use of the award for public education  
48 on consumer fraud. Notwithstanding section 8.33,  
49 funds received in a previous fiscal year which have  
50 not been expended shall be credited to this fiscal

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1 year.  
 2 5. For the farm mediation service program:  
 3 ..... \$ 100,000  
 4 6. For the legal assistance for farmers program:  
 5 ..... \$ 100,000  
 6 7. For victim assistance grants, as provided in  
 7 Senate File 444, if Senate File 444 is enacted by the  
 8 Seventy-fourth General Assembly, first regular  
 9 session, in a manner which raises certain court costs  
 10 and fees and deposits the resulting receipts either  
 11 directly into the general fund of the state, or into  
 12 the general fund of the state through the court  
 13 revenue distribution account:  
 14 ..... \$ 1,700,000

15 As a condition, limitation, and qualification of  
 16 this appropriation, no more than \$60,000 shall be  
 17 expended for the costs of the general office of the  
 18 attorney general's administrative duties pursuant to  
 19 Senate File 444, and \$100,000 shall be awarded to the  
 20 department of corrections for one-time costs  
 21 associated with establishing batterers' treatment  
 22 programs in the judicial district departments of  
 23 correctional services, as set forth in Senate File  
 24 444. The department of corrections shall award the  
 25 \$100,000 on a competitive basis to the judicial  
 26 district departments of correctional services. The  
 27 remaining funds shall be used to provide grants to  
 28 care providers providing services to crime victims of  
 29 domestic abuse or to crime victims of rape and sexual  
 30 assault.

31 However, if Senate File 444 is not enacted by the  
 32 Seventy-fourth General Assembly, first regular  
 33 session, in a manner which raises certain court costs  
 34 and fees and deposits the resulting receipts either  
 35 directly into the general fund, or into the general  
 36 fund through the court revenue distribution account,  
 37 there is appropriated from the general fund of the  
 38 state to the department of justice for the fiscal year  
 39 beginning July 1, 1991, and ending June 30, 1992, the  
 40 following amount, or so much thereof as is necessary  
 41 to be used for the purpose designated:

42 For victim assistance grants:  
 43 ..... \$ 1,071,782

44 As a condition, limitation, and qualification of  
 45 this appropriation, the funds shall be used to provide  
 46 grants to care providers providing services to crime  
 47 victims of domestic abuse or to crime victims of rape  
 48 and sexual assault.

49 8. For the GASA prosecuting attorney program:  
 50 ..... \$ 103,400



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1 ..... FTEs 1.00  
 2 9. The balance of the fund created under section  
 3 321J.17 may be used to provide salary and support of  
 4 not more than 6 FTEs and to provide maintenance for  
 5 the victim compensation functions of the department of  
 6 justice.

7 10. The department of justice shall submit monthly  
 8 financial statements to the legislative fiscal bureau  
 9 and the department of management containing all  
 10 appropriated accounts in the same manner as provided  
 11 in the monthly financial status reports and personal  
 12 services usage reports of the department of revenue  
 13 and finance. The monthly financial statements shall  
 14 include comparisons of the moneys and percentage spent  
 15 of budgeted to actual revenues and expenditures on a  
 16 cumulative basis for full-time equivalent positions  
 17 and available moneys.

18 Sec. 402. There is appropriated from the general  
 19 fund to the office of consumer advocate of the  
 20 department of justice for the fiscal year beginning  
 21 July 1, 1991, and ending June 30, 1992, the following  
 22 amount, or so much thereof as is necessary, to be used  
 23 for the purposes designated:

24 For salaries, support, maintenance, miscellaneous  
 25 purposes, and for not more than the following full-  
 26 time equivalent positions:  
 27 ..... \$ 2,054,783  
 28 ..... FTEs 32.00

29 Sec. 403. There is appropriated from the general  
 30 fund of the state to the board of parole for the  
 31 fiscal year beginning July 1, 1991, and ending June  
 32 30, 1992, the following amount, or so much thereof as  
 33 is necessary, to be used for the purposes designated:

34 For salaries, support, maintenance, miscellaneous  
 35 purposes, and for not more than the following full-  
 36 time equivalent positions:  
 37 ..... \$ 781,894  
 38 ..... FTEs 18.00

39 As a condition, limitation, and qualification of  
 40 this appropriation the board of parole shall maintain  
 41 an automated docket and shall maintain the board's  
 42 automated risk assessment model.

43 As a condition, limitation, and qualification of  
 44 the appropriation the board of parole shall employ 2  
 45 statistical research analysts to assist with the  
 46 application of the risk assessment model in the parole  
 47 decision-making process. The board of parole shall  
 48 also require the board's administrative staff to be  
 49 cross-trained to assure that each individual on that  
 50 staff is familiar with all tasks performed by the

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1 staff.

2 It is the intent of the general assembly that the  
 3 department of corrections and the board of parole  
 4 shall review, and implement as necessary, the findings  
 5 and recommendations contained in the final report  
 6 prepared by the consultant and presented to the  
 7 corrections system review task force which was  
 8 established by 1988 Iowa Acts, chapter 1271, as they  
 9 relate to the department of corrections and the board  
 10 of parole. The board shall report to the justice  
 11 system appropriations subcommittee during the 1992  
 12 legislative session, at the request of the  
 13 subcommittee, steps taken to implement any of those  
 14 recommendations, or the reasons for failing to  
 15 implement such recommendations.

16 Sec. 404. There is appropriated from the general  
 17 fund of the state to the department of corrections for  
 18 the fiscal year beginning July 1, 1991, and ending  
 19 June 30, 1992, the following amounts, or so much  
 20 thereof as is necessary, to be used for the purposes  
 21 designated:

22 1. For the operation of adult correctional  
 23 institutions, to be allocated as follows:

24 a. For the operation of the Fort Madison  
 25 correctional facility, including salaries, support,  
 26 maintenance, miscellaneous purposes, and for not more  
 27 than the following full-time equivalent positions:

28 .....	\$ 21,829,312
29 .....	FTEs 302.50

30 As a condition, limitation, and qualification of  
 31 this appropriation, the facility shall employ 310  
 32 correctional officers.

33 b. For the operation of the Anamosa correctional  
 34 facility, including salaries, support, maintenance,  
 35 miscellaneous purposes, and for not more than the  
 36 following full-time equivalent positions:

37 .....	\$ 16,153,646
38 .....	FTEs 356.00

39 (1) As a condition, limitation, and qualification  
 40 of this appropriation, the facility shall employ 211  
 41 correctional officers and a part-time chaplain of a  
 42 minority race.

43 (2) Of the funds appropriated, the department's  
 44 budget for Anamosa shall include funding for 2 full-  
 45 time substance abuse counselors for the Luster Heights  
 46 facility, for the purpose of certification of a  
 47 substance abuse program at that facility.

48 c. For the operation of the Oakdale correctional  
 49 facility, including salaries, support, maintenance,  
 50 miscellaneous purposes, and for not more than the

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1 following full-time equivalent positions:  
 2 ..... \$ 13,998,174  
 3 ..... FTEs 309.64

4 As a condition, limitation, and qualification of  
 5 this appropriation, the facility shall employ 151.50  
 6 correctional officers.

7 d. For the operation of the Newton correctional  
 8 facility, including salaries, support, maintenance,  
 9 miscellaneous purposes, and for not more than the  
 10 following full-time equivalent positions:  
 11 ..... \$ 4,347,830  
 12 ..... FTEs 94.03

13 As a condition, limitation, and qualification of  
 14 this appropriation, the facility shall employ 39.02  
 15 correctional officers.

16 e. For the operation of the Mt. Pleasant  
 17 correctional facility, including salaries, support,  
 18 maintenance, miscellaneous purposes, and for not more  
 19 than the following full-time equivalent positions:  
 20 ..... \$ 11,606,136  
 21 ..... FTEs 267.15

22 As a condition, limitation, and qualification of  
 23 this appropriation, the facility shall employ 141  
 24 correctional officers, and a full-time chaplain to  
 25 provide religious counseling at the Oakdale and Mt.  
 26 Pleasant correctional facilities.

27 f. For the operation of the Rockwell City  
 28 correctional facility, including salaries, support,  
 29 maintenance, miscellaneous purposes, and for not more  
 30 than the following full-time equivalent positions:  
 31 ..... \$ 4,031,837  
 32 ..... FTEs 81.75

33 As a condition, limitation, and qualification of  
 34 this appropriation, the facility shall employ 44.51  
 35 correctional officers.

36 g. For the operation of the Clarinda correctional  
 37 facility, including salaries, support, maintenance,  
 38 miscellaneous purposes, and for not more than the  
 39 following full-time equivalent positions:  
 40 ..... \$ 5,213,089  
 41 ..... FTEs 133.20

42 As a condition, limitation, and qualification of  
 43 this appropriation, the facility shall employ 68  
 44 correctional officers.

45 h. For the operation of the Mitchellville  
 46 correctional facility, including salaries, support,  
 47 maintenance, miscellaneous purposes, and for not more  
 48 than the following full-time equivalent positions:  
 49 ..... \$ 4,885,117  
 50 ..... FTEs 112.40

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1 As a condition, limitation, and qualification of  
2 this appropriation, the facility shall employ 62.02  
3 correctional officers.

4 2. The department of corrections shall provide a  
5 report to the co-chairpersons and ranking members of  
6 the justice system appropriations subcommittee and the  
7 legislative fiscal bureau on or before January 15,  
8 1992, outlining the implementation of the centralized  
9 education program for the correctional system. The  
10 report shall include a listing of the educational  
11 institutions that are involved, the amount of any  
12 federal funds received for use with these programs,  
13 and any other pertinent information.

14 3. If the inmate tort claim fund for inmate claims  
15 of less than \$50 is exhausted during the fiscal year,  
16 sufficient funds shall be transferred from the  
17 institutional budgets to pay approved tort claims for  
18 the balance of the fiscal year. The warden or  
19 superintendent of each institution or correctional  
20 facility shall designate an employee to receive,  
21 investigate, and recommend whether to pay any properly  
22 filed inmate tort claim for less than the above  
23 amount. The designee's recommendation shall be  
24 approved or denied by the warden or superintendent and  
25 forwarded to the department of corrections for final  
26 approval and payment. The amounts appropriated to  
27 this fund pursuant to 1987 Iowa Acts, chapter 234,  
28 section 304, subsection 2, are not subject to  
29 reversion under section 8.33.

30 Tort claims denied at the institution shall be  
31 forwarded to the state appeal board for their  
32 consideration as if originally filed with that body.  
33 This procedure shall be used in lieu of chapter 25A  
34 for inmate tort claims of less than \$50.

35 Sec. 405. There is appropriated from the general  
36 fund of the state to the department of corrections for  
37 the fiscal year beginning July 1, 1991, and ending  
38 June 30, 1992, the following amounts, or so much  
39 thereof as is necessary, to be used for the purposes  
40 designated:

41 1. For general administration, including salaries,  
42 support, maintenance, miscellaneous purposes, and for  
43 not more than the following full-time equivalent  
44 positions:

45 .....	\$	2,263,459
46 .....	FTEs	43.52

47 As a condition, limitation, and qualification of  
48 this appropriation the department shall employ an  
49 education director and clerk to administer a  
50 centralized education program for the correctional

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1 system.

2 The department shall monitor the use of the  
3 classification model by the judicial district  
4 departments of correctional services and has the  
5 authority to override a district department's decision  
6 regarding classification of community-based clients.  
7 The department shall notify a district department of  
8 the reasons for the override.

9 2. For reimbursement of counties for temporary  
10 confinement of work release and parole violators, as  
11 provided in sections 246.908, 901.7, and 906.17 and  
12 for offenders confined pursuant to section 246.513:  
13 ..... \$ 250,000

14 3. For federal prison reimbursement and  
15 miscellaneous contracts:  
16 ..... \$ 360,000

17 The department of corrections shall use funds  
18 appropriated by this subsection to continue to  
19 contract for the service of a Muslim imam.

20 4. For salaries, support, maintenance,  
21 miscellaneous purposes, and for not more than the  
22 following full-time equivalent positions at the  
23 correctional training center at Mt. Pleasant:  
24 ..... \$ 391,342  
25 ..... FTEs 8.22

26 5. For annual payment relating to the financial  
27 arrangement for the construction of expansion in  
28 prison capacity as provided in 1989 Iowa Acts, chapter  
29 316, section 7, subsection 6:  
30 ..... \$ 625,860

31 6. For annual payment relating to the financial  
32 arrangement for the construction of expansion in  
33 prison capacity as provided in 1990 Iowa Acts, chapter  
34 1257, section 24:  
35 ..... \$ 3,143,250

36 7. For the capital design and construction of a  
37 192 bed prison facility at a site specified by the  
38 general assembly by reference to this appropriation:  
39 ..... \$ 1,000,000

40 Sec. 406.

41 1. There is appropriated from the general fund of  
42 the state to the department of corrections for the  
43 fiscal year beginning July 1, 1991, and ending June  
44 30, 1992, the following amounts, or so much thereof as  
45 is necessary, to be allocated as follows:

46 a. For the first judicial district department of  
47 correctional services, the following amount, or so  
48 much thereof as is necessary:  
49 ..... \$ 5,662,589

50 The district department shall continue the

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1 intensive supervision program established within the  
2 district in 1988 Iowa Acts, chapter 1271, section 6,  
3 subsection 1, paragraph "a", and the sex offender  
4 treatment program established within the district in  
5 1989 Iowa Acts, chapter 316, section 8, subsection 1,  
6 paragraph "a".

7 The district department, in cooperation with the  
8 chief judge of the judicial district, shall continue  
9 the implementation of a plan to divert low-risk  
10 offenders to the least restrictive sanction available.

11 b. For the second judicial district department of  
12 correctional services, the following amount, or so  
13 much thereof as is necessary:

14 ..... \$ 3,975,633

15 The district department shall continue the sex  
16 offender treatment program established within the  
17 district in 1988 Iowa Acts, chapter 1271, section 6,  
18 subsection 1, paragraph "b".

19 The district department, in cooperation with the  
20 chief judge of the judicial district, shall continue  
21 the implementation of a plan to divert low-risk  
22 offenders to the least restrictive sanction available.

23 c. For the third judicial district department of  
24 correctional services, the following amount, or so  
25 much thereof as is necessary:

26 ..... \$ 2,488,959

27 The district department shall continue the sex  
28 offender treatment program established within the  
29 district in 1988 Iowa Acts, chapter 1271, section 6,  
30 subsection 1, paragraph "c", and the intensive  
31 supervision program established within the district in  
32 1990 Iowa Acts, chapter 1268, section 6, subsection 3,  
33 paragraph "d".

34 The district department, in cooperation with the  
35 chief judge of the judicial district, shall continue  
36 the implementation of a plan to divert low-risk  
37 offenders to the least restrictive sanction available.

38 d. For the fourth judicial district department of  
39 correctional services, the following amount, or so  
40 much thereof as is necessary:

41 ..... \$ 1,968,221

42 The district department shall continue the sex  
43 offender treatment program established within the  
44 district in 1988 Iowa Acts, chapter 1271, section 6,  
45 subsection 1, paragraph "d".

46 The district department, in cooperation with the  
47 chief judge of the judicial district, shall continue  
48 the implementation of a plan to divert low-risk  
49 offenders to the least restrictive sanction available.

50 e. For the fifth judicial district department of

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1 correctional services, the following amount, or so  
2 much thereof as is necessary:

3 ..... \$ 7,066,072

4 The district department shall continue the  
5 intensive supervision program established within the  
6 district in 1988 Iowa Acts, chapter 1271, section 6,  
7 subsection 1, paragraph "e", and shall continue to  
8 provide for the rental of electronic monitoring  
9 equipment.

10 The district department, in cooperation with the  
11 chief judge of the judicial district, shall continue  
12 the implementation of a plan to divert low-risk  
13 offenders to the least restrictive sanction available.

14 f. For the sixth judicial district department of  
15 correctional services, the following amount, or so  
16 much thereof as is necessary:

17 ..... \$ 5,668,432

18 The district department shall continue the  
19 intensive supervision program established within the  
20 district in 1988 Iowa Acts, chapter 1271, section 6,  
21 subsection 1, paragraph "f", and the sex offender  
22 treatment program established within the district in  
23 1989 Iowa Acts, chapter 316, section 8, subsection 1,  
24 paragraph "f".

25 The district department, in cooperation with the  
26 chief judge of the judicial district, shall continue  
27 the implementation of a plan to divert low-risk  
28 offenders to the least restrictive sanction available.

29 g. For the seventh judicial district department of  
30 correctional services, the following amount, or so  
31 much thereof as is necessary:

32 ..... \$ 3,913,619

33 The district department shall continue the  
34 intensive supervision program established within the  
35 district in 1988 Iowa Acts, chapter 1271, section 6,  
36 subsection 1, paragraph "g", and shall continue the  
37 sex offender treatment program established within the  
38 district in 1989 Iowa Acts, chapter 316, section 8,  
39 subsection 1, paragraph "g".

40 The district department, in cooperation with the  
41 chief judge of the judicial district, shall continue  
42 the implementation of a plan to divert low-risk  
43 offenders to the least restrictive sanction available.

44 h. For the eighth judicial district department of  
45 correctional services, the following amount, or so  
46 much thereof as is necessary:

47 ..... \$ 3,171,958

48 The district department shall continue the  
49 intensive supervision program established within the  
50 district in 1988 Iowa Acts, chapter 1271, section 6,

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1 subsection 1, paragraph "h", and shall continue the  
2 sex offender treatment program established within the  
3 district in 1989 Iowa Acts, chapter 316, section 8,  
4 subsection 1, paragraph "h".

5 The district department, in cooperation with the  
6 chief judge of the judicial district, shall continue  
7 the implementation of a plan to divert low-risk  
8 offenders to the least restrictive sanction available.

9 i. For the department of corrections for the  
10 assistance and support of each judicial district  
11 department of correctional services, the following  
12 amount, or so much thereof as is necessary:

13 ..... \$ 104,754

14 2. The department of corrections shall continue  
15 the OWI facilities established in 1986 Iowa Acts,  
16 chapter 1246, section 402, in compliance with the  
17 conditions specified in that section.

18 3. The department of corrections shall continue to  
19 contract with a judicial district department of  
20 correctional services to provide for the rental of  
21 electronic monitoring equipment which shall be  
22 available statewide.

23 4. Each judicial district department of  
24 correctional services and the department of  
25 corrections shall continue the treatment alternatives  
26 to street crime programs established in 1989 Iowa  
27 Acts, chapter 225, section 9.

28 5. The first, sixth, and eighth judicial district  
29 departments of correctional services and the  
30 department of corrections shall continue the job  
31 training and development grant programs established in  
32 1989 Iowa Acts, chapter 316, section 7, subsection 2.

33 6. The department of corrections shall not make an  
34 intradepartmental transfer of moneys appropriated to  
35 the department, unless the department complies with  
36 section 8.39. The notice shall include information on  
37 the department's rationale for making the transfer and  
38 details concerning the work load and performance  
39 measures upon which the transfers are based.

40 Sec. 407. There is appropriated from the general  
41 fund of the state to the judicial department for the  
42 fiscal year beginning July 1, 1991, and ending June  
43 30, 1992, the following amounts, or so much thereof as  
44 is necessary, to be used for the purposes designated:

45 1. For salaries of supreme court justices,  
46 appellate court judges, district court judges,  
47 district associate judges, judicial magistrates and  
48 staff, state court administrator, clerk of the supreme  
49 court, district court administrators, clerks of the  
50 district court, juvenile court officers, board of law



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1 examiners and board of examiners of shorthand  
2 reporters and judicial qualifications commission,  
3 receipt and disbursement of child support payments,  
4 and maintenance, equipment, and miscellaneous  
5 purposes:

6 ..... \$ 73,956,679

7 As a condition, limitation, and qualification of  
8 this appropriation, the department shall reimburse the  
9 auditor of state for expenses incurred in completing  
10 audits of the offices of the clerks of the district  
11 court during the fiscal year beginning July 1, 1991.

12 Notwithstanding section 602.5205, the judicial  
13 department shall provide for the expenses of the  
14 judges of the court of appeals located outside the  
15 seat of government.

16 As a condition, limitation, and qualification of  
17 this appropriation, the judicial department, except  
18 for purposes of internal processing, shall use the  
19 current state budget system, the state payroll system,  
20 and the Iowa finance and accounting system in  
21 administration of programs and payments for services,  
22 and shall not duplicate the state payroll, accounting,  
23 and budgeting systems.

24 The judicial department shall submit monthly  
25 financial statements to the legislative fiscal bureau  
26 and the department of management containing all  
27 appropriated accounts in the same manner as provided  
28 in the monthly financial status reports and personal  
29 services usage reports of the department of revenue  
30 and finance. The monthly financial statements shall  
31 include a comparison of the dollars and percentage  
32 spent of budgeted versus actual revenues and  
33 expenditures on a cumulative basis for full-time  
34 equivalent positions and dollars.

35 Of the funds appropriated under this subsection,  
36 not more than \$1,800,000 may be transferred into the  
37 revolving fund established pursuant to section  
38 602.1302, subsection 3, to be used for the payment of  
39 jury and witness fees and mileage.

40 2. For the juvenile victim restitution program:

41 ..... \$ 100,000

42 Sec. 408. There is appropriated from the general  
43 fund of the state to the judicial department for the  
44 fiscal year beginning July 1, 1991, and ending June  
45 30, 1992, the following amount, or so much thereof as  
46 is necessary, to be used for the purpose designated:

47 For the Iowa court information system:

48 ..... \$ 903,000

49 As a condition, limitation, and qualification of  
50 this appropriation, the judicial department, except

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1 for purposes of internal processing, shall use the  
2 current state budget system, the state payroll system,  
3 and the Iowa finance and accounting system in  
4 administration of programs and payments for services,  
5 and shall not duplicate the state payroll, accounting,  
6 and budgeting systems.

7 The judicial department shall not change the  
8 appropriations from the amounts appropriated under  
9 this section, unless the department complies with  
10 section 8.39. The notice shall include information on  
11 the department's rationale for making the changes and  
12 details concerning the work load and performance  
13 measures upon which the changes are based.

14 Sec. 409. The department of corrections, judicial  
15 district departments of correctional services, board  
16 of parole, and the judicial department shall continue  
17 to develop an automated data system for use in the  
18 sharing of information between the department of  
19 corrections, judicial district departments of  
20 correctional services, board of parole, and the  
21 judicial department. The information to be shared  
22 shall concern any individual who may, as the result of  
23 an arrest or infraction of any law, be subject to the  
24 jurisdiction of the department of corrections,  
25 judicial district departments of correctional  
26 services, or board of parole.

27 Sec. 410. Section 13.15, unnumbered paragraph 2,  
28 Code 1991, is amended to read as follows:

29 The rules shall provide for an hourly mediation fee  
30 not to exceed twenty-five-dollars-per-hour-per-party  
31 fifty dollars for the borrower and one hundred dollars  
32 for the creditor. The hourly mediation fee may be  
33 waived for any party demonstrating financial hardship  
34 upon application to the farm mediation service.

35 Sec. 411. NEW SECTION. 13.26 FARM ASSISTANCE  
36 FUND ESTABLISHED.

37 A farm assistance fund is established as a separate  
38 fund in the state treasury under the control of the  
39 department of justice. It is the intent of the  
40 general assembly that the moneys deposited in the fund  
41 shall be used for legal assistance to financially  
42 distressed farmers. These funds shall be used only to  
43 the extent appropriated by the general assembly.  
44 Notwithstanding section 8.33, any balance in the fund  
45 on June 30 of any fiscal year shall not revert to any  
46 fund but shall remain in the fund for the subsequent  
47 fiscal year.

48 Sec. 412. Section 356.26, unnumbered paragraph 3,  
49 Code 1991, is amended to read as follows:

50 The district court may also grant by order to any

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1 person sentenced to a county jail the privilege of a  
2 sentence of in-home detention where the county sheriff  
3 has certified to the court that the jail has an in-  
4 home detention program. ~~The department of corrections~~  
5 ~~shall report to the legislative fiscal bureau on a~~  
6 ~~semiannual basis concerning utilization of in-home~~  
7 ~~detention, including the counties which have~~  
8 ~~established such programs and the number of prisoners~~  
9 ~~allowed in home detention privileges.~~

10 Sec. 413. Section 654.18, subsection 1, paragraph  
11 d, Code 1991, is amended to read as follows:

12 d. The mortgagor and mortgagee shall file a  
13 jointly executed document with the county recorder in  
14 the county where the real property is located stating  
15 that the mortgagor and mortgagee have elected to  
16 follow the alternative voluntary foreclosure  
17 procedure pursuant to this section. If the subject  
18 property is agricultural land used for farming, as  
19 defined in section 172C.1, in addition to the fee  
20 collected pursuant to section 331.604, the recorder  
21 shall collect a fee of sixty dollars for filing the  
22 document, and shall remit the sixty-dollar fee to the  
23 treasurer of state for deposit in the farm assistance  
24 fund established in section 13.26.

25 Sec. 414. Section 654.19, Code 1991, is amended to  
26 read as follows:

27 654.19 DEED IN LIEU OF FORECLOSURE -- AGRICULTURAL  
28 LAND.

29 In lieu of a foreclosure action in court due to  
30 default on a recorded mortgage or deed of trust of  
31 real property, if the subject property is agricultural  
32 land used for farming, as defined in section 172C.1,  
33 the mortgagee and mortgagor may enter into an  
34 agreement in which the mortgagor agrees to transfer  
35 the agricultural land to the mortgagee in satisfaction  
36 of all or part of the mortgage obligation as agreed  
37 upon by the parties. The agreement may grant the  
38 mortgagor a right to purchase the agricultural land  
39 for a period not to exceed five years, and may entitle  
40 the mortgagor to lease the agricultural land. The  
41 agreement shall be recorded with the deed transferring  
42 title to the mortgagee. In addition to the fee  
43 collected pursuant to section 331.604, the recorder  
44 shall collect a fee of sixty dollars for recording the  
45 agreement and deed, and shall remit the sixty-dollar  
46 fee to the treasurer of state for deposit in the farm  
47 assistance fund established in section 13.26. A  
48 transfer of title and agreement pursuant to this  
49 section does not constitute an equitable mortgage.

50 Sec. 416. Section 656.5, Code 1991, is amended to

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1 read as follows:

2 656.5 PROOF AND RECORD OF SERVICE.

3 If the terms and conditions as to which there is  
4 default are not performed within said thirty days, the  
5 party serving said notice or causing the same to be  
6 served, may file for record in the office of the  
7 county recorder a copy of the notice aforesaid with  
8 proofs of service attached or endorsed thereon (and,  
9 in case of service by publication, a personal  
10 affidavit that personal service could not be made  
11 within this state), and when so filed and recorded,  
12 the said record shall be constructive notice to all  
13 parties of the due forfeiture and cancellation of said  
14 contract. If the subject property is agricultural  
15 land used for farming, as defined in section 172C.1,  
16 in addition to the fee collected pursuant to section  
17 331.604, the recorder shall collect a fee of sixty  
18 dollars for filing the notice, and shall remit the  
19 sixty-dollar fee to the treasurer of state for deposit  
20 in the farm assistance fund established in section  
21 13.26.

22 Sec. 417. Section 905.4, subsection 5, Code 1991,  
23 is amended to read as follows:

24 5. Arrange for, by contract or on such alternative  
25 basis as may be mutually acceptable, and equip  
26 suitable quarters at one or more sites in the district  
27 as may be necessary for the district department's  
28 community-based correctional program, provided that  
29 the board shall to the greatest extent feasible  
30 utilize existing facilities and shall keep capital  
31 expenditures for acquisition, renovation and repair of  
32 facilities to a minimum. The district board shall not  
33 enter into lease-purchase agreements for the purposes  
34 of constructing, renovating, expanding, or otherwise  
35 improving a community-based correctional facility or  
36 office unless express authorization has been granted  
37 by the general assembly, and current funding is  
38 adequate to meet the lease-purchase obligation.

39 Sec. 418. 1990 Iowa Acts, chapter 1224, section 1,  
40 unnumbered paragraph 1, is amended to read as follows:

41 In order to implement this Act, the department of  
42 human services and the judicial department shall  
43 mutually agree on a schedule to complete the transfer  
44 of support payment collection and disbursement  
45 responsibilities from the collection services center  
46 to the clerks of the district court. The schedule  
47 shall provide for the completion of the transfer of  
48 the responsibilities for all affected orders by June  
49 30, ~~1991~~ 1993. The following procedure shall be used  
50 for any order affected by the initial transfer of

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1 responsibilities.

2 Sec. 419. 1990 Iowa Acts, chapter 1257, section  
3 24, subsection 4, unnumbered paragraph 2, is amended  
4 to read as follows:

5 As a condition, limitation, and qualification of  
6 this appropriation, the beds shall be used for a 30-  
7 to-60-day shock revocation program for parole and  
8 probation violators who are male offenders. The beds  
9 shall be administered by the state department of  
10 corrections.

11 Sec. 420. 1990 Iowa Acts, chapter 1268, section 5,  
12 subsection 2, is amended to read as follows:

13 2. For reimbursement of counties for temporary  
14 confinement of work release and parole violators, as  
15 provided in sections 246.908, 901.7, and 906.17 and  
16 for offenders confined pursuant to section 246.513:

17 ..... \$ 215,000

18 Sec. 421. EFFECTIVE DATE AND RETROACTIVE  
19 APPLICABILITY PROVISIONS.

20 1. Section 417 of this division takes effect on  
21 January 1, 1992.

22 2. Sections 418 and 420 of this division, being  
23 deemed of immediate importance, take effect upon  
24 enactment. Section 420 of the division applies  
25 retroactively to July 1, 1990.

26 DIVISION V  
27 TAXATION

28 Sec. 501. Section 422.9, subsection 1, Code 1991,  
29 is amended to read as follows:

30 1. An optional standard deduction, after deduction  
31 of federal income tax, equal to one thousand two  
32 hundred thirty dollars for a married person who files  
33 separately or a single person or equal to three  
34 thousand thirty dollars for a husband and wife who  
35 file a joint return, a surviving spouse, or an  
36 unmarried head of household. The optional standard  
37 deduction shall not exceed the amount remaining after  
38 deduction of the federal income tax. The amount of  
39 the federal income tax deducted shall not exceed the  
40 amount as computed under subsection 2, paragraph "b".

41 Sec. 502. Section 422.9, subsection 2, paragraph  
42 b, Code 1991, is amended by striking the paragraph and  
43 inserting in lieu thereof the following:

44 b. Add the amount of federal income taxes paid or  
45 accrued, as the case may be, for the tax year. Also  
46 add the amount of federal income taxes paid with the  
47 federal return or as a result of an adjustment to a  
48 federal return during the tax year for a prior year.  
49 However, the amount of federal income taxes deducted  
50 for the tax year shall not exceed twenty-five thousand

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1 dollars, except that any additional taxes paid with  
2 the federal return or as a result of an adjustment to  
3 a federal return during tax years ending prior to  
4 January 1, 1991, are not subject to the twenty-five  
5 thousand dollar limitation. Subtract the amount of  
6 federal income tax refunds received for the tax year  
7 to the extent that the federal income tax was deducted  
8 in a previous year. Married persons who file separate  
9 returns or file separately on combined return forms  
10 shall be limited to a federal income tax deduction for  
11 federal income taxes paid during the tax year not to  
12 exceed twenty-five thousand dollars in total for both  
13 spouses. The amount of the federal income tax  
14 deduction shall be divided between each spouse by the  
15 ratio of the net income of each spouse to total net  
16 income of both spouses unless they can show that  
17 another method more accurately reflects the amount of  
18 federal income tax to be paid by each.

19 Sec. 503. Sections 501 and 502 apply retroactively  
20 to January 1, 1991, for tax years beginning on or  
21 after that date.

## DIVISION VI

## SCHOOL FOUNDATION AID

22  
23  
24 Sec. 601. Section 257.1, subsection 2, unnumbered  
25 paragraph 2, Code 1991, is amended to read as follows:  
26 For the budget year commencing July 1, 1991, and  
27 for each succeeding budget year the regular program  
28 foundation base per pupil is eighty-three and five-  
29 tenths percent of the regular program state cost per  
30 pupil. For each succeeding budget year, the regular  
31 program foundation base shall increase twenty-five  
32 hundredths percent per year until the regular program  
33 foundation base reaches eighty-five percent of the  
34 regular program state cost per pupil, except that the  
35 regular program foundation base per pupil for the  
36 portion of weighted enrollment that is additional  
37 enrollment because of special education is seventy-  
38 nine percent of the regular program state cost per  
39 pupil. For the budget year commencing July 1, 1991,  
40 and for each succeeding budget year the special  
41 education support services foundation base is eighty-  
42 three and five tenths seventy-nine percent of the  
43 special education support services state cost per  
44 pupil. It shall increase at the same rate as the  
45 regular program foundation base. The combined  
46 foundation base is the sum of the regular program  
47 foundation base and the special education support  
48 services foundation base.

49 Sec. 602. Section 257.2, subsection 12, Code 1991,  
50 is amended by striking the subsection.

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1 Sec. 603. Section 257.15, subsection 1, Code 1991,  
2 is amended by adding the following new unnumbered  
3 paragraph:

4 NEW UNNUMBERED PARAGRAPH. For purposes of this  
5 subsection, in computing the amount of revenues  
6 generated by the foundation property tax and the  
7 additional property tax under chapter 442, Code 1989,  
8 the computation shall be based on a regular program  
9 foundation base per pupil of eighty-three percent of  
10 the regular program state cost per pupil except that  
11 for the portion of weighted enrollment that is  
12 additional enrollment because of special education the  
13 regular program foundation base per pupil shall be  
14 seventy-nine percent of the regular program state cost  
15 per pupil. The special education support services  
16 foundation base shall be seventy-nine percent of the  
17 special education support services state cost per  
18 pupil.

19 Sec. 604. Section 257.31, subsections 6 and 11,  
20 Code 1991, are amended by striking the subsections.

21 Sec. 605. Section 442.3, unnumbered paragraph 1,  
22 Code 1991, is amended to read as follows:

23 The state foundation base for the school year  
24 beginning July 1, 1986 is eighty percent of the state  
25 cost per pupil. The state foundation base for the  
26 school year beginning July 1, 1987 is eighty-one and  
27 one-half percent of the state cost per pupil. For  
28 each succeeding school year, the state foundation base  
29 shall be increased by the amount of one-half percent  
30 of the state cost per pupil, up to a maximum of  
31 ~~eighty-five~~ eighty-three percent of the state cost per  
32 pupil. The district foundation base is the larger of  
33 the state foundation base or the amount per pupil  
34 which the district will receive from foundation  
35 property tax and state school foundation aid.

36 Sec. 606. Sections 601, 603, and 605 of this  
37 division, being deemed of immediate importance, take  
38 effect upon enactment.

39 DIVISION VII  
40 PROPERTY TAX

41 Sec. 701. Section 425A.1, Code 1991, is amended to  
42 read as follows:

43 425A.1 FAMILY FARM TAX CREDIT FUND.

44 The family farm tax credit fund is created in the  
45 office of the treasurer of state. ~~There is~~  
46 ~~appropriated to the fund from funds in the general~~  
47 ~~fund not otherwise appropriated the sum of ten million~~  
48 ~~dollars.~~ Moneys appropriated to the agricultural land  
49 credit fund and transferred to the family farm credit  
50 fund as provided in section 426.1 shall be used for

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1 purposes of this chapter. Any balance in the fund on  
2 June 30 shall revert to the general fund.

3 Sec. \_\_\_\_\_. Section 425A.2, subsection 4, Code 1991,  
4 is amended to read as follows:

5 4. "Eligible tract" or "eligible tract of  
6 agricultural land" means an area of agricultural land  
7 not exceeding four hundred acres which is described on  
8 the property tax list as subject to property taxes and  
9 which meets the requirements of section 425A.3,  
10 subsection 2.

11 Sec. 702. Section 426.1, Code 1991, is amended to  
12 read as follows:

13 426.1 AGRICULTURAL LAND CREDIT FUND.

14 There is hereby created as a permanent fund in the  
15 office of the treasurer of state a fund to be known as  
16 the agricultural land credit fund, and for the purpose  
17 of establishing and maintaining said this fund for  
18 each fiscal year there is appropriated thereto to this  
19 fund from funds in the general fund not otherwise  
20 appropriated the sum of forty-three million five  
21 hundred thousand dollars. Any balance in said the  
22 fund on June 30 shall revert to the general fund. Of  
23 the amount appropriated for each fiscal year, ten  
24 million dollars shall be transferred for each fiscal  
25 year to the family farm tax credit fund created in  
26 section 425A.1.

27 Sec. 703. Section 135D.22, subsection 2, paragraph  
28 b, Code 1991, is amended by adding the following new  
29 unnumbered paragraph:

30 NEW UNNUMBERED PARAGRAPH. Notwithstanding the  
31 effective date provision in 1990 Iowa Acts, chapter  
32 1250, section 21, this lettered paragraph is effective  
33 for mobile home tax claims filed on or after January  
34 1, 1993, and any claims filed under this lettered  
35 paragraph before that date shall not be allowed.

36 Sec. 704. Section 425.23, subsection 1, paragraph  
37 b, Code 1991, is amended by adding the following new  
38 unnumbered paragraph:

39 NEW UNNUMBERED PARAGRAPH. Notwithstanding the  
40 effective date provisions in 1990 Iowa Acts, chapter  
41 1250, section 21, this lettered paragraph is effective  
42 for property tax claims filed on or after January 1,  
43 1993, and for rent reimbursement claims filed on or  
44 after January 1, 1994, and all such claims filed under  
45 this lettered paragraph before such dates shall not be  
46 allowed.

47 Sec. 705. Sections 703 and 704 of this division,  
48 being deemed of immediate importance, take effect upon  
49 enactment and apply retroactively to January 1, 1991.

50 Sec. 706. Sections 701 and 702 are effective July



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1 1, 1991.

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DIVISION VIII

3

MISCELLANEOUS

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Sec. 801. The general assembly shall develop a budget reform program with the objective of holding state spending within specified limits. The reform program shall provide criteria for determining the specific spending limitations. The budget reform program shall be enacted by July 1, 1991.

DIVISION IX

STANDING APPROPRIATIONS

Sec. 901. Notwithstanding the standing appropriations in the following designated sections for the fiscal year beginning July 1, 1991, the amount appropriated from the general fund of the state pursuant to those sections for the following designated purposes shall not exceed the following amounts:

1. To reimburse counties for the loss of property tax revenues for machinery and computer equipment tax replacement under section 427B.13:

..... \$ 0

If the amounts of calculated county reimbursement exceed the amount specified in this subsection the director of revenue and finance shall prorate the amount available.

2. For deposit into the state communications network fund under section 18.137:

..... \$ 0

3. For programs for at-risk children under section 279.51, subsection 1:

..... \$ 10,000,000

As a condition, limitation, and qualification of the funds appropriated in this section, and notwithstanding the allocations under section 279.51, from the moneys appropriated under this subsection for the fiscal year beginning July 1, 1991, and ending June 30, 1992, for expenditure for programs for at-risk children under section 279.51, subsection 1, the child development coordinating council shall expend an additional \$780,000 for a total of \$5,405,000 for grants awarded pursuant to section 279.51, subsection 1, paragraph "b", and the department of education shall expend an additional \$520,000 for a total of \$3,520,000 for grants awarded pursuant to section 279.51, subsection 1, paragraph "d". It is the intent of the general assembly that all approved proposed at-risk program grants be awarded if possible on a prorated basis. However, the child development coordinating council and the department of education

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1 shall rank grant proposals in order of priority for  
 2 funding, and if the reduction in the amount  
 3 appropriated causes proposed low-priority grant  
 4 programs to no longer be feasible, the council and the  
 5 department shall not award grant moneys to low-  
 6 priority grant programs and shall redistribute the  
 7 funds among the remaining grant proposals which have  
 8 been assigned a higher priority.

9

## DIVISION X

10

## GENERAL REDUCTIONS

11 Sec. 1001. REDUCTIONS. Notwithstanding the  
 12 specific appropriations made by the Seventy-fourth  
 13 General Assembly, 1991 Session, for the fiscal year  
 14 beginning July 1, 1991, and ending June 30, 1992, all  
 15 appropriations from the general fund of the state made  
 16 for this period except for appropriation amounts  
 17 relating to reimbursements of social services  
 18 providers under division I of this Act shall be  
 19 reduced by 0.5 percent.

20

## DIVISION XI

21

## CIGARETTE AND TOBACCO TAX".

22 2. By striking page 105, line 39 through page  
 23 106, line 23.

24 3. By striking page 106, line 24 through page  
 25 108, line 25.

26 4. Page 108, by striking lines 26 and 27.

27 5. Page 108, lines 36 and 37, by striking the  
 28 words "increasing the cigarette and tobacco products  
 29 tax,".

30 6. Page 108, line 37, by inserting after the word  
 31 "tax," the following: "delaying the effective date of  
 32 certain tax rate reductions, credits, or rent  
 33 reimbursements, relating to the amount of federal  
 34 income taxes deductible for the state income tax,".

35 7. By renumbering, relettering, or redesignating  
 36 and correcting internal references as necessary.

RECEIVED FROM THE HOUSE

S-3623 FILED APRIL 29, 1991

REFUSE TO CONCUR (p. 1513)

*Have insisted 4/29/91 (p. 1904)*

REPORT OF THE CONFERENCE COMMITTEE  
ON HOUSE FILE 479

To the Speaker of the House of Representatives and the President of the Senate:

We, the undersigned members of the conference committee appointed to resolve the differences between the House of Representatives and the Senate on House File 479, a bill for an Act relating to appropriations for state departments, agencies, programs, funds, and INTERNET, and adjusting the school foundation aid program, delaying the effective date of certain tax rate reductions, credits, or rent reimbursements, redirecting net lottery revenues, relating to the amount of federal income taxes deductible for the state individual income tax, and providing for effective and applicability dates, respectfully make the following report:

1. The House recedes from its amendment, S-3623.
2. The Senate recedes from its amendment, H-3734.
3. That House File 479, as amended, passed, and reprinted by the House, is amended as follows:
  1. By striking everything after the enacting clause and inserting the following:

"DIVISION I

DEPARTMENT OF HUMAN SERVICES

Sec. 101. AID TO FAMILIES WITH DEPENDENT CHILDREN. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For aid to families with dependent children:

..... \$ 41,624,199

1. The department may fund the employee portion of the cash bonus program from unspent funds under the appropriation in this section and shall continue to evaluate the program. The department may adopt emergency rules to implement the provisions of this subsection.

2. As a condition, limitation, and qualification of the funds appropriated in this section, the department shall continue to contract for services in developing and monitoring a demonstration waiver program to facilitate providing assistance in self-employment investment to aid to dependent children families. The demonstration waiver program shall be provided for the fiscal period beginning July 1, 1991, and ending June 30, 1993, or for as long as federal approval of the program continues. Of the funds appropriated in this section, up to \$99,592 shall be used to provide technical assistance for aid to dependent children families seeking self-employment. The technical assistance may be provided through the department or through a contract with the division of job training of the Iowa department of economic development and through a contract with the corporation for enterprise development.

3. As a condition, limitation, and qualification of the funds appropriated in this section, the department shall apply the self-employment investment demonstration waiver project statewide during the fiscal period delineated in the federal waiver submitted to operate the waiver project statewide, provided training is available to a recipient through a recognized self-employment training program. However, if the application for the federal waiver is denied and funding is available, the department may determine the counties in which it is feasible to operate the project and shall provide the project in those counties. The department may adopt emergency rules to implement the provisions of this subsection.

4. As a condition, limitation, and qualification of the funds appropriated in this section, the department shall

continue the special needs program under the aid to families with dependent children program.

5. As a condition, limitation, and qualification of the funds appropriated in this section, the department may use unspent funds under the appropriation in this section to continue development of the "X-PERT" eligibility determination system.

6. As a condition, limitation, and qualification of the funds appropriated in this section, \$42,620 shall be used to expand the AFDC electronic benefits transfer (EBT) program beyond the pilot program county and to implement EBT for the food stamp program.

7. a. As a condition, limitation, and qualification of the funds appropriated in this section, the schedule of living costs under the aid to families with dependent children program for the fiscal year beginning July 1, 1991, is established as follows:

- (1) For 1 person at \$365.
- (2) For 2 persons at \$719.
- (3) For 3 persons at \$849.
- (4) For 4 persons at \$986.
- (5) For 5 persons at \$1092.
- (6) For 6 persons at \$1216.
- (7) For 7 persons at \$1335.
- (8) For 8 persons at \$1457.
- (9) For 9 persons at \$1576.
- (10) For 10 persons at \$1724.
- (11) For each additional person over 10 persons at \$173.

b. However, the following schedule of basic needs under the aid to dependent children program established for the fiscal year beginning July 1, 1990, shall remain in effect for the fiscal year beginning July 1, 1991:

- (1) For 1 person at \$183.
- (2) For 2 persons at \$361.
- (3) For 3 persons at \$426.
- (4) For 4 persons at \$495.
- (5) For 5 persons at \$548.

- (6) For 6 persons at \$610.
- (7) For 7 persons at \$670.
- (8) For 8 persons at \$731.
- (9) For 9 persons at \$791.
- (10) For 10 persons at \$865.
- (11) For each additional person over 10 persons at \$87.

c. The department may adopt emergency rules to implement the provisions of this subsection.

8. The general assembly finds that investing resources in Iowa's citizens is a key part of continued economic development and growth; that it is the public policy of the state of Iowa to strive toward providing all of its citizens with the incentives and the resources needed to successfully participate in the world labor market; and that development of a comprehensive and coordinated human investment policy is essential to welfare reform. This policy would:

- a. Empower the citizens participating in welfare programs.
- b. Focus on permanent improvements in the standard of living of citizens receiving public assistance, and not on income maintenance.
- c. Emphasize programs which offer the greatest potential for permanent improvement, such as job training, child day care, housing assistance, and economic development.
- d. Serve all Iowans who seek assistance.
- e. Utilize nongovernment resources available from participants and the private sector.
- f. Provide a range of services, relying upon open competition in the delivery of services.
- g. Include comprehensive data collection and assessment to evaluate the program.
- h. Inform all Iowans as to the basic goals and direction of the program.

As a condition, limitation, and qualification of the funds appropriated in this section, the department of human services shall apply to the corporation for enterprise development for Iowa's participation in the study phase of a "state human investment policy" demonstration project. Of the funds

appropriated in this section, up to \$75,000 shall be used for costs associated with Iowa's participation in the project. The department shall make efforts to obtain additional private and federal funding for the project, and shall submit quarterly reports on the status of the project to the legislative fiscal bureau.

Sec. 102. EMERGENCY ASSISTANCE. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For emergency assistance to families with dependent children under Title IV-A of the federal Social Security Act to match federal funding for homeless prevention programs:  
..... \$ 500,000

The emergency assistance provided for in this section shall be available beginning November 1, 1991, and shall be provided only if all other publicly funded resources have been exhausted. The emergency assistance includes, but is not limited to, assisting people who face eviction, potential eviction, or foreclosure, utility shutoff or fuel shortage, loss of heating energy supply or equipment, homelessness, utility or rental deposits, or other specified crisis which threatens family or living arrangements. The emergency assistance shall be available to migrant families who would otherwise meet eligibility criteria. The department shall notify each emergency assistance recipient that the recipient may report to the department any pressure or intimidation of the recipient resulting from the recipient's eligibility for emergency assistance. The department shall report quarterly to the legislative fiscal committee concerning the reports received by the department regarding pressure or intimidation of recipients of emergency assistance. The department may adopt emergency rules to implement the beginning date and notice provisions of this section.

Sec. 103. MEDICAL ASSISTANCE. There is appropriated from the general fund of the state to the department of human

services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

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:

..... \$236,771,049

1. 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 45 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 150 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.

2. Of the funds appropriated in this section, \$100,000 is allocated until January 31, 1992, for contingency assistance for the federal nutrition program for women, infants, and children and shall be transferred to the Iowa department of public health as necessary in order to fully utilize funding available for the program. The allocated funds shall be transferred as necessary to restore a reduction in federal funding for the federal fiscal year ending September 30, 1991, required to adjust for federal financial assistance provided during the federal fiscal year ending September 30, 1990, in excess of the federal funding allocation to the state for this



program or to finance any state match expenditure in excess of the federal funding allocation for this program during the federal fiscal year ending September 30, 1991. Any moneys allocated in this subsection which are unexpended or unobligated on January 31, 1992, shall be available during the remainder of the fiscal year to the department of human services for the purposes of this section.

3. Notwithstanding section 8.39, the department may transfer funds appropriated in this section to a separate account established in the department's case management unit for expenditures required to provide case management services pursuant to the appropriation in this division for enhanced mental health, mental retardation, and developmental disabilities services, pending final settlement of the expenditures. Funds received by the case management unit in settlement of the expenditures shall be used to replace the transferred funds and are available for the purposes for which the funds were appropriated in this section.

4. If a medical assistant recipient is receiving care which is reimbursed under a federally approved home and community-based services waiver but would otherwise be approved for care in an intermediate care facility for the mentally retarded, the recipient's county of legal settlement shall reimburse the department on a monthly basis for the portion of the recipient's cost of care which is not paid from federal funds.

5. As a condition, limitation, and qualification of the funds appropriated in this section, the department shall adopt rules pursuant to chapter 17A that establish criteria for intermediate care facilities for the mentally retarded, providing for family-scale size, location, and appropriate inclusion in the community. In determining whether a certificate of need for an intermediate care facility for the mentally retarded shall be issued under chapter 135, the health facilities council and the Iowa department of public health shall consider whether the proposed facility is in compliance with the rules adopted pursuant to this subsection.

6. As a condition, limitation, and qualification of the funds appropriated in this section, the department shall develop methods to reduce recipient usage of ambulance services for reasons other than medical necessity, including notification of recipients who have received ambulance services that were not considered to be a medical necessity and ambulance services that have provided such services.

7. Of the funds appropriated in this section, \$70,929,582 is projected to be used for medical assistance reimbursement of nursing facilities.

8. As a condition, limitation, and qualification of the funds appropriated in this section, notwithstanding the adoption of an administrative rule limiting coverage of organ transplants under the medical assistance program, the department shall continue to provide medical assistance coverage for organ transplants of the pancreas and the liver until the department establishes criteria for the coverage of these transplants. The criteria shall include but are not limited to health status and anticipated outcomes, including expected quality of life. The department may adopt emergency rules to implement the provisions of this subsection.

9. As a condition, limitation, and qualification of the funds appropriated in this section, notwithstanding the adoption of an administrative rule limiting coverage of organ transplants under the medical assistance program, the department shall continue to provide medical assistance coverage for organ transplants to individuals who applied for and received approval from the department on or before January 1, 1991, for medical assistance coverage of an organ transplant.

10. As a condition, limitation, and qualification of the funds appropriated in this section, if Senate File 342 is enacted by the Seventy-fourth General Assembly, 1991 Session, \$28,000 of the funds appropriated in this section shall be provided to the prevention of disabilities policy council for fulfillment of the federal matching funds requirement for use of the Iowa governor's planning council for developmental

disabilities funds, for the purpose of section 225D.7, if enacted in Senate File 342.

11. It is the intent of the general assembly that the following programs under the medical assistance program shall be expanded which it is estimated will result in the indicated medical assistance expenditure savings: Iowa foundation for medical care utilization review, \$1,520,500; Unisys utilization review, \$180,000; and the "lock-in" program involving recipients with a history of seeking services from more than one provider, \$66,000. The department may adopt emergency rules to implement the provisions of this subsection.

12. As a condition, limitation, and qualification of the funds appropriated in this section, if Senate File 343, or another provision providing for group health plan cost-sharing under the medical assistance program is enacted by the Seventy-fourth General Assembly, 1991 Session, the department may adopt emergency rules to implement the cost-sharing in accordance with federal requirements.

13. As a condition, limitation, and qualification of the funds appropriated in this section, notwithstanding any time limitation established in 1991 Iowa Acts, House File 173, section 105, the copayment provisions established in that section for physician services only shall be continued indefinitely.

14. As a condition, limitation, and qualification of the funds appropriated in this section, the department shall work with the Iowa state association of counties and the accounting firm of Ryun, Givens, Smith & Co., or another capable entity, to develop cost containment measures for intermediate care facilities for the mentally retarded which are permitted under federal medicaid requirements. The department shall adopt rules pursuant to chapter 17A to implement the requirements developed under this subsection.

15. As a condition, limitation, and qualification of the funds appropriated in this section, if the department is implementing the medical assistance program through a contract

with a health maintenance organization, the department shall ensure that a medical assistance recipient enrolled in a health maintenance organization has freedom of choice to obtain enhanced maternal or prenatal health services from a state supported maternal health center and that the center receives no less than the prevailing medical assistance program reimbursement amount for provision of the services. The enhanced services include but are not limited to nutritional and psychosocial counseling and medical case management.

16. As a condition, limitation, and qualification of the funds appropriated in this section, \$25,000 shall be provided as a grant to a birth center licensed under chapter 135G to demonstrate the efficacy of services provided by certified nurse midwives to medical assistance recipients.

17. As a condition, limitation, and qualification of the funds appropriated in this section, the department shall apply to the federal health care financing administration for funding for community-based supported living arrangements which is available under Title XIX of the federal Social Security Act, § 1930.

Sec. 104. MEDICAL CONTRACTS. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For medical contracts:  
..... \$ 4,050,000

As a condition, limitation, and qualification of the funds appropriated in this section, the department shall continue to contract for drug utilization review under the medical assistance program.

Sec. 105. HIV-AIDS INSURANCE CONTINUATION ASSISTANCE PILOT PROGRAM. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be

used for the purpose designated:

For HIV-AIDS insurance continuation assistance pilot program:

..... .. \$ 60,000

1. The department shall establish an HIV and AIDS insurance continuation assistance pilot program to be administered by the medical services division to provide insurance continuation assistance to persons with AIDS or HIV-related illnesses who are unable to maintain health insurance premium payments due to illness. The pilot program shall operate for a 2-year period beginning October 1, 1991. The funds shall be made available in a manner that provides the assistance, as needed, to recipients at any time until the end of the pilot project or until the appropriated funding is exhausted.

2. The department shall publicize the program for enrollment of potential participants through provision of information through the Iowa department of public health, the regional AIDS coalitions funded by the Iowa department of public health, physicians, hospitals, social workers, and social service providers, and gay and AIDS-related groups identified by the coalitions.

3. The program shall provide all of the following:

a. That an applicant is eligible for participation in the program if all of the following conditions are met:

(1) The applicant is a resident of the state.

(2) The applicant suffers from AIDS or an HIV-related illness.

(3) The applicant has an income of no more than 300 percent of the federal poverty level as defined by the most recently revised poverty income guidelines published by the United States department of health and human services and cash assets of no more than \$10,000.

(4) The applicant is enrolled in an individual or group private health insurance plan.

(5) The applicant is unable, due to AIDS or the HIV-related illness, to continue employment in order to pay the

costs of insurance premiums.

(6) Enrollment in the program is the most cost-effective, available means of providing the applicant with health insurance coverage.

b. That an applicant is required to provide the following to verify eligibility for participation in the program:

(1) Documentation of income and assets, as required by rule of the department.

(2) Documentation through submission of a statement by the applicant's physician that the applicant suffers from AIDS or an HIV-related illness and that the applicant is, or will within a period of 6 months be, unable to continue employment.

c. An expedited eligibility determination process to ensure that an eligible applicant is not denied coverage under the applicant's existing policy due to nonpayment of premiums during the determination process period. This may include but is not limited to accepting preapplications from any HIV-infected person or the making of payments based on preliminary determinations.

d. A requirement that following enrollment in the program, a person must apply for medical assistance, if the department determines that the person is likely to be eligible for payment of premiums under the medical assistance program.

e. That all information relating to an applicant is confidential information and the provisions of chapter 141 are applicable to the information.

4. The department shall provide a preliminary report to the general assembly by January 1, 1992, and a final report to the general assembly by January 1, 1993, regarding the cost-effectiveness of the pilot program, the impact of the requirements of federal law on the pilot program, and the current and projected costs to the state for payment of medical assistance for the health care costs of persons with AIDS or HIV-related illnesses.

5. For the purposes of this section, "AIDS" and "HIV" mean "AIDS" and "HIV" as defined in section 141.21.

6. For the purposes of this subsection, "health insurance

plan" includes nonprofit health service corporation contracts regulated under chapter 514 and health maintenance organization evidences of coverage regulated under chapter 514B.

7. As a condition, limitation, and qualification of the funds appropriated in this section, the department may transfer not more than \$10,000 of the funds appropriated in this section to the appropriation in this division for general administration to be used for administrative costs associated with this program. The department is authorized a 0.5 FTE position in addition to the positions authorized in the appropriation in this division for general administration in order to administer the program.

8. The program shall start by October 1, 1991, and the department is authorized to adopt emergency rules to implement the provisions of this section by that date.

Sec. 106. HIV-AIDS HEALTH AND SUPPORT SERVICES. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For HIV-AIDS health and support services:

..... \$ 60,000

1. The funds appropriated in this section shall be used to provide health and support services to persons with human immunodeficiency virus infection (HIV) or acquired immune deficiency syndrome (AIDS). Not more than 1 percent of the funds appropriated in this section shall be available to the department for administrative costs.

2. The department of human services shall establish an AIDS services committee to distribute the moneys appropriated in this section. The committee shall remain active until the completion of the duties required under this section. Members of the committee are entitled to actual and necessary expenses in the performance of their official duties. However, expense reimbursements shall not exceed 2 percent of the amount

appropriated in this section. The department shall appoint committee members who are knowledgeable concerning HIV infection or AIDS. The committee may consist of persons representing the following: licensed physicians and social workers, hospice organizations, home health care agencies, the homosexual community, persons with HIV infection or AIDS, and a representative of an AIDS coalition funded by the Iowa department of public health. To the extent possible, the committee members shall be the same persons who served as members of the AIDS services task force established pursuant to 1990 Iowa Acts, chapter 1259, section 6, subsection 3. The department of human services shall appoint a temporary chairperson, call the committee meetings, provide meeting space and meeting notices, and receive consortia reports which shall be provided to committee members. The committee shall cooperate with the Iowa department of public health in decision making concerning the distribution of the funds appropriated in this section.

3. The committee shall make decisions concerning the distribution of the funds to regional HIV care consortia established pursuant to Title II of the federal Ryan White Comprehensive AIDS Resources Emergency Act, Pub. L. No. 101-381. The decisions shall include determining the nonprofit consortia which will receive the funds, funding amounts, and the purposes for which the funds are to be used. The funds shall be used to provide health and support services to persons with HIV infection or AIDS living within the consortia area, as authorized by the federal Act and approved by the committee. The services may include, but are not limited to, case management, benefits advocacy, client basic emergency need grants, support groups, individual support programs, home health care, respite care, and attendant care. The committee shall hold at least two meetings, one to allocate funding to consortia and the other to receive reports from consortia and to develop recommendations for the general assembly.

4. A consortia receiving funding under this section shall include representatives of agencies or organizations providing



health and support services to persons with HIV infection or AIDS who reside within the consortia area and other affected persons. The consortia shall provide reasonable services to affected persons in both urban and rural portions of the consortia area with preference given to underserved rural areas. At least 10 percent of the funds provided to a consortia shall be used to provide services to women, children, and families of persons with HIV infection or AIDS. Moneys provided to a consortia under this section shall not be used to pay for an individual's services which are covered by private insurance or a publicly funded program.

5. A consortia receiving funds under this section shall provide information required by the committee which shall include but is not limited to all of the following:

a. The number of persons with HIV infection or AIDS in the consortia area.

b. Demographic information concerning the persons identified, including age, race, and gender distributions.

c. The type and quantity of health and support services needs of the persons identified.

d. The type and quantity of health and support services provided by the consortia.

e. The type and quantity of health and support services the consortia is unable to provide due to lack of funding or other barriers to providing services.

6. The department shall distribute funds to nonprofit consortia by contract specifying the purposes, reporting requirements, and decisions established by the committee. This section is not subject to rulemaking under chapter 17A.

Sec. 107. STATE SUPPLEMENTARY ASSISTANCE. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For state supplementary assistance:

..... \$ 18,605,530

The department shall increase the personal needs allowance for residents of residential care facilities by the same percentage and at the same time as federal supplemental security and federal social security benefits are increased due to a recognized increase in the cost of living. The department may adopt emergency rules to implement the provisions of this paragraph.

Sec. 108. AID TO INDIANS. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For aid to Indians under section 252.43:

..... \$ 38,000

The tribal council shall not use more than 5 percent of the funds for administration purposes. The department may adopt emergency rules to implement the provisions of this paragraph.

Sec. 109. CHILD DAY CARE ASSISTANCE. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For protective child day care assistance and state child care assistance:

..... \$ 7,104,072

1. It is the intent of the general assembly that \$3,107,595 of the funds appropriated in this section be used for protective child day care assistance.

2. It is the intent of the general assembly that \$3,737,466 of the funds appropriated in this section be used for state child care assistance.

