

FILED APR 30 1996

SENATE FILE 2470  
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO LSB 4436SC)

Passed Senate, Date <sup>(p.1545)</sup> 4/30/96

Vote: Ayes 30 Nays 20

Approved [Signature]

Passed House, Date <sup>(p.2145)</sup> 5/1/96

Vote: Ayes 84 Nays 12

5/30/96

A BILL FOR

1 An Act relating to state expenditure and regulatory matters by  
2 making standing and other appropriations, and providing  
3 technical provisions, studies of runaway youth, physician  
4 utilization, and retirement system issues, and providing a  
5 penalty and effective dates.

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

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S.F. 2470

DIVISION I

REVERSIONS

1  
2  
3 Section 1. Section 8.62, Code 1995, is amended to read as  
4 follows:

5 8.62 USE OF REVERSIONS.

6 1. For the purposes of this section, "operational  
7 appropriation" means an appropriation from the general fund of  
8 the state providing for salary, support, administrative  
9 expenses, or other personnel-related costs.

10 2. Notwithstanding the provisions of section 8.33 or any  
11 other provision of law to the contrary, if on June 30 of the a  
12 fiscal years-ending-in-1995-and-1996 year, a balance of an  
13 operational appropriation remains unexpended or unencumbered,  
14 not more than fifty percent of the balance may be encumbered  
15 by the agency to which the appropriation was made and used as  
16 provided in this section and the remaining balance shall be  
17 deposited in the cash reserve fund created in section 8.56.  
18 Moneys encumbered under this section shall only be used by the  
19 agency during the succeeding fiscal year for employee training  
20 and for technology enhancement. Unused moneys encumbered  
21 under this section shall be deposited in the cash reserve fund  
22 on June 30 of the succeeding fiscal year.

23 3. On or before June 30, 1996-and-1997 of the fiscal year  
24 following the fiscal year in which funds were encumbered under  
25 this section, an agency encumbering funds under this section  
26 shall report to the joint appropriations subcommittee which  
27 recommends funding for the agency, the legislative fiscal  
28 bureau, the department of management, and the legislative  
29 fiscal committee of the legislative council detailing how the  
30 moneys were expended. Moneys shall not be encumbered under  
31 this section from an appropriation which received a transfer  
32 from another appropriation pursuant to section 8.39.

33 4. This section is repealed on September 1, 1997 1999.

34 Sec. 2. 1996 Iowa Acts, House File 2114, section 2, is  
35 amended by adding the following new unnumbered paragraph:

1 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33,  
2 moneys appropriated in this section which remain unexpended or  
3 unobligated at the close of the fiscal year shall not revert  
4 to the general fund of the state but shall remain available  
5 for expenditure in the succeeding fiscal year.

6 Sec. 3. EFFECTIVE DATE. Section 2 of this division of  
7 this Act, amending 1996 Iowa Acts, House File 2114, section 2,  
8 being deemed of immediate importance, takes effect upon  
9 enactment.

10

## DIVISION II

11

## EDUCATION PROVISIONS

12 Sec. 4. Section 279.51, subsection 1, unnumbered paragraph  
13 1, Code Supplement 1995, is amended to read as follows:

14 There is appropriated from the general fund of the state to  
15 the department of education for the fiscal year beginning July  
16 1, ~~1990~~ 1996, and each succeeding fiscal year, the sum of  
17 eight fifteen million ~~seven one~~ hundred thousand dollars. For  
18 ~~each-fiscal-year-beginning-on-or-after-July-1,-1995,-there-is~~  
19 ~~appropriated-the-sum-which-was-appropriated-for-the-fiscal~~  
20 ~~year-commencing-July-1,-1994-~~

21 Sec. 5. Section 279.51, subsection 1, paragraphs b, c, d,  
22 e, and f, Code Supplement 1995, are amended to read as  
23 follows:

24 b. For the fiscal year beginning July 1, ~~1990~~ 1996, ~~four~~  
25 ~~million-six-hundred-twenty-five-thousand-dollars,~~ and for each  
26 succeeding fiscal year thereafter, ~~six~~ eight million ~~one~~ two  
27 hundred ~~twenty-five~~ fifty thousand dollars of the funds  
28 appropriated shall be allocated to the child development  
29 coordinating council established in chapter 256A for the  
30 purposes set out in subsection 2 of this section and section  
31 256A.3.

32 c. For each of the fiscal years during the fiscal period  
33 beginning July 1, ~~1994~~ 1996, and ending June 30, 1998, two  
34 million eight hundred thousand dollars of the funds  
35 appropriated shall be allocated for the school-based youth

1 services education program established in subsection 3. For  
2 each of the fiscal years during the fiscal period beginning  
3 July 1, 1994, and ending June 30, 1998, twenty thousand  
4 dollars of the funds allocated under in this paragraph shall  
5 be expended for staff development, research, and the  
6 development of strategies for coordination with community-  
7 based youth organizations and agencies. A school that  
8 received a grant during the fiscal year beginning July 1,  
9 1993, is ineligible to receive a grant under this paragraph.  
10 Subject to the approval of the state board of education, the  
11 allocation made in this paragraph may be renewed for  
12 additional four-year periods of time.

13 d. For the fiscal year beginning July 1, ~~1990~~ 1996, three  
14 ~~million-dollars~~, and for each fiscal year thereafter, four  
15 three million five hundred thousand dollars of the funds  
16 appropriated shall be allocated as grants to school districts  
17 that have elementary schools that demonstrate the greatest  
18 need for programs for at-risk students with preference given  
19 to innovative programs for the early elementary school years.  
20 The grant allocations made in this paragraph may be renewed  
21 for additional periods of time. Of the amount allocated under  
22 this paragraph for each fiscal year, seventy-five thousand  
23 dollars shall be allocated to school districts which have an  
24 actual student population of ten thousand or less and have an  
25 actual non-English speaking student population which  
26 represents greater than five percent of the total actual  
27 student population for grants to elementary schools in those  
28 districts.

29 ~~e.--Additional-funds-available-under-this-subsection-as-a~~  
30 ~~result-of-additional-growth-provided-to-the-appropriation-in~~  
31 ~~subsection-1-shall-be-distributed-equally-between-paragraphs~~  
32 ~~"b"-and-"d".~~

33 f. e. For Notwithstanding paragraph "c", for each of the  
34 fiscal years during the fiscal period beginning July 1, 1994,  
35 and ending June 30, 1998, fifty thousand dollars of the funds

1 appropriated allocated in paragraph "c" shall be granted to  
2 each of the four schools that received grants under subsection  
3 3 during the fiscal year beginning July 1, 1993, to allow for  
4 expansion and to include identified minimum services if the  
5 school submits a program plan pursuant to subsection 3.

6 Sec. 6. Section 279.51, subsection 1, paragraph g, Code  
7 Supplement 1995, is amended by striking the paragraph and  
8 inserting in lieu thereof the following:

9 g. Notwithstanding section 256A.3, subsection 6, of the  
10 amount appropriated in this subsection for the fiscal year  
11 beginning July 1, 1996, and for each succeeding fiscal year,  
12 two and one-fourth percent may be used for administrative  
13 costs.

14 Sec. 7. Section 279.51, subsection 1, unnumbered  
15 paragraphs 3 and 4, Code Supplement 1995, are amended by  
16 striking the unnumbered paragraphs.

17 Sec. 8. There is appropriated from the general fund of the  
18 state to the department of education for the fiscal year  
19 beginning July 1, 1996, and ending June 30, 1997, the  
20 following amount, or so much thereof as is necessary, to be  
21 used for the purpose designated:

22 To provide matching funds to school districts to pay for  
23 health benefits covering early retirement of classroom  
24 teachers under section 279.46:

25 ..... \$ 1,000,000

26 The match shall consist of one-third from the state, one-  
27 third from the school district, and one-third from the  
28 employee who elects early retirement pursuant to a program  
29 adopted pursuant to section 279.46 which program provides for  
30 the continuation of health or medical insurance coverage.

31 DIVISION III

32 CLAIMS AGAINST THE STATE

33 Sec. 9. CLAIMS APPROPRIATION. There is appropriated from  
34 the general fund of the state for the fiscal year beginning  
35 July 1, 1995, and ending June 30, 1996, to the following

1 persons the indicated amount in full settlement of the claim  
2 filed by the person against the state of Iowa:

3 1. To Gordon Eklund for claim number G95-1326, relating to  
4 an agricultural land credit refund:

5 ..... \$ 22,697.00

6 2. To William Broeker for claim number G95-2940, relating  
7 to a license refund:

8 ..... \$ 114.00

9 3. To Ann and Bill Broeker for claim number G95-2941,  
10 relating to a license refund:

11 ..... \$ 85.36

12 Sec. 10. DISAPPROVAL OF CLAIMS. The general assembly  
13 disapproves of all other claims submitted and considered by  
14 the claims committees of the senate and house of  
15 representatives as of April 22, 1996.

16 Sec. 11. EFFECTIVE DATE. This division of this Act, being  
17 deemed of immediate importance, takes effect upon enactment.

18 DIVISION IV

19 LOTTERY TRANSFER

20 Sec. 12. EXCESS LOTTERY REVENUES -- FISCAL YEAR 1994-1995.

21 Of the lottery revenues received during the fiscal year  
22 beginning July 1, 1994, which remain in the lottery fund  
23 following the transfers made pursuant to 1995 Iowa Acts,  
24 chapter 220, section 16, the following amounts are  
25 appropriated for use during the fiscal period beginning July  
26 1, 1996, and ending June 30, 1998, as follows:

27 1. To the Iowa agricultural development authority to  
28 support the establishment of an agri-entrepreneurship  
29 education project to provide beginning agriculturists with an  
30 opportunity to gain experience in owning or operating  
31 agriculture-related businesses through entrepreneurship loans  
32 to future farmers of America chapters or other organizations  
33 administering secondary education-related agricultural  
34 programs:

35 ..... \$ 100,000

- 1     2. To the department of education for contracting with the  
2 Iowa alliance for arts education to execute the local arts  
3 comprehensive educational strategies program:  
4 ..... \$     125,000
- 5     3. To the department of natural resources, to be combined  
6 with local matched funding of two dollars for every one state  
7 dollar, for repair and replacement costs associated with the  
8 spillway at Hickory Grove lake:  
9 ..... \$     150,000
- 10    4. To Iowa state university of science and technology for  
11 allocation to the Iowa institute for public leadership:  
12 ..... \$     40,000
- 13    5. To the department of elder affairs for transfer to the  
14 Hawkeye area agency on aging to be used for a grant for a  
15 summer youth program:  
16 ..... \$     10,000
- 17    6. To the department of cultural affairs to be used for  
18 restoration of the Louis Sullivan building in Algona:  
19 ..... \$     25,000
- 20    7. To the department of agriculture and land stewardship  
21 for support of the Iowa cooperative foundation:  
22 ..... \$     100,000
- 23    8. To the state board of regents for an addition to the  
24 Iowa lakeside laboratory for costs of fixing a sewage line,  
25 expanding a phone system, and installing a natural gas  
26 pipeline:  
27 ..... \$     70,000
- 28    9. To the department of economic development to be used  
29 for community grants related to historical and cultural  
30 preservation, including projects involving railroads, and  
31 related to the Iowa Sesquicentennial:  
32 ..... \$     250,000
- 33    Not more than \$50,000 shall be provided for any community  
34 grant.
- 35   10. To the department of natural resources to be used for

1 grants to communities for purchase or replacement of  
2 playground equipment:

3 ..... \$ 250,000

4 11. To the department of transportation to be used for a  
5 grant to Boone county for costs associated with paving of  
6 Arboretum road:

7 ..... \$ 50,000

8 12. To the department of natural resources, to be combined  
9 with local matching funding of two dollars for every one state  
10 dollar, for the costs of dredging at Crystal lake in Hancock  
11 county:

12 ..... \$ 200,000

13 13. To the department of natural resources for purposes of  
14 continuing natural lake preservation efforts:

15 ..... \$ 100,000

16 The department shall award the amount transferred in this  
17 subsection to a city as defined in section 362.2. The  
18 department shall award the amount on a matching basis with the  
19 department contributing one dollar for each one dollar  
20 dedicated by the city, or the city acting in conjunction with  
21 a county, regardless of the source from which the city or  
22 county obtains the money, for the continuation of natural lake  
23 preservation efforts, if the city or county has previously  
24 received state funding for such purposes. However, the city,  
25 or the city and county, must have dedicated at least \$100,000  
26 of local funds in order to qualify for the award. The city  
27 must also be located in a county having a population of less  
28 than 12,000.

29 14. To the department of education for continuation of a  
30 grant to Southeast Polk community school district to implement  
31 an interagency coalition strategy combining education, health,  
32 and social services in addressing the problems of children and  
33 families through school-linked services:

34 ..... \$ 60,000

35 15. To the department of human services to be used for



1 grants as provided in this subsection:

2 ..... \$ 100,000

3 The funds appropriated in this subsection shall be used for  
4 grants to community or regional groups to develop at least  
5 five regional demonstration projects for youth between the  
6 ages of 13 and 17, to develop specific vocational skills  
7 through work-based learning experiences, with job placement as  
8 the ultimate goal. The programs shall include activities  
9 which assist the participant in developing basic academic,  
10 training, personal, interpersonal, and other occupational  
11 skills. Grants shall be awarded in a manner so that the  
12 projects are geographically representative of the state and  
13 are located in both rural and urban areas.

14 16. To the department of natural resources to be used for  
15 grants to assist local communities with removal of waste tires  
16 from facilities located within a city's limits:

17 ..... \$ 150,000

18 17. To the community grant fund established under section  
19 232.190, to be allocated by the division of criminal and  
20 juvenile justice planning of the department of human rights  
21 for a grant to an urban facility whose primary function is to  
22 provide shelter services for runaways ages 11 through 17:

23 ..... \$ 150,000

24 18. To the department of cultural affairs for a grant to  
25 be combined with local match funding of one dollar for every  
26 one state dollar to be used for the Heartland Discovery  
27 Center:

28 ..... \$ 100,000

29 19. To the department of natural resources for purposes of  
30 creating, improving, or enhancing recreational opportunities  
31 directly related to the restoration and development of lake  
32 Ahquabi and related facilities:

33 ..... \$ 100,000

34 Notwithstanding section 8.33, moneys appropriated in  
35 accordance with this section shall not revert to the lottery

1 fund at the close of the fiscal year beginning July 1, 1996,  
2 but shall remain available for expenditure for the purposes  
3 designated. Unless otherwise provided in this section, moneys  
4 appropriated in this section which remain unobligated or  
5 unexpended for the purpose designated shall revert at the  
6 close of the succeeding fiscal year.

7 Sec. 13. LOTTERY REVENUES -- FISCAL YEAR 1995-1996. From  
8 the additional lottery revenues transferred and credited to  
9 the general fund of the state during the fiscal year beginning  
10 July 1, 1995, as a result of the enactment in this Act of  
11 section 99E.10, subsection 1, new unnumbered paragraph, the  
12 following amounts shall be transferred and appropriated for  
13 use during the fiscal period beginning July 1, 1995, and  
14 ending June 30, 1998, as follows:

15 1. To the treasurer of state for the continued funding of  
16 Iowa's participation in the funding of the world food prize:  
17 ..... \$ 250,000

18 It is the intent of the general assembly that this  
19 appropriation of public funds will result in a commitment for  
20 additional funding for the world food prize from private  
21 sources.

22 The treasurer of state shall only provide the funds  
23 appropriated in this section to the world food prize  
24 foundation if sufficient private funds are raised to maintain  
25 the world food prize foundation in Iowa and the foundation is  
26 structured to include representation that reflects  
27 environmental concerns and sustainable agriculture.

28 2. To the department of cultural affairs for maintenance  
29 and improvement at the gothic house visitors center:  
30 ..... \$ 200,000

31 3. To the department of natural resources to be used for a  
32 grant to a city with a population of more than 200,000 to be  
33 used for costs associated with the development of the  
34 Riverview Nature Island environmental education project:  
35 ..... \$ 50,000

1 4. To the department of cultural affairs to be used for  
2 trail development at Blood Run national historic landmark:  
3 ..... \$ 75,000

4 5. To the department of economic development for operation  
5 and support of the Dows welcome center:  
6 ..... \$ 5,000

7 6. To the state department of transportation for the city  
8 of Durant to construct a curb on highway 927:  
9 ..... \$ 100,000

10 7. To the department of economic development for operation  
11 and support of the north and south gateway welcome centers on  
12 I-35:  
13 ..... \$ 20,000

14 8. To the department of cultural affairs for the  
15 restoration of the Heisermann memorial library in West Union:  
16 ..... \$ 50,000

17 Funds under this subsection shall be available upon a local  
18 match of two dollars for each one dollar of state moneys.

19 9. For the renovation of historical electric cars and the  
20 payment of renovation expenses incurred by the Mason City-  
21 Clear Lake electric trolley railroad historical society  
22 conditioned upon \$75,000 in local matching funds being raised:  
23 ..... \$ 100,000

24 10. To the department of education for allocation to  
25 Hawkeye community college for purposes of renovating the  
26 Martin Luther King building for use as an urban center with  
27 classrooms to prepare students for the workplace or to pursue  
28 postsecondary education:  
29 ..... \$ 100,000

30 11. To the department of economic development for a grant  
31 to America's agricultural/industrial heritage landscape, inc.  
32 for purchase, continued rehabilitation, and development of  
33 tourist information services at the national heritage  
34 orientation center and public market:  
35 ..... \$ 100,000

1 It is the intent of the general assembly that the project  
2 funded under this subsection which is located at the former  
3 Chicago great western railway freight station shall continue  
4 to serve as a pilot project for comprehensive regional  
5 economic development through agricultural heritage tourism.

6 12. To the department of cultural affairs for a grant to  
7 be combined with local match funding of one dollar for every  
8 one state dollar to be used for an area science center in Iowa  
9 City:

10 ..... \$ 25,000

11 13. To the department of cultural affairs for a grant to  
12 be combined with local match funding of two dollars for every  
13 one state dollar to be used for costs associated with  
14 establishment of the Iowa fire fighters memorial:

15 ..... \$ 50,000

16 Notwithstanding section 8.33, moneys transferred and  
17 appropriated in accordance with this section shall not revert  
18 at the close of the fiscal years beginning July 1, 1995, and  
19 July 1, 1996, but shall remain available for expenditure for  
20 the purposes designated. Unless otherwise provided in this  
21 section, moneys transferred in this section which remain  
22 unobligated or unexpended for the purpose designated shall  
23 revert at the close of the fiscal year beginning July 1, 1997,  
24 and ending June 30, 1998.