3. a. The funds allocated in this section for protective and state child care assistance shall be allocated to the department of human services districts and each district shall distribute the allocation to the counties within the district. If a district determines that a specified portion of the funds

provided to a county is sufficient to meet the county's current demand and projected growth, the district may transfer the excess amount of funds to another county. If the district determines that a specified portion of the funds provided to the district is sufficient to meet the district's current demand and projected growth for the remainder of the fiscal year, the excess amount may be transferred for use in another district.

b. For state child care assistance, eligibility shall be limited to children whose family income is equal to or less than 150 percent of the federal office of management and budget poverty guidelines. However, on or after October 1, 1991, the department may increase the income eligibility limit to be equal to or less than 75 percent of the Iowa median family income. Every effort shall be made to provide assistance for the entire fiscal year to families remaining eligible before providing assistance to eligible families who have not received assistance previously. For the entire fiscal year, the department shall develop a priority ranking of requirements for families who receive assistance, with special priority given to foster care families within the income guidelines. The requirements may include but are not limited to all of the following:

(1) Families with an income equal to or less than 150 percent of the federal office of management and budget poverty guidelines.

(2) Single parent families who are at risk of becoming eligible for the aid to families with dependent children program.

(3) Families who have exhausted eligibility for transitional child care assistance.

(4) Adolescent parents attending school.

(5) Families who have children with special needs.

(6) Families who are providing foster care if both foster parents are employed and child day care is consistent with the case plan.

(7) Families with an income greater than 150 percent of

the federal office of management and budget poverty guidelines but no more than 75 percent of the Iowa median family income.

c. The department may adopt emergency rules necessary to qualify to receive funding from the federal child care development block grant and the federal at-risk child care program. If required as a condition of receiving these funds, the rules may provide for eligibility, health and safety requirements, parental access to children, reimbursement rates, types of service provided, licensing standards, complaint registration procedures, or other rules necessary to establish a simplified or consolidated child day care policy.

d. Nothing in this section shall be construed or is intended as, or shall imply, a grant of entitlement for services to persons who are eligible for assistance due to an income level consistent with the requirements of this section. Any state obligation to provide services pursuant to this section is limited to the extent of the funds appropriated under this section.

4. Of the funds appropriated in this section, \$258,931 is allocated for the fiscal year beginning July 1, 1991, for the statewide program for child day care resource and referral services under section 237A.26.

5. The department may use any of the funds appropriated in this section as a match to obtain federal grants for use in expanding child day care assistance and related programs.

Sec. 110. TRANSITIONAL CHILD CARE ASSISTANCE. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For transitional child care assistance:  
..... \$ 323,311

Notwithstanding section 239.21, the department of human services shall provide the transitional child care program in accordance with the federal Family Support Act of 1988, Pub. L. No. 100-485, § 302, and applicable federal regulations.

Reimbursement for services shall be limited to registered or licensed child day care providers and programs providing care, supervision, or guidance of a child which is not included under the definition of "child day care" pursuant to section 237A.1, subsection 7.

Sec. 111. JOBS PROGRAM. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For the JOBS program:

..... \$ 4,232,610

1. Of the funds appropriated in this section, \$3,690,610 is allocated for the JOBS program. If in accordance with federal requirements, effective September 1, 1991, reimbursement under the JOBS program for child day care services shall be limited to registered or licensed child day care providers and programs providing care, supervision, or guidance of a child which is not included under the definition of "child day care" pursuant to section 237A.1, subsection 7. However, this requirement shall not apply to persons specified by rule as an aid to families with dependent children relative or as otherwise eligible for reimbursement because a licensed or registered child day care provider or program is not available. The department may adopt emergency rules to implement the provisions of this subsection.

2. Of the funds allocated in this section, \$62,000 is allocated for the food stamp employment and training program.

3. As a condition, limitation, and qualification of the funds appropriated in this section, the department shall work with family development and self-sufficiency grantees and the state's community action agencies to develop a structure that permits initiatives which raise local funds to match federal funds under the JOBS program in order to expand or to develop additional family development program initiatives.

4. Of the funds allocated in this section for the JOBS program, \$480,000 is allocated to the family development and

self-sufficiency grant program as provided under section 217.12. This funding shall extend current grantee funding from December 31, 1991, to June 30, 1992.

a. No more than 5 percent of the funds allocated in this subsection shall be used for administration of the program and this percentage shall be determined for the entire fiscal year rather than on a 6-month basis. Federal financial participation received by the department relating to the funds allocated in this subsection shall be used for purposes designated under the appropriation in this division for aid to families with dependent children. Any other federal funds which are matched by other state or local funds and used for family development and self-sufficiency services shall be used for the grant program or the JOBS program.

b. Based upon the annual evaluation report concerning each grantee funded by this allocation, the family development and self-sufficiency council may use funds allocated to renew grants. Grant renewals shall be awarded on or before January 1, 1992, for a 6-month extension to June 30, 1992.

Sec. 112. CHILD SUPPORT RECOVERY. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For child support recovery, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	3,134,277
.....	FTEs	253.50

1. The director of human services, within the limitations of the funds appropriated in this section, 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 director 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 or the new positions are necessary for compliance with federal requirements and the anticipated increased recovery amount exceeds the cost of salaries and support for the new positions. In the event the director adds additional employees, the department shall demonstrate the cost-effectiveness of the current and additional employees by reporting to the joint 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 recovered.

2. Notwithstanding any other provision in law, nonpublic assistance application and user fees received by the child support recovery program are appropriated and shall be used for the purposes of the program. The department may adopt emergency rules as necessary to implement the provisions of this subsection. The director of human services may exceed the full-time equivalent position limit authorized in this section if fees collected relating to the new positions are sufficient to pay the salaries and support for the positions. The director shall report any new positions added pursuant to this section to the chairpersons and ranking members of the joint human services appropriations subcommittee and the legislative fiscal bureau. The department may adopt emergency rules as necessary to implement the provisions of this subsection.

3. The director of human services, in consultation with the department of management and the legislative fiscal committee, is authorized to receive and deposit state child support incentive earnings in the manner specified under applicable federal requirements.

4. The director of human services may establish new positions and add additional state employees to the child support recovery unit if the director determines the employees are necessary to replace county-funded positions eliminated

due to termination, reduction, or nonrenewal of a chapter 28E contract. However, the director must also determine that the resulting increase in the state share of child support recovery incentives exceeds the cost of the positions, the positions are necessary to ensure continued federal funding of the program, or the new positions can reasonably be expected to recover more than twice the amount of money to pay the salaries and support for the new positions.

Sec. 113. JUVENILE INSTITUTIONS. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

For the operation of the state training school and the Iowa juvenile home, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

For the state juvenile institutions:

.....	\$ 12,774,015
.....	FTEs 357.50

1. The following amounts of the funds appropriated and FTEs authorized in this section are allocated for the Iowa juvenile home at Toledo:

.....	\$ 4,703,508
.....	FTEs 128.50

2. The following amounts of the funds appropriated and FTEs authorized in this section are allocated for the state training school at Eldora:

.....	\$ 8,070,507
.....	FTEs 229.00

3. It is the intent of the general assembly that during the fiscal year beginning July 1, 1991, the population levels at the state juvenile institutions shall not exceed the population guidelines established under 1990 Iowa Acts, chapter 1239, section 21. It is also the intent of the general assembly that the state juvenile institutions apply



for an adolescent pregnancy prevention grant for the fiscal year beginning July 1, 1991.

4. Within the funds appropriated in this section, the department may reallocate funds as necessary to best fulfill the needs of the institutions provided for in this appropriation.

5. The department shall report to the legislative fiscal bureau, on or before the 20th day of each month, the department's current expenditures for the institutions receiving allocations under this appropriation. The report shall include a comparison of actual to budgeted expenditures for each institution.

Sec. 114. FOSTER CARE. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For foster care:

..... \$ 53,674,434

1. As a condition, limitation, and qualification of the funds appropriated in this section, the department shall use moneys appropriated in this section to establish 30 or more enhanced service group care facility beds during the fiscal year beginning July 1, 1991. The department may use moneys appropriated in this section to provide enhanced funding of services to family foster homes to avert placement of children in group care facilities and may continue to provide enhanced funding of services to group care facilities to avert placement of children in more expensive, less appropriate out-of-state facilities or in a state juvenile institution. The department shall give priority to serving children whose placement at the state training school or the Iowa juvenile home would cause the state juvenile institution to exceed the population guidelines established under 1990 Iowa Acts, chapter 1239, section 21.

2. The department may transfer a portion of the funds appropriated in this section to provide subsidized adoption

services or to purchase adoption services, if funds allocated under the appropriation in this division for home-based services for adoption services are insufficient.

3. The department and state court administrator shall work together in implementing an agreement which enables the state to receive funding for eligible cases under the federal Social Security Act, Title IV-E.

4. Not more than 25 percent of the children placed in foster care funded under the federal Social Security Act, Title IV-E, shall be placed in foster care for a period of more than 24 months.

5. Of the funds appropriated in this section, \$92,000 is allocated for the foster home insurance fund. Notwithstanding section 237.13, the department may use funds appropriated in this section to purchase liability insurance for licensed foster parents in lieu of providing payment for claims filed against the foster home insurance fund, if comparable coverage can be obtained through private insurance. Notwithstanding section 8.33, funds remaining in the foster home insurance fund on June 30, 1992, shall not revert to the general fund but shall remain available for expenditure in the fiscal year beginning July 1, 1992, for the purposes designated.

6. As a condition, limitation, and qualification of the funds appropriated in this section, the department shall review the need to provide additional day treatment alternatives within the child welfare system and the potential to provide additional services by including day treatment provided by psychiatric medical institutions for children as a service reimbursed under medical assistance. The department shall identify the effect of providing day treatment services reimbursement under medical assistance upon state expenditures for residential treatment and other foster care services. The department may use funds appropriated in this division for medical assistance to pay the nonfederal share of costs for services reimbursed under medical assistance which are provided in a psychiatric medical institution for children.

7. The department may use \$30,000 of the funds

appropriated in this section to contract for a study of the effectiveness of needs-based and therapeutic family foster care and enhanced residential care.

8. As a condition, limitation, and qualification of the funds appropriated in this section, the department shall develop a therapeutic foster care program in at least 1 district in the state. The program's foster care worker support staff shall serve not more than 7 foster families and shall provide respite and special support services to foster parents to enable them to serve in an active treatment capacity with the children under their care. Of the funds appropriated in this section, up to \$200,000 shall be used for therapeutic foster care reimbursement and \$284,567 for 8.00 FTEs under the appropriation and positions authorized in this division for field operations.

9. Funds appropriated in this section may be used to recruit foster parents and to provide preservice and in-service training for foster parents.

10. Of the funds appropriated in this section, up to \$140,000 may be used to develop and maintain the state's implementation of the national adoption and foster care information system pursuant to the requirements of Pub. L. No. 99-509.

11. As a condition, limitation, and qualification of the funds appropriated in this section, the department shall continue a family foster care advisory committee to examine department practices and policies to improve the recruitment and retention of foster parents, provide training and professional guidance where appropriate, and seek the involvement of family foster care providers in designing, developing, and participating in the creation of therapeutic foster family homes. The department shall review initiatives of other states in recruiting foster parents from appropriate families who are recipients of public assistance. In consultation with the advisory committee, the department shall seek federal waivers and make program modifications as necessary to develop a similar program for Iowa upon receiving

federal approval to do so.

12. As a condition, limitation, and qualification of the funds appropriated in this section, the department shall establish specialized family foster care homes and provide specialized support and respite services to qualifying foster care families who accept infants with chemical addictions from intrauterine transmission who would otherwise remain in a hospital.

13. As a condition, limitation, and qualification of the funds appropriated in this section, the department shall continue the demonstration program to decategorize child welfare services in the 4 counties in which the program has commenced. The department may approve additional applications from a county or consortium of counties to initiate a demonstration program provided the department, the boards of supervisors in the counties, and the affected judicial districts agree to implement the program. The schedule for implementing the demonstration program in additional counties shall provide that the program be implemented on or after January 1, 1992. The department shall establish for the demonstration project counties a child welfare fund composed of all or part of the amount that would otherwise be expected to be used for residents of the counties for foster care, family-centered services, subsidized adoption, child day care, local purchase of services, state juvenile institution care, mental health institute care, state hospital-school care, juvenile detention, department-direct services, and court-ordered evaluation and treatment of juvenile services and notwithstanding any other provision of law, the fund shall be considered encumbered. Notwithstanding other service funding provisions in law, the department shall establish the fund by transferring funds from the budgets affected, except for the funds appropriated for the state mental health institutes, the state hospital-schools, the state training school, and the Iowa juvenile home which shall remain on account for the county at these institutions. A limited amount of the fund may be used to support services and reimbursement rates not

allowable within historical program or service categories and administrative rule. In addition, a limited amount of the child welfare fund may be used for the family assistance fund to provide resources for a family to remain together or to be unified. It is the intent of the general assembly that the demonstration program be designed to operate in a county for a 3-year period. The 3-year time period for a decategorization project in Dubuque, Polk, Pottawattamie, or Scott county shall be considered to begin on January 1 in the first year following the year in which the county's decategorization project was approved by the department.

14. As a condition, limitation, and qualification of the funds appropriated in this section, the department shall implement changes in group foster care maintenance and service definitions to be consistent with the definitions under Title IV-E of the federal Social Security Act. Federal financial participation provided under Title IV-E in excess of \$595,000, which is received as a result of the definition changes shall be apportioned to the providers implementing the changes. The excess amount shall be apportioned after the department has received all federal Title IV-E payments for the fiscal year. The excess amount shall be apportioned as a payment according to each provider's percentage of the total amount of payments made to providers implementing the changes under federal Title IV-E.

15. As a condition, limitation, and qualification of the funds appropriated in this section, not more than \$30,000 of the funds appropriated in this section may be used to contract with the coalition of family and children's services or another suitable entity for the development of a computerized foster care placement information system for the state. The system shall be designed utilizing previously developed software techniques used in Pennsylvania and shall be capable of providing an on-line data base of the availability of particular foster care placements, technical support, training, and appropriate user documentation.

Sec. 115. CHILD PROTECTIVE SYSTEM IMPROVEMENTS. There is

appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For improvements in the state system for child protection:  
..... \$ 561,500

The funding appropriated in this section shall be used as determined by the department for any of the following purposes:

1. For general administration of the department to improve staff training efforts.

2. For oversight of termination of parental rights and permanency planning efforts on a statewide basis on the condition that regular reports regarding the statewide program efforts shall be provided to the legislative fiscal bureau.

3. For use by the department in general administration to promote innovative treatment programs, write grants to obtain federal and private funding, and promote public and private efforts to treat and prevent child abuse.

4. For personnel, assigned by the attorney general, to provide additional services relating to termination of parental rights and child in need of assistance cases.

5. For funding of the state multidisciplinary team to assist with difficult cases within the child abuse and foster care system and with respect to child protective investigation and initial case planning and to develop and coordinate local multidisciplinary teams.

6. For use by the department in conducting outcome-oriented evaluations of child protection, prevention, and treatment programs.

7. For specialized foster care permanency planning field operations staff.

Sec. 116. HOME-BASED SERVICES. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof

as is necessary, to be used for the purpose designated:

For home-based services on the condition that family planning services are funded, provided that if the department amends the allocation to a program funded under this section, then the department shall promptly notify the legislative fiscal bureau of the change:

..... \$ 19,680,002

1. Of the funds appropriated in this section, \$30,000 shall be used by the department to contract with universities to provide ongoing research and evaluation assistance to programs and initiatives of the department involving family-centered services and foster care. The contracts shall make maximum use of any matching resources available from the universities with which the department contracts.

2. Of the funds appropriated in this section, \$5,086,204 shall be used for family preservation and reunification services and training. A limited amount of the funds may be used for the family assistance fund to provide other resources required for a family participating in a project to stay together or to be reunified. The payment system for the project shall not be based upon units of time, but may be based upon the cost to serve a family, including adjustments according to the provider's performance and the outcome of the services provided to each family. The department shall use the statewide family preservation and decategorization committee to assist in selecting additional projects.

Sec. 117. COMMUNITY-BASED PROGRAMS. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For community-based programs:

..... \$ 3,224,421

1. As a condition, limitation, and qualification of the funds appropriated in this section, up to \$19,095 shall be used by the department as the financial aid from the state under section 232.142, subsection 3, for the cost of the

establishment, improvement, operation, and maintenance of approved county or multicounty juvenile homes. Notwithstanding section 232.142, subsection 3, the amount provided in this subsection shall be the maximum amount of financial aid the state is obligated to provide pursuant to that provision.

2. Of the funds appropriated in this section, \$453,450 shall be used for adolescent pregnancy prevention grants. At least 75 percent of the funds shall be used for programs which incorporate family planning and pregnancy prevention services as the major component of the program. The department shall not expend more than 7 percent of the funds for administrative costs. The department shall adopt rules to implement this subsection. A grant may be awarded to a public school corporation, a maternal and child health center, an adolescent services provider, a project involving a state juvenile institution, or a nonprofit organization which is involved in adolescent issues. Grants shall be awarded for a 1-year period and shall be based on the demonstrated need for adolescent pregnancy prevention and adolescent parent services. Preference in awarding grants shall be given to projects for children placed at a state juvenile institution and projects which utilize a variety of community resources and agencies.

a. As used in this subsection, "adolescent" means a person who is less than 18 years of age or a person who is attending an accredited high school or pursuing a course of study which will lead to a high school diploma or its equivalent. The department shall establish guidelines which permit a grant recipient to continue providing services to a person who receives services under the grant as an adolescent and becomes 18 years of age or older.

b. A grant shall only be awarded to a project which provides 1 or more of the following services:

(1) Workshops and information programs for adolescents and parents of adolescents to improve communication between children and parents regarding human sexuality issues.



(2) Development and distribution of informational material designed to discourage adolescent sexual activity, to provide information regarding acquired immune deficiency syndrome and sexually transmitted diseases, and to encourage male and female adolescents to assume responsibility for their sexual activity and parenting.

(3) Early pregnancy detection, prenatal services including chlamydia testing, and counseling regarding decision-making options for pregnant adolescents.

(4) Case management and child care services provided to male and female adolescent parents.

c. Additional services may be offered by a grantee pursuant to a purchase of service contract with the department including child day care services; child development and parenting instruction; services to support high school completion, job training, and job placement; prevention of additional pregnancies during adolescence; and other personal services.

3. As a condition, limitation, and qualification of the funds appropriated in this section, at least \$216,550 shall be used to provide grants administered in accordance with the provisions for adolescent pregnancy prevention grants, except for requirements to target certain specific geographic areas of the state. The grants shall be awarded to fund any of the following purposes:

a. Programs targeted to children. A program shall include the following: components for parental involvement; parental education, including techniques for encouraging sexual abstinence; outreach services for recruiting parents and children into the program; and the provision of transportation to program staff and participants necessary for recruiting and encouraging program participation.

b. Programs intended to prevent an additional pregnancy by a parent who is less than 19 years of age. Preference in grant awards shall be given to programs which provide financial incentives to clients for their program participation and success in avoiding an additional pregnancy.

c. Providing additional pregnancy prevention grants. Preference in grant awards shall be given to programs which, in addition to other services, provide counseling to mixed gender groups of adolescents.

d. Programs intended to educate adolescents concerning the risks associated with alcohol and other drug use during pregnancy, including health, financial, emotional, and other potential long-term effects for mother and child.

4. As a condition, limitation, and qualification of the funds appropriated in this section, \$550,686 shall be used by the department for child abuse prevention grants.

Sec. 118. BLOCK GRANT SUPPLEMENTATION. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For supplementation of federal social services block grant funds and for allocation to counties for the purchase of local services:

..... \$ 4,935,958

The funds appropriated in this section shall be allocated to 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, 1991, 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. The department may adopt emergency rules to implement the provisions of this subsection relating to an increase in the cost of living.

Sec. 119. COURT-ORDERED SERVICES PROVIDED TO JUVENILES. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purpose

designated:

Payment of the expenses of court-ordered services provided to juveniles which are a charge upon the state pursuant to section 232.141, subsection 4:

..... \$ 4,013,271

1. It is the intent of the general assembly that the funds appropriated in this section shall be used in a manner that allows provision of court-ordered services to juveniles for the entire specified fiscal period without the need for supplemental funding. The court shall consider the overall cost-effectiveness of services ordered by the court for juveniles under chapter 232.

2. As a condition, limitation, and qualification of the funds appropriated in this section, and notwithstanding any other provision of law, \$6,150,000 of the funds appropriated in this division for home-based services shall be used in providing court-ordered family-centered, family preservation and family reunification services designed to achieve the goals contained in a juvenile's foster care case permanency plan. The department of human services shall develop policies and procedures to ensure that priority for these services is given to juveniles who are at-risk of being adjudicated as a delinquent, being found to be a child in need of assistance, or being involuntarily committed under chapter 125 or 229.

3. As a condition, limitation, and qualification of the funds appropriated in this section, and notwithstanding section 232.141 or any other provision of law, the funds appropriated in this section shall be allocated to the judicial districts as provided in this subsection. The allocations to the districts shall be made according to a formula developed pursuant to recommendations of a committee consisting of a representative of the director of human services, a representative of the state court administrator, a representative of the Iowa state association of counties, and a representative of service providers selected by the coalition of family and children's services. The recommendations shall be based upon each judicial district's

utilization of juvenile justice moneys paid pursuant to section 232.141, subsection 4, during the period beginning July 1, 1985, and ending June 30, 1990. However, to the extent possible, services paid for pursuant to that section that would have been eligible for payment under other provisions shall not be included. The judicial district's population of juveniles, adjudicated juvenile delinquents, and children and families found to be in need of assistance, during the period beginning January 1, 1990, and ending December 31, 1990, shall also be considered in developing the recommendations. The state court administrator shall make the final decision on the allocations on or before June 15, 1991.

4. Each judicial district shall establish a planning group for the court-ordered services for juveniles provided in that district. A district planning group shall be appointed by the chief judge of the judicial district and shall include local representatives of the department of human services, youth advocates, public defenders where appropriate, the judicial department, county officials or staff, and service providers. A district planning group shall meet at least quarterly and shall perform all of the following activities:

a. Establish service priorities for spending the court-ordered services funds allocated to the district.

b. Develop procedures to evaluate and improve the quality and effectiveness of the services being provided.

c. Make recommendations concerning changes in the child welfare system that are needed to ensure that children and families receive the services necessary to meet their unique needs.

d. Make efforts to ensure quality services are provided at a reasonable cost.

e. Consider billings submitted for payment under this section to ensure that no other payment source is available.

Each district planning group shall submit an annual report to the state court administrator and the department of human services. The administrator and the department shall compile these reports and submit the reports to the chairpersons and

ranking members of the joint human services appropriations subcommittee and the legislative fiscal bureau.

5. On or before June 15, 1991, the department of human services shall develop policies and procedures to ensure that the funds appropriated in this section are spent only after all reasonable efforts have been made to utilize other funding sources and community-based services. The policies and procedures shall be designed to achieve the following objectives relating to services provided under chapter 232:

a. Maximize the utilization of funds which may be available from the medical assistance program including usage of the early preventive, screening, diagnosis, and treatment (EPSDT) program.

b. Recover payments from any third-party insurance coverage which is liable for coverage of the services, including health insurance coverage.

c. Pursue development of agreements with regularly utilized out-of-state service providers which are intended to reduce per diem costs.

6. The department of human services, in consultation with the state court administrator and the judicial district planning groups, shall compile a monthly report describing spending in the districts for court-ordered services for juveniles, including the utilization of the medical assistance program. The reports shall be submitted on or before the twentieth day of each month to the chairpersons and ranking members of the joint human services appropriations subcommittee and the legislative fiscal bureau.

7. Notwithstanding chapter 232 or any other provision of law, a district or juvenile court in a department of human services district shall not order any service which is a charge upon the state pursuant to section 232.141 if there are insufficient funds available in the district allocation to pay for the service. The chief juvenile court officer shall work with the district planning group to encourage use of the funds appropriated in this section such that there are sufficient funds during the entire year. The eight chief juvenile court

officers shall attempt to anticipate potential surpluses and shortfalls in the allocations and shall cooperatively transfer funds between the districts' allocations as prudent.

8. Notwithstanding any provision of law, a district or juvenile court shall not order a county to pay for any service provided to a juvenile pursuant to an order entered under chapter 232 which is a charge upon the state under section 232.141.

9. As a condition, limitation, and qualification of the funds appropriated in this section, and notwithstanding any provision of law to the contrary, \$50,000 of the funds appropriated in this section may be used by the department for the administration of the programs and services provided pursuant to orders entered under chapter 232, as a supplement to funds provided in other appropriations. The department shall cooperate with the legislative fiscal bureau in developing a management information system for spending for services ordered under chapter 232.

10. As a condition, limitation, and qualification of the funds appropriated in this section, up to \$202,000 of the funds appropriated in this section may be used by the judicial department for administration of the requirements under this section and for travel associated with court-ordered placements which are a charge upon the state pursuant to section 232.141, subsection 4.

11. The department of human services may adopt emergency rules to implement the provisions of this section.

Sec. 120. IOWA VETERANS HOME. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For operation of the Iowa veterans home, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 29,722,461

..... FTEs 828.80

1. The department may use the gifts accepted by the director 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.

2. Of the funds appropriated in this section, \$40,000 shall be transferred to the department of public defense, division of veterans affairs, and shall be used to computerize veterans records.

Sec. 121. MENTAL HEALTH INSTITUTES. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

For the state mental health institutes for salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

- 1. State mental health institute at Cherokee:
  - ..... \$ 14,928,541
  - ..... FTEs 389.75
- 2. State mental health institute at Clarinda:
  - ..... \$ 7,638,209
  - ..... FTEs 189.16
- 3. State mental health institute at Independence:
  - ..... \$ 16,005,884
  - ..... FTEs 436.27
- 4. State mental health institute at Mount Pleasant:
  - ..... \$ 9,260,073
  - ..... FTEs 211.50

Sec. 122. HOSPITAL-SCHOOLS. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

For the state hospital-schools, for salaries, support,

maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

- 1. State hospital-school at Glenwood:  
..... \$ 39,142,956  
..... FTEs 1,157.00
- 2. State hospital-school at Woodward:  
..... \$ 32,054,985  
..... FTEs 931.85

Sec. 123. MENTAL HEALTH AND MENTAL RETARDATION SERVICES FUND. Notwithstanding 1990 Iowa Acts, chapter 1250, section 18, \$3,200,000 of the funds appropriated to the special mental health services fund established in that section shall be transferred to the state community mental health and mental retardation services fund established in section 225C.7 and shall be used for the purposes designated in that section. The amount transferred pursuant to this section and section 124 of this division shall not be subject to the formula provided in 1990 Iowa Acts, chapter 1250, section 18, subsection 4.

Sec. 124. ENHANCED SERVICES -- COUNTY PAYMENT. Notwithstanding 1990 Iowa Acts, chapter 1250, section 18, \$2,360,000 of the funds appropriated to the special mental health services fund established in that section, or so much thereof as is necessary, shall be transferred to supplement the appropriation in section 128 of this division for the state candidate services fund for the purpose of providing funds to counties pursuant to section 128, subsection 5 of this division. The amount transferred pursuant to this section and section 123 of this division shall not be subject to the formula provided in 1990 Iowa Acts, chapter 1250, section 18, subsection 4.

Sec. 125. MENTAL HEALTH -- MENTAL RETARDATION -- DEVELOPMENTAL DISABILITIES SPECIAL SERVICES. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purpose



designated:

For mental health, mental retardation, and developmental disabilities special services:

..... \$ 382,500

1. The department and the Iowa finance authority shall develop methods to implement the financing for existing community-based facilities and to implement financing for small community-based facilities, including those facilities which may be developed under a federally approved home and community-based waiver for services provided under the medical assistance program. The department shall develop criteria for these facilities which may include provisions to restrict placements to current state hospital-school clients or to avert the placement of persons in a state hospital-school. The department shall assure that clients are referred to these facilities upon their development.

2. Of the funds appropriated in this section, \$257,219 is allocated to provide supplemental per diems to community-based residential care facilities and community living arrangements. The per diem is restricted to clients placed from the state hospital-schools and persons averted from placement in a state hospital-school who meet the appropriate level of functioning for this type of care.

3. Of the funds appropriated in this section, \$125,281 is allocated to provide funds for construction and start-up costs to develop community living arrangements to provide for persons who are mentally ill and homeless. These funds may be used to match federal Stewart B. McKinney Homeless Assistance Act grant funds.

4. As a condition, limitation, and qualification of the funds appropriated in this section, the department shall adopt rules pursuant to chapter 17A providing for reimbursement under state supplementary assistance to pay for supervised apartment living and cooperative housing arrangements for persons with disabilities. The rules shall take effect July 1, 1992.

Sec. 126. FAMILY SUPPORT SUBSIDY PROGRAM. There is

appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For the family support subsidy program:

..... \$ 675,000

Sec. 127. SPECIAL NEEDS GRANTS. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

To provide special needs grants to families with a family member at home who has a developmental disability or to a person with a developmental disability:

..... \$ 55,000

Grants must be used by a family to defray special costs of caring for the family member to prevent out-of-home placement of the family member or to provide for independent living costs. A grant may provide up to \$5,000 per person for costs associated with an assistive animal. The grants may be administered by a private nonprofit agency which serves people statewide provided that no administrative costs are received by the agency. Regular reports regarding coordination of the special needs grants with the family support subsidy program shall be provided to the legislative fiscal bureau.

Sec. 128. ENHANCED MENTAL HEALTH -- MENTAL RETARDATION -- DEVELOPMENTAL DISABILITIES SERVICES. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For the state candidate services fund:

..... \$ 2,545,911

1. The enhanced mental health, mental retardation, and developmental disabilities services plan oversight committee is continued, as established under 1988 Iowa Acts, chapter

1276, section 14, subsection 1, for the fiscal year which begins July 1, 1991, and ends June 30, 1992. The oversight committee shall issue a final decision regarding any issue of disagreement between a county and the department relating to expenditures for candidate services or the county's maintenance of effort.

2. For purposes of this section, "candidate services" means day treatment, partial hospitalization, and case management.

3. a. The county of legal settlement shall be billed for 50 percent of the nonfederal share of the cost of case management provided to adults, day treatment, and partial hospitalization provided under the medical assistance program for persons with mental retardation, a developmental disability, or chronic mental illness.

b. If the department has contracted with a county or a consortium of counties to be the provider of case management services, the department is responsible for any costs included within the unit rate for case management services which are disallowed for reimbursement pursuant to Title XIX of the federal Social Security Act by the federal health care financing administration. The department shall use funds appropriated under this section to credit a county for the county's share of any amounts overpaid due to the disallowed costs. If certain costs are disallowed due to requirements or preferences of a particular county in the provision of case management services the county shall not receive credit for the amount of the costs.

c. Case management services provided to children shall only be reimbursed under the medical assistance program if the services are provided in a county approved by the department to implement the program to decategorize child welfare services. In addition, the county's decategorization plan must demonstrate that the amount necessary for payment of the nonfederal share of the cost for the services is available within funds allocated for the purpose of decategorization. The department may adopt emergency rules to implement the

provisions of this paragraph.

4. A county is responsible to continue to expend at least the agreed upon amount expended for services in the fiscal year which ended June 30, 1987, for the fiscal year beginning July 1, 1991, for services to persons with mental retardation, a developmental disability, or chronic mental illness. Notwithstanding section 8.33, if a county does not expend the agreed upon amount in the fiscal year, the balance not expended shall not revert to the general fund of the county, but shall be carried over to the next fiscal year to be expended for the provision of services to persons with mental retardation, a developmental disability, or mental illness including, but not limited to, the chronically mentally ill, and shall be used as additional funds. The additional funds shall be used, to the greatest extent possible, to meet unmet needs of persons with mental retardation, a developmental disability, or mental illness. This subsection does not relieve the county from any other funding obligations required by law, including but not limited to the obligations in section 222.60.

5. The department, in conjunction with the oversight committee, and with the agreement of each county, shall establish the actual amount expended for each candidate service for persons with mental retardation, a developmental disability, or chronic mental illness in the fiscal year which ended June 30, 1987, and this amount shall be deemed each county's base year expenditure for the candidate service. A disagreement between the department and a county as to the actual amount expended shall be decided by the oversight committee.

The department, in conjunction with the oversight committee, and with the agreement of each county, shall determine the expenditures in the fiscal year beginning July 1, 1990, by each county for the candidate services, including the amount the county contributes under subsection 3. If the expenditures in the fiscal year beginning July 1, 1990, exceed the base year expenditures for candidate services, then the

county shall receive from the funds appropriated under this section the least amount of the following:

a. The difference between the total expenditures for the candidate services in the fiscal year beginning July 1, 1990, and the base year expenditures.

b. The amount expended by the county under subsection 3 for the fiscal year beginning July 1, 1990.

c. The amount by which total expenditures for persons with mental retardation, a developmental disability, or chronic mental illness for the fiscal year beginning July 1, 1990, less any carryover amount from the fiscal year which began July 1, 1989, exceed the maintenance of effort expenditures under subsection 4.

The department may utilize a debit-credit approach in order to implement the financial transactions with counties required by this subsection.

6. Notwithstanding section 225C.20, case management services shall be provided by the department except when a county or a consortium of counties contracts with the department to provide the services. A county or consortium of counties may contract to be the provider at any time and the department shall agree to the contract so long as the contract meets the standards for case management adopted by the department. The county or consortium of counties may subcontract for the provision of case management services if the subcontract meets the same standards. A mental health, mental retardation, and developmental disabilities coordinating board may change the provider of individual case management services at any time. If the current or proposed contract is with the department, the coordinating board shall provide written notification of a proposed change to the department on or before August 15 and written notification of an approved change on or before October 15 in the fiscal year which precedes the fiscal year in which the change will take effect.

7. This section does not relieve the county from any other funding obligations required by law, including but not limited

to the obligations in section 222.60.

8. Nothing in this division is intended by the general assembly to be the provision of a fair and equitable funding formula specified in 1985 Iowa Acts, chapter 249, section 9. Nothing in this division shall be construed as, is intended as, or shall imply a claim of entitlement to any programs or services specified in section 225C.28.

9. For the purposes of this section only, persons with mental disorders resulting from Alzheimer's disease or substance abuse shall not be considered chronically mentally ill.

10. Where the department contracts with a county or consortium of counties to provide case management services, the state shall appear and defend the department's employees and agents acting in an official capacity on the department's behalf and the state shall indemnify the employees and agents for acts within the scope of their employment. The state's duties to defend and indemnify shall not apply if the conduct upon which any claim is based constitutes a willful and wanton act or omission or malfeasance in office.

Sec. 129. FIELD OPERATIONS. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For field operations, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$ 41,364,127
.....	FTEs 2,289.30

1. Staff who are designated as "Title XIX case management staff" are considered to be in addition to the limit for full-time equivalent positions and the funds appropriated for field operations. As a condition, limitation, and qualification of the funds appropriated in this section, the department shall report quarterly to the chairpersons and ranking members of the legislative fiscal committee of the legislative council,

the members of the joint human services appropriations subcommittee, and the legislative fiscal bureau regarding the total number of Title XIX case management staff positions filled, including the number of positions which were filled by persons who were already employed by the department in another capacity.

2. As a condition, limitation, and qualification of the funds appropriated in this section, upon the request of a county, the department shall work with the county to develop a funding plan for persons with mental retardation, a developmental disability, or chronic mental illness who are not eligible to receive case management provided under the medical assistance program and are receiving service management. With an agreed upon funding plan, the department is authorized to combine state funds that would otherwise be expended on service management with county funds to upgrade services provided to the persons from service management to case management. Staff required to implement this subsection are not subject to the limitations on full-time equivalent positions and funds appropriated for field operations.

3. As a condition, limitation, and qualification of the funds appropriated in this section, if the field operations staffing level meets the funded full-time equivalent position limit authorized in this section and a district identifies a critical position vacancy or a position with a caseweight factor greater than 120 percent of the budgeted caseweight factor for the position, the director of human services may exceed the full-time equivalent position limit authorized under this section in the amount necessary to fill the critical position vacancy or to reduce the caseweight factor to the budgeted level. For purposes of this subsection, "critical position vacancy" includes a clerical position in an office limited to a single clerical staff position. The budgeted caseweight factor for the fiscal year beginning July 1, 1991, and ending June 30, 1992, is 196 for income maintenance workers and 191 for service workers. If the department is able to increase federal financial participation

relating to field operations, the moneys shall be used to reduce the budgeted caseweight factor funded by the appropriation in this section for income maintenance and service workers. In addition, if the field operations staffing level meets the funded full-time equivalent position limit authorized in this section and there is a critical position vacancy in the state or the statewide average caseweight factor for a particular type of position exceeds 105 percent of the budgeted caseweight factor for that type of position, the director of human services may exceed the full-time equivalent position limit authorized in this section in an amount necessary to fill the critical position vacancy or to reduce the caseweight factor to the budgeted level. If expenditures remain within the amount appropriated in this section, the department may exceed the full-time equivalent position limit authorized in this section. The department shall report monthly to the chairpersons and ranking members of the joint human services appropriations subcommittee and to the legislative fiscal bureau regarding caseweight factor computations in each district, the statewide average caseweight factor, the existence of a critical position vacancy in any district, and action taken by the department to address any critical position vacancy problem or excess caseweight factor.

4. Notwithstanding the full-time equivalent position limit authorized in this section, a county implementing a decategorization project, consistent with the county's decategorization plan, may modify the staffing level in the county's human services office and the modification shall not affect other county or district human services staffing levels and shall not be considered to be subject to the full-time equivalent position limit in this section.

5. As a condition, limitation, and qualification of the funds appropriated in this section, the department shall review the current field operations service delivery system structure. Within the funds budgeted and full-time equivalent positions authorized under this appropriation, the department



shall make changes necessary to improve the system's administrative efficiency and effectiveness and to streamline these functions. Emphasis shall be placed upon increasing the program support, training, and supervision of staff who work directly with clients.

6. As a condition, limitation, and qualification of the funds appropriated in this section, the department shall eliminate the department of human services district offices in all districts except for the Des Moines district. The department shall work with the Iowa state association of counties and the affected counties to develop a transition plan for the office elimination and to equitably spread the associated costs.

7. As a condition, limitation, and qualification of the funds appropriated in this section, the department shall report to the members of the joint human services appropriations subcommittee on actions taken by the department to implement uniform reporting of maintenance and service costs for the financial reports used by service providers for reimbursement under the state supplementary assistance program and for reimbursement of purchase of service contracts under the social services block grant. The actions may include but are not limited to the development of uniform rules and consolidated cost reports. This report shall be submitted on or before October 1, 1991.

Sec. 130. GENERAL ADMINISTRATION. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For general administration, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$ 9,256,818
.....	FTEs 358.45

1. Full-time equivalent positions which are funded entirely with federal, public, or private grants are exempt

from the limits on the number of full-time equivalent positions provided in this section, but are approved only for the period of time for which the federal funds or grants are available for the position.

2. As a condition, limitation, and qualification of the funds appropriated in this section, if a state institution administered by the department is to be closed or reduced in size, prior to the closing or reduction the department shall initiate and coordinate efforts in cooperation with the Iowa department of economic development to develop new jobs in the area in which the state institution is located.

3. As a condition, limitation, and qualification of the funds appropriated in this section, the department shall seek federal approval of home and community-based waivers for services provided under medical assistance to persons with mental retardation and effective February 1, 1992, contingent upon federal approval of the waivers, the department shall take all measures necessary to implement the waivers, including, but not limited to, filling not more than 12 employee positions to perform duties as necessary to implement the waivers. The department shall fill the positions in a manner which results in the positions being equivalent to 4.00 FTEs for the fiscal year, however, the positions shall be annualized for the purposes of establishing the number of full-time equivalent positions in this appropriation for the fiscal year. The department may adopt emergency rules to implement the provisions of this subsection.

4. As a condition, limitation, and qualification of the funds appropriated in this section, \$30,000 shall be transferred to the governor's planning council for developmental disabilities for use in contracting to continue operating a computerized information and referral project for Iowans with developmental disabilities and their families.

5. As a condition, limitation, and qualification of the funds appropriated in this section, 1.00 FTE shall be assigned to expand the AFDC electronic benefits transfer program (EBT) beyond the pilot program county and to implement EBT for the

food stamp program.

6. As a condition, limitation, and qualification of the funds appropriated in this section, the department shall apply to the Robert Wood Johnson foundation for a grant to investigate the feasibility of establishing a system with a single state authority and regional subauthorities for the planning, funding, and administration of services for persons with mental illness. The application process shall be coordinated with the requirements of the federal Mental Health Planning Act, Pub. L. No. 99-660, and federal mental health law amendments enacted in 1990. The department shall work with legislators, advocacy groups, county representatives, and service providers as necessary in developing the grant application.

7. As a condition, limitation, and qualification of the funds appropriated in this section, \$69,145 and 1.5 FTEs of the moneys appropriated and positions authorized in this section shall be used to implement section 217.9A, establishing the commission on children, youth, and families in the department pursuant to Senate File 479, if enacted by the Seventy-fourth General Assembly, 1991 Session.

8. As a condition, limitation, and qualification of the funds appropriated in this section, the department, in consultation with the child development coordinating council and the family development and self-sufficiency council, shall develop a proposal for submission to the federal family support administration for a state family resource and support program grant under the federal Claude Pepper Young Americans Act of 1990, Pub. L. No. 101-501 § 933, as codified in 42 U.S.C. § 12339. The department may also apply for a planning grant under that Act. In making application, the department shall build upon existing effective programs in Iowa provided through the child development coordinating council, the family development and self-sufficiency council, adolescent pregnancy prevention grants, and child abuse prevention grants.

Sec. 131. VOLUNTEERS. There is appropriated from the general fund of the state to the department of human services

for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For development and coordination of volunteer services:  
..... \$ 93,283

Sec. 132. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER THE DEPARTMENT OF HUMAN SERVICES.

1. a. For the fiscal year beginning July 1, 1991, the following providers shall not have their medical assistance reimbursement rates increased over the rates in effect on June 30, 1991: providers of waived services under the home and community-based programs, optometrists for service fees only, opticians for service fees only, podiatrists, dentists, chiropractors, physical therapists, birthing centers, ambulance services, independent laboratories, area education agencies, clinics, audiologists, rehabilitation agencies, community mental health centers, family planning clinics, psychologists, hearing aid dealers, orthopedic shoe dealers, ambulatory surgery centers, and genetic counseling clinics. Reimbursement for optometric products shall not be increased. The department of human services may utilize flexibility in allocating the increase for durable medical products and supplies so that equipment and supplies which have greater wholesale cost increases may be reimbursed at a higher rate and those which have a lower or no wholesale cost increase may be reimbursed at a lower rate or have no increase. Reimbursement rates for physicians and certified registered nurse anesthetists shall not be increased. Reimbursement rates for maternal health centers shall not be increased.

b. For the fiscal year beginning July 1, 1991, the following shall have their medical assistance reimbursement rates established at the rates in effect on February 28, 1991: psychiatric medical institutions for children, early preventive screening, diagnosis, and treatment providers, providers of obstetric services when provided by physicians or certified midwives, pediatric services, and durable medical

products and supplies.

c. The department shall provide a differential per diem reimbursement rate to a psychiatric medical institution for children for short-term treatment or diagnosis services provided within a segregated unit of the institution. The differential per diem reimbursement rate shall not exceed 120 percent of the per diem rate authorized in this section for psychiatric medical institutions for children.

d. The dispensing fee for pharmacists shall remain at the rate in effect on June 30, 1991. The reimbursement policy for pharmacies shall be in accordance with federal requirements. Total adjustments to reimbursements for prescription drugs shall remain within funds appropriated.

e. Effective July 1, 1991, reimbursement rates to hospitals shall not be increased over the rates in effect on June 30, 1991.

f. Reimbursement rates for rural health clinics shall be increased in accordance with increases under the federal medicare program.

g. Home health agencies certified for the medical assistance program, hospice services, and acute care mental hospitals shall be reimbursed for their current federal medicare audited costs.

h. Effective July 1, 1991, the basis for establishing the maximum medical assistance reimbursement rate for nursing facilities shall be the 70th percentile of facility costs as calculated from the June 30, 1991, unaudited compilation of cost and statistical data. However, to the extent funds are available under the allocation for reimbursement of nursing facilities within the appropriation for medical assistance in this Act, the basis shall be increased to not more than the 74th percentile of facility costs as calculated from the same data.

i. Effective July 1, 1991, the amount provided under the medical assistance program to nursing facilities during the fiscal year ending June 30, 1991, in addition to the approved per diem rate, pursuant to 1990 Iowa Acts, chapter 1270,

section 31, subsection 1, paragraph "e", subparagraph (1), shall no longer be provided.

2. For the fiscal year beginning July 1, 1991, the maximum cost reimbursement rate for residential care facilities reimbursed by the department shall be \$20.01 per day. The flat reimbursement rate for facilities electing not to file semiannual cost reports shall be \$14.31 per day. For the fiscal year beginning July 1, 1991, the maximum reimbursement rate for providers reimbursed under the in-home health-related care program shall be \$397.95 per month.

3. For services provided by social services providers reimbursed by the department in the fiscal year beginning July 1, 1991, rates shall be increased by 2 percent over the unreduced rates in effect on June 30, 1991. However, any increase provided under this subsection shall not cause the provider's reimbursement rate to exceed the provider's actual and allowable cost plus the inflationary factor authorized in this section.

4. Notwithstanding the provisions of subsection 3, the department may implement revisions of the methodology for purchasing group foster care services to establish rates for group foster care services based on the study of these issues funded by the general assembly in the fiscal year which began July 1, 1989, provided the overall budget amount for the expenditures is not exceeded and the revisions of the methodology are agreed to by the affected service providers.

5. If the department's reimbursement methodology for any provider reimbursed in accordance with this section includes an inflation factor, this factor shall not exceed the amount by which the consumer price index for all urban consumers increased during the calendar year ending December 31, 1990.

6. In determining reimbursement rates for facilities reimbursed under this division, including but not limited to foster care providers, residential care facilities, nursing facilities, and community living arrangements, the department shall not include private moneys contributed to the facility in its reimbursement rate determination unless these moneys

are contributed for services provided to specific individuals for whom the reimbursement rate is established by the department.

7. The department may adopt emergency rules to implement the provisions of this section except for subsection 6 for which the department shall adopt nonemergency rules pursuant to chapter 17A.

Sec. 133. ASSISTANCE TO GAMBLERS. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For the gamblers assistance program, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	400,000
.....	FTEs	3.00

1. The department may adopt emergency rules to implement the provisions of this section within the funds appropriated in this section.

2. The Iowa lottery board and the state racing and gaming commission shall cooperate with the gamblers assistance program to incorporate information regarding the gamblers assistance program and its toll-free telephone number in printed materials distributed. The commission may require licensees to have the information available in a conspicuous place as a condition of licensure.

Sec. 134. REQUIREMENTS RELATING TO PERSONS WITH DISABILITIES. Subject to the limitations of the appropriations in this Act for the state mental health institutes and for the state hospital-schools, the department of human services shall modify staffing structures at the state hospital-schools and the state mental health institutes consistent with accreditation and certification requirements and the findings of the study on staffing commissioned by the general assembly in order to improve the level of direct staffing, reduce or simplify the levels of organizational

authority where appropriate, and reduce the use of overtime. If, after review of the study recommendations, the department of human services decides to establish the position of "human resource specialist" at the state hospital-schools, the positions shall be established within the department of personnel and the department of human services may transfer to the department of personnel the associated full-time equivalent positions and moneys equal to the salary costs for the positions. The maintenance of sufficient direct care staff to assure worker and patient safety is of highest priority. The department shall work with all levels of affected employees in carrying out this staff restructuring. The department shall work to assure that vacant positions in direct care are filled promptly and expeditiously.

Sec. 135. FULL-TIME EQUIVALENT LIMIT NOTIFICATION. The Iowa veterans home, the state mental health institutes, and the state hospital-schools may exceed the number of full-time equivalent positions authorized in this Act if the additional positions are specifically related to licensing, certification, or accreditation standards or citations. The department shall notify the co-chairpersons and ranking members of the joint human services appropriations subcommittee and the legislative fiscal bureau if the specified number is exceeded. The notification shall include an estimate of the number of full-time equivalent positions added and the fiscal effect of the addition.

Sec. 136. COMPUTERIZATION -- ASSESSMENT OF FINANCIAL IMPACT. In order to assess the financial impact of computerizing functions within the department of human services, the department of general services, information services division, shall monitor the utilization of the central processing unit resources maintained by the division, and shall provide quarterly reports to the legislative fiscal committee of the legislative council and the legislative fiscal bureau. The quarterly reports shall contain an analysis of the central processing unit resources utilized by the department of human services by each computerized



application within the department. The reports shall also contain information on computerized applications which are under development, and shall project the central processing unit utilization which will occur in 6, 12, 18, and 24 months. The reports shall be designed to enable the legislative fiscal committee and the legislative fiscal bureau to assess the fiscal impact of various computerized applications, with emphasis upon the need for the division to purchase additional computer hardware.

Sec. 137. RULE IMPLEMENTATION PROHIBITION. The department of human services shall not implement 441 Iowa administrative code, rule 81.10, subrule 5, which was delayed by the administrative rules review committee at the committee's meeting on November 13, 1990.

Sec. 138. Section 99E.10, subsection 1, paragraph a, Code 1991, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Notwithstanding the provisions of this lettered paragraph, directing that a portion of gross lottery revenues be deposited into the gamblers assistance fund or the provisions of section 99F.11 directing that a portion of the adjusted gross receipts under chapter 99F be deposited into the gamblers assistance fund, for the fiscal period beginning July 1, 1991, and ending June 30, 1993, moneys that were to be deposited into the gamblers assistance fund pursuant to this lettered paragraph and section 99F.11, subsection 3, shall be deposited into the general fund of the state.

Sec. 139. Section 135C.2, subsection 5, paragraph b, Code 1991, is amended to read as follows:

b. A facility must be located in an area zoned for single or multiple-family housing or in an unincorporated area and must be constructed in compliance with applicable local housing codes and the rules adopted for the special classification by the state fire marshal in accordance with the concept of the least restrictive environment for the facility residents. The rules adopted by the state fire

marshal for the special classification shall be no more restrictive than the rules adopted by the state fire marshal for demonstration waiver project facilities pursuant to 1986 Iowa Acts, chapter 1246, section 206, subsection 2. Local housing codes shall not be more restrictive than the rules adopted for the special classification by the state fire marshal and the state building code requirements for single or multiple-family housing.

Sec. 140. Section 135G.4, subsection 3, Code 1991, is amended by striking the subsection and inserting in lieu thereof the following:

3. Each application for a birth center license or renewal of a license, shall be accompanied by a license fee. The fee amount shall be equivalent to the fee amount established for a hospital in accordance with section 135B.4. The fees shall be deposited in the general fund of the state.

Sec. 141. Section 230.12, Code 1991, is amended to read as follows:

230.12 ACTION TO DETERMINE LEGAL SETTLEMENT.

1. When a dispute arises between different counties or between the administrator and a county as to the legal settlement of a person admitted or committed to a state hospital for the mentally ill, the attorney general, at the request of the administrator, shall, without the advancement of fees, cause an action to be brought in the district court of any county where such dispute exists, to determine such the legal settlement. ~~Said~~ This action may be brought at any time when it appears that ~~said the~~ dispute cannot be amicably settled. All counties which may be the place of such the legal settlement, so far as known, shall be made defendants and the allegation of such the settlement may be in the alternative. ~~Said~~ The action shall be tried as in equity.

2. If the action involves a dispute between counties, the county determined to be the county of legal settlement shall reimburse a county for the amount of costs paid by that county on behalf of the person and for interest on this amount in accordance with section 535.3. In addition, the court may

order the county determined to be the county of legal settlement to reimburse any other county involved in the dispute for the other county's reasonable legal costs related to the dispute and may tax the reasonable legal costs as court costs. The court may order the county determined to be the county of legal settlement to pay a penalty to the other county, in an amount which does not exceed twenty percent of the total amount of reimbursement and interest.

Sec. 142. Section 237A.3, subsection 1, Code 1991, is amended to read as follows:

1. A person who operates or establishes a family day care home may apply to the department for registration under this chapter. The department shall issue a certificate of registration upon receipt of a statement from the family day care home that the home complies with rules adopted by the department. The registration certificate shall be posted in a conspicuous place in the family day care home, shall state the name of the registrant, the number of individuals who may be received for care at any one time, and the address of the home, and shall include a check list of registration compliances. No greater number of children than is authorized by the certificate shall be kept in the family day care home at any one time. However, a registered or unregistered family day care home may provide care for more than six but less than twelve children at any one time for a period of less than two hours, ~~but shall not do so unless the home does not provide care at any one time for more than~~ provided that each child in excess of six children who are not attending is attending school full-time on a regular basis. In determining the number of children cared for at any one time in a registered or unregistered family day care home, if the person who operates or establishes the home is a child's parent, guardian, relative, or custodian and the child is not attending school full-time on a regular basis, the child shall be considered to be receiving child day care from the person and shall be counted as one of the children cared for in the home. The registration process may be repeated on an annual

basis. A child day care provider or program which is not a family day care home by reason of the definition of child day care in section 237A.1, subsection 7, but which provides care, supervision or guidance to a child may be issued a certificate of registration under this chapter.

Sec. 143. NEW SECTION. 237A.27 CRISIS CHILD CARE.

The department shall establish a special child care registration or licensure classification for crisis child care which is provided on a temporary emergency basis to a child when there is reason to believe that the child may be subject to abuse or neglect. The special classification is not subject to the definitional restrictions of child day care in this chapter relating to the provision of child day care for a period of less than twenty-four hours per day on a regular basis. However, the provision of crisis child care shall be limited to a period of not more than seventy-two hours for a child during any single stay. A person providing crisis child care must be registered or licensed under this chapter and must be participating in the federal crisis nursery pilot project. The department shall adopt rules pursuant to chapter 17A to implement this section.

Sec. 144. EMERGENCY RULES. If specifically authorized by a provision of this division, the department of human services may adopt administrative rules under section 17A.4, subsection 2, and section 17A.5, subsection 2, paragraph "b", to implement the provisions and the rules shall become effective immediately upon filing, unless a later effective date is specified in the rules. In addition, the department may adopt administrative rules in accordance with the provisions of this section as necessary to comply with federal requirements or to adjust to a change in the level of federal funding which affect refugee programs during the fiscal period beginning July 1, 1990, and ending June 30, 1992. Any rules adopted in accordance with the provisions of this section shall also be published as notice of intended action as provided in section 17A.4.

Sec. 145. EFFECTIVE DATE. Section 103, subsections 8 and

9, section 130, subsection 6, section 137, and section 144 of this division, being deemed of immediate importance, take effect upon enactment.

DIVISION II

DEPARTMENT OF EDUCATION

Sec. 201. There is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amounts, or so much thereof as may be necessary, to be used for the purposes designated:

1. GENERAL ADMINISTRATION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 5,562,266  
..... FTEs 137.25

2. CORRECTIONS EDUCATION PROGRAM

For educational programs at state penal institutions:

..... \$ 2,120,000

As a condition, limitation, and qualification of the appropriation in this subsection, the utilization of educational technology in the prison education system shall be expanded and a tracking system shall be developed and implemented to provide information regarding the effects of recidivism and employment success.

Persons employed to provide instructional services under this paragraph who were previously employed through the department of corrections to provide instructional services to inmates under programs under the jurisdiction of the department of corrections shall be given credit for all unused sick leave that the persons accrued while employed through the department of corrections.

3. BOARD OF EDUCATIONAL EXAMINERS

For salaries, support, maintenance, miscellaneous purposes and for not more than the following full-time equivalent positions:

..... \$ 128,000

..... FTEs 2.00

4. SCHOOL FOOD SERVICE

For use as state matching funds for federal programs which shall be disbursed according to federal regulations, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 3,056,205  
..... FTEs 14.00

5. TEXTBOOKS OF NONPUBLIC SCHOOL PUPILS

To provide funds for costs of providing textbooks to each resident pupil who attends a nonpublic school as authorized by section 301.1. The funding is limited to \$20 per pupil and shall not exceed the comparable services offered to resident public school pupils:

..... \$ 600,000

6. VOCATIONAL EDUCATION ADMINISTRATION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 868,000  
..... FTEs 39.60

7. VOCATIONAL AGRICULTURE YOUTH ORGANIZATION

To assist a vocational agriculture youth organization sponsored by the schools to support the foundation established by that vocational agriculture youth organization:

..... \$ 39,000

8. VOCATIONAL REHABILITATION DIVISION

a. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 3,680,000  
..... FTEs 319.50

b. For matching funds for programs to enable severely physically or mentally disabled persons to function more independently, including salaries and support, and for not more than the following full-time equivalent positions:

..... \$ 21,303  
 ..... FTEs 1.50

9. COMMUNITY COLLEGES

Notwithstanding chapter 286A, for general state financial aid to merged areas as defined in section 280A.2, for vocational education programs in accordance with chapters 258 and 280A, to purchase instructional equipment for vocational and technical courses of instruction in community colleges, and for salary increases:

..... \$ 91,272,564

The funds appropriated in this subsection shall be allocated as follows:

- a. Merged Area I ..... \$ 4,250,321
- b. Merged Area II ..... \$ 5,156,814
- c. Merged Area III ..... \$ 4,989,059
- d. Merged Area IV ..... \$ 2,343,177
- e. Merged Area V ..... \$ 4,945,241
- f. Merged Area VI ..... \$ 4,658,853
- g. Merged Area VII ..... \$ 6,393,002
- h. Merged Area IX ..... \$ 8,031,744
- i. Merged Area X ..... \$ 12,422,071
- j. Merged Area XI ..... \$ 13,346,353
- k. Merged Area XII ..... \$ 5,267,124
- l. Merged Area XIII ..... \$ 5,424,134
- m. Merged Area XIV ..... \$ 2,397,781
- n. Merged Area XV ..... \$ 7,439,535
- o. Merged Area XVI ..... \$ 4,207,355

10. COMMUNITY COLLEGE PERSONAL PROPERTY TAX REPLACEMENT

For general financial aid to merged areas in lieu of personal property tax replacement payments under section 427A.13:

..... \$ 828,012

The funds appropriated in this subsection shall be allocated as follows:

- a. Merged Area I..... \$ 65,152
- b. Merged Area II..... \$ 50,567
- c. Merged Area III..... \$ 33,891

d. Merged Area IV.....	\$	23,204
e. Merged Area V.....	\$	60,042
f. Merged Area VI.....	\$	34,514
g. Merged Area VII.....	\$	57,884
h. Merged Area IX.....	\$	69,103
i. Merged Area X.....	\$	97,180
j. Merged Area XI.....	\$	142,463
k. Merged Area XII.....	\$	46,200
l. Merged Area XIII.....	\$	40,972
m. Merged Area XIV.....	\$	20,826
n. Merged Area XV.....	\$	55,026
o. Merged Area XVI.....	\$	30,988

Sec. 202. There is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 1992, and ending June 30, 1993, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. Notwithstanding chapter 286A for state financial aid to merged areas to be accrued as income and used for expenditures incurred by the community colleges during the fiscal year beginning July 1, 1991, and ending June 30, 1992:

..... \$ 16,106,923

The funds appropriated in this section shall be allocated as follows:

a. Merged Area I .....	\$	750,057
b. Merged Area II .....	\$	910,026
c. Merged Area III .....	\$	880,422
d. Merged Area IV .....	\$	413,502
e. Merged Area V .....	\$	872,690
f. Merged Area VI .....	\$	822,150
g. Merged Area VII .....	\$	1,128,177
h. Merged Area IX .....	\$	1,417,367
i. Merged Area X .....	\$	2,192,130
j. Merged Area XI .....	\$	2,355,239
k. Merged Area XII .....	\$	929,492
l. Merged Area XIII .....	\$	957,200
m. Merged Area XIV .....	\$	423,138



- n. Merged Area XV ..... \$ 1,312,859
- o. Merged Area XVI ..... \$ 742,474

2. Funds appropriated by this section shall be allocated pursuant to this section and paid on or about August 15, 1992.

Sec. 203. There is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 1992, and ending June 30, 1993, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For general financial aid to merged areas in lieu of personal property tax replacement payments under section 427A.13 to be accrued as income and used for expenditures incurred by the community colleges during the fiscal year beginning July 1, 1991, and ending June 30, 1992:

..... \$ 354,840

The funds appropriated in this subsection shall be allocated as follows:

- a. Merged Area I..... \$ 27,922
- b. Merged Area II..... \$ 21,671
- c. Merged Area III..... \$ 14,525
- d. Merged Area IV..... \$ 9,924
- e. Merged Area V..... \$ 25,732
- f. Merged Area VI..... \$ 14,792
- g. Merged Area VII..... \$ 24,807
- h. Merged Area IX..... \$ 29,615
- i. Merged Area X..... \$ 41,649
- j. Merged Area XI..... \$ 61,056
- k. Merged Area XII..... \$ 19,800
- l. Merged Area XIII..... \$ 17,559
- m. Merged Area XIV..... \$ 8,925
- n. Merged Area XV..... \$ 23,582
- o. Merged Area XVI..... \$ 13,281

2. Funds appropriated in subsection 1 shall be allocated pursuant to this section and paid on or about August 15, 1992.

Sec. 204. Moneys allocated to community colleges under section 201, subsections 9 and 10 of this division, for expenditures incurred during the fiscal year beginning July 1,

1991, and ending June 30, 1992, 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 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. The payments received by community colleges on or about August 15 under sections 202 and 203 of this division are accounts receivable for the previous fiscal year.

Sec. 205. Notwithstanding the standing appropriations in section 279.51 for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the amount appropriated from the general fund of the state to the department of education pursuant to that section for the following designated purposes shall not exceed the following amounts for programs for at-risk children under section 279.51, subsection 1:

..... \$ 11,088,000

As a condition, limitation, and qualification of the funds appropriated in this section, allocations of funds appropriated under this section for the fiscal year beginning July 1, 1991, and ending June 30, 1992, for each of the programs enumerated under section 279.51, subsection 1, shall be made in the same proportion to the total amount appropriated under this section as the program allocations under section 279.51, subsection 1, relate to the total amount appropriated under section 279.51, subsection 1.

Notwithstanding section 279.51, subsection 2, any funds received by the child development coordinating council under this section which exceed the total amount received by the council under section 279.51 for the fiscal year beginning July 1, 1990, and ending June 30, 1991, shall not be used for the purposes specified under section 279.51, subsection 2, paragraph "b", subparagraph (1). Of the moneys available to the child development coordinating council and the department for at-risk programs under this section, a total of no less than \$1,000,000 shall be expended for grants to districts with populations of 1,000 or fewer pupils, and the area education

agencies that serve those districts. The department of education and the child development coordinating council shall, in consultation with each other, determine the proportional amounts of each of the grants authorized under section 279.51 which are to be awarded to districts with populations of less than 1,000 pupils to meet the requirements of this section.

Sec. 206. Notwithstanding the appropriation provided in section 294A.25, subsection 1, there is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as may be necessary, to be used for the purpose designated and for not more than the following full-time equivalent position:

Notwithstanding section 294A.25, for the educational excellence program:

.....	\$ 89,162,500
.....	FTEs 1.00

As a condition, limitation, and qualification of the funds appropriated in this section, and notwithstanding the allocation specified for phase III under section 294A.25, subsection 6, from the moneys appropriated under this section and available for expenditure for phase III, the department shall expend \$100,000 and shall use 2.00 of the FTEs allocated in section 201, subsection 1 for administration of phase III of the educational excellence program.

As a condition, limitation, and qualification of the funds appropriated in this section, and notwithstanding the allocation specified for phase III under section 294A.25, subsection 6, from the moneys appropriated under this section and available for expenditure for phase III, the department shall, subject to the review of the chairpersons and ranking members of the education committees of the general assembly, expend \$250,000 to provide demonstration projects in comprehensive school transformation in no more than ten public school districts. The objective of the projects shall be to demonstrate how public schools can be transformed from

corporate to collegial learning environments for teachers, students, and administrators for the purpose of maximizing student learning and to diffuse information about the process of transformation to neighboring schools. The projects shall also demonstrate how phase III funds can be used to promote school transformation by providing focus to phase III efforts in such areas as technology, individualization of instruction, and decentralization of decision making. However, funds allocated to districts under this section shall not be used to supplant current phase III expenditures. Districts participating in a project may use phase III funds to supplement the purposes and activities of the project in the manner provided under section 294A.14. Districts participating in a project may also pool funds to provide conferences and to contract with consultants and facilitators to provide services to support the goals of the project. Projects shall use the school building as the basic administrative and clinical unit for demonstration. The department may expend up to \$10,000 for purposes of developing guidelines and administering the selection, approval, and evaluation process for proposed projects. In developing a selection process for demonstration projects, the department of education shall establish an 11-member selection committee, which shall include, but is not limited to, licensed practitioners and ex officio nonvoting members of the general assembly. A majority of the members of the committee shall consist of licensed teachers and principals. The committee shall select projects which give promise of accomplishing comprehensive school transformation at the building level during the time that the project is in place. Each project shall contain an evaluation component, which provides for self-evaluation by participating districts and evaluation by the department of education. The selection committee shall establish criteria for ascertaining a particular district's readiness for comprehensive change and give preference in the project selection process to districts which meet the readiness criteria. Each participating district shall, at the

conclusion of a project, submit a copy of the district's self-evaluation in a report to the department of education. The department shall compile the reports, along with the department's evaluations of each of the projects, and submit the results in a report to the general assembly by March 1, 1994.

Sec. 207. There is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 1992, and ending June 30, 1993, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

For expenditures incurred by school districts during the previous fiscal year for vocational education aid to secondary schools:

..... \$ 3,666,360

Funds appropriated by this section shall be used for expenditures made by school districts to meet the standards set in sections 256.11, 258.4, and 280A.23 as a result of the enactment of 1989 Iowa Acts, chapter 278. Funds shall be used as reimbursement for vocational education expenditures made by secondary schools in the manner provided by the department of education for implementation of the standards set in 1989 Iowa Acts, chapter 278. The department shall inform school districts by July 1, 1991, of the criteria for reimbursement with funds appropriated under this section.

#### COLLEGE STUDENT AID COMMISSION

Sec. 208. There is appropriated from the general fund of the state to the college student aid commission for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amounts, or so much thereof as may be necessary, to be used for the purposes designated:

##### 1. GENERAL ADMINISTRATION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 346,000  
..... FTEs 8.05

2. UNIVERSITY OF OSTEOPATHIC MEDICINE AND HEALTH SCIENCES

a. For grants to juniors and seniors and for forgivable loans to freshmen and sophomores, who are Iowa students attending the university of osteopathic medicine and health sciences, under the grant program pursuant to section 261.18 and the forgivable loan program pursuant to section 261.19A:  
..... \$ 400,000

b. For the university of osteopathic medicine and health sciences for the admission and education of Iowa students in each of the 4 years of classes at the university of osteopathic medicine and health sciences pursuant to section 261.19:  
..... \$ 430,000

3. STUDENT AID PROGRAMS

For payments to students for student aid programs:  
..... \$ 1,866,112

As a condition, limitation, and qualification of the funds appropriated in this subsection, \$1,474,062 shall be expended for an Iowa grant program, with funds to be allocated to institutions pursuant to section 261.93A.

4. NATIONAL GUARD LOAN REPAYMENT

For payments to students for the national guard loan repayment program in section 261.49:  
..... \$ 225,000

Sec. 209. There is appropriated from the loan reserve account to the college student aid commission for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as may be necessary, to be used for the purposes designated:

For operating costs of the Stafford loan program including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:  
..... \$ 3,671,016  
..... FTEs 36.52

STATE BOARD OF REGENTS

Sec. 210. There is appropriated from the general fund of

the state to the state board of regents for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amounts, or so much thereof as may be necessary, to be used for the purposes designated:

1. OFFICE OF STATE BOARD OF REGENTS

a. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 1,111,820  
..... FTEs 18.08

As a condition, limitation, and qualification of the moneys appropriated in this paragraph, the state board of regents shall not use reimbursements from the institutions under the control of the state board of regents for funding the office of the state board of regents.

As a condition, limitation, and qualification of the funds appropriated in this paragraph, the state board of regents shall permit KUNI to broadcast from the greater Des Moines area if KUNI acquires a transmitter or translator at no cost to the university of northern Iowa or the state for the purpose of simulcasting KUNI's programming, receives an assigned frequency, and obtains necessary federal communication commission (FCC) licensing.

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 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:

..... \$ 19,231,162

c. For funds to be allocated to the southwest Iowa graduate studies center:

..... \$ 37,000

d. For funds to be allocated to the siouxland interstate metropolitan planning council for the tristate graduate center

under section 262.9, subsection 21:

..... \$ 71,000

e. For funds to be allocated to the quad-cities graduate studies center:

..... \$ 150,000

2. STATE UNIVERSITY OF IOWA

a. General university, including lakeside laboratory

For salaries, support, maintenance, equipment, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$179,503,448

..... FTEs 4,287.37

To the extent the appropriation made in this paragraph is a reduction in the total amount budgeted for the fiscal year beginning July 1, 1991, and ending June 30, 1992, and the state university of Iowa determines the amount is insufficient to fund all of the university's budgetary units, consideration shall be given to adjustments reducing budgetary units in the following order of priority:

- (1) University administrative moneys.
- (2) Equipment and deferred maintenance.
- (3) Short-term furloughs of administrative personnel.
- (4) Short-term furloughs of other personnel.
- (5) Other operating budget expenditures.
- (6) Force reduction.

As a condition, limitation, and qualification of the funds appropriated in this paragraph, if the state university of Iowa receives total funds in excess of the amount projected to be received by the university from federal support, interest, tuition fees, reimbursement for indirect costs, sales and service, and income sources other than state appropriations, the university shall report the amount received, which is in excess of the amount projected, to the department of management and the legislative fiscal bureau by August 1, 1991.

As a condition, limitation, and qualification of moneys appropriated in this paragraph, from moneys available to the



state university of Iowa, \$50,000 shall be awarded to faculty members and teaching assistants who have been recognized for exceptional teaching. An exceptional teaching recognition award is for a one-year period and is in addition to the faculty member's or teaching assistant's salary. Not later than December 15, 1991, the state board of regents shall report the names of recipients of teaching excellence awards, and the amounts of the awards granted, to the joint education appropriations subcommittee and to the legislative fiscal bureau.

It is the intent of the general assembly to provide sufficient funding necessary to ensure the university of Iowa receives federal matching funds for the university of Iowa driving simulation center if funds from federal and private sources are available for expenditure by the center.

b. Child care and sick child care program

For salaries for child care center directors and sick child care:

..... \$ 60,000

c. Substance abuse consortium

For funds to be allocated to the Iowa consortium for substance abuse research and evaluation:

..... \$ 60,000

d. University hospitals

For salaries, support, maintenance, equipment, miscellaneous purposes, and for not more than the following full-time equivalent positions for medical and surgical treatment of indigent patients as provided in chapter 255:

..... \$ 28,861,586

..... FTEs 5,319.83

As a condition, limitation, and qualification of the funds appropriated in this paragraph, the university of Iowa hospitals and clinics shall conduct a study to develop recommendations for providing a continuum of statewide geriatric care, from acute hospital care to long-term institutional care, as well as community-based care that meets the unique medical, emotional, economic, and social needs of

the geriatric population in Iowa. The study shall include all of the following:

(1) Identification of the statewide institutional and community resources necessary to meet the unique needs of the geriatric patient population in Iowa.

(2) Identification of case management services required to coordinate the geriatric patient's movement from one level of care to the next in responding to the needs of geriatric patients.

(3) Identification of the necessary components of a statewide interdisciplinary geriatric evaluation program, including development of a model for a facility or program, to be established at the university of Iowa hospitals and clinics to address the medical, emotional, economic, and social care needs of geriatric patients referred to the university of Iowa hospitals and clinics.

(4) Development of recommendations for medical residency training in geriatrics, including mechanisms to ensure interdisciplinary training which is responsive to the continuum of geriatric patient needs.

(5) Identification of geriatric care program components that exist within the state and those that should be added, including estimates of the costs of implementing the expanded program identified in the study.

Not later than February 15, 1992, the university of Iowa hospitals and clinics shall submit a report detailing its study findings and recommendations to the general assembly.

e. Psychiatric hospital

For salaries, support, maintenance, equipment, miscellaneous purposes, and for not more than the following full-time equivalent positions and for the care, treatment, and maintenance of committed and voluntary public patients:

.....	\$	6,912,441
.....	FTEs	284.57

f. Hospital-school

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent

positions:

.....	\$	5,477,339
.....	FTEs	184.44

g. Oakdale campus

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	2,870,775
.....	FTEs	67.55

h. State hygienic laboratory

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	3,036,941
.....	FTEs	106.25

i. Family practice program

For allocation by the dean of the college of medicine, with approval of the advisory board, to qualified participants, to carry out chapter 148D for the family practice program, including salaries and support, and for not more than the following full-time equivalent positions:

.....	\$	1,825,278
.....	FTEs	177.27

j. Child health care services

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, including salaries and support, and for not more than the following full-time equivalent positions:

.....	\$	437,298
.....	FTEs	12.51

k. Agricultural health and safety programs

For agricultural health and safety programs:

.....	\$	246,093
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l. Statewide tumor registry

For the statewide tumor registry and for not more than the

following full-time equivalent positions:

..... \$ 187,691  
..... FTEs 5.05

m. Center for biocatalysis

For the center for biocatalysis:

..... \$ 300,000

n. As a condition, limitation, and qualification of the appropriation made in paragraph "d", the total quota allocated to the counties for indigent patients for the fiscal year commencing July 1, 1991, shall not be lower than the total quota allocated to the counties for the fiscal year commencing July 1, 1990. The total quota shall be allocated among the counties on the basis of the 1990 census pursuant to section 255.16.

o. As a condition, limitation, and qualification of the appropriation made in paragraph "d", funds appropriated in that paragraph 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 45 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 150 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.

3. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY

a. General university

For salaries, support, maintenance, equipment, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$146,003,742  
..... FTEs 3,737.83

To the extent the appropriation made in this paragraph is a reduction in the total amount budgeted for the fiscal year beginning July 1, 1991, and ending June 30, 1992, and the Iowa state university of science and technology determines the amount is insufficient to fund all of the university's budgetary units, consideration shall be given to adjustments reducing budgetary units in the following order of priority:

- (1) University administrative moneys.
- (2) Equipment and deferred maintenance.
- (3) Short-term furloughs of administrative personnel.
- (4) Short-term furloughs of other personnel.
- (5) Other operating budget expenditures.
- (6) Force reduction.

As a condition, limitation, and qualification of the funds appropriated under this paragraph, if the Iowa state university of science and technology receives total funds in excess of the amount projected to be received by the university from federal support, interest, tuition fees, reimbursement for indirect costs, sales and service, and income sources other than state appropriations, the university shall report the amount received, which is in excess of the amount projected, to the department of management and the legislative fiscal bureau by August 1, 1991.

As a condition, limitation, and qualification of moneys appropriated in this paragraph, from moneys available to Iowa state university of science and technology, \$50,000 shall be

awarded to faculty members and teaching assistants who have been recognized for exceptional teaching. An exceptional teaching recognition award is for a one-year period and is in addition to the faculty member or teaching assistant's salary. Not later than December 1, 1991, the state board of regents shall report the names of recipients of teaching excellence awards, and the amounts of the awards granted, to the joint education appropriations subcommittee and to the legislative fiscal bureau.

b. Child care and sick child care program

For subsidized evening child care and sick child care:

.....	\$	60,000
.....	FTEs	2.00

c. Agricultural experiment station

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	18,165,260
.....	FTEs	546.92

d. Comprehensive agricultural research

For conducting the comprehensive agricultural research program:

.....	\$	3,948,492
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As a condition, limitation, and qualification of the funds appropriated in this paragraph, Iowa state university of science and technology shall expend from the appropriation in this paragraph during the fiscal year beginning July 1, 1991, and ending June 30, 1992, no less than the amount appropriated for comprehensive agricultural research programs for the fiscal year beginning July 1, 1990, and ending June 30, 1991.

e. Cooperative extension service in agriculture and home economics

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	17,117,008
.....	FTEs	475.94

As a condition, limitation, and qualification of the funds appropriated in this paragraph, Iowa state university of science and technology shall expend from the appropriation in this paragraph during the fiscal year beginning July 1, 1991, and ending June 30, 1992, no less than the amount appropriated for the cooperative extension service in agriculture and home economics for the fiscal year beginning July 1, 1990, and ending June 30, 1991.

As a condition, limitation, and qualification of the funds appropriated in this paragraph, \$25,000 shall be expended for a child farm safety program.

f. Fire service education

For salaries and support and for not more than the following full-time equivalent positions:

.....	\$	410,836
.....	FTEs	11.00

g. Leopold center

For agricultural research grants at Iowa state university under section 266.39B:

.....	\$	592,224
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h. Institute for physical research and technology

For the institute for physical research and technology:

.....	\$	300,000
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4. UNIVERSITY OF NORTHERN IOWA

a. For salaries, support, maintenance, equipment, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	60,933,927
.....	FTEs	1,411.68

To the extent the appropriation made in this paragraph is a reduction in the total amount budgeted for the fiscal year beginning July 1, 1991, and ending June 30, 1992, and the university of northern Iowa determines the amount is insufficient to fund all of the university's budgetary units, consideration shall be given to adjustments reducing budgetary units in the following order of priority:

- (1) University administrative moneys.

- (2) Equipment and deferred maintenance.
- (3) Short-term furloughs of administrative personnel.
- (4) Short-term furloughs of other personnel.
- (5) Other operating budget expenditures.
- (6) Force reduction.

As a condition, limitation, and qualification of the funds appropriated under this paragraph, if the university of northern Iowa receives total funds in excess of the amount projected to be received by the university from federal support, interest, tuition fees, reimbursement for indirect costs, sales and service, and income sources other than state appropriations, the university shall report the amount received, which is in excess of the amount projected, to the department of management and the legislative fiscal bureau by August 1, 1991.

As a condition, limitation, and qualification of the funds appropriated in paragraph "a", from moneys available for salaries at the university of northern Iowa, the university shall expend \$25,000 for teaching excellence awards to teaching faculty members and teaching assistants. Teaching excellence awards shall be granted to faculty members and teaching assistants for excellence in the quality of classroom instruction. Awards may either be built into a faculty member's or teaching assistant's base salary or given as a one-time award and shall not be in conflict with a collective bargaining agreement between an employee organization and the university. Not later than December 1, 1991, the state board of regents shall report the names of the recipients of teaching excellence awards, and the amounts of the awards granted to the joint education appropriations subcommittee of the general assembly, and to the legislative fiscal bureau.

b. Child care

For staff positions and building structure modifications to meet state child care facility standards:

.....	\$	60,000
.....	FTEs	1.50

5. STATE SCHOOL FOR THE DEAF



For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 6,099,185  
..... FTEs 131.53

6. IOWA BRAILLE AND SIGHT SAVING SCHOOL

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 3,383,500  
..... FTEs 92.45

7. TUITION AND TRANSPORTATION COST

For payment to local school boards for the tuition and transportation costs of students residing in the Iowa braille and sight saving school and the state school for the deaf pursuant to section 262.43 and for payment of certain clothing and transportation costs for students at these schools pursuant to section 270.5:

..... \$ 7,500

Sec. 211. Reallocations of sums received under section 210, subsections 2, 3, 4, 5, and 6, of this division, including sums received for salaries, shall be reported on a quarterly basis to the co-chairpersons and ranking members of both the legislative fiscal committee and the joint education appropriations subcommittee.

Sec. 212. STATE BOARD OF REGENTS -- SALARIES AND BENEFITS -- FACULTY AND PROFESSIONAL AND SCIENTIFIC STAFF.

1. The state board of regents shall use moneys from funds appropriated to fund the annual pay adjustments, expense reimbursements, and related benefits for the collective bargaining agreement negotiated pursuant to chapter 20 for employees in the university of northern Iowa faculty bargaining unit.

2. The funds allocated to the state board of regents for the purpose of providing increases for employees not covered by a collective bargaining agreement shall be used as follows:

a. The amount necessary to fund for the fiscal year

beginning July 1, 1991, and ending June 30, 1992, an average base salary increase of 2 percent for the fiscal year beginning July 1, 1991, of the base salaries of professional and scientific staff members, except board office employees paid during the preceding fiscal year, to be allocated to professional and scientific staff members at the discretion of the state board of regents. The staff members shall not receive a merit increase or the equivalent of a merit increase.

b. For faculty members who are not included in the collective bargaining agreement made final under chapter 20, for the fiscal year beginning July 1, 1991, and ending June 30, 1992, an average base salary increase for the fiscal year beginning July 1, 1991, to be allocated at the discretion of the state board of regents.

Sec. 213. As a condition, limitation, and qualification of the appropriations made to the state board of regents and regents' institutions under this division, for the fiscal years beginning July 1, 1991, and July 1, 1992, the state board of regents shall use notes, bonds, or other evidences of indebtedness issued under section 262.48 to finance projects that will result in energy cost savings in an amount that will cause the state board to recover the cost of the projects within an average of 6 years.

DEPARTMENT OF CULTURAL AFFAIRS

Sec. 214. There is appropriated from the general fund of the state to the department of cultural affairs for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. ARTS DIVISION

For salaries, support, maintenance, miscellaneous purposes, including funds to match federal grants, and for not more than the following full-time equivalent positions:

.....	\$	1,167,000
.....	FTEs	13.00

As a condition, limitation, and qualification of the funds

appropriated in this subsection, the department may use funds appropriated in this subsection to provide funds to areawide arts and cultural service organizations which meet the requirements of Senate File 268, if Senate File 268 is enacted by the 1991 Session of the Seventy-fourth General Assembly.

2. HISTORICAL DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	2,653,000
.....	FTEs	76.00

As a condition, limitation, and qualification of the funds appropriated in this subsection, the division shall allocate \$10,000 to the Iowa historical society for the operating and maintenance costs of the Plum Grove residence of former Governor Lucas.

3. TERRACE HILL COMMISSION

For salaries, support, maintenance, miscellaneous purposes, for the operation of Terrace Hill and for not more than the following full-time equivalent positions:

.....	\$	175,000
.....	FTEs	5.75

As a condition, limitation, and qualification of the funds appropriated under this subsection, the Terrace Hill commission shall explore alternative funding sources for the funding of the salaries, support, maintenance, and miscellaneous purposes, including the operation of Terrace Hill, with the goal of obtaining full funding through sources other than state appropriations in the future.

4. LIBRARY DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	2,179,000
.....	FTEs	42.00

5. REGIONAL LIBRARY SYSTEM

For state aid:

..... \$ 1,607,000

6. ADMINISTRATION DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 427,000  
..... FTEs 10.00

7. COMMUNITY CULTURAL GRANTS

For planning and programming for the community cultural grants program established under section 303.89:

..... \$ 784,000

From the amount appropriated in this subsection, consideration shall be given to the awarding of grant moneys to be used for commemorative art or sculpture work depicting an aspect of the armed services of the United States in recent wars or action through the Persian Gulf conflict and to be located in city or county owned parks or premises of memorial buildings as provided in chapter 37 of the Code. Separate grants shall not exceed \$40,000 for each grant under guidelines defined in section 303.3 or 303.89.

8. TOWN SQUARE PROJECT

For the Iowa town square project:

..... \$ 66,000

9. DANISH HERITAGE MUSEUM

For the Danish heritage museum located in Elk Horn, Iowa:

..... \$ 30,000

10. PUBLIC BROADCASTING DIVISION

For salaries, support, maintenance, capital expenditures, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 6,365,000  
..... FTEs 103.00

Sec. 215. Notwithstanding section 8.33, funds appropriated in 1990 Iowa Acts, chapter 1272, section 14, subsection 1, paragraph "b", remaining unencumbered or unobligated on June 30, 1991, shall not revert to the general fund of the state but shall be available for expenditure for the purposes listed

in section 210, subsection 1, paragraph "b", of this division during the fiscal year beginning July 1, 1991, and ending June 30, 1992.

Sec. 216. Notwithstanding sections 258.16 and 282.7 effective July 1, 1992, community colleges, local education agencies, and area education agencies may establish by mutual agreement area vocational consortia to assume and exercise the duties and responsibilities established for regional vocational education planning boards under those sections.

Sec. 217. Notwithstanding any credit hour prerequisite requirements contained in sections 261.9, 261.17, 261.18, and 261.19A, sections 261.44 through 261.89, and sections 261.92 through 261.105, or in any other Iowa student financial aid program administered by the college student aid commission, a person who is a "displaced worker" as defined under section 261.5 shall be eligible to receive funds under any Iowa student financial aid program administered by the commission, if the person meets any applicable prerequisite financial need criteria for the financial aid program.

Sec. 218. Section 261.25, subsections 1, 2, and 3, Code 1991, as amended by 1991 Iowa Acts, House File 173, section 908, are amended to read as follows:

1. There is appropriated from the general fund of the state to the commission for each fiscal year the sum of thirty-two million ~~six~~ four hundred ~~eight~~ eighty thousand ~~seven-hundred-ninety-five~~ dollars for tuition grants.

2. There is appropriated from the general fund of the state to the commission for each fiscal year the sum of eight hundred thirteen thousand ~~eight-hundred-forty~~ dollars for scholarships.

3. There is appropriated from the general fund of the state to the commission for each fiscal year the sum of one million three hundred fifteen thousand ~~six-hundred-forty-seven~~ dollars for vocational-technical tuition grants.

Sec. 219. Section 261.85, unnumbered paragraph 1, Code 1991, as amended by 1991 Iowa Acts, House File 173, section 909, is amended to read as follows:

There is appropriated from the general fund of the state to the commission for each fiscal year the sum of three million eighty-five thousand ~~six-hundred-eighty-four~~ dollars for the work-study program.

Sec. 220. Notwithstanding the allocation of phase III moneys under sections 294A.14 and 294A.25, for the fiscal year beginning July 1, 1991, prior to the allocation to school districts and area education agencies, \$125,000 of the moneys allocated for phase III shall be retained by the department of education to continue to contract with the regional educational laboratory for this state to establish and monitor an independent evaluation of the operation of phase III of the educational excellence program. The results of the evaluation shall be reported to the department of education and to the general assembly by January 1, 1992.

Sec. 221. Notwithstanding sections 302.1 and 302.1A, for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the portion of the interest earned on the permanent school fund that is not transferred to the credit of the first in the nation in education foundation and not transferred to the credit of the national center for gifted and talented education shall be credited as a payment by the historical division of the department of cultural affairs of the principal and interest due on moneys loaned to the historical division under section 303.18.

Sec. 222. Section 11.6, subsection 1, unnumbered paragraph 1, Code 1991, is amended to read as follows:

The financial condition and transactions of all cities and city offices, counties, county hospitals organized under chapters 347 and 347A, memorial hospitals organized under chapter 37, entities organized under chapter 28E having gross receipts in excess of one hundred thousand dollars in a fiscal year, merged areas, area education agencies, and all school offices in school districts, shall be examined at least once each year, except that cities having a population of seven hundred or more but less than two thousand shall be examined at least once every four years, and cities having a population

of less than seven hundred may be examined as otherwise provided in this section. The examination shall cover the fiscal year next preceding the year in which the audit is conducted. The examination of school offices shall include an audit of activity all school funds, the certified annual financial report, and the certified enrollment as provided in section 257.11. Examinations of community colleges shall include an audit of eligible and noneligible contact hours as defined in section 286A.2. Eligible and noneligible contact hours and the certified enrollment shall be certified to the department of management.

Sec. 223. Section 73.17, Code 1991, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. A community college or area education agency shall, on a quarterly basis, and a school district shall, on an annual basis, review the community college's, area education agency's, or school district's anticipated purchasing requirements. A community college, area education agency, or school district shall notify the department of education, which shall report to the department of economic development, of their anticipated purchases and recommended procurements with unit quantities and total costs for procurement contracts designated to satisfy the targeted small business procurement goal not later than August 15 of each fiscal year and quarterly thereafter, except that school districts shall report annually.

Sec. 224. Section 73.18, Code 1991, is amended to read as follows:

73.18 NOTICE OF SOLICITATION FOR BIDS -- IDENTIFICATION OF TARGETED SMALL BUSINESSES.

The director of each agency or department releasing a solicitation for bids or request for proposal under the targeted small business procurement goal program shall notify the director of the department of economic development prior to or upon release of the solicitation. A community college, area education agency, or school district shall notify the department of education which shall notify the department of

economic development prior to or upon release of the release of the solicitation. The director of the department of economic development shall notify the soliciting agency or department, or community college, area education agency, or school district, of any targeted small businesses which have been certified pursuant to section 10A.104, subsection 8, and which may be qualified to bid.

Sec. 225. Section 73.19, Code 1991, is amended to read as follows:

73.19 NEGOTIATED PRICE OR BID CONTRACT.

In awarding a contract under the targeted small business procurement goal program, a director of an agency or department, or community college, area education agency, or school district, having purchasing authority may use either a negotiated price or bid contract procedure. A director of an agency or department, or community college, area education agency, or school district, using a negotiated contract shall consider any targeted small business engaged in that business. The director of the department of economic development or the director of the department of management may assist in the negotiation of a contract price under this section. Surety bonds guaranteed by the United States small business administration are acceptable security for a construction award under this section.

Sec. 226. Section 255.1, Code 1991, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The county general relief director shall ascertain from the local office of human services if an applicant for the indigent patient program would qualify for medical assistance or the medically needy program under chapter 249A without the spend-down provision required pursuant to section 249A.3, subsection 2, paragraph "g". If the applicant qualifies, the patient shall be certified for medical assistance and shall not be counted under chapter 255.

Sec. 227. Section 255.26, unnumbered paragraph 3, Code 1991, is amended to read as follows:



The state auditor shall certify the total cost of commitment, ~~transportation~~ and caring for each indigent patient under the terms of this statute to the county auditor of such patient's legal residence, and such certificate shall be preserved by the county auditor and shall be a debt due from the patient or the persons legally responsible for the patient's care, maintenance or support; and whenever in the judgment of the board of supervisors the same or any part thereof shall be collectible, the said board may in its own name collect the same and is hereby authorized to institute suits for such purpose; and after deducting the county's share of such cost shall cause the balance to be paid into the state treasury to reimburse the university hospital fund.

Transportation shall be provided at no charge to a patient who is certified for medical assistance under chapter 249A, and shall be reimbursed from the university hospital fund.

Sec. 228. Section 257.37, subsection 2, as enacted by 1991 Iowa Acts, Senate File 141, section 2, is amended by striking the subsection and inserting in lieu thereof the following:

2. Thirty percent of the budget of an area for media services shall be expended for media resource material which shall only be used for the purchase or replacement of material required in section 273.6, subsection 1. Funds shall be paid to area education agencies as provided in section 257.35.

Sec. 229. Section 261.19, unnumbered paragraph 2, Code 1991, is amended to read as follows:

The college student aid commission shall determine a subvention amount per resident student by dividing the funds appropriated for this section by a number equal to the total of twenty-two percent of the total students enrolled. If fewer than twenty-two percent of the total number of students enrolled are Iowa residents, the college student aid commission shall deduct from the ~~funds-appropriated~~ subvention amount for total Iowa students enrolled an amount equal to the product of two times the product of the subvention amount per resident student multiplied by the number of students required to equal twenty-two percent of the total students enrolled.

Sec. 230. Section 261.19A, unnumbered paragraph 2, Code 1991, is amended to read as follows:

An eligible student is eligible for loan forgiveness in the amount of three thousand five-hundred dollars per year of practice in the state of Iowa for up to a maximum of four years. If a student fails to complete a year of practice in the state, as practice is defined by the college student aid commission, the loan amount for that year shall not be forgiven. Forgivable loans to eligible students shall not become due, for repayment purposes, until after the student has completed the student's residency.

Sec. 231. Section 261.38, subsection 5, Code 1991, is amended to read as follows:

5. The treasurer of state shall invest any funds, including those in the loan reserve account, and the interest income earned shall be credited back to the loan reserve account. The treasurer may invest up to forty percent of the funds in the loan reserve account in tax-exempt investments issued by an agency of the state of Iowa. If any of the tax-exempt investments are for purposes of financing the construction or improvement of state facilities, the executive council, established under chapter 19, shall review and approve the proposed construction or improvement prior to the investment of loan reserve account funds in the tax-exempt investments.

Sec. 232. Section 261.50, subsection 3, Code 1991, is amended to read as follows:

3. Agrees to practice in an eligible community of fewer than five thousand population for a minimum period of four consecutive years or is practicing in a federally approved community health center or health manpower shortage area.

Sec. 233. NEW SECTION. 261.93A APPROPRIATION -- PERCENTAGES.

Of the funds appropriated to the college student aid commission to be allocated for the Iowa grant program for each fiscal year, thirty-seven and six-tenths percent shall be reserved for students attending regents' institutions, twenty-

five and nine-tenths percent shall be reserved for students attending community colleges, and thirty-six and five-tenths percent shall be reserved for students attending private colleges and universities. Funds appropriated for the Iowa grant program shall be used to supplement, not supplant, funds appropriated for other existing programs at the eligible institutions.

Sec. 234. Section 262.9, Code 1991, is amended by adding the following new subsection:

NEW SUBSECTION. 27. Develop and adopt a policy that shall govern any future asset sale of the Iowa state university of science and technology's television station, WOI-TV. The policy shall provide for the sale of the station only if anticipated revenues from the sale exceed the benefits of continued operation and the cost for the university to purchase or acquire comparable services to those that are being provided to the university by the station at the time of any sale. The policy shall further provide that the revenues received from the sale shall be placed in an endowment to be held and managed by the university. The proceeds from the endowment shall be used only for the specifically stated missions of the university.

a. "Station" shall be defined to include the license, any share of a transmission facility, any programming contracts, any booked sales revenues, and the network affiliation agreement.

b. "Comparable services" shall be defined to include, but not be limited to, use of modern communications equipment by faculty, staff, and students; access to trained communications specialists; availability to internships by and employment opportunities for students; and provision for antenna location, transmission line placement, and transmitter space for the university's radio stations.

Sec. 235. NEW SECTION. 262.9A PROHIBITION ON CONTROLLED SUBSTANCES.

The state board of regents shall adopt a policy that prohibits unlawful possession, use, or distribution of

controlled substances by students and employees on property owned or leased by an institution or in conjunction with activities sponsored by an institution governed by the board. Each institution shall provide information about the policy to all students and employees. The policy shall include a clear statement of sanctions for violation of the policy and information about available drug or alcohol counseling and rehabilitation programs. In carrying out this policy, the institutions shall provide substance abuse prevention programs for students and employees.

Sec. 236. Section 262.43, Code 1991, is amended to read as follows:

262.43 STUDENTS RESIDING ON STATE-OWNED LAND.

The state board of regents shall pay to the local school boards the tuition payments and transportation costs, as otherwise authorized by statutes for the elementary or high school education of students residing on land owned by the state and under the control of the state board of regents. Such payments for the three institutions of higher learning, the state University of Iowa, the Iowa State University of science and technology and the University of Northern Iowa, shall be made from the funds of the respective institutions other than state appropriations, and for the three two noncollegiate institutions, the Iowa braille and sight saving school, and the state school for the deaf ~~and the state sanatorium; there is hereby appropriated out of any funds in the state treasury not otherwise appropriated a sum sufficient to make such payments~~ the payments and costs shall be paid from moneys appropriated to the state board of regents.

Sec. 237. NEW SECTION. 263A.14 INDIGENT PATIENT PROGRAM REPORT.

Funds shall not be allocated to the university hospital fund until the superintendent of the university of Iowa hospitals and clinics has filed with the department of revenue and finance and the legislative fiscal bureau a quarterly report containing the account required in section 255.24. The report shall include information required in section 255.24

for patients by the type of service provided.

Sec. 238. NEW SECTION. 268.5 IOWA ACADEMY OF SCIENCE APPROPRIATION LIMITATIONS.

The university shall use no more than twenty percent of the funds allocated to the university for the Iowa academy of science for administrative purposes for the Iowa academy of science or for publication of the Iowa academy of science journal. The university shall expend the remainder of the moneys appropriated for research projects and studies awarded by the Iowa academy of science. The Iowa academy of science shall permit all grant recipients to publish the results of the recipients' research projects and studies in the Iowa academy of science journal at no cost to the grant recipient.

Sec. 239. Section 279.51, subsection 1, paragraph d, Code 1991, is amended to read as follows:

d. For the fiscal year beginning July 1, 1990, three million dollars, and for each fiscal year thereafter, four million dollars of the funds appropriated shall be allocated as grants to school districts that have elementary schools that demonstrate the greatest need for programs for at-risk students with preference given to innovative programs for the early elementary school years. The grant allocations made in this paragraph may be renewed for additional periods of time. Of the amount allocated under this paragraph for each fiscal year, seventy-five thousand dollars shall be allocated to school districts which have an actual student population of ten thousand or less and have an actual non-English speaking student population which represents greater than five percent of the total actual student population for grants to elementary schools in those districts.

Sec. 240. Section 279.51, subsection 1, paragraph f, Code 1991, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. In succeeding fiscal years, notwithstanding section 256A.3, subsection 6, of the amount appropriated for a fiscal year, less the amount allocated under paragraph "a", three and thirty-three hundredths percent

may be used for administrative costs. However, if the amount appropriated for the fiscal year, less the amount allocated under paragraph "a", times three and thirty-three hundredths percent is greater than the amount received for use for administrative costs during the fiscal year beginning July 1, 1990, then the amount to be used for administrative costs shall be reduced to equal the amount received during the fiscal year beginning July 1, 1990.

Sec. 241. Section 280A.34, Code 1991, is amended to read as follows:

280A.34 CERTAIN USES OF FUNDS PROHIBITED.

Funds obtained pursuant to section 280A.17; subsections 3, 4, and 5 of section 280A.18; section 280A.19; and section 280A.22 shall not be used for the construction or maintenance of athletic buildings or grounds but may be used for a project under section 280A.56.

Sec. 242. NEW SECTION. 280A.40 PROHIBITION ON CONTROLLED SUBSTANCES.

Each merged area school shall adopt a policy that prohibits unlawful possession, use, or distribution of controlled substances by students and employees on property owned or leased by the merged area school or in conjunction with activities sponsored by a merged area school. Each merged area school shall provide information about the policy to all students and employees. The policy shall include a clear statement of sanctions for violation of the policy and information about available drug or alcohol counseling and rehabilitation programs. In carrying out this policy, the merged area school shall provide substance abuse prevention programs for students and employees.

Sec. 243. Section 280A.56, subsection 3, Code 1991, is amended to read as follows:

3. "Project" means the acquisition by purchase, lease in accordance with section 280A.38, or construction of buildings for use as student residence halls and dormitories, including dining and other incidental facilities therefor, and additions to such buildings, the reconstruction, completion, equipment,

improvement, repair or remodeling of residence halls, dormitories, or additions or incidental facilities, and the acquisition of property of every kind and description, whether real, personal, or mixed, by gift, purchase, lease, condemnation, or otherwise and the improvement of the property.

Sec. 244. Section 280A.56, Code 1991, is amended by adding the following new subsection:

NEW SUBSECTION. 4. "Bonds or notes" means revenue bonds or revenue notes which are payable solely from net rents, profits, and other income derived from the operation of residence halls, dormitories, incidental facilities, and additions.

Sec. 245. Section 280A.58, unnumbered paragraph 1, Code 1991, is amended to read as follows:

To pay all or any part of the cost of carrying out any project at any institution the board is authorized to borrow money and to issue and sell negotiable bonds or notes and to refund and refinance bonds or notes issued for any project or for refunding purposes at a lower rate, the same rate, or a higher rate or rates of interest and from time to time as often as the board shall find it to be advisable and necessary so to do. Bonds or notes ~~issued to refund other bonds or notes~~ issued by the board for residence hall or dormitory purposes at any institution, including dining or other facilities and additions, or issued for refunding purposes, may either be sold in the manner specified for the selling of certificates under section 280B.6 and the proceeds applied to the payment of the obligations being refunded, or the refunding bonds or notes may be exchanged for and in payment and discharge of the obligations being refunded. A finding by the board in the resolution authorizing the issuance of the refunding bonds or notes, that the bonds or notes being refunded were issued for a purpose specified in this division and constitute binding obligations of the board, shall be conclusive and may be relied upon by any holder of any refunding bond or note issued under the provisions of this

division. The refunding bonds or notes 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 or notes may be exchanged in part or sold in parts in installments at different times or at one time. The refunding bonds or notes may be sold or exchanged at any time on, before, or after the maturity of any of the outstanding notes, 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 or notes, except that the principal amount of the refunding bonds or notes may exceed the principal amount of the bonds or notes to be refunded to the extent necessary to pay any premium due on the call of the bonds or notes to be refunded or, to fund interest in arrears or about to become due, or to allow for sufficient funding of the escrow account on the bonds to be refunded.

Sec. 246. Section 280A.59, Code 1991, is amended to read as follows:

280A.59 RATES AND TERMS OF BONDS OR NOTES.

The bonds or notes may bear a date or dates, may bear interest at such rate or rates, ~~payable-semiannually~~, may mature at such time or times, may be in such form, carry such registration privileges, may be payable at such place or places, may be subject to such terms of redemption prior to maturity with or without premium, if so stated on the face of the bonds, and may contain any terms and covenants as may be provided by the resolution of the board authorizing the issuance of the bonds or notes. In addition to the estimated cost of construction, the cost of the project shall be deemed to include interest upon the bonds or notes during construction and for six months after the estimated completion date, the compensation of a fiscal agent or adviser, any underwriter discount, and engineering, administrative and legal expenses. The bonds or notes shall be executed by the president of the board of trustees and attested by the secretary ~~and-the-coupons-attached-to-the-bonds-or-notes-shall~~



be-executed-with-the-original-or-facsimile-signatures-of-said president-and-secretary. Any bonds or notes bearing the signatures of officers in office on the date of the signing shall be valid and binding for all purposes, notwithstanding that before delivery of the bonds or notes any or all persons whose signatures appear on the bonds or notes shall have ceased to be officers. Each bond or note shall state upon its face the name of the institution on behalf of which it is issued, that it is payable solely and only from the net rents, profits and income derived from the operation of residence halls or dormitories, including dining and other incidental facilities, at the institution named, and that it does not constitute a charge against the state of Iowa within the meaning or application of any constitutional or statutory limitation or provision. The issuance of bonds or notes shall be recorded in the office of the treasurer of the institution on behalf of which the bonds or notes are issued, and a certificate by such treasurer to this effect shall be printed on the back of each such bond or note.

Sec. 247. Section 280A.60, Code 1991, is amended to read as follows:

280A.60 REFUNDING ISSUANCE RESOLUTION.

Upon the determination by the board to undertake and carry out any project or to refund outstanding bonds or notes, the board shall adopt a resolution generally describing the contemplated project and setting forth the estimated cost, or describing the obligations to be refunded, fixing the amount of bonds or notes to be issued, the maturity or maturities, the interest rate or rates and all details of the project. The resolution shall contain any covenants as may be determined by the board as to the issuance of additional bonds or notes that may be issued payable from the net rents, profits and income of the residence halls or dormitories, the amendment or modification of the resolution authorizing the issuance of any bonds or notes, the manner, terms and conditions and the amount or percentage of assenting bonds or notes necessary to effectuate the amendment or modification,

and any other covenants as may be deemed necessary or desirable. In the discretion of the board any bonds or notes issued under the terms of this division may be secured by a trust indenture by and between the board and a corporate trustee, which may be any trust company or bank having the powers of a trust company within or without the boundaries of the state of Iowa, ~~but no such trust indenture shall convey or mortgage the buildings or facilities or any part of the buildings or facilities.~~ The provisions of this division and of any resolution or other proceedings authorizing the issuance of bonds or notes and providing for the establishment and maintenance of adequate rates, fees or rentals and the application of the proceeds thereof shall constitute a contract with the holders of the bonds or notes.

Sec. 248. Section 286A.11, Code 1991, is amended by adding the following new subsection:

NEW SUBSECTION. 5. Thirty-eight thousand dollars if the northwest Iowa technical college has filed a request with the department of education for the lease, purchase, or lease-purchase of equipment for the heavy equipment program.

Sec. 249. Section 286A.14A, unnumbered paragraph 1, Code 1991, is amended to read as follows:

The department of education shall provide for the establishment of a community college excellence 2000 account in the office of the treasurer of state for deposit of moneys appropriated to the account for purposes of funding quality instructional centers and program and administrative sharing agreements under sections 280A.45 and 280A.46. ~~There is appropriated from the general fund of the state to the department of education, for the fiscal year beginning July 1, 1991, one million two hundred thousand dollars.~~ There is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 1992, an amount equal to two and five-tenths percent of the total state general aid generated for all community colleges during the budget year under this chapter for deposit in the community college excellence 2000 account. In the next

succeeding two fiscal years, the percent multiplier shall be increased in equal increments until the multiplier reaches seven and one-half percent of the total state general aid generated for all community colleges during the budget year.

Sec. 250. Section 294A.14, unnumbered paragraphs 1, 6, and 10, Code 1991, are amended to read as follows:

For each fiscal year, the department shall allocate the remainder of the moneys appropriated by the general assembly to the fund for phase III, subject to section 294A.18. If fifty million dollars is allocated for phase III, the payments for an approved plan for a school district shall be equal to the product of a district's certified enrollment and ninety-eight dollars and sixty-three cents, and for an area education agency shall be equal to the product of an area education agency's enrollment served and four dollars and sixty cents. If the moneys allocated for phase III are either greater than or less than fifty million dollars, the department of education shall adjust the amount for each student in certified enrollment and each student in enrollment served based upon the amount allocated for phase III. Of the moneys allocated for phase III, five hundred thousand dollars shall be used for supplemental pay plans in districts which provide for additional instructional work assignments relating to college-bound student support programs for minority students.

For school districts, a performance-based pay plan may provide for additional salary for individual teachers, for teachers assigned to a specific discipline, or for all teachers assigned to an attendance center. For area education agencies, a performance-based pay plan may provide for additional salary for individual teachers, for additional salary for all teachers assigned to a specific discipline within an area education agency, or for additional salary for individual teachers assigned to a multidisciplinary team within an area education agency. If the plan provides additional salary for all teachers assigned to an attendance center, specific discipline, or multidisciplinary team, the receipt of additional salary by those teachers shall be

determined on the basis of whether that attendance center, specific discipline, or multidisciplinary team meets specific objectives adopted for that attendance center, specific discipline, or multidisciplinary team. For school districts, the objectives may include, but are not limited to, decreasing the dropout rate, increasing the attendance rate, or accelerating the achievement growth of students enrolled in that attendance center through use of learning techniques which may include, but are not limited to, reading instruction using phonics techniques.

For school districts, additional instructional work assignments may include but are not limited to general curriculum planning and development, vertical articulation of curriculum, horizontal curriculum coordination, development of educational measurement practices for the school district, attendance at workshops and other programs for service as cooperating teachers for student teachers, development of plans for assisting beginning teachers during their first year of teaching, attendance at summer staff development programs, development of staff development programs for other teachers to be presented during the school year, participation in college-bound student support programs for minority students, and other plans locally determined in the manner specified in section 294A.15 and approved by the department of education under section 294A.16 that are of equal importance or more appropriately meet the educational needs of the school district.

Sec. 251. Section 294A.14, Code 1991, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. For purposes of this section, college-bound student support programs for minority students shall include one or more of the following:

1. Self-esteem enhancement for minority students.
2. Mentoring for minority students.
3. Methods to provide greater involvement of minority parents in the educational process.
4. Individual or group academic preparedness coaching for

minority students.

5. A continuum of academic tutorial services for minority students.

6. Outreach programs which connect minority students with higher education programs.

7. School and business partnerships which provide direct support to minority students.

Sec. 252. Section 294A.16, unnumbered paragraph 3, Code 1991, is amended to read as follows:

The department of education shall review each plan and its budget and notify the department of management of the names of school districts and area education agencies with approved plans. In approving school district supplemental pay plans which provide for additional instructional work assignments relating to college-bound student support programs for minority students, the department shall give preference to plans which provide for the forming of consortia with local community colleges and community-based organizations.

Sec. 253. Section 303.3, subsection 3, Code 1991, is amended by striking the subsection and inserting in lieu thereof the following:

3. Notwithstanding section 8.33, moneys committed to grantees under contract that remain unexpended on June 30 of any fiscal year shall not revert but shall be available for expenditure for purposes of the contract until August 30 of the succeeding fiscal year.

Sec. 254. Section 303.94, unnumbered paragraph 1, Code 1991, is amended to read as follows:

The state library includes, but is not limited to, a medical library, and a law library, and a patents depository library.

Sec. 255. Section 303.94, Code 1991, is amended by adding the following new subsection:

NEW SUBSECTION. 3. The patents depository library shall be headed by a patents librarian, appointed by the director, subject to chapter 19A.

a. The patents librarian shall do all of the following:

(1) Operate the patents depository library which shall always be available for free use by the residents of Iowa under rules adopted by the department.

(2) Comply with any federal requirements concerning patent depositories.

(3) Assist library users and train staff to assist library users in utilizing the library and the patent backfile.

(4) Perform other duties imposed by law or by the rules of the department.

b. The patents librarian may do any of the following:

(1) Foster public awareness of the library and its services, through advertising, public service announcements, and other means.

(2) Receive and expend money for providing programs and services. The librarian may receive, accept, and administer moneys appropriated or granted to the patents depository library, separate from the general library fund, by the federal government or by any other public or private agency.

(3) Solicit and accept gifts, contributions, bequests, endowments, and other moneys or library materials. The librarian shall, to the extent possible, use gifts, contributions, bequests, and endowments in accordance with the expressed desires of the person making the gift, contribution, bequest, or endowment. The librarian shall report the gifts, contributions, bequests, endowments, and other moneys received pursuant to this subparagraph to the department, for inclusion in its annual report to the general assembly under section 303.92, subsection 3.

Interest earned on moneys accepted under this subparagraph, except funds appropriated to the patents depository library from the general fund of the state, shall be credited to the fund or funds to which the moneys have been deposited, and is available for any or all purposes of the library under this subparagraph. Section 8.33 does not apply to funds credited to the patents depository library under this subparagraph.

Sec. 256. Section 286A.19, Code 1991, is repealed.

Sec. 257. Sections 207 and 215 of this division, being

deemed of immediate importance, take effect upon enactment.

DIVISION III

ECONOMIC DEVELOPMENT APPROPRIATIONS

Sec. 301. There is appropriated from the general fund of the state to the department of economic development for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. ADMINISTRATIVE SERVICES DIVISION

a. General administration

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	878,350
.....	FTEs	22.00

b. Rural resource coordination

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions for rural resource coordination, rural community leadership, and the rural enterprise fund:

.....	\$	740,000
.....	FTEs	2.50

As a condition, limitation, and qualification of the appropriation under this subsection, \$425,000 shall be allocated to the rural enterprise fund, and \$140,000 shall be allocated for rural community leadership.

c. Primary research and computer center

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	350,000
.....	FTEs	6.50

d. Film office

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	190,000
-------	----	---------

..... FTEs 2.00

2. BUSINESS DEVELOPMENT DIVISION

a. Business development operations

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 3,000,000  
..... FTEs 14.00

As a condition, limitation, and qualification of the appropriation made by this paragraph, the department shall establish a marketing initiative to assist Iowa companies producing recycling or reclamation equipment or services to expand into national markets.

As a condition, limitation, and qualification of the appropriation made by this paragraph, not more than thirty percent of the funds appropriated may be used for administration. The balance shall be used for marketing advertising.

b. Small business programs

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions for the small business program and the small business advisory council:

..... \$ 235,000  
..... FTEs 4.50

c. Federal procurement office

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 100,000  
..... FTEs 3.00

d. Incubators:

..... \$ 80,000

The department may establish criteria to provide funding beyond the initial three-year start-up period to existing small business and rural incubators.

e. Community economic betterment program



For deposit in the community economic betterment program funds for salaries, support, and for not more than the following full-time equivalent positions:

..... \$ 3,760,000  
..... FTEs 6.00

All grants, loans, and forgivable loans awarded under this paragraph shall be approved by the board. Notwithstanding section 8.33, moneys in this special fund at the end of each fiscal year shall not revert to the general fund but shall remain in the community economic betterment program fund.

f. Microenterprise development revolving fund

For deposit in the microenterprise development revolving fund established pursuant to section 15.240 for salaries, support, and for not more than the following full-time equivalent positions:

..... \$ 720,000  
..... FTEs 4.00

For the fiscal year beginning July 1, 1991, a minimum of \$500,000 shall be allocated to the targeted small business financial assistance program account and a minimum of \$220,000 shall be allocated to the self-employment loan program account. However, any amounts of those two minimum allocations that have not been committed on January 15, 1992, may be reallocated to the other accounts in the microenterprise development revolving fund.

g. Targeted small business program

For the salary, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent position:

..... \$ 50,000  
..... FTEs 1.00

3. COMMUNITY AND RURAL DEVELOPMENT DIVISION

a. Community development block grant

For administration and related federal housing and urban development grant administration for salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	320,855
.....	FTEs	14.00

b. Rural community 2000 program

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	1,600,000
.....	FTEs	1.25

Notwithstanding section 15.283, subsection 4, for the fiscal year beginning July 1, 1991, and ending June 30, 1992, all funds allocated under this paragraph shall be used for traditional and new infrastructure and planning as specified under sections 15.284, 15.285, and 15.286A, as enacted by 1991 Iowa Acts, Senate File 254, section 9.

As a condition, limitation, and qualification of the appropriation under this paragraph, not more than \$300,000 shall be allocated for the planning category.

c. Community progress

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions for administration of the community economic preparedness program, the Iowa community betterment program, and the city development board:

.....	\$	467,350
.....	FTEs	7.50

d. Councils of governments

To provide to Iowa's councils of governments funds for planning and technical assistance funds to assist local governments to develop community development strategies for addressing long-term and short-term community needs:

.....	\$	300,000
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e. Main street/rural main street program

For salaries and support for not more than the following full-time equivalent positions:

.....	\$	365,000
.....	FTEs	3.00

Notwithstanding section 8.33, moneys committed to grantees

under contract that remain unexpended on June 30 of any fiscal year shall not revert to any fund but shall be available for expenditure for purposes of the contract during the succeeding fiscal year.

f. Regional economic development centers

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	768,000
.....	FTEs	2.00

As a condition, limitation, and qualification of the appropriation under this paragraph, not more than 10 percent shall be used by the department for administration of the program.

4. INTERNATIONAL DIVISION

a. International trade operations

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	550,000
.....	FTEs	6.00

As a condition, limitation, and qualification of the appropriation under this paragraph, \$160,000 shall be used in conjunction with the Iowa international development foundation for trade development with eastern Europe and the Soviet Union, including but not limited to Czechoslovakia, Hungary, and Poland. The foundation shall report to the general assembly by March 15, 1992, regarding its use of these funds, including, but not limited to, business contacts made, ties established, and trade developments made by the foundation.

b. European trade office

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	285,000
.....	FTEs	2.50

c. Asian trade office

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	255,000
.....	FTEs	2.00

d. Japan trade office

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	300,000
.....	FTEs	2.00

As a condition, limitation, and qualification of the appropriations under paragraph "b" through paragraph "d", the department shall report to the general assembly by February 1, 1992, regarding its use of the funds appropriated, including but not limited to business contacts made, ties established, and trade developments made.

e. Export trade activities program

For export trade activities, including a program to encourage and increase participation in trade shows and trade missions by providing financial assistance to businesses for a percentage of their costs of participating in trade shows and trade missions, by providing for the lease/sublease of showcase space in existing world trade centers, by providing temporary office space for foreign buyers, international prospects, and potential reverse investors, and by providing other promotional and assistance activities, including salaries and support for not more than the following full-time equivalent position:

.....	\$	350,000
.....	FTEs	0.25

f. Agricultural product advisory council

For support, maintenance, and miscellaneous purposes:

.....	\$	4,000
-------	----	-------

g. Partner state program:

.....	\$	100,000
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The department may contract with private groups or

organizations which are the most appropriate to administer this program. The groups and organizations participating in the program shall, to the fullest extent possible, provide the funds to match the appropriation made in this paragraph.

h. Peace institute

For allocation to the Iowa peace institute established in chapter 38:

..... \$ 100,000

5. TOURISM DIVISION

a. Tourism operations

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 745,000

..... FTEs 15.97

As a condition, limitation, and qualification of the appropriation made in this paragraph, the appropriation shall not be used for advertising placements for in-state and out-of-state tourism marketing.

b. Tourism advertising

For contracting exclusively for tourism advertising for in-state and out-of-state tourism marketing services, tourism promotion programs, electronic media, print media, and printed materials:

..... \$ 2,540,000

As a condition, limitation, and qualification of the appropriation made in this paragraph, the department shall develop public-private partnerships with Iowa businesses in the tourism industry, Iowa tour groups, Iowa tourism organizations, and political subdivisions in this state to assist in the development of advertising efforts. The department shall, to the fullest extent possible, develop cooperative efforts for advertising with contributions from other sources.

c. Welcome center program:

..... \$ 350,000

Notwithstanding section 8.33, moneys committed to grantees

under contract that remain unexpended on June 30 of any fiscal year shall not revert to any fund but shall be available for expenditure for purposes of the contract during the succeeding fiscal year.

As a condition, limitation, and qualification of the appropriations made in this subsection, moneys appropriated shall be used for implementation of the recommendations of the statewide long-range plan for developing and operating welcome centers throughout the state.

Notwithstanding section 8.33, pursuant to 1990 Iowa Acts, chapter 1255, section 37, subsection 1, as amended by 1991 Iowa Acts, House File 173, section 1001, the amount of \$275,000 shall be available for the fiscal year beginning July 1, 1991, for completion of contract negotiations for the establishment of the welcome center in the Council Bluffs area.

d. Mississippi river parkway commission

For support, maintenance, and miscellaneous purposes:

..... \$ 19,000

6. WORK FORCE DEVELOPMENT DIVISION

a. Youth work force programs

For purposes of the conservation corps, including salary, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 1,261,614

..... FTEs 1.90

Notwithstanding section 8.33, moneys committed to grantees under contract that remain unexpended on June 30 of any fiscal year shall not revert to any fund but shall be available for expenditure for purposes of the contract during the succeeding fiscal year.

b. Iowa corps

For purposes of the Iowa corps, including salary, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 107,500

..... FTEs 1.00

Notwithstanding section 8.33, moneys obligated for the payment of tuition credits under this program but not expended at the end of the fiscal year shall not revert to any fund but shall be available for expenditure during succeeding fiscal years.

c. Job retraining program

To the Iowa employment retraining fund created in section 15.298 including salaries and support for not more than the following full-time equivalent positions:

.....	\$	1,000,000
.....	FTEs	1.60

d. Work force investment program including salaries and support for not more than the following full-time equivalent position:

.....	\$	1,000,000
.....	FTEs	0.90

This program shall be administered through the department of economic development in consultation with the state job training coordinating council. The program shall be operated on a competitive grant basis and funds shall be available for projects that increase Iowa's pool of available labor via training and support services. \$300,000 of the amount appropriated in this paragraph shall be available specifically for displaced homemaker programs.

e. Labor management councils

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	202,320
.....	FTEs	1.05

As a condition, limitation, and qualification of receiving a grant from funds appropriated by this paragraph, grantees shall facilitate the active participation of labor as members of labor management councils. Grantees shall make a good faith effort to either schedule meetings during nonworking hours, or obtain voluntary agreements with employers to allow employees time off to attend labor management council meetings

with no loss of pay or other benefits.

Notwithstanding section 8.33, moneys committed to grantees under contract that remain unexpended on June 30 of any fiscal year shall not revert to any fund but shall be available for expenditure for purposes of the contract during the succeeding fiscal year.

Notwithstanding section 8.33, pursuant to 1990 Iowa Acts, chapter 1255, section 37, subsection 1, as amended by 1991 Iowa Acts, House File 173, section 1001, moneys remaining unencumbered or unobligated shall be available for expenditure for the fiscal year beginning July 1, 1991, for the same purposes.

Sec. 302. Notwithstanding section 28.120, subsections 5 and 6, there is appropriated from the Iowa community development loan fund to the department of economic development for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

RURAL DEVELOPMENT FINANCING:

..... \$ 50,000

Notwithstanding section 8.39, funds appropriated by this section shall not be subject to transfer.

Sec. 303. Notwithstanding section 15.251, subsection 2, there is appropriated from the job training fund created in the office of the treasurer of state to the department of economic development for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

1. For administration of chapter 280B, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 125,000  
..... FTEs 2.40

2. For payment to the community colleges to supplement the coordination and instruction of apprentice related instruction, and instructional equipment for apprenticeship



programs as provided in section 280A.44:

..... \$ 125,000

As a condition, limitation, and qualification of the appropriation under this subsection, funds shall be allocated to each community college on the basis of the percentage of total contact hours enrolled in apprenticeship training at community colleges as of July 1, 1991.

3. For the target alliance program if funds remain in the job training fund after the appropriations in subsections 1 and 2 are made:

..... \$ 30,000

Sec. 304. There is appropriated from the general fund of the state to the Iowa finance authority for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

For deposit in the housing improvement fund created in section 220.100 for purposes of the fund:

..... \$ 2,800,000

Sec. 305. There is appropriated from the general fund of the state to the Wallace technology transfer foundation for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

1. For salaries, support, maintenance, and other operational purposes, for funding the small business innovation research program, and for funding activities as provided in section 28.158:

..... \$ 2,660,000

As a condition, limitation, and qualification of the appropriation under this section, \$75,000 of the funds appropriated in this subsection shall be transferred to the Iowa quality coalition for productivity enhancement projects.