25 Sec. 14. LOTTERY REVENUE TRANSFER -- FISCAL YEAR 1996-  
26 1997. Notwithstanding the requirement in section 99E.10,  
27 subsection 1, to transfer lottery revenue remaining after  
28 expenses are deducted, notwithstanding the requirement under  
29 section 99E.20, subsection 2, for the commissioner to certify  
30 and transfer a portion of the lottery fund to the CLEAN fund,  
31 and notwithstanding the appropriations and allocations in  
32 section 99E.34, all lottery revenues received during the  
33 fiscal year beginning July 1, 1996, and ending June 30, 1997,  
34 after deductions as provided in section 99E.10, subsection 1,  
35 and as appropriated under any Act of the Seventy-sixth General

1 Assembly, 1996 Session, shall not be transferred to and  
2 deposited into the CLEAN fund but shall be transferred and  
3 credited to the general fund of the state.

4 Sec. 15. Section 99E.10, subsection 1, Code 1995, is  
5 amended by adding the following new unnumbered paragraph:

6 NEW UNNUMBERED PARAGRAPH. Notwithstanding any other  
7 provision, in determining the amount of lottery revenues to be  
8 transferred in a specific month as provided by law, not more  
9 than one million five hundred thousand dollars may be retained  
10 in the lottery fund.

11 Sec. 16. EFFECTIVE DATE. This division of this Act, being  
12 deemed of immediate importance, takes effect upon enactment.

13 DIVISION V

14 TECHNICAL AMENDMENTS

15 Sec. 17. Section 88B.4, subsection 4, as enacted by 1996  
16 Iowa Acts, House File 2308, section 4, is amended to read as  
17 follows:

18 4. The permittee shall keep a record containing  
19 information of each asbestos project it performs and shall  
20 make the record available to the division at any reasonable  
21 time. Records shall contain information and be kept for a  
22 time prescribed in rules adopted by the division.

23 Sec. 18. Section 147.1, subsection 3, Code Supplement  
24 1995, as amended by 1996 Iowa Acts, Senate File 2013, section  
25 4, is amended to read as follows:

26 3. "Licensed" or "certified" when applied to a physician  
27 and surgeon, podiatric physician, osteopath, osteopathic  
28 physician and surgeon, physician assistant, psychologist or  
29 associate psychologist, chiropractor, nurse, dentist, dental  
30 hygienist, optometrist, speech pathologist, audiologist,  
31 pharmacist, physical therapist, occupational therapist,  
32 respiratory care practitioner, practitioner of cosmetology  
33 arts and sciences, practitioner of barbering, funeral  
34 director, dietitian, marital and family therapist, mental  
35 health counselor, or social worker means a person licensed

1 under this subtitle, excluding chapters 152B<sub>7</sub>, 152C<sub>7</sub> and 152D.

2 Sec. 19. Section 321.34, subsection 27, paragraph b, as  
3 enacted by 1996 Iowa Acts, House File 514, section 4, is  
4 amended to read as follows:

5 b. The special Iowa heritage fee for letter number  
6 designated plates is thirty-five dollars. The special fee for  
7 personalized Iowa heritage plates is twenty-five dollars which  
8 shall be paid in addition to the special fee of thirty-five  
9 dollars. ~~The special fee~~ The annual special Iowa heritage fee  
10 is ten dollars for letter number designated registration  
11 plates and is fifteen dollars for personalized registration  
12 plates which shall be paid in addition to the regular annual  
13 registration fee.

14 Sec. 20. Section 321.34, subsection 28, paragraphs a and  
15 b, as enacted by 1996 Iowa Acts, House File 514, section 4,  
16 are amended by striking the paragraphs and inserting in lieu  
17 thereof the following:

18 a. An owner referred to in subsection 18, upon written  
19 application to the department, may order special registration  
20 plates with an education emblem. The education emblem shall  
21 be designed by the department in cooperation with the  
22 department of education.

23 Sec. 21. Section 321.34, subsection 28, paragraph c, as  
24 enacted by 1996 Iowa Acts, House File 514, section 4, is  
25 amended to read as follows:

26 ~~e:~~ b. The special school transportation fee for letter  
27 number designated education plates is thirty-five dollars.  
28 The fee for personalized education plates is twenty-five  
29 dollars, which shall be paid in addition to the special school  
30 transportation fee of thirty-five dollars. The annual special  
31 school transportation fee is ten dollars for letter number  
32 designated registration plates and is fifteen dollars for  
33 personalized registration plates which shall be paid in  
34 addition to the regular annual registration fee. The fees  
35 collected by the director under this subsection shall be paid

1 monthly to the treasurer of state and credited to the road use  
2 tax fund. Notwithstanding section 423.24, and prior to the  
3 crediting of revenues to the road use tax fund under section  
4 423.24, subsection 1, paragraph "d", the treasurer of state  
5 shall transfer monthly from those revenues to the school  
6 budget review committee in accordance with section 257.31,  
7 subsection ~~16~~ 17, the amount of the special school  
8 transportation fees collected in the previous month for the  
9 education plates.

10 Sec. 22. Section 321.34, subsection 28, paragraph d, as  
11 enacted by 1996 Iowa Acts, House File 514, section 4, is  
12 amended by striking the paragraph.

13 Sec. 23. Section 321.166, subsection 2, Code 1995, as  
14 amended by 1996 Iowa Acts, Senate File 2266, section 7, is  
15 amended to read as follows:

16 2. Every registration plate or pair of plates shall  
17 display a registration plate number which shall consist of  
18 alphabetical or numerical characters or a combination thereof  
19 and the name of this state, which may be abbreviated. Every  
20 registration plate issued by the county treasurer shall  
21 display the name of the county including any plate issued  
22 pursuant to section 321.34, except Pearl Harbor, and purple  
23 heart registration plates issued prior to January 1, 1997, and  
24 collegiate, fire fighter, and congressional medal of honor  
25 registration plates. Special truck registration plates shall  
26 display the word "special".

27 Sec. 24. Section 321.457, subsection 2, paragraph f, Code  
28 1995, as amended by 1996 Iowa Acts, House File 2066, section  
29 1, is amended to read as follows:

30 f. A motor vehicle or combination of vehicles may be  
31 operated upon the highways of this state, irrespective of the  
32 length and weight limitations imposed by the laws of this  
33 state, if the motor vehicle or combination of vehicles is  
34 operated within the corporate limits of a city abutting a  
35 border of this state and such operations have been approved by

1 ordinance of the city council and if the length and weight of  
2 the motor vehicle or combination of vehicles is in conformity  
3 with the laws relating to length and weight of the abutting  
4 state. If a city council has authorized such operation upon  
5 highways within the corporate limits, then the limit of travel  
6 for such motor vehicles or combination of vehicles within the  
7 state is extended to the commercial zones as described by  
8 federal regulations concerning interstate commerce, 49 C.F.R.  
9 § 1048.101 and to the interstate system as provided in 23  
10 U.S.C. § 127 and 49 U.S.C. § 31112(c), as amended by 1995 Pub.  
11 L. No. 104-59.

12 Sec. 25. Section 422.5, subsection 1, paragraph j, sub-  
13 paragraph (2), subparagraph subdivision (b), if enacted by  
14 1996 Iowa Acts, Senate File 2449, is amended to read as  
15 follows:

16 (b) This subparagraph shall not affect the amount of the  
17 taxpayer's checkoff to the Iowa election campaign fund under  
18 section 56.18, the checkoff for the fish and game fund in  
19 section ~~107-16~~ 456A.16, the credits from tax provided in  
20 sections 422.10, 422.11A, and 422.12 and the allocation of  
21 these credits between spouses if the taxpayers filed separate  
22 returns or separately on combined returns.

23 Sec. 26. Section 533.4, subsection 1, Code 1995, as  
24 amended by 1996 Iowa Acts, Senate File 376, section 1, is  
25 amended to read as follows:

26 1. Receive from its members, nonmembers as prescribed by  
27 rule where the credit union is serving predominantly low-  
28 income members, other credit unions, and federal, state,  
29 county, and city governments, as payments on shares or as  
30 deposits. Rules adopted allowing nonmember deposits in credit  
31 unions serving predominantly low-income members shall be  
32 designed solely to meet the needs of the low-income members.

33 Sec. 27. Section 542B.27, as enacted by 1996 Iowa Acts,  
34 House File 2318, section 2, is amended to read as follows:

35 542B.27 CIVIL PENALTY.



1 1. a. In addition to any other penalties provided for in  
2 this section, the board may by order impose a civil penalty  
3 upon a person who is not registered licensed under this  
4 chapter as a professional engineer or a land surveyor and who  
5 does any of the following:

6 (1) a. Engages in or offers to engage in the practice of  
7 professional engineering or land surveying.

8 (2) b. Uses or employs the words "professional engineer"  
9 or "land surveyor", or implies authorization to provide or  
10 offer professional engineering or land surveying services, or  
11 otherwise uses or advertises any title, word, figure, sign,  
12 card, advertisement, or other symbol or description tending to  
13 convey the impression that the person is a professional  
14 engineer or land surveyor or is engaged in the practice of  
15 professional engineering or land surveying.

16 (3) c. Presents or attempts to use the certificate of  
17 registration licensure or the seal of a professional engineer  
18 or land surveyor.

19 (4) d. Gives false or forged evidence of any kind to the  
20 board or any member of the board in obtaining or attempting to  
21 obtain a certificate of registration licensure.

22 (5) e. Falsely impersonates any registered licensed  
23 professional engineer or land surveyor.

24 (6) f. Uses or attempts to use an expired, suspended,  
25 revoked, or nonexistent certificate of registration licensure.

26 (7) g. Knowingly aids or abets an unregistered unlicensed  
27 person who engages in any activity identified in this  
28 paragraph subsection.

29 b. 2. A civil penalty imposed shall not exceed one  
30 thousand dollars for each offense. Each day of a continued  
31 violation constitutes a separate offense.

32 e. 3. In determining the amount of a civil penalty to be  
33 imposed, the board may consider any of the following:

34 (1) a. Whether the amount imposed will be a substantial  
35 economic deterrent to the violation.

1 (2) b. The circumstances leading to the violation.

2 (3) c. The severity of the violation and the risk of harm  
3 to the public.

4 (4) d. The economic benefits gained by the violator as a  
5 result of noncompliance.

6 (5) e. The interest of the public.

7 ~~d.~~ 4. Before issuing an order under this section, the  
8 board shall provide the person written notice and the  
9 opportunity to request a hearing on the record. The hearing  
10 must be requested within thirty days of the issuance of the  
11 notice and shall be conducted in the same manner as provided  
12 in section 542B.22.

13 ~~e.~~ 5. The board, in connection with a proceeding under  
14 this ~~subsection~~ section, may issue subpoenas to compel the  
15 attendance and testimony of witnesses and the disclosure of  
16 evidence, and may request the attorney general to bring an  
17 action to enforce the subpoena.

18 ~~f.~~ 6. A person aggrieved by the imposition of a civil  
19 penalty under this ~~subsection~~ section may seek judicial review  
20 in accordance with section 17A.19.

21 ~~g.~~ 7. If a person fails to pay a civil penalty within  
22 thirty days after entry of an order under paragraph-"a"  
23 subsection 1, or if the order is stayed pending an appeal  
24 within ten days after the court enters a final judgment in  
25 favor of the board, the board shall notify the attorney  
26 general. The attorney general may commence an action to  
27 recover the amount of the penalty, including reasonable  
28 attorney's fees and costs.

29 ~~h.~~ 8. An action to enforce an order under this section may  
30 be joined with an action for an injunction.

31 Sec. 28. NEW SECTION. 554.8116 SECURITIES INTERMEDIARY  
32 AS PURCHASER FOR VALUE.

33 A securities intermediary that receives a financial asset  
34 and establishes a security entitlement to the financial asset  
35 in favor of an entitlement holder is a purchaser for value of

1 the financial asset. A securities intermediary that acquires  
2 a security entitlement to a financial asset from another  
3 securities intermediary acquires the security entitlement for  
4 value if the securities intermediary acquiring the security  
5 entitlement establishes a security entitlement to the  
6 financial asset in favor of an entitlement holder.

7 Sec. 29. Section 607A.3, subsection 2A, as enacted by 1996  
8 Iowa Acts, Senate File 2207, section 1, is amended to read as  
9 follows:

10 2A. "Disabled Person with a disability" means a person who  
11 is not physically able to operate a motor vehicle or use  
12 public transportation without assistance due to a physical  
13 disability.

14 Sec. 30. Section 607A.8, Code 1995, as amended by 1996  
15 Iowa Acts, Senate File 2207, section 2, is amended to read as  
16 follows:

17 607A.8 FEES AND EXPENSES FOR JURORS.

18 Grand jurors and petit jurors in all courts shall receive  
19 ten dollars as compensation for each day's service or  
20 attendance, including attendance required for the purpose of  
21 being considered for service, reimbursement for mileage  
22 expenses at the rate specified in section 602.1509 for each  
23 mile traveled each day to and from their residences to the  
24 place of service or attendance, and reimbursement for actual  
25 expenses of parking, as determined by the clerk. A juror who  
26 is disabled a person with a disability may receive  
27 reimbursement for the costs of alternate transportation from  
28 the disabled juror's residence to the place of service or  
29 attendance. A juror shall not receive reimbursement for  
30 mileage expenses or actual expenses of parking when the juror  
31 travels in a vehicle for which another juror is receiving  
32 reimbursement for mileage and parking expenses.

33 Sec. 31. Section 910A.9A, Code Supplement 1995, as amended  
34 by 1996 Iowa Acts, Senate File 2080, section 67, is amended to  
35 read as follows:

1 910A.9A NOTIFICATION BY DEPARTMENT OF HUMAN SERVICES.

2 The department of human services shall notify a victim  
3 registered with the department, regarding a juvenile  
4 adjudicated delinquent for a violent crime, committed to the  
5 custody of the department of human services, and placed at the  
6 state training school at Eldora or Toledo, ~~or-regarding-a~~  
7 ~~person-determined-to-be-a-sexually-violent-predator-under~~  
8 ~~chapter-709C7-and-committed-to-the-custody-of-the-department~~  
9 ~~of-human-services~~, of the following:

10 1. The date on which the juvenile ~~or-sexually-violent~~  
11 ~~predator~~ is expected to be temporarily released from the  
12 custody of the department of human services, and whether the  
13 juvenile ~~or-sexually-violent-predator~~ is expected to return to  
14 the community where the registered victim resides.

15 2. The juvenile's ~~or-the-sexually-violent-predator's~~  
16 escape from custody.

17 3. The recommendation by the department to consider the  
18 juvenile ~~or-sexually-violent-predator~~ for release or  
19 placement.

20 4. The date on which the juvenile ~~or-sexually-violent~~  
21 ~~predator~~ is expected to be released from a facility pursuant  
22 to a plan of placement.

23 Sec. 32. 1996 Iowa Acts, Senate File 2348, section 15,  
24 subsection 1, is amended to read as follows:

25 1. Except as provided in subsection 2, this Act takes  
26 effect on January 1, 1997. However, until January 1, 1998, a  
27 person holding an inventory of packaged agricultural liming  
28 material on January 1, 1997, may continue to sell that  
29 inventory as labeled under chapter 201 as the chapter existed  
30 on December 31, ~~1997~~ 1996.

31 Sec. 33. 1996 Iowa Acts, House File 2306, section 1,  
32 subsection 2, is amended to read as follows:

33 2. This section applies to ~~artificial-lakes~~ Big Creek lake  
34 from May 24, 1996, through September 2, 1996, both dates  
35 inclusive.

1 Sec. 34. 1996 Iowa Acts, Senate File 2080, section 62, is  
2 repealed.

3 Sec. 35. 1996 Iowa Acts, Senate File 2351, section 3,  
4 amending section 15.343, subsection 1, paragraph "c", Code  
5 Supplement 1995, is repealed.

6 Sec. 36. EFFECTIVE DATE. Section 554.8116, as enacted in  
7 this Act, takes effect July 1, 1997.

8 DIVISION VI

9 STATE APPROPRIATIONS FOR FY 1995-1996

10 Sec. 37. STATE HYGIENIC LABORATORY. There is appropriated  
11 from the general fund of the state to the state board of  
12 regents for the fiscal year beginning July 1, 1995, and ending  
13 June 30, 1996, the following amount, or so much thereof as is  
14 necessary, to be used by the state hygienic laboratory at the  
15 state university of Iowa for the purpose designated:

16 For conducting analyses of test samples for alcohol or  
17 illegal controlled substances:

18 ..... \$ 200,000

19 Sec. 38. SENATE FILE 13. There is appropriated from the  
20 general fund of the state to the Iowa department of public  
21 health for the fiscal year beginning July 1, 1995, and ending  
22 June 30, 1996, the following amount, or so much thereof as is  
23 necessary, to be used for the purpose designated:

24 For expenditures relating to the establishment of a  
25 prospective minor parents decision-making assistance program  
26 in accordance with chapter 135L, as enacted by 1996 Iowa Acts,  
27 Senate File 13:

28 ..... \$ 200,000

29 Sec. 39. STATEWIDE FIRE AND POLICE RETIREMENT SYSTEM --  
30 VOLUNTARY BENEFIT PROGRAMS. There is appropriated from the  
31 general fund of the state to the statewide fire and police  
32 retirement system established in chapter 411, for the fiscal  
33 year beginning July 1, 1995, and ending June 30, 1996, the  
34 following amount, or so much thereof as is necessary, to be  
35 used for the purpose designated:

1 For implementation of voluntary benefit programs as  
2 provided in 1996 Iowa Acts, Senate File 2245, if enacted:  
3 ..... \$ 75,000

4 It is the intent of the general assembly that the statewide  
5 fire and police retirement system shall reimburse the general  
6 fund of the state for the appropriation provided by this  
7 section from contributions to the voluntary benefit fund, as  
8 established in 1996 Iowa Acts, Senate File 2245, if enacted.