2. For transfer to the Iowa product development corporation fund established in section 28.89:

..... \$ 1,000,000

Sec. 306. There is appropriated from the general fund of

the state to INTERNET for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For deposit in the international network on trade fund created by the INTERNET board:

..... \$ 515,000

As a condition, limitation, and qualification of the appropriation under this section, \$140,000 shall be allocated to the department of economic development for the Iowa international development foundation for the salaries and support for not more than the following full-time equivalent positions:

..... FTEs 1.50

The full-time equivalent positions receiving moneys from the allocation for the Iowa international development foundation are employees of the department of economic development.

Sec. 307. There is appropriated from the general fund of the state to the Iowa state university of science and technology for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary to be used for the purpose designated:

For funding the small business development centers:

..... \$ 1,190,000

Sec. 308. There is appropriated from the community college job training fund created in section 280C.6, subsection 1, as amended by 1991 Iowa Acts, Senate File 90, to the department of economic development for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes for the administration of the Iowa small business new jobs training Act, and for not more than the following full-time equivalent position:

..... \$ 38,954

..... FTEs .70  
Sec. 309. Section 15.286, subsection 2, Code 1991, is amended to read as follows:

2. Applicants must be seeking funds to assist in meeting the area needs of lower and very low income families in pursuit of decent housing or in meeting the purposes of the housing trust improvement fund program as described in section 220.100, subsection 2.

Sec. 310. Section 15.286, subsection 4, paragraph b, subparagraph (1), Code 1991, is amended to read as follows:

(1) Assistance that will be used to meet the purposes of the housing trust improvement fund program.

Sec. 311. Section 15.286A, subsection 2, as enacted by 1991 Iowa Acts, Senate File 254, section 9, is amended to read as follows:

2. A city, cluster of cities, county, group of counties, ~~unincorporated-community,-group-of-unincorporated-communities,~~ council of governments, or regional planning ~~commission,~~ or one of these entities on behalf of an unincorporated community or group of unincorporated communities, is eligible to apply for loans or grants from this category for planning efforts related to the community builder program.

Sec. 312. Section 15.287, Code 1991, is amended to read as follows:

15.287 REVOLVING FUND.

The Iowa finance authority shall establish a revolving fund for the program and shall transfer to the department moneys to be administered by the department. The moneys in the revolving fund are appropriated for purposes of the program. Notwithstanding section 8.33, moneys in the fund at the end of a fiscal year shall not revert to any other fund but shall remain in the revolving fund. The fund shall consist of all appropriations, grants, or gifts received by the authority or the department specifically for use under this part and all repayments of loans or grants made under this part. However, loan repayments from loans made under section 28.120, which are not allocated to another program, shall be deposited in

the revolving fund and shall be available for allocation by the director for categories administered by the department.

Sec. 313. Section 28.120, Code 1991, is amended by adding the following new subsection:

NEW SUBSECTION. 8. Loan repayments made under this section and unallocated in the special account in subsection 5, shall be allocated to the revolving account of the rural community 2000 program created in section 15.287.

Sec. 314. Section 28.143, subsection 1, paragraph e, Code 1991, is amended to read as follows:

e. The superintendent of ~~savings-and-loans~~ credit unions.

Sec. 315. Section 28.144, Code 1991, is amended by striking the section and inserting in lieu thereof the following:

28.144 PRESIDENT OF THE CORPORATION.

The director of the department shall appoint the president of the corporation from the division within the department that administers business financial assistance programs. Administrative and staff support shall be furnished by the department.

Sec. 316. Section 220.100, Code 1991, is amended to read as follows:

220.100 HOUSING TRUST IMPROVEMENT FUND PROGRAM.

1. A housing ~~trust~~ improvement fund is created within the authority. The moneys in the housing ~~trust~~ improvement fund are annually appropriated to the authority which shall allocate the available funds among and within the programs authorized by this section. Notwithstanding section 8.33, unencumbered or unobligated moneys remaining in the fund on June 30 of any fiscal year shall not revert to any other fund but shall be available for expenditure for subsequent fiscal years. Notwithstanding section 453.7, interest or earnings on moneys in the fund or appropriated to the fund shall be credited to the fund. The authority may expend up to four percent of the moneys appropriated for the programs in this section for administrative costs of the authority for those programs. The authority may provide financial assistance to a

housing sponsor or an individual in the form of loans, guarantees, grants, interest subsidies, or by other means for the programs authorized by this section.

2. By rule, the authority shall establish the following financial assistance programs and provide the requirements for their proper administration:

a. A grant program for the homeless for the construction, rehabilitation, expansion, or costs of operating operations of group home ~~shelter~~ shelters for the homeless.

b. A home maintenance and repair program providing repair services to elderly, handicapped, or disabled families which qualify as lower income or very low income families.

c. A rental rehabilitation program for the construction or rehabilitation of single or multifamily rental properties leased to lower income or very low income families.

d. A home ownership incentive program to help lower income and very low income families achieve single family home ownership. Funds provided under this program shall not be restricted to first-time home buyers but shall be limited to mortgages under \$55,000, except in those areas of the state where the median price of homes exceeds the state average. The assistance provided shall include at least one of the following kinds of assistance:

(1) Closing costs assistance.

(2) Down payment assistance.

(3) Home maintenance and repair assistance.

(4) Loan processing assistance through a loan endorser review contractor who acts on behalf of the authority in assisting lenders in processing loans that will qualify for government insurance or guarantee or for financing under the authority's mortgage revenue bond program.

(5) Mortgage insurance program.

Five percent of the moneys expended under this program shall be used to finance the purchase or acquisition, in communities with a population of less than ten thousand, of manufactured homes as defined in 42 U.S.C. § 5403. Moneys available for this purpose which are unencumbered or

unobligated at the end of the fiscal year shall revert to the housing improvement fund for reallocation for the next fiscal year.

Not more than 50 percent of the assistance provided under this program shall be provided under subparagraphs (4) and (5). So long as at least one of the kinds of assistance described in subparagraphs (1) through (5) are provided, additional assistance not described in subparagraphs (1) through (5) may also be provided.

e. The housing category of the rural community 2000 program, as described in section 15.286.

3. The authority shall coordinate the programs authorized by this section with the other programs under the jurisdiction of the authority.

4. Each application for financial assistance shall be rated based on local, housing sponsor, and recipient financial commitment, proposals for leveraging other financial assistance, experience with the recipient group involved, consideration for the housing project in the context of overall community needs, including vacancy rate of rental property and ratio of subsidized rental housing to nonsubsidized housing, ability to provide a counseling support system to the recipients, and a demonstrated capability by the housing sponsor to provide follow-up monitoring of recipients to determine if identifiable results have been achieved.

5. For the purposes of this section, "housing sponsor" is ~~limited-to-private~~ a for-profit entity, ~~nonprofit corporations and-local-governments-and-joint-ventures~~ corporation, local government, or a joint venture involving a private for-profit entity, ~~nonprofit corporation or local government and-does-not include-a-for-profit-entity.~~

6. None of the funds provided to a housing sponsor under this section shall be used for the costs of administration. ~~The-authority-may-expend-up-to-four-percent-of-the-funds appropriated-for-the-programs-in-this-section-for-the administrative-costs-under-this-section-to-hire-adequate-staff to-carry-out-these-programs-~~

7. During each regular session of the general assembly, the authority shall present, to the appropriate appropriations subcommittee, a report concerning the total estimated resources to be available for expenditure under this section for the next fiscal year and the amount the authority proposes to allocate to each program under this section.

7 8. A homelessness advisory committee is created consisting of the executive director or the executive director's designee, the directors or their designees from the departments of economic development, elder affairs, human services, and human rights, and at least three individuals from the private sector to be selected by the executive director. The advisory committee shall advise the authority in coordinating programs that provide for the homeless.

Sec. 317. Section 428A.1, unnumbered paragraph 1, Code 1991, is amended to read as follows:

There is imposed on each deed, instrument, or writing by which any lands, tenements, or other realty in this state ~~shall-be~~ are granted, assigned, transferred, or otherwise conveyed, a tax determined in the following manner: When there is no consideration or when the deed instrument or writing is executed and tendered for recording as an instrument corrective of title, and so states, there ~~shall-be~~ is no tax. When there is consideration and the actual market value of the real property transferred is in excess of five hundred dollars, the tax ~~shall-be-fifty-five~~ is eighty cents for each five hundred dollars or fractional part of five hundred dollars in excess of five hundred dollars. The term "consideration", as used in this chapter, means the full amount of the actual sale price of the real property involved, paid or to be paid, including the amount of an incumbrance or lien on the property, whether assumed or not by the grantee. It ~~shall-be~~ is presumed that the sale price so stated ~~shall include~~ includes the value of all personal property transferred as part of the sale unless the dollar value of said personal property is stated on the instrument of conveyance. When the dollar value of the personal property

included in the sale is so stated, it shall be deducted from the consideration shown on the instrument for the purpose of determining the tax.

Sec. 318. Section 428A.8, Code 1991, is amended to read as follows:

428A.8 REMITTANCE TO STATE TREASURER -- PORTION RETAINED IN COUNTY.

On or before the tenth day of each month the county recorder shall determine and pay to the treasurer of state seventy-five eighty-two and three-fourths percent of the receipts from the real estate transfer tax collected during the preceding month and the treasurer of state shall deposit the receipts in the general fund of the state.

The county recorder shall deposit the remaining twenty-five seventeen and one-fourth percent of the receipts in the county general fund.

The county recorder shall keep records and make reports with respect to the real estate transfer tax as the director of revenue and finance prescribes.

Sec. 319. Section 15.232, Code 1991, is repealed.

DIVISION IV

JUSTICE SYSTEMS APPROPRIATIONS

Sec. 401. There is appropriated from the general fund of the state to the department of justice for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For the general office of attorney general for salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 4,416,222  
..... FTEs 177.00

2. Prosecuting attorney training program for salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 137,545



In addition to the funds appropriated in this subsection for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the attorney general shall provide up to \$41,000 in state matching funds from moneys retained by the attorney general from property forfeited pursuant to section 809.13, for the prosecuting attorney training program, the prosecuting intern program, or both. Counties participating in the prosecuting intern program shall match the state funds.

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, 1991, and ending June 30, 1992, an amount not exceeding \$95,000 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 attorneys fees awarded the state in state or federal antitrust actions.

4. In addition to 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, 1991, and ending June 30, 1992, an amount not exceeding \$50,000 to be used for public education relating to consumer fraud and for enforcement of section 714.16, and \$25,000 for investigation, prosecution, and consumer education relating to consumer and criminal fraud against older Iowans. 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 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. Notwithstanding section 8.33, funds received in a previous

fiscal year which have not been expended shall be credited to this fiscal year.

5. For the farm mediation service program:  
..... \$ 100,000

6. For the legal assistance for farmers program:  
..... \$ 100,000

7. For victim assistance grants, as provided in Senate File 444, if Senate File 444 is enacted by the Seventy-fourth General Assembly, first regular session, in a manner which raises certain court costs and fees and deposits the resulting receipts either directly into the general fund of the state, or into the general fund of the state through the court revenue distribution account:

..... \$ 1,400,000

As a condition, limitation, and qualification of this appropriation, no more than \$60,000 shall be expended for the costs of the general office of the attorney general's administrative duties pursuant to Senate File 444, and \$100,000 shall be awarded to the department of corrections for one-time costs associated with establishing batterers' treatment programs in the judicial district departments of correctional services, as set forth in Senate File 444. The department of corrections shall award the \$100,000 on a competitive basis to the judicial district departments of correctional services. The remaining funds shall be used to provide grants to care providers providing services to crime victims of domestic abuse or to crime victims of rape and sexual assault.

However, if Senate File 444 is not enacted by the Seventy-fourth General Assembly, first regular session, in a manner which raises certain court costs and fees and deposits the resulting receipts either directly into the general fund, or into the general fund through the court revenue distribution account, there is appropriated from the general fund of the state to the department of justice for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary to be

used for the purpose designated:

For victim assistance grants:

..... \$ 1,071,782

Whether or not Senate File 444 is enacted by the Seventy-fourth General Assembly, notwithstanding section 8.33 or 8.39, any balance remaining from the appropriation pursuant to this subsection shall not revert to the general fund of the state, and shall not be transferred to any other program.

8. For the GASA prosecuting attorney program:

..... \$ 103,400  
..... FTEs 1.00

9. The balance of the fund created under section 321J.17 may be used to provide salary and support of not more than 6 FTEs and to provide maintenance for the victim compensation functions of the department of justice.

10. The department of justice shall submit monthly financial statements to the legislative fiscal bureau and the department of management containing all appropriated accounts in the same manner as provided in the monthly financial status reports and personal services usage reports of the department of revenue and finance. The monthly financial statements shall include comparisons of the moneys and percentage spent of budgeted to actual revenues and expenditures on a cumulative basis for full-time equivalent positions and available moneys.

Sec. 402. There is appropriated from the general fund to the office of consumer advocate of the department of justice for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 2,000,000  
..... FTEs 32.00

Sec. 403. There is appropriated from the general fund of the state to the board of parole for the fiscal year beginning

July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	770,000
.....	FTEs	18.00

As a condition, limitation, and qualification of this appropriation the board of parole shall maintain an automated docket and shall maintain the board's automated risk assessment model.

As a condition, limitation, and qualification of this appropriation the board of parole shall employ 2 statistical research analysts to assist with the application of the risk assessment model in the parole decision-making process. The board of parole shall also require the board's administrative staff to be cross-trained to assure that each individual on that staff is familiar with all tasks performed by the staff.

It is the intent of the general assembly that the department of corrections and the board of parole shall review, and implement as necessary, the findings and recommendations contained in the final report prepared by the consultant and presented to the corrections system review task force which was established by 1988 Iowa Acts, chapter 1271, as they relate to the department of corrections and the board of parole. The board shall report to the justice system appropriations subcommittee during the 1992 legislative session, at the request of the subcommittee, steps taken to implement any of those recommendations, or the reasons for failing to implement such recommendations.

Sec. 404. There is appropriated from the general fund of the state to the department of corrections for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For the operation of adult correctional institutions,

to be allocated as follows:

a. For the operation of the Fort Madison correctional facility, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 21,829,312  
..... FTEs 502.50

As a condition, limitation, and qualification of this appropriation, the facility shall employ 310 correctional officers.

b. For the operation of the Anamosa correctional facility, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 16,153,646  
..... FTEs 356.00

(1) As a condition, limitation, and qualification of this appropriation, the facility shall employ 211 correctional officers and a part-time chaplain of a minority race.

(2) Of the funds appropriated, the department's budget for Anamosa shall include funding for 2 full-time substance abuse counselors for the Luster Heights facility, for the purpose of certification of a substance abuse program at that facility.

c. For the operation of the Oakdale correctional facility, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 13,737,933  
..... FTEs 307.53

d. For the operation of the Newton correctional facility, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 4,149,032  
..... FTEs 91.72

e. For the operation of the Mt. Pleasant correctional facility, including salaries, support, maintenance,

miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 11,606,136  
..... FTEs 267.15

As a condition, limitation, and qualification of this appropriation, the facility shall employ 141 correctional officers, and a full-time chaplain to provide religious counseling at the Oakdale and Mt. Pleasant correctional facilities.

f. For the operation of the Rockwell City correctional facility, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 3,988,999  
..... FTEs 82.89

g. For the operation of the Clarinda correctional facility, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 5,318,793  
..... FTEs 137.20

As a condition, limitation, and qualification of this appropriation, the facility shall employ 6 additional counselors to expand "The Other Way" substance abuse treatment program. The facility may provide up to \$205,250 as a state match requirement to receive federal substance abuse treatment grants.

h. For the operation of the Mitchellville correctional facility, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 4,760,300  
..... FTEs 112.14

2. The department of corrections shall provide a report to the co-chairpersons and ranking members of the justice system appropriations subcommittee and the legislative fiscal bureau on or before January 15, 1992, outlining the implementation of

the centralized education program for the correctional system. The report shall include a listing of the educational institutions that are involved, the amount of any federal funds received for use with these programs, and any other pertinent information.

3. If the inmate tort claim fund for inmate claims of less than \$50 is exhausted during the fiscal year, sufficient funds shall be transferred from the institutional budgets to pay approved tort claims for the balance of the fiscal year. The warden or superintendent of each institution or correctional facility shall designate an employee to receive, investigate, and recommend whether to pay any properly filed inmate tort claim for less than the above amount. The designee's recommendation shall be approved or denied by the warden or superintendent and forwarded to the department of corrections for final approval and payment. The amounts appropriated to this fund pursuant to 1987 Iowa Acts, chapter 234, section 304, subsection 2, are not subject to reversion under section 8.33.

Tort claims denied at the institution shall be forwarded to the state appeal board for their consideration as if originally filed with that body. This procedure shall be used in lieu of chapter 25A for inmate tort claims of less than \$50.

Sec. 405. There is appropriated from the general fund of the state to the department of corrections for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For general administration, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	2,141,828
.....	FTEs	43.52

As a condition, limitation, and qualification of this appropriation the department shall employ an education director and clerk to administer a centralized education

program for the correctional system.

The department shall monitor the use of the classification model by the judicial district departments of correctional services and has the authority to override a district department's decision regarding classification of community-based clients. The department shall notify a district department of the reasons for the override.

2. For reimbursement of counties for temporary confinement of work release and parole violators, as provided in sections 246.908, 901.7, and 906.17 and for offenders confined pursuant to section 246.513:

..... \$ 250,000

3. For federal prison reimbursement and miscellaneous contracts:

..... \$ 360,000

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

4. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions at the correctional training center at Mt. Pleasant:

..... \$ 375,000  
..... FTES 8.22

5. For annual payment relating to the financial arrangement for the construction of expansion in prison capacity as provided in 1989 Iowa Acts, chapter 316, section 7, subsection 6:

..... \$ 625,860

6. For annual payment relating to the financial arrangement for the construction of expansion in prison capacity as provided in 1990 Iowa Acts, chapter 1257, section 24:

..... \$ 3,143,250

Sec. 406.

1. There is appropriated from the general fund of the state to the department of corrections for the fiscal year



beginning July 1, 1991, and ending June 30, 1992, the following amounts, or so much thereof as is necessary, to be allocated as follows:

a. For the first judicial district department of correctional services, the following amount, or so much thereof as is necessary:

..... \$ 5,628,321

The district department shall continue the intensive supervision program established within the district in 1988 Iowa Acts, chapter 1271, section 6, subsection 1, paragraph "a", and the sex offender treatment program established within the district in 1989 Iowa Acts, chapter 316, section 8, subsection 1, paragraph "a".

The district department, in cooperation with the chief judge of the judicial district, shall continue the implementation of a plan to divert low-risk offenders to the least restrictive sanction available.

b. For the second judicial district department of correctional services, the following amount, or so much thereof as is necessary:

..... \$ 3,987,710

The district department shall continue the sex offender treatment program established within the district in 1988 Iowa Acts, chapter 1271, section 6, subsection 1, paragraph "b".

The district department, in cooperation with the chief judge of the judicial district, shall continue the implementation of a plan to divert low-risk offenders to the least restrictive sanction available.

c. For the third judicial district department of correctional services, the following amount, or so much thereof as is necessary:

..... \$ 2,471,347

The district department shall continue the sex offender treatment program established within the district in 1988 Iowa Acts, chapter 1271, section 6, subsection 1, paragraph "c", and the intensive supervision program established within the district in 1990 Iowa Acts, chapter 1268, section 6,

subsection 3, paragraph "d".

The district department, in cooperation with the chief judge of the judicial district, shall continue the implementation of a plan to divert low-risk offenders to the least restrictive sanction available.

d. For the fourth judicial district department of correctional services, the following amount, or so much thereof as is necessary:

..... \$ 2,004,154

The district department shall continue the sex offender treatment program established within the district in 1988 Iowa Acts, chapter 1271, section 6, subsection 1, paragraph "d".

The district department, in cooperation with the chief judge of the judicial district, shall continue the implementation of a plan to divert low-risk offenders to the least restrictive sanction available.

e. For the fifth judicial district department of correctional services, the following amount, or so much thereof as is necessary:

..... \$ 7,163,590

The district department shall continue the intensive supervision program established within the district in 1988 Iowa Acts, chapter 1271, section 6, subsection 1, paragraph "e", and shall continue to provide for the rental of electronic monitoring equipment.

The district department, in cooperation with the chief judge of the judicial district, shall continue the implementation of a plan to divert low-risk offenders to the least restrictive sanction available.

f. For the sixth judicial district department of correctional services, the following amount, or so much thereof as is necessary:

..... \$ 5,594,770

The district department shall continue the intensive supervision program established within the district in 1988 Iowa Acts, chapter 1271, section 6, subsection 1, paragraph "f", and the sex offender treatment program established within

the district in 1989 Iowa Acts, chapter 316, section 8, subsection 1, paragraph "f".

The district department, in cooperation with the chief judge of the judicial district, shall continue the implementation of a plan to divert low-risk offenders to the least restrictive sanction available.

g. For the seventh judicial district department of correctional services, the following amount, or so much thereof as is necessary:

..... \$ 3,908,666

The district department shall continue the intensive supervision program established within the district in 1988 Iowa Acts, chapter 1271, section 6, subsection 1, paragraph "g", and shall continue the sex offender treatment program established within the district in 1989 Iowa Acts, chapter 316, section 8, subsection 1, paragraph "g".

The district department shall continue the job development program established within the district in 1990 Iowa Acts, chapter 1268, section 6, subsection 7, paragraph "e".

The district department, in cooperation with the chief judge of the judicial district, shall continue the implementation of a plan to divert low-risk offenders to the least restrictive sanction available.

h. For the eighth judicial district department of correctional services, the following amount, or so much thereof as is necessary:

..... \$ 3,170,622

The district department shall continue the intensive supervision program established within the district in 1988 Iowa Acts, chapter 1271, section 6, subsection 1, paragraph "h", and shall continue the sex offender treatment program established within the district in 1989 Iowa Acts, chapter 316, section 8, subsection 1, paragraph "h".

The district department, in cooperation with the chief judge of the judicial district, shall continue the implementation of a plan to divert low-risk offenders to the least restrictive sanction available.

i. For the department of corrections for the assistance and support of each judicial district department of correctional services, the following amount, or so much thereof as is necessary:

..... \$ 91,057

2. The department of corrections shall continue the OWI facilities established in 1986 Iowa Acts, chapter 1246, section 402, in compliance with the conditions specified in that section.

3. The department of corrections shall continue to contract with a judicial district department of correctional services to provide for the rental of electronic monitoring equipment which shall be available statewide.

4. Each judicial district department of correctional services and the department of corrections shall continue the treatment alternatives to street crime programs established in 1989 Iowa Acts, chapter 225, section 9.

5. The first, sixth, and eighth judicial district departments of correctional services and the department of corrections shall continue the job training and development grant programs established in 1989 Iowa Acts, chapter 316, section 7, subsection 2.

6. The department of corrections shall not make an intradepartmental transfer of moneys appropriated to the department, unless notice of the intradepartmental transfer is given prior to its effective date to the legislative fiscal bureau. The notice shall include information on the department's rationale for making the transfer and details concerning the work load and performance measures upon which the transfers are based.

7. The governor's alliance on substance abuse shall consider federal grants made to the department of corrections for the benefit of each of the eight judicial district departments of correctional services as local government grants, as defined pursuant to federal regulations.

Sec. 407. There is appropriated from the general fund of the state to the judicial department for the fiscal year

beginning July 1, 1991, and ending June 30, 1992, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For salaries of supreme court justices, appellate court judges, district court judges, district associate judges, judicial magistrates and staff, state court administrator, clerk of the supreme court, district court administrators, clerks of the district court, including fully compensating clerks of court, trial court supervisors, trial court technicians II, and financial supervisors I and II for the full 40-hour workweek, juvenile court officers, board of law examiners and board of examiners of shorthand reporters and judicial qualifications commission, receipt and disbursement of child support payments, and maintenance, equipment, and miscellaneous purposes:

..... \$ 73,200,000

As a condition, limitation, and qualification of this appropriation, the department shall reimburse the auditor of state for expenses incurred in completing audits of the offices of the clerks of the district court during the fiscal year beginning July 1, 1991.

As a condition, limitation, and qualification of this appropriation, the judicial department, except for purposes of internal processing, shall use the current state budget system, the state payroll system, and the Iowa finance and accounting system in administration of programs and payments for services, and shall not duplicate the state payroll, accounting, and budgeting systems.

The judicial department shall submit monthly financial statements to the legislative fiscal bureau and the department of management containing all appropriated accounts in the same manner as provided in the monthly financial status reports and personal services usage reports of the department of revenue and finance. The monthly financial statements shall include a comparison of the dollars and percentage spent of budgeted versus actual revenues and expenditures on a cumulative basis for full-time equivalent positions and dollars.

Of the funds appropriated under this subsection, not more than \$1,800,000 may be transferred into the revolving fund established pursuant to section 602.1302, subsection 3, to be used for the payment of jury and witness fees and mileage.

2. For the juvenile victim restitution program:

..... \$ 100,000

Sec. 408. There is appropriated from the general fund of the state to the judicial department for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For the Iowa court information system:

..... \$ 875,000

As a condition, limitation, and qualification of this appropriation, the judicial department, except for purposes of internal processing, shall use the current state budget system, the state payroll system, and the Iowa finance and accounting system in administration of programs and payments for services, and shall not duplicate the state payroll, accounting, and budgeting systems.

The judicial department shall not change the appropriations from the amounts appropriated under this section, unless notice of the revisions is given prior to their effective date to the legislative fiscal bureau. The notice shall include information on the department's rationale for making the changes and details concerning the work load and performance measures upon which the changes are based.

The judicial department shall conduct a comparable worth study concerning juvenile court officers. As used in this paragraph, "comparable worth" means comparable worth as defined in section 602.1204. The judicial department shall report its findings and recommendations to the joint justice systems appropriations subcommittee by January 1, 1992. No pay grade changes resulting from the study shall be implemented prior to July 1, 1992, subject to sufficient salary adjustment funds being appropriated specifically for that purpose.

Sec. 409. The department of corrections, judicial district departments of correctional services, board of parole, and the judicial department shall continue to develop an automated data system for use in the sharing of information between the department of corrections, judicial district departments of correctional services, board of parole, and the judicial department. The information to be shared shall concern any individual who may, as the result of an arrest or infraction of any law, be subject to the jurisdiction of the department of corrections, judicial district departments of correctional services, or board of parole.

Sec. 410. Section 13.15, unnumbered paragraph 2, Code 1991, is amended to read as follows:

The rules shall provide for an hourly mediation fee not to exceed ~~twenty-five-dollars-per-hour-per-party~~ fifty dollars for the borrower and one hundred dollars for the creditor. The hourly mediation fee may be waived for any party demonstrating financial hardship upon application to the farm mediation service.

Sec. 411. NEW SECTION. 13.26 FARM ASSISTANCE FUND ESTABLISHED.

A farm assistance fund is established as a separate fund in the state treasury under the control of the department of justice. It is the intent of the general assembly that the moneys deposited in the fund shall be used for legal assistance to financially distressed farmers. These funds shall be used only to the extent appropriated by the general assembly. Notwithstanding section 8.33, any balance in the fund on June 30 of any fiscal year shall not revert to any fund but shall remain in the fund for the subsequent fiscal year.

Sec. 412. Section 312.2, subsection 13, Code 1991, as amended by 1991 Iowa Acts, House File 173, section 1223, is amended to read as follows:

13. The treasurer of state, before making the allotments provided for in this section, shall credit annually to the department of justice from the road use tax fund an amount

equal to twenty-five cents on each title issuance for motor vehicle fraud law enforcement and prosecution purposes ~~including, but not limited to,~~ the enforcement of state and federal odometer laws, the prosecution of highway-related criminal matters, and the training of county attorney and attorney general staff in the prosecution of violations of chapters 321, 321A, and 321J, and related offenses.

~~Notwithstanding the provisions of this subsection directing that twenty-five cents on each title issuance be annually credited to the department of justice for deposit into the motor vehicle fraud account, for the fiscal period beginning on July 1, 1991, and ending June 30, 1993, the twenty-five cents on each title issuance shall be deposited into the general fund of the state.~~

Sec. 413. Section 356.26, unnumbered paragraph 3, Code 1991, is amended to read as follows:

The district court may also grant by order to any person sentenced to a county jail the privilege of a sentence of in-home detention where the county sheriff has certified to the court that the jail has an in-home detention program. ~~The department of corrections shall report to the legislative fiscal bureau on a semiannual basis concerning utilization of in-home detention, including the counties which have established such programs and the number of prisoners allowed in-home detention privileges.~~

Sec. 414. Section 602.1301, subsection 2, paragraph a, subparagraph (1), Code 1991, is amended by striking the subparagraph and inserting in lieu thereof the following:

(1) Iowa court information system.

Sec. 415. Section 602.8102, Code 1991, is amended by adding the following new subsection:

NEW SUBSECTION. 163A. Make every reasonable effort to collect all outstanding fines, penalties, surcharges, and court costs. The clerk shall notify in writing within forty-five days after assessment, those persons who have unpaid fines, penalties, surcharges, and court costs.

Sec. 416. Section 654.18, subsection 1, paragraph d, Code



1991, is amended to read as follows:

d. The mortgagor and mortgagee shall file a jointly executed document with the county recorder in the county where the real property is located stating that the mortgagor and mortgagee have elected to follow the alternative voluntary foreclosure procedures pursuant to this section. If the subject property is agricultural land used for farming, as defined in section 172C.1, in addition to the fee collected pursuant to section 331.604, the recorder shall collect a fee of sixty dollars for filing the document, and shall remit the sixty-dollar fee to the treasurer of state for deposit in the farm assistance fund established in section 13.26.

Sec. 417. Section 654.19, Code 1991, is amended to read as follows:

654.19 DEED IN LIEU OF FORECLOSURE -- AGRICULTURAL LAND.

In lieu of a foreclosure action in court due to default on a recorded mortgage or deed of trust of real property, if the subject property is agricultural land used for farming, as defined in section 172C.1, the mortgagee and mortgagor may enter into an agreement in which the mortgagor agrees to transfer the agricultural land to the mortgagee in satisfaction of all or part of the mortgage obligation as agreed upon by the parties. The agreement may grant the mortgagor a right to purchase the agricultural land for a period not to exceed five years, and may entitle the mortgagor to lease the agricultural land. The agreement shall be recorded with the deed transferring title to the mortgagee. In addition to the fee collected pursuant to section 331.604, the recorder shall collect a fee of sixty dollars for recording the agreement and deed, and shall remit the sixty-dollar fee to the treasurer of state for deposit in the farm assistance fund established in section 13.26. A transfer of title and agreement pursuant to this section does not constitute an equitable mortgage.

Sec. 418. Section 655A.7, Code 1991, is amended to read as follows:

655A.7 PROOF AND RECORD OF SERVICE.

If the terms and conditions as to which there is default are not performed within the thirty days, the party serving the notice or causing it to be served shall file for record in the office of the county recorder a copy of the notice with proofs of service required under section 655A.4 attached or endorsed on it and, in case of service by publication, a personal affidavit that personal service could not be made within this state, and when those documents are filed and recorded, the record is constructive notice to all parties of the due foreclosure of the mortgage. In addition to the fee collected pursuant to section 331.604, the recorder shall collect a fee of sixty dollars for recording the documents required by this section, and shall remit the sixty-dollar fee to the treasurer of state for deposit in the farm assistance fund established in section 13.26.

Sec. 419. Section 656.5, Code 1991, is amended to read as follows:

656.5 PROOF AND RECORD OF SERVICE.

If the terms and conditions as to which there is default are not performed within said thirty days, the party serving said notice or causing the same to be served, may file for record in the office of the county recorder a copy of the notice aforesaid with proofs of service attached or endorsed thereon (and, in case of service by publication, a personal affidavit that personal service could not be made within this state), and when so filed and recorded, the said record shall be constructive notice to all parties of the due forfeiture and cancellation of said contract. If the subject property is agricultural land used for farming, as defined in section 172C.1, in addition to the fee collected pursuant to section 331.604, the recorder shall collect a fee of sixty dollars for filing the notice, and shall remit the sixty-dollar fee to the treasurer of state for deposit in the farm assistance fund established in section 13.26.

Sec. 420. Section 905.4, subsection 5, Code 1991, is amended to read as follows:

5. Arrange for, by contract or on such alternative basis

as may be mutually acceptable, and equip suitable quarters at one or more sites in the district as may be necessary for the district department's community-based correctional program, provided that the board shall to the greatest extent feasible utilize existing facilities and shall keep capital expenditures for acquisition, renovation and repair of facilities to a minimum. The district board shall not enter into lease-purchase agreements for the purposes of constructing, renovating, expanding, or otherwise improving a community-based correctional facility or office unless express authorization has been granted by the general assembly, and current funding is adequate to meet the lease-purchase obligation.

Sec. 421. Section 905.6, subsection 5, Code 1991, is amended to read as follows:

5. Act as secretary to the district board, prepare its agenda and record its proceedings. The district shall provide a copy of minutes from each meeting of the district board to the legislative fiscal bureau.

Sec. 422. 1990 Iowa Acts, chapter 1224, section 1, unnumbered paragraph 1, is amended to read as follows:

In order to implement this Act, the department of human services and the judicial department shall mutually agree on a schedule to complete the transfer of support payment collection and disbursement responsibilities from the collection services center to the clerks of the district court. The schedule shall provide for the completion of the transfer of the responsibilities for all affected orders by June 30, ~~1991~~ 1993. The following procedure shall be used for any order affected by the initial transfer of responsibilities:

Sec. 423. 1990 Iowa Acts, chapter 1257, section 24, subsection 4, unnumbered paragraph 2, is amended to read as follows:

As a condition, limitation, and qualification of this appropriation, the beds shall be used for a 30-to-60-day shock revocation program for parole and probation violators who are

male offenders. The beds shall be administered by the state department of corrections.

Sec. 424. 1990 Iowa Acts, chapter 1268, section 5, subsection 2, is amended to read as follows:

2. For reimbursement of counties for temporary confinement of work release and parole violators, as provided in sections 246.908, 901.7, and 906.17 and for offenders confined pursuant to section 246.513:

..... \$ 215,000

Sec. 425. EFFECTIVE DATE AND RETROACTIVE APPLICABILITY PROVISIONS.

1. Section 420 of this division takes effect on January 1, 1992.

2. Sections 422 and 424 of this division, being deemed of immediate importance, take effect upon enactment. Section 424 of the division applies retroactively to July 1, 1990.

DIVISION V

RELATING TO STANDING APPROPRIATIONS AND TAXES

Sec. 501. Notwithstanding the standing appropriation in sections 425A.1 to the family farm tax credit fund and 426.1 to the agricultural land tax credit fund, there is appropriated from the general fund of the state to the agricultural land tax credit fund for the fiscal year beginning July 1, 1991, the sum of \$43,065,000 of which the first \$10,000,000 shall be deposited into the family farm tax credit fund in lieu of the standing appropriation made in section 425A.1.

Sec. 502.

1. Notwithstanding the standing appropriation in section 405A.8 to the department of revenue and finance for personal property tax replacement under chapter 405A, there is appropriated from the general fund of the state under section 405A.8 for the fiscal year beginning July 1, 1991, the sum of \$61,934,033.

2. Notwithstanding the standing appropriation in section 425.39, the amount appropriated from the general fund of the state under section 425.39, for the fiscal year beginning July

1, 1991, for purposes of implementing the extraordinary property tax and reimbursement division of chapter 425, shall not exceed \$11,880,300. The director shall pay, in full, all claims to be paid during the fiscal year beginning July 1, 1991, for reimbursement of rent constituting property taxes paid. If the amount of claims for credit for property taxes due to be paid during the fiscal year beginning July 1, 1991, exceed the amount remaining after payment to renters the director of revenue and finance shall prorate the payments to the counties for the property tax credit. In order for the director to carry out the requirements of this subsection, notwithstanding any provision to the contrary in sections 425.16 through 425.39, claims for reimbursement for rent constituting property taxes paid filed before May 1, 1992, shall be eligible to be paid in full during the fiscal year ending June 30, 1992, and those claims filed on or after May 1, 1992, shall be eligible to be paid during the fiscal year beginning July 1, 1992, and the director is not required to make payments to counties for the property tax credit before June 15, 1992.

Sec. 503. Notwithstanding the amount of the standing appropriation from the general fund of the state under section 455A.18, subsection 4, there is appropriated from the general fund of the state, in lieu of the appropriation made in section 455A.18, for the fiscal year beginning July 1, 1991, to the Iowa resources enhancement and protection fund the sum of \$10,900,000. However, if moneys from the lottery are appropriated by the state to the Iowa resources enhancement and protection fund, the amount appropriated under this section shall be reduced by the amount appropriated from the lottery.

Sec. 504. 1990 Iowa Acts, chapter 1250, section 18, unnumbered paragraph 2, is amended to read as follows:

For the special mental health services fund:

.....	\$ <del>10,500,000</del>
	<u>10,395,000</u>

Sec. 505. DEPARTMENT OF HUMAN SERVICES. There is

appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For payment of expenses and compensation of commission of inquiry commissioners pursuant to section 229.35:

..... \$ 1,000

2. For payment of transfer expenses of mentally ill persons with no county of legal settlement pursuant to section 230.8 and recovery of such persons' commitment costs pursuant to section 230.11:

..... \$ 107,000

Sec. 506. DEPARTMENT OF REVENUE AND FINANCE. There is appropriated from the general fund of the state to the department of revenue and finance for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For payment of recording fees pursuant to section 422.26:

..... \$ 50,000

Sec. 507. Notwithstanding the standing appropriations in the following designated sections for the fiscal year beginning July 1, 1991, the amount appropriated from the general fund of the state pursuant to those sections for the following designated purposes shall not exceed the following amounts:

1. For administering absentee ballots of state residents serving in the armed forces under section 53.50:

..... \$ 2,574

2. For the reimbursement of fees and charges presented to but not owed the state under section 12.13:

..... \$ 0

3. For the cost of printing or manufacturing of cigarette and little cigar tax stamps under section 98.7:

..... \$ 126,126

4. For deposit in and the use of the livestock disease

fund under section 267.8:

..... \$ 291,060

5. To pay the state's portion of the cost of benefits calculated in section 411.20, subsections 2 and 3, under section 411.20, subsection 1:

..... \$ 3,201,660

6. To reimburse counties for the loss of property tax revenues as follows:

a. Homestead tax credit under section 425.1:

..... \$102,960,000

b. Military service tax credit under section 426A.1:

..... \$ 3,069,000

c. Machinery and computer equipment tax replacement under section 427B.13:

..... \$ 0

If the amounts of calculated county reimbursement exceed any of the amounts specified in this subsection the director of revenue and finance shall prorate the amount available.

7. For costs of postconviction relief proceedings pursuant to section 663A.5 and costs and fees of parole revocation proceedings and criminal cases brought against an inmate under section 815.1:

..... \$ 70,000

8. For state employees salary book printing under section 18.75, subsection 8:

..... \$ 4,950

9. To the expenses incurred or costs taxed to the state in a proceeding brought by or against a state department or agency under section 19.10:

..... \$ 81,180

10. To pay necessary expenses incurred to perform or cause to be performed any legal duty imposed on the executive council under section 19.29:

..... \$ 1,881,000

11. To pay the cost of public improvement assessments against state-owned land under section 307.45:

..... \$ 0

12. For payment of costs of habeas corpus proceedings where plaintiff is confined in a state institution under section 663.44:

..... \$ 0

13. To pay claims and awards against the state under sections 25.2 and 25A.11:

..... \$ 2,970,000

14. For the payment of salary and expenses of a deputy sheriff responsible for law enforcement on the Indian settlement under section 331.660:

..... \$ 24,255

15. For compensation of officers and enlisted men in and the expenses of the national guard under section 29A.29:

..... \$ 38,808

16. For payment of workers' compensation claims due employees of the state under section 85.57:

..... \$ 5,692,500

17. For deposit into the state communications network fund under section 18.137:

..... \$ 0

18. For payment of state school foundation aid under section 257.16, including state aid for increasing enrollment in section 257.13, an amount which equals one-half of one percent less than the amount computed under the state school foundation aid formula.

Notwithstanding chapter 257, if the portion of the budget of a school district or area education agency for special education support services to be funded by state aid appropriated under section 257.16 exceeds the amount appropriated under this subsection, the director of the department of management shall allocate state aid payments in the manner provided in this subsection:

a. In order to allocate the reduction in the state aid to be paid to area education agencies for special education support services, the director of the department of management shall reduce the state aid paid to each area education agency by one-half of one percent of the special education support



services foundation base multiplied by the weighted enrollment in the area education agency.

b. The director of the department of management shall determine the amounts to be paid to school districts as an advance for increasing enrollment under section 257.13 and shall reduce those amounts by one-half of one percent.

c. The director of the department of management shall allocate the difference between the money appropriated by this subsection and the total of the state aid payments made to area education agencies for special education support services and the amount paid to school districts as an advance for increasing enrollment. The difference shall be paid to school districts as state school foundation aid. The director of the department of management shall divide the amount to be paid to school districts by the weighted enrollment in the state to determine a per pupil amount of state aid and shall multiply that per pupil amount of state aid by one-half of one percent for the state aid reduction per pupil. The state aid paid to each school district under section 257.16 shall be reduced by an amount equal to the state aid reduction per pupil multiplied by the weighted enrollment of the district. School districts not receiving the entire amount of state school foundation aid under chapter 257 for the budget year beginning July 1, 1991, may use their cash reserve to make up the lost aid and, unless the general assembly prohibits the levy by February 15, 1992, may raise the lost state aid by a cash reserve levy under section 298.10 to replace the state school foundation aid reduction.

19. For the payment of claims of public school districts for transportation services to nonpublic school pupils under section 285.2:

..... \$ 6,156,729

If the claims exceed the amount available under this subsection, the director of the department of education shall prorate the claims of the school districts.

20. To pay instructional support state aid under section 257.20:

..... \$ 12,935,000

If the portion of the budget to be funded by instructional support state aid computed under section 257.20 exceeds the amount available under this subsection, the director of the department of management shall prorate the amount available to the school districts entitled to such aid. School districts not receiving the full amount of such state aid shall not raise the lost state aid by property tax.

21. For payment of franchise tax allocations to cities and counties under section 422.65:

..... \$ 9,702,000

If the amounts to be allocated as computed under section 422.65 to cities and counties exceed the amount available under this subsection, the director of revenue and finance shall prorate the amount to be paid to each city and county.

Sec. 508. Section 97B.72, unnumbered paragraph 2, Code 1991, is amended to read as follows:

There is appropriated from ~~the general fund of the state to the department of personnel~~ moneys available to the general assembly under section 2.12 an amount sufficient to pay the contributions of the employer based on service of the members in an amount equal to the contributions which would have been made if the members of the general assembly who made employee contributions had been members of the system during their service in the general assembly plus two percent interest plus interest dividends for all completed calendar years and for any completed calendar year for which the interest dividend has not been declared and for completed months of partially completed calendar years at two percent interest plus the interest dividend rate calculated for the previous year, compounded annually, from the end of the calendar year in which contribution was made to the first day of the month of such date.

Sec. 509. Section 98.6, subsection 1, Code 1991, is amended to read as follows:

1. There is ~~hereby levied, assessed, and imposed,~~ and shall be collected and paid to the department, the following

taxes on all cigarettes used or otherwise disposed of in this state for any purpose whatsoever:

Class A. On cigarettes weighing not more than three pounds per thousand, ~~six-and-one-half~~ eighteen mills on each such cigarette.

Class B. On cigarettes weighing more than three pounds per thousand, ~~seven-and-one-half~~ eighteen mills on each such cigarette.

Sec. 510. Section 98.6, subsection 2, Code 1991, is amended by striking the subsection.

Sec. 511. Section 98.43, subsection 1, unnumbered paragraph 1, Code 1991, is amended to read as follows:

A tax is imposed upon all tobacco products in this state and upon any person engaged in business as a distributor thereof of tobacco products, at the rate of ~~nineteen~~ twenty-two percent of the wholesale sales price of the tobacco products, except little cigars as defined in section 98.42. Little cigars shall be subject to the same rate of tax imposed upon cigarettes in section 98.6, payable at the time and in the manner provided in section 98.6; and stamps shall be affixed as provided in division I of this chapter. The tax on tobacco products, excluding little cigars, shall be imposed at the time the distributor does any of the following:

Sec. 512. Section 98.43, subsection 2, unnumbered paragraph 1, Code 1991, is amended to read as follows:

A tax is imposed upon the use or storage by consumers of tobacco products in this state, and upon the consumers, at the rate of ~~nineteen~~ twenty-two percent of the cost of the tobacco products.

Sec. 513. Section 135D.22, subsection 2, paragraph b, Code 1991, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Notwithstanding the effective date provision in 1990 Iowa Acts, chapter 1250, section 21, this lettered paragraph is effective for mobile home tax claims filed on or after January 1, 1993, and any claims filed under this lettered paragraph before that date shall not be

allowed.

Sec. 514. Section 229.35, Code 1991, is amended to read as follows:

229.35 COMMISSION OF INQUIRY -- COMPENSATION -- PAYMENT.

~~Said~~ The commissioners of a commission of inquiry shall be entitled to their necessary expenses and a reasonable compensation, to be allowed by the judge, who shall certify the same amounts to the director of revenue and finance who shall thereupon draw the proper warrants on any funds in the state treasury not otherwise appropriated pay such amounts from moneys appropriated to the department of human services. The applicant shall pay ~~said~~ these costs and expenses if the judge shall so order on a finding that the complaint was filed without probable cause.

Sec. 515. Section 230.8, Code 1991, is amended to read as follows:

230.8 TRANSFERS OF MENTALLY ILL PERSONS -- EXPENSES.

The transfer to state hospitals or to the places of their legal settlement of mentally ill persons who have no legal settlement in this state or whose legal settlement is unknown, shall be made according to the directions of the administrator, and when practicable by employees of state hospitals, and the actual and necessary expenses of ~~such~~ these transfers shall be paid on itemized vouchers sworn to by the claimants and approved by the administrator, from ~~any funds in the state treasury not otherwise~~ appropriated to the department of human services.

Sec. 516. Section 230.11, Code 1991, is amended to read as follows:

230.11 RECOVERY OF COSTS FROM STATE.

Costs and expenses attending the taking into custody, care, and investigation of a person who has been admitted or committed to a state hospital, veterans administration hospital or other agency of the United States government, for the mentally ill and who has no legal settlement in this state or whose legal settlement is unknown, including cost of commitment, if any, shall be paid ~~out of any money in the~~

~~state-treasury-not-otherwise~~ from moneys appropriated to the department of human services, on itemized vouchers executed by the auditor of the county which has paid them, and approved by the administrator.

Sec. 517. Section 257.1, subsection 2, unnumbered paragraph 2, Code 1991, is amended to read as follows:

For the budget year commencing July 1, 1991, and for each succeeding budget year the regular program foundation base per pupil is eighty-three and-five-tenths percent of the regular program state cost per pupil. ~~For each succeeding budget year, the regular program foundation base shall increase twenty-five-hundredths percent per year until the regular program foundation base reaches eighty-five percent of the regular program state cost per pupil,~~ except that the regular program foundation base per pupil for the portion of weighted enrollment that is additional enrollment because of special education is seventy-nine percent of the regular program state cost per pupil. For the budget year commencing July 1, 1991, and for each succeeding budget year the special education support services foundation base is ~~eighty-three-and-five-tenths~~ seventy-nine percent of the special education support services state cost per pupil. ~~It shall increase at the same rate as the regular program foundation base.~~ The combined foundation base is the sum of the regular program foundation base and the special education support services foundation base.

Sec. 518. Section 257.2, subsection 12, Code 1991, is amended by striking the subsection.

Sec. 519. Section 257.15, subsection 1, Code 1991, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. For purposes of this subsection, in computing the amount of revenues generated by the foundation property tax and the additional property tax under chapter 442, Code 1989, the computation shall be based on a regular program foundation base per pupil of eighty-three percent of the regular program state cost per pupil except that for the portion of weighted enrollment that is additional

enrollment because of special education the regular program foundation base per pupil shall be seventy-nine percent of the regular program state cost per pupil. The special education support services foundation base shall be seventy-nine percent of the special education support services state cost per pupil.

Sec. 520. Section 257.31, subsections 6 and 11, Code 1991, are amended by striking the subsections.

Sec. 521. Section 270.5, Code 1991, is amended to read as follows:

270.5 CERTIFICATION TO DIRECTOR OF REVENUE AND FINANCE.

The superintendent shall, on the first days of June and December of each year, certify to the director of revenue and finance the amounts due from ~~the several~~ counties pursuant to sections 270.4 and 270.6, and the director of revenue and finance shall ~~thereupon pass the same to the credit of the institution~~ the amounts due to the general fund of the state, and charge the amount to the proper county.

Sec. 522. Section 422.26, unnumbered paragraph 6, Code 1991, is amended to read as follows:

The department shall pay, from moneys appropriated to the department for this purpose, a recording fee as provided in section 331.604, for the recording of the lien, or for its satisfaction.

Sec. 523. Section 442.3, unnumbered paragraph 1, Code 1991, is amended to read as follows:

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 eighty-three 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. 524. Section 425.23, subsection 1, paragraph b, Code 1991, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Notwithstanding the effective date provisions in 1990 Iowa Acts, chapter 1250, section 21, this lettered paragraph is effective for property tax claims filed on or after January 1, 1993, and for rent reimbursement claims filed on or after January 1, 1994, and all such claims filed under this lettered paragraph before such dates shall not be allowed.

Sec. 525. Section 820.24, Code 1991, is amended to read as follows:

820.24 EXPENSES -- HOW PAID.

When the punishment of the crime shall be the confinement of the criminal in the penitentiary, the expenses shall be paid out of the-state-treasury funds appropriated to the office of the governor, on the certificate of the governor and warrant of the director of revenue and finance; and in all other cases they shall be paid out of the county treasury in the county wherein the crime is alleged to have been committed. The expenses shall be the fees paid to the officers of the state on whose governor the requisition is made, and all necessary and actual traveling expenses incurred in returning the prisoner.

Sec. 526. Section 906.10, Code 1991, is repealed.

Sec. 527. Sections 509 through 512 of this division take effect June 1, 1991.

Sec. 528. Sections 517, 519, and 523 of this division, being deemed of immediate importance, take effect upon enactment.

Sec. 529. Sections 513 and 524 of this division, being deemed of immediate importance, take effect upon enactment and apply retroactively to January 1, 1991.

#### DIVISION VI

#### MISCELLANEOUS CODE CHANGES

Sec. 601. Section 18.12, Code 1991, is amended by adding

the following new subsection:

NEW SUBSECTION. 18A. Establish fee schedules for use of facilities which are funded through the sale of tax-exempt investments such as those which the treasurer of state is authorized to invest in under section 261.38, subsection 5. Revenue received as a result of the fee schedules shall be used to repay tax-exempt investments for the facility for which the fees are charged.

Sec. 602. Section 18.117, unnumbered paragraph 1, Code 1991, is amended to read as follows:

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-one-cents-per-mile an amount to be determined by the state which may be the maximum allowable under the federal internal revenue service rules per mile, notwithstanding established mileage requirements or depreciation allowances. 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. 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.

Sec. 603. Section 73.7, Code 1991, is amended by adding the following new unnumbered paragraph:



NEW UNNUMBERED PARAGRAPH. Notwithstanding the provisions of this chapter or other statutes, a governing body of the state, in its sole discretion, is permitted to enter into negotiations with a supplier of coal produced within the state of Iowa in order to modify an existing contract for the purchase of coal. The governing body and the supplier may modify the contract in any manner mutually agreed upon.

Sec. 604. Section 79.9, Code 1991, 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-one-cents per-mile which may be the maximum allowable under federal internal revenue service rules per mile, notwithstanding established mileage requirements or depreciation allowances. 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. 605. Section 99F.10, subsection 4, Code 1991, is amended to read as follows:

4. In determining the license fees and state admission fees to be charged as provided under section 99F.4 and this section, the commission shall use the amount appropriated to

the commission plus the cost of auditing excursion gambling boat activities as the basis for determining the amount of revenue to be raised from the license fees and admission fees.

Sec. 606. Section 106.78, subsections 1 and 5, Code 1991, are amended to read as follows:

1. a. The county recorder shall charge a five dollar fee to issue a certificate of title, a transfer of title, a duplicate, or a corrected certificate of title.

b. In addition to the fee required under paragraph "a", and sections 106.82 and 106.84, a surcharge of five dollars shall be required.

5. The funds collected under ~~this section~~ subsection 1, paragraph "a" shall be placed in the general fund of the county and used for the expenses of the county conservation board if one exists in that county. Of each surcharge collected as required under subsection 1, paragraph "b", the county recorder shall remit five dollars to the office of treasurer of state for deposit in the general fund of the state.

Sec. 607. NEW SECTION. 321.52A CERTIFICATE OF TITLE SURCHARGE.

In addition to the fee required for the issuance of a certificate of title under section 321.20, 321.23, 321.42, 321.46, 321.47, 321.48, 321.50, or 321.52, a surcharge of five dollars shall be required. Of each surcharge collected under those sections, the county treasurer shall remit five dollars to the office of treasurer of state for deposit in the general fund of the state.

Sec. 608. Section 321.152, subsections 1 and 2, Code 1991, are amended to read as follows:

1. ~~Two-point-six~~ Four and one-quarter percent of the total collection for each annual or semiannual vehicle registration and each duplicate registration card or plate issued.

2. ~~Twenty-percent-of-all-fees~~ Two dollars and fifty cents from each fee collected for certificates of title.

Sec. 609. Section 425A.2, subsection 1, Code 1991, is amended by striking the subsection and inserting in lieu

thereof the following:

1. "Actively engaged in farming" means the designated person is personally involved in the production of crops and livestock on the eligible tract on a regular, continuous, and substantial basis. However, a lessor, whether under a cash or a crop share lease, is not actively engaged in farming on the area of the tract covered by the lease. This provision applies to both written and oral leases.

Sec. 610. Section 425A.2, subsection 4, Code 1991, is amended by striking the subsection and inserting in lieu thereof the following:

4. "Eligible tract" or "eligible tract of agricultural land" means an area of agricultural land which meets all of the following:

a. Is comprised of all of the contiguous tracts under identical legal ownership that are located within the same county.

b. In the aggregate more than half the acres of the contiguous tract is devoted to the production of crops or livestock by a designated person who is actively engaged in farming.

c. For purposes of paragraph "b", if some or all of the contiguous tract is being farmed under a lease arrangement, the activities of the lessor do not constitute being actively engaged in farming on the areas of the tract covered by the lease. If the lessee is a designated person who is actively engaged in farming, the acres under lease may be considered in determining whether more than half the acres of the contiguous tract are devoted to the production of crops or livestock.

Sec. 611. Section 425A.2, Code 1991, is amended by adding the following new subsection:

NEW SUBSECTION. 6. "Designated person" means one of the following:

a. If the owner is an individual, the designated person includes the owner of the tract or a person related to the owner as spouse, parent, grandparent, child, grandchild, stepchild, and their spouses.

b. If the owner is a partnership, a partner, or the partner's spouse.

c. If the owner is a family farm corporation, a family member who is a shareholder of the family farm corporation or the shareholder's spouse.

d. If the owner is an authorized farm corporation, a shareholder who owns at least fifty-one percent of the stock of the authorized farm corporation or the shareholder's spouse.

Sec. 612. Section 425A.3, subsection 2, Code 1991, is amended by striking the subsection and inserting the following:

2. An eligible tract of agricultural land qualifies for the credit computed under subsection 1 if the tract is owned by an owner as defined in section 425A.2 and a designated person is actively engaged in farming during the fiscal year preceding the fiscal year in which the auditor computes the amount of the credit under section 425A.5 for which the tract would be eligible. Notwithstanding the foregoing sentence, the "actively engaged in farming" requirement is satisfied if the designated person is in general control of the tract under a federal program pertaining to agricultural land.

Sec. 613. Section 425A.3, subsection 3, Code 1991, is amended by striking the subsection and inserting in lieu thereof the following:

3. The county board of supervisors shall determine the eligibility of each tract for which an application is received.

Sec. 614. Section 425A.4, subsection 1, Code 1991, is amended by striking the subsection and inserting in lieu thereof the following:

1. To apply for the credit, the person shall each year between July 1 and October 15 deliver to the county assessor a verified statement and designation of the tracts of agricultural land for which the credit is claimed. The assessor shall return the statement and designation on or before November 15 of each year to the county board of

supervisors with a recommendation for allowance or disallowance.

Sec. 615. Section 425A.4, subsection 2, Code 1991, is amended to read as follows:

2. The county board of supervisors in each county shall examine all claims delivered to county assessors, and shall either allow or disallow the claims, and if disallowed shall send notice of disallowance by certified regular mail to the claimant at the claimant's last known address. The claimant may appeal the decision of the board to the district court in which the tract for which the credit is claimed is situated by giving written notice of the appeal to the county assessor board of supervisors within twenty days from the date of the mailing of the notice of the decision of the board of supervisors.

Sec. 616. 425A.5, Code 1991, is amended to read as follows:

425A.5 COMPUTATION BY AUDITOR -- APPEAL.

The family farm tax credit allowed each year shall be computed as follows: On or before ~~June~~ March 1, the county auditor shall list by school districts all tracts of agricultural land which are entitled to credit, the taxable value for the previous year, the budget from each school district for the previous year, and the tax rate determined for the general fund of the school district in the manner prescribed in section 444.3 for the previous year, and if the tax rate is in excess of five dollars and forty cents per thousand dollars of assessed value, the auditor shall multiply the tax levy which is in excess of five dollars and forty cents per thousand dollars of assessed value by the total taxable value of the agricultural land entitled to credit in the school district, and on or before ~~June~~ March 1, certify the total amount of credit and the total number of acres entitled to the credit to the department of revenue and finance.

Sec. 617. Section 425A.6, Code 1991, is amended to read as follows:

425A.6 WARRANTS DRAWN BY DIRECTOR.

After receiving from the county auditors the certifications provided for in section 425A.5, and during the following fiscal year, the director of revenue and finance shall draw warrants on the family farm tax credit fund created in section 425A.1, payable to the county treasurers in the amount certified by the county auditors of the respective counties and mail the warrants to the county auditors on ~~August-15~~ June 1 of each year taking into consideration the relative budget and cash position of the state resources. However, if the family farm tax credit fund is insufficient to pay in full the total of the amounts certified to the director of revenue and finance, the director shall prorate the fund to the county treasurers and shall notify the county auditors of the pro rata percentage on or before ~~August~~ June 1.

Sec. 618. Section 554.9401, Code 1991, is amended by adding the following new subsection:

NEW SUBSECTION. 6. Of each fee collected by the county recorder under sections 570A.4, 554.9403, 554.9405, and 554.9406, the county recorder shall remit five dollars, if filed on a standard form or six dollars otherwise, to the office of the treasurer of state for deposit in the general fund of the state.

Sec. 619. Section 554.9403, subsection 5, paragraphs a and b, Code 1991, are amended to read as follows:

a. ~~Five~~ Ten dollars for an original financing statement if the statement is in the standard form prescribed by the secretary of state, and otherwise ~~six~~ twelve dollars.

b. ~~Five~~ Ten dollars for a continuation statement if the statement is in the standard form prescribed by the secretary of state, and otherwise ~~six~~ twelve dollars.

Sec. 620. Section 554.9404, subsection 3, Code 1991, is amended to read as follows:

3. There shall be ~~no~~ a ten-dollar fee for filing a termination statement.

Sec. 621. Section 554.9405, subsections 1 and 2, Code 1991, are amended to read as follows:

1. A financing statement may disclose an assignment of a security interest in the collateral described in the financing statement by indication in the financing statement of the name and address of the assignee or by an assignment itself or a copy thereof on the face or back of the statement. On presentation to the filing officer of such a financing statement the filing officer shall mark the same as provided in section 554.9403, subsection 4. The uniform fee for filing, indexing and furnishing filing data for a financing statement so indicating an assignment on a form conforming to standards prescribed by the secretary of state shall be five ten dollars, or if such statement otherwise conforms to the requirements of this section, ~~six~~ twelve dollars.

2. A secured party may assign of record all or a part of the rights under a financing statement by the filing in the place where the original financing statement was filed of a separate written statement of assignment signed by the secured party of record and setting forth the name of the secured party of record and the debtor, the file number and the date of filing of the financing statement and the name and address of the assignee and containing a description of the collateral assigned. A copy of the assignment is sufficient as a separate statement if it complies with the preceding sentence. On presentation to the filing officer of such a separate statement, the filing officer shall mark such separate statement with the date and hour of the filing. The filing officer shall note the assignment on the index of the financing statement, or in the case of a fixture filing, or a filing covering timber to be cut, or covering minerals or the like (including oil and gas) or accounts subject to section 554.9103, subsection 5, the filing officer shall index the assignment under the name of the assignor as grantor and, to the extent that the law of this state provides for indexing the assignment of a mortgage under the name of the assignee, the filing officer shall index the assignment of the financing statement under the name of the assignee. The uniform fee for filing, indexing and furnishing filing data about such a

separate statement of assignment on a form conforming to standards prescribed by the secretary of state shall be five ten dollars, or if such statement otherwise conforms to the requirements of this section, ~~six~~ twelve dollars.