9 Sec. 40. RELOCATION. There is appropriated from the  
10 general fund of the state to the department of general  
11 services for the fiscal year beginning July 1, 1995, and  
12 ending June 30, 1996, the following amount, or so much thereof  
13 as is necessary, to be used for the purpose designated:

14 For relocation of offices and other transition costs  
15 associated with renovation of the Lucas state office building:  
16 ..... \$ 300,000

17 Sec. 41. STATE PUBLIC DEFENDER. There is appropriated  
18 from the general fund of the state to the office of the state  
19 public defender of the department of inspections and appeals  
20 for the fiscal year beginning July 1, 1995, and ending June  
21 30, 1996, to supplement the appropriation made in 1995 Iowa  
22 Acts, chapter 207, section 16, subsection 2, the following  
23 amount, or so much thereof as is necessary, to be used for the  
24 purpose designated:

25 For court-appointed attorney fees for indigent adults and  
26 juveniles, as specified in law by the general assembly:  
27 ..... \$ 6,400,000

28 Sec. 42. NONREVERSION. Notwithstanding section 8.33,  
29 unobligated moneys remaining on June 30, 1996, from moneys  
30 appropriated pursuant to this division of this Act shall not  
31 revert but shall be available for expenditure for the  
32 following fiscal year for the purposes for which appropriated.

33 DIVISION VII

34 STATE APPROPRIATIONS FOR FY 1996-1997

35 Sec. 43. PUBLIC EMPLOYEES' RETIREMENT SYSTEM -- DEFINED

1 CONTRIBUTION OPTION. There is appropriated from the Iowa  
2 public employees' retirement fund to the department of  
3 personnel for the fiscal year beginning July 1, 1996, and  
4 ending June 30, 1997, the following amounts, or so much  
5 thereof as is necessary, to be used for the purposes  
6 designated:

7 1. For costs associated with studies and reports required  
8 in 1996 Iowa Acts, Senate File 2245, if enacted:

9 ..... \$ 60,000

10 2. For costs associated with the development of a proposal  
11 for establishing a defined contribution option under the Iowa  
12 public employees' retirement system in accordance with the  
13 provisions of this subsection:

14 ..... \$ 25,000

15 The department of personnel, in consultation with the  
16 public retirement systems committee established in section  
17 97D.4, shall develop a proposal concerning various  
18 alternatives for establishing a defined contribution option  
19 for members of the Iowa public employees' retirement system.  
20 On or before September 1, 1997, the department of personnel  
21 shall file a report with the legislative service bureau, for  
22 distribution to the public retirement systems committee, which  
23 contains a proposal, or proposals, for establishing a defined  
24 contribution option. The report shall also contain actuarial  
25 information concerning the costs of the proposal or proposals.

26 Sec. 44. VALUE-ADDED AGRICULTURAL PRODUCTS. Notwith-  
27 standing contrary provisions of sections 15E.111 and 15E.112  
28 and related eligibility requirements for participation in the  
29 value-added agricultural products and processes financial  
30 assistance program, for the fiscal year beginning July 1,  
31 1996, and ending June 30, 1997, the department of economic  
32 development shall allocate not more than \$700,000 from the  
33 value-added agricultural products and processes financial  
34 assistance fund for use in planning, marketing, or  
35 constructing a new state-of-the-art beef processing facility

1 to be located in southwest Iowa. The department shall consult  
2 with the Iowa cattlemen's association for a recommendation in  
3 identifying an appropriate entity to receive the funds  
4 allocated in this section.

5 Sec. 45. COMMUNICATIONS SERVICES REGULATION. There is  
6 appropriated from the general fund of the state to the  
7 department of commerce for the fiscal year beginning July 1,  
8 1996, and ending June 30, 1997, the following amount, or so  
9 much thereof as is necessary, to be used for the purpose  
10 designated:

11 For consulting services to assist the utilities board with  
12 implementation of 1995 Iowa Acts, chapter 199, to assist in  
13 the regulatory transition of the communications industry, and  
14 for implementation of the federal Telecommunications Act of  
15 1996, Pub. L. No. 104-104:

16 ..... \$ 120,000

17 The utilities division shall recover the moneys  
18 appropriated in this section pursuant to the assessment  
19 procedures in section 476.10.

20 Sec. 46. PHYSICIAN UTILIZATION STUDY. There is  
21 appropriated from the general fund of the state to the  
22 insurance division of the department of commerce for the  
23 fiscal year beginning July 1, 1996, and ending June 30, 1997,  
24 the following amount, or so much thereof as is necessary, to  
25 be used for the purpose designated:

26 For a study of physician utilization in accordance with  
27 this section:

28 ..... \$ 25,000

29 1. As part of the study, the commissioner of insurance  
30 shall conduct a review of existing research and literature  
31 regarding the utilization of various types of physicians, as  
32 defined in section 135.1, in individual, small group, and  
33 managed care settings. The study shall determine the costs  
34 and effectiveness of including under individual and small  
35 group health care reforms certain forms of treatment and



1 methodologies utilized by types of physicians which are not  
2 currently included under the reforms.

3 2. The commissioner of insurance shall submit a final  
4 report and recommendations, including proposed rules changes,  
5 to the general assembly on or before January 2, 1997.

6 Sec. 47. E911 COMMUNICATIONS COUNCIL. There is  
7 appropriated from the general fund of the state to the E911  
8 communications council for the fiscal year beginning July 1,  
9 1996, and ending June 30, 1997, the following amount, or so  
10 much thereof as is necessary, to be used for the purpose  
11 designated:

12 For the implementation, support, and maintenance of the  
13 E911 communications council established pursuant to section  
14 34A.15 as enacted by this Act:

15 ..... \$ 70,000

16 Sec. 48. GOVERNOR. There is appropriated from the general  
17 fund of the state to the office of the governor for the fiscal  
18 year beginning July 1, 1996, and ending June 30, 1997, the  
19 following amount, or so much thereof as is necessary, to be  
20 used for the purpose designated:

21 For use of the office of the governor:

22 ..... \$ 25,000

23 The appropriation in this section is in addition to any  
24 other appropriation made for the use of the office of the  
25 governor.

26 Sec. 49. RUNAWAY TREATMENT PLAN GRANTS. There is  
27 appropriated from the general fund of the state to the  
28 division of criminal and juvenile justice planning of the  
29 department of human rights for the fiscal year beginning July  
30 1, 1996, and ending June 30, 1997, the following amount, or so  
31 much thereof as is necessary, to be used for the purposes  
32 designated:

33 For demonstration grants for implementation of runaway  
34 treatment plans in accordance with this section:

35 ..... \$ 200,000

1 1. The division shall utilize the moneys appropriated in  
2 this section for grants to develop two demonstration programs  
3 to implement the provisions of sections 232.195 and 232.196,  
4 as enacted in this Act, with one program in an urban area and  
5 one program in a rural area. The grantees shall provide up to  
6 twelve assessment and counseling beds and intensive family-  
7 centered services designed to determine the reasons children  
8 run away from home and methods to ameliorate the reasons so  
9 that children may either return home or receive necessary  
10 services. Not more than \$10,000 of the moneys shall be used  
11 for evaluation and other means for grantees to report on the  
12 successes and failures of the demonstration grants and methods  
13 to improve services to children who run away from home.

14 2. The department of human services and the division may  
15 adopt emergency rules to implement the provisions of section  
16 232.196, subsection 3, as enacted by this Act.

17 Sec. 50. WILDLIFE DIVERSITY. There is appropriated from  
18 the state fish and game protection fund to the division of  
19 fish and wildlife of the department of natural resources for  
20 the fiscal year beginning July 1, 1996, and ending June 30,  
21 1997, the following amount, or so much thereof as is  
22 necessary, except that if revenues from the income tax refund  
23 checkoff credited to the state fish and game protection fund  
24 in calendar year 1995 do not equal or exceed \$100,000, the  
25 amount of the deficiency is appropriated from the general fund  
26 of the state instead of from the state fish and game  
27 protection fund, to be used for the purposes designated:

28 ..... \$ 100,000

29 1. Moneys appropriated in this section shall be used to  
30 adopt programs by the division of fish and wildlife of the  
31 department of natural resources relating to wildlife diversity  
32 by rule pursuant to chapter 17A.

33 2. Moneys appropriated in this section shall be used to  
34 match moneys appropriated for purposes of subsection 1 by the  
35 United States government or an agency, commission, or

1 department of the United States government if the  
2 appropriation of moneys by a state is a condition of the state  
3 or an agency, commission, or department of the state receiving  
4 federal moneys.

5 Sec. 51. SHELTERED WORKSHOP REIMBURSEMENT. There is  
6 appropriated from the general fund of the state to the  
7 department of human services for the fiscal year beginning  
8 July 1, 1996, and ending June 30, 1997, the following amount,  
9 or so much thereof as is necessary, to be used for the purpose  
10 designated:

11 For increasing sheltered workshop reimbursement rates as  
12 provided in this section:

13 ..... \$ 500,000

14 The moneys appropriated in this section shall be used as  
15 additional funding for an increase in the purchase of service  
16 reimbursement rate for adult sheltered workshop services  
17 provided to persons residing in any category of licensed  
18 residential care facility. Subject to the amount  
19 appropriated, beginning July 1, 1996, provider service rates  
20 for adult sheltered workshop services shall be increased up to  
21 the amount of actual and allowable costs plus inflation, based  
22 upon the cost reports on which rates have been established as  
23 of April 1, 1996. Use of funding is restricted to  
24 reimbursement of a provider of adult sheltered workshop  
25 services which had a purchase of service contract for those  
26 services in effect on June 30, 1996.

27 DIVISION VIII

28 OTHER STATUTORY PROVISIONS

29 Sec. 52. NEW SECTION. 8A.2 INNOVATION ZONES.

30 1. The purpose of this section is to enable local  
31 jurisdictions to establish community partnerships to redirect  
32 existing public funds to achieve improved outcomes for  
33 children and their families. The state and local  
34 jurisdictions shall negotiate new relationships in the  
35 decategorization of funding appropriated and available to

1 local jurisdictions which share the risk related to and  
2 responsibility for achieving improved outcomes.

3 2. An innovation zone board is created within the council  
4 on human investment. The staff of the council on human  
5 investment shall act as staff to the board. The board shall  
6 select a chairperson, annually, from its membership. A simple  
7 majority of the members of the board shall constitute a  
8 quorum. On or before June 30, 1997, the board shall do all of  
9 the following:

10 a. Issue a request for applications to be submitted by  
11 local jurisdictions to participate in innovation zones in  
12 order to develop new, community-based strategies which are  
13 cross-system in focus, to improve outcomes for children and  
14 their families.

15 b. Select from the requests received, at least three  
16 jurisdictions to develop and implement innovation zone plans.  
17 The board shall establish criteria for selection of the  
18 jurisdictions. Selection criteria shall include a component  
19 which measures the comprehensiveness of the plan and the  
20 capacity of the jurisdiction to implement the plan.

21 c. Provide technical assistance, if requested, to assist  
22 selected jurisdictions in developing and implementing the  
23 innovation zone plans, including but not limited to assistance  
24 in providing information regarding state and federal funding  
25 directed to the local jurisdiction for use in implementation  
26 of the plans.

27 d. Negotiate with local jurisdictions the state and local  
28 jurisdiction duties in implementing the innovation zone plans.  
29 The negotiations shall include methods to evaluate the  
30 performance of the innovation zones. The board shall  
31 coordinate and respond to any requests from a local  
32 jurisdiction relating to waiver of existing rules or  
33 regulations, the pooling and redirecting of existing state  
34 funds, and the seeking of federal waivers.

35 e. Provide for maximum flexibility and creativity in the

1 designing and implementation of innovation zone plans with an  
2 emphasis on the plans' potential for improving outcomes for  
3 children and their families.

4 f. Review and approve or disapprove any provision in an  
5 innovation zone plan submitted which requires the waiver or  
6 superseding of any state rule relating to local jurisdiction  
7 actions or expenditure of funds for services provided to  
8 children and their families.

9 g. Report provisions included in a local jurisdiction's  
10 innovation zone plan which require the waiver or superseding  
11 of a state law or rule to the general assembly for review and  
12 necessary action.

13 3. A local jurisdiction seeking to develop and implement  
14 an innovation zone plan shall do all of the following:

15 a. Define the geographic service area of the local  
16 jurisdiction.

17 b. Establish a local jurisdiction innovation zone  
18 governing body which shall develop and implement the  
19 innovation zone plan. The governing body shall be  
20 representative of the local jurisdiction.

21 c. Develop a budget for the development and implementation  
22 of the innovation zone plan which includes a commitment of  
23 ongoing local funding and which also involves the commitment  
24 of other private and public resources to the innovation zone.

25 d. Negotiate the specific requirements of the innovation  
26 zone plan and implementation of the plan including the  
27 specific duties of the state and local jurisdictions. The  
28 plans may include provisions for local jurisdiction actions or  
29 expenditure of funds under the plan which involve waiver of  
30 state rules relating to services to children and their  
31 families.

32 4. The innovation zone board shall include all of the  
33 following members:

34 a. The directors, or their designees, of the department of  
35 human services, the department of human rights, the department

1 of education, the Iowa department of public health, the  
2 department of employment services, the department of  
3 management, and any other state departments or agencies, as  
4 necessary, as determined by the board.

5 b. Four members of the general assembly shall serve as ex  
6 officio, nonvoting members. The legislative members shall be  
7 appointed by the majority leader of the senate, by the  
8 minority leader of the senate, by the speaker of the house,  
9 and by the minority leader of the house of representatives.  
10 Appointments shall comply with sections 69.16 and 69.16A.  
11 Vacancies shall be filled by the original appointing authority  
12 and in the manner of the original appointments. Legislative  
13 members shall serve terms of two years and shall receive  
14 compensation pursuant to section 2.12.

15 c. Additional members, which the governor shall appoint,  
16 who are not affiliated with a state agency but who are members  
17 of the general public with expertise or interest in children  
18 and family issues.

19 5. For the purposes of this section, "local jurisdiction"  
20 or "jurisdiction" means one or more cities, counties, or  
21 school districts or a combination of any of these entities.

22 Sec. 53. NEW SECTION. 34A.15 E911 COMMUNICATIONS COUNCIL  
23 ESTABLISHED -- DUTIES.

24 1. An E911 communications council is established. The  
25 council consists of the following eleven members:

26 a. One person appointed by the commissioner of public  
27 safety.

28 b. One person appointed by the Iowa state sheriffs' and  
29 deputies' association.

30 c. One person appointed by the Iowa association of chiefs  
31 of police and peace officers.

32 d. One person appointed by the Iowa emergency medical  
33 services association.

34 e. One person appointed by the Iowa association of  
35 professional firefighters.

1 f. One person appointed by the Iowa firemen's association.

2 g. One person appointed by the Iowa chapter of the  
3 national emergency number association.

4 h. One person appointed by the Iowa chapter of the  
5 association of public safety communications officials-  
6 international, inc.

7 i. One person appointed by the Iowa emergency management  
8 directors association.

9 j. Two persons appointed by the Iowa telephone  
10 association, with one person appointed to represent telephone  
11 companies having fifteen thousand or more customers and one  
12 person appointed to represent telephone companies having less  
13 than fifteen thousand customers.

14 2. The council shall coordinate the development of and  
15 mediate disputes relating to E911 systems and service in this  
16 state. The council shall oversee the planning,  
17 implementation, and operation of E911 communications services.  
18 The council shall mediate issues relating to addressing, call  
19 routing, E911 database, E911 network, equipment, and surcharge  
20 collection which arise between and among E911 service boards,  
21 telephone companies, and other providers and users of E911  
22 communications services.

23 Sec. 54. Section 232.2, Code Supplement 1995, is amended  
24 by adding the following new subsection:

25 NEW SUBSECTION. 6A. "Chronic runaway" means a child who  
26 is reported to law enforcement as a runaway more than once in  
27 any month or three or more times in a year.

28 Sec. 55. Section 232.19, subsection 1, paragraph c, Code  
29 1995, is amended to read as follows:

30 c. By a peace officer ~~for the purpose of reuniting a child~~  
31 ~~with the child's family or removing the child to a shelter~~  
32 care facility or a juvenile court officer, when the peace  
33 officer or juvenile court officer has reasonable grounds to  
34 believe the child has run away from the child's parents,  
35 guardian, or custodian, for the purposes of determining

1 whether the child shall be reunited with the child's parents,  
2 guardian, or custodian, placed in shelter care, or, if a  
3 chronic runaway, placed in a runaway assessment and treatment  
4 center under section 232.196.

5 Sec. 56. NEW SECTION. 232.195 RUNAWAY TREATMENT PLAN.

6 A county, multicounty, or nonprofit organization may  
7 develop a runaway treatment plan to address problems with  
8 chronic runaway children in the area served by the  
9 organization. The organization shall submit the plan to the  
10 department of human rights, division of criminal and juvenile  
11 justice planning for approval for funding. The plan shall  
12 identify the problems with chronic runaway children and  
13 specific solutions to be implemented, including the  
14 development of a runaway assessment and treatment center and  
15 may include a request for funding. The division may award  
16 funds appropriated for implementation of the runaway treatment  
17 plan to shelter care homes which are licensed or approved by  
18 the department of human services.

19 Sec. 57. NEW SECTION. 232.196 RUNAWAY ASSESSMENT AND  
20 TREATMENT CENTER.

21 1. As part of a county, multicounty, or nonprofit  
22 organization's runaway treatment plan under section 232.195,  
23 the organization may establish a runaway assessment and  
24 treatment center. A center shall be operated by an entity  
25 which is licensed or approved by the department to operate a  
26 shelter care home. A center shall provide services to assess  
27 a child who is referred to the center for being a chronic  
28 runaway and intensive family counseling designed to address  
29 any problem causing the child to run away.

30 2. a. If a child is a chronic runaway and is not sent  
31 home with the child's parent, guardian, or custodian, the  
32 child may be placed in a runaway assessment and treatment  
33 center by a peace officer, juvenile court officer, or the  
34 child if the officer, juvenile court officer, or the child  
35 believes it to be in the child's best interest after



1 consulting with the child's parent, guardian, or custodian.

2     b. Within forty-eight hours of being placed in the center  
3 the child shall be assessed by a center counselor to determine  
4 the reasons why the child is a chronic runaway and whether  
5 child in need of assistance or family in need of assistance  
6 proceedings are appropriate. As soon as practicable following  
7 the assessment, the child and the child's parent, guardian, or  
8 custodian shall be provided the opportunity for counseling  
9 sessions to identify the underlying causes of the runaway  
10 behavior and to develop a plan to address those causes.

11     c. A child shall be released from a runaway assessment and  
12 treatment center to the child's parent, guardian, or custodian  
13 not later than forty-eight hours after being placed in the  
14 center unless the child is placed in shelter care under  
15 section 232.21 or an order is entered under section 232.78. A  
16 child whose parent, guardian, or custodian failed to attend  
17 counseling or who fails to take custody of the child at the  
18 end of placement in the center may be the subject of a child  
19 in need of assistance petition or such other order as the  
20 juvenile court finds to be in the child's best interest.

21     3. The department of human services may establish a  
22 special category within rules applicable to a juvenile shelter  
23 care home licensed or approved by the department which  
24 provides for operation of a runaway assessment and treatment  
25 center by such a home. Any rules applicable to the special  
26 category shall be jointly developed by the department of human  
27 services and the division of criminal and juvenile justice  
28 planning of the department of human rights.

29     Sec. 58. Section 476.1D, subsection 10, Code Supplement  
30 1995, is amended to read as follows:

31     10. The board, at the request of a long distance telephone  
32 company, shall classify such company as a competitive long  
33 distance telephone company if more than half of the company's  
34 revenues from its Iowa intrastate telecommunications services  
35 and facilities are received from services and facilities that

1 the board has determined to be subject to effective  
2 competition, or if more than half of the company's revenues  
3 from its Iowa intrastate telecommunications services and  
4 facilities are received from intralata interexchange services  
5 and facilities. For purposes of this subsection, "intralata  
6 interexchange services" means those interexchange services  
7 that originate and terminate within the same local access  
8 transport area.

9 PARAGRAPH DIVIDED. The board shall promptly notify the  
10 director of revenue and finance that a long distance telephone  
11 company has been classified as a competitive long distance  
12 telephone company. Upon such notification by the board, the  
13 director of revenue and finance shall assess the property of  
14 such competitive long distance telephone company, which  
15 property is first assessed for taxation in this state on or  
16 after January 1, 1996, in the same manner as all other  
17 property assessed as commercial property by the local assessor  
18 under chapters 427, 427A, 427B, 428, and 441. As used in this  
19 section, "long distance telephone company" means an entity  
20 that provides telephone service and facilities between local  
21 exchanges, but does not include a cellular service provider or  
22 a local exchange utility holding a certificate issued under  
23 section 476.29, subsection 12.

24 Sec. 59. Section 710.8, Code 1995, is amended by adding  
25 the following new subsection:

26 NEW SUBSECTION. 4. A person shall not harbor a runaway  
27 child with the intent of allowing the runaway child to remain  
28 away from home against the wishes of the child's parent,  
29 guardian, or custodian. However, the provisions of this  
30 subsection do not apply to a shelter care home which is  
31 licensed or approved by the department of human services.

32 Sec. 60. REPEAL -- INNOVATION ZONE BOARD. Section 8A.2,  
33 subsections 2 and 4, as enacted by this division of this Act,  
34 relating to the innovation zone board, are repealed June 30,  
35 1998.

## 1 EXPLANATION

2 This bill makes and relates to standing appropriations.

3 Division I of the bill includes an amendment to section  
4 8.62, which authorizes departments of state government to  
5 encumber 50 percent of the unused amount of operational  
6 appropriations which remain unexpended or unencumbered at the  
7 close of a fiscal year for use in the succeeding fiscal year  
8 for purposes of employee training and technology enhancement.  
9 Under current law, the provision is repealed effective  
10 September 1, 1997. The bill extends the repeal until  
11 September 1, 1999.

12 Division I also provides that moneys in fiscal year 1995-  
13 1996 supplemental appropriations in 1996 Iowa Acts, House File  
14 2114, to the department of human services for child day care,  
15 which remain unexpended or unobligated at the close of the  
16 fiscal year do not revert to the general fund.

17 Division II provides education-related provisions.

18 Section 279.51, providing an appropriation to the  
19 department of education for allocation for early childhood  
20 education programs, the school-based youth services education  
21 program, and for at-risk programs, is amended by increasing  
22 the amount of the standing appropriation by \$1 million over  
23 the FY 1995-1996 amount with the \$1 million allocated to the  
24 child development coordinating council. The Code is updated  
25 to reflect the allocations made for FY 1995-1996 which are to  
26 continue for subsequent years.

27 Section 279.51, subsection 1, paragraph "g", is stricken  
28 and rewritten. The stricken language provides for a report to  
29 the general assembly on January 15, 1991, regarding the  
30 expenditure of the funding appropriated and the need, if any,  
31 for a supplemental appropriation for the fiscal year of the  
32 report. Other stricken provisions limit the amount of  
33 administrative costs which may be used by the department of  
34 education for administrative costs to 3.33 percent of the  
35 amount appropriated less an amount allocated to area education

1 agencies. The bill revises the administrative costs amount to  
2 2.25 percent of the total amount appropriated.

3 Division II includes an appropriation to the department of  
4 education for fiscal year 1996-1997 to be used for matching  
5 funds to school districts to pay health benefits coverage  
6 costs of early retirees.

7 Division III provides for payment of certain claims against  
8 the state in fiscal year 1995-1996. Division III takes effect  
9 upon enactment.

10 Division IV relates to lottery transfers. Moneys in the  
11 lottery fund remaining from fiscal year 1994-1995 are  
12 appropriated for various purposes. Additional lottery funds  
13 from fiscal year 1995-1996 transferred to the general fund of  
14 the state as a result of the reduction in the amount of  
15 carryover of lottery revenues from month to month are  
16 appropriated to be used for various purposes. Fiscal year  
17 1996-1997 lottery proceeds are transferred to the general fund  
18 of the state in lieu of transfer to the CLEAN fund. Section  
19 99E.10 is amended to revise the provisions for monthly  
20 transfer of lottery revenues by limiting the amount carried  
21 over from month to month to not more than \$1,500,000.  
22 Division IV takes effect upon enactment.

23 Division V makes various conforming and technical  
24 corrections associated with legislation enacted during the  
25 1996 legislative session.

26 Section 88B.4, as amended by House File 2308, relating to  
27 asbestos removal and encapsulation, is amended to strike  
28 wording regarding the records required of a permittee for  
29 asbestos removal.

30 Section 147.1, as amended by Senate File 2013, relating to  
31 licensure of respiratory care therapists, is amended to strike  
32 a reference to chapter 152B. The reference is stricken in  
33 similar provisions of Senate File 2013.

34 Section 321.34, as amended by House File 514, relating to  
35 Iowa motor vehicle registration plates, is amended to apply

1 annual fees to certain Iowa heritage and education plates.

2 Section 321.166, as amended by Senate File 2266, is amended  
3 to provide that an exception to a requirement for Pearl Harbor  
4 and purple heart registration plates issued by a county  
5 treasurer is limited to those plates issued prior to January  
6 1, 1997.

7 Section 321.457, as amended by House File 2066, relating to  
8 the operation of motor vehicles in border cities, is amended  
9 to strike a reference to the year 1995 within a federal law  
10 citation.

11 Section 422.5, if amended by Senate File 2449, is amended  
12 to correct a statutory citation to the income tax refund  
13 checkoff for the fish and game fund.

14 Section 533.4, relating to credit union shares and  
15 deposits, is amended to correct a grammatical construction.

16 Section 542B.27, relating to professional engineers and  
17 land surveyors, is amended to change references to these  
18 professions as being registered, to instead refer to the  
19 professions as being licensed, and the internal numbering of  
20 the section is revised.

21 Section 544.8116 provides for securities intermediaries as  
22 purchasers for value under Article 8 of the Uniform Commercial  
23 Code, which is a section of the model act recommended by the  
24 American Law Institute and the National Conference of  
25 Commissioners on Uniform State Laws. Senate File 2368, which  
26 adopts the model act, omits section 554.8116. The bill  
27 provides that enactment of section 554.8116 takes effect July  
28 1, 1997.

29 Sections 607A.3 and 607A.8, relating to fees and expenses  
30 of jurors, as enacted by Senate File 2307, are amended to  
31 modify terminology used to refer to a person with a  
32 disability.

33 Section 910A.9A, as amended by Senate File 2080, the  
34 nonsubstantive Code editor's bill, is amended to strike  
35 references to the sexually violent predator chapter which is

1 repealed in House File 2316.

2 Senate File 2348, relating to agricultural limestone,  
3 provides that a person holding an inventory of packaged  
4 agricultural liming material on January 1, 1997, may continue  
5 to sell that inventory under chapter 201, even though that  
6 chapter is repealed on January 1, 1997. This bill provides  
7 that the inventory may be sold under chapter 201 as the  
8 chapter existed immediately prior to its date of repeal  
9 instead of after the date of repeal.

10 House File 2306, relating to use of motors on Big Creek  
11 lake, is amended to replace a general reference to artificial  
12 lakes with a specific reference to Big Creek lake. The  
13 provision takes effect upon enactment. A provision in Senate  
14 File 2351 which otherwise would be amended twice in that Act,  
15 is repealed.

16 Senate File 2080, the nonsubstantive Code editor's bill, is  
17 amended to repeal an amendment to section 708.3A. This  
18 section would conflict with a substantive amendment to section  
19 708.3A in Senate File 2167, relating to prohibiting assault of  
20 a health care provider.

21 A provision in Senate File 2351, which otherwise would be  
22 amended twice in that Act, is repealed.

23 Division VI includes state appropriations for fiscal year  
24 1995-1996. Moneys are appropriated for conducting analyses of  
25 a drug test samples taken during preemployment testing.  
26 Moneys are appropriated for expenditures related to  
27 establishment of prospective minor parents decision-making  
28 assistance program under Senate File 13. Moneys are  
29 appropriated to provide start-up funds for implementing  
30 voluntary benefit programs, if Senate File 2245 is enacted,  
31 under the fire and police retirement system.

32 Division VII includes state appropriations for fiscal year  
33 1996-1997. Moneys are appropriated from the Iowa public  
34 employees' retirement fund to the department of personnel for  
35 costs associated with studies and reports required in Senate

1 File 2245, if enacted, and costs to develop a proposal for a  
2 defined contribution option under the public retirement  
3 system. The department of economic development is directed to  
4 allocate moneys from the value-added agricultural products and  
5 processes financial assistance fund for a project. Moneys are  
6 appropriated to the department of commerce for the utilities  
7 board to utilize for consulting services for communication  
8 regulation with the moneys to be recovered through regulatory  
9 charges. Moneys are appropriated to the commissioner of  
10 insurance for a study of physician utilization in health care  
11 coverages. Moneys are appropriated to the E911 communications  
12 council established in the bill, to the office of the  
13 governor, for demonstration grants for implementation of  
14 runaway treatment plans established in the bill, for programs  
15 relating to wildlife diversity, and for increasing sheltered  
16 workshop reimbursement rates.

17 Division VIII includes other statutory changes. New  
18 section 8A.2 provides for creation of local innovation zones  
19 for local areas to develop community-based strategies to  
20 improve outcomes for children and their families. Initially,  
21 the innovation zones will have oversight from the innovation  
22 zone board, created as a subgroup of the council on human  
23 investment. The board provisions are repealed June 30, 1998.  
24 Division VIII also amends section 476.1D, subsection 10,  
25 regarding the classification of a long distance telephone  
26 company as a competitive long distance telephone company. The  
27 amendment requires that the Iowa utilities board, at the  
28 request of a long distance telephone company, classify a long  
29 distance telephone company as a competitive long distance  
30 telephone company if more than half of the company's revenues  
31 from its Iowa intrastate telecommunications services and  
32 facilities are received from the company's intralata  
33 interexchange services and facilities. Currently, the  
34 classification may be made if more than half of the company's  
35 revenues from its Iowa intrastate telecommunications services

1 and facilities are received from services and facilities that  
2 the board has determined to be subject to effective  
3 competition. Upon applying the classification under current  
4 law, the board is to promptly notify the director of revenue  
5 and finance that the long distance telephone company has been  
6 classified as a competitive long distance telephone company.  
7 Upon the notification by the board, the director of revenue  
8 and finance is to assess the property of the competitive long  
9 distance telephone company which property is first assessed  
10 for taxation in this state on or after January 1, 1996, in the  
11 same manner as all other property assessed as commercial  
12 property by the local assessor under chapters 427, 427A, 427B,  
13 428, and 441.

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S-5859

1 Amend Senate File 2470 as follows:

2 1. Page 33, by inserting after line 23 the  
3 following:

4 "Sec. \_\_\_\_ . Section 513B.4A, Code 1995, is amended  
5 to read as follows:

6 513B.4A EXEMPTION FROM PREMIUM RATE RESTRICTIONS.

7 1. A Taft-Hartley trust or a carrier with the  
8 written authorization of such a trust may make a  
9 written request to the commissioner for an exemption  
10 from the application of any provisions of section  
11 513B.4 with respect to a health benefit plan provided  
12 to such a trust. The commissioner may grant an  
13 exemption if the commissioner finds that application  
14 of section 513B.4 with respect to the trust would have  
15 a substantial adverse effect on the participants and  
16 beneficiaries of such trust, and would require  
17 significant modifications to one or more collective  
18 bargaining arrangements under which the trust is  
19 established or maintained. An exemption granted under  
20 this ~~section~~ subsection shall not apply to an  
21 individual if the individual participates in a trust  
22 as an associate member of an employee organization.

23 2. Two or more nonprofit organizations  
24 incorporated pursuant to chapter 504A and formed for a  
25 charitable purpose as defined in section 13C.1,  
26 subsection 2, and not for the purpose of purchasing  
27 insurance, may combine for the purpose of entering  
28 into an agreement to purchase group health insurance.  
29 The combination of organizations may elect to be rated  
30 as a single group subject to both of the following:

31 a. Each organization becoming part of the  
32 combination is eligible to obtain coverage that is  
33 offered on a guaranteed issue basis.

34 b. Coverage purchased pursuant to this subsection  
35 is subject to section 513B.10, subsection 3,  
36 paragraphs "a", "b", and "c".

37 The agreement to purchase group insurance under  
38 this subsection shall require that an organization  
39 which participates in the group coverage shall not  
40 withdraw from the group coverage for a period of five  
41 years. The agreement shall also require that an  
42 organization which withdraws from the group coverage  
43 shall not be permitted to participate in the group  
44 coverage for a period of five years after withdrawal."

45 2. By renumbering as necessary.

By MARY NEUHAUSER

S-5859 FILED APRIL 30, 1996  
RULED OUT OF ORDER

(p. 1543)

SENATE FILE 2470

S-5860

1 Amend Senate File 2470 as follows:  
 2 1. Page 26, by inserting after line 23 the  
 3 following:  
 4 "Sec. \_\_\_\_ . DEPARTMENT OF INSPECTIONS AND APPEALS.  
 5 1. The investigations division of the department  
 6 of inspections and appeals is authorized 1.00 FTE for  
 7 the fiscal year beginning July 1, 1996, and ending  
 8 June 30, 1997. This authorization of 1.00 FTE is in  
 9 addition to the number of full-time equivalent  
 10 positions authorized the investigations division in  
 11 1996 Iowa Acts, House File 2416, section 8, subsection  
 12 4.  
 13 2. There is appropriated from the general fund of  
 14 the state to the racing and gaming commission of the  
 15 department of inspections and appeals for the fiscal  
 16 year beginning July 1, 1996, and ending June 30, 1997,  
 17 the following amount, or so much thereof as is  
 18 necessary, to be used for the purposes designated:  
 19 For salaries, support, maintenance, and  
 20 miscellaneous purposes for administration and  
 21 enforcement of the excursion boat gambling laws, and  
 22 for not more than the following full-time equivalent  
 23 position:  
 24 ..... \$ 39,804  
 25 .....FTEs 1.00  
 26 The appropriation and full-time equivalent position  
 27 authorization provided in this subsection is in  
 28 addition to the appropriation and full-time equivalent  
 29 position authorization provided in 1996 Iowa Acts,  
 30 House File 2416, section 10."

By PATTY JUDGE  
MERLIN E. BARTZ

S-5860 FILED APRIL 30, 1996

ADOPTED

(p.1543)

SENATE FILE 2470

S-5861

1 Amend Senate File 2470 as follows:  
 2 1. Page 9, by striking lines 7 through 12 and  
 3 inserting the following:  
 4 "Sec. \_\_\_\_ . EXCESS LOTTERY REVENUES -- FISCAL YEAR  
 5 1995-1996. Notwithstanding 1995 Iowa Acts, chapter  
 6 220, section 15, of the lottery revenues remaining  
 7 after \$42,200,000 is transferred and credited to the  
 8 general fund of the state during the fiscal year  
 9 beginning July 1, 1995, the following amounts shall be  
 10 transferred and appropriated in descending priority  
 11 order for".  
 12 2. Page 12, line 10, by striking the word "in"  
 13 and inserting the following: "by".

By LARRY MURPHY

S-5861 FILED APRIL 30, 1996

ADOPTED

(p.1542)

## SENATE FILE 2470

S-5863

1 Amend Senate File 2470 as follows:

2 1. Page 33, by inserting after line 23 the  
3 following:

4 "Sec. \_\_\_\_\_. Section 708.3A, Code Supplement 1995,  
5 as amended by 1996 Iowa Acts, Senate File 2167,  
6 section 1, is amended to read as follows:

7 708.3A ASSAULTS ON PEACE OFFICERS, FIRE FIGHTERS,  
8 AND HEALTH CARE PROVIDERS.

9 1. A person who commits an assault, as defined in  
10 section 708.1, against a peace officer, whether on-  
11 duty or not, health care provider, or fire fighter,  
12 whether paid or volunteer, with the knowledge that the  
13 person against whom the assault is committed is a  
14 peace officer, health care provider, or fire fighter  
15 and with the intent to inflict a serious injury upon  
16 the peace officer, health care provider, or fire  
17 fighter, is guilty of a class "D" felony.

18 2. A person who commits an assault, as defined in  
19 section 708.1, against a peace officer, whether on-  
20 duty or not, health care provider, or fire fighter,  
21 whether paid or volunteer, who knows that the person  
22 against whom the assault is committed is a peace  
23 officer, health care provider, or fire fighter and who  
24 uses or displays a dangerous weapon in connection with  
25 the assault, is guilty of a class "D" felony.

26 3. A person who commits an assault, as defined in  
27 section 708.1, against a peace officer, whether on-  
28 duty or not, health care provider, or fire fighter,  
29 whether paid or volunteer, who knows that the person  
30 against whom the assault is committed is a peace  
31 officer, health care provider, or fire fighter, and  
32 who causes bodily injury or disabling mental illness,  
33 is guilty of an aggravated misdemeanor.