Notwithstanding the provisions of this subsection, an assignment of record of a security interest in a fixture contained in a mortgage effective as a fixture filing (section 554.9402, subsection 6), may be made only by an assignment of the mortgage in the manner provided by the law of this state other than this chapter.

For financing statements covering fixture filings, changes in the filings, and termination of the filings, an additional fee shall be charged for recording in an amount specified in section 331.604.

Sec. 622. Section 554.9406, Code 1991, is amended to read as follows:

554.9406 RELEASE OF COLLATERAL -- DUTIES OF FILING OFFICER -- FEES.

A secured party of record may by a signed statement release all or a part of any collateral described in a filed financing statement. The statement of release is sufficient if it contains a description of the collateral being released, the name and address of the debtor, the name and address of the secured party, and the file number of the financing statement. A statement of release signed by a person other than the secured party of record must be accompanied by a separate written statement of assignment signed by the secured party of record and complying with section 554.9405, subsection 2, including payment of the required fee. Upon presentation of such a statement of release the filing officer shall mark the statement with the hour and date of filing and shall note the same upon the margin of the index of the filing of the financing statement. The uniform fee for filing and noting such a statement of release on a form conforming to standards prescribed by the secretary of state shall be five ten dollars, or if such statement otherwise conforms to the requirements of this section, ~~six~~ twelve dollars.



Sec. 623. Section 556.2, subsection 1, unnumbered paragraph 1, Code 1991, is amended to read as follows:

Any demand, savings, or matured time deposit made in this state with a banking organization, together with any interest or dividend, excluding any charges that may lawfully be withheld, unless the owner has, within ~~five~~ three years:

Sec. 624. Section 556.2, subsection 2, unnumbered paragraph 1, Code 1991, is amended to read as follows:

Any funds paid in this state toward the purchase of shares or other interest in a financial organization or any deposit made in this state, and any interest or dividends, excluding any charges that may lawfully be withheld, unless the owner has within ~~five~~ three years:

Sec. 625. Section 556.2, subsections 4, 5, and 6, Code 1991, are amended to read as follows:

4. Any sum payable on checks certified in this state or on written instruments issued in this state on which a banking or financial organization or business association is directly liable, including, by way of illustration but not of limitation, certificates of deposit, drafts, money orders, and traveler's checks, that, with the exception of traveler's checks, has been outstanding for more than ~~five~~ three years from the date it was payable, or from the date of its issuance if payable on demand, or, in the case of traveler's checks, that has been outstanding for more than fifteen years from the date of its issuance, unless the owner has within ~~five~~ three years, or within fifteen years in the case of traveler's checks, corresponded in writing with the banking or financial organization or business association concerned, or otherwise indicated an interest as evidenced by a memorandum on file with the banking or financial organization or business association. The memorandum shall be dated and may have been prepared by the banking or financial organization or business association, in which case it shall be signed by an officer of the banking or financial organization, or a member of the business association, or it may have been prepared by the owner.

5. Any funds or other personal property, tangible or intangible, removed from a safe deposit box or any other safekeeping repository or agency or collateral deposit box in this state on which the lease or rental period has expired due to nonpayment of rental charges or other reason, or any surplus amounts arising from the sale thereof pursuant to law, that have been unclaimed by the owner for more than five three years from the date on which the lease or rental period expired.

6. A banking organization or financial organization shall send to the owner of each account, to which none of the actions specified in paragraphs "a" through "d" of subsection 1 or "a" through "d" of subsection 2 have occurred during the preceding five three calendar years, a notice by certified mail stating in substance the following:

"According to our records, we have had no contact with you regarding (describe account) for more than five three years. Under Iowa law, if there is a period of five three years without contact, we may be required to transfer this account to the custody of the treasurer of state of Iowa as unclaimed property. You may prevent this by taking some action, such as a deposit or withdrawal, which indicates your interest in this account or by signing this form and returning it to us.

I desire to keep the above account open and active.

.....  
Your signature"

The notice required under this section shall be mailed within thirty days of the lapse of the five-year three-year period in which there is no activity. The cost of the certified mail of the notice required in this section may be deducted from the account by the banking or financial organization.

Sec. 626. Section 556.3, subsection 2, Code 1991, is amended to read as follows:

2. "Unclaimed funds," as used in this section, means all moneys held and owing by any life insurance corporation unclaimed and unpaid for more than five three years after the

moneys became due and payable as established from the records of the corporation under any life or endowment insurance policy or annuity contract which has matured or terminated. A life insurance policy not matured by actual proof of the death of the insured is deemed to be matured and the proceeds thereof are deemed to be due and payable if the policy was in force when the insured attained the limiting age under the mortality table on which the reserve is based and shall be presumed abandoned and to be unclaimed funds as defined in this section if unclaimed and unpaid for more than two years thereafter, unless the person appearing entitled thereto has within the two-year period assigned, readjusted, or paid premiums on the policy, or subjected the policy to loan or corresponded in writing with the life insurance corporation concerning the policy. Moneys otherwise payable according to the records of the corporation are deemed due and payable although the policy or contract has not been surrendered as required.

Sec. 627. Section 556.4, Code 1991, is amended to read as follows:

556.4 DEPOSITS AND REFUNDS HELD BY UTILITIES.

The following funds held or owing by any utility are presumed abandoned:

1. Any deposit made by a subscriber with a utility to secure payment for, or any sum paid in advance for, utility services to be furnished in this state, less any lawful deductions, that has remained unclaimed by the person appearing on the records of the utility entitled to the deposit for more than ~~two-years~~ one year after the termination of the services for which the deposit or advance payment was made.

2. Any sum which a utility has been ordered to refund and which was received for utility services rendered in this state, together with any interest on the refund, less any lawful deductions, that has remained unclaimed by the person appearing on the records of the utility entitled to the refund for more than ~~two-years~~ one year after the date it became

payable in accordance with the final determination or order providing for the refund.

Sec. 628. Section 556.5, subsection 6, Code 1991, is amended to read as follows:

6. Any stock or other certificate of ownership, or any dividend, profit, distribution, interest, payment on principal, or other sum held or owing by a business association for or to a shareholder, certificate holder, member, bondholder, or other security holder, or a participating patron of a cooperative, who has not claimed it, or corresponded in writing with the business association concerning it, within ~~five~~ three years after the date prescribed for payment or delivery, is presumed abandoned.

Sec. 629. Section 556.7, unnumbered paragraph 1, Code 1991, is amended to read as follows:

All intangible personal property and any income or increment thereon, held in a fiduciary capacity for the benefit of another person is presumed abandoned unless the owner has, within ~~five~~ three years after it becomes payable or distributable, increased or decreased the principal, accepted payment of principal or income, corresponded in writing concerning the property, or otherwise indicated an interest as evidenced by a memorandum on file with the fiduciary which shall have been dated and may have been prepared by the fiduciary or by the owner:

Sec. 630. Section 570A.4, subsection 4, Code 1991, is amended to read as follows:

4. The secretary of state shall note the filing of a lien statement under this section in the manner provided by chapter 554, the uniform commercial code, and shall charge a ~~five dollar-filing fee if-the-statement-is-the-standard-form prescribed-by-the-secretary-of-state,-and-otherwise-a-fee-of six-dollars~~ as provided under section 554.9403.

Sec. 631. 1991 Iowa Acts, Senate File 452, section 10, subsection 3, unnumbered paragraph 1, is amended by striking the paragraph and inserting in lieu thereof the following:

The convention shall provide for staggered terms of office

for directors elected pursuant to this Act. Notwithstanding section 173.6, an original director may serve an unlimited number of terms.

Sec. 632. PARTICIPATION IN STATE HEALTH OR MEDICAL INSURANCE PROGRAMS BY RETIREES BETWEEN THE AGES OF FIFTY-FIVE AND SIXTY-FIVE.

1. As used in this section, unless the context otherwise requires:

a. "Health or medical insurance program" means a state health or medical group insurance plan for employees of the state.

b. "Member" means a member of the Iowa public employees' retirement system, who at the date of termination of employment is receiving full health or medical insurance benefits under the state's programs and is not receiving disability payments under the state employees' disability insurance program.

2. A member with at least ten years of membership service who retires on or after August 1, 1991, and before August 1, 1993, who applies to receive retirement benefits under this chapter prior to August 1, 1993, who has attained at least the age of fifty-five but is under the age of sixty-five at the time of retirement, and who was a participant in a health or medical insurance program in which the state makes contributions at the time of retirement, may continue to participate in that state health or medical insurance program as authorized by law. However, notwithstanding any other provision of law to the contrary, the state shall continue to pay the employer's portion of the premium under the program for the retiree at the rate paid for full-time state employees until the retiree discontinues participation in the program or attains the age of sixty-five, whichever occurs first. However, in order to have the state continue to pay the employer's portion of the premium, the member must send written notification to the department of personnel at any time from July 1, 1991, through April 1, 1992, of the intent to retire and the anticipated date of retirement.

3. If a member continues participation in a health or medical insurance program and the state pays premiums as authorized in subsection 2, the member is not eligible to accept further employment in which the state or a political subdivision of the state is the employer.

4. A state department shall not be required to delete more than its proportionate share of all general fund positions vacated due to the incentive for retirement established in subsection 2. All positions vacated by a member exercising the rights established in subsection 2 shall be deleted, and the savings, as determined by the department of management, shall revert to the general fund of the state in a manner specified by the department of management, except that the portion of the savings which represents the cost of the employer's portion of a member's premium payable under this section shall not revert but shall be transferred to the department of personnel to defray the costs of implementing this section. However, if an affected department determines that the vacancy may be detrimental to critical services provided to the public, the affected department may, with the approval of the department of management, exchange a position or positions determined by the department of management to be of an equal value, to be deleted. If a position is not available for exchange, the department may, with the approval of the director of the department of management, retain and fill the position.

Sec. 633. It is the intent of the general assembly, in the event that revenue estimates decline, that the governor consider making selective recommendations to a special session of the general assembly prior to exercising the authority under section 8.31. Further, that a reduction in spending shall not exceed 1 percent for a decline in revenues of \$33,000,000, or 2 percent for a decline in revenues of \$66,000,000.

Sec. 634. It is the intent of the general assembly that beginning with the fiscal year beginning July 1, 1992, the governor shall propose and the general assembly shall pass a

budget in which ongoing expenditures do not exceed ongoing revenues.

DIVISION VII

MISCELLANEOUS APPROPRIATIONS

Sec. 701. 1991 Iowa Acts, Senate File 529, section 102, subsection 1, is amended to read as follows:

1. For salaries, support, maintenance, and miscellaneous purposes for the general office of the governor and the general office of the lieutenant governor, and for not more than the following full-time equivalent positions:

.....	\$	993,462
		<u>1,033,462</u>
.....	FTEs	17.00

Sec. 702. 1991 Iowa Acts, Senate File 529, section 114, subsection 1, is amended to read as follows:

1. AUDIT AND COMPLIANCE

For salaries, support, maintenance, and miscellaneous purposes:

.....	\$	<del>10,825,147</del>
		<u>10,989,147</u>

Sec. 703. 1991 Iowa Acts, Senate File 529, section 116, unnumbered paragraph 2, is amended to read as follows:

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	7,050,932
		<u>7,440,932</u>
.....	FTEs	138.55".

2. Title page, by striking lines 1 through 8 and inserting the following: "An Act relating to appropriations for state departments, agencies, programs, funds, including the department of human services, education programs and agencies, the department of economic development, justice-related programs and agencies, and INTERNET, and adjusting the school foundation aid program, adjusting certain standing appropriations, increasing the cigarette and tobacco products tax, providing for certain fees, decreasing the time period

for declaring certain funds unclaimed, making related statutory changes, and providing for effective and applicability dates."

3. By renumbering and correcting internal references as necessary.

ON THE PART OF THE HOUSE:

ON THE PART OF THE SENATE:

\_\_\_\_\_  
THOMAS J. JOCHUM, Chairperson

\_\_\_\_\_  
LEONARD L. BOSWELL, Chairperson

\_\_\_\_\_  
TONY BISIGNANO

\_\_\_\_\_  
BILL HUTCHINS

\_\_\_\_\_  
JOHN GRONINGA

\_\_\_\_\_  
JACK RIFE

\_\_\_\_\_  
ROGER A. HALVORSON

\_\_\_\_\_  
DALE L. TIEDEN

\_\_\_\_\_  
HAROLD VAN MAANEN

\_\_\_\_\_  
JOE J. WELSH

*House adopted 5/11/91 (p. 2369)*

*Senate adopted 5/11/91 (p. 1794)*



House File 479

An act relating to appropriations for state departments, agencies, programs, funds, including the department of human services, education programs and agencies, the department of economic development, justice-related programs and agencies, and INTERNET, and adjusting the school foundation aid program, adjusting certain standing appropriations, increasing the cigarette and tobacco products tax, providing for certain fees, decreasing the time period for declaring certain funds unclaimed, making relating statutory changes, and providing for effective and applicability dates,

By Committee on Appropriations

This bill makes appropriations to human services and educational programs and agencies and also the Department of Economic Development and justice related programs. It deals with INTERNET, adjusts the School Foundation Aid Program and certain standing appropriations.

The bill increases the cigarette and tobacco products tax and provides for certain fees. It decreases the time period for declaring certain funds unclaimed, makes statutory changes, and provides for effective and applicability dates.

Passed House	53 to 43 on 3/15/91
Passed Senate	48 to 1 on 4/18/91 as amended
Passed House	51 to 47 on 4/26/91 as amended
Senate Refused to Concur	on 4/29/91
House Insisted	on 4/29/91
Conference Committee Reports	Adopted on 5/11/91
Passed House	51 to 49 on 5/11/91
Passed Senate	26 to 24 on 5/11/91



TERRY E. BRANSTAD  
GOVERNOR

## OFFICE OF THE GOVERNOR

STATE CAPITOL  
DES MOINES, IOWA 50319

515 281-5211

May 31, 1991

The Honorable Elaine Baxter  
Secretary of State  
State Capitol Building  
L O C A L

Dear Madam Secretary:

I hereby transmit House File 479, an act relating to appropriations for state departments, agencies, programs, funds, including the department of human services, education programs and agencies, the department of economic development, justice-related programs and agencies, and INTERNET, and adjusting the school foundation aid program, adjusting certain standing appropriations, increasing the cigarette and tobacco products tax, providing for certain fees, decreasing the time period for declaring certain funds unclaimed, making relating statutory changes, and providing for effective and applicability dates.

This act appropriates funds for a significant share of the entire state budget. I have several significant concerns with this bill, and have tried to address them to the extent of my authority. Spending reductions achieved by my action on this act total \$16.8 million.

I am disappointed that the General Assembly failed to come to grips with the magnitude of the financial circumstances we face. In addition to appropriating moneys for a salary increase which the state of Iowa cannot afford, the General Assembly has deliberately underfunded several human services entitlements and has provided funding for new programs which is not available. If enacted in its current form, House File 479 would result in at least \$12 million in known future supplemental appropriations. Where possible, the language that creates these deficits has been disapproved, thus in some cases freezing the amounts for reversion to the general fund and in others preventing future supplementals. These savings amount to \$6.1 million.

Furthermore, this act does not provide sufficient funding to adequately fund some standing appropriations. Most standing unlimited appropriations exist because they are legal obligations of the state that occur in amounts that are not predictable.

The state is still liable for the expense unless the statutory requirements which create those expenses are changed. Therefore, the amount "saved" through this budget practice may not materialize. I have disapproved these items where appropriate and necessary to return them to the status of standing unlimited appropriations.

The total amount spent in this act and its companion, Senate File 529, far exceeds the resources available for fiscal year 1992. Given the revised revenue estimates for fiscal years 1991 and 1992, an adjustment which the General Assembly was forewarned of prior to adjournment, it will be necessary to employ an across-the-board cut to balance the budget in fiscal year 1992. Because of the certainty of an across-the-board cut, I have also disapproved several provisions in order to assure that funding for education will not be reduced disproportionately.

House File 479 is, therefore, approved on this date with the following exceptions which I hereby disapprove.

I am unable to approve the item designated as Section 103, subsection 8, in its entirety. This provision would provide medical assistance coverage for adult pancreas and liver transplants. Similar language which was included in Senate File 532 was disapproved earlier this year. As stated in the message to Senate File 532, the safety, effectiveness and reasonableness of adult liver transplants is clearly established and recognized by Medicare while pancreas transplants are still considered investigational. House Joint Resolution 10 provides for the payment of adult liver transplants, therefore, the effect of this item veto is to only disallow coverage of adult pancreas transplants.

I am unable to approve the item designated as Section 103, subsection 10, in its entirety. This provision would appropriate \$28,000 to fund the Prevention of Disabilities Council established in Senate File 342. This funding would duplicate the appropriation contained in Senate File 342 which I have already approved.

I am unable to approve the item designated as Section 103, subsection 13, in its entirety. Copayments were recommended and approved beginning in fiscal year 1991 to apply to all mandatory provider groups under the Medicaid program. This provision would eliminate copayments for services from all mandatory provider groups except physicians. Requiring copayments for services provides an incentive to Medicaid recipients not to overuse services. The copayment requirement should not be limited to physicians.

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I am unable to approve the item designated as Section 103, subsection 16, in its entirety. This section would provide \$25,000 to study the efficacy of providing nurse midwife services to Medicaid recipients. Federal law currently requires payment for certified nurse midwife services under the Medicaid program, therefore, the state's limited resources should not be used to study a service that is already being provided.

I am unable to approve the items designated as Sections 105 and 106, in their entirety. These provisions would create new programs to provide health insurance continuation assistance and other support services for persons with HIV and AIDS at a total cost of \$120,000. While there is merit in both of these programs, state funds are not available to start new programs at this time. I have directed the Department of Public Health to consider including both programs in its next grant application for federal HIV/AIDS funding. This would add to the medical and support services available to persons with HIV/AIDS through the Medicaid and community based waiver program.

I am unable to approve the designated portion of Section 114, subsection 1. This provision would require the department to establish thirty additional enhanced residential treatment beds for children in foster care. The estimated cost for this proposal may exceed \$1 million, which would create further deficits in the foster care program.

I am unable to approve the item designated as Section 114, subsection 6, in its entirety. This provision would authorize the expansion of services available under Medicaid for day treatment services provided by psychiatric medical institutions for children. I cannot support adding new services to the Medicaid program, particularly when no additional dollars were provided to fund them.

I am unable to approve the items designated as Section 114, subsections 7 and 8, in their entirety. These provisions would require the Department of Human Services to develop a therapeutic foster care pilot program at a total cost of nearly \$515,000 including evaluation. Again, this is a new program which the state simply cannot afford at this time.

I am unable to approve the designated portion of Section 114, subsection 14. This provision would apportion to providers any excess federal dollars received as a result of changes in the group foster care maintenance and service definitions. This provision would be difficult to implement since the federal funds received would not be known until late in the year or

possibly next year. In any event, should a surplus occur, the funding that remains should revert and be subject to the regular appropriation process.

I am unable to approve the item designated as Section 120, subsection 2, in its entirety. This provision would transfer \$40,000 from the Veterans Home appropriation to the Veterans Affairs Division of Public Defense to computerize Veterans Affairs records. Given the fiscal constraints at this time, spending for this purpose cannot be approved.

I am unable to approve the item designated as Section 125, subsection 4, in its entirety. This provision directs the Department of Human Services to adopt rules providing for reimbursement of supervised apartment living and cooperative housing arrangements under state supplementary assistance effective July 1, 1992. While the language in this provision suggests that the supplemental per diem would be available only in situations involving certain populations of persons receiving state supplementary services, it would have to be extended to all supplemental security income eligible persons receiving services in those facilities. Estimates of providing supplemental payments to all who would be eligible are as high as \$11.7 million, far beyond the state's ability to fund.

I am unable to approve the designated portion of Section 129, subsection 3. This provision authorizes the Department of Human Services to hire additional field staff regardless of the budget impact. The department should fill field staff positions as the need arises and in accordance with the process that applies to all agencies of state government. I cannot approve provisions which would cause the department to exceed its authorized spending level.

I am unable to approve the item designated as Section 130, subsection 4, in its entirety. This provision would authorize the Developmental Disabilities Council to spend \$30,000 of state funds on a computerized information and referral project. This program has been funded with federal dollars in the past. Given the current fiscal constraints, spending for this purpose cannot be approved.

I am unable to approve the item designated as Section 132, subsection 1, paragraph c, in its entirety. This section would provide a differential per diem for new short-term services provided by psychiatric medical institutions for children at up to 120 percent of the current level of reimbursement. The estimated cost of providing this higher level of payment is approximately \$286,000 for which no appropriation is provided.

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I am unable to approve the designated portion of Section 132, subsection 1, paragraph h. This provision would allow the rate of reimbursement to nursing facilities to range up to the 74th percentile if funds are available. Since the availability of "excess" funds to increase the reimbursement rate cannot be determined until the end of the fiscal year, any adjustment would be more appropriately handled in the budget for next year.

I am unable to approve the items designated at Section 132, subsections 2 and 3, in their entirety. These provisions would provide a two percent increase for state supplementary assistance providers. The estimated cost of providing this increase is \$2,900,000, for which no appropriation was provided.

I am unable to approve the item designated as Section 137, in its entirety. This provision would rescind a rule requiring the Department of Human Services to reimburse vendors directly for the cost of providing transportation to nursing residents who utilize their services to obtain medical care. These costs can be and are included by most nursing facilities in their costs which are submitted to the department and which are used to determine their reimbursement from the state.

I am unable to approve the item designated as Section 206, in its entirety. This provision would reduce the educational excellence program by \$6,118,962. This program is the most important initiative for improving the quality of education in Iowa and it would be a mistake to significantly reduce the level of funding to it.

I am unable to approve the item designated as Section 210, subsection 1, paragraph a, unnumbered and unlettered subparagraph 1. This provision would prohibit the Board of Regents from seeking reimbursement from the institutions to finance critical leadership activities by the board.

I am unable to approve the item designated as Section 210, subsection 1 paragraph a, unnumbered and unlettered subparagraph 2. This provision would require the Board of Regents to permit KUNI to broadcast in the Central Iowa area. This proposal should be submitted to the Board of Regents for consideration and the board should determine whether the proposal is appropriate for the entire public radio network in the state.

I am unable to approve the item designated as Section 212, subsection 1, in its entirety, and the designated portions of Section 212, subsection 2, which contain salary policy for professional and scientific staff and faculty under the Board

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of Regents. The language requires payment of the arbitrator's award to the United Faculty at the University of Northern Iowa, while providing a lesser salary increase to faculty at the University of Iowa and Iowa State University. I am unable to approve these provisions for the same reasons indicated in the veto message for Senate File 548. By disapproving these provisions, the Regents will revert \$10.6 million to the general fund of the state at the end of fiscal year 1992.

I am unable to approve the item designated as Section 213, in its entirety. This provision requires the Board of Regents to borrow funds to finance energy conservation projects which have an average payback period of six years. The Board of Regents should not be required to bond for these projects when they have other options available for this purpose.

I am unable to approve the item designated as Section 214, subsection 2, unnumbered and unlettered paragraph 2, in its entirety. This provision would appropriate \$10,000 to the State Historical Society to operate and maintain Plum Grove. Plum Grove is a property of the Department of Natural Resources. While I support a transfer of this responsibility to the Department of Cultural Affairs, given the state's fiscal condition, I cannot approve this appropriation.

I am unable to approve the item designated as Section 214, subsection 9, in its entirety. This provision appropriates \$30,000 to the Danish Heritage Museum. The museum has received \$99,000 in the past four years from the Historic Resource Development Program and state cultural grants. Both of these funding sources will be available to the museum in fiscal year 1992.

I am unable to approve the item designated as Section 229, in its entirety. This provision requires the Iowa College Student Aid Commission to reduce the amount of subvention paid for the Osteopathic Subvention Program. The amount of the reduction would be twice as much as provided under current law when the Osteopathic School does not meet a specified level of resident enrollment. This creates an unfair, double penalty.

I am unable to approve the items designated as Sections 231 and 601, in their entirety. These provisions would allow the State Treasurer to invest up to forty percent of the Loan Reserve Fund of the Iowa College Student Aid Commission in tax exempt investments issued by an agency of the state for the construction or improvement of state facilities and would allow the Department of General Services to establish fee schedules for

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the use of those facilities. The State Treasurer already has full authority to make prudent investments of the Loan Reserve Funds. With the recent collapse of the nation's largest student loan guarantor, the financial community has become extremely sensitive about the solvency of loan reserve funds.

I am unable to approve the item designated as Section 234, in its entirety. This provision would require the Board of Regents to develop and adopt a policy to govern the sale of WOI-TV. Governance of Iowa State University should properly remain with the State Board of Regents and should not be prescribed by the legislature.

I am unable to approve the items designated as Sections 250, 251 and 252, in their entirety. These sections require that \$500,000 of Phase III, Educational Excellence moneys, be used for supplemental pay plans in districts which provide for additional work assignments relating to college bound student support programs for minority students. Plans for the expenditure of Phase III are developed by a committee appointed by the board of directors of a school district. The committee is encouraged to develop plans which include performance-based and supplemental pay plans. These provisions would circumvent the locally-controlled plan development process by identifying a specific Phase III activity.

I am unable to approve the item designated as Section 253, in its entirety. This provision would allow Cultural Grant funds to carryover through August of the following fiscal year. This is in conflict with a provision which I have already approved in House File 639 which allows the funds to carryover for a full fiscal year.

I am unable to approve the item designated as Section 255, in its entirety. This provision specifies the duties of a Patent Librarian. Neither the funds nor the position were included in the State Library's budget, therefore, a delineation of the duties of a patent librarian is unnecessary.

I am unable to approve the item designated as Section 303, subsection 2, in its entirety. This provision would provide funding to community colleges for apprenticeship programs. I support the establishment of apprenticeship programs and would encourage trade associations to sponsor such programs. Given the current financial condition of the state, I cannot approve new funding for this purpose.

I am unable to approve the items designated as Sections 411, 416, 417, 418 and 419, in their entirety. These provisions would create a new Farm Assistance Fund and establish new \$60 fees to file and record various documents relating to agricultural



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land. The fees would be placed in a fund separate from the general fund and earmarked to support the program. This practice is inconsistent with our goal to move toward GAAP (generally accepted accounting principles) and imposes excessive new fees on the recording of certain agricultural documents.

I am unable to approve the item designated as Section 412, in its entirety. This provision would reverse action taken earlier in the session which transferred odometer fraud receipts into the general fund. The effect would be to undo the progress that has recently been made in reducing the number of special funds.

I am unable to approve the item designated as Section 423, in its entirety. This provision would limit the authority of the Department of Corrections to determine the use of new beds planned for the women's facility at Mitchellville. The Department of Corrections should retain the flexibility to decide whether the new beds may be used for male or female offenders.

I am unable to approve the items designated as Sections 505, 514, 515 and 516, in their entirety. These sections change the current standing appropriations for the mental health commission of inquiry and non-resident mentally ill transfer and commitment to regular appropriations. While I support a review of all standing unlimited appropriations and eliminating them whenever possible, if a fixed amount is appropriated, it must be sufficient to cover the costs of the program. The appropriations provided are seriously underfunded based on the current year's expenditures for the programs.

I am unable to approve the designated portions of Section 507, which would convert a number of other standing unlimited appropriations to fixed appropriations. Section 507, subsection 9, provides funds for court costs incurred by or on behalf of the state; Section 507, subsection 10, provides funds for emergency repairs or in the event of natural disaster relief for state citizens; Section 507, subsection 12, provides funds for cost of habeas corpus proceedings; Section 507, subsection 13, provides funds for payment of claims and awards against the state; Section 507, subsection 15, provides funds for compensation of officers and enlisted men in the National Guard called up when there is a disaster declared by the Governor; Section 507, subsection 16, provides funds for worker's compensation claims due to employees of the state. Again, I support the elimination of standing unlimited appropriations wherever possible, however, in all of these

instances, the costs to the state cannot be controlled nor can they be fully anticipated. For example, it is impossible to anticipate the number of times The Iowa National Guard will be called up for disasters or emergencies. We cannot be limited in our ability to call on the Guard to provide assistance.

I am unable to approve the item designated as Section 507, subsection 17, in its entirety. This provision would eliminate the funding in fiscal year 1992 for the Telecommunications Network. This project is an important investment in the education system of Iowa that will pay dividends in economic development for years to come. This is a commitment that has already been made; a contract has been signed and federal funds secured. Only \$3 million of the \$5 million standing appropriation will be expended in fiscal year 1992.

I am unable to approve the item designated as Section 507, subsection 18, in its entirety. This provision would reduce by one-half of one percent the state aid appropriated to Iowa schools under the school foundation program. While future action may be necessary to reduce state spending, including spending for state aid to Iowa schools, education remains a top priority. I am unable to approve a reduction in basic school budgets at this time.

I am unable to approve the item designated as Section 525, in its entirety. This language would shift the cost of extraditing prisoners who have escaped across state lines from a specific appropriation to the Governor's office operating budget. These expenses are uncontrollable and cannot be anticipated, therefore, they should remain in a separate appropriation.

I am unable to approve the item designated as Section 632, in its entirety. This language provides for the continuation of health insurance benefits as an incentive for early retirement. Individuals between ages 55 and 65 who retire over the next two years would continue to receive health insurance benefits until age 65.

While I support the concept of early retirement as a voluntary means of reducing the workforce, this program is extremely costly and without clear result. There would be savings associated with the positions vacated through early retirement; however, many of these retirements would have occurred in any case. The state would then be paying for benefits unnecessarily. Moreover, with health care costs escalating so rapidly, the future cost of this program is unknown but potentially extreme. The program would continue to drain state resources for twelve years in the future. This is a risk the state cannot assume at this time.

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For the above reasons, I hereby respectfully disapprove 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 479 are hereby approved as of this date.

Sincerely,

A handwritten signature in cursive script, reading "Terry E. Branstad". The signature is written in dark ink and is positioned above the printed name and title.

Terry E. Branstad  
Governor

TEB/ps

cc: Secretary of the Senate  
Chief Clerk of the House

The district department shall continue the sex offender treatment program established within the district in 1988 Iowa Acts, chapter 1271, section 6, subsection 1, paragraph "b".

The district department, in cooperation with the chief judge of the judicial district, shall continue the implementation of a plan to divert low-risk offenders to the least restrictive sanction available.

c. For the third judicial district department of correctional services, the following amount, or so much thereof as is necessary:

..... \$ 2,471,347

The district department shall continue the sex offender treatment program established within the district in 1988 Iowa Acts, chapter 1271, section 6, subsection 1, paragraph "c", and the intensive supervision program established within the district in 1990 Iowa Acts, chapter 1268, section 6, subsection 3, paragraph "d".

The district department, in cooperation with the chief judge of the judicial district, shall continue the implementation of a plan to divert low-risk offenders to the least restrictive sanction available.

d. For the fourth judicial district department of correctional services, the following amount, or so much thereof as is necessary:

..... \$ 2,004,154

The district department shall continue the sex offender treatment program established within the district in 1988 Iowa Acts, chapter 1271, section 6, subsection 1, paragraph "d".

The district department, in cooperation with the chief judge of the judicial district, shall continue the implementation of a plan to divert low-risk offenders to the least restrictive sanction available.

e. For the fifth judicial district department of correctional services, the following amount, or so much thereof as is necessary:

..... \$ 7,163,590

The district department shall continue the intensive supervision program established within the district in 1988 Iowa Acts, chapter 1271, section 6, subsection 1, paragraph "e", and shall continue to provide for the rental of electronic monitoring equipment.

The district department, in cooperation with the chief judge of the judicial district, shall continue the implementation of a plan to divert low-risk offenders to the least restrictive sanction available.

f. For the sixth judicial district department of correctional services, the following amount, or so much thereof as is necessary:

..... \$ 5,594,770

The district department shall continue the intensive supervision program established within the district in 1988 Iowa Acts, chapter 1271, section 6, subsection 1, paragraph "e", and the sex offender treatment program established within the district in 1989 Iowa Acts, chapter 316, section 8, subsection 1, paragraph "f".

The district department, in cooperation with the chief judge of the judicial district, shall continue the implementation of a plan to divert low-risk offenders to the least restrictive sanction available.

g. For the seventh judicial district department of correctional services, the following amount, or so much thereof as is necessary:

..... \$ 3,908,666

The district department shall continue the intensive supervision program established within the district in 1988 Iowa Acts, chapter 1271, section 6, subsection 1, paragraph "g", and shall continue the sex offender treatment program established within the district in 1989 Iowa Acts, chapter 316, section 8, subsection 1, paragraph "g".

The district department shall continue the job development program established within the district in 1990 Iowa Acts, chapter 1268, section 6, subsection 7, paragraph "e".

Sec. 405. There is appropriated from the general fund of the state to the department of corrections for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

- 1. For general administration, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:
- |       |      |           |
|-------|------|-----------|
| ..... | \$   | 2,141,828 |
| ..... | FTEs | 43.52     |

As a condition, limitation, and qualification of this appropriation the department shall employ an education director and clerk to administer a centralized education program for the correctional system.

The department shall monitor the use of the classification model by the judicial district departments of correctional services and has the authority to override a district department's decision regarding classification of community-based clients. The department shall notify a district department of the reasons for the override.

- 2. For reimbursement of counties for temporary confinement of work release and parole violators, as provided in sections 246.908, 901.7, and 906.17 and for offenders confined pursuant to section 246.513:
- |       |    |         |
|-------|----|---------|
| ..... | \$ | 250,000 |
|-------|----|---------|

- 3. For federal prison reimbursement and miscellaneous contracts:
- |       |    |         |
|-------|----|---------|
| ..... | \$ | 360,000 |
|-------|----|---------|

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

- 4. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions at the correctional training center at Mt. Pleasant:
- |       |    |         |
|-------|----|---------|
| ..... | \$ | 175,000 |
|-------|----|---------|

..... FTEs 8.22

- 5. For annual payment relating to the financial arrangement for the construction of expansion in prison capacity as provided in 1989 Iowa Acts, chapter 316, section 7, subsection 6:

..... \$ 625,850

- 6. For annual payment relating to the financial arrangement for the construction of expansion in prison capacity as provided in 1990 Iowa Acts, chapter 1257, section 24:

..... \$ 1,143,250

Sec. 406.

1. There is appropriated from the general fund of the state to the department of corrections for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amounts, or so much thereof as is necessary, to be allocated as follows:

- a. For the first judicial district department of correctional services, the following amount, or so much thereof as is necessary:
- |       |    |           |
|-------|----|-----------|
| ..... | \$ | 5,628,321 |
|-------|----|-----------|

The district department shall continue the intensive supervision program established within the district in 1986 Iowa Acts, chapter 1271, section 6, subsection 1, paragraph "a", and the sex offender treatment program established within the district in 1989 Iowa Acts, chapter 316, section 8, subsection 1, paragraph "a".

The district department, in cooperation with the chief judge of the judicial district, shall continue the implementation of a plan to divert low-risk offenders to the least restrictive sanction available.

- b. For the second judicial district department of correctional services, the following amount, or so much thereof as is necessary:
- |       |    |           |
|-------|----|-----------|
| ..... | \$ | 3,987,710 |
|-------|----|-----------|

purposes, and for not more than the following full-time equivalent positions:

..... \$ 13,737,933  
..... FTEs 307.53

d. For the operation of the Newton correctional facility, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 4,149,032  
..... FTEs 91.72

e. For the operation of the Mt. Pleasant correctional facility, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 11,606,136  
..... FTEs 267.15

As a condition, limitation, and qualification of this appropriation, the facility shall employ 141 correctional officers, and a full-time chaplain to provide religious counseling at the Oakdale and Mt. Pleasant correctional facilities.

f. For the operation of the Rockwell City correctional facility, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 3,988,999  
..... FTEs 82.89

g. For the operation of the Clarinda correctional facility, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 5,318,793  
..... FTEs 137.20

As a condition, limitation, and qualification of this appropriation, the facility shall employ 6 additional counselors to expand "The Other Way" substance abuse treatment

program. The facility may provide up to \$205,250 as a state match requirement to receive federal substance abuse treatment grants.

h. For the operation of the Mitchellville correctional facility, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 4,760,300  
..... FTEs 112.14

2. The department of corrections shall provide a report to the co-chairpersons and ranking members of the justice system appropriations subcommittee and the legislative fiscal bureau on or before January 15, 1992, outlining the implementation of the centralized education program for the correctional system. The report shall include a listing of the educational institutions that are involved, the amount of any federal funds received for use with these programs, and any other pertinent information.

3. If the inmate tort claim fund for inmate claims of less than \$50 is exhausted during the fiscal year, sufficient funds shall be transferred from the institutional budgets to pay approved tort claims for the balance of the fiscal year. The warden or superintendent of each institution or correctional facility shall designate an employee to receive, investigate, and recommend whether to pay any properly filed inmate tort claim for less than the above amount. The designee's recommendation shall be approved or denied by the warden or superintendent and forwarded to the department of corrections for final approval and payment. The amounts appropriated to this fund pursuant to 1987 Iowa Acts, chapter 234, section 304, subsection 2, are not subject to reversion under section 8.33.

Tort claims denied at the institution shall be forwarded to the state appeal board for their consideration as if originally filed with that body. This procedure shall be used in lieu of chapter 25A for inmate tort claims of less than \$50.

for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 2,000,000  
..... FTEs 32.00

Sec. 403. There is appropriated from the general fund of the state to the board of parole for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 770,000  
..... FTEs 18.00

As a condition, limitation, and qualification of this appropriation the board of parole shall maintain an automated docket and shall maintain the board's automated risk assessment model.

As a condition, limitation, and qualification of this appropriation the board of parole shall employ 2 statistical research analysts to assist with the application of the risk assessment model in the parole decision-making process. The board of parole shall also require the board's administrative staff to be cross-trained to assure that each individual on that staff is familiar with all tasks performed by the staff.

It is the intent of the general assembly that the department of corrections and the board of parole shall review, and implement as necessary, the findings and recommendations contained in the final report prepared by the consultant and presented to the corrections system review task force which was established by 1988 Iowa Acts, chapter 1271, as they relate to the department of corrections and the board

of parole. The board shall report to the justice system appropriations subcommittee during the 1992 legislative session, at the request of the subcommittee, steps taken to implement any of those recommendations, or the reasons for failing to implement such recommendations.

Sec. 404. There is appropriated from the general fund of the state to the department of corrections for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

- 1. For the operation of adult correctional institutions, to be allocated as follows:
  - a. For the operation of the Fort Madison correctional facility, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:
    - ..... \$ 21,829,312
    - ..... FTEs 502.50

As a condition, limitation, and qualification of this appropriation, the facility shall employ 310 correctional officers.

- b. For the operation of the Anamosa correctional facility, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:
  - ..... \$ 16,153,646
  - ..... FTEs 356.00

(1) As a condition, limitation, and qualification of this appropriation, the facility shall employ 211 correctional officers and a part-time chaplain of a minority race.

(2) Of the funds appropriated, the department's budget for Anamosa shall include funding for 2 full-time substance abuse counselors for the Luster Heights facility, for the purpose of certification of a substance abuse program at that facility.

c. For the operation of the Oakdale correctional facility, including salaries, support, maintenance, miscellaneous

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Investigation, prosecution, and consumer education relating to consumer and criminal fraud against older Iowans. 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 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. Notwithstanding section 8.33, funds received in a previous fiscal year which have not been expended shall be credited to this fiscal year.

- 5. For the farm mediation service program:  
..... \$ 100,000
- 6. For the legal assistance for farmers program:  
..... \$ 100,000
- 7. For victim assistance grants, as provided in Senate File 444, if Senate File 444 is enacted by the Seventy-fourth General Assembly, first regular session, in a manner which raises certain court costs and fees and deposits the resulting receipts either directly into the general fund of the state, or into the general fund of the state through the court revenue distribution account:  
..... \$ 1,400,000

As a condition, limitation, and qualification of this appropriation, no more than \$60,000 shall be expended for the costs of the general office of the attorney general's administrative duties pursuant to Senate File 444, and \$100,000 shall be awarded to the department of corrections for one-time costs associated with establishing batterers' treatment programs in the judicial district departments of correctional services, as set forth in Senate File 444. The department of corrections shall award the \$100,000 on a competitive basis to the judicial district departments of correctional services. The remaining funds shall be used to provide grants to care providers providing services to crime victims of domestic abuse or to crime victims of rape and sexual assault.

However, if Senate File 444 is not enacted by the Seventy-fourth General Assembly, first regular session, in a manner which raises certain court costs and fees and deposits the resulting receipts either directly into the general fund, or into the general fund through the court revenue distribution account, there is appropriated from the general fund of the state to the department of justice for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary to be used for the purpose designated:

- For victim assistance grants:  
..... \$ 1,071,782
- Whether or not Senate File 444 is enacted by the Seventy-fourth General Assembly, notwithstanding section 8.33 or 8.39, any balance remaining from the appropriation pursuant to this subsection shall not revert to the general fund of the state, and shall not be transferred to any other program.
- 8. For the GASA prosecuting attorney program:  
..... \$ 101,400  
..... FTEs 1.00

9. The balance of the fund created under section 321J.17 may be used to provide salary and support of not more than 6 FTEs and to provide maintenance for the victim compensation functions of the department of justice.

10. The department of justice shall submit monthly financial statements to the legislative fiscal bureau and the department of management containing all appropriated accounts in the same manner as provided in the monthly financial status reports and personal services usage reports of the department of revenue and finance. The monthly financial statements shall include comparisons of the moneys and percentage spent of budgeted to actual revenues and expenditures on a cumulative basis for full-time equivalent positions and available moneys.

Sec. 402. There is appropriated from the general fund to the office of consumer advocate of the department of justice



paid or to be paid, including the amount of an incumbrance or lien on the property, whether assumed or not by the grantee. It shall be ~~is~~ presumed that the sale price so stated shall ~~include~~ includes the value of all personal property transferred as part of the sale unless the dollar value of said personal property is stated on the instrument of conveyance. When the dollar value of the personal property included in the sale is so stated, it shall be deducted from the consideration shown on the instrument for the purpose of determining the tax.

Sec. 318. Section 428A.8, Code 1991, is amended to read as follows:

428A.8 REMITTANCE TO STATE TREASURER -- PORTION RETAINED IN COUNTY.

On or before the tenth day of each month the county recorder shall determine and pay to the treasurer of state seventy-five eighty-two and three-fourths percent of the receipts from the real estate transfer tax collected during the preceding month and the treasurer of state shall deposit the receipts in the general fund of the state.

The county recorder shall deposit the remaining twenty-five seventeen and one-fourth percent of the receipts in the county general fund.

The county recorder shall keep records and make reports with respect to the real estate transfer tax as the director of revenue and finance prescribes.

Sec. 319. Section 15.232, Code 1991, is repealed.

DIVISION IV

JUSTICE SYSTEMS APPROPRIATIONS

Sec. 401. There is appropriated from the general fund of the state to the department of justice for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For the general office of attorney general for salaries, support, maintenance, miscellaneous purposes, and

for not more than the following full-time equivalent positions:

..... \$ 4,416,222  
..... FTEs 177.00

2. Prosecuting attorney training program for salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 137,545  
..... FTEs 4.75

In addition to the funds appropriated in this subsection for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the attorney general shall provide up to \$41,000 in state matching funds from moneys retained by the attorney general from property forfeited pursuant to section 809.13, for the prosecuting attorney training program, the prosecuting intern program, or both. Counties participating in the prosecuting intern program shall match the state funds.

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, 1991, and ending June 30, 1992, an amount not exceeding \$95,000 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 attorneys fees awarded the state in state or federal antitrust actions.

4. In addition to 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, 1991, and ending June 30, 1992, an amount not exceeding \$50,000 to be used for public education relating to consumer fraud and for enforcement of section 714.16, and \$25,000 for

Five percent of the moneys expended under this program shall be used to finance the purchase or acquisition, in communities with a population of less than ten thousand, of manufactured homes as defined in 42 U.S.C. § 5403. Moneys available for this purpose which are unencumbered or unobligated at the end of the fiscal year shall revert to the housing improvement fund for reallocation for the next fiscal year.

Not more than 50 percent of the assistance provided under this program shall be provided under subparagraphs (4) and (5). So long as at least one of the kinds of assistance described in subparagraphs (1) through (5) are provided, additional assistance not described in subparagraphs (1) through (5) may also be provided.

e. The housing category of the rural community 2000 program, as described in section 15.286.

3. The authority shall coordinate the programs authorized by this section with the other programs under the jurisdiction of the authority.

4. Each application for financial assistance shall be rated based on local, housing sponsor, and recipient financial commitment, proposals for leveraging other financial assistance, experience with the recipient group involved, consideration for the housing project in the context of overall community needs, including vacancy rate of rental property and ratio of subsidized rental housing to nonsubsidized housing, ability to provide a counseling support system to the recipients, and a demonstrated capability by the housing sponsor to provide follow-up monitoring of recipients to determine if identifiable results have been achieved.

5. For the purposes of this section, "housing sponsor" is limited-to-private a for-profit entity, nonprofit corporations and local governments and joint-ventures corporation, local government, or a joint venture involving a private for-profit entity, nonprofit corporation or local government and does not include a for-profit entity.

6. None of the funds provided to a housing sponsor under this section shall be used for the costs of administration. ~~The authority may expend up to four percent of the funds appropriated for the programs in this section for the administrative costs under this section to hire adequate staff to carry out these programs.~~

7. During each regular session of the general assembly, the authority shall present, to the appropriate appropriations subcommittee, a report concerning the total estimated resources to be available for expenditure under this section for the next fiscal year and the amount the authority proposes to allocate to each program under this section.

7 8. A homelessness advisory committee is created consisting of the executive director or the executive director's designee, the directors or their designees from the departments of economic development, elder affairs, human services, and human rights, and at least three individuals from the private sector to be selected by the executive director. The advisory committee shall advise the authority in coordinating programs that provide for the homeless.

Sec. 317. Section 428A.1, unnumbered paragraph 1, Code 1991, is amended to read as follows:

There is imposed on each deed, instrument, or writing by which any lands, tenements, or other realty in this state shall be are granted, assigned, transferred, or otherwise conveyed, a tax determined in the following manner: When there is no consideration or when the deed instrument or writing is executed and tendered for recording as an instrument corrective of title, and so states, there shall be is no tax. When there is consideration and the actual market value of the real property transferred is in excess of five hundred dollars, the tax shall be fifty-five is eighty cents for each five hundred dollars or fractional part of five hundred dollars in excess of five hundred dollars. The term "consideration", as used in this chapter, means the full amount of the actual sale price of the real property involved,

loan repayments from loans made under section 28.120, which are not allocated to another program, shall be deposited in the revolving fund and shall be available for allocation by the director for categories administered by the department.

Sec. 313. Section 28.120, Code 1991, is amended by adding the following new subsection:

NEW SUBSECTION. 8. Loan repayments made under this section and unallocated in the special account in subsection 5, shall be allocated to the revolving account of the rural community 2000 program created in section 15.287.

Sec. 314. Section 28.143, subsection 1, paragraph e, Code 1991, is amended to read as follows:

e. The superintendent of savings-and-loans credit unions.

Sec. 315. Section 28.144, Code 1991, is amended by striking the section and inserting in lieu thereof the following:

28.144 PRESIDENT OF THE CORPORATION.

The director of the department shall appoint the president of the corporation from the division within the department that administers business financial assistance programs. Administrative and staff support shall be furnished by the department.

Sec. 316. Section 220.100, Code 1991, is amended to read as follows:

220.100 HOUSING TRUST IMPROVEMENT FUND PROGRAM.

1. A housing trust improvement fund is created within the authority. The moneys in the housing trust improvement fund are annually appropriated to the authority which shall allocate the available funds among and within the programs authorized by this section. Notwithstanding section 8.33, unencumbered or unobligated moneys remaining in the fund on June 30 of any fiscal year shall not revert to any other fund but shall be available for expenditure for subsequent fiscal years. Notwithstanding section 453.7, interest or earnings on moneys in the fund or appropriated to the fund shall be credited to the fund. The authority may expend up to four

percent of the moneys appropriated for the programs in this section for administrative costs of the authority for those programs. The authority may provide financial assistance to a housing sponsor or an individual in the form of loans, guarantees, grants, interest subsidies, or by other means for the programs authorized by this section.

2. By rule, the authority shall establish the following financial assistance programs and provide the requirements for their proper administration:

a. A grant program for the homeless for the construction, rehabilitation, expansion, or costs of operating operations of group home shelter shelters for the homeless.

b. A home maintenance and repair program providing repair services to elderly, handicapped, or disabled families which qualify as lower income or very low income families.

c. A rental rehabilitation program for the construction or rehabilitation of single or multifamily rental properties leased to lower income or very low income families.

d. A home ownership incentive program to help lower income and very low income families achieve single family home ownership. Funds provided under this program shall not be restricted to first-time home buyers but shall be limited to mortgages under \$55,000, except in those areas of the state where the median price of homes exceeds the state average. The assistance provided shall include at least one of the following kinds of assistance:

(1) Closing costs assistance.

(2) Down payment assistance.

(3) Home maintenance and repair assistance.

(4) Loan processing assistance through a loan endorser review contractor who acts on behalf of the authority in assisting lenders in processing loans that will qualify for government insurance or guarantee or for financing under the authority's mortgage revenue bond program.

(5) Mortgage insurance program.

Sec. 306. There is appropriated from the general fund of the state to INTERNET for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For deposit in the international network on trade fund created by the INTERNET board:  
..... \$ 515,000

As a condition, limitation, and qualification of the appropriation under this section, \$140,000 shall be allocated to the department of economic development for the Iowa international development foundation for the salaries and support for not more than the following full-time equivalent positions:

..... FTEs 1.50

The full-time equivalent positions receiving moneys from the allocation for the Iowa international development foundation are employees of the department of economic development.

Sec. 307. There is appropriated from the general fund of the state to the Iowa state university of science and technology for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary to be used for the purpose designated:

For funding the small business development centers:  
..... \$ 1,190,000

Sec. 308. There is appropriated from the community college job training fund created in section 280C.6, subsection 1, as amended by 1991 Iowa Acts, Senate File 90, to the department of economic development for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes for the administration of the Iowa small business new jobs training Act, and for not more than the following full-time equivalent position:

..... \$ 38,954  
..... FTEs .70

Sec. 309. Section 15.286, subsection 2, Code 1991, is amended to read as follows:

2. Applicants must be seeking funds to assist in meeting the area needs of lower and very low income families in pursuit of decent housing or in meeting the purposes of the housing trust improvement fund program as described in section 220.100, subsection 2.

Sec. 310. Section 15.286, subsection 4, paragraph b, subparagraph (1), Code 1991, is amended to read as follows:

(1) Assistance that will be used to meet the purposes of the housing trust improvement fund program.

Sec. 311. Section 15.286A, subsection 2, as enacted by 1991 Iowa Acts, Senate File 254, section 9, is amended to read as follows:

2. A city, cluster of cities, county, group of counties, ~~unincorporated-community-group-of-unincorporated-communities~~, council of governments, or regional planning commission, or one of these entities on behalf of an unincorporated community or group of unincorporated communities, is eligible to apply for loans or grants from this category for planning efforts related to the community builder program.

Sec. 312. Section 15.287, Code 1991, is amended to read as follows:

15.287 REVOLVING FUND.

The Iowa finance authority shall establish a revolving fund for the program and shall transfer to the department moneys to be administered by the department. The moneys in the revolving fund are appropriated for purposes of the program. Notwithstanding section 8.33, moneys in the fund at the end of a fiscal year shall not revert to any other fund but shall remain in the revolving fund. The fund shall consist of all appropriations, grants, or gifts received by the authority or the department specifically for use under this part and all repayments of loans or grants made under this part. However,

Notwithstanding section 8.33, moneys committed to grantees under contract that remain unexpended on June 30 of any fiscal year shall not revert to any fund but shall be available for expenditure for purposes of the contract during the succeeding fiscal year.

Notwithstanding section 8.33, pursuant to 1990 Iowa Acts, chapter 1255, section 37, subsection 1, as amended by 1991 Iowa Acts, House File 173, section 1001, moneys remaining unencumbered or unobligated shall be available for expenditure for the fiscal year beginning July 1, 1991, for the same purposes.

Sec. 302. Notwithstanding section 28.120, subsections 5 and 6, there is appropriated from the Iowa community development loan fund to the department of economic development for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

RURAL DEVELOPMENT FINANCING:

..... \$ 50,000

Notwithstanding section 8.39, funds appropriated by this section shall not be subject to transfer.

Sec. 303. Notwithstanding section 15.251, subsection 2, there is appropriated from the job training fund created in the office of the treasurer of state to the department of economic development for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

1. For administration of chapter 280B, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 125,000  
..... FTEs 2.40

2. For payment to the community colleges to supplement the coordination and instruction of apprentice related instruction, and instructional equipment for apprenticeship programs as provided in section 280A.44:

..... \$ 125,000

As a condition, limitation, and qualification of the appropriation under this subsection, funds shall be allocated to each community college on the basis of the percentage of total contact hours enrolled in apprenticeship training at community colleges as of July 1, 1991.

3. For the target alliance program if funds remain in the job training fund after the appropriations in subsections 1 and 2 are made:

..... \$ 30,000

Sec. 304. There is appropriated from the general fund of the state to the Iowa finance authority for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

For deposit in the housing improvement fund created in section 220.100 for purposes of the fund:

..... \$ 2,800,000

Sec. 305. There is appropriated from the general fund of the state to the Wallace technology transfer foundation for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

1. For salaries, support, maintenance, and other operational purposes, for funding the small business innovation research program, and for funding activities as provided in section 28.158:

..... \$ 2,660,000

As a condition, limitation, and qualification of the appropriation under this section, \$75,000 of the funds appropriated in this subsection shall be transferred to the Iowa quality coalition for productivity enhancement projects.

2. For transfer to the Iowa product development corporation fund established in section 28.89:

..... \$ 1,000,000

As a condition, limitation, and qualification of the appropriations made in this subsection, moneys appropriated shall be used for implementation of the recommendations of the statewide long-range plan for developing and operating welcome centers throughout the state.

Notwithstanding section 8.33, pursuant to 1990 Iowa Acts, chapter 1255, section 37, subsection 1, as amended by 1991 Iowa Acts, House File 173, section 1001, the amount of \$275,000 shall be available for the fiscal year beginning July 1, 1991, for completion of contract negotiations for the establishment of the welcome center in the Council Bluffs area.

d. Mississippi river parkway commission

For support, maintenance, and miscellaneous purposes:

..... \$ 19,000

6. WORK FORCE DEVELOPMENT DIVISION

a. Youth work force programs

For purposes of the conservation corps, including salary, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 1,261,614

..... FTEs 1.90

Notwithstanding section 8.33, moneys committed to grantees under contract that remain unexpended on June 30 of any fiscal year shall not revert to any fund but shall be available for expenditure for purposes of the contract during the succeeding fiscal year.

b. Iowa corps

For purposes of the Iowa corps, including salary, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 107,500

..... FTEs 1.00

Notwithstanding section 8.33, moneys obligated for the payment of tuition credits under this program but not expended at the end of the fiscal year shall not revert to any fund but

shall be available for expenditure during succeeding fiscal years.

c. Job retraining program

To the Iowa employment retraining fund created in section 15.298 including salaries and support for not more than the following full-time equivalent positions:

..... \$ 1,000,000

..... FTEs 1.60

d. Work force investment program including salaries and support for not more than the following full-time equivalent position:

..... \$ 1,000,000

..... FTEs 0.90

This program shall be administered through the department of economic development in consultation with the state job training coordinating council. The program shall be operated on a competitive grant basis and funds shall be available for projects that increase Iowa's pool of available labor via training and support services. \$300,000 of the amount appropriated in this paragraph shall be available specifically for displaced homemaker programs.

e. Labor management councils

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 202,320

..... FTEs 1.05

As a condition, limitation, and qualification of receiving a grant from funds appropriated by this paragraph, grantees shall facilitate the active participation of labor as members of labor management councils. Grantees shall make a good faith effort to either schedule meetings during nonworking hours, or obtain voluntary agreements with employers to allow employees time off to attend labor management council meetings with no loss of pay or other benefits.

..... FTEs 2.00

d. Japan trade office

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 300,000

..... FTEs 2.00

As a condition, limitation, and qualification of the appropriations under paragraph "b" through paragraph "d", the department shall report to the general assembly by february 1, 1992, regarding its use of the funds appropriated, including but not limited to business contacts made, ties established, and trade developments made.

e. Export trade activities program

For export trade activities, including a program to encourage and increase participation in trade shows and trade missions by providing financial assistance to businesses for a percentage of their costs of participating in trade shows and trade missions, by providing for the lease/sublease of showcase space in existing world trade centers, by providing temporary office space for foreign buyers, international prospects, and potential reverse investors, and by providing other promotional and assistance activities, including salaries and support for not more than the following full-time equivalent position:

..... \$ 350,000

..... FTEs 0.25

f. Agricultural product advisory council

For support, maintenance, and miscellaneous purposes:

..... \$ 4,000

g. Partnet state program:

..... \$ 100,000

The department may contract with private groups or organizations which are the most appropriate to administer this program. The groups and organizations participating in the program shall, to the fullest extent possible, provide the funds to match the appropriation made in this paragraph.

h. Peace institute

For allocation to the Iowa peace institute established in chapter 38:

..... \$ 100,000

5. TOURISM DIVISION

a. Tourism operations

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 745,000

..... FTEs 15.97

As a condition, limitation, and qualification of the appropriation made in this paragraph, the appropriation shall not be used for advertising placements for in-state and out-of-state tourism marketing.

b. Tourism advertising

For contracting exclusively for tourism advertising for in-state and out-of-state tourism marketing services, tourism promotion programs, electronic media, print media, and printed materials:

..... \$ 2,540,000

As a condition, limitation, and qualification of the appropriation made in this paragraph, the department shall develop public-private partnerships with Iowa businesses in the tourism industry, Iowa tour groups, Iowa tourism organizations, and political subdivisions in this state to assist in the development of advertising efforts. The department shall, to the fullest extent possible, develop cooperative efforts for advertising with contributions from other sources.

c. Welcome center program:

..... \$ 350,000

Notwithstanding section 8.33, moneys committed to grantees under contract that remain unexpended on June 30 of any fiscal year shall not revert to any fund but shall be available for expenditure for purposes of the contract during the succeeding fiscal year.

..... \$ 1,600,000  
 ..... FTEs 1.25

Notwithstanding section 15.283, subsection 4, for the fiscal year beginning July 1, 1991, and ending June 30, 1992, all funds allocated under this paragraph shall be used for traditional and new infrastructure and planning as specified under sections 15.284, 15.285, and 15.286A, as enacted by 1991 Iowa Acts, Senate File 254, section 9.

As a condition, limitation, and qualification of the appropriation under this paragraph, not more than \$300,000 shall be allocated for the planning category.

c. Community progress

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions for administration of the community economic preparedness program, the Iowa community betterment program, and the city development board:

..... \$ 467,350  
 ..... FTEs 7.50

d. Councils of governments

To provide to Iowa's councils of governments funds for planning and technical assistance funds to assist local governments to develop community development strategies for addressing long-term and short-term community needs:

..... \$ 300,000

e. Main street/rural main street program

For salaries and support for not more than the following full-time equivalent positions:

..... \$ 365,000  
 ..... FTEs 3.00

Notwithstanding section 8.33, moneys committed to grantees under contract that remain unexpended on June 30 of any fiscal year shall not revert to any fund but shall be available for expenditure for purposes of the contract during the succeeding fiscal year.

f. Regional economic development centers

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 768,000  
 ..... FTEs 2.00

As a condition, limitation, and qualification of the appropriation under this paragraph, not more than 10 percent shall be used by the department for administration of the program.

4. INTERNATIONAL DIVISION

a. International trade operations

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 550,000  
 ..... FTEs 6.00

As a condition, limitation, and qualification of the appropriation under this paragraph, \$160,000 shall be used in conjunction with the Iowa international development foundation for trade development with eastern Europe and the Soviet Union, including but not limited to Czechoslovakia, Hungary, and Poland. The foundation shall report to the general assembly by March 15, 1992, regarding its use of these funds, including, but not limited to, business contacts made, ties established, and trade developments made by the foundation.

b. European trade office

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 285,000  
 ..... FTEs 2.50

c. Asian trade office

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 255,000



As a condition, limitation, and qualification of the appropriation made by this paragraph, the department shall establish a marketing initiative to assist Iowa companies producing recycling or reclamation equipment or services to expand into national markets.