34 4. Any other assault, as defined in section 708.1,  
35 committed against a peace officer, whether on-duty or  
36 not, health care provider, or fire fighter, whether  
37 paid or volunteer, by a person who knows that the  
38 person against whom the assault is committed is a  
39 peace officer, health care provider, or fire fighter,  
40 is a serious misdemeanor.

41 5. As used in this section, "health care provider"  
42 means an emergency medical care provider as defined in  
43 chapter 147A or a person licensed or registered under  
44 chapter 148, 148C, 148D, 150, 150A, or 152 who is  
45 providing or who is attempting to provide emergency  
46 medical services, as defined in section 147A.1, or who  
47 is providing or who is attempting to provide health  
48 services as defined in section 135.61 in a hospital.  
49 A person who commits an assault under this section  
50 against a health care provider in a hospital, or at

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1 the scene or during out-of-hospital patient  
2 transportation in an ambulance, is presumed to know  
3 that the person against whom the assault is committed  
4 is a health care provider."

5 2. Page 33, by inserting after line 31 the  
6 following:

7 "Sec. \_\_\_\_ . REPEAL. 1996 Iowa Acts, Senate File  
8 2080, section 62, is repealed."

9 3. By renumbering as necessary.

By MICHAEL E. GRONSTAL

S-5863 FILED APRIL 30, 1996

RULED OUT OF ORDER

(P. 1545)

SENATE FILE 2470

S-5862

1 Amend Senate File 2470 as follows:

2 1. Page 30, by inserting after line 22 the  
3 following:

4 "3. The authority of the council is limited to the  
5 issues specifically identified in this section and  
6 does not preempt the authority of the utilities board,  
7 created in section 474.1, to act on issues within the  
8 jurisdiction of the utilities board."

By MICHAEL E. GRONSTAL

S-5862 FILED APRIL 30, 1996

ADOPTED

(P. 1543)

## SENATE FILE 2470

S-5864

1 Amend Senate File 2470, as follows:

2 1. Page 29, by inserting after line 21 the  
3 following:

4 "Sec. \_\_\_\_ . Section 34A.3, subsection 1, unnumbered  
5 paragraph 1, Code 1995, is amended to read as follows:  
6 The board of supervisors of each county shall  
7 establish a joint 911 service board not later than  
8 January 1, 1989. Each political subdivision ~~of the~~  
9 ~~state-having-a-public-safety-agency-serving-territory~~  
10 within the county is entitled to voting membership on  
11 the joint 911 service board. Each ~~private public~~  
12 safety agency operating within the area is entitled to  
13 ~~nonvoting voting~~ membership on the board. ~~A-township~~  
14 ~~which-does-not-operate-its-own-public-safety-agency,~~  
15 ~~but-contracts~~ Each private safety agency under  
16 contract with a political subdivision within the  
17 county for the provision of public safety services, is  
18 not-entitled-to-membership-on-the-joint-911-service  
19 board, but-its-contractor-is-entitled-to-membership  
20 according-to-the-contractor's-status-as-a-public-or  
21 private-safety-agency is entitled to voting membership  
22 on the board. The board of supervisors of the county  
23 establishing the board is also entitled to voting  
24 membership on the board. The joint 911 service board  
25 shall develop an enhanced 911 service plan  
26 encompassing at minimum the entire county, unless an  
27 exemption is granted by the administrator permitting a  
28 smaller E911 service area. The administrator may  
29 grant a discretionary exemption from the single county  
30 minimum service area requirement based upon an E911  
31 joint service board's or other E911 service plan  
32 operating authority's presentation of evidence which  
33 supports the requested exemption if the administrator  
34 finds that local conditions make adherence to the  
35 minimum standard unreasonable or technically  
36 infeasible, and that the purposes of this chapter  
37 would be furthered by granting an exemption. The  
38 minimum size requirement is intended to prevent  
39 unnecessary duplication of public safety answering  
40 points and minimize other administrative, personnel,  
41 and equipment expenses. An E911 service area must  
42 encompass a geographically contiguous area. No  
43 exemption shall be granted from the contiguous area  
44 requirement. The administrator may order the  
45 inclusion of a specific territory in an adjoining E911  
46 service plan area to avoid the creation by exclusion  
47 of a territory smaller than a single county not  
48 serviced by surrounding E911 service plan areas upon  
49 request of the joint 911 service board representing  
50 the territory. The E911 service plan operating

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-1-

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Page 2

- 1 authority shall submit the plan on or before January
- 2 1, 1994, to all of the following:"
- 3 2. By renumbering as necessary.

By TOM FLYNN

S-5864 FILED APRIL 30, 1996

ADOPTED (P.1543)

SENATE FILE 2470

S-5865

1 Amend Senate File 2470 as follows:

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

4 "Sec. \_\_\_\_ . CORRECTIONAL SERVICES PILOT PROJECTS.

5 There is appropriated from the general fund of the  
6 state to the department of corrections for the fiscal  
7 year beginning July 1, 1996, and ending June 30, 1997,  
8 the following amount, or so much thereof as is  
9 necessary, to be used for the purpose designated:

10 For distribution to the first and second judicial  
11 district departments of correctional services to be  
12 used in accordance with the provisions of this  
13 section:

14 ..... \$ 100,000

15 1. The first and second judicial district  
16 departments of correctional services shall utilize  
17 moneys appropriated in this section to establish a  
18 pilot project in each judicial district department of  
19 correctional services to provide targeted services to  
20 offenders convicted of a serious or aggravated  
21 misdemeanor. The moneys appropriated in this section  
22 shall be evenly divided between the first and second  
23 judicial district departments of correctional  
24 services.

25 2. It is the intent of the general assembly that  
26 the pilot projects target offenders who are at high  
27 risk to recidivate and evaluate the progress of  
28 participants. The district court and the department  
29 of corrections shall cooperate with the first and  
30 second judicial district departments of correctional  
31 services in carrying out the pilot projects and shall  
32 assist in obtaining grants and private resources to  
33 supplement this appropriation. Each judicial district  
34 department of correctional services shall file a  
35 report with the legislative fiscal bureau by January  
36 15, 1998, on the results of the pilot project in the  
37 judicial district."

By TOM FLYNN

RANDAL J. GIANNETTO

MERLIN E. BARTZ

S-5865 FILED APRIL 30, 1996

WITHDRAWN

(P.1544)

SENATE FILE 2470

S-5871

1 Amend Senate File 2470 as follows:  
 2 1. Page 25, by striking lines 17 through 27 and  
 3 inserting the following:  
 4 "Sec. \_\_\_\_ . WILDLIFE DIVERSITY. There is  
 5 appropriated from the general fund of the state to the  
 6 state fish and game protection fund for the fiscal  
 7 year beginning July 1, 1996, and ending June 30, 1997,  
 8 the following amount, or so much thereof as is  
 9 necessary, to be used for the purposes designated:"  
 10 2. Page 25, line 33, by inserting after the word  
 11 "section" the following: "and revenues from the  
 12 income tax refund checkoff credited to the state fish  
 13 and game protection fund".

By LARRY MURPHY  
 DENNIS H. BLACK

S-5871 FILED APRIL 30, 1996  
 ADOPTED (P. 1545)

SENATE FILE 2470

S-5872

1 Amend Senate File 2470 as follows:  
 2 1. Page 11, by inserting after line 15 the  
 3 following:  
 4 " \_\_\_\_ . To the department of human services for  
 5 funding of the adolescent tracking and monitoring  
 6 program:  
 7 ..... \$ 1,000,000".

By JOHNIE HAMMOND STEVEN D. HANSEN  
 ELAINE SZYMONIAK MAGGIE TINSMAN

S-5872 FILED APRIL 30, 1996  
 WITHDRAWN  
 (P. 1545)

## SENATE FILE 2470

S-5869

1 Amend Senate File 2470 as follows:

2 1. Page 20, by inserting after line 18 the  
3 following:

4 "1. Except in those cases where test samples for  
5 alcohol or illegal controlled substances are analyzed  
6 by the state hygienic laboratory at the state  
7 university of Iowa, and except as provided in  
8 subsection 6, an employer shall not require or request  
9 employees or applicants for employment to submit to a  
10 drug test as a condition of employment, preemployment,  
11 promotion, or change in status of employment. An  
12 employer shall not request, require, or conduct random  
13 or blanket drug testing of employees. However, this  
14 section does not apply to preemployment drug tests  
15 authorized for peace officers or correctional officers  
16 of the state, or to drug tests required under federal  
17 statutes or under federal regulations, or to drug  
18 tests conducted pursuant to a nuclear regulatory  
19 commission regulation, or to drug tests conducted to  
20 determine if an employee is ineligible to receive  
21 workers' compensation under section 85.16, subsection  
22 2.

23 The exemption granted by this subsection relating  
24 to drug testing pursuant to federal regulations, is of  
25 no effect, as it applies to a particular regulation,  
26 upon a finding by a court of competent jurisdiction,  
27 including any appeal of such finding, that the  
28 particular regulation is unconstitutional or otherwise  
29 invalid. The decision of a court invalidating any  
30 regulation exempted by this section shall not be  
31 stayed pending appeal.

32 2. This section does not prohibit an employer from  
33 requiring a specific employee to submit to a drug test  
34 if all of the following conditions are met:

35 a. The employer has probable cause to believe that  
36 an employee's faculties are impaired on the job. For  
37 purposes of this paragraph, an employer has probable  
38 cause to believe that an employee's faculties are  
39 impaired on the job if the employer is investigating  
40 an accident in the workplace and all of the following  
41 conditions are met:

42 (1) The employer has reasonable grounds to believe  
43 that the employee proposed to be tested either  
44 directly caused or directly contributed to the  
45 accident.

46 (2) The accident results in a personal injury  
47 which requires medical treatment away from the  
48 workplace or damage to property, including equipment,  
49 in an amount reasonably estimated to exceed one  
50 thousand dollars at the time of the accident.

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1 (3) Prior to the accident, the employer has  
2 provided the employee to be tested with written notice  
3 of the employer's rules or policies regarding alcohol  
4 and controlled substances and testing when a workplace  
5 accident or injury occurs.

6 b. The employee is in a position where such  
7 impairment presents a danger to the safety of the  
8 employee, another employee, a member of the public, or  
9 the property of the employer, or when impairment due  
10 to the effects of a controlled substance is a  
11 violation of a known rule of the employer.

12 c. The test sample withdrawn from the employee is  
13 analyzed by a laboratory or testing facility that has  
14 been approved under rules adopted by the department of  
15 public health. The laboratory or testing facility  
16 shall test for and report to the employer only the  
17 presence of alcohol or illegal controlled substances  
18 in any test sample. The report and information  
19 provided the employer may be both qualitative and  
20 quantitative but only concerning the presence of  
21 alcohol or an illegal controlled substance in any test  
22 sample. Upon request by an employee or applicant for  
23 employment, the employer shall provide to the employee  
24 or applicant the results of any drug test.

25 d. If a test is conducted and the results indicate  
26 that the employee is under the influence of alcohol or  
27 a controlled substance or indicate the presence of  
28 alcohol or a controlled substance, a second test using  
29 an alternative method of analysis shall be conducted.  
30 When possible and practical, the second test shall use  
31 a portion of the same test sample withdrawn from the  
32 employee for use in the first test.

33 e. An employee shall be accorded a reasonable  
34 opportunity to rebut or explain the results of a drug  
35 test.

36 f. The employer shall provide substance abuse  
37 evaluation, and treatment if recommended by the  
38 evaluation, with costs apportioned as provided under  
39 the employee benefit plan or at employer expense, if  
40 there is no employee benefit plan, the first time an  
41 employee's drug test indicates the presence of alcohol  
42 or a controlled substance. An employer shall take no  
43 disciplinary action against an employee due to the  
44 employee's drug involvement the first time the  
45 employee's drug test indicates the presence of alcohol  
46 or a controlled substance if the employee undergoes a  
47 substance abuse evaluation, and if the employee  
48 successfully completes substance abuse treatment if  
49 treatment is recommended by the evaluation. However,  
50 if an employee fails to undergo substance abuse

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1 evaluation when required under the results of a drug  
2 test, or fails to successfully complete substance  
3 abuse treatment when recommended by an evaluation, the  
4 employee may be disciplined up to and including  
5 discharge. The substance abuse evaluation and  
6 treatment provided by the employer shall take place  
7 under a program approved by the department of public  
8 health or accredited by the joint commission on the  
9 accreditation of health care organizations.

10 3. In conducting those tests designed to identify  
11 the presence of chemical substances in the body, the  
12 employer shall ensure to the extent feasible that the  
13 tests only measure and that the records of the tests  
14 only show or make use of information regarding  
15 chemical substances in the body which are likely to  
16 affect the ability of the employee to perform safely  
17 the employee's duties while on the job.

18 4. This section does not restrict an employer's  
19 ability to prohibit the use of alcohol or controlled  
20 substances during work hours or to discipline  
21 employees for being under the influence of alcohol or  
22 controlled substances during work hours.

23 5. This section does not prevent an employer from  
24 conducting medical screening in order to monitor  
25 exposure to toxic or other unhealthy substances  
26 encountered in the workplace or in the performance of  
27 their job responsibilities. Any such screening must  
28 be limited to the specific substances required to be  
29 monitored.

30 6. In addition to drug testing permitted by  
31 subsection 2, drug testing of an employee or applicant  
32 for employment shall also be permitted under the  
33 following circumstances:

34 a. During a preemployment application process.  
35 The employer shall include notice that a drug test  
36 will be part of a preemployment application process in  
37 any notice or advertisement soliciting applicants for  
38 employment or in the application for employment, and  
39 an applicant for employment shall be personally  
40 informed of the requirement for a drug test at the  
41 first interview. However, in order to conduct a drug  
42 test pursuant to this paragraph, the employer shall  
43 provide that a preemployment application process which  
44 includes a drug test shall be required in the same  
45 manner for all job classifications of the employer in  
46 which applicants for employment are sought.

47 b. During a regularly scheduled physical. The  
48 employer shall give notice that a drug test will be  
49 part of the physical at least thirty days prior to the  
50 date the physical is scheduled. However, in order to

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1 conduct a drug test pursuant to this paragraph, the  
2 employer shall provide that a regularly scheduled  
3 physical which includes a drug test shall be required  
4 in the same manner for all classifications of  
5 employees of the employer.

6 c. An employer may require an employee, as a  
7 condition of employment to undergo drug testing, if  
8 the employer has provided substance abuse evaluation,  
9 and treatment, if recommended by the evaluation, which  
10 have been paid for in whole or in part by the employer  
11 or its insurance carrier. The employee may be  
12 required to undergo drug testing without prior notice,  
13 but in no case shall more than four tests be conducted  
14 in the twenty-four-month period following the  
15 employee's completion of substance abuse treatment if  
16 the treatment was recommended by the evaluation. A  
17 drug test shall not be required of an employee by an  
18 employer during drug treatment of the employee, if  
19 such testing would duplicate testing of the employee  
20 conducted in the course of treatment and the employee  
21 has waived confidentiality as to the employer of the  
22 results of such testing. An employer shall not  
23 require an employee to submit to drug testing under  
24 this paragraph if more than twenty-four months have  
25 elapsed since the employee successfully completed drug  
26 treatment and the employee has not had a drug test  
27 conducted indicating the presence of alcohol or an  
28 illegal controlled substance during that twenty-four-  
29 month period.

30 Drug testing conducted under this subsection shall  
31 conform to the requirements of subsection 2,  
32 paragraphs "c", "d", "e", and "f"; however, paragraph  
33 "f" shall not apply to drug tests conducted as a part  
34 of a preemployment application process.

35 7. An employer shall protect the confidentiality  
36 of the results of any drug test conducted on an  
37 employee. The results of the test may be recorded in  
38 the employee's personnel records; however, if an  
39 employee whose test indicated the employee was under  
40 the influence of alcohol or a controlled substance or  
41 indicated the presence of a controlled substance has  
42 undergone substance abuse evaluation and, when  
43 treatment is indicated under the substance abuse  
44 evaluation, successfully completed treatment for  
45 substance abuse, the employee's personnel records  
46 shall be expunged of any reference to the test or its  
47 results when the employee leaves employment.

48 8. This section may be enforced through a civil  
49 action.

50 a. A person who violates this section or who aids

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1 in the violation of this section is liable to an  
2 aggrieved employee or applicant for employment for  
3 affirmative relief including reinstatement or hiring,  
4 with or without back pay, or any other equitable  
5 relief as the court deems appropriate including  
6 attorney fees and court costs.

7 b. When a person commits, is committing, or  
8 proposes to commit, an act in violation of this  
9 section, an injunction may be granted through an  
10 action in district court to prohibit the person from  
11 continuing such acts. The action for injunctive  
12 relief may be brought by an aggrieved employee or  
13 applicant for employment, the county attorney, or the  
14 attorney general.

15 In an action brought under this subsection alleging  
16 that an employer has required or requested a drug test  
17 in violation of this section, the employer has the  
18 burden of proving that the requirements of this  
19 section were met.

20 9. An employee shall not be discharged,  
21 disciplined, or discriminated against in any manner  
22 for filing a complaint or testifying in any proceeding  
23 or action involving violations of this section. An  
24 employee discharged, disciplined, or otherwise  
25 discriminated against in violation of this section  
26 shall be compensated by the employer in the amount of  
27 any loss of wages and benefits arising out of the  
28 discrimination and shall be restored to the employee's  
29 previous position of employment.

30 10. An employer who conducts a drug test pursuant  
31 to this section shall submit a report annually to the  
32 labor division of the department of employment  
33 services, documenting the number of drug tests  
34 conducted, the results of the tests conducted, and the  
35 direct costs associated with the testing.

36 11. As used in this section, unless the context  
37 otherwise requires:

38 a. "Drug test" means any blood, urine, saliva,  
39 chemical, or skin tissue test conducted for the  
40 purpose of detecting the presence of a chemical  
41 substance in an individual.

42 b. "Employee" means employee as defined in section  
43 85.61 and includes the employer, and any chief  
44 executive officer, president, vice president,  
45 supervisor, manager, and officer of the employer.

46 12. Notwithstanding any contrary provision of this  
47 section, the state hygienic laboratory at the state  
48 university of Iowa may perform and may be utilized to  
49 perform any drug test provided for under this  
50 section."

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1 2. By renumbering as necessary.

By MARY KRAMER

S-5869 FILED APRIL 30, 1996

RULED OUT OF ORDER (P.1545)

SENATE FILE 2470

S-5870

1 Amend the amendment, S-5863, to Senate File 2470 as  
2 follows:

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

5 "Sec. \_\_\_\_ . Section 702.11, Code 1995, is amended  
6 to read as follows:

7 702.11 FORCIBLE FELONY.

8 A "forcible felony" is any felonious child  
9 endangerment, assault, murder, sexual abuse,  
10 kidnapping, robbery, arson in the first degree, or  
11 burglary in the first degree. However, sexual abuse  
12 in the third degree committed between spouses, sexual  
13 abuse in violation of section 709.4, subsection 2,  
14 paragraph "c", subparagraph (4), or sexual  
15 exploitation by a counselor or therapist in violation  
16 of section 709.15, or sexual exploitation by a law  
17 enforcement officer in violation of section 709.15A is  
18 not a "forcible felony".

19 2. Page 2, by striking line 4 and inserting the  
20 following: "is a health care provider.

21 Sec. \_\_\_\_ . NEW SECTION. 709.15A SEXUAL  
22 EXPLOITATION BY A LAW ENFORCEMENT OFFICER -- PENALTY.

23 1. As used in this section:

24 a. "Law enforcement officer" means a peace officer  
25 employed by the state or a political subdivision of  
26 the state.

27 b. "Sexual exploitation by a law enforcement  
28 officer" occurs when a sex act, as defined in section  
29 702.17, occurs between a law enforcement officer and a  
30 victim at any time between the time the victim is  
31 responded to or the victim's case is opened and the  
32 time a conviction or plea of guilty is obtained or the  
33 case is closed.

34 c. "Victim" means a person who is the subject of  
35 an act being investigated or responded to by a law  
36 enforcement officer as a crime.

37 2. A law enforcement officer who commits sexual  
38 exploitation commits a class "D" felony."

By JIM LIND

S-5870 FILED APRIL 30, 1996

ADOPTED

(P.1544)

## SENATE FILE 2470

S-5866

- 1 Amend Senate File 2470 as follows:  
2 1. Page 6, line 28, by inserting after the word  
3 "development" the following: ", in consultation with  
4 the department of cultural affairs,".  
5 2. Page 9, by striking lines 28 and 29 and  
6 inserting the following:  
7 "\_\_\_\_. To the department of cultural affairs for  
8 design and construction of a gothic house visitors  
9 center in Eldon, Iowa:"

By LARRY MURPHY

S-5866 FILED APRIL 30, 1996  
ADOPTED (P.1544)

## SENATE FILE 2470

S-5867

- 1 Amend Senate File 2470 as follows:  
2 1. Page 26, by inserting after line 26 the  
3 following:  
4 "Sec. \_\_\_\_ DEPARTMENT OF AGRICULTURE AND LAND  
5 STEWARDSHIP. The department of agriculture and land  
6 stewardship shall utilize not more than \$82,000 of the  
7 moneys appropriated to the department's administrative  
8 division in 1996 Iowa Acts, Senate File 2446, section  
9 1, subsection 1, if enacted, for the acquisition of  
10 laboratory equipment, including but not limited to a  
11 rapid fat analyzer and a nitrogen protein combustion  
12 analyzer."  
13 2. By renumbering as necessary.
- By DENNIS H. BLACK BRAD BANKS  
BERL E. PRIEBE DERRYL McLAREN  
DON GETTINGS

S-5867 FILED APRIL 30, 1996  
ADOPTED (P.1544)

## SENATE FILE 2470

S-5868

- 1 Amend Senate File 2470 as follows:  
2 1. Page 4, line 13, by inserting after the word  
3 "costs." the following: "Any reduction of an  
4 allocation under this subsection as necessary to fund  
5 the provisions of this paragraph shall be made from  
6 the allocation in paragraph "b"."

By LARRY MURPHY

S-5868 FILED APRIL 30, 1996  
ADOPTED

(P.1544)

H- 4/30/96 Referred to approp  
H. 5/1/96 Amend/Do Pass  
w/H 6068  
H. 5/1/96 Motion to Rk by Millage  
H- 5/1/96 Motion R/C Withdrawn

SENATE FILE **2470**  
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO LSB 4436SC)

(AS AMENDED AND PASSED BY THE SENATE APRIL 30, 1996)

\_\_\_\_\_ - New Language by the Senate

Passed Senate, <sup>(P. 1593)</sup> Date 5/1/96 Passed House, <sup>(P. 2145)</sup> Date 5/1/96  
Vote: Ayes 38 Nays 11 Vote: Ayes 84 Nays 12

Approved \_\_\_\_\_  
*Item*  
*referred* 5/30/96

A BILL FOR

1 An Act relating to state expenditure and regulatory matters by  
2 making standing and other appropriations, and providing  
3 technical provisions, studies of runaway youth, physician  
4 utilization, and retirement system issues, and providing a  
5 penalty and effective dates.

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

S.F. 2470

7  
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21

DIVISION I

REVERSIONS

1  
2  
3 Section 1. Section 8.62, Code 1995, is amended to read as  
4 follows:

5 8.62 USE OF REVERSIONS.

6 1. For the purposes of this section, "operational  
7 appropriation" means an appropriation from the general fund of  
8 the state providing for salary, support, administrative  
9 expenses, or other personnel-related costs.

10 2. Notwithstanding the provisions of section 8.33 or any  
11 other provision of law to the contrary, if on June 30 of the a  
12 fiscal years-ending-in-1995-and-1996 year, a balance of an  
13 operational appropriation remains unexpended or unencumbered,  
14 not more than fifty percent of the balance may be encumbered  
15 by the agency to which the appropriation was made and used as  
16 provided in this section and the remaining balance shall be  
17 deposited in the cash reserve fund created in section 8.56.  
18 Moneys encumbered under this section shall only be used by the  
19 agency during the succeeding fiscal year for employee training  
20 and for technology enhancement. Unused moneys encumbered  
21 under this section shall be deposited in the cash reserve fund  
22 on June 30 of the succeeding fiscal year.

23 3. On or before June 30, 1996-and-1997 of the fiscal year  
24 following the fiscal year in which funds were encumbered under  
25 this section, an agency encumbering funds under this section  
26 shall report to the joint appropriations subcommittee which  
27 recommends funding for the agency, the legislative fiscal  
28 bureau, the department of management, and the legislative  
29 fiscal committee of the legislative council detailing how the  
30 moneys were expended. Moneys shall not be encumbered under  
31 this section from an appropriation which received a transfer  
32 from another appropriation pursuant to section 8.39.

33 4. This section is repealed on September 1, 1997 1999.

34 Sec. 2. 1996 Iowa Acts, House File 2114, section 2, is  
35 amended by adding the following new unnumbered paragraph:



1 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33,  
2 moneys appropriated in this section which remain unexpended or  
3 unobligated at the close of the fiscal year shall not revert  
4 to the general fund of the state but shall remain available  
5 for expenditure in the succeeding fiscal year.

6 Sec. 3. EFFECTIVE DATE. Section 2 of this division of  
7 this Act, amending 1996 Iowa Acts, House File 2114, section 2,  
8 being deemed of immediate importance, takes effect upon  
9 enactment.

10 DIVISION II

11 EDUCATION PROVISIONS

12 Sec. 4. Section 279.51, subsection 1, unnumbered paragraph  
13 1, Code Supplement 1995, is amended to read as follows:

14 There is appropriated from the general fund of the state to  
15 the department of education for the fiscal year beginning July  
16 1, ~~1990~~ 1996, and each succeeding fiscal year, the sum of  
17 eight fifteen million seven one hundred thousand dollars. For  
18 ~~each-fiscal-year-beginning-on-or-after-July-1,-1995,-there-is~~  
19 ~~appropriated-the-sum-which-was-appropriated-for-the-fiscal~~  
20 ~~year-commencing-July-1,-1994-~~

21 Sec. 5. Section 279.51, subsection 1, paragraphs b, c, d,  
22 e, and f, Code Supplement 1995, are amended to read as  
23 follows:

24 b. For the fiscal year beginning July 1, ~~1990~~ 1996, ~~four~~  
25 ~~million-six-hundred-twenty-five-thousand-dollars~~, and for each  
26 succeeding fiscal year thereafter, six eight million one two  
27 hundred twenty-five fifty thousand dollars of the funds  
28 appropriated shall be allocated to the child development  
29 coordinating council established in chapter 256A for the  
30 purposes set out in subsection 2 of this section and section  
31 256A.3.

32 c. For each of the fiscal years during the fiscal period  
33 beginning July 1, ~~1994~~ 1996, and ending June 30, 1998, two  
34 million eight hundred thousand dollars of the funds  
35 appropriated shall be allocated for the school-based youth

1 services education program established in subsection 3. For  
2 each of the fiscal years during the fiscal period beginning  
3 July 1, 1994, and ending June 30, 1998, twenty thousand  
4 dollars of the funds allocated under in this paragraph shall  
5 be expended for staff development, research, and the  
6 development of strategies for coordination with community-  
7 based youth organizations and agencies. A school that  
8 received a grant during the fiscal year beginning July 1,  
9 1993, is ineligible to receive a grant under this paragraph.  
10 Subject to the approval of the state board of education, the  
11 allocation made in this paragraph may be renewed for  
12 additional four-year periods of time.

13 d. For the fiscal year beginning July 1, ~~1990~~ 1996, ~~three~~  
14 ~~million-dollars~~, and for each fiscal year thereafter, ~~four~~  
15 three million five hundred thousand dollars of the funds  
16 appropriated shall be allocated as grants to school districts  
17 that have elementary schools that demonstrate the greatest  
18 need for programs for at-risk students with preference given  
19 to innovative programs for the early elementary school years.  
20 The grant allocations made in this paragraph may be renewed  
21 for additional periods of time. Of the amount allocated under  
22 this paragraph for each fiscal year, seventy-five thousand  
23 dollars shall be allocated to school districts which have an  
24 actual student population of ten thousand or less and have an  
25 actual non-English speaking student population which  
26 represents greater than five percent of the total actual  
27 student population for grants to elementary schools in those  
28 districts.

29 ~~e.--Additional-funds-available-under-this-subsection-as-a~~  
30 ~~result-of-additional-growth-provided-to-the-appropriation-in~~  
31 ~~subsection-1-shall-be-distributed-equally-between-paragraphs~~  
32 ~~"b"-and-"d".~~

33 f: e. For Notwithstanding paragraph "c", for each of the  
34 fiscal years during the fiscal period beginning July 1, 1994,  
35 and ending June 30, 1998, fifty thousand dollars of the funds

1 appropriated allocated in paragraph "c" shall be granted to  
2 each of the four schools that received grants under subsection  
3 3 during the fiscal year beginning July 1, 1993, to allow for  
4 expansion and to include identified minimum services if the  
5 school submits a program plan pursuant to subsection 3.

6 Sec. 6. Section 279.51, subsection 1, paragraph g, Code  
7 Supplement 1995, is amended by striking the paragraph and  
8 inserting in lieu thereof the following:

9 g. Notwithstanding section 256A.3, subsection 6, of the  
10 amount appropriated in this subsection for the fiscal year  
11 beginning July 1, 1996, and for each succeeding fiscal year,  
12 two and one-fourth percent may be used for administrative  
13 costs. Any reduction of an allocation under this subsection  
14 as necessary to fund the provisions of this paragraph shall be  
15 made from the allocation in paragraph "b".

16 Sec. 7. Section 279.51, subsection 1, unnumbered  
17 paragraphs 3 and 4, Code Supplement 1995, are amended by  
18 striking the unnumbered paragraphs.

19 Sec. 8. There is appropriated from the general fund of the  
20 state to the department of education for the fiscal year  
21 beginning July 1, 1996, and ending June 30, 1997, the  
22 following amount, or so much thereof as is necessary, to be  
23 used for the purpose designated:

24 To provide matching funds to school districts to pay for  
25 health benefits covering early retirement of classroom  
26 teachers under section 279.46:

27 ..... \$ 1,000,000

28 The match shall consist of one-third from the state, one-  
29 third from the school district, and one-third from the  
30 employee who elects early retirement pursuant to a program  
31 adopted pursuant to section 279.46 which program provides for  
32 the continuation of health or medical insurance coverage.

33 DIVISION III

34 CLAIMS AGAINST THE STATE

35 Sec. 9. CLAIMS APPROPRIATION. There is appropriated from

1 the general fund of the state for the fiscal year beginning  
2 July 1, 1995, and ending June 30, 1996, to the following  
3 persons the indicated amount in full settlement of the claim  
4 filed by the person against the state of Iowa:

5 1. To Gordon Eklund for claim number G95-1326, relating to  
6 an agricultural land credit refund:

7 ..... \$ 22,697.00

8 2. To William Broeker for claim number G95-2940, relating  
9 to a license refund:

10 ..... \$ 114.00

11 3. To Ann and Bill Broeker for claim number G95-2941,  
12 relating to a license refund:

13 ..... \$ 85.36

14 Sec. 10. DISAPPROVAL OF CLAIMS. The general assembly  
15 disapproves of all other claims submitted and considered by  
16 the claims committees of the senate and house of  
17 representatives as of April 22, 1996.

18 Sec. 11. EFFECTIVE DATE. This division of this Act, being  
19 deemed of immediate importance, takes effect upon enactment.

20 DIVISION IV

21 LOTTERY TRANSFER

22 Sec. 12. EXCESS LOTTERY REVENUES -- FISCAL YEAR 1994-1995.

23 Of the lottery revenues received during the fiscal year  
24 beginning July 1, 1994, which remain in the lottery fund  
25 following the transfers made pursuant to 1995 Iowa Acts,  
26 chapter 220, section 16, the following amounts are  
27 appropriated for use during the fiscal period beginning July  
28 1, 1996, and ending June 30, 1998, as follows:

29 1. To the Iowa agricultural development authority to  
30 support the establishment of an agri-entrepreneurship  
31 education project to provide beginning agriculturists with an  
32 opportunity to gain experience in owning or operating  
33 agriculture-related businesses through entrepreneurship loans  
34 to future farmers of America chapters or other organizations  
35 administering secondary education-related agricultural

1 programs:

2 ..... \$ 100,000

3 2. To the department of education for contracting with the  
4 Iowa alliance for arts education to execute the local arts  
5 comprehensive educational strategies program:

6 ..... \$ 125,000

7 3. To the department of natural resources, to be combined  
8 with local matched funding of two dollars for every one state  
9 dollar, for repair and replacement costs associated with the  
10 spillway at Hickory Grove lake:

11 ..... \$ 150,000

12 4. To Iowa state university of science and technology for  
13 allocation to the Iowa institute for public leadership:

14 ..... \$ 40,000

15 5. To the department of elder affairs for transfer to the  
16 Hawkeye area agency on aging to be used for a grant for a  
17 summer youth program:

18 ..... \$ 10,000

19 6. To the department of cultural affairs to be used for  
20 restoration of the Louis Sullivan building in Algona:

21 ..... \$ 25,000

22 7. To the department of agriculture and land stewardship  
23 for support of the Iowa cooperative foundation:

24 ..... \$ 100,000

25 8. To the state board of regents for an addition to the  
26 Iowa lakeside laboratory for costs of fixing a sewage line,  
27 expanding a phone system, and installing a natural gas  
28 pipeline:

29 ..... \$ 70,000

30 9. To the department of economic development, in  
31 consultation with the department of cultural affairs, to be  
32 used for community grants related to historical and cultural  
33 preservation, including projects involving railroads, and  
34 related to the Iowa Sesquicentennial:

35 ..... \$ 250,000

1 Not more than \$50,000 shall be provided for any community  
2 grant.

3 10. To the department of natural resources to be used for  
4 grants to communities for purchase or replacement of  
5 playground equipment:

6 ..... \$ 250,000

7 11. To the department of transportation to be used for a  
8 grant to Boone county for costs associated with paving of  
9 Arboretum road:

10 ..... \$ 50,000

11 12. To the department of natural resources, to be combined  
12 with local matching funding of two dollars for every one state  
13 dollar, for the costs of dredging at Crystal lake in Hancock  
14 county:

15 ..... \$ 200,000

16 13. To the department of natural resources for purposes of  
17 continuing natural lake preservation efforts;

18 ..... \$ 100,000

19 The department shall award the amount transferred in this  
20 subsection to a city as defined in section 362.2. The  
21 department shall award the amount on a matching basis with the  
22 department contributing one dollar for each one dollar  
23 dedicated by the city, or the city acting in conjunction with  
24 a county, regardless of the source from which the city or  
25 county obtains the money, for the continuation of natural lake  
26 preservation efforts, if the city or county has previously  
27 received state funding for such purposes. However, the city,  
28 or the city and county, must have dedicated at least \$100,000  
29 of local funds in order to qualify for the award. The city  
30 must also be located in a county having a population of less  
31 than 12,000.

32 14. To the department of education for continuation of a  
33 grant to Southeast Polk community school district to implement  
34 an interagency coalition strategy combining education, health,  
35 and social services in addressing the problems of children and

1 families through school-linked services:

2 ..... \$ 60,000

3 15. To the department of human services to be used for  
4 grants as provided in this subsection:

5 ..... \$ 100,000

6 The funds appropriated in this subsection shall be used for  
7 grants to community or regional groups to develop at least  
8 five regional demonstration projects for youth between the  
9 ages of 13 and 17, to develop specific vocational skills  
10 through work-based learning experiences, with job placement as  
11 the ultimate goal. The programs shall include activities  
12 which assist the participant in developing basic academic,  
13 training, personal, interpersonal, and other occupational  
14 skills. Grants shall be awarded in a manner so that the  
15 projects are geographically representative of the state and  
16 are located in both rural and urban areas.

17 16. To the department of natural resources to be used for  
18 grants to assist local communities with removal of waste tires  
19 from facilities located within a city's limits:

20 ..... \$ 150,000

21 17. To the community grant fund established under section  
22 232.190, to be allocated by the division of criminal and  
23 juvenile justice planning of the department of human rights  
24 for a grant to an urban facility whose primary function is to  
25 provide shelter services for runaways ages 11 through 17:

26 ..... \$ 150,000

27 18. To the department of cultural affairs for a grant to  
28 be combined with local match funding of one dollar for every  
29 one state dollar to be used for the Heartland Discovery  
30 Center:

31 ..... \$ 100,000

32 19. To the department of natural resources for purposes of  
33 creating, improving, or enhancing recreational opportunities  
34 directly related to the restoration and development of lake  
35 Ahquabi and related facilities:

1 ..... \$ 100,000

2 . Notwithstanding section 8.33, moneys appropriated in  
3 accordance with this section shall not revert to the lottery  
4 fund at the close of the fiscal year beginning July 1, 1996,  
5 but shall remain available for expenditure for the purposes  
6 designated. Unless otherwise provided in this section, moneys  
7 appropriated in this section which remain unobligated or  
8 unexpended for the purpose designated shall revert at the  
9 close of the succeeding fiscal year.