As a condition, limitation, and qualification of the appropriation made by this paragraph, not more than thirty percent of the funds appropriated may be used for administration. The balance shall be used for marketing advertising.

b. Small business programs

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions for the small business program and the small business advisory council:

.....	\$	235,000
.....	FTEs	4.50

c. Federal procurement office

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	100,000
.....	FTEs	3.00

d. Incubators:

.....	\$	80,000
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The department may establish criteria to provide funding beyond the initial three-year start-up period to existing small business and rural incubators.

e. Community economic betterment program

For deposit in the community economic betterment program funds for salaries, support, and for not more than the following full-time equivalent positions:

.....	\$	3,760,000
.....	FTEs	6.00

All grants, loans, and forgivable loans awarded under this paragraph shall be approved by the board. Notwithstanding

section 8.33, moneys in this special fund at the end of each fiscal year shall not revert to the general fund but shall remain in the community economic betterment program fund.

f. Microenterprise development revolving fund

For deposit in the microenterprise development revolving fund established pursuant to section 15.240 for salaries, support, and for not more than the following full-time equivalent positions:

.....	\$	720,000
.....	FTEs	4.00

For the fiscal year beginning July 1, 1991, a minimum of \$500,000 shall be allocated to the targeted small business financial assistance program account and a minimum of \$220,000 shall be allocated to the self-employment loan program account. However, any amounts of those two minimum allocations that have not been committed on January 15, 1992, may be reallocated to the other accounts in the microenterprise development revolving fund.

g. Targeted small business program

For the salary, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent position:

.....	\$	50,000
.....	FTEs	1.00

3. COMMUNITY AND RURAL DEVELOPMENT DIVISION

a. Community development block grant

For administration and related federal housing and urban development grant administration for salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	320,855
.....	FTEs	14.00

b. Rural community 2000 program

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

(1) Foster public awareness of the library and its services, through advertising, public service announcements, and other means.

(2) Receive and expend money for providing programs and services. The librarian may receive, accept, and administer moneys appropriated or granted to the patents depository library, separate from the general library fund, by the federal government or by any other public or private agency.

(3) Solicit and accept gifts, contributions, bequests, endowments, and other moneys or library materials. The librarian shall, to the extent possible, use gifts, contributions, bequests, and endowments in accordance with the expressed desires of the person making the gift, contribution, bequest, or endowment. The librarian shall report the gifts, contributions, bequests, endowments, and other moneys received pursuant to this subparagraph to the department, for inclusion in its annual report to the general assembly under section 303.92, subsection 3.

Interest earned on moneys accepted under this subparagraph, except funds appropriated to the patents depository library from the general fund of the state, shall be credited to the fund or funds to which the moneys have been deposited, and is available for any or all purposes of the library under this subparagraph. Section 8.33 does not apply to funds credited to the patents depository library under this subparagraph.

Sec. 256. Section 286A.19, Code 1991, is repealed.

Sec. 257. Sections 207 and 215 of this division, being deemed of immediate importance, take effect upon enactment.

DIVISION III

ECONOMIC DEVELOPMENT APPROPRIATIONS

Sec. 301. There is appropriated from the general fund of the state to the department of economic development for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. ADMINISTRATIVE SERVICES DIVISION

a. General administration

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	878,350
.....	FTEs	22.00

b. Rural resource coordination

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions for rural resource coordination, rural community leadership, and the rural enterprise fund:

.....	\$	740,000
.....	FTEs	2.50

As a condition, limitation, and qualification of the appropriation under this subsection, \$425,000 shall be allocated to the rural enterprise fund, and \$140,000 shall be allocated for rural community leadership.

c. Primary research and computer center

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	350,000
.....	FTEs	6.50

d. Film office

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	190,000
.....	FTEs	2.00

2. BUSINESS DEVELOPMENT DIVISION

a. Business development operations

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	3,000,000
.....	FTEs	14.00

curriculum planning and development, vertical articulation of curriculum, horizontal curriculum coordination, development of educational measurement practices for the school district, attendance at workshops and other programs for service as cooperating teachers for student teachers, development of plans for assisting beginning teachers during their first year of teaching, attendance at summer staff development programs, development of staff development programs for other teachers to be presented during the school year, participation in college-bound student support programs for minority students, and other plans locally determined in the manner specified in section 294A.15 and approved by the department of education under section 294A.16 that are of equal importance or more appropriately meet the educational needs of the school district.

Sec. 251. Section 294A.14, Code 1991, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. For purposes of this section, college-bound student support programs for minority students shall include one or more of the following:

1. Self-esteem enhancement for minority students.
2. Mentoring for minority students.
3. Methods to provide greater involvement of minority parents in the educational process.
4. Individual or group academic preparedness coaching for minority students.
5. A continuum of academic tutorial services for minority students.
6. Outreach programs which connect minority students with higher education programs.
7. School and business partnerships which provide direct support to minority students.

Sec. 252. Section 294A.16, unnumbered paragraph 3, Code 1991, is amended to read as follows:

The department of education shall review each plan and its budget and notify the department of management of the names of

school districts and area education agencies with approved plans. In approving school district supplemental pay plans which provide for additional instructional work assignments relating to college-bound student support programs for minority students, the department shall give preference to plans which provide for the forming of consortia with local community colleges and community-based organizations.

Sec. 253. Section 303.3, subsection 3, Code 1991, is amended by striking the subsection and inserting in lieu thereof the following:

3. Notwithstanding section 8.33, moneys committed to grantees under contract that remain unexpended on June 30 of any fiscal year shall not revert but shall be available for expenditure for purposes of the contract until August 30 of the succeeding fiscal year.

Sec. 254. Section 303.94, unnumbered paragraph 1, Code 1991, is amended to read as follows:

The state library includes, but is not limited to, a medical library, and a law library, and a patents depository library.

Sec. 255. Section 303.94, Code 1991, is amended by adding the following new subsection:

NEW SUBSECTION. 3. The patents depository library shall be headed by a patents librarian, appointed by the director, subject to chapter 19A.

- a. The patents librarian shall do all of the following:
- (1) Operate the patents depository library which shall always be available for free use by the residents of Iowa under rules adopted by the department.
  - (2) Comply with any federal requirements concerning patent depositories.
  - (3) Assist library users and train staff to assist library users in utilizing the library and the patent backfile.
  - (4) Perform other duties imposed by law or by the rules of the department.
- b. The patents librarian may do any of the following:

Sec. 248. Section 286A.11, Code 1991, is amended by adding the following new subsection:

NEW SUBSECTION. 5. Thirty-eight thousand dollars if the northwest Iowa technical college has filed a request with the department of education for the lease, purchase, or lease-purchase of equipment for the heavy equipment program.

Sec. 249. Section 286A.14A, unnumbered paragraph 1, Code 1991, is amended to read as follows:

The department of education shall provide for the establishment of a community college excellence 2000 account in the office of the treasurer of state for deposit of moneys appropriated to the account for purposes of funding quality instructional centers and program and administrative sharing agreements under sections 280A.45 and 280A.46. ~~There is appropriated from the general fund of the state to the department of education, for the fiscal year beginning July 1, 1991, one million two hundred thousand dollars.~~ There is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 1992, an amount equal to two and five-tenths percent of the total state general aid generated for all community colleges during the budget year under this chapter for deposit in the community college excellence 2000 account. In the next succeeding two fiscal years, the percent multiplier shall be increased in equal increments until the multiplier reaches seven and one-half percent of the total state general aid generated for all community colleges during the budget year.

Sec. 250. Section 294A.14, unnumbered paragraphs 1, 6, and 10, Code 1991, are amended to read as follows:

For each fiscal year, the department shall allocate the remainder of the moneys appropriated by the general assembly to the fund for phase III, subject to section 294A.18. If fifty million dollars is allocated for phase III, the payments for an approved plan for a school district shall be equal to the product of a district's certified enrollment and ninety-eight dollars and sixty-three cents, and for an area education

agency shall be equal to the product of an area education agency's enrollment served and four dollars and sixty cents. If the moneys allocated for phase III are either greater than or less than fifty million dollars, the department of education shall adjust the amount for each student in certified enrollment and each student in enrollment served based upon the amount allocated for phase III. Of the moneys allocated for phase III, five hundred thousand dollars shall be used for supplemental pay plans in districts which provide for additional instructional work assignments relating to college-bound student support programs for minority students.

For school districts, a performance-based pay plan may provide for additional salary for individual teachers, for teachers assigned to a specific discipline, or for all teachers assigned to an attendance center. For area education agencies, a performance-based pay plan may provide for additional salary for individual teachers, for additional salary for all teachers assigned to a specific discipline within an area education agency, or for additional salary for individual teachers assigned to a multidisciplinary team within an area education agency. If the plan provides additional salary for all teachers assigned to an attendance center, specific discipline, or multidisciplinary team, the receipt of additional salary by those teachers shall be determined on the basis of whether that attendance center, specific discipline, or multidisciplinary team meets specific objectives adopted for that attendance center, specific discipline, or multidisciplinary team. For school districts, the objectives may include, but are not limited to, decreasing the dropout rate, increasing the attendance rate, or accelerating the achievement growth of students enrolled in that attendance center through use of learning techniques which may include, but are not limited to, reading instruction using phonics techniques.

For school districts, additional instructional work assignments may include but are not limited to general

Sec. 246. Section 280A.59, Code 1991, is amended to read as follows:

280A.59 RATES AND TERMS OF BONDS OR NOTES.

The bonds or notes may bear a date or dates, may bear interest at such rate or rates, payable semiannually, may mature at such time or times, may be in such form, carry such registration privileges, may be payable at such place or places, may be subject to such terms of redemption prior to maturity with or without premium, if so stated on the face of the bonds, and may contain any terms and covenants as may be provided by the resolution of the board authorizing the issuance of the bonds or notes. In addition to the estimated cost of construction, the cost of the project shall be deemed to include interest upon the bonds or notes during construction and for six months after the estimated completion date, the compensation of a fiscal agent or adviser, any underwriter discount, and engineering, administrative and legal expenses. The bonds or notes shall be executed by the president of the board of trustees and attested by the secretary and the coupons attached to the bonds or notes shall be executed with the original or facsimile signatures of said president and secretary. Any bonds or notes bearing the signatures of officers in office on the date of the signing shall be valid and binding for all purposes, notwithstanding that before delivery of the bonds or notes any or all persons whose signatures appear on the bonds or notes shall have ceased to be officers. Each bond or note shall state upon its face the name of the institution on behalf of which it is issued, that it is payable solely and only from the net rents, profits and income derived from the operation of residence halls or dormitories, including dining and other incidental facilities, at the institution named, and that it does not constitute a charge against the state of Iowa within the meaning or application of any constitutional or statutory limitation or provision. The issuance of bonds or notes shall be recorded in the office of the treasurer of the institution

on behalf of which the bonds or notes are issued, and a certificate by such treasurer to this effect shall be printed on the back of each such bond or note.

Sec. 247. Section 280A.60, Code 1991, is amended to read as follows:

280A.60 REPUNING ISSUANCE RESOLUTION.

Upon the determination by the board to undertake and carry out any project or to refund outstanding bonds or notes, the board shall adopt a resolution generally describing the contemplated project and setting forth the estimated cost, or describing the obligations to be refunded, fixing the amount of bonds or notes to be issued, the maturity or maturities, the interest rate or rates and all details of the project. The resolution shall contain any covenants as may be determined by the board as to the issuance of additional bonds or notes that may be issued payable from the net rents, profits and income of the residence halls or dormitories, the amendment or modification of the resolution authorizing the issuance of any bonds or notes, the manner, terms and conditions and the amount or percentage of assenting bonds or notes necessary to effectuate the amendment or modification, and any other covenants as may be deemed necessary or desirable. In the discretion of the board any bonds or notes issued under the terms of this division may be secured by a trust indenture by and between the board and a corporate trustee, which may be any trust company or bank having the powers of a trust company within or without the boundaries of the state of Iowa, but no such trust indenture shall convey or mortgage the buildings or facilities or any part of the buildings or facilities. The provisions of this division and of any resolution or other proceedings authorizing the issuance of bonds or notes and providing for the establishment and maintenance of adequate rates, fees or rentals and the application of the proceeds thereof shall constitute a contract with the holders of the bonds or notes.

Each merged area school shall adopt a policy that prohibits unlawful possession, use, or distribution of controlled substances by students and employees on property owned or leased by the merged area school or in conjunction with activities sponsored by a merged area school. Each merged area school shall provide information about the policy to all students and employees. The policy shall include a clear statement of sanctions for violation of the policy and information about available drug or alcohol counseling and rehabilitation programs. In carrying out this policy, the merged area school shall provide substance abuse prevention programs for students and employees.

Sec. 243. Section 280A.56, subsection 3, Code 1991, is amended to read as follows:

3. "Project" means the acquisition by purchase, lease in accordance with section 280A.38, or construction of buildings for use as student residence halls and dormitories, including dining and other incidental facilities therefor, and additions to such buildings, the reconstruction, completion, equipment, improvement, repair or remodeling of residence halls, dormitories, or additions or incidental facilities, and the acquisition of property of every kind and description, whether real, personal, or mixed, by gift, purchase, lease, condemnation, or otherwise and the improvement of the property.

Sec. 244. Section 280A.56, Code 1991, is amended by adding the following new subsection:

NEW SUBSECTION. 4. "Bonds or notes" means revenue bonds or revenue notes which are payable solely from net rents, profits, and other income derived from the operation of residence halls, dormitories, incidental facilities, and additions.

Sec. 245. Section 280A.58, unnumbered paragraph 1, Code 1991, is amended to read as follows:

To pay all or any part of the cost of carrying out any project at any institution the board is authorized to borrow

money and to issue and sell negotiable bonds or notes and to refund and refinance bonds or notes issued for any project or for refunding purposes at a lower rate, the same rate, or a higher rate or rates of interest and from time to time as often as the board shall find it to be advisable and necessary so to do. Bonds or notes ~~issued to refund other bonds or~~ notes issued by the board for residence hall or dormitory purposes at any institution, including dining or other facilities and additions, or issued for refunding purposes, may either be sold in the manner specified for the selling of certificates under section 280B.6 and the proceeds applied to the payment of the obligations being refunded, or the refunding bonds or notes may be exchanged for and in payment and discharge of the obligations being refunded. A finding by the board in the resolution authorizing the issuance of the refunding bonds or notes, that the bonds or notes being refunded were issued for a purpose specified in this division and constitute binding obligations of the board, shall be conclusive and may be relied upon by any holder of any refunding bond or note issued under the provisions of this division. The refunding bonds or notes 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 or notes may be exchanged in part or sold in parts in installments at different times or at one time. The refunding bonds or notes may be sold or exchanged at any time on, before, or after the maturity of any of the outstanding notes, 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 or notes, except that the principal amount of the refunding bonds or notes may exceed the principal amount of the bonds or notes to be refunded to the extent necessary to pay any premium due on the call of the bonds or notes to be refunded or, to fund interest in arrears or about to become due, or to allow for sufficient funding of the escrow account on the bonds to be refunded.

shall be made from the funds of the respective institutions other than state appropriations, and for the three two noncollegiate institutions, the Iowa braille and sight saving school, and the state school for the deaf and the state sanatorium there is hereby appropriated out of any funds in the state treasury not otherwise appropriated a sum sufficient to make such payments the payments and costs shall be paid from moneys appropriated to the state board of regents.

Sec. 237. NEW SECTION. 263A.14 INDIGENT PATIENT PROGRAM REPORT.

Funds shall not be allocated to the university hospital fund until the superintendent of the university of Iowa hospitals and clinics has filed with the department of revenue and finance and the legislative fiscal bureau a quarterly report containing the account required in section 255.24. The report shall include information required in section 255.24 for patients by the type of service provided.

Sec. 238. NEW SECTION. 268.5 IOWA ACADEMY OF SCIENCE APPROPRIATION LIMITATIONS.

The university shall use no more than twenty percent of the funds allocated to the university for the Iowa academy of science for administrative purposes for the Iowa academy of science or for publication of the Iowa academy of science journal. The university shall expend the remainder of the moneys appropriated for research projects and studies awarded by the Iowa academy of science. The Iowa academy of science shall permit all grant recipients to publish the results of the recipients' research projects and studies in the Iowa academy of science journal at no cost to the grant recipient.

Sec. 239. Section 279.51, subsection 1, paragraph d, Code 1991, is amended to read as follows:

d. For the fiscal year beginning July 1, 1990, three million dollars, and for each fiscal year thereafter, four million dollars of the funds appropriated shall be allocated as grants to school districts that have elementary schools that demonstrate the greatest need for programs for at-risk

students with preference given to innovative programs for the early elementary school years. The grant allocations made in this paragraph may be renewed for additional periods of time. Of the amount allocated under this paragraph for each fiscal year, seventy-five thousand dollars shall be allocated to school districts which have an actual student population of ten thousand or less and have an actual non-English speaking student population which represents greater than five percent of the total actual student population for grants to elementary schools in those districts.

Sec. 240. Section 279.51, subsection 1, paragraph f, Code 1991, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. In succeeding fiscal years, notwithstanding section 256A.3, subsection 6, of the amount appropriated for a fiscal year, less the amount allocated under paragraph "a", three and thirty-three hundredths percent may be used for administrative costs. However, if the amount appropriated for the fiscal year, less the amount allocated under paragraph "a", times three and thirty-three hundredths percent is greater than the amount received for use for administrative costs during the fiscal year beginning July 1, 1990, then the amount to be used for administrative costs shall be reduced to equal the amount received during the fiscal year beginning July 1, 1990.

Sec. 241. Section 280A.34, Code 1991, is amended to read as follows:

280A.34 CERTAIN USES OF FUNDS PROHIBITED.

Funds obtained pursuant to section 280A.17; subsections 3, 4, and 5 of section 280A.18; section 280A.19; and section 280A.22 shall not be used for the construction or maintenance of athletic buildings or grounds but may be used for a project under section 280A.56.

Sec. 242. NEW SECTION. 280A.40 PROHIBITION ON CONTROLLED SUBSTANCES.

Persons employed to provide instructional services under this paragraph who were previously employed through the department of corrections to provide instructional services to inmates under programs under the jurisdiction of the department of corrections shall be given credit for all unused sick leave that the persons accrued while employed through the department of corrections.

3. BOARD OF EDUCATIONAL EXAMINERS

For salaries, support, maintenance, miscellaneous purposes and for not more than the following full-time equivalent positions:

..... \$ 128,000  
 ..... FTEs 2.00

4. SCHOOL FOOD SERVICE

For use as state matching funds for federal programs which shall be disbursed according to federal regulations, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 3,056,205  
 ..... FTEs 14.00

5. TEXTBOOKS OF NONPUBLIC SCHOOL PUPILS

To provide funds for costs of providing textbooks to each resident pupil who attends a nonpublic school as authorized by section 301.1. The funding is limited to \$20 per pupil and shall not exceed the comparable services offered to resident public school pupils:

..... \$ 600,000

6. VOCATIONAL EDUCATION ADMINISTRATION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 868,000  
 ..... FTEs 39.60

7. VOCATIONAL AGRICULTURE YOUTH ORGANIZATION

To assist a vocational agriculture youth organization sponsored by the schools to support the foundation established by that vocational agriculture youth organization:

..... \$ 39,000

B. VOCATIONAL REHABILITATION DIVISION

a. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 3,680,000  
 ..... FTEs 319.50

b. For matching funds for programs to enable severely physically or mentally disabled persons to function more independently, including salaries and support, and for not more than the following full-time equivalent positions:

..... \$ 21,303  
 ..... FTEs 1.50

9. COMMUNITY COLLEGES

Notwithstanding chapter 286A, for general state financial aid to merged areas as defined in section 280A.2, for vocational education programs in accordance with chapters 258 and 280A, to purchase instructional equipment for vocational and technical courses of instruction in community colleges, and for salary increases:

..... \$ 91,272,564

The funds appropriated in this subsection shall be allocated as follows:

- a. Merged Area I ..... \$ 4,250,321
- b. Merged Area II ..... \$ 5,156,814
- c. Merged Area III ..... \$ 4,989,059
- d. Merged Area IV ..... \$ 2,343,177
- e. Merged Area V ..... \$ 4,945,241
- f. Merged Area VI ..... \$ 4,658,853
- g. Merged Area VII ..... \$ 6,393,002
- h. Merged Area IX ..... \$ 8,031,744
- i. Merged Area X ..... \$ 12,422,071
- j. Merged Area XI ..... \$ 13,346,353



k. Merged Area XII .....	\$ 5,267,124
l. Merged Area XIII .....	\$ 5,424,134
m. Merged Area XIV .....	\$ 2,397,781
n. Merged Area XV .....	\$ 7,439,535
o. Merged Area XVI .....	\$ 4,207,355

10. COMMUNITY COLLEGE PERSONAL PROPERTY TAX REPLACEMENT

For general financial aid to merged areas in lieu of personal property tax replacement payments under section 427A.13:

.....	\$ 828,012
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The funds appropriated in this subsection shall be allocated as follows:

a. Merged Area I .....	\$ 65,152
b. Merged Area II .....	\$ 50,567
c. Merged Area III .....	\$ 33,891
d. Merged Area IV .....	\$ 23,204
e. Merged Area V .....	\$ 60,042
f. Merged Area VI .....	\$ 34,514
g. Merged Area VII .....	\$ 57,884
h. Merged Area IX .....	\$ 69,103
i. Merged Area X .....	\$ 97,180
j. Merged Area XI .....	\$ 142,463
k. Merged Area XII .....	\$ 46,200
l. Merged Area XIII .....	\$ 40,972
m. Merged Area XIV .....	\$ 20,826
n. Merged Area XV .....	\$ 55,026
o. Merged Area XVI .....	\$ 30,988

Sec. 202. There is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 1992, and ending June 30, 1993, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. Notwithstanding chapter 286A for state financial aid to merged areas to be accrued as income and used for expenditures incurred by the community colleges during the fiscal year beginning July 1, 1991, and ending June 30, 1992:

.....	\$ 16,106,923
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The funds appropriated in this section shall be allocated as follows:

a. Merged Area I .....	\$ 750,057
b. Merged Area II .....	\$ 910,026
c. Merged Area III .....	\$ 880,422
d. Merged Area IV .....	\$ 413,502
e. Merged Area V .....	\$ 872,690
f. Merged Area VI .....	\$ 822,150
g. Merged Area VII .....	\$ 1,128,177
h. Merged Area IX .....	\$ 1,417,367
i. Merged Area X .....	\$ 2,192,130
j. Merged Area XI .....	\$ 2,355,239
k. Merged Area XII .....	\$ 929,492
l. Merged Area XIII .....	\$ 957,200
m. Merged Area XIV .....	\$ 423,138
n. Merged Area XV .....	\$ 1,312,859
o. Merged Area XVI .....	\$ 742,474

2. Funds appropriated by this section shall be allocated pursuant to this section and paid on or about August 15, 1992.

Sec. 203. There is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 1992, and ending June 30, 1993, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For general financial aid to merged areas in lieu of personal property tax replacement payments under section 427A.13 to be accrued as income and used for expenditures incurred by the community colleges during the fiscal year beginning July 1, 1991, and ending June 30, 1992:

.....	\$ 354,840
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The funds appropriated in this subsection shall be allocated as follows:

a. Merged Area I .....	\$ 27,922
b. Merged Area II .....	\$ 21,671
c. Merged Area III .....	\$ 14,525

d. Merged Area IV .....	\$ 9,924
e. Merged Area V .....	\$ 25,732
f. Merged Area VI .....	\$ 14,792
g. Merged Area VII .....	\$ 24,807
h. Merged Area IX .....	\$ 29,615
i. Merged Area X .....	\$ 41,649
j. Merged Area XI .....	\$ 61,056
k. Merged Area XII .....	\$ 19,800
l. Merged Area XIII .....	\$ 17,559
m. Merged Area XIV .....	\$ 8,925
n. Merged Area XV .....	\$ 23,582
o. Merged Area XVI .....	\$ 13,281

2. Funds appropriated in subsection 1 shall be allocated pursuant to this section and paid on or about August 15, 1992.

Sec. 204. Moneys allocated to community colleges under section 201, subsections 9 and 10 of this division, for expenditures incurred during the fiscal year beginning July 1, 1991, and ending June 30, 1992, 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 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. The payments received by community colleges on or about August 15 under sections 202 and 203 of this division are accounts receivable for the previous fiscal year.

Sec. 205. Notwithstanding the standing appropriations in section 279.51 for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the amount appropriated from the general fund of the state to the department of education pursuant to that section for the following designated purposes shall not exceed the following amounts for programs for at-risk children under section 279.51, subsection 1:

..... \$ 11,088,000

As a condition, limitation, and qualification of the funds appropriated in this section, allocations of funds

appropriated under this section for the fiscal year beginning July 1, 1991, and ending June 30, 1992, for each of the programs enumerated under section 279.51, subsection 1, shall be made in the same proportion to the total amount appropriated under this section as the program allocations under section 279.51, subsection 1, relate to the total amount appropriated under section 279.51, subsection 1.

Notwithstanding section 279.51, subsection 2, any funds received by the child development coordinating council under this section which exceed the total amount received by the council under section 279.51 for the fiscal year beginning July 1, 1990, and ending June 30, 1991, shall not be used for the purposes specified under section 279.51, subsection 2, paragraph "b", subparagraph (1). Of the moneys available to the child development coordinating council and the department for at-risk programs under this section, a total of no less than \$1,000,000 shall be expended for grants to districts with populations of 1,000 or fewer pupils, and the area education agencies that serve those districts. The department of education and the child development coordinating council shall, in consultation with each other, determine the proportional amounts of each of the grants authorized under section 279.51 which are to be awarded to districts with populations of less than 1,000 pupils to meet the requirements of this section.

Sec. 206. Notwithstanding the appropriation provided in section 294A.25, subsection 1, there is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as may be necessary, to be used for the purpose designated and for not more than the following full-time equivalent position:

Notwithstanding section 294A.25, for the educational excellence program:	
.....	\$ 89,162,500
..... FTEs	1.00

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As a condition, limitation, and qualification of the funds appropriated in this section, and notwithstanding the allocation specified for phase III under section 294A.25, subsection 6, from the moneys appropriated under this section and available for expenditure for phase III, the department shall expend \$100,000 and shall use 2.00 of the FTEs allocated in section 201, subsection 1 for administration of phase III of the educational excellence program.

As a condition, limitation, and qualification of the funds appropriated in this section, and notwithstanding the allocation specified for phase III under section 294A.25, subsection 6, from the moneys appropriated under this section and available for expenditure for phase III, the department shall, subject to the review of the chairpersons and ranking members of the education committees of the general assembly, expend \$250,000 to provide demonstration projects in comprehensive school transformation in no more than ten public school districts. The objective of the projects shall be to demonstrate how public schools can be transformed from corporate to collegial learning environments for teachers, students, and administrators for the purpose of maximizing student learning and to diffuse information about the process of transformation to neighboring schools. The projects shall also demonstrate how phase III funds can be used to promote school transformation by providing focus to phase III efforts in such areas as technology, individualization of instruction, and decentralization of decision making. However, funds allocated to districts under this section shall not be used to supplant current phase III expenditures. Districts participating in a project may use phase III funds to supplement the purposes and activities of the project in the manner provided under section 294A.14. Districts participating in a project may also pool funds to provide conferences and to contract with consultants and facilitators to provide services to support the goals of the project. Projects shall use the school building as the basic

administrative and clinical unit for demonstration. The department may expend up to \$10,000 for purposes of developing guidelines and administering the selection, approval, and evaluation process for proposed projects. In developing a selection process for demonstration projects, the department of education shall establish an 11-member selection committee, which shall include, but is not limited to, licensed practitioners and ex officio nonvoting members of the general assembly. A majority of the members of the committee shall consist of licensed teachers and principals. The committee shall select projects which give promise of accomplishing comprehensive school transformation at the building level during the time that the project is in place. Each project shall contain an evaluation component which provides for self-evaluation by participating districts and evaluation by the department of education. The selection committee shall establish criteria for ascertaining a particular district's readiness for comprehensive change and give preference in the project selection process to districts which meet the readiness criteria. Each participating district shall, at the conclusion of a project, submit a copy of the district's self-evaluation in a report to the department of education. The department shall compile the reports, along with the department's evaluations of each of the projects, and submit the results in a report to the general assembly by March 1, 1994.

Sec. 207. There is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 1992, and ending June 30, 1993, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

For expenditures incurred by school districts during the previous fiscal year for vocational education aid to secondary schools:  
..... \$ 3,666,360

Funds appropriated by this section shall be used for expenditures made by school districts to meet the standards set in sections 256.11, 258.4, and 280A.23 as a result of the enactment of 1989 Iowa Acts, chapter 278. Funds shall be used as reimbursement for vocational education expenditures made by secondary schools in the manner provided by the department of education for implementation of the standards set in 1989 Iowa Acts, chapter 278. The department shall inform school districts by July 1, 1991, of the criteria for reimbursement with funds appropriated under this section.

COLLEGE STUDENT AID COMMISSION

Sec. 208. There is appropriated from the general fund of the state to the college student aid commission for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amounts, or so much thereof as may be necessary, to be used for the purposes designated:

1. GENERAL ADMINISTRATION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 146,000
..... FTEs 8.05

2. UNIVERSITY OF OSTEOPATHIC MEDICINE AND HEALTH SCIENCES

a. For grants to juniors and seniors and for forgivable loans to freshmen and sophomores, who are Iowa students attending the university of osteopathic medicine and health sciences, under the grant program pursuant to section 261.18 and the forgivable loan program pursuant to section 261.19A:

..... \$ 400,000

b. For the university of osteopathic medicine and health sciences for the admission and education of Iowa students in each of the 4 years of classes at the university of osteopathic medicine and health sciences pursuant to section 261.19:

..... \$ 430,000

3. STUDENT AID PROGRAMS

For payments to students for student aid programs:
..... \$ 1,866,112

As a condition, limitation, and qualification of the funds appropriated in this subsection, \$1,474,062 shall be expended for an Iowa grant program, with funds to be allocated to institutions pursuant to section 261.93A.

4. NATIONAL GUARD LOAN REPAYMENT

For payments to students for the national guard loan repayment program in section 261.49:

..... \$ 225,000

Sec. 209. There is appropriated from the loan reserve account to the college student aid commission for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as may be necessary, to be used for the purposes designated:

For operating costs of the Stafford loan program including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 3,671,016
..... FTEs 36.52

STATE BOARD OF REGENTS

Sec. 210. There is appropriated from the general fund of the state to the state board of regents for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amounts, or so much thereof as may be necessary, to be used for the purposes designated:

1. OFFICE OF STATE BOARD OF REGENTS

a. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 1,111,820
..... FTEs 18.08

As a condition, limitation, and qualification of the moneys appropriated in this paragraph, the state board of regents shall not use reimbursements from the institutions under the

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control of the state board of regents for funding the office of the state board of regents.

As a condition, limitation, and qualification of the funds appropriated in this paragraph, the state board of regents shall permit KUNI to broadcast from the greater Des Moines area if KUNI acquires a transmitter or translator at no cost to the university of northern Iowa or the state for the purpose of simulcasting KUNI's programming, receives an assigned frequency, and obtains necessary federal communication commission (FCC) licensing.

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 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:

..... \$ 19,231,162

c. For funds to be allocated to the southwest Iowa graduate studies center:

..... \$ 37,000

d. For funds to be allocated to the siouxland interstate metropolitan planning council for the tristate graduate center under section 262.9, subsection 21:

..... \$ 71,000

e. For funds to be allocated to the quad-cities graduate studies center:

..... \$ 150,000

2. STATE UNIVERSITY OF IOWA

a. General university, including lakeside laboratory

For salaries, support, maintenance, equipment, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$179,503,448

..... FTEs 4,287.37

To the extent the appropriation made in this paragraph is a reduction in the total amount budgeted for the fiscal year beginning July 1, 1991, and ending June 30, 1992, and the state university of Iowa determines the amount is insufficient to fund all of the university's budgetary units, consideration shall be given to adjustments reducing budgetary units in the following order of priority:

- (1) University administrative moneys.
- (2) Equipment and deferred maintenance.
- (3) Short-term furloughs of administrative personnel.
- (4) Short-term furloughs of other personnel.
- (5) Other operating budget expenditures.
- (6) Force reduction.

As a condition, limitation, and qualification of the funds appropriated in this paragraph, if the state university of Iowa receives total funds in excess of the amount projected to be received by the university from federal support, interest, tuition fees, reimbursement for indirect costs, sales and service, and income sources other than state appropriations, the university shall report the amount received, which is in excess of the amount projected, to the department of management and the legislative fiscal bureau by August 1, 1991.

As a condition, limitation, and qualification of moneys appropriated in this paragraph, from moneys available to the state university of Iowa, \$50,000 shall be awarded to faculty members and teaching assistants who have been recognized for exceptional teaching. An exceptional teaching recognition award is for a one-year period and is in addition to the faculty member's or teaching assistant's salary. Not later than December 15, 1991, the state board of regents shall report the names of recipients of teaching excellence awards, and the amounts of the awards granted, to the joint education appropriations subcommittee and to the legislative fiscal bureau.

It is the intent of the general assembly to provide sufficient funding necessary to ensure the university of Iowa receives federal matching funds for the university of Iowa driving simulation center if funds from federal and private sources are available for expenditure by the center.

b. Child care and sick child care program

For salaries for child care center directors and sick child care:

..... \$ 60,000

c. Substance abuse consortium

For funds to be allocated to the Iowa consortium for substance abuse research and evaluation:

..... \$ 60,000

d. University hospitals

For salaries, support, maintenance, equipment, miscellaneous purposes, and for not more than the following full-time equivalent positions for medical and surgical treatment of indigent patients as provided in chapter 255:

..... \$ 28,861,586

..... FTEs 5,319.83

As a condition, limitation, and qualification of the funds appropriated in this paragraph, the university of Iowa hospitals and clinics shall conduct a study to develop recommendations for providing a continuum of statewide geriatric care, from acute hospital care to long-term institutional care, as well as community-based care that meets the unique medical, emotional, economic, and social needs of the geriatric population in Iowa. The study shall include all of the following:

(1) Identification of the statewide institutional and community resources necessary to meet the unique needs of the geriatric patient population in Iowa.

(2) Identification of case management services required to coordinate the geriatric patient's movement from one level of care to the next in responding to the needs of geriatric patients.

(3) Identification of the necessary components of a statewide interdisciplinary geriatric evaluation program, including development of a model for a facility or program, to be established at the university of Iowa hospitals and clinics to address the medical, emotional, economic, and social care needs of geriatric patients referred to the university of Iowa hospitals and clinics.

(4) Development of recommendations for medical residency training in geriatrics, including mechanisms to ensure interdisciplinary training which is responsive to the continuum of geriatric patient needs.

(5) Identification of geriatric care program components that exist within the state and those that should be added, including estimates of the costs of implementing the expanded program identified in the study.

Not later than February 15, 1992, the university of Iowa hospitals and clinics shall submit a report detailing its study findings and recommendations to the general assembly.

e. Psychiatric hospital

For salaries, support, maintenance, equipment, miscellaneous purposes, and for not more than the following full-time equivalent positions and for the care, treatment, and maintenance of committed and voluntary public patients:

..... \$ 6,912,441

..... FTEs 284.57

f. Hospital-school

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 5,477,339

..... FTEs 184.44

g. Oakdale campus

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 2,870,775

.....	FTEs	67.55
h. State hygienic laboratory		
For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:		
.....	\$	3,036,941
.....	FTEs	106.25
i. Family practice program		
For allocation by the dean of the college of medicine, with approval of the advisory board, to qualified participants, to carry out chapter 148D for the family practice program, including salaries and support, and for not more than the following full-time equivalent positions:		
.....	\$	1,825,278
.....	FTEs	177.27
j. Child health care services		
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, including salaries and support, and for not more than the following full-time equivalent positions:		
.....	\$	437,298
.....	FTEs	12.51
k. Agricultural health and safety programs		
For agricultural health and safety programs:		
.....	\$	246,093
l. Statewide tumor registry		
For the statewide tumor registry and for not more than the following full-time equivalent positions:		
.....	\$	187,691
.....	FTEs	5.05
m. Center for biocatalysis		
For the center for biocatalysis:		
.....	\$	300,000

n. As a condition, limitation, and qualification of the appropriation made in paragraph "d", the total quota allocated to the counties for indigent patients for the fiscal year commencing July 1, 1991, shall not be lower than the total quota allocated to the counties for the fiscal year commencing July 1, 1990. The total quota shall be allocated among the counties on the basis of the 1990 census pursuant to section 255.16.

o. As a condition, limitation, and qualification of the appropriation made in paragraph "d", funds appropriated in that paragraph 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 45 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 150 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.

a. General university

For salaries, support, maintenance, equipment, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$146,003,742
..... FTEs 3,737.83

To the extent the appropriation made in this paragraph is a reduction in the total amount budgeted for the fiscal year beginning July 1, 1991, and ending June 30, 1992, and the Iowa state university of science and technology determines the amount is insufficient to fund all of the university's budgetary units, consideration shall be given to adjustments reducing budgetary units in the following order of priority:

- (1) University administrative moneys.
(2) Equipment and deferred maintenance.
(3) Short-term furloughs of administrative personnel.
(4) Short-term furloughs of other personnel.
(5) Other operating budget expenditures.
(6) Force reduction.

As a condition, limitation, and qualification of the funds appropriated under this paragraph, if the Iowa state university of science and technology receives total funds in excess of the amount projected to be received by the university from federal support, interest, tuition fees, reimbursement for indirect costs, sales and service, and income sources other than state appropriations, the university shall report the amount received, which is in excess of the amount projected, to the department of management and the legislative fiscal bureau by August 1, 1991.

As a condition, limitation, and qualification of moneys appropriated in this paragraph, from moneys available to Iowa state university of science and technology, \$50,000 shall be awarded to faculty members and teaching assistants who have been recognized for exceptional teaching. An exceptional teaching recognition award is for a one-year period and is in addition to the faculty member or teaching assistant's salary.

Not later than December 1, 1991, the state board of regents shall report the names of recipients of teaching excellence awards, and the amounts of the awards granted, to the joint education appropriations subcommittee and to the legislative fiscal bureau.

b. Child care and sick child care program

For subsidized evening child care and sick child care:
..... \$ 60,000
..... FTEs 2.00

c. Agricultural experiment station

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 18,165,260
..... FTEs 546.92

d. Comprehensive agricultural research

For conducting the comprehensive agricultural research program:
..... \$ 3,948,492

As a condition, limitation, and qualification of the funds appropriated in this paragraph, Iowa state university of science and technology shall expend from the appropriation in this paragraph during the fiscal year beginning July 1, 1991, and ending June 30, 1992, no less than the amount appropriated for comprehensive agricultural research programs for the fiscal year beginning July 1, 1990, and ending June 30, 1991.

e. Cooperative extension service in agriculture and home economics

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 17,117,008
..... FTEs 475.94

As a condition, limitation, and qualification of the funds appropriated in this paragraph, Iowa state university of science and technology shall expend from the appropriation in



this paragraph during the fiscal year beginning July 1, 1991, and ending June 30, 1992, no less than the amount appropriated for the cooperative extension service in agriculture and home economics for the fiscal year beginning July 1, 1990, and ending June 30, 1991.

As a condition, limitation, and qualification of the funds appropriated in this paragraph, \$25,000 shall be expended for a child farm safety program.

f. Fire service education

For salaries and support and for not more than the following full-time equivalent positions:

.....	\$	410,836
.....	FTEs	11.00

g. Leopold center

For agricultural research grants at Iowa state university under section 266.39B:

.....	\$	592,224
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h. Institute for physical research and technology

For the institute for physical research and technology:

.....	\$	300,000
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4. UNIVERSITY OF NORTHERN IOWA

a. For salaries, support, maintenance, equipment, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	60,933,927
.....	FTEs	1,411.68

To the extent the appropriation made in this paragraph is a reduction in the total amount budgeted for the fiscal year beginning July 1, 1991, and ending June 30, 1992, and the university of northern Iowa determines the amount is insufficient to fund all of the university's budgetary units, consideration shall be given to adjustments reducing budgetary units in the following order of priority:

- (1) University administrative moneys.
- (2) Equipment and deferred maintenance.
- (3) Short-term furloughs of administrative personnel.

- (4) Short-term furloughs of other personnel.
- (5) Other operating budget expenditures.
- (6) Force reduction.

As a condition, limitation, and qualification of the funds appropriated under this paragraph, if the university of northern Iowa receives total funds in excess of the amount projected to be received by the university from federal support, interest, tuition fees, reimbursement for indirect costs, sales and service, and income sources other than state appropriations, the university shall report the amount received, which is in excess of the amount projected, to the department of management and the legislative fiscal bureau by August 1, 1991.

As a condition, limitation, and qualification of the funds appropriated in paragraph "a", from moneys available for salaries at the university of northern Iowa, the university shall expend \$25,000 for teaching excellence awards to teaching faculty members and teaching assistants. Teaching excellence awards shall be granted to faculty members and teaching assistants for excellence in the quality of classroom instruction. Awards may either be built into a faculty member's or teaching assistant's base salary or given as a one-time award and shall not be in conflict with a collective bargaining agreement between an employee organization and the university. Not later than December 1, 1991, the state board of regents shall report the names of the recipients of teaching excellence awards, and the amounts of the awards granted to the joint education appropriations subcommittee of the general assembly, and to the legislative fiscal bureau.

b. Child care

For staff positions and building structure modifications to meet state child care facility standards:

.....	\$	60,000
.....	FTEs	1.50

5. STATE SCHOOL FOR THE DEAF

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 6,099,185  
..... FTEs 131.53

6. IOWA BRAILLE AND SIGHT SAVING SCHOOL

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 3,383,500  
..... FTEs 92.45

7. TUITION AND TRANSPORTATION COST

For payment to local school boards for the tuition and transportation costs of students residing in the Iowa braille and sight saving school and the state school for the deaf pursuant to section 262.43 and for payment of certain clothing and transportation costs for students at these schools pursuant to section 270.5:

..... \$ 7,500

Sec. 211. Reallocations of sums received under section 210, subsections 2, 3, 4, 5, and 6, of this division, including sums received for salaries, shall be reported on a quarterly basis to the co-chairpersons and ranking members of both the legislative fiscal committee and the joint education appropriations subcommittee.

Sec. 212. STATE BOARD OF REGENTS -- SALARIES AND BENEFITS -- FACULTY AND PROFESSIONAL AND SCIENTIFIC STAFF.

1. The state board of regents shall use moneys from funds appropriated to fund the annual pay adjustments, expense reimbursements, and related benefits for the collective bargaining agreement negotiated pursuant to chapter 20 for employees in the university of northern Iowa faculty bargaining unit.

2. The funds allocated to the state board of regents for the purpose of providing increases for employees not covered by a collective bargaining agreement shall be used as follows:

a. The amount necessary to fund for the fiscal year, beginning July 1, 1991, and ending June 30, 1992, an average base salary increase of 2 percent for the fiscal year, beginning July 1, 1991, of the base salaries of professional and scientific staff members, except board office employees paid during the preceding fiscal year, to be allocated to professional and scientific staff members at the discretion of the state board of regents. The staff members shall not receive a merit increase or the equivalent of a merit increase.

b. For faculty members who are not included in the collective bargaining agreement made final under chapter 20, for the fiscal year beginning July 1, 1991, and ending June 30, 1992, an average base salary increase for the fiscal year beginning July 1, 1991, to be allocated at the discretion of the state board of regents.

Sec. 213. As a condition, limitation, and qualification of the appropriations made to the state board of regents and regents' institutions under this division, for the fiscal years beginning July 1, 1991, and July 1, 1992, the state board of regents shall use notes, bonds, or other evidences of indebtedness issued under section 262.48 to finance projects that will result in energy cost savings in an amount that will cause the state board to recover the cost of the projects, within an average of 6 years.

DEPARTMENT OF CULTURAL AFFAIRS

Sec. 214. There is appropriated from the general fund of the state to the department of cultural affairs for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. ARTS DIVISION

For salaries, support, maintenance, miscellaneous purposes, including funds to match federal grants, and for not more than the following full-time equivalent positions:

..... \$ 1,167,000

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..... FTEs 13.00

As a condition, limitation, and qualification of the funds appropriated in this subsection, the department may use funds appropriated in this subsection to provide funds to areawide arts and cultural service organizations which meet the requirements of Senate File 268, if Senate File 268 is enacted by the 1991 Session of the Seventy-fourth General Assembly.

2. HISTORICAL DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 2,653,000  
 ..... FTEs 76.00

As a condition, limitation, and qualification of the funds appropriated in this subsection, the division shall allocate \$10,000 to the Iowa historical society for the operating and maintenance costs of the Plum Grove residence of former Governor Lucas.

3. TERRACE HILL COMMISSION

For salaries, support, maintenance, miscellaneous purposes, for the operation of Terrace Hill and for not more than the following full-time equivalent positions:

..... \$ 175,000  
 ..... FTEs 5.75

As a condition, limitation, and qualification of the funds appropriated under this subsection, the Terrace Hill commission shall explore alternative funding sources for the funding of the salaries, support, maintenance, and miscellaneous purposes, including the operation of Terrace Hill, with the goal of obtaining full funding through sources other than state appropriations in the future.

4. LIBRARY DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 2,179,000

..... FTEs 42.00

5. REGIONAL LIBRARY SYSTEM

For state aid:

..... \$ 1,607,000

6. ADMINISTRATION DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 427,000  
 ..... FTEs 10.00

7. COMMUNITY CULTURAL GRANTS

For planning and programming for the community cultural grants program established under section 303.89:

..... \$ 784,000

From the amount appropriated in this subsection, consideration shall be given to the awarding of grant moneys to be used for commemorative art or sculpture work depicting an aspect of the armed services of the United States in recent wars or action through the Persian Gulf conflict and to be located in city or county owned parks or premises of memorial buildings as provided in chapter 37 of the Code. Separate grants shall not exceed \$40,000 for each grant under guidelines defined in section 303.3 or 303.89.

8. TOWN SQUARE PROJECT

For the lowe town square project:

..... \$ 66,000

9. DANISH HERITAGE MUSEUM

For the Danish heritage museum located in Elk Horn, Iowa:  
 ..... \$ 30,000

10. PUBLIC BROADCASTING DIVISION

For salaries, support, maintenance, capital expenditures, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 6,365,000  
 ..... FTEs 103.00

Sec. 215. Notwithstanding section 8.33, funds appropriated in 1990 Iowa Acts, chapter 1272, section 14, subsection 1, paragraph "b", remaining unencumbered or unobligated on June 30, 1991, shall not revert to the general fund of the state but shall be available for expenditure for the purposes listed in section 210, subsection 1, paragraph "b", of this division during the fiscal year beginning July 1, 1991, and ending June 30, 1992.

Sec. 216. Notwithstanding sections 258.16 and 282.7 effective July 1, 1992, community colleges, local education agencies, and area education agencies may establish by mutual agreement area vocational consortia to assume and exercise the duties and responsibilities established for regional vocational education planning boards under those sections.

Sec. 217. Notwithstanding any credit hour prerequisite requirements contained in sections 261.9, 261.17, 261.18, and 261.19A, sections 261.44 through 261.89, and sections 261.92 through 261.105, or in any other Iowa student financial aid program administered by the college student aid commission, a person who is a "displaced worker" as defined under section 261.5 shall be eligible to receive funds under any Iowa student financial aid program administered by the commission, if the person meets any applicable prerequisite financial need criteria for the financial aid program.

Sec. 218. Section 261.25, subsections 1, 2, and 3, Code 1991, as amended by 1991 Iowa Acts, House File 173, section 908, are amended to read as follows:

1. There is appropriated from the general fund of the state to the commission for each fiscal year the sum of thirty-two million six four hundred eight eighty thousand seven-hundred-ninety-five dollars for tuition grants.

2. There is appropriated from the general fund of the state to the commission for each fiscal year the sum of eight hundred thirteen thousand eight-hundred-forty dollars for scholarships.

3. There is appropriated from the general fund of the state to the commission for each fiscal year the sum of one million three hundred fifteen thousand six-hundred-forty-seven dollars for vocational-technical tuition grants.

Sec. 219. Section 261.85, unnumbered paragraph 1, Code 1991, as amended by 1991 Iowa Acts, House File 173, section 909, is amended to read as follows:

There is appropriated from the general fund of the state to the commission for each fiscal year the sum of three million eighty-five thousand six-hundred-eighty-four dollars for the work-study program.

Sec. 220. Notwithstanding the allocation of phase III moneys under sections 294A.14 and 294A.25, for the fiscal year beginning July 1, 1991, prior to the allocation to school districts and area education agencies, \$125,000 of the moneys allocated for phase III shall be retained by the department of education to continue to contract with the regional educational laboratory for this state to establish and monitor an independent evaluation of the operation of phase III of the educational excellence program. The results of the evaluation shall be reported to the department of education and to the general assembly by January 1, 1992.

Sec. 221. Notwithstanding sections 302.1 and 302.1A, for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the portion of the interest earned on the permanent school fund that is not transferred to the credit of the first in the nation in education foundation and not transferred to the credit of the national center for gifted and talented education shall be credited as a payment by the historical division of the department of cultural affairs of the principal and interest due on moneys loaned to the historical division under section 303.18.

Sec. 222. Section 11.6, subsection 1, unnumbered paragraph 1, Code 1991, is amended to read as follows:

The financial condition and transactions of all cities and city offices, counties, county hospitals organized under

chapters 347 and 347A, memorial hospitals organized under chapter 37, entities organized under chapter 28E having gross receipts in excess of one hundred thousand dollars in a fiscal year, merged areas, area education agencies, and all school offices in school districts, shall be examined at least once each year, except that cities having a population of seven hundred or more but less than two thousand shall be examined at least once every four years, and cities having a population of less than seven hundred may be examined as otherwise provided in this section. The examination shall cover the fiscal year next preceding the year in which the audit is conducted. The examination of school offices shall include an audit of activity all school funds, the certified annual financial report, and the certified enrollment as provided in section 257.11. Examinations of community colleges shall include an audit of eligible and noneligible contact hours as defined in section 286A.2. Eligible and noneligible contact hours and the certified enrollment shall be certified to the department of management.

Sec. 223. Section 73.17, Code 1991, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. A community college or area education agency shall, on a quarterly basis, and a school district shall, on an annual basis, review the community college's, area education agency's, or school district's anticipated purchasing requirements. A community college, area education agency, or school district shall notify the department of education, which shall report to the department of economic development, of their anticipated purchases and recommended procurements with unit quantities and total costs for procurement contracts designated to satisfy the targeted small business procurement goal not later than August 15 of each fiscal year and quarterly thereafter, except that school districts shall report annually.

Sec. 224. Section 73.18, Code 1991, is amended to read as follows:

73.18 NOTICE OF SOLICITATION FOR BIDS -- IDENTIFICATION OF TARGETED SMALL BUSINESSES.

The director of each agency or department releasing a solicitation for bids or request for proposal under the targeted small business procurement goal program shall notify the director of the department of economic development prior to or upon release of the solicitation. A community college, area education agency, or school district shall notify the department of education which shall notify the department of economic development prior to or upon release of the release of the solicitation. The director of the department of economic development shall notify the soliciting agency or department, or community college, area education agency, or school district, of any targeted small businesses which have been certified pursuant to section 10A.104, subsection 8, and which may be qualified to bid.

Sec. 225. Section 73.19, Code 1991, is amended to read as follows:

73.19 NEGOTIATED PRICE OR BID CONTRACT.

In awarding a contract under the targeted small business procurement goal program, a director of an agency or department, or community college, area education agency, or school district, having purchasing authority may use either a negotiated price or bid contract procedure. A director of an agency or department, or community college, area education agency, or school district, using a negotiated contract shall consider any targeted small business engaged in that business. The director of the department of economic development or the director of the department of management may assist in the negotiation of a contract price under this section. Surety bonds guaranteed by the United States small business administration are acceptable security for a construction award under this section.

Sec. 226. Section 255.1, Code 1991, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The county general relief director shall ascertain from the local office of human services if an applicant for the indigent patient program would qualify for medical assistance or the medically needy program under chapter 249A without the spend-down provision required pursuant to section 249A.3, subsection 2, paragraph "g". If the applicant qualifies, the patient shall be certified for medical assistance and shall not be counted under chapter 255.

Sec. 227. Section 255.26, unnumbered paragraph 3, Code 1991, is amended to read as follows:

The state auditor shall certify the total cost of commitment, transportation and caring for each indigent patient under the terms of this statute to the county auditor of such patient's legal residence, and such certificate shall be preserved by the county auditor and shall be a debt due from the patient or the persons legally responsible for the patient's care, maintenance or support; and whenever in the judgment of the board of supervisors the same or any part thereof shall be collectible, the said board may in its own name collect the same and is hereby authorized to institute suits for such purpose; and after deducting the county's share of such cost shall cause the balance to be paid into the state treasury to reimburse the university hospital fund.

Transportation shall be provided at no charge to a patient who is certified for medical assistance under chapter 249A, and shall be reimbursed from the university hospital fund.

Sec. 228. Section 257.37, subsection 2, as enacted by 1991 Iowa Acts, Senate File 141, section 2, is amended by striking the subsection and inserting in lieu thereof the following:

2. Thirty percent of the budget of an area for media services shall be expended for media resource material which shall only be used for the purchase or replacement of material required in section 273.6, subsection 1. Funds shall be paid to area education agencies as provided in section 257.35.

Sec. 229. Section 261.19, unnumbered paragraph 2, Code 1991, is amended to read as follows:

The college student aid commission shall determine a subvention amount per resident student by dividing the funds appropriated for this section by a number equal to the total of twenty-two percent of the total students enrolled. If fewer than twenty-two percent of the total number of students enrolled are Iowa residents, the college student aid commission shall deduct from the funds-appropriated subvention amount for total Iowa students enrolled an amount equal to the product of two times the product of the subvention amount per resident student multiplied by the number of students required to equal twenty-two percent of the total students enrolled.

Sec. 230. Section 261.19A, unnumbered paragraph 2, Code 1991, is amended to read as follows:

An eligible student is eligible for loan forgiveness in the amount of three thousand five-hundred dollars per year of practice in the state of Iowa for up to a maximum of four years. If a student fails to complete a year of practice in the state, as practice is defined by the college student aid commission, the loan amount for that year shall not be forgiven. Forgivable loans to eligible students shall not become due, for repayment purposes, until after the student has completed the student's residency.

Sec. 231. Section 261.38, subsection 5, Code 1991, is amended to read as follows:

5. The treasurer of state shall invest any funds, including those in the loan reserve account, and the interest income earned shall be credited back to the loan reserve account. The treasurer may invest up to forty percent of the funds in the loan reserve account in tax-exempt investments issued by an agency of the state of Iowa. If any of the tax-exempt investments are for purposes of financing the construction or improvement of state facilities, the executive council, established under chapter 19, shall review and approve the proposed construction or improvement prior to the

investment of loan reserve account funds in the tax-exempt investments.

Sec. 232. Section 261.50, subsection 3, Code 1991, is amended to read as follows:

3. Agrees to practice in an eligible community of fewer than five thousand population for a minimum period of four consecutive years or is practicing in a federally approved community health center or health manpower shortage area.

Sec. 233. NEW SECTION. 261.93A APPROPRIATION -- PERCENTAGES.

Of the funds appropriated to the college student aid commission to be allocated for the Iowa grant program for each fiscal year, thirty-seven and six-tenths percent shall be reserved for students attending regents' institutions, twenty-five and nine-tenths percent shall be reserved for students attending community colleges, and thirty-six and five-tenths percent shall be reserved for students attending private colleges and universities. Funds appropriated for the Iowa grant program shall be used to supplement, not supplant, funds appropriated for other existing programs at the eligible institutions.

Sec. 234. Section 262.9, Code 1991, is amended by adding the following new subsection:

NEW SUBSECTION. 27. Develop and adopt a policy that shall govern any future asset sale of the Iowa state university of science and technology's television station, WOI-TV. The policy shall provide for the sale of the station only if anticipated revenues from the sale exceed the benefits of continued operation and the cost for the university to purchase or acquire comparable services to those that are being provided to the university by the station at the time of any sale. The policy shall further provide that the revenues received from the sale shall be placed in an endowment to be held and managed by the university. The proceeds from the endowment shall be used only for the specifically stated missions of the university.

a. "Station" shall be defined to include the license, any share of a transmission facility, any programming contracts, any booked sales revenues, and the network affiliation agreement.

b. "Comparable services" shall be defined to include, but not be limited to, use of modern communications equipment by faculty, staff, and students; access to trained communications specialists; availability to internships by and employment opportunities for students; and provision for antenna location, transmission line placement, and transmitter space for the university's radio stations.

Sec. 235. NEW SECTION. 262.9A PROHIBITION ON CONTROLLED SUBSTANCES.

The state board of regents shall adopt a policy that prohibits unlawful possession, use, or distribution of controlled substances by students and employees on property owned or leased by an institution or in conjunction with activities sponsored by an institution governed by the board. Each institution shall provide information about the policy to all students and employees. The policy shall include a clear statement of sanctions for violation of the policy and information about available drug or alcohol counseling and rehabilitation programs. In carrying out this policy, the institutions shall provide substance abuse prevention programs for students and employees.

Sec. 236. Section 262.43, Code 1991, is amended to read as follows:

262.43 STUDENTS RESIDING ON STATE-OWNED LAND.

The state board of regents shall pay to the local school boards the tuition payments and transportation costs, as otherwise authorized by statutes for the elementary or high school education of students residing on land owned by the state and under the control of the state board of regents. Such payments for the three institutions of higher learning, the state University of Iowa, the Iowa State University of science and technology and the University of Northern Iowa,

care-at-any-one-time-for-more-than provided that each child in excess of six children who are not attending is attending school full-time on a regular basis. In determining the number of children cared for at any one time in a registered or unregistered family day care home, if the person who operates or establishes the home is a child's parent, guardian, relative, or custodian and the child is not attending school full-time on a regular basis, the child shall be considered to be receiving child day care from the person and shall be counted as one of the children cared for in the home. The registration process may be repeated on an annual basis. A child day care provider or program which is not a family day care home by reason of the definition of child day care in section 237A.1, subsection 7, but which provides care, supervision or guidance to a child may be issued a certificate of registration under this chapter.

Sec. 143. NEW SECTION. 237A.27 CRISIS CHILD CARE.

The department shall establish a special child care registration or licensure classification for crisis child care which is provided on a temporary emergency basis to a child when there is reason to believe that the child may be subject to abuse or neglect. The special classification is not subject to the definitional restrictions of child day care in this chapter relating to the provision of child day care for a period of less than twenty-four hours per day on a regular basis. However, the provision of crisis child care shall be limited to a period of not more than seventy-two hours for a child during any single stay. A person providing crisis child care must be registered or licensed under this chapter and must be participating in the federal crisis nursery pilot project. The department shall adopt rules pursuant to chapter 17A to implement this section.

Sec. 144. EMERGENCY RULES. If specifically authorized by a provision of this division, the department of human services may adopt administrative rules under section 17A.4, subsection 2, and section 17A.5, subsection 2, paragraph "b", to

implement the provisions and the rules shall become effective immediately upon filing, unless a later effective date is specified in the rules. In addition, the department may adopt administrative rules in accordance with the provisions of this section as necessary to comply with federal requirements or to adjust to a change in the level of federal funding which affect refugee programs during the fiscal period beginning July 1, 1990, and ending June 30, 1992. Any rules adopted in accordance with the provisions of this section shall also be published as notice of intended action as provided in section 17A.4.

Sec. 145. EFFECTIVE DATE. Section 103, subsections 8 and 9, section 130, subsection 6, section 137, and section 144 of this division, being deemed of immediate importance, take effect upon enactment.

DIVISION II  
DEPARTMENT OF EDUCATION

Sec. 201. There is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amounts, or so much thereof as may be necessary, to be used for the purposes designated:

1. GENERAL ADMINISTRATION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 5,562,266  
..... FTEs 137.25

2. CORRECTIONS EDUCATION PROGRAM

For educational programs at state penal institutions:

..... \$ 2,120,000

As a condition, limitation, and qualification of the appropriation in this subsection, the utilization of educational technology in the prison education system shall be expanded and a tracking system shall be developed and implemented to provide information regarding the effects of recidivism and employment success.



Sec. 139. Section 135C.2, subsection 5, paragraph b, Code 1991, is amended to read as follows:

b. A facility must be located in an area zoned for single or multiple-family housing or in an unincorporated area and must be constructed in compliance with applicable local housing codes and the rules adopted for the special classification by the state fire marshal in accordance with the concept of the least restrictive environment for the facility residents. The rules adopted by the state fire marshal for the special classification shall be no more restrictive than the rules adopted by the state fire marshal for demonstration waiver project facilities pursuant to 1986 Iowa Acts, chapter 1246, section 206, subsection 2. Local housing codes shall not be more restrictive than the rules adopted for the special classification by the state fire marshal and the state building code requirements for single or multiple-family housing.

Sec. 140. Section 135G.4, subsection 3, Code 1991, is amended by striking the subsection and inserting in lieu thereof the following:

3. Each application for a birth center license or renewal of a license, shall be accompanied by a license fee. The fee amount shall be equivalent to the fee amount established for a hospital in accordance with section 135B.4. The fees shall be deposited in the general fund of the state.

Sec. 141. Section 230.12, Code 1991, is amended to read as follows:

230.12 ACTION TO DETERMINE LEGAL SETTLEMENT.

1. When a dispute arises between different counties or between the administrator and a county as to the legal settlement of a person admitted or committed to a state hospital for the mentally ill, the attorney general, at the request of the administrator, shall, without the advancement of fees, cause an action to be brought in the district court of any county where such dispute exists, to determine such the legal settlement. Said This action may be brought at any time

when it appears that said the dispute cannot be amicably settled. All counties which may be the place of such the legal settlement, so far as known, shall be made defendants and the allegation of such the settlement may be in the alternative. Said The action shall be tried as in equity.