10 Sec. 13. EXCESS LOTTERY REVENUES -- FISCAL YEAR 1995-1996.

11 Notwithstanding 1995 Iowa Acts, chapter 220, section 15, of  
12 the lottery revenues remaining after \$42,200,000 is  
13 transferred and credited to the general fund of the state  
14 during the fiscal year beginning July 1, 1995, the following  
15 amounts shall be transferred and appropriated in descending  
16 priority order for use during the fiscal period beginning July  
17 1, 1995, and ending June 30, 1998, as follows:

18 1. To the treasurer of state for the continued funding of  
19 Iowa's participation in the funding of the world food prize:  
20 ..... \$ 250,000

21 It is the intent of the general assembly that this  
22 appropriation of public funds will result in a commitment for  
23 additional funding for the world food prize from private  
24 sources.

25 The treasurer of state shall only provide the funds  
26 appropriated in this section to the world food prize  
27 foundation if sufficient private funds are raised to maintain  
28 the world food prize foundation in Iowa and the foundation is  
29 structured to include representation that reflects  
30 environmental concerns and sustainable agriculture.

31 2. To the department of cultural affairs for design and  
32 construction of a gothic house visitors center in Eldon, Iowa:  
33 ..... \$ 200,000

34 3. To the department of natural resources to be used for a  
35 grant to a city with a population of more than 200,000 to be



1 used for costs associated with the development of the  
2 Riverview Nature Island environmental education project:

3 ..... \$ 50,000

4 4. To the department of cultural affairs to be used for  
5 trail development at Blood Run national historic landmark:

6 ..... \$ 75,000

7 5. To the department of economic development for operation  
8 and support of the Dows welcome center:

9 ..... \$ 5,000

10 6. To the state department of transportation for the city  
11 of Durant to construct a curb on highway 927:

12 ..... \$ 100,000

13 7. To the department of economic development for operation  
14 and support of the north and south gateway welcome centers on  
15 I-35:

16 ..... \$ 20,000

17 8. To the department of cultural affairs for the  
18 restoration of the Heisermann memorial library in West Union:

19 ..... \$ 50,000

20 Funds under this subsection shall be available upon a local  
21 match of two dollars for each one dollar of state moneys.

22 9. For the renovation of historical electric cars and the  
23 payment of renovation expenses incurred by the Mason City-  
24 Clear Lake electric trolley railroad historical society  
25 conditioned upon \$75,000 in local matching funds being raised:

26 ..... \$ 100,000

27 10. To the department of education for allocation to  
28 Hawkeye community college for purposes of renovating the  
29 Martin Luther King building for use as an urban center with  
30 classrooms to prepare students for the workplace or to pursue  
31 postsecondary education:

32 ..... \$ 100,000

33 11. To the department of economic development for a grant  
34 to America's agricultural/industrial heritage landscape, inc.  
35 for purchase, continued rehabilitation, and development of

1 tourist information services at the national heritage  
2 orientation center and public market:  
3 ..... \$ 100,000

4 It is the intent of the general assembly that the project  
5 funded under this subsection which is located at the former  
6 Chicago great western railway freight station shall continue  
7 to serve as a pilot project for comprehensive regional  
8 economic development through agricultural heritage tourism.

9 12. To the department of cultural affairs for a grant to  
10 be combined with local match funding of one dollar for every  
11 one state dollar to be used for an area science center in Iowa  
12 City:

13 ..... \$ 25,000

14 13. To the department of cultural affairs for a grant to  
15 be combined with local match funding of two dollars for every  
16 one state dollar to be used for costs associated with  
17 establishment of the Iowa fire fighters memorial:

18 ..... \$ 50,000

19 Notwithstanding section 8.33, moneys transferred and  
20 appropriated in accordance with this section shall not revert  
21 at the close of the fiscal years beginning July 1, 1995, and  
22 July 1, 1996, but shall remain available for expenditure for  
23 the purposes designated. Unless otherwise provided in this  
24 section, moneys transferred in this section which remain  
25 unobligated or unexpended for the purpose designated shall  
26 revert at the close of the fiscal year beginning July 1, 1997,  
27 and ending June 30, 1998.

28 Sec. 14. LOTTERY REVENUE TRANSFER -- FISCAL YEAR 1996-  
29 1997. Notwithstanding the requirement in section 99E.10,  
30 subsection 1, to transfer lottery revenue remaining after  
31 expenses are deducted, notwithstanding the requirement under  
32 section 99E.20, subsection 2, for the commissioner to certify  
33 and transfer a portion of the lottery fund to the CLEAN fund,  
34 and notwithstanding the appropriations and allocations in  
35 section 99E.34, all lottery revenues received during the

1 fiscal year beginning July 1, 1996, and ending June 30, 1997,  
2 after deductions as provided in section 99E.10, subsection 1,  
3 and as appropriated under any Act of the Seventy-sixth General  
4 Assembly, 1996 Session, shall not be transferred to and  
5 deposited into the CLEAN fund but shall be transferred and  
6 credited to the general fund of the state.

7 Sec. 15. Section 99E.10, subsection 1, Code 1995, is  
8 amended by adding the following new unnumbered paragraph:

9 NEW UNNUMBERED PARAGRAPH. Notwithstanding any other  
10 provision, in determining the amount of lottery revenues to be  
11 transferred in a specific month as provided by law, not more  
12 than one million five hundred thousand dollars may be retained  
13 by the lottery fund.

14 Sec. 16. EFFECTIVE DATE. This division of this Act, being  
15 deemed of immediate importance, takes effect upon enactment.

16 DIVISION V

17 TECHNICAL AMENDMENTS

18 Sec. 17. Section 88B.4, subsection 4, as enacted by 1996  
19 Iowa Acts, House File 2308, section 4, is amended to read as  
20 follows:

21 4. The permittee shall keep a record containing  
22 information of each asbestos project it performs and shall  
23 make the record available to the division at any reasonable  
24 time. Records shall contain information and be kept for a  
25 time prescribed in rules adopted by the division.

26 Sec. 18. Section 147.1, subsection 3, Code Supplement  
27 1995, as amended by 1996 Iowa Acts, Senate File 2013, section  
28 4, is amended to read as follows:

29 3. "Licensed" or "certified" when applied to a physician  
30 and surgeon, podiatric physician, osteopath, osteopathic  
31 physician and surgeon, physician assistant, psychologist or  
32 associate psychologist, chiropractor, nurse, dentist, dental  
33 hygienist, optometrist, speech pathologist, audiologist,  
34 pharmacist, physical therapist, occupational therapist,  
35 respiratory care practitioner, practitioner of cosmetology

1 arts and sciences, practitioner of barbering, funeral  
2 director, dietitian, marital and family therapist, mental  
3 health counselor, or social worker means a person licensed  
4 under this subtitle, excluding chapters 152B, 152C, and 152D.

5 Sec. 19. Section 321.34, subsection 27, paragraph b, as  
6 enacted by 1996 Iowa Acts, House File 514, section 4, is  
7 amended to read as follows:

8 b. The special Iowa heritage fee for letter number  
9 designated plates is thirty-five dollars. The special fee for  
10 personalized Iowa heritage plates is twenty-five dollars which  
11 shall be paid in addition to the special fee of thirty-five  
12 dollars. ~~The special fee~~ The annual special Iowa heritage fee  
13 is ten dollars for letter number designated registration  
14 plates and is fifteen dollars for personalized registration  
15 plates which shall be paid in addition to the regular annual  
16 registration fee.

17 Sec. 20. Section 321.34, subsection 28, paragraphs a and  
18 b, as enacted by 1996 Iowa Acts, House File 514, section 4,  
19 are amended by striking the paragraphs and inserting in lieu  
20 thereof the following:

21 a. An owner referred to in subsection 18, upon written  
22 application to the department, may order special registration  
23 plates with an education emblem. The education emblem shall  
24 be designed by the department in cooperation with the  
25 department of education.

26 Sec. 21. Section 321.34, subsection 28, paragraph c, as  
27 enacted by 1996 Iowa Acts, House File 514, section 4, is  
28 amended to read as follows:

29 ~~e.~~ b. The special school transportation fee for letter  
30 number designated education plates is thirty-five dollars.  
31 The fee for personalized education plates is twenty-five  
32 dollars, which shall be paid in addition to the special school  
33 transportation fee of thirty-five dollars. The annual special  
34 school transportation fee is ten dollars for letter number  
35 designated registration plates and is fifteen dollars for

1 personalized registration plates which shall be paid in  
2 addition to the regular annual registration fee. The fees  
3 collected by the director under this subsection shall be paid  
4 monthly to the treasurer of state and credited to the road use  
5 tax fund. Notwithstanding section 423.24, and prior to the  
6 crediting of revenues to the road use tax fund under section  
7 423.24, subsection 1, paragraph "d", the treasurer of state  
8 shall transfer monthly from those revenues to the school  
9 budget review committee in accordance with section 257.31,  
10 subsection ~~16~~ 17, the amount of the special school  
11 transportation fees collected in the previous month for the  
12 education plates.

13 Sec. 22. Section 321.34, subsection 28, paragraph d, as  
14 enacted by 1996 Iowa Acts, House File 514, section 4, is  
15 amended by striking the paragraph.

16 Sec. 23. Section 321.166, subsection 2, Code 1995, as  
17 amended by 1996 Iowa Acts, Senate File 2266, section 7, is  
18 amended to read as follows:

19 2. Every registration plate or pair of plates shall  
20 display a registration plate number which shall consist of  
21 alphabetical or numerical characters or a combination thereof  
22 and the name of this state, which may be abbreviated. Every  
23 registration plate issued by the county treasurer shall  
24 display the name of the county including any plate issued  
25 pursuant to section 321.34, except Pearl Harbor, and purple  
26 heart registration plates issued prior to January 1, 1997, and  
27 collegiate, fire fighter, and congressional medal of honor  
28 registration plates. Special truck registration plates shall  
29 display the word "special".

30 Sec. 24. Section 321.457, subsection 2, paragraph f, Code  
31 1995, as amended by 1996 Iowa Acts, House File 2066, section  
32 1, is amended to read as follows:

33 f. A motor vehicle or combination of vehicles may be  
34 operated upon the highways of this state, irrespective of the  
35 length and weight limitations imposed by the laws of this

1 state, if the motor vehicle or combination of vehicles is  
2 operated within the corporate limits of a city abutting a  
3 border of this state and such operations have been approved by  
4 ordinance of the city council and if the length and weight of  
5 the motor vehicle or combination of vehicles is in conformity  
6 with the laws relating to length and weight of the abutting  
7 state. If a city council has authorized such operation upon  
8 highways within the corporate limits, then the limit of travel  
9 for such motor vehicles or combination of vehicles within the  
10 state is extended to the commercial zones as described by  
11 federal regulations concerning interstate commerce, 49 C.F.R.  
12 § 1048.101 and to the interstate system as provided in 23  
13 U.S.C. § 127 and 49 U.S.C. § 31112(c), as amended by 1995 Pub.  
14 L. No. 104-59.

15 Sec. 25. Section 422.5, subsection 1, paragraph j, sub-  
16 paragraph (2), subparagraph subdivision (b), if enacted by  
17 1996 Iowa Acts, Senate File 2449, is amended to read as  
18 follows:

19 (b) This subparagraph shall not affect the amount of the  
20 taxpayer's checkoff to the Iowa election campaign fund under  
21 section 56.18, the checkoff for the fish and game fund in  
22 section ~~107-16~~ 456A.16, the credits from tax provided in  
23 sections 422.10, 422.11A, and 422.12 and the allocation of  
24 these credits between spouses if the taxpayers filed separate  
25 returns or separately on combined returns.

26 Sec. 26. Section 533.4, subsection 1, Code 1995, as  
27 amended by 1996 Iowa Acts, Senate File 376, section 1, is  
28 amended to read as follows:

29 1. Receive from its members, nonmembers as prescribed by  
30 rule where the credit union is serving predominantly low-  
31 income members, other credit unions, and federal, state,  
32 county, and city governments, as payments on shares or as  
33 deposits. Rules adopted allowing nonmember deposits in credit  
34 unions serving predominantly low-income members shall be  
35 designed solely to meet the needs of the low-income members.

1 Sec. 27. Section 542B.27, as enacted by 1996 Iowa Acts,  
2 House File 2318, section 2, is amended to read as follows:

3 542B.27 CIVIL PENALTY.

4 1. ~~a~~. In addition to any other penalties provided for in  
5 this section, the board may by order impose a civil penalty  
6 upon a person who is not ~~registered~~ licensed under this  
7 chapter as a professional engineer or a land surveyor and who  
8 does any of the following:

9 ~~(1)~~ a. Engages in or offers to engage in the practice of  
10 professional engineering or land surveying.

11 ~~(2)~~ b. Uses or employs the words "professional engineer"  
12 or "land surveyor", or implies authorization to provide or  
13 offer professional engineering or land surveying services, or  
14 otherwise uses or advertises any title, word, figure, sign,  
15 card, advertisement, or other symbol or description tending to  
16 convey the impression that the person is a professional  
17 engineer or land surveyor or is engaged in the practice of  
18 professional engineering or land surveying.

19 ~~(3)~~ c. Presents or attempts to use the certificate of  
20 ~~registration~~ licensure or the seal of a professional engineer  
21 or land surveyor.

22 ~~(4)~~ d. Gives false or forged evidence of any kind to the  
23 board or any member of the board in obtaining or attempting to  
24 obtain a certificate of ~~registration~~ licensure.

25 ~~(5)~~ e. Falsely impersonates any ~~registered~~ licensed  
26 professional engineer or land surveyor.

27 ~~(6)~~ f. Uses or attempts to use an expired, suspended,  
28 revoked, or nonexistent certificate of ~~registration~~ licensure.

29 ~~(7)~~ g. Knowingly aids or abets an ~~unregistered~~ unlicensed  
30 person who engages in any activity identified in this  
31 paragraph subsection.

32 ~~b~~ 2. A civil penalty imposed shall not exceed one  
33 thousand dollars for each offense. Each day of a continued  
34 violation constitutes a separate offense.

35 ~~c~~ 3. In determining the amount of a civil penalty to be

1 imposed, the board may consider any of the following:

2 (1) a. Whether the amount imposed will be a substantial  
3 economic deterrent to the violation.

4 (2) b. The circumstances leading to the violation.

5 (3) c. The severity of the violation and the risk of harm  
6 to the public.

7 (4) d. The economic benefits gained by the violator as a  
8 result of noncompliance.

9 (5) e. The interest of the public.

10 ~~d.~~ 4. Before issuing an order under this section, the  
11 board shall provide the person written notice and the  
12 opportunity to request a hearing on the record. The hearing  
13 must be requested within thirty days of the issuance of the  
14 notice and shall be conducted in the same manner as provided  
15 in section 542B.22.

16 ~~e.~~ 5. The board, in connection with a proceeding under  
17 this subsection section, may issue subpoenas to compel the  
18 attendance and testimony of witnesses and the disclosure of  
19 evidence, and may request the attorney general to bring an  
20 action to enforce the subpoena.

21 ~~f.~~ 6. A person aggrieved by the imposition of a civil  
22 penalty under this subsection section may seek judicial review  
23 in accordance with section 17A.19.

24 ~~g.~~ 7. If a person fails to pay a civil penalty within  
25 thirty days after entry of an order under paragraph-"a"  
26 subsection 1, or if the order is stayed pending an appeal  
27 within ten days after the court enters a final judgment in  
28 favor of the board, the board shall notify the attorney  
29 general. The attorney general may commence an action to  
30 recover the amount of the penalty, including reasonable  
31 attorney's fees and costs.

32 ~~h.~~ 8. An action to enforce an order under this section may  
33 be joined with an action for an injunction.

34 Sec. 28. NEW SECTION. 554.8116 SECURITIES INTERMEDIARY  
35 AS PURCHASER FOR VALUE.



1 A securities intermediary that receives a financial asset  
2 and establishes a security entitlement to the financial asset  
3 in favor of an entitlement holder is a purchaser for value of  
4 the financial asset. A securities intermediary that acquires  
5 a security entitlement to a financial asset from another  
6 securities intermediary acquires the security entitlement for  
7 value if the securities intermediary acquiring the security  
8 entitlement establishes a security entitlement to the  
9 financial asset in favor of an entitlement holder.

10 Sec. 29. Section 607A.3, subsection 2A, as enacted by 1996  
11 Iowa Acts, Senate File 2207, section 1, is amended to read as  
12 follows:

13 2A. "Disabled Person with a disability" means a person who  
14 is not physically able to operate a motor vehicle or use  
15 public transportation without assistance due to a physical  
16 disability.

17 Sec. 30. Section 607A.8, Code 1995, as amended by 1996  
18 Iowa Acts, Senate File 2207, section 2, is amended to read as  
19 follows:

20 607A.8 FEES AND EXPENSES FOR JURORS.

21 Grand jurors and petit jurors in all courts shall receive  
22 ten dollars as compensation for each day's service or  
23 attendance, including attendance required for the purpose of  
24 being considered for service, reimbursement for mileage  
25 expenses at the rate specified in section 602.1509 for each  
26 mile traveled each day to and from their residences to the  
27 place of service or attendance, and reimbursement for actual  
28 expenses of parking, as determined by the clerk. A juror who  
29 is ~~disabled~~ a person with a disability may receive  
30 reimbursement for the costs of alternate transportation from  
31 the ~~disabled~~ juror's residence to the place of service or  
32 attendance. A juror shall not receive reimbursement for  
33 mileage expenses or actual expenses of parking when the juror  
34 travels in a vehicle for which another juror is receiving  
35 reimbursement for mileage and parking expenses.

1 Sec. 31. Section 910A.9A, Code Supplement 1995, as amended  
2 by 1996 Iowa Acts, Senate File 2080, section 67, is amended to  
3 read as follows:

4 910A.9A NOTIFICATION BY DEPARTMENT OF HUMAN SERVICES.