2. If the action involves a dispute between counties, the county determined to be the county of legal settlement shall reimburse a county for the amount of costs paid by that county on behalf of the person and for interest on this amount in accordance with section 535.3. In addition, the court may order the county determined to be the county of legal settlement to reimburse any other county involved in the dispute for the other county's reasonable legal costs related to the dispute and may tax the reasonable legal costs as court costs. The court may order the county determined to be the county of legal settlement to pay a penalty to the other county, in an amount which does not exceed twenty percent of the total amount of reimbursement and interest.

Sec. 142. Section 237A.3, subsection 1, Code 1991, is amended to read as follows:

1. A person who operates or establishes a family day care home may apply to the department for registration under this chapter. The department shall issue a certificate of registration upon receipt of a statement from the family day care home that the home complies with rules adopted by the department. The registration certificate shall be posted in a conspicuous place in the family day care home, shall state the name of the registrant, the number of individuals who may be received for care at any one time, and the address of the home, and shall include a check list of registration compliances. No greater number of children than is authorized by the certificate shall be kept in the family day care home at any one time. However, a registered or unregistered family day care home may provide care for more than six but less than twelve children at any one time for a period of less than two hours, ~~but shall not do so unless the home does not provide~~

institutes and for the state hospital-schools, the department of human services shall modify staffing structures at the state hospital-schools and the state mental health institutes consistent with accreditation and certification requirements and the findings of the study on staffing commissioned by the general assembly in order to improve the level of direct staffing, reduce or simplify the levels of organizational authority where appropriate, and reduce the use of overtime. If, after review of the study recommendations, the department of human services decides to establish the position of "human resource specialist" at the state hospital-schools, the positions shall be established within the department of personnel and the department of human services may transfer to the department of personnel the associated full-time equivalent positions and moneys equal to the salary costs for the positions. The maintenance of sufficient direct care staff to assure worker and patient safety is of highest priority. The department shall work with all levels of affected employees in carrying out this staff restructuring. The department shall work to assure that vacant positions in direct care are filled promptly and expeditiously.

Sec. 135. FULL-TIME EQUIVALENT LIMIT NOTIFICATION. The Iowa veterans home, the state mental health institutes, and the state hospital-schools may exceed the number of full-time equivalent positions authorized in this Act if the additional positions are specifically related to licensing, certification, or accreditation standards or citations. The department shall notify the co-chairpersons and ranking members of the joint human services appropriations subcommittee and the legislative fiscal bureau if the specified number is exceeded. The notification shall include an estimate of the number of full-time equivalent positions added and the fiscal effect of the addition.

Sec. 136. COMPUTERIZATION -- ASSESSMENT OF FINANCIAL IMPACT. In order to assess the financial impact of computerizing functions within the department of human

services, the department of general services, information services division, shall monitor the utilization of the central processing unit resources maintained by the division, and shall provide quarterly reports to the legislative fiscal committee of the legislative council and the legislative fiscal bureau. The quarterly reports shall contain an analysis of the central processing unit resources utilized by the department of human services by each computerized application within the department. The reports shall also contain information on computerized applications which are under development, and shall project the central processing unit utilization which will occur in 6, 12, 18, and 24 months. The reports shall be designed to enable the legislative fiscal committee and the legislative fiscal bureau to assess the fiscal impact of various computerized applications, with emphasis upon the need for the division to purchase additional computer hardware.

Sec. 137. RULE IMPLEMENTATION PROHIBITION. The department of human services shall not implement 441 Iowa administrative code, rule 81.10, subrule 5, which was delayed by the administrative rules review committee at the committee's meeting on November 13, 1990.

Sec. 138. Section 99E.10, subsection 1, paragraph a, Code 1991, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Notwithstanding the provisions of this lettered paragraph, directing that a portion of gross lottery revenues be deposited into the gamblers assistance fund or the provisions of section 99F.11 directing that a portion of the adjusted gross receipts under chapter 99F be deposited into the gamblers assistance fund, for the fiscal period beginning July 1, 1991, and ending June 30, 1993, moneys that were to be deposited into the gamblers assistance fund pursuant to this lettered paragraph and section 99F.11, subsection 3, shall be deposited into the general fund of the state.

1. Effective July 1, 1991, the amount provided under the medical assistance program to nursing facilities during the fiscal year ending June 30, 1991, in addition to the approved per diem rate, pursuant to 1990 Iowa Acts, chapter 1270, section 31, subsection 1, paragraph "e", subparagraph (1), shall no longer be provided.

2. For the fiscal year beginning July 1, 1991, the maximum cost reimbursement rate for residential care facilities reimbursed by the department shall be \$20.01 per day. The flat reimbursement rate for facilities electing not to file semiannual cost reports shall be \$14.31 per day. For the fiscal year beginning July 1, 1991, the maximum reimbursement rate for providers reimbursed under the in-home health-related care program shall be \$397.95 per month.

3. For services provided by social services providers reimbursed by the department in the fiscal year beginning July 1, 1991, rates shall be increased by 2 percent over the unreduced rates in effect on June 30, 1991. However, any increase provided under this subsection shall not cause the provider's reimbursement rate to exceed the provider's actual and allowable cost plus the inflationary factor authorized in this section.

4. Notwithstanding the provisions of subsection 3, the department may implement revisions of the methodology for purchasing group foster care services to establish rates for group foster care services based on the study of these issues funded by the general assembly in the fiscal year which began July 1, 1989, provided the overall budget amount for the expenditures is not exceeded and the revisions of the methodology are agreed to by the affected service providers.

5. If the department's reimbursement methodology for any provider reimbursed in accordance with this section includes an inflation factor, this factor shall not exceed the amount by which the consumer price index for all urban consumers increased during the calendar year ending December 31, 1990.

6. In determining reimbursement rates for facilities reimbursed under this division, including but not limited to foster care providers, residential care facilities, nursing facilities, and community living arrangements, the department shall not include private moneys contributed to the facility in its reimbursement rate determination unless these moneys are contributed for services provided to specific individuals for whom the reimbursement rate is established by the department.

7. The department may adopt emergency rules to implement the provisions of this section except for subsection 6 for which the department shall adopt nonemergency rules pursuant to chapter 17A.

Sec. 133. ASSISTANCE TO GAMBLERS. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For the gamblers assistance program, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:	\$	400,000
.....		
.....	FTEs	3.00

1. The department may adopt emergency rules to implement the provisions of this section within the funds appropriated in this section.

2. The Iowa lottery board and the state racing and gaming commission shall cooperate with the gamblers assistance program to incorporate information regarding the gamblers assistance program and its toll-free telephone number in printed materials distributed. The commission may require licensees to have the information available in a conspicuous place as a condition of licensure.

Sec. 134. REQUIREMENTS RELATING TO PERSONS WITH DISABILITIES. Subject to the limitations of the appropriations in this Act for the state mental health

Sec. 131. VOLUNTEERS. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For development and coordination of volunteer services:

..... \$ 93,283

Sec. 132. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER THE DEPARTMENT OF HUMAN SERVICES.

1. a. For the fiscal year beginning July 1, 1991, the following providers shall not have their medical assistance reimbursement rates increased over the rates in effect on June 30, 1991: providers of waived services under the home and community-based programs, optometrists for service fees only, opticians for service fees only, podiatrists, dentists, chiropractors, physical therapists, birthing centers, ambulance services, independent laboratories, area education agencies, clinics, audiologists, rehabilitation agencies, community mental health centers, family planning clinics, psychologists, hearing aid dealers, orthopedic shoe dealers, ambulatory surgery centers, and genetic counseling clinics. Reimbursement for optometric products shall not be increased. The department of human services may utilize flexibility in allocating the increase for durable medical products and supplies so that equipment and supplies which have greater wholesale cost increases may be reimbursed at a higher rate and those which have a lower or no wholesale cost increase may be reimbursed at a lower rate or have no increase. Reimbursement rates for physicians and certified registered nurse anesthetists shall not be increased. Reimbursement rates for maternal health centers shall not be increased.

b. For the fiscal year beginning July 1, 1991, the following shall have their medical assistance reimbursement rates established at the rates in effect on February 28, 1991: psychiatric medical institutions for children, early

preventive screening, diagnosis, and treatment providers, providers of obstetric services when provided by physicians or certified midwives, pediatric services, and durable medical products and supplies.

c. The department shall provide a differential per diem reimbursement rate to a psychiatric medical institution for children for short-term treatment or diagnosis services provided within a segregated unit of the institution. The differential per diem reimbursement rate shall not exceed 120 percent of the per diem rate authorized in this section for psychiatric medical institutions for children.

d. The dispensing fee for pharmacists shall remain at the rate in effect on June 30, 1991. The reimbursement policy for pharmacies shall be in accordance with federal requirements. Total adjustments to reimbursements for prescription drugs shall remain within funds appropriated.

e. Effective July 1, 1991, reimbursement rates to hospitals shall not be increased over the rates in effect on June 30, 1991.

f. Reimbursement rates for rural health clinics shall be increased in accordance with increases under the federal medicare program.

g. Home health agencies certified for the medical assistance program, hospice services, and acute care mental hospitals shall be reimbursed for their current federal medicare audited costs.

h. Effective July 1, 1991, the basis for establishing the maximum medical assistance reimbursement rate for nursing facilities shall be the 70th percentile of facility costs as calculated from the June 30, 1991, unaudited compilation of cost and statistical data. However, to the extent funds are available under the allocation for reimbursement of nursing facilities within the appropriation for medical assistance in this Act, the basis shall be increased to not more than the 74th percentile of facility costs as calculated from the same data.

from the limits on the number of full-time equivalent positions provided in this section, but are approved only for the period of time for which the federal funds or grants are available for the position.

2. As a condition, limitation, and qualification of the funds appropriated in this section, if a state institution administered by the department is to be closed or reduced in size, prior to the closing or reduction the department shall initiate and coordinate efforts in cooperation with the Iowa department of economic development to develop new jobs in the area in which the state institution is located.

3. As a condition, limitation, and qualification of the funds appropriated in this section, the department shall seek federal approval of home and community-based waivers for services provided under medical assistance to persons with mental retardation and effective February 1, 1992, contingent upon federal approval of the waivers, the department shall take all measures necessary to implement the waivers, including, but not limited to, filling not more than 12 employee positions to perform duties as necessary to implement the waivers. The department shall fill the positions in a manner which results in the positions being equivalent to 4.00 FTEs for the fiscal year, however, the positions shall be annualized for the purposes of establishing the number of full-time equivalent positions in this appropriation for the fiscal year. The department may adopt emergency rules to implement the provisions of this subsection.

4. As a condition, limitation, and qualification of the funds appropriated in this section, \$30,000 shall be transferred to the governor's planning council for developmental disabilities for use in contracting to continue operating a computerized information and referral project for Iowans with developmental disabilities and their families.

5. As a condition, limitation, and qualification of the funds appropriated in this section, 1.00 FTE shall be assigned to expand the AFDC electronic benefits transfer program (EBT)

beyond the pilot program county and to implement EBT for the food stamp program.

6. As a condition, limitation, and qualification of the funds appropriated in this section, the department shall apply to the Robert Wood Johnson foundation for a grant to investigate the feasibility of establishing a system with a single state authority and regional subauthorities for the planning, funding, and administration of services for persons with mental illness. The application process shall be coordinated with the requirements of the federal Mental Health Planning Act, Pub. L. No. 99-660, and federal mental health law amendments enacted in 1990. The department shall work with legislators, advocacy groups, county representatives, and service providers as necessary in developing the grant application.

7. As a condition, limitation, and qualification of the funds appropriated in this section, \$69,145 and 1.5 FTEs of the moneys appropriated and positions authorized in this section shall be used to implement section 217.9A, establishing the commission on children, youth, and families in the department pursuant to Senate File 479, if enacted by the Seventy-fourth General Assembly, 1991 Session.

8. As a condition, limitation, and qualification of the funds appropriated in this section, the department, in consultation with the child development coordinating council and the family development and self-sufficiency council, shall develop a proposal for submission to the federal family support administration for a state family resource and support program grant under the federal Claude Pepper Young Americans Act of 1990, Pub. L. No. 101-501 § 933, as codified in 42 U.S.C. § 12339. The department may also apply for a planning grant under that Act. In making application, the department shall build upon existing effective programs in Iowa provided through the child development coordinating council, the family development and self-sufficiency council, adolescent pregnancy prevention grants, and child abuse prevention grants.

appropriation in this section for income maintenance and service workers. In addition, if the field operations staffing level meets the funded full-time equivalent position limit authorized in this section and there is a critical position vacancy in the state or the statewide average caseweight factor for a particular type of position exceeds 105 percent of the budgeted caseweight factor for that type of position, the director of human services may exceed the full-time equivalent position limit authorized in this section in an amount necessary to fill the critical position vacancy or to reduce the caseweight factor to the budgeted level. If expenditures remain within the amount appropriated in this section, the department may exceed the full-time equivalent position limit authorized in this section. The department shall report monthly to the chairpersons and ranking members of the joint human services appropriations subcommittee and to the legislative fiscal bureau regarding caseweight factor computations in each district, the statewide average caseweight factor, the existence of a critical position vacancy in any district, and action taken by the department to address any critical position vacancy problem or excess caseweight factor.

4. Notwithstanding the full-time equivalent position limit authorized in this section, a county implementing a decategorization project, consistent with the county's decategorization plan, may modify the staffing level in the county's human services office and the modification shall not affect other county or district human services staffing levels and shall not be considered to be subject to the full-time equivalent position limit in this section.

5. As a condition, limitation, and qualification of the funds appropriated in this section, the department shall review the current field operations service delivery system structure. Within the funds budgeted and full-time equivalent positions authorized under this appropriation, the department shall make changes necessary to improve the system's

administrative efficiency and effectiveness and to streamline these functions. Emphasis shall be placed upon increasing the program support, training, and supervision of staff who work directly with clients.

6. As a condition, limitation, and qualification of the funds appropriated in this section, the department shall eliminate the department of human services district offices in all districts except for the Des Moines district. The department shall work with the Iowa state association of counties and the affected counties to develop a transition plan for the office elimination and to equitably spread the associated costs.

7. As a condition, limitation, and qualification of the funds appropriated in this section, the department shall report to the members of the joint human services appropriations subcommittee on actions taken by the department to implement uniform reporting of maintenance and service costs for the financial reports used by service providers for reimbursement under the state supplementary assistance program and for reimbursement of purchase of service contracts under the social services block grant. The actions may include but are not limited to the development of uniform rules and consolidated cost reports. This report shall be submitted on or before October 1, 1991.

Sec. 130. GENERAL ADMINISTRATION. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For general administration, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:	
.....	\$ 9,256,818
.....	FTEs 358.45

1. Full-time equivalent positions which are funded entirely with federal, public, or private grants are exempt

Nothing in this division shall be construed as, is intended as, or shall imply a claim of entitlement to any programs or services specified in section 225C.28.

9. For the purposes of this section only, persons with mental disorders resulting from Alzheimer's disease or substance abuse shall not be considered chronically mentally ill.

10. Where the department contracts with a county or consortium of counties to provide case management services, the state shall appear and defend the department's employees and agents acting in an official capacity on the department's behalf and the state shall indemnify the employees and agents for acts within the scope of their employment. The state's duties to defend and indemnify shall not apply if the conduct upon which any claim is based constitutes a willful and wanton act or omission or malfeasance in office.

Sec. 129. FIELD OPERATIONS. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For field operations, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:  
..... \$ 41,364,127  
..... FTEs 2,289.30

1. Staff who are designated as "Title XIX case management staff" are considered to be in addition to the limit for full-time equivalent positions and the funds appropriated for field operations. As a condition, limitation, and qualification of the funds appropriated in this section, the department shall report quarterly to the chairpersons and ranking members of the legislative fiscal committee of the legislative council, the members of the joint human services appropriations subcommittee, and the legislative fiscal bureau regarding the total number of Title XIX case management staff positions

filled, including the number of positions which were filled by persons who were already employed by the department in another capacity.

2. As a condition, limitation, and qualification of the funds appropriated in this section, upon the request of a county, the department shall work with the county to develop a funding plan for persons with mental retardation, a developmental disability, or chronic mental illness who are not eligible to receive case management provided under the medical assistance program and are receiving service management. With an agreed upon funding plan, the department is authorized to combine state funds that would otherwise be expended on service management with county funds to upgrade services provided to the persons from service management to case management. Staff required to implement this subsection are not subject to the limitations on full-time equivalent positions and funds appropriated for field operations.

3. As a condition, limitation, and qualification of the funds appropriated in this section, if the field operations staffing level meets the funded full-time equivalent position limit authorized in this section and a district identifies a critical position vacancy or a position with a caseweight factor greater than 120 percent of the budgeted caseweight factor for the position, the director of human services may exceed the full-time equivalent position limit authorized under this section in the amount necessary to fill the critical position vacancy or to reduce the caseweight factor to the budgeted level. For purposes of this subsection, "critical position vacancy" includes a clerical position in an office limited to a single clerical staff position. The budgeted caseweight factor for the fiscal year beginning July 1, 1991, and ending June 30, 1992, is 196 for income maintenance workers and 191 for service workers. If the department is able to increase federal financial participation relating to field operations, the moneys shall be used to reduce the budgeted caseweight factor funded by the

a developmental disability, or chronic mental illness. Notwithstanding section 8.33, if a county does not expend the agreed upon amount in the fiscal year, the balance not expended shall not revert to the general fund of the county, but shall be carried over to the next fiscal year to be expended for the provision of services to persons with mental retardation, a developmental disability, or mental illness including, but not limited to, the chronically mentally ill, and shall be used as additional funds. The additional funds shall be used, to the greatest extent possible, to meet unmet needs of persons with mental retardation, a developmental disability, or mental illness. This subsection does not relieve the county from any other funding obligations required by law, including but not limited to the obligations in section 222.60.

5. The department, in conjunction with the oversight committee, and with the agreement of each county, shall establish the actual amount expended for each candidate service for persons with mental retardation, a developmental disability, or chronic mental illness in the fiscal year which ended June 30, 1987, and this amount shall be deemed each county's base year expenditure for the candidate service. A disagreement between the department and a county as to the actual amount expended shall be decided by the oversight committee.

The department, in conjunction with the oversight committee, and with the agreement of each county, shall determine the expenditures in the fiscal year beginning July 1, 1990, by each county for the candidate services, including the amount the county contributes under subsection 3. If the expenditures in the fiscal year beginning July 1, 1990, exceed the base year expenditures for candidate services, then the county shall receive from the funds appropriated under this section the least amount of the following:

a. The difference between the total expenditures for the candidate services in the fiscal year beginning July 1, 1990, and the base year expenditures.

b. The amount expended by the county under subsection 3 for the fiscal year beginning July 1, 1990.

c. The amount by which total expenditures for persons with mental retardation, a developmental disability, or chronic mental illness for the fiscal year beginning July 1, 1990, less any carryover amount from the fiscal year which began July 1, 1989, exceed the maintenance of effort expenditures under subsection 4.

The department may utilize a debit-credit approach in order to implement the financial transactions with counties required by this subsection.

6. Notwithstanding section 225C.20, case management services shall be provided by the department except when a county or a consortium of counties contracts with the department to provide the services. A county or consortium of counties may contract to be the provider at any time and the department shall agree to the contract so long as the contract meets the standards for case management adopted by the department. The county or consortium of counties may subcontract for the provision of case management services if the subcontract meets the same standards. A mental health, mental retardation, and developmental disabilities coordinating board may change the provider of individual case management services at any time. If the current or proposed contract is with the department, the coordinating board shall provide written notification of a proposed change to the department on or before August 15 and written notification of an approved change on or before October 15 in the fiscal year which precedes the fiscal year in which the change will take effect.

7. This section does not relieve the county from any other funding obligations required by law, including but not limited to the obligations in section 222.60.

8. Nothing in this division is intended by the general assembly to be the provision of a fair and equitable funding formula specified in 1985 Iowa Acts, chapter 249, section 9.



Sec. 127. SPECIAL NEEDS GRANTS. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

To provide special needs grants to families with a family member at home who has a developmental disability or to a person with a developmental disability:  
..... \$ 55,000

Grants must be used by a family to defray special costs of caring for the family member to prevent out-of-home placement of the family member or to provide for independent living costs. A grant may provide up to \$5,000 per person for costs associated with an assistive animal. The grants may be administered by a private nonprofit agency which serves people statewide provided that no administrative costs are received by the agency. Regular reports regarding coordination of the special needs grants with the family support subsidy program shall be provided to the legislative fiscal bureau.

Sec. 128. ENHANCED MENTAL HEALTH -- MENTAL RETARDATION -- DEVELOPMENTAL DISABILITIES SERVICES. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For the state candidate services fund:  
..... \$ 2,545,911

1. The enhanced mental health, mental retardation, and developmental disabilities services plan oversight committee is continued, as established under 1988 Iowa Acts, chapter 1276, section 14, subsection 1, for the fiscal year which begins July 1, 1991, and ends June 30, 1992. The oversight committee shall issue a final decision regarding any issue of disagreement between a county and the department relating to expenditures for candidate services or the county's maintenance of effort.

2. For purposes of this section, "candidate services" means day treatment, partial hospitalization, and case management.

3. a. The county of legal settlement shall be billed for 50 percent of the nonfederal share of the cost of case management provided to adults, day treatment, and partial hospitalization provided under the medical assistance program for persons with mental retardation, a developmental disability, or chronic mental illness.

b. If the department has contracted with a county or a consortium of counties to be the provider of case management services, the department is responsible for any costs included within the unit rate for case management services which are disallowed for reimbursement pursuant to Title XIX of the federal Social Security Act by the federal health care financing administration. The department shall use funds appropriated under this section to credit a county for the county's share of any amounts overpaid due to the disallowed costs. If certain costs are disallowed due to requirements or preferences of a particular county in the provision of case management services the county shall not receive credit for the amount of the costs.

c. Case management services provided to children shall only be reimbursed under the medical assistance program if the services are provided in a county approved by the department to implement the program to decategorize child welfare services. In addition, the county's decategorization plan must demonstrate that the amount necessary for payment of the nonfederal share of the cost for the services is available within funds allocated for the purpose of decategorization. The department may adopt emergency rules to implement the provisions of this paragraph.

4. A county is responsible to continue to expend at least the agreed upon amount expended for services in the fiscal year which ended June 30, 1987, for the fiscal year beginning July 1, 1991, for services to persons with mental retardation,

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18, \$3,200,000 of the funds appropriated to the special mental health services fund established in that section shall be transferred to the state community mental health and mental retardation services fund established in section 225C.7 and shall be used for the purposes designated in that section. The amount transferred pursuant to this section and section 124 of this division shall not be subject to the formula provided in 1990 Iowa Acts, chapter 1250, section 18, subsection 4.

Sec. 124. ENHANCED SERVICES -- COUNTY PAYMENT.

Notwithstanding 1990 Iowa Acts, chapter 1250, section 18, \$2,360,000 of the funds appropriated to the special mental health services fund established in that section, or so much thereof as is necessary, shall be transferred to supplement the appropriation in section 128 of this division for the state candidate services fund for the purpose of providing funds to counties pursuant to section 128, subsection 5 of this division. The amount transferred pursuant to this section and section 123 of this division shall not be subject to the formula provided in 1990 Iowa Acts, chapter 1250, section 18, subsection 4.

Sec. 125. MENTAL HEALTH -- MENTAL RETARDATION -- DEVELOPMENTAL DISABILITIES SPECIAL SERVICES. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For mental health, mental retardation, and developmental disabilities special services:  
..... \$ 382,500

1. The department and the Iowa finance authority shall develop methods to implement the financing for existing community-based facilities and to implement financing for small community-based facilities, including those facilities which may be developed under a federally approved home and

community-based waiver for services provided under the medical assistance program. The department shall develop criteria for these facilities which may include provisions to restrict placements to current state hospital-school clients or to avert the placement of persons in a state hospital-school. The department shall assure that clients are referred to these facilities upon their development.

2. Of the funds appropriated in this section, \$257,219 is allocated to provide supplemental per diems to community-based residential care facilities and community living arrangements. The per diem is restricted to clients placed from the state hospital-schools and persons averted from placement in a state hospital-school who meet the appropriate level of functioning for this type of care.

3. Of the funds appropriated in this section, \$125,281 is allocated to provide funds for construction and start-up costs to develop community living arrangements to provide for persons who are mentally ill and homeless. These funds may be used to match federal Stewart B. McKinney Homeless Assistance Act grant funds.

4. As a condition, limitation, and qualification of the funds appropriated in this section, the department shall adopt rules pursuant to chapter 17A providing for reimbursement under state supplementary assistance to pay for supervised apartment living and cooperative housing arrangements for persons with disabilities. The rules shall take effect July 1, 1992.

Sec. 126. FAMILY SUPPORT SUBSIDY PROGRAM. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For the family support subsidy program:  
..... \$ 675,000

the administration of the programs and services provided pursuant to orders entered under chapter 232, as a supplement to funds provided in other appropriations. The department shall cooperate with the legislative fiscal bureau in developing a management information system for spending for services ordered under chapter 232.

10. As a condition, limitation, and qualification of the funds appropriated in this section, up to \$202,000 of the funds appropriated in this section may be used by the judicial department for administration of the requirements under this section and for travel associated with court-ordered placements which are a charge upon the state pursuant to section 232.141, subsection 4.

11. The department of human services may adopt emergency rules to implement the provisions of this section.

Sec. 120. IOWA VETERANS HOME. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For operation of the Iowa veterans home, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:  
..... \$ 29,722,461  
..... FTEs 828.80

1. The department may use the gifts accepted by the director 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.

2. Of the funds appropriated in this section, \$40,000 shall be transferred to the department of public defense, division of veterans affairs, and shall be used to computerize veterans records.

Sec. 121. MENTAL HEALTH INSTITUTES. There is appropriated from the general fund of the state to the department of human

services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

- For the state mental health institutes for salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:
  - 1. State mental health institute at Cherokee:  
..... \$ 14,928,541  
..... FTEs 389.75
  - 2. State mental health institute at Clarinda:  
..... \$ 7,638,209  
..... FTEs 189.16
  - 3. State mental health institute at Independence:  
..... \$ 16,005,884  
..... FTEs 436.27
  - 4. State mental health institute at Mount Pleasant:  
..... \$ 9,260,073  
..... FTEs 211.50

Sec. 122. HOSPITAL-SCHOOLS. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

- For the state hospital-schools, for salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:
  - 1. State hospital-school at Glenwood:  
..... \$ 39,142,956  
..... FTEs 1,157.00
  - 2. State hospital-school at Woodward:  
..... \$ 32,054,985  
..... FTEs 931.85

Sec. 123. MENTAL HEALTH AND MENTAL RETARDATION SERVICES FUND. Notwithstanding 1990 Iowa Acts, chapter 1250, section

chief judge of the judicial district and shall include local representatives of the department of human services, youth advocates, public defenders where appropriate, the judicial department, county officials or staff, and service providers. A district planning group shall meet at least quarterly and shall perform all of the following activities:

- a. Establish service priorities for spending the court-ordered services funds allocated to the district.
- b. Develop procedures to evaluate and improve the quality and effectiveness of the services being provided.
- c. Make recommendations concerning changes in the child welfare system that are needed to ensure that children and families receive the services necessary to meet their unique needs.
- d. Make efforts to ensure quality services are provided at a reasonable cost.
- e. Consider billings submitted for payment under this section to ensure that no other payment source is available.

Each district planning group shall submit an annual report to the state court administrator and the department of human services. The administrator and the department shall compile these reports and submit the reports to the chairpersons and ranking members of the joint human services appropriations subcommittee and the legislative fiscal bureau.

5. On or before June 15, 1991, the department of human services shall develop policies and procedures to ensure that the funds appropriated in this section are spent only after all reasonable efforts have been made to utilize other funding sources and community-based services. The policies and procedures shall be designed to achieve the following objectives relating to services provided under chapter 232:

- a. Maximize the utilization of funds which may be available from the medical assistance program including usage of the early preventive, screening, diagnosis, and treatment (EPSOT) program.

- b. Recover payments from any third-party insurance coverage which is liable for coverage of the services, including health insurance coverage.

- c. Pursue development of agreements with regularly utilized out-of-state service providers which are intended to reduce per diem costs.

6. The department of human services, in consultation with the state court administrator and the judicial district planning groups, shall compile a monthly report describing spending in the districts for court-ordered services for juveniles, including the utilization of the medical assistance program. The reports shall be submitted on or before the twentieth day of each month to the chairpersons and ranking members of the joint human services appropriations subcommittee and the legislative fiscal bureau.

7. Notwithstanding chapter 232 or any other provision of law, a district or juvenile court in a department of human services district shall not order any service which is a charge upon the state pursuant to section 232.141 if there are insufficient funds available in the district allocation to pay for the service. The chief juvenile court officer shall work with the district planning group to encourage use of the funds appropriated in this section such that there are sufficient funds during the entire year. The eight chief juvenile court officers shall attempt to anticipate potential surpluses and shortfalls in the allocations and shall cooperatively transfer funds between the districts' allocations as prudent.

8. Notwithstanding any provision of law, a district or juvenile court shall not order a county to pay for any service provided to a juvenile pursuant to an order entered under chapter 232 which is a charge upon the state under section 232.141.

9. As a condition, limitation, and qualification of the funds appropriated in this section, and notwithstanding any provision of law to the contrary, \$50,000 of the funds appropriated in this section may be used by the department for

For supplementation of federal social services block grant funds and for allocation to counties for the purchase of local services:

..... \$ 4,935,958

The funds appropriated in this section shall be allocated to 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, 1991, 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. The department may adopt emergency rules to implement the provisions of this subsection relating to an increase in the cost of living.

Sec. 119. COURT-ORDERED SERVICES PROVIDED TO JUVENILES. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

Payment of the expenses of court-ordered services provided to juveniles which are a charge upon the state pursuant to section 232.141, subsection 4:

..... \$ 4,013,271

1. It is the intent of the general assembly that the funds appropriated in this section shall be used in a manner that allows provision of court-ordered services to juveniles for the entire specified fiscal period without the need for supplemental funding. The court shall consider the overall cost-effectiveness of services ordered by the court for juveniles under chapter 237.

2. As a condition, limitation, and qualification of the funds appropriated in this section, and notwithstanding any other provision of law, \$6,150,000 of the funds appropriated in this division for home-based services shall be used in

providing court-ordered family-centered, family preservation and family reunification services designed to achieve the goals contained in a juvenile's foster care case permanency plan. The department of human services shall develop policies and procedures to ensure that priority for these services is given to juveniles who are at-risk of being adjudicated as a delinquent, being found to be a child in need of assistance, or being involuntarily committed under chapter 125 or 229.

3. As a condition, limitation, and qualification of the funds appropriated in this section, and notwithstanding section 232.141 or any other provision of law, the funds appropriated in this section shall be allocated to the judicial districts as provided in this subsection. The allocations to the districts shall be made according to a formula developed pursuant to recommendations of a committee consisting of a representative of the director of human services, a representative of the state court administrator, a representative of the Iowa state association of counties, and a representative of service providers selected by the coalition of family and children's services. The recommendations shall be based upon each judicial district's utilization of juvenile justice moneys paid pursuant to section 232.141, subsection 4, during the period beginning July 1, 1985, and ending June 30, 1990. However, to the extent possible, services paid for pursuant to that section that would have been eligible for payment under other provisions shall not be included. The judicial district's population of juveniles, adjudicated juvenile delinquents, and children and families found to be in need of assistance, during the period beginning January 1, 1990, and ending December 31, 1990, shall also be considered in developing the recommendations. The state court administrator shall make the final decision on the allocations on or before June 15, 1991.

4. Each judicial district shall establish a planning group for the court-ordered services for juveniles provided in the district. A district planning group shall be appointed by the

period and shall be based on the demonstrated need for adolescent pregnancy prevention and adolescent parent services. Preference in awarding grants shall be given to projects for children placed at a state juvenile institution and projects which utilize a variety of community resources and agencies.

a. As used in this subsection, "adolescent" means a person who is less than 18 years of age or a person who is attending an accredited high school or pursuing a course of study which will lead to a high school diploma or its equivalent. The department shall establish guidelines which permit a grant recipient to continue providing services to a person who receives services under the grant as an adolescent and becomes 18 years of age or older.

b. A grant shall only be awarded to a project which provides 1 or more of the following services:

(1) Workshops and information programs for adolescents and parents of adolescents to improve communication between children and parents regarding human sexuality issues.

(2) Development and distribution of informational material designed to discourage adolescent sexual activity, to provide information regarding acquired immune deficiency syndrome and sexually transmitted diseases, and to encourage male and female adolescents to assume responsibility for their sexual activity and parenting.

(3) Early pregnancy detection, prenatal services including chlamydia testing, and counseling regarding decision-making options for pregnant adolescents.

(4) Case management and child care services provided to male and female adolescent parents.

c. Additional services may be offered by a grantee pursuant to a purchase of service contract with the department including child day care services; child development and parenting instruction; services to support high school completion, job training, and job placement; prevention of additional pregnancies during adolescence; and other personal services.

3. As a condition, limitation, and qualification of the funds appropriated in this section, at least \$216,550 shall be used to provide grants administered in accordance with the provisions for adolescent pregnancy prevention grants, except for requirements to target certain specific geographic areas of the state. The grants shall be awarded to fund any of the following purposes:

a. Programs targeted to children. A program shall include the following: components for parental involvement; parental education, including techniques for encouraging sexual abstinence; outreach services for recruiting parents and children into the program; and the provision of transportation to program staff and participants necessary for recruiting and encouraging program participation.

b. Programs intended to prevent an additional pregnancy by a parent who is less than 19 years of age. Preference in grant awards shall be given to programs which provide financial incentives to clients for their program participation and success in avoiding an additional pregnancy.

c. Providing additional pregnancy prevention grants. Preference in grant awards shall be given to programs which, in addition to other services, provide counseling to mixed gender groups of adolescents.

d. Programs intended to educate adolescents concerning the risks associated with alcohol and other drug use during pregnancy, including health, financial, emotional, and other potential long-term effects for mother and child.

4. As a condition, limitation, and qualification of the funds appropriated in this section, \$550,686 shall be used by the department for child abuse prevention grants.

Sec. 118. BLOCK GRANT SUPPLEMENTATION. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

4. For personnel, assigned by the attorney general, to provide additional services relating to termination of parental rights and child in need of assistance cases.

5. For funding of the state multidisciplinary team to assist with difficult cases within the child abuse and foster care system and with respect to child protective investigation and initial case planning and to develop and coordinate local multidisciplinary teams.

6. For use by the department in conducting outcome-oriented evaluations of child protection, prevention, and treatment programs.

7. For specialized foster care permanency planning field operations staff.

Sec. 116. HOME-BASED SERVICES. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For home-based services on the condition that family planning services are funded, provided that if the department amends the allocation to a program funded under this section, then the department shall promptly notify the legislative fiscal bureau of the change:

..... \$ 19,680,002

1. Of the funds appropriated in this section, \$30,000 shall be used by the department to contract with universities to provide ongoing research and evaluation assistance to programs and initiatives of the department involving family-centered services and foster care. The contracts shall make maximum use of any matching resources available from the universities with which the department contracts.

2. Of the funds appropriated in this section, \$5,086,204 shall be used for family preservation and reunification services and training. A limited amount of the funds may be used for the family assistance fund to provide other resources required for a family participating in a project to stay

together or to be reunified. The payment system for the project shall not be based upon units of time, but may be based upon the cost to serve a family, including adjustments according to the provider's performance and the outcome of the services provided to each family. The department shall use the statewide family preservation and decategorization committee to assist in selecting additional projects.

Sec. 117. COMMUNITY-BASED PROGRAMS. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For community-based programs:

..... \$ 3,224,421

1. As a condition, limitation, and qualification of the funds appropriated in this section, up to \$19,095 shall be used by the department as the financial aid from the state under section 232.142, subsection 3, for the cost of the establishment, improvement, operation, and maintenance of approved county or multicounty juvenile homes. Notwithstanding section 232.142, subsection 3, the amount provided in this subsection shall be the maximum amount of financial aid the state is obligated to provide pursuant to that provision.

2. Of the funds appropriated in this section, \$453,450 shall be used for adolescent pregnancy prevention grants. At least 75 percent of the funds shall be used for programs which incorporate family planning and pregnancy prevention services as the major component of the program. The department shall not expend more than 7 percent of the funds for administrative costs. The department shall adopt rules to implement this subsection. A grant may be awarded to a public school corporation, a maternal and child health center, an adolescent services provider, a project involving a state juvenile institution, or a nonprofit organization which is involved in adolescent issues. Grants shall be awarded for a 1-year

to be used for residents of the counties for foster care, family-centered services, subsidized adoption, child day care, local purchase of services, state juvenile institution care, mental health institute care, state hospital-school care, juvenile detention, department-direct services, and court-ordered evaluation and treatment of juvenile services and notwithstanding any other provision of law, the fund shall be considered encumbered. Notwithstanding other service funding provisions in law, the department shall establish the fund by transferring funds from the budgets affected, except for the funds appropriated for the state mental health institutes, the state hospital-schools, the state training school, and the Iowa juvenile home which shall remain on account for the county at these institutions. A limited amount of the fund may be used to support services and reimbursement rates not allowable within historical program or service categories and administrative rule. In addition, a limited amount of the child welfare fund may be used for the family assistance fund to provide resources for a family to remain together or to be unified. It is the intent of the general assembly that the demonstration program be designed to operate in a county for a 3-year period. The 3-year time period for a decategorization project in Dubuque, Polk, Pottawattamie, or Scott county shall be considered to begin on January 1 in the first year following the year in which the county's decategorization project was approved by the department.

14. As a condition, limitation, and qualification of the funds appropriated in this section, the department shall implement changes in group foster care maintenance and service definitions to be consistent with the definitions under Title IV-E of the federal Social Security Act. Federal financial participation provided under Title IV-E in excess of \$595,000, which is received as a result of the definition changes shall be apportioned to the providers implementing the changes. The excess amount shall be apportioned after the department has received all federal Title IV-E payments for the fiscal year.

The excess amount shall be apportioned as a payment according to each provider's percentage of the total amount of payments made to providers implementing the changes under federal Title IV-E.

15. As a condition, limitation, and qualification of the funds appropriated in this section, not more than \$30,000 of the funds appropriated in this section may be used to contract with the coalition of family and children's services or another suitable entity for the development of a computerized foster care placement information system for the state. The system shall be designed utilizing previously developed software techniques used in Pennsylvania and shall be capable of providing an on-line data base of the availability of particular foster care placements, technical support, training, and appropriate user documentation.

Sec. 115. CHILD PROTECTIVE SYSTEM IMPROVEMENTS. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For improvements in the state system for child protection:  
 ..... \$ 561,500

The funding appropriated in this section shall be used as determined by the department for any of the following purposes:

1. For general administration of the department to improve staff training efforts.
2. For oversight of termination of parental rights and permanency planning efforts on a statewide basis on the condition that regular reports regarding the statewide program efforts shall be provided to the legislative fiscal bureau.
3. For use by the department in general administration to promote innovative treatment programs, write grants to obtain federal and private funding, and promote public and private efforts to treat and prevent child abuse.



review the need to provide additional day treatment alternatives within the child welfare system and the potential to provide additional services by including day treatment provided by psychiatric medical institutions for children as a service reimbursed under medical assistance. The department shall identify the effect of providing day treatment services reimbursement under medical assistance upon state expenditures for residential treatment and other foster care services. The department may use funds appropriated in this division for medical assistance to pay the nonfederal share of costs for services reimbursed under medical assistance which are provided in a psychiatric medical institution for children.

7. The department may use \$30,000 of the funds appropriated in this section to contract for a study of the effectiveness of needs-based and therapeutic family foster care and enhanced residential care.

8. As a condition, limitation, and qualification of the funds appropriated in this section, the department shall develop a therapeutic foster care program in at least 1 district in the state. The program's foster care worker support staff shall serve not more than 7 foster families and shall provide respite and special support services to foster parents to enable them to serve in an active treatment capacity with the children under their care. Of the funds appropriated in this section, up to \$200,000 shall be used for therapeutic foster care reimbursement and \$284,667 for 8.00 FTEs under the appropriation and positions authorized in this division for field operations.

9. Funds appropriated in this section may be used to recruit foster parents and to provide preservice and in-service training for foster parents.

10. Of the funds appropriated in this section, up to \$140,000 may be used to develop and maintain the state's implementation of the national adoption and foster care information system pursuant to the requirements of Pub. L. No. 99-509.

11. As a condition, limitation, and qualification of the funds appropriated in this section, the department shall continue a family foster care advisory committee to examine department practices and policies to improve the recruitment and retention of foster parents, provide training and professional guidance where appropriate, and seek the involvement of family foster care providers in designing, developing, and participating in the creation of therapeutic foster family homes. The department shall review initiatives of other states in recruiting foster parents from appropriate families who are recipients of public assistance. In consultation with the advisory committee, the department shall seek federal waivers and make program modifications as necessary to develop a similar program for Iowa upon receiving federal approval to do so.

12. As a condition, limitation, and qualification of the funds appropriated in this section, the department shall establish specialized family foster care homes and provide specialized support and respite services to qualifying foster care families who accept infants with chemical addictions from intrauterine transmission who would otherwise remain in a hospital.

13. As a condition, limitation, and qualification of the funds appropriated in this section, the department shall continue the demonstration program to decategorize child welfare services in the 4 counties in which the program has commenced. The department may approve additional applications from a county or consortium of counties to initiate a demonstration program provided the department, the boards of supervisors in the counties, and the affected judicial districts agree to implement the program. The schedule for implementing the demonstration program in additional counties shall provide that the program be implemented on or after January 1, 1992. The department shall establish for the demonstration project counties a child welfare fund composed of all or part of the amount that would otherwise be expected

2. The following amounts of the funds appropriated and FTEs authorized in this section are allocated for the state training school at Eldora:

.....	\$ 8,070,507
..... FTEs	229.00

3. It is the intent of the general assembly that during the fiscal year beginning July 1, 1991, the population levels at the state juvenile institutions shall not exceed the population guidelines established under 1990 Iowa Acts, chapter 1239, section 21. It is also the intent of the general assembly that the state juvenile institutions apply for an adolescent pregnancy prevention grant for the fiscal year beginning July 1, 1991.

4. Within the funds appropriated in this section, the department may reallocate funds as necessary to best fulfill the needs of the institutions provided for in this appropriation.

5. The department shall report to the legislative fiscal bureau, on or before the 20th day of each month, the department's current expenditures for the institutions receiving allocations under this appropriation. The report shall include a comparison of actual to budgeted expenditures for each institution.

Sec. 114. FOSTER CARE. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For foster care:

.....	\$ 53,674,434
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1. As a condition, limitation, and qualification of the funds appropriated in this section, the department shall use moneys appropriated in this section to establish 30 or more enhanced service group care facility beds during the fiscal year beginning July 1, 1991. The department may use moneys appropriated in this section to provide enhanced funding of

services to family foster homes to avert placement of children in group care facilities and may continue to provide enhanced funding of services to group care facilities to avert placement of children in more expensive, less appropriate out-of-state facilities or in a state juvenile institution. The department shall give priority to serving children whose placement at the state training school or the Iowa juvenile home would cause the state juvenile institution to exceed the population guidelines established under 1990 Iowa Acts, chapter 1239, section 21.

2. The department may transfer a portion of the funds appropriated in this section to provide subsidized adoption services or to purchase adoption services, if funds allocated under the appropriation in this division for home-based services for adoption services are insufficient.

3. The department and state court administrator shall work together in implementing an agreement which enables the state to receive funding for eligible cases under the federal Social Security Act, Title IV-E.

4. Not more than 25 percent of the children placed in foster care funded under the federal Social Security Act, Title IV-E, shall be placed in foster care for a period of more than 24 months.

5. Of the funds appropriated in this section, \$92,000 is allocated for the foster home insurance fund. Notwithstanding section 237.13, the department may use funds appropriated in this section to purchase liability insurance for licensed foster parents in lieu of providing payment for claims filed against the foster home insurance fund, if comparable coverage can be obtained through private insurance. Notwithstanding section 8.33, funds remaining in the foster home insurance fund on June 30, 1992, shall not revert to the general fund but shall remain available for expenditure in the fiscal year beginning July 1, 1992, for the purposes designated.

6. As a condition, limitation, and qualification of the funds appropriated in this section, the department shall

1. The director of human services, within the limitations of the funds appropriated in this section, 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 director 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 or the new positions are necessary for compliance with federal requirements and the anticipated increased recovery amount exceeds the cost of salaries and support for the new positions. In the event the director adds additional employees, the department shall demonstrate the cost-effectiveness of the current and additional employees by reporting to the joint 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 recovered.

2. Notwithstanding any other provision in law, nonpublic assistance application and user fees received by the child support recovery program are appropriated and shall be used for the purposes of the program. The department may adopt emergency rules as necessary to implement the provisions of this subsection. The director of human services may exceed the full-time equivalent position limit authorized in this section if fees collected relating to the new positions are sufficient to pay the salaries and support for the positions. The director shall report any new positions added pursuant to this section to the chairpersons and ranking members of the joint human services appropriations subcommittee and the legislative fiscal bureau. The department may adopt emergency rules as necessary to implement the provisions of this subsection.

3. The director of human services, in consultation with the department of management and the legislative fiscal committee, is authorized to receive and deposit state child support incentive earnings in the manner specified under applicable federal requirements.

4. The director of human services may establish new positions and add additional state employees to the child support recovery unit if the director determines the employees are necessary to replace county-funded positions eliminated due to termination, reduction, or nonrenewal of a chapter 28B contract. However, the director must also determine that the resulting increase in the state share of child support recovery incentives exceeds the cost of the positions, the positions are necessary to ensure continued federal funding of the program, or the new positions can reasonably be expected to recover more than twice the amount of money to pay the salaries and support for the new positions.

Sec. 113. JUVENILE INSTITUTIONS. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

For the operation of the state training school and the Iowa juvenile home, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

For the state juvenile institutions:

.....	\$ 12,774,015
.....	FTEs 357.50

1. The following amounts of the funds appropriated and FTEs authorized in this section are allocated for the Iowa juvenile home at Toledo:

.....	\$ 4,703,508
.....	FTEs 128.50

..... \$ 323,311

Notwithstanding section 239.21, the department of human services shall provide the transitional child care program in accordance with the federal Family Support Act of 1988, Pub. L. No. 100-485, § 302, and applicable federal regulations. Reimbursement for services shall be limited to registered or licensed child day care providers and programs providing care, supervision, or guidance of a child which is not included under the definition of "child day care" pursuant to section 237A.1, subsection 7.

Sec. 111. JOBS PROGRAM. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For the JOBS program:

..... \$ 4,232,610

1. Of the funds appropriated in this section, \$3,690,610 is allocated for the JOBS program. If in accordance with federal requirements, effective September 1, 1991, reimbursement under the JOBS program for child day care services shall be limited to registered or licensed child day care providers, and programs providing care, supervision, or guidance of a child which is not included under the definition of "child day care" pursuant to section 237A.1, subsection 7. However, this requirement shall not apply to persons specified by rule as an aid to families with dependent children relative or as otherwise eligible for reimbursement because a licensed or registered child day care provider or program is not available. The department may adopt emergency rules to implement the provisions of this subsection.

2. Of the funds allocated in this section, \$62,000 is allocated for the food stamp employment and training program.

3. As a condition, limitation, and qualification of the funds appropriated in this section, the department shall work with family development and self-sufficiency grantees and the

state's community action agencies to develop a structure that permits initiatives which raise local funds to match federal funds under the JOBS program in order to expand or to develop additional family development program initiatives.

4. Of the funds allocated in this section for the JOBS program, \$480,000 is allocated to the family development and self-sufficiency grant program as provided under section 217.12. This funding shall extend current grantee funding from December 31, 1991, to June 30, 1992.

a. No more than 5 percent of the funds allocated in this subsection shall be used for administration of the program and this percentage shall be determined for the entire fiscal year rather than on a 6-month basis. Federal financial participation received by the department relating to the funds allocated in this subsection shall be used for purposes designated under the appropriation in this division for aid to families with dependent children. Any other federal funds which are matched by other state or local funds and used for family development and self-sufficiency services shall be used for the grant program or the JOBS program.

b. Based upon the annual evaluation report concerning each grantee funded by this allocation, the family development and self-sufficiency council may use funds allocated to renew grants. Grant renewals shall be awarded on or before January 1, 1992, for a 6-month extension to June 30, 1992.

Sec. 112. CHILD SUPPORT RECOVERY. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For child support recovery, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 3,134,277  
..... FTEs 253.50

department of human services districts and each district shall distribute the allocation to the counties within the district. If a district determines that a specified portion of the funds provided to a county is sufficient to meet the county's current demand and projected growth, the district may transfer the excess amount of funds to another county. If the district determines that a specified portion of the funds provided to the district is sufficient to meet the district's current demand and projected growth for the remainder of the fiscal year, the excess amount may be transferred for use in another district.

b. For state child care assistance, eligibility shall be limited to children whose family income is equal to or less than 150 percent of the federal office of management and budget poverty guidelines. However, on or after October 1, 1991, the department may increase the income eligibility limit to be equal to or less than 75 percent of the Iowa median family income. Every effort shall be made to provide assistance for the entire fiscal year to families remaining eligible before providing assistance to eligible families who have not received assistance previously. For the entire fiscal year, the department shall develop a priority ranking of requirements for families who receive assistance, with special priority given to foster care families within the income guidelines. The requirements may include but are not limited to all of the following:

(1) Families with an income equal to or less than 150 percent of the federal office of management and budget poverty guidelines.

(2) Single parent families who are at risk of becoming eligible for the aid to families with dependent children program.

(3) Families who have exhausted eligibility for transitional child care assistance.

(4) Adolescent parents attending school.

(5) Families who have children with special needs.

(6) Families who are providing foster care if both foster parents are employed and child day care is consistent with the case plan.

(7) Families with an income greater than 150 percent of the federal office of management and budget poverty guidelines but no more than 75 percent of the Iowa median family income.

c. The department may adopt emergency rules necessary to qualify to receive funding from the federal child care development block grant and the federal at-risk child care program. If required as a condition of receiving these funds, the rules may provide for eligibility, health and safety requirements, parental access to children, reimbursement rates, types of service provided, licensing standards, complaint registration procedures, or other rules necessary to establish a simplified or consolidated child day care policy.

d. Nothing in this section shall be construed or is intended as, or shall imply, a grant of entitlement for services to persons who are eligible for assistance due to an income level consistent with the requirements of this section. Any state obligation to provide services pursuant to this section is limited to the extent of the funds appropriated under this section.

4. Of the funds appropriated in this section, \$258,931 is allocated for the fiscal year beginning July 1, 1991, for the statewide program for child day care resource and referral services under section 237A.26.

5. The department may use any of the funds appropriated in this section as a match to obtain federal grants for use in expanding child day care assistance and related programs.

Sec. 110. TRANSITIONAL CHILD CARE ASSISTANCE. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For transitional child care assistance:

4. A consortia receiving funding under this section shall include representatives of agencies or organizations providing health and support services to persons with HIV infection or AIDS who reside within the consortia area and other affected persons. The consortia shall provide reasonable services to affected persons in both urban and rural portions of the consortia area with preference given to underserved rural areas. At least 10 percent of the funds provided to a consortia shall be used to provide services to women, children, and families of persons with HIV infection or AIDS. Moneys provided to a consortia under this section shall not be used to pay for an individual's services which are covered by private insurance or a publicly funded program.

5. A consortia receiving funds under this section shall provide information required by the committee which shall include but is not limited to all of the following:

- a. The number of persons with HIV infection or AIDS in the consortia area.
- b. Demographic information concerning the persons identified, including age, race, and gender distributions.
- c. The type and quantity of health and support services needs of the persons identified.
- d. The type and quantity of health and support services provided by the consortia.
- e. The type and quantity of health and support services the consortia is unable to provide due to lack of funding or other barriers to providing services.

6. The department shall distribute funds to nonprofit consortia by contract specifying the purposes, reporting requirements, and decisions established by the committee. This section is not subject to rulemaking under chapter 17A.

Sec. 107. STATE SUPPLEMENTARY ASSISTANCE. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For state supplementary assistance:

..... \$ 18,605,530

The department shall increase the personal needs allowance for residents of residential care facilities by the same percentage and at the same time as federal supplemental security and federal social security benefits are increased due to a recognized increase in the cost of living. The department may adopt emergency rules to implement the provisions of this paragraph.

Sec. 108. AID TO INDIANS. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For aid to Indians under section 252.43:

..... \$ 38,000

The tribal council shall not use more than 5 percent of the funds for administration purposes. The department may adopt emergency rules to implement the provisions of this paragraph.

Sec. 109. CHILD DAY CARE ASSISTANCE. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For protective child day care assistance and state child care assistance:

..... \$ 7,104,072

- 1. It is the intent of the general assembly that \$3,107,695 of the funds appropriated in this section be used for protective child day care assistance.
- 2. It is the intent of the general assembly that \$3,737,446 of the funds appropriated in this section be used for state child care assistance.
- 3. a. The funds allocated in this section for protective and state child care assistance shall be allocated to the

6. For the purposes of this subsection, "health insurance plan" includes nonprofit health service corporation contracts regulated under chapter 514 and health maintenance organization evidences of coverage regulated under chapter 514B.

7. As a condition, limitation, and qualification of the funds appropriated in this section, the department may transfer not more than \$10,000 of the funds appropriated in this section to the appropriation in this division for general administration to be used for administrative costs associated with this program. The department is authorized a 0.5 FTE position in addition to the positions authorized in the appropriation in this division for general administration in order to administer the program.

8. The program shall start by October 1, 1991, and the department is authorized to adopt emergency rules to implement the provisions of this section by that date.

Sec. 106. HIV-AIDS HEALTH AND SUPPORT SERVICES. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For HIV-AIDS health and support services:

..... \$ 60,000

1. The funds appropriated in this section shall be used to provide health and support services to persons with human immunodeficiency virus infection (HIV) or acquired immune deficiency syndrome (AIDS). Not more than 1 percent of the funds appropriated in this section shall be available to the department for administrative costs.

2. The department of human services shall establish an AIDS services committee to distribute the moneys appropriated in this section. The committee shall remain active until the completion of the duties required under this section. Members of the committee are entitled to actual and necessary expenses

in the performance of their official duties. However, expense reimbursements shall not exceed 2 percent of the amount appropriated in this section. The department shall appoint committee members who are knowledgeable concerning HIV infection or AIDS. The committee may consist of persons representing the following: licensed physicians and social workers, hospice organizations, home health care agencies, the homosexual community, persons with HIV infection or AIDS, and a representative of an AIDS coalition funded by the Iowa department of public health. To the extent possible, the committee members shall be the same persons who served as members of the AIDS services task force established pursuant to 1990 Iowa Acts, chapter 1259, section 6, subsection 3. The department of human services shall appoint a temporary chairperson, call the committee meetings, provide meeting space and meeting notices, and receive consortia reports which shall be provided to committee members. The committee shall cooperate with the Iowa department of public health in decision making concerning the distribution of the funds appropriated in this section.

3. The committee shall make decisions concerning the distribution of the funds to regional HIV care consortia established pursuant to Title II of the federal Ryan White Comprehensive AIDS Resources Emergency Act, Pub. L. No. 101-381. The decisions shall include determining the nonprofit consortia which will receive the funds, funding amounts, and the purposes for which the funds are to be used. The funds shall be used to provide health and support services to persons with HIV infection or AIDS living within the consortia area, as authorized by the federal Act and approved by the committee. The services may include, but are not limited to, case management, benefits advocacy, client basic emergency need grants, support groups, individual support programs, home health care, respite care, and attendant care. The committee shall hold at least two meetings, one to allocate funding to consortia and the other to receive reports from consortia and to develop recommendations for the general assembly.

For HIV-AIDS insurance continuation assistance pilot program:

..... \$ 60,000

1. The department shall establish an HIV and AIDS insurance continuation assistance pilot program to be administered by the medical services division to provide insurance continuation assistance to persons with AIDS or HIV-related illnesses who are unable to maintain health insurance premium payments due to illness. The pilot program shall operate for a 2-year period beginning October 1, 1991. The funds shall be made available in a manner that provides the assistance, as needed, to recipients at any time until the end of the pilot project or until the appropriated funding is exhausted.

2. The department shall publicize the program for enrollment of potential participants through provision of information through the Iowa department of public health, the regional AIDS coalitions funded by the Iowa department of public health, physicians, hospitals, social workers, and social service providers, and gay and AIDS-related groups identified by the coalitions.

3. The program shall provide all of the following:

a. That an applicant is eligible for participation in the program if all of the following conditions are met:

- (1) The applicant is a resident of the state.
- (2) The applicant suffers from AIDS or an HIV-related illness.
- (3) The applicant has an income of no more than 300 percent of the federal poverty level as defined by the most recently revised poverty income guidelines published by the United States department of health and human services and cash assets of no more than \$10,000.
- (4) The applicant is enrolled in an individual or group private health insurance plan.
- (5) The applicant is unable, due to AIDS or the HIV-related illness, to continue employment in order to pay the costs of insurance premiums.

(6) Enrollment in the program is the most cost-effective, available means of providing the applicant with health insurance coverage.

b. That an applicant is required to provide the following to verify eligibility for participation in the program:

- (1) Documentation of income and assets, as required by rule of the department.
- (2) Documentation through submission of a statement by the applicant's physician that the applicant suffers from AIDS or an HIV-related illness and that the applicant is, or will within a period of 6 months be, unable to continue employment.

c. An expedited eligibility determination process to ensure that an eligible applicant is not denied coverage under the applicant's existing policy due to nonpayment of premiums during the determination process period. This may include but is not limited to accepting preapplications from any HIV-infected person or the making of payments based on preliminary determinations.

d. A requirement that following enrollment in the program, a person must apply for medical assistance, if the department determines that the person is likely to be eligible for payment of premiums under the medical assistance program.

e. That all information relating to an applicant is confidential information and the provisions of chapter 141 are applicable to the information.

4. The department shall provide a preliminary report to the general assembly by January 1, 1992, and a final report to the general assembly by January 1, 1993, regarding the cost-effectiveness of the pilot program, the impact of the requirements of federal law on the pilot program, and the current and projected costs to the state for payment of medical assistance for the health care costs of persons with AIDS or HIV-related illnesses.

5. For the purposes of this section, "AIDS" and "HIV" mean "AIDS" and "HIV" as defined in section 141.21.



11. It is the intent of the general assembly that the following programs under the medical assistance program shall be expanded which it is estimated will result in the indicated medical assistance expenditure savings: Iowa foundation for medical care utilization review, \$1,520,500; Unisys utilization review, \$180,000; and the "lock-in" program involving recipients with a history of seeking services from more than one provider, \$66,000. The department may adopt emergency rules to implement the provisions of this subsection.

12. As a condition, limitation, and qualification of the funds appropriated in this section, if Senate File 343, or another provision providing for group health plan cost-sharing under the medical assistance program is enacted by the Seventy-fourth General Assembly, 1991 Session, the department may adopt emergency rules to implement the cost-sharing in accordance with federal requirements.

13. As a condition, limitation, and qualification of the funds appropriated in this section, notwithstanding any time limitation established in 1991 Iowa Acts, House File 173, section 105, the copayment provisions established in that section for physician services only shall be continued indefinitely.

14. As a condition, limitation, and qualification of the funds appropriated in this section, the department shall work with the Iowa state association of counties and the accounting firm of Ryun, Givens, Smith & Co., or another capable entity, to develop cost containment measures for intermediate care facilities for the mentally retarded which are permitted under federal medicaid requirements. The department shall adopt rules pursuant to chapter 17A to implement the requirements developed under this subsection.

15. As a condition, limitation, and qualification of the funds appropriated in this section, if the department is implementing the medical assistance program through a contract with a health maintenance organization, the department shall

ensure that a medical assistance recipient enrolled in a health maintenance organization has freedom of choice to obtain enhanced maternal or prenatal health services from a state supported maternal health center and that the center receives no less than the prevailing medical assistance program reimbursement amount for provision of the services. The enhanced services include but are not limited to nutritional and psychosocial counseling and medical case management.

16. As a condition, limitation, and qualification of the funds appropriated in this section, \$25,000 shall be provided as a grant to a birth center licensed under chapter 135G to demonstrate the efficacy of services provided by certified nurse midwives to medical assistance recipients.

17. As a condition, limitation, and qualification of the funds appropriated in this section, the department shall apply to the federal health care financing administration for funding for community-based supported living arrangements which is available under Title XIX of the federal Social Security Act, § 1930.

Sec. 104. MEDICAL CONTRACTS. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For medical contracts:

..... \$ 4,050,000

As a condition, limitation, and qualification of the funds appropriated in this section, the department shall continue to contract for drug utilization review under the medical assistance program.

Sec. 105. HIV-AIDS INSURANCE CONTINUATION ASSISTANCE PILOT PROGRAM. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

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unobligated on January 31, 1992, shall be available during the remainder of the fiscal year to the department of human services for the purposes of this section.

3. Notwithstanding section 8.39, the department may transfer funds appropriated in this section to a separate account established in the department's case management unit for expenditures required to provide case management services pursuant to the appropriation in this division for enhanced mental health, mental retardation, and developmental disabilities services, pending final settlement of the expenditures. Funds received by the case management unit in settlement of the expenditures shall be used to replace the transferred funds and are available for the purposes for which the funds were appropriated in this section.

4. If a medical assistant recipient is receiving care which is reimbursed under a federally approved home and community-based services waiver but would otherwise be approved for care in an intermediate care facility for the mentally retarded, the recipient's county of legal settlement shall reimburse the department on a monthly basis for the portion of the recipient's cost of care which is not paid from federal funds.

5. As a condition, limitation, and qualification of the funds appropriated in this section, the department shall adopt rules pursuant to chapter 17A that establish criteria for intermediate care facilities for the mentally retarded, providing for family-scale size, location, and appropriate inclusion in the community. In determining whether a certificate of need for an intermediate care facility for the mentally retarded shall be issued under chapter 135, the health facilities council and the Iowa department of public health shall consider whether the proposed facility is in compliance with the rules adopted pursuant to this subsection.

6. As a condition, limitation, and qualification of the funds appropriated in this section, the department shall develop methods to reduce recipient usage of ambulance

services for reasons other than medical necessity, including notification of recipients who have received ambulance services that were not considered to be a medical necessity and ambulance services that have provided such services.

7. Of the funds appropriated in this section, \$70,929,582 is projected to be used for medical assistance reimbursement of nursing facilities.

8. As a condition, limitation, and qualification of the funds appropriated in this section, notwithstanding the adoption of an administrative rule limiting coverage of organ transplants under the medical assistance program, the department shall continue to provide medical assistance coverage for organ transplants of the pancreas and the liver until the department establishes criteria for the coverage of these transplants. The criteria shall include but are not limited to health status and anticipated outcomes, including expected quality of life. The department may adopt emergency rules to implement the provisions of this subsection.

9. As a condition, limitation, and qualification of the funds appropriated in this section, notwithstanding the adoption of an administrative rule limiting coverage of organ transplants under the medical assistance program, the department shall continue to provide medical assistance coverage for organ transplants to individuals who applied for and received approval from the department on or before January 1, 1991, for medical assistance coverage of an organ transplant.

10. As a condition, limitation, and qualification of the funds appropriated in this section, if Senate File 342 is enacted by the Seventy-fourth General Assembly, 1991 Session, \$28,000 of the funds appropriated in this section shall be provided to the prevention of disabilities policy council for fulfillment of the federal matching funds requirement for use of the Iowa governor's planning council for developmental disabilities funds, for the purpose of section 225D.7, if enacted in Senate File 342.

Sec. 102. EMERGENCY ASSISTANCE. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For emergency assistance to families with dependent children under Title IV-A of the federal Social Security Act to match federal funding for homeless prevention programs:  
..... \$ 500,000

The emergency assistance provided for in this section shall be available beginning November 1, 1991, and shall be provided only if all other publicly funded resources have been exhausted. The emergency assistance includes, but is not limited to, assisting people who face eviction, potential eviction, or foreclosure, utility shutoff or fuel shortage, loss of heating energy supply or equipment, homelessness, utility or rental deposits, or other specified crisis which threatens family or living arrangements. The emergency assistance shall be available to migrant families who would otherwise meet eligibility criteria. The department shall notify each emergency assistance recipient that the recipient may report to the department any pressure or intimidation of the recipient resulting from the recipient's eligibility for emergency assistance. The department shall report quarterly to the legislative fiscal committee concerning the reports received by the department regarding pressure or intimidation of recipients of emergency assistance. The department may adopt emergency rules to implement the beginning date and notice provisions of this section.

Sec. 103. MEDICAL ASSISTANCE. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

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:

..... \$236,771,049

1. 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 45 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 150 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.

2. Of the funds appropriated in this section, \$100,000 is allocated until January 31, 1992, for contingency assistance for the federal nutrition program for women, infants, and children and shall be transferred to the Iowa department of public health as necessary in order to fully utilize funding available for the program. The allocated funds shall be transferred as necessary to restore a reduction in federal funding for the federal fiscal year ending September 30, 1991, required to adjust for federal financial assistance provided during the federal fiscal year ending September 30, 1990, in excess of the federal funding allocation to the state for this program or to finance any state match expenditure in excess of the federal funding allocation for this program during the federal fiscal year ending September 30, 1991. Any moneys allocated in this subsection which are unexpended or

6. As a condition, limitation, and qualification of the funds appropriated in this section, \$42,620 shall be used to expand the APDC electronic benefits transfer (EBT) program beyond the pilot program county and to implement EBT for the food stamp program.

7. a. As a condition, limitation, and qualification of the funds appropriated in this section, the schedule of living costs under the aid to families with dependent children program for the fiscal year beginning July 1, 1991, is established as follows:

- (1) For 1 person at \$365.
- (2) For 2 persons at \$719.
- (3) For 3 persons at \$849.
- (4) For 4 persons at \$986.
- (5) For 5 persons at \$1092.
- (6) For 6 persons at \$1216.
- (7) For 7 persons at \$1335.
- (8) For 8 persons at \$1457.
- (9) For 9 persons at \$1576.
- (10) For 10 persons at \$1724.
- (11) For each additional person over 10 persons at \$173.

b. However, the following schedule of basic needs under the aid to dependent children program established for the fiscal year beginning July 1, 1990, shall remain in effect for the fiscal year beginning July 1, 1991:

- (1) For 1 person at \$183.
- (2) For 2 persons at \$361.
- (3) For 3 persons at \$426.
- (4) For 4 persons at \$495.
- (5) For 5 persons at \$548.
- (6) For 6 persons at \$610.
- (7) For 7 persons at \$670.
- (8) For 8 persons at \$731.
- (9) For 9 persons at \$791.
- (10) For 10 persons at \$865.
- (11) For each additional person over 10 persons at \$87.

c. The department may adopt emergency rules to implement the provisions of this subsection.

8. The general assembly finds that investing resources in Iowa's citizens is a key part of continued economic development and growth; that it is the public policy of the state of Iowa to strive toward providing all of its citizens with the incentives and the resources needed to successfully participate in the world labor market; and that development of a comprehensive and coordinated human investment policy is essential to welfare reform. This policy would:

- a. Empower the citizens participating in welfare programs.
- b. Focus on permanent improvements in the standard of living of citizens receiving public assistance, and not on income maintenance.
- c. Emphasize programs which offer the greatest potential for permanent improvement, such as job training, child day care, housing assistance, and economic development.
- d. Serve all Iowans who seek assistance.
- e. Utilize nongovernment resources available from participants and the private sector.
- f. Provide a range of services, relying upon open competition in the delivery of services.
- g. Include comprehensive data collection and assessment to evaluate the program.
- h. Inform all Iowans as to the basic goals and direction of the program.

As a condition, limitation, and qualification of the funds appropriated in this section, the department of human services shall apply to the corporation for enterprise development for Iowa's participation in the study phase of a "state human investment policy" demonstration project. Of the funds appropriated in this section, up to \$75,000 shall be used for costs associated with Iowa's participation in the project. The department shall make efforts to obtain additional private and federal funding for the project, and shall submit quarterly reports on the status of the project to the legislative fiscal bureau.

HOUSE FILE 479

AN ACT

RELATING TO APPROPRIATIONS FOR STATE DEPARTMENTS, AGENCIES, PROGRAMS, FUNDS, INCLUDING THE DEPARTMENT OF HUMAN SERVICES, EDUCATION PROGRAMS AND AGENCIES, THE DEPARTMENT OF ECONOMIC DEVELOPMENT, JUSTICE-RELATED PROGRAMS AND AGENCIES, AND INTERNET, AND ADJUSTING THE SCHOOL FOUNDATION AID PROGRAM, ADJUSTING CERTAIN STANDING APPROPRIATIONS, INCREASING THE CIGARETTE AND TOBACCO PRODUCTS TAX, PROVIDING FOR CERTAIN FEES, DECREASING THE TIME PERIOD FOR DECLARING CERTAIN FUNDS UNCLAIMED, MAKING RELATING STATUTORY CHANGES, AND PROVIDING FOR EFFECTIVE AND APPLICABILITY DATES.

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

DIVISION I

DEPARTMENT OF HUMAN SERVICES

Sec. 101. AID TO FAMILIES WITH DEPENDENT CHILDREN. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For aid to families with dependent children:

..... \$ 41,624,199

1. The department may fund the employee portion of the cash bonus program from unspent funds under the appropriation in this section and shall continue to evaluate the program. The department may adopt emergency rules to implement the provisions of this subsection.

2. As a condition, limitation, and qualification of the funds appropriated in this section, the department shall continue to contract for services in developing and monitoring a demonstration waiver program to facilitate providing assistance in self-employment investment to aid to dependent children families. The demonstration waiver program shall be provided for the fiscal period beginning July 1, 1991, and ending June 30, 1993, or for as long as federal approval of the program continues. Of the funds appropriated in this section, up to \$99,592 shall be used to provide technical assistance for aid to dependent children families seeking self-employment. The technical assistance may be provided through the department or through a contract with the division of job training of the Iowa department of economic development and through a contract with the corporation for enterprise development.

3. As a condition, limitation, and qualification of the funds appropriated in this section, the department shall apply the self-employment investment demonstration waiver project statewide during the fiscal period delineated in the federal waiver submitted to operate the waiver project statewide, provided training is available to a recipient through a recognized self-employment training program. However, if the application for the federal waiver is denied and funding is available, the department may determine the counties in which it is feasible to operate the project and shall provide the project in those counties. The department may adopt emergency rules to implement the provisions of this subsection.

4. As a condition, limitation, and qualification of the funds appropriated in this section, the department shall continue the special needs program under the aid to families with dependent children program.

5. As a condition, limitation, and qualification of the funds appropriated in this section, the department may use unspent funds under the appropriation in this section to continue development of the "X-PERT" eligibility determination system.

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The district department, in cooperation with the chief judge of the judicial district, shall continue the implementation of a plan to divert low-risk offenders to the least restrictive sanction available.

h. For the eighth judicial district department of correctional services, the following amount, or so much thereof as is necessary:  
..... \$ 3,170,622

The district department shall continue the intensive supervision program established within the district in 1988 Iowa Acts, chapter 1271, section 6, subsection 1, paragraph "h", and shall continue the sex offender treatment program established within the district in 1989 Iowa Acts, chapter 316, section 8, subsection 1, paragraph "h".

The district department, in cooperation with the chief judge of the judicial district, shall continue the implementation of a plan to divert low-risk offenders to the least restrictive sanction available.

1. For the department of corrections for the assistance and support of each judicial district department of correctional services, the following amount, or so much thereof as is necessary:  
..... \$ 91,057

2. The department of corrections shall continue the OWI facilities established in 1986 Iowa Acts, chapter 1246, section 402, in compliance with the conditions specified in that section.

3. The department of corrections shall continue to contract with a judicial district department of correctional services to provide for the rental of electronic monitoring equipment which shall be available statewide.

4. Each judicial district department of correctional services and the department of corrections shall continue the treatment alternatives to street crime programs established in 1989 Iowa Acts, chapter 225, section 9.

5. The first, sixth, and eighth judicial district departments of correctional services and the department of corrections shall continue the job training and development grant programs established in 1989 Iowa Acts, chapter 316, section 7, subsection 2.

6. The department of corrections shall not make an intradepartmental transfer of moneys appropriated to the department, unless notice of the intradepartmental transfer is given prior to its effective date to the legislative fiscal bureau. The notice shall include information on the department's rationale for making the transfer and details concerning the work load and performance measures upon which the transfers are based.

7. The governor's alliance on substance abuse shall consider federal grants made to the department of corrections for the benefit of each of the eight judicial district departments of correctional services as local government grants, as defined pursuant to federal regulations.

Sec. 407. There is appropriated from the general fund of the state to the judicial department for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For salaries of supreme court justices, appellate court judges, district court judges, district associate judges, judicial magistrates and staff, state court administrator, clerk of the supreme court, district court administrators, clerks of the district court, including fully compensating clerks of court, trial court supervisors, trial court technicians II, and financial supervisors I and II for the full 40-hour workweek, juvenile court officers, board of law examiners and board of examiners of shorthand reporters and judicial qualifications commission, receipt and disbursement of child support payments, and maintenance, equipment, and miscellaneous purposes:  
..... \$ 73,200,000

As a condition, limitation, and qualification of this appropriation, the department shall reimburse the auditor of state for expenses incurred in completing audits of the offices of the clerks of the district court during the fiscal year beginning July 1, 1991.

As a condition, limitation, and qualification of this appropriation, the judicial department, except for purposes of internal processing, shall use the current state budget system, the state payroll system, and the Iowa finance and accounting system in administration of programs and payments for services, and shall not duplicate the state payroll, accounting, and budgeting systems.

The judicial department shall submit monthly financial statements to the legislative fiscal bureau and the department of management containing all appropriated accounts in the same manner as provided in the monthly financial status reports and personal services usage reports of the department of revenue and finance. The monthly financial statements shall include a comparison of the dollars and percentage spent of budgeted versus actual revenues and expenditures on a cumulative basis for full-time equivalent positions and dollars.

Of the funds appropriated under this subsection, not more than \$1,800,000 may be transferred into the revolving fund established pursuant to section 602.1302, subsection 3, to be used for the payment of jury and witness fees and mileage.

2. For the juvenile victim restitution program:

..... \$ 100,000

Sec. 408. There is appropriated from the general fund of the state to the judicial department for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For the Iowa court information system:

..... \$ 875,000

As a condition, limitation, and qualification of this appropriation, the judicial department, except for purposes of

internal processing, shall use the current state budget system, the state payroll system, and the Iowa finance and accounting system in administration of programs and payments for services, and shall not duplicate the state payroll, accounting, and budgeting systems.

The judicial department shall not change the appropriations from the amounts appropriated under this section, unless notice of the revisions is given prior to their effective date to the legislative fiscal bureau. The notice shall include information on the department's rationale for making the changes and details concerning the work load and performance measures upon which the changes are based.

The judicial department shall conduct a comparable worth study concerning juvenile court officers. As used in this paragraph, "comparable worth" means comparable worth as defined in section 602.1204. The judicial department shall report its findings and recommendations to the joint justice systems appropriations subcommittee by January 1, 1992. No pay grade changes resulting from the study shall be implemented prior to July 1, 1992, subject to sufficient salary adjustment funds being appropriated specifically for that purpose.

Sec. 409. The department of corrections, judicial district departments of correctional services, board of parole, and the judicial department shall continue to develop an automated data system for use in the sharing of information between the department of corrections, judicial district departments of correctional services, board of parole, and the judicial department. The information to be shared shall concern any individual who may, as the result of an arrest or infraction of any law, be subject to the jurisdiction of the department of corrections, judicial district departments of correctional services, or board of parole.

Sec. 410. Section 13.15, unnumbered paragraph 2, Code 1991, is amended to read as follows:

The rules shall provide for an hourly mediation fee not to exceed twenty-five dollars per hour per party fifty dollars for the borrower and one hundred dollars for the creditor. The hourly mediation fee may be waived for any party demonstrating financial hardship upon application to the farm mediation service.

**Sec. 411. NEW SECTION. 13.26 FARM ASSISTANCE FUND ESTABLISHED.**

A farm assistance fund is established as a separate fund in the state treasury under the control of the department of justice. It is the intent of the general assembly that the moneys deposited in the fund shall be used for legal assistance to financially distressed farmers. These funds shall be used only to the extent appropriated by the general assembly. Notwithstanding section 8.33, any balance in the fund on June 30 of any fiscal year shall not revert to any fund but shall remain in the fund for the subsequent fiscal year.

**Sec. 412.** Section 312.2, subsection 13, Code 1991, as amended by 1991 Iowa Acts, House File 173, section 1223, is amended to read as follows:

13. The treasurer of state, before making the allotments provided for in this section, shall credit annually to the department of justice from the road use tax fund an amount equal to twenty-five cents on each title issuance for motor vehicle fraud law enforcement and prosecution purposes including, but not limited to, the enforcement of state and federal odometer laws, the prosecution of highway-related criminal matters, and the training of county attorney and attorney general staff in the prosecution of violations of chapters 321, 321A, and 321J, and related offenses.

Notwithstanding the provisions of this subsection directing that twenty-five cents on each title issuance be annually credited to the department of justice for deposit into the motor vehicle fraud account for the fiscal period beginning on July 1, 1991, and ending June 30, 1993, the twenty-five

cents on each title issuance shall be deposited into the general fund of the state.

**Sec. 413.** Section 356.26, unnumbered paragraph 3, Code 1991, is amended to read as follows:

The district court may also grant by order to any person sentenced to a county jail the privilege of a sentence of in-home detention where the county sheriff has certified to the court that the jail has an in-home detention program. The department of corrections shall report to the legislative fiscal bureau on a semiannual basis concerning utilization of in-home detention including the counties which have established such programs and the number of prisoners allowed in-home detention privileges.

**Sec. 414.** Section 602.1301, subsection 2, paragraph a, subparagraph (1), Code 1991, is amended by striking the subparagraph and inserting in lieu thereof the following:

(1) Iowa court information system.

**Sec. 415.** Section 602.8102, Code 1991, is amended by adding the following new subsection:

**NEW SUBSECTION. 163A.** Make every reasonable effort to collect all outstanding fines, penalties, surcharges, and court costs. The clerk shall notify in writing within forty-five days after assessment, those persons who have unpaid fines, penalties, surcharges, and court costs.

**Sec. 416.** Section 654.18, subsection 1, paragraph d, Code 1991, is amended to read as follows:

d. The mortgagor and mortgagee shall file a jointly executed document with the county recorder in the county where the real property is located stating that the mortgagor and mortgagee have elected to follow the alternative voluntary foreclosure procedures pursuant to this section. If the subject property is agricultural land used for farming, as defined in section 172C.1, in addition to the fee collected pursuant to section 331.604, the recorder shall collect a fee of sixty dollars for filing the document, and shall remit the sixty-dollar fee to the treasurer of state for deposit in the farm assistance fund established in section 13.26.



Sec. 417. Section 654.19, Code 1991, is amended to read as follows:

**654.19 DEED IN LIEU OF FORECLOSURE -- AGRICULTURAL LAND.**

In lieu of a foreclosure action in court due to default on a recorded mortgage or deed of trust of real property, if the subject property is agricultural land used for farming, as defined in section 172C.1, the mortgagee and mortgagor may enter into an agreement in which the mortgagor agrees to transfer the agricultural land to the mortgagee in satisfaction of all or part of the mortgage obligation as agreed upon by the parties. The agreement may grant the mortgagor a right to purchase the agricultural land for a period not to exceed five years, and may entitle the mortgagor to lease the agricultural land. The agreement shall be recorded with the deed transferring title to the mortgagee. In addition to the fee collected pursuant to section 331.604, the recorder shall collect a fee of sixty dollars for recording the agreement and deed, and shall remit the sixty-dollar fee to the treasurer of state for deposit in the farm assistance fund established in section 13.26. A transfer of title and agreement pursuant to this section does not constitute an equitable mortgage.

Sec. 418. Section 655A.7, Code 1991, is amended to read as follows:

**655A.7 PROOF AND RECORD OF SERVICE.**

If the terms and conditions as to which there is default are not performed within the thirty days, the party serving the notice or causing it to be served shall file for record in the office of the county recorder a copy of the notice with proofs of service required under section 655A.4 attached or endorsed on it and, in case of service by publication, a personal affidavit that personal service could not be made within this state, and when those documents are filed and recorded, the record is constructive notice to all parties of the due foreclosure of the mortgage. In addition to the fee collected pursuant to section 331.604, the recorder shall

collect a fee of sixty dollars for recording the documents required by this section, and shall remit the sixty-dollar fee to the treasurer of state for deposit in the farm assistance fund established in section 13.26.

Sec. 419. Section 656.5, Code 1991, is amended to read as follows:

**656.5 PROOF AND RECORD OF SERVICE.**

If the terms and conditions as to which there is default are not performed within said thirty days, the party serving said notice or causing the same to be served, may file for record in the office of the county recorder a copy of the notice aforesaid with proofs of service attached or endorsed thereon and, in case of service by publication, a personal affidavit that personal service could not be made within this state, and when so filed and recorded, the said record shall be constructive notice to all parties of the due forfeiture and cancellation of said contract. If the subject property is agricultural land used for farming, as defined in section 172C.1, in addition to the fee collected pursuant to section 331.604, the recorder shall collect a fee of sixty dollars for filing the notice, and shall remit the sixty-dollar fee to the treasurer of state for deposit in the farm assistance fund established in section 13.26.

Sec. 420. Section 905.4, subsection 5, Code 1991, is amended to read as follows:

5. Arrange for, by contract or on such alternative basis as may be mutually acceptable, and equip suitable quarters at one or more sites in the district as may be necessary for the district department's community-based correctional program, provided that the board shall to the greatest extent feasible utilize existing facilities and shall keep capital expenditures for acquisition, renovation and repair of facilities to a minimum. The district board shall not enter into lease-purchase agreements for the purposes of constructing, renovating, expanding, or otherwise improving a community-based correctional facility or office unless express

authorization has been granted by the general assembly, and current funding is adequate to meet the lease-purchase obligation.

Sec. 421. Section 905.6, subsection 5, Code 1991, is amended to read as follows:

5. Act as secretary to the district board, prepare its agenda and record its proceedings. The district shall provide a copy of minutes from each meeting of the district board to the legislative fiscal bureau.

Sec. 422. 1990 Iowa Acts, chapter 1224, section 1, unnumbered paragraph 1, is amended to read as follows:

In order to implement this Act, the department of human services and the judicial department shall mutually agree on a schedule to complete the transfer of support payment collection and disbursement responsibilities from the collection services center to the clerks of the district court. The schedule shall provide for the completion of the transfer of the responsibilities for all affected orders by June 30, 1991 ~~1993~~. The following procedure shall be used for any order affected by the initial transfer of responsibilities:

Sec. 423. 1990 Iowa Acts, chapter 1257, section 24, subsection 4, unnumbered paragraph 2, is amended to read as follows:

As a condition, limitation, and qualification of this appropriation, the beds shall be used for a 30-to-60-day shock revocation program for parole and probation violators who are male offenders. The beds shall be administered by the state department of corrections.

Sec. 424. 1990 Iowa Acts, chapter 1268, section 5, subsection 2, is amended to read as follows:

2. For reimbursement of counties for temporary confinement of work release and parole violators, as provided in sections 246.908, 901.7, and 906.17 and for offenders confined pursuant to section 246.513:

..... \$ 215,000

Sec. 425. EFFECTIVE DATE AND RETROACTIVE APPLICABILITY PROVISIONS.

1. Section 420 of this division takes effect on January 1, 1992.

2. Sections 422 and 424 of this division, being deemed of immediate importance, take effect upon enactment. Section 424 of the division applies retroactively to July 1, 1990.

DIVISION V

RELATING TO STANDING APPROPRIATIONS AND TAXES

Sec. 501. Notwithstanding the standing appropriation in sections 425A.1 to the family farm tax credit fund and 426.1 to the agricultural land tax credit fund, there is appropriated from the general fund of the state to the agricultural land tax credit fund for the fiscal year beginning July 1, 1991, the sum of \$43,065,000 of which the first \$10,000,000 shall be deposited into the family farm tax credit fund in lieu of the standing appropriation made in section 425A.1.

Sec. 502.

1. Notwithstanding the standing appropriation in section 405A.8 to the department of revenue and finance for personal property tax replacement under chapter 405A, there is appropriated from the general fund of the state under section 405A.8 for the fiscal year beginning July 1, 1991, the sum of \$61,934,033.

2. Notwithstanding the standing appropriation in section 425.39, the amount appropriated from the general fund of the state under section 425.39, for the fiscal year beginning July 1, 1991, for purposes of implementing the extraordinary property tax and reimbursement division of chapter 425, shall not exceed \$11,880,300. The director shall pay, in full, all claims to be paid during the fiscal year beginning July 1, 1991, for reimbursement of rent constituting property taxes paid. If the amount of claims for credit for property taxes due to be paid during the fiscal year beginning July 1, 1991, exceed the amount remaining after payment to renters the

director of revenue and finance shall prorate the payments to the counties for the property tax credit. In order for the director to carry out the requirements of this subsection, notwithstanding any provision to the contrary in sections 425.16 through 425.39, claims for reimbursement for rent constituting property taxes paid filed before May 1, 1992, shall be eligible to be paid in full during the fiscal year ending June 30, 1992, and those claims filed on or after May 1, 1992, shall be eligible to be paid during the fiscal year beginning July 1, 1992, and the director is not required to make payments to counties for the property tax credit before June 15, 1992.

Sec. 503. Notwithstanding the amount of the standing appropriation from the general fund of the state under section 455A.18, subsection 4, there is appropriated from the general fund of the state, in lieu of the appropriation made in section 455A.18, for the fiscal year beginning July 1, 1991, to the Iowa resources enhancement and protection fund the sum of \$10,900,000. However, if moneys from the lottery are appropriated by the state to the Iowa resources enhancement and protection fund, the amount appropriated under this section shall be reduced by the amount appropriated from the lottery.

Sec. 504. 1990 Iowa Acts, chapter 1250, section 18, unnumbered paragraph 2, is amended to read as follows:

For the special mental health services fund:

..... \$ 30,500,000  
10,395,000

Sec. 505. DEPARTMENT OF HUMAN SERVICES. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For payment of expenses and compensation of commission of inquiry commissioners pursuant to section 229.35:

..... \$ 1,000

2. For payment of transfer expenses of mentally ill persons with no county of legal settlement pursuant to section 230.8 and recovery of such persons' commitment costs pursuant to section 230.11:

..... \$ 107,000

Sec. 506. DEPARTMENT OF REVENUE AND FINANCE. There is appropriated from the general fund of the state to the department of revenue and finance for the fiscal year beginning July 1, 1991, and ending June 30, 1992, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For payment of recording fees pursuant to section 422.26:

..... \$ 50,000

Sec. 507. Notwithstanding the standing appropriations in the following designated sections for the fiscal year beginning July 1, 1991, the amount appropriated from the general fund of the state pursuant to those sections for the following designated purposes shall not exceed the following amounts:

1. For administering absentee ballots of state residents serving in the armed forces under section 53.50:

..... \$ 2,574

2. For the reimbursement of fees and charges presented to but not owed the state under section 12.13:

..... \$ 0

3. For the cost of printing or manufacturing of cigarette and little cigar tax stamps under section 98.7:

..... \$ 126,126

4. For deposit in and the use of the livestock disease fund under section 267.8:

..... \$ 291,060

5. To pay the state's portion of the cost of benefits calculated in section 411.20, subsections 2 and 3, under section 411.20, subsection 1:

..... \$ 3,201,650

- 6. To reimburse counties for the loss of property tax revenues as follows:
  - a. Homestead tax credit under section 425.1:
    - ..... \$102,960,000
  - b. Military service tax credit under section 426A.1:
    - ..... \$ 3,069,000
  - c. Machinery and computer equipment tax replacement under section 427B.13:
    - ..... \$ 0

If the amounts of calculated county reimbursement exceed any of the amounts specified in this subsection the director of revenue and finance shall prorate the amount available.

- 7. For costs of postconviction relief proceedings pursuant to section 663A.5 and costs and fees of parole revocation proceedings and criminal cases brought against an inmate under section 815.1:
  - ..... \$ 70,000
- 8. For state employees salary book printing under section 18.75, subsection 8:
  - ..... \$ 4,950
- 9. To the expenses incurred or costs taxed to the state in a proceeding brought by or against a state department or agency under section 19.10:
  - ..... \$ 81,180
- 10. To pay necessary expenses incurred to perform or cause to be performed any legal duty imposed on the executive council under section 19.29:
  - ..... \$ 1,881,000
- 11. To pay the cost of public improvement assessments against state-owned land under section 307.45:
  - ..... \$ 0
- 12. For payment of costs of habeas corpus proceedings where plaintiff is confined in a state institution under section 663.44:
  - ..... \$ 0

- 13. To pay claims and awards against the state under sections 25.2 and 25A.11:
  - ..... \$ 2,970,000
- 14. For the payment of salary and expenses of a deputy sheriff responsible for law enforcement on the Indian settlement under section 331.660:
  - ..... \$ 24,255
- 15. For compensation of officers and enlisted men in and the expenses of the national guard under section 29A.29:
  - ..... \$ 38,808
- 16. For payment of workers' compensation claims due employees of the state under section 85.57:
  - ..... \$ 5,692,500
- 17. For deposit into the state communications network fund under section 18.137:
  - ..... \$ 0
- 18. For payment of state school foundation aid under section 257.16, including state aid for increasing enrollment in section 257.13, an amount which equals one-half of one percent less than the amount computed under the state school foundation aid formula.
 

Notwithstanding chapter 257, if the portion of the budget of a school district or area education agency for special education support services to be funded by state aid appropriated under section 257.16 exceeds the amount appropriated under this subsection, the director of the department of management shall allocate state aid payments in the manner provided in this subsection:

  - a. In order to allocate the reduction in the state aid to be paid to area education agencies for special education support services, the director of the department of management shall reduce the state aid paid to each area education agency by one-half of one percent of the special education support services foundation base multiplied by the weighted enrollment in the area education agency.

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b. The director of the department of management shall determine the amounts to be paid to school districts as an advance for increasing enrollment under section 257.13 and shall reduce those amounts by one-half of one percent.

c. The director of the department of management shall allocate the difference between the money appropriated by this subsection and the total of the state aid payments made to area education agencies for special education support services and the amount paid to school districts as an advance for increasing enrollment. The difference shall be paid to school districts as state school foundation aid. The director of the department of management shall divide the amount to be paid to school districts by the weighted enrollment in the state to determine a per pupil amount of state aid and shall multiply that per pupil amount of state aid by one-half of one percent for the state aid reduction per pupil. The state aid paid to each school district under section 257.16 shall be reduced by an amount equal to the state aid reduction per pupil multiplied by the weighted enrollment of the district. School districts not receiving the entire amount of state school foundation aid under chapter 257 for the budget year beginning July 1, 1991, may use their cash reserve to make up the lost aid and, unless the general assembly prohibits the levy by February 15, 1992, may raise the lost state aid by a cash reserve levy under section 298.10 to replace the state school foundation aid reduction.

19. For the payment of claims of public school districts for transportation services to nonpublic school pupils under section 285.2:

..... \$ 6,156,729

If the claims exceed the amount available under this subsection, the director of the department of education shall prorate the claims of the school districts.

20. To pay instructional support state aid under section 257.20:

..... \$ 12,935,000

If the portion of the budget to be funded by instructional support state aid computed under section 257.20 exceeds the amount available under this subsection, the director of the department of management shall prorate the amount available to the school districts entitled to such aid. School districts not receiving the full amount of such state aid shall not raise the lost state aid by property tax.

21. For payment of franchise tax allocations to cities and counties under section 422.65:

..... \$ 9,702,000

If the amounts to be allocated as computed under section 422.65 to cities and counties exceed the amount available under this subsection, the director of revenue and finance shall prorate the amount to be paid to each city and county.

Sec. 508. Section 978.72, unnumbered paragraph 2, Code 1991, is amended to read as follows:

There is appropriated from the ~~general fund of the state to the department of personnel~~ moneys available to the general assembly under section 2.12 an amount sufficient to pay the contributions of the employer based on service of the members in an amount equal to the contributions which would have been made if the members of the general assembly who made employee contributions had been members of the system during their service in the general assembly plus two percent interest plus interest dividends for all completed calendar years and for any completed calendar year for which the interest dividend has not been declared and for completed months of partially completed calendar years at two percent interest plus the interest dividend rate calculated for the previous year, compounded annually, from the end of the calendar year in which contribution was made to the first day of the month of such date.

Sec. 509. Section 98.6, subsection 1, Code 1991, is amended to read as follows:

1. There is hereby ~~levied, assessed, and~~ imposed, and shall be collected and paid to the department, the following

taxes on all cigarettes used or otherwise disposed of in this state for any purpose whatsoever:

Class A. On cigarettes weighing not more than three pounds per thousand, six-and-one-half eighteen mills on each such cigarette.

Class B. On cigarettes weighing more than three pounds per thousand, seven-and-one-half eighteen mills on each such cigarette.

Sec. 510. Section 98.6, subsection 2, Code 1991, is amended by striking the subsection.

Sec. 511. Section 98.43, subsection 1, unnumbered paragraph 1, Code 1991, is amended to read as follows:

A tax is imposed upon all tobacco products in this state and upon any person engaged in business as a distributor thereof of tobacco products, at the rate of nineteen twenty-two percent of the wholesale sales price of the tobacco products, except little cigars as defined in section 98.42. Little cigars shall be subject to the same rate of tax imposed upon cigarettes in section 98.6, payable at the time and in the manner provided in section 98.6; and stamps shall be affixed as provided in division 1 of this chapter. The tax on tobacco products, excluding little cigars, shall be imposed at the time the distributor does any of the following:

Sec. 512. Section 98.43, subsection 2, unnumbered paragraph 1, Code 1991, is amended to read as follows:

A tax is imposed upon the use or storage by consumers of tobacco products in this state, and upon the consumers, at the rate of nineteen twenty-two percent of the cost of the tobacco products.

Sec. 513. Section 1350.22, subsection 2, paragraph b, Code 1991, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Notwithstanding the effective date provision in 1990 Iowa Acts, chapter 1250, section 21, this lettered paragraph is effective for mobile home tax claims filed on or after January 1, 1993, and any claims filed

under this lettered paragraph before that date shall not be allowed.

Sec. 514. Section 229.35, Code 1991, is amended to read as follows:

229.35 COMMISSION OF INQUIRY -- COMPENSATION -- PAYMENT.

Said The commissioners of a commission of inquiry shall be entitled to their necessary expenses and a reasonable compensation, to be allowed by the judge, who shall certify the same amounts to the director of revenue and finance who shall ~~thereupon draw the proper warrants on any funds in the state treasury not otherwise appropriated~~ pay such amounts from moneys appropriated to the department of human services. The applicant shall pay said these costs and expenses if the judge shall so order on a finding that the complaint was filed without probable cause.

Sec. 515. Section 230.8, Code 1991, is amended to read as follows:

230.8 TRANSFERS OF MENTALLY ILL PERSONS -- EXPENSES.

The transfer to state hospitals or to the places of their legal settlement of mentally ill persons who have no legal settlement in this state or whose legal settlement is unknown, shall be made according to the directions of the administrator, and when practicable by employees of state hospitals, and the actual and necessary expenses of such these transfers shall be paid on itemized vouchers sworn to by the claimants and approved by the administrator, from any funds in ~~the state treasury not otherwise appropriated~~ to the department of human services.

Sec. 516. Section 230.11, Code 1991, is amended to read as follows:

230.11 RECOVERY OF COSTS FROM STATE.

Costs and expenses attending the taking into custody, care, and investigation of a person who has been admitted or committed to a state hospital, veterans administration hospital or other agency of the United States government, for the mentally ill and who has no legal settlement in this state

or whose legal settlement is unknown, including cost of commitment, if any, shall be paid out-of-any-money-in-the state-treasury-not-otherwise from moneys appropriated to the department of human services, on itemized vouchers executed by the auditor of the county which has paid them, and approved by the administrator.

Sec. 517. Section 257.1, subsection 2, unnumbered paragraph 2, Code 1991, is amended to read as follows:

For the budget year commencing July 1, 1991, and for each succeeding budget year the regular program foundation base per pupil is eighty-three and five-tenths percent of the regular program state cost per pupil. ~~For each succeeding budget year, the regular program foundation base shall increase twenty-five hundredths percent per year until the regular program foundation base reaches eighty-five percent of the regular program state cost per pupil, except that the regular program foundation base per pupil for the portion of weighted enrollment that is additional enrollment because of special education is seventy-nine percent of the regular program state cost per pupil.~~ For the budget year commencing July 1, 1991, and for each succeeding budget year the special education support services foundation base is eighty-three and five-tenths seventy-nine percent of the special education support services state cost per pupil. ~~It shall increase at the same rate as the regular program foundation base.~~ The combined foundation base is the sum of the regular program foundation base and the special education support services foundation base.

Sec. 518. Section 257.2, subsection 12, Code 1991, is amended by striking the subsection.

Sec. 519. Section 257.15, subsection 1, Code 1991, is amended by adding the following new unnumbered paragraph:  
**NEW UNNUMBERED PARAGRAPH.** For purposes of this subsection, in computing the amount of revenues generated by the foundation property tax and the additional property tax under chapter 442, Code 1989, the computation shall be based on a

regular program foundation base per pupil of eighty-three percent of the regular program state cost per pupil except that for the portion of weighted enrollment that is additional enrollment because of special education the regular program foundation base per pupil shall be seventy-nine percent of the regular program state cost per pupil. The special education support services foundation base shall be seventy-nine percent of the special education support services state cost per pupil.

Sec. 520. Section 257.31, subsections 6 and 11, Code 1991, are amended by striking the subsections.

Sec. 521. Section 270.5, Code 1991, is amended to read as follows:

270.5 CERTIFICATION TO DIRECTOR OF REVENUE AND FINANCE.

The superintendent shall, on the first days of June and December of each year, certify to the director of revenue and finance the amounts due from the several counties pursuant to sections 270.4 and 270.6, and the director of revenue and finance shall thereupon pass the same to the credit of the institution the amounts due to the general fund of the state, and charge the amount to the proper county.

Sec. 522. Section 422.26, unnumbered paragraph 6, Code 1991, is amended to read as follows:

The department shall pay, from moneys appropriated to the department for this purpose, a recording fee as provided in section 331.604, for the recording of the lien, or for its satisfaction.

Sec. 523. Section 442.3, unnumbered paragraph 1, Code 1991, is amended to read as follows:

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 ~~eighty-three~~ 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. 524. Section 425.23, subsection 1, paragraph b, Code 1991, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Notwithstanding the effective date provisions in 1990 Iowa Acts, chapter 1250, section 21, this lettered paragraph is effective for property tax claims filed on or after January 1, 1993, and for rent reimbursement claims filed on or after January 1, 1994, and all such claims filed under this lettered paragraph before such dates shall not be allowed.

Sec. 525. Section 820.24, Code 1991, is amended to read as follows:

**820.24 EXPENSES -- HOW PAID.**

When the punishment of the crime shall be the confinement of the criminal in the penitentiary, the expenses shall be paid out of the state-treasury funds appropriated to the office of the governor, on the certificate of the governor and warrant of the director of revenue and finance; and in all other cases they shall be paid out of the county treasury in the county wherein the crime is alleged to have been committed. The expenses shall be the fees paid to the officers of the state on whose governor the requisition is made, and all necessary and actual traveling expenses incurred in returning the prisoner.

Sec. 526. Section 906.10, Code 1991, is repealed.

Sec. 527. Sections 509 through 512 of this division take effect June 1, 1991.

Sec. 528. Sections 517, 519, and 523 of this division, being deemed of immediate importance, take effect upon enactment.

Sec. 523. Sections 513 and 524 of this division, being deemed of immediate importance, take effect upon enactment and apply retroactively to January 1, 1991.

DIVISION VI

MISCELLANEOUS CODE CHANGES

Sec. 601. Section 18.12, Code 1991, is amended by adding the following new subsection:

NEW SUBSECTION. 18A. Establish fee schedules for use of facilities which are funded through the sale of tax-exempt investments such as those which the treasurer of state is authorized to invest in under section 261.38, subsection 5. Revenue received as a result of the fee schedules shall be used to repay tax-exempt investments for the facility for which the fees are charged.

Sec. 602. Section 18.117, unnumbered paragraph 1, Code 1991, is amended to read as follows:

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-one-cents-per-mile an amount to be determined by the state which may be the maximum allowable under the federal internal revenue service rules per mile, notwithstanding established mileage requirements or depreciation allowances. 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. 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.

Sec. 603. Section 73.7, Code 1991, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Notwithstanding the provisions of this chapter or other statutes, a governing body of the state, in its sole discretion, is permitted to enter into negotiations with a supplier of coal produced within the state of Iowa in order to modify an existing contract for the purchase of coal. The governing body and the supplier may modify the contract in any manner mutually agreed upon.

Sec. 604. Section 79.9, Code 1991, 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-one-cents per-mile which may be the maximum allowable under federal internal revenue service rules per mile, notwithstanding established mileage requirements or depreciation allowances. 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. 605. Section 99F.10, subsection 4, Code 1991, is amended to read as follows:

4. In determining the license fees and state admission fees to be charged as provided under section 99F.4 and this section, the commission shall use the amount appropriated to the commission plus the cost of auditing excursion gambling boat activities as the basis for determining the amount of revenue to be raised from the license fees and admission fees.

Sec. 606. Section 106.78, subsections 1 and 5, Code 1991, are amended to read as follows:

1. a. The county recorder shall charge a five dollar fee to issue a certificate of title, a transfer of title, a duplicate, or a corrected certificate of title.

b. In addition to the fee required under paragraph "a", and sections 106.82 and 106.84, a surcharge of five dollars shall be required.

5. The funds collected under this-section subsection 1, paragraph "a" shall be placed in the general fund of the county and used for the expenses of the county conservation board if one exists in that county. Of each surcharge collected as required under subsection 1, paragraph "b", the county recorder shall remit five dollars to the office of treasurer of state for deposit in the general fund of the state.

Sec. 607. NEW SECTION. 321.52A CERTIFICATE OF TITLE SURCHARGE.

In addition to the fee required for the issuance of a certificate of title under section 321.20, 321.23, 321.42, 321.46, 321.47, 321.48, 321.50, or 321.52, a surcharge of five dollars shall be required. Of each surcharge collected under those sections, the county treasurer shall remit five dollars to the office of treasurer of state for deposit in the general fund of the state.

Sec. 608. Section 321.152, subsections 1 and 2, Code 1991, are amended to read as follows:

1. ~~Two-point-six~~ Four and one-quarter percent of the total collection for each annual or semiannual vehicle registration and each duplicate registration card or plate issued.

2. ~~Twenty-percent-of-all-fees~~ Two dollars and fifty cents from each fee collected for certificates of title.

Sec. 609. Section 425A.2, subsection 1, Code 1991, is amended by striking the subsection and inserting in lieu thereof the following:

1. "Actively engaged in farming" means the designated person is personally involved in the production of crops and livestock on the eligible tract on a regular, continuous, and substantial basis. However, a lessor, whether under a cash or a crop share lease, is not actively engaged in farming on the area of the tract covered by the lease. This provision applies to both written and oral leases.

Sec. 610. Section 425A.2, subsection 4, Code 1991, is amended by striking the subsection and inserting in lieu thereof the following:

4. "Eligible tract" or "eligible tract of agricultural land" means an area of agricultural land which meets all of the following:

a. Is comprised of all of the contiguous tracts under identical legal ownership that are located within the same county.

b. In the aggregate more than half the acres of the contiguous tract is devoted to the production of crops or livestock by a designated person who is actively engaged in farming.

c. For purposes of paragraph "b", if some or all of the contiguous tract is being farmed under a lease arrangement, the activities of the lessor do not constitute being actively engaged in farming on the areas of the tract covered by the lease. If the lessee is a designated person who is actively engaged in farming, the acres under lease may be considered in

determining whether more than half the acres of the contiguous tract are devoted to the production of crops or livestock.

Sec. 611. Section 425A.2, Code 1991, is amended by adding the following new subsection:

NEW SUBSECTION. 6. "Designated person" means one of the following:

a. If the owner is an individual, the designated person includes the owner of the tract or a person related to the owner as spouse, parent, grandparent, child, grandchild, stepchild, and their spouses.

b. If the owner is a partnership, a partner, or the partner's spouse.

c. If the owner is a family farm corporation, a family member who is a shareholder of the family farm corporation or the shareholder's spouse.

d. If the owner is an authorized farm corporation, a shareholder who owns at least fifty-one percent of the stock of the authorized farm corporation or the shareholder's spouse.

Sec. 612. Section 425A.3, subsection 2, Code 1991, is amended by striking the subsection and inserting the following:

2. An eligible tract of agricultural land qualifies for the credit computed under subsection 1 if the tract is owned by an owner as defined in section 425A.2 and a designated person is actively engaged in farming during the fiscal year preceding the fiscal year in which the auditor computes the amount of the credit under section 425A.5 for which the tract would be eligible. Notwithstanding the foregoing sentence, the "actively engaged in farming" requirement is satisfied if the designated person is in general control of the tract under a federal program pertaining to agricultural land.

Sec. 613. Section 425A.3, subsection 3, Code 1991, is amended by striking the subsection and inserting in lieu thereof the following:

3. The county board of supervisors shall determine the eligibility of each tract for which an application is received.

Sec. 614. Section 425A.4, subsection 1, Code 1991, is amended by striking the subsection and inserting in lieu thereof the following:

1. To apply for the credit, the person shall each year between July 1 and October 15 deliver to the county assessor a verified statement and designation of the tracts of agricultural land for which the credit is claimed. The assessor shall return the statement and designation on or before November 15 of each year to the county board of supervisors with a recommendation for allowance or disallowance.

Sec. 615. Section 425A.4, subsection 2, Code 1991, is amended to read as follows:

2. The county board of supervisors in each county shall examine all claims delivered to county assessors, and shall either allow or disallow the claims, and if disallowed shall send notice of disallowance by certified regular mail to the claimant at the claimant's last known address. The claimant may appeal the decision of the board to the district court in which the tract for which the credit is claimed is situated by giving written notice of the appeal to the county assessor board of supervisors within twenty days from the date of the mailing of the notice of the decision of the board of supervisors.

Sec. 616. Section 425A.5, Code 1991, is amended to read as follows:

**425A.5 COMPUTATION BY AUDITOR -- APPEAL.**

The family farm tax credit allowed each year shall be computed as follows: On or before June March 1, the county auditor shall list by school districts all tracts of agricultural land which are entitled to credit, the taxable value for the previous year, the budget from each school district for the previous year, and the tax rate determined

for the general fund of the school district in the manner prescribed in section 444.3 for the previous year, and if the tax rate is in excess of five dollars and forty cents per thousand dollars of assessed value, the auditor shall multiply the tax levy which is in excess of five dollars and forty cents per thousand dollars of assessed value by the total taxable value of the agricultural land entitled to credit in the school district, and on or before June March 1, certify the total amount of credit and the total number of acres entitled to the credit to the department of revenue and finance.

Sec. 617. Section 425A.6, Code 1991, is amended to read as follows:

**425A.6 WARRANTS DRAWN BY DIRECTOR.**

After receiving from the county auditors the certifications provided for in section 425A.5, and during the following fiscal year, the director of revenue and finance shall draw warrants on the family farm tax credit fund created in section 425A.1, payable to the county treasurers in the amount certified by the county auditors of the respective counties and mail the warrants to the county auditors on August-15 June 1 of each year taking into consideration the relative budget and cash position of the state resources. However, if the family farm tax credit fund is insufficient to pay in full the total of the amounts certified to the director of revenue and finance, the director shall prorate the fund to the county treasurers and shall notify the county auditors of the pro rata percentage on or before August June 1.

Sec. 618. Section 554.9401, Code 1991, is amended by adding the following new subsection:

**NEW SUBSECTION. 6.** Of each fee collected by the county recorder under sections 570A.4, 554.9403, 554.9405, and 554.9406, the county recorder shall remit five dollars, if filed on a standard form or six dollars otherwise, to the office of the treasurer of state for deposit in the general fund of the state.

Sec. 619. Section 554.9403, subsection 5, paragraphs a and b, Code 1991, are amended to read as follows:

a. Five Ten dollars for an original financing statement if the statement is in the standard form prescribed by the secretary of state, and otherwise six twelve dollars.

b. Five Ten dollars for a continuation statement if the statement is in the standard form prescribed by the secretary of state, and otherwise six twelve dollars.

Sec. 620. Section 554.9404, subsection 3, Code 1991, is amended to read as follows:

3. There shall be no a ten-dollar fee for filing a termination statement.

Sec. 621. Section 554.9405, subsections 1 and 2, Code 1991, are amended to read as follows:

1. A financing statement may disclose an assignment of a security interest in the collateral described in the financing statement by indication in the financing statement of the name and address of the assignee or by an assignment itself or a copy thereof on the face or back of the statement. On presentation to the filing officer of such a financing statement the filing officer shall mark the same as provided in section 554.9403, subsection 4. The uniform fee for filing, indexing and furnishing filing data for a financing statement so indicating an assignment on a form conforming to standards prescribed by the secretary of state shall be five ten dollars, or if such statement otherwise conforms to the requirements of this section, six twelve dollars.

2. A secured party may assign of record all or a part of the rights under a financing statement by the filing in the place where the original financing statement was filed of a separate written statement of assignment signed by the secured party of record and setting forth the name of the secured party of record and the debtor, the file number and the date of filing of the financing statement and the name and address of the assignee and containing a description of the collateral assigned. A copy of the assignment is sufficient as a

separate statement if it complies with the preceding sentence. On presentation to the filing officer of such a separate statement, the filing officer shall mark such separate statement with the date and hour of the filing. The filing officer shall note the assignment on the index of the financing statement, or in the case of a fixture filing, or a filing covering timber to be cut, or covering minerals or the like (including oil and gas) or accounts subject to section 554.9103, subsection 5, the filing officer shall index the assignment under the name of the assignor as grantor and, to the extent that the law of this state provides for indexing the assignment of a mortgage under the name of the assignee, the filing officer shall index the assignment of the financing statement under the name of the assignee. The uniform fee for filing, indexing and furnishing filing data about such a separate statement of assignment on a form conforming to standards prescribed by the secretary of state shall be five ten dollars, or if such statement otherwise conforms to the requirements of this section, six twelve dollars. Notwithstanding the provisions of this subsection, an assignment of record of a security interest in a fixture contained in a mortgage effective as a fixture filing (section 554.9402, subsection 6), may be made only by an assignment of the mortgage in the manner provided by the law of this state other than this chapter.

For financing statements covering fixture filings, changes in the filings, and termination of the filings, an additional fee shall be charged for recording in an amount specified in section 331.604.

Sec. 622. Section 554.9406, Code 1991, is amended to read as follows:

554.9406 RELEASE OF COLLATERAL -- DUTIES OF FILING OFFICER -- FEES.

A secured party of record may by a signed statement release all or a part of any collateral described in a filed financing statement. The statement of release is sufficient if it

contains a description of the collateral being released, the name and address of the debtor, the name and address of the secured party, and the file number of the financing statement. A statement of release signed by a person other than the secured party of record must be accompanied by a separate written statement of assignment signed by the secured party of record and complying with section 554.9405, subsection 2, including payment of the required fee. Upon presentation of such a statement of release the filing officer shall mark the statement with the hour and date of filing and shall note the same upon the margin of the index of the filing of the financing statement. The uniform fee for filing and noting such a statement of release on a form conforming to standards prescribed by the secretary of state shall be five ten dollars, or if such statement otherwise conforms to the requirements of this section, six twelve dollars.

Sec. 623. Section 556.2, subsection 1, unnumbered paragraph 1, Code 1991, is amended to read as follows:

Any demand, savings, or matured time deposit made in this state with a banking organization, together with any interest or dividend, excluding any charges that may lawfully be withheld, unless the owner has, within five three years:

Sec. 624. Section 556.2, subsection 2, unnumbered paragraph 1, Code 1991, is amended to read as follows:

Any funds paid in this state toward the purchase of shares or other interest in a financial organization or any deposit made in this state, and any interest or dividends, excluding any charges that may lawfully be withheld, unless the owner has within five three years:

Sec. 625. Section 556.2, subsections 4, 5, and 6, Code 1991, are amended to read as follows:

4. Any sum payable on checks certified in this state or on written instruments issued in this state on which a banking or financial organization or business association is directly liable, including, by way of illustration but not of limitation, certificates of deposit, drafts, money orders, and

traveler's checks, that, with the exception of traveler's checks, has been outstanding for more than five three years from the date it was payable, or from the date of its issuance if payable on demand, or, in the case of traveler's checks, that has been outstanding for more than fifteen years from the date of its issuance, unless the owner has within five three years, or within fifteen years in the case of traveler's checks, corresponded in writing with the banking or financial organization or business association concerned, or otherwise indicated an interest as evidenced by a memorandum on file with the banking or financial organization or business association. The memorandum shall be dated and may have been prepared by the banking or financial organization or business association, in which case it shall be signed by an officer of the banking or financial organization, or a member of the business association, or it may have been prepared by the owner.

5. Any funds or other personal property, tangible or intangible, removed from a safe deposit box or any other safekeeping repository or agency or collateral deposit box in this state on which the lease or rental period has expired due to nonpayment of rental charges or other reason, or any surplus amounts arising from the sale thereof pursuant to law, that have been unclaimed by the owner for more than five three years from the date on which the lease or rental period expired.

6. A banking organization or financial organization shall send to the owner of each account, to which none of the actions specified in paragraphs "a" through "d" of subsection 1 or "a" through "d" of subsection 2 have occurred during the preceding five three calendar years, a notice by certified mail stating in substance the following:

"According to our records, we have had no contact with you regarding (describe account) for more than five three years. Under Iowa law, if there is a period of five three years without contact, we may be required to transfer this account

to the custody of the treasurer of state of Iowa as unclaimed property. You may prevent this by taking some action, such as a deposit or withdrawal, which indicates your interest in this account or by signing this form and returning it to us.

I desire to keep the above account open and active.

.....  
Your signature"

The notice required under this section shall be mailed within thirty days of the lapse of the five-year three-year period in which there is no activity. The cost of the certified mail of the notice required in this section may be deducted from the account by the banking or financial organization.

Sec. 626. Section 556.3, subsection 2, Code 1991, is amended to read as follows:

2. "Unclaimed funds," as used in this section, means all moneys held and owing by any life insurance corporation unclaimed and unpaid for more than five three years after the moneys became due and payable as established from the records of the corporation under any life or endowment insurance policy or annuity contract which has matured or terminated. A life insurance policy not matured by actual proof of the death of the insured is deemed to be matured and the proceeds thereof are deemed to be due and payable if the policy was in force when the insured attained the limiting age under the mortality table on which the reserve is based and shall be presumed abandoned and to be unclaimed funds as defined in this section if unclaimed and unpaid for more than two years thereafter, unless the person appearing entitled thereto has within the two-year period assigned, readjusted, or paid premiums on the policy, or subjected the policy to loan or corresponded in writing with the life insurance corporation concerning the policy. Moneys otherwise payable according to the records of the corporation are deemed due and payable although the policy or contract has not been surrendered as required.

Sec. 627. Section 556.4, Code 1991, is amended to read as follows:

556.4 DEPOSITS AND REFUNDS HELD BY UTILITIES.

The following funds held or owing by any utility are presumed abandoned:

1. Any deposit made by a subscriber with a utility to secure payment for, or any sum paid in advance for, utility services to be furnished in this state, less any lawful deductions, that has remained unclaimed by the person appearing on the records of the utility entitled to the deposit for more than two-years one year after the termination of the services for which the deposit or advance payment was made.

2. Any sum which a utility has been ordered to refund and which was received for utility services rendered in this state, together with any interest on the refund, less any lawful deductions, that has remained unclaimed by the person appearing on the records of the utility entitled to the refund for more than two-years one year after the date it became payable in accordance with the final determination or order providing for the refund.

Sec. 628. Section 556.5, subsection 6, Code 1991, is amended to read as follows:

6. Any stock or other certificate of ownership, or any dividend, profit, distribution, interest, payment on principal, or other sum held or owing by a business association for or to a shareholder, certificate holder, member, bondholder, or other security holder, or a participating patron of a cooperative, who has not claimed it, or corresponded in writing with the business association concerning it, within five three years after the date prescribed for payment or delivery, is presumed abandoned.

Sec. 629. Section 556.7, unnumbered paragraph 1, Code 1991, is amended to read as follows:

All intangible personal property and any income or increment thereon, held in a fiduciary capacity for the

benefit of another person is presumed abandoned unless the owner has, within five three years after it becomes payable or distributable, increased or decreased the principal, accepted payment of principal or income, corresponded in writing concerning the property, or otherwise indicated an interest as evidenced by a memorandum on file with the fiduciary which shall have been dated and may have been prepared by the fiduciary or by the owner:

Sec. 630. Section 570A.4, subsection 4, Code 1991, is amended to read as follows:

4. The secretary of state shall note the filing of a lien statement under this section in the manner provided by chapter 554, the uniform commercial code, and shall charge a five dollar filing fee if the statement is the standard form prescribed by the secretary of state, and otherwise a fee of six dollars as provided under section 554.9403.

Sec. 631. 1991 Iowa Acts, Senate File 452, section 10, subsection 3, unnumbered paragraph 1, is amended by striking the paragraph and inserting in lieu thereof the following:

The convention shall provide for staggered terms of office for directors elected pursuant to this Act. Notwithstanding section 173.6, an original director may serve an unlimited number of terms.

**Sec. 632. PARTICIPATION IN STATE HEALTH OR MEDICAL INSURANCE PROGRAMS BY RETIREES BETWEEN THE AGES OF FIFTY-FIVE AND SIXTY-FIVE.**

1. As used in this section, unless the context otherwise requires:

a. "Health or medical insurance program" means a state health or medical group insurance plan for employees of the state.

b. "Member" means a member of the Iowa public employees' retirement system, who at the date of termination of employment is receiving full health or medical insurance benefits under the state's programs and is not receiving disability payments under the state employees' disability insurance program.

2. A member with at least ten years of membership service who retires on or after August 1, 1991, and before August 1, 1993, who applies to receive retirement benefits under this chapter prior to August 1, 1993, who has attained at least the age of fifty-five but is under the age of sixty-five at the time of retirement, and who was a participant in a health or medical insurance program in which the state makes contributions at the time of retirement, may continue to participate in that state health or medical insurance program as authorized by law. However, notwithstanding any other provision of law to the contrary, the state shall continue to pay the employer's portion of the premium under the program for the retiree at the rate paid for full-time state employees until the retiree discontinues participation in the program or attains the age of sixty-five, whichever occurs first. However, in order to have the state continue to pay the employer's portion of the premium, the member must send written notification to the department of personnel at any time from July 1, 1991, through April 1, 1992, of the intent to retire and the anticipated date of retirement.

3. If a member continues participation in a health or medical insurance program and the state pays premiums as authorized in subsection 2, the member is not eligible to accept further employment in which the state or a political subdivision of the state is the employer.

4. A state department shall not be required to delete more than its proportionate share of all general fund positions vacated due to the incentive for retirement established in subsection 2. All positions vacated by a member exercising the rights established in subsection 2 shall be deleted, and the savings, as determined by the department of management, shall revert to the general fund of the state in a manner specified by the department of management, except that the portion of the savings which represents the cost of the employer's portion of a member's premium payable under this section shall not revert but shall be transferred to the

department of personnel to defray the costs of implementing this section. However, if an affected department determines that the vacancy may be detrimental to critical services provided to the public, the affected department may, with the approval of the department of management, exchange a position or positions determined by the department of management to be of an equal value, to be deleted. If a position is not available for exchange, the department may, with the approval of the director of the department of management, retain and fill the position.

Sec. 633. It is the intent of the general assembly, in the event that revenue estimates decline, that the governor consider making selective recommendations to a special session of the general assembly prior to exercising the authority under section 8.31. Further, that a reduction in spending shall not exceed 1 percent for a decline in revenues of \$33,000,000, or 2 percent for a decline in revenues of \$66,000,000.

Sec. 634. It is the intent of the general assembly that beginning with the fiscal year beginning July 1, 1992, the governor shall propose and the general assembly shall pass a budget in which ongoing expenditures do not exceed ongoing revenues.

DIVISION VII  
MISCELLANEOUS APPROPRIATIONS

Sec. 701. 1991 Iowa Acts, Senate File 529, section 102, subsection 1, is amended to read as follows:

1. For salaries, support, maintenance, and miscellaneous purposes for the general office of the governor and the general office of the lieutenant governor, and for not more than the following full-time equivalent positions:

..... \$ 993,462  
..... 1,033,462  
..... FTES 17.00

Sec. 702. 1991 Iowa Acts, Senate File 529, section 114, subsection 1, is amended to read as follows:

1. AUDIT AND COMPLIANCE

For salaries, support, maintenance, and miscellaneous purposes:

..... \$ ~~10,875,247~~  
..... 10,989,147

Sec. 703. 1991 Iowa Acts, Senate File 529, section 116, unnumbered paragraph 2, is amended to read as follows:

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ ~~7,050,932~~  
..... 7,440,932  
..... FTES 138.55

ROBERT C. ARNOULD  
Speaker of the House

JOE J. WELSH  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 479, Seventy-fourth General Assembly.

*Stem Vetter*

Approved May 31, 1991

JOSEPH O'HERN  
Chief Clerk of the House

TERRY E. BRANSTAD  
Governor

HF 479