5 The department of human services shall notify a victim  
6 registered with the department, regarding a juvenile  
7 adjudicated delinquent for a violent crime, committed to the  
8 custody of the department of human services, and placed at the  
9 state training school at Eldora or Toledo, ~~or-regarding-a~~  
10 ~~person-determined-to-be-a-sexually-violent-predator-under~~  
11 ~~chapter-709C,-and-committed-to-the-custody-of-the-department~~  
12 ~~of-human-services,~~ of the following:

13 1. The date on which the juvenile ~~or-sexually-violent~~  
14 ~~predator~~ is expected to be temporarily released from the  
15 custody of the department of human services, and whether the  
16 juvenile ~~or-sexually-violent-predator~~ is expected to return to  
17 the community where the registered victim resides.

18 2. The juvenile's ~~or-the-sexually-violent-predator's~~  
19 escape from custody.

20 3. The recommendation by the department to consider the  
21 juvenile ~~or-sexually-violent-predator~~ for release or  
22 placement.

23 4. The date on which the juvenile ~~or-sexually-violent~~  
24 ~~predator~~ is expected to be released from a facility pursuant  
25 to a plan of placement.

26 Sec. 32. 1996 Iowa Acts, Senate File 2348, section 15,  
27 subsection 1, is amended to read as follows:

28 1. Except as provided in subsection 2, this Act takes  
29 effect on January 1, 1997. However, until January 1, 1998, a  
30 person holding an inventory of packaged agricultural liming  
31 material on January 1, 1997, may continue to sell that  
32 inventory as labeled under chapter 201 as the chapter existed  
33 on December 31, ~~1997~~ 1996.

34 Sec. 33. 1996 Iowa Acts, House File 2306, section 1,  
35 subsection 2, is amended to read as follows:

1 2. This section applies to ~~artificial-lakes~~ Big Creek lake  
2 from May 24, 1996, through September 2, 1996, both dates  
3 inclusive.

4 Sec. 34. 1996 Iowa Acts, Senate File 2080, section 62, is  
5 repealed.

6 Sec. 35. 1996 Iowa Acts, Senate File 2351, section 3,  
7 amending section 15.343, subsection 1, paragraph "c", Code  
8 Supplement 1995, is repealed.

9 Sec. 36. EFFECTIVE DATE. Section 554.8116, as enacted in  
10 this Act, takes effect July 1, 1997.

11 DIVISION VI

12 STATE APPROPRIATIONS FOR FY 1995-1996

13 Sec. 37. STATE HYGIENIC LABORATORY. There is appropriated  
14 from the general fund of the state to the state board of  
15 regents for the fiscal year beginning July 1, 1995, and ending  
16 June 30, 1996, the following amount, or so much thereof as is  
17 necessary, to be used by the state hygienic laboratory at the  
18 state university of Iowa for the purpose designated:

19 For conducting analyses of test samples for alcohol or  
20 illegal controlled substances:

21 ..... \$ 200,000

22 Sec. 38. SENATE FILE 13. There is appropriated from the  
23 general fund of the state to the Iowa department of public  
24 health for the fiscal year beginning July 1, 1995, and ending  
25 June 30, 1996, the following amount, or so much thereof as is  
26 necessary, to be used for the purpose designated:

27 For expenditures relating to the establishment of a  
28 prospective minor parents decision-making assistance program  
29 in accordance with chapter 135L, as enacted by 1996 Iowa Acts,  
30 Senate File 13:

31 ..... \$ 200,000

32 Sec. 39. STATEWIDE FIRE AND POLICE RETIREMENT SYSTEM --  
33 VOLUNTARY BENEFIT PROGRAMS. There is appropriated from the  
34 general fund of the state to the statewide fire and police  
35 retirement system established in chapter 411, for the fiscal

1 year beginning July 1, 1995, and ending June 30, 1996, the  
2 following amount, or so much thereof as is necessary, to be  
3 used for the purpose designated:

4 For implementation of voluntary benefit programs as  
5 provided in 1996 Iowa Acts, Senate File 2245, if enacted:  
6 ..... \$ 75,000

7 It is the intent of the general assembly that the statewide  
8 fire and police retirement system shall reimburse the general  
9 fund of the state for the appropriation provided by this  
10 section from contributions to the voluntary benefit fund, as  
11 established in 1996 Iowa Acts, Senate File 2245, if enacted.

12 Sec. 40. RELOCATION. There is appropriated from the  
13 general fund of the state to the department of general  
14 services for the fiscal year beginning July 1, 1995, and  
15 ending June 30, 1996, the following amount, or so much thereof  
16 as is necessary, to be used for the purpose designated:

17 For relocation of offices and other transition costs  
18 associated with renovation of the Lucas state office building:  
19 ..... \$ 300,000

20 Sec. 41. STATE PUBLIC DEFENDER. There is appropriated  
21 from the general fund of the state to the office of the state  
22 public defender of the department of inspections and appeals  
23 for the fiscal year beginning July 1, 1995, and ending June  
24 30, 1996, to supplement the appropriation made in 1995 Iowa  
25 Acts, chapter 207, section 16, subsection 2, the following  
26 amount, or so much thereof as is necessary, to be used for the  
27 purpose designated:

28 For court-appointed attorney fees for indigent adults and  
29 juveniles, as specified in law by the general assembly:  
30 ..... \$ 6,400,000

31 Sec. 42. NONREVERSION. Notwithstanding section 8.33,  
32 unobligated moneys remaining on June 30, 1996, from moneys  
33 appropriated pursuant to this division of this Act shall not  
34 revert but shall be available for expenditure for the  
35 following fiscal year for the purposes for which appropriated.

DIVISION VII

STATE APPROPRIATIONS FOR FY 1996-1997

1  
2  
3 Sec. 43. PUBLIC EMPLOYEES' RETIREMENT SYSTEM -- DEFINED  
4 CONTRIBUTION OPTION. There is appropriated from the Iowa  
5 public employees' retirement fund to the department of  
6 personnel for the fiscal year beginning July 1, 1996, and  
7 ending June 30, 1997, the following amounts, or so much  
8 thereof as is necessary, to be used for the purposes  
9 designated:

10 1. For costs associated with studies and reports required  
11 in 1996 Iowa Acts, Senate File 2245, if enacted:

12 ..... \$ 60,000

13 2. For costs associated with the development of a proposal  
14 for establishing a defined contribution option under the Iowa  
15 public employees' retirement system in accordance with the  
16 provisions of this subsection:

17 ..... \$ 25,000

18 The department of personnel, in consultation with the  
19 public retirement systems committee established in section  
20 97D.4, shall develop a proposal concerning various  
21 alternatives for establishing a defined contribution option  
22 for members of the Iowa public employees' retirement system.  
23 On or before September 1, 1997, the department of personnel  
24 shall file a report with the legislative service bureau, for  
25 distribution to the public retirement systems committee, which  
26 contains a proposal, or proposals, for establishing a defined  
27 contribution option. The report shall also contain actuarial  
28 information concerning the costs of the proposal or proposals.

29 Sec. 44. VALUE-ADDED AGRICULTURAL PRODUCTS. Notwith-  
30 standing contrary provisions of sections 15E.111 and 15E.112  
31 and related eligibility requirements for participation in the  
32 value-added agricultural products and processes financial  
33 assistance program, for the fiscal year beginning July 1,  
34 1996, and ending June 30, 1997, the department of economic  
35 development shall allocate not more than \$700,000 from the

1 value-added agricultural products and processes financial  
2 assistance fund for use in planning, marketing, or  
3 constructing a new state-of-the-art beef processing facility  
4 to be located in southwest Iowa. The department shall consult  
5 with the Iowa cattlemen's association for a recommendation in  
6 identifying an appropriate entity to receive the funds  
7 allocated in this section.

8 Sec. 45. COMMUNICATIONS SERVICES REGULATION. There is  
9 appropriated from the general fund of the state to the  
10 department of commerce for the fiscal year beginning July 1,  
11 1996, and ending June 30, 1997, the following amount, or so  
12 much thereof as is necessary, to be used for the purpose  
13 designated:

14 For consulting services to assist the utilities board with  
15 implementation of 1995 Iowa Acts, chapter 199, to assist in  
16 the regulatory transition of the communications industry, and  
17 for implementation of the federal Telecommunications Act of  
18 1996, Pub. L. No. 104-104:

19 ..... \$ 120,000

20 The utilities division shall recover the moneys  
21 appropriated in this section pursuant to the assessment  
22 procedures in section 476.10.

23 Sec. 46. PHYSICIAN UTILIZATION STUDY. There is  
24 appropriated from the general fund of the state to the  
25 insurance division of the department of commerce for the  
26 fiscal year beginning July 1, 1996, and ending June 30, 1997,  
27 the following amount, or so much thereof as is necessary, to  
28 be used for the purpose designated:

29 For a study of physician utilization in accordance with  
30 this section:

31 ..... \$ 25,000

32 1. As part of the study, the commissioner of insurance  
33 shall conduct a review of existing research and literature  
34 regarding the utilization of various types of physicians, as  
35 defined in section 135.1, in individual, small group, and

1 managed care settings. The study shall determine the costs  
2 and effectiveness of including under individual and small  
3 group health care reforms certain forms of treatment and  
4 methodologies utilized by types of physicians which are not  
5 currently included under the reforms.

6 2. The commissioner of insurance shall submit a final  
7 report and recommendations, including proposed rules changes,  
8 to the general assembly on or before January 2, 1997.

9 Sec. 47. E911 COMMUNICATIONS COUNCIL. There is  
10 appropriated from the general fund of the state to the E911  
11 communications council for the fiscal year beginning July 1,  
12 1996, and ending June 30, 1997, the following amount, or so  
13 much thereof as is necessary, to be used for the purpose  
14 designated:

15 For the implementation, support, and maintenance of the  
16 E911 communications council established pursuant to section  
17 34A.15 as enacted by this Act:

18 ..... \$ 70,000

19 Sec. 48. GOVERNOR. There is appropriated from the general  
20 fund of the state to the office of the governor for the fiscal  
21 year beginning July 1, 1996, and ending June 30, 1997, the  
22 following amount, or so much thereof as is necessary, to be  
23 used for the purpose designated:

24 For use of the office of the governor:

25 ..... \$ 25,000

26 The appropriation in this section is in addition to any  
27 other appropriation made for the use of the office of the  
28 governor.

29 Sec. 49. RUNAWAY TREATMENT PLAN GRANTS. There is  
30 appropriated from the general fund of the state to the  
31 division of criminal and juvenile justice planning of the  
32 department of human rights for the fiscal year beginning July  
33 1, 1996, and ending June 30, 1997, the following amount, or so  
34 much thereof as is necessary, to be used for the purposes  
35 designated:

1 For demonstration grants for implementation of runaway  
2 treatment plans in accordance with this section:  
3 ..... \$ 200,000

4 1. The division shall utilize the moneys appropriated in  
5 this section for grants to develop two demonstration programs  
6 to implement the provisions of sections 232.195 and 232.196,  
7 as enacted in this Act, with one program in an urban area and  
8 one program in a rural area. The grantees shall provide up to  
9 twelve assessment and counseling beds and intensive family-  
10 centered services designed to determine the reasons children  
11 run away from home and methods to ameliorate the reasons so  
12 that children may either return home or receive necessary  
13 services. Not more than \$10,000 of the moneys shall be used  
14 for evaluation and other means for grantees to report on the  
15 successes and failures of the demonstration grants and methods  
16 to improve services to children who run away from home.

17 2. The department of human services and the division may  
18 adopt emergency rules to implement the provisions of section  
19 232.196, subsection 3, as enacted by this Act.

20 Sec. 50. WILDLIFE DIVERSITY. There is appropriated from  
21 the general fund of the state to the state fish and game  
22 protection fund for the fiscal year beginning July 1, 1996,  
23 and ending June 30, 1997, the following amount, or so much  
24 thereof as is necessary, to be used for the purposes  
25 designated:

26 ..... \$ 100,000  
27 1. Moneys appropriated in this section shall be used to  
28 adopt programs by the division of fish and wildlife of the  
29 department of natural resources relating to wildlife diversity  
30 by rule pursuant to chapter 17A.

31 2. Moneys appropriated in this section and revenues from  
32 the income tax refund checkoff credited to the state fish and  
33 game protection fund shall be used to match moneys  
34 appropriated for purposes of subsection 1 by the United States  
35 government or an agency, commission, or department of the



1 United States government if the appropriation of moneys by a  
2 state is a condition of the state or an agency, commission, or  
3 department of the state receiving federal moneys.

4 Sec. 51. SHELTERED WORKSHOP REIMBURSEMENT. There is  
5 appropriated from the general fund of the state to the  
6 department of human services for the fiscal year beginning  
7 July 1, 1996, and ending June 30, 1997, the following amount,  
8 or so much thereof as is necessary, to be used for the purpose  
9 designated:

10 For increasing sheltered workshop reimbursement rates as  
11 provided in this section:

12 ..... \$ 500,000

13 The moneys appropriated in this section shall be used as  
14 additional funding for an increase in the purchase of service  
15 reimbursement rate for adult sheltered workshop services  
16 provided to persons residing in any category of licensed  
17 residential care facility. Subject to the amount  
18 appropriated, beginning July 1, 1996, provider service rates  
19 for adult sheltered workshop services shall be increased up to  
20 the amount of actual and allowable costs plus inflation, based  
21 upon the cost reports on which rates have been established as  
22 of April 1, 1996. Use of funding is restricted to  
23 reimbursement of a provider of adult sheltered workshop  
24 services which had a purchase of service contract for those  
25 services in effect on June 30, 1996.

26 Sec. 52. DEPARTMENT OF INSPECTIONS AND APPEALS.

27 1. The investigations division of the department of  
28 inspections and appeals is authorized 1.00 FTE for the fiscal  
29 year beginning July 1, 1996, and ending June 30, 1997. This  
30 authorization of 1.00 FTE is in addition to the number of  
31 full-time equivalent positions authorized the investigations  
32 division in 1996 Iowa Acts, House File 2416, section 8,  
33 subsection 4.

34 2. There is appropriated from the general fund of the  
35 state to the racing and gaming commission of the department of

1 inspections and appeals for the fiscal year beginning July 1,  
2 1996, and ending June 30, 1997, the following amount, or so  
3 much thereof as is necessary, to be used for the purposes  
4 designated:

5 For salaries, support, maintenance, and miscellaneous  
6 purposes for administration and enforcement of the excursion  
7 boat gambling laws, and for not more than the following full-  
8 time equivalent position:

9	.....	\$	39,804
10	.....	FTEs	1.00

11 The appropriation and full-time equivalent position  
12 authorization provided in this subsection is in addition to  
13 the appropriation and full-time equivalent position  
14 authorization provided in 1996 Iowa Acts, House File 2416,  
15 section 10.

16 Sec. 53. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP.  
17 The department of agriculture and land stewardship shall  
18 utilize not more than \$82,000 of the moneys appropriated to  
19 the department's administrative division in 1996 Iowa Acts,  
20 Senate File 2446, section 1, subsection 1, if enacted, for the  
21 acquisition of laboratory equipment, including but not limited  
22 to a rapid fat analyzer and a nitrogen protein combustion  
23 analyzer.

24 DIVISION VIII

25 OTHER STATUTORY PROVISIONS

26 Sec. 54. NEW SECTION. 8A.2 INNOVATION ZONES.

27 1. The purpose of this section is to enable local  
28 jurisdictions to establish community partnerships to redirect  
29 existing public funds to achieve improved outcomes for  
30 children and their families. The state and local  
31 jurisdictions shall negotiate new relationships in the  
32 decategorization of funding appropriated and available to  
33 local jurisdictions which share the risk related to and  
34 responsibility for achieving improved outcomes.

35 2. An innovation zone board is created within the council

1 on human investment. The staff of the council on human  
2 investment shall act as staff to the board. The board shall  
3 select a chairperson, annually, from its membership. A simple  
4 majority of the members of the board shall constitute a  
5 quorum. On or before June 30, 1997, the board shall do all of  
6 the following:

7 a. Issue a request for applications to be submitted by  
8 local jurisdictions to participate in innovation zones in  
9 order to develop new, community-based strategies which are  
10 cross-system in focus, to improve outcomes for children and  
11 their families.

12 b. Select from the requests received, at least three  
13 jurisdictions to develop and implement innovation zone plans.  
14 The board shall establish criteria for selection of the  
15 jurisdictions. Selection criteria shall include a component  
16 which measures the comprehensiveness of the plan and the  
17 capacity of the jurisdiction to implement the plan.

18 c. Provide technical assistance, if requested, to assist  
19 selected jurisdictions in developing and implementing the  
20 innovation zone plans, including but not limited to assistance  
21 in providing information regarding state and federal funding  
22 directed to the local jurisdiction for use in implementation  
23 of the plans.

24 d. Negotiate with local jurisdictions the state and local  
25 jurisdiction duties in implementing the innovation zone plans.  
26 The negotiations shall include methods to evaluate the  
27 performance of the innovation zones. The board shall  
28 coordinate and respond to any requests from a local  
29 jurisdiction relating to waiver of existing rules or  
30 regulations, the pooling and redirecting of existing state  
31 funds, and the seeking of federal waivers.

32 e. Provide for maximum flexibility and creativity in the  
33 designing and implementation of innovation zone plans with an  
34 emphasis on the plans' potential for improving outcomes for  
35 children and their families.

1 f. Review and approve or disapprove any provision in an  
2 innovation zone plan submitted which requires the waiver or  
3 superseding of any state rule relating to local jurisdiction  
4 actions or expenditure of funds for services provided to  
5 children and their families.

6 g. Report provisions included in a local jurisdiction's  
7 innovation zone plan which require the waiver or superseding  
8 of a state law or rule to the general assembly for review and  
9 necessary action.

10 3. A local jurisdiction seeking to develop and implement  
11 an innovation zone plan shall do all of the following:

12 a. Define the geographic service area of the local  
13 jurisdiction.

14 b. Establish a local jurisdiction innovation zone  
15 governing body which shall develop and implement the  
16 innovation zone plan. The governing body shall be  
17 representative of the local jurisdiction.

18 c. Develop a budget for the development and implementation  
19 of the innovation zone plan which includes a commitment of  
20 ongoing local funding and which also involves the commitment  
21 of other private and public resources to the innovation zone.

22 d. Negotiate the specific requirements of the innovation  
23 zone plan and implementation of the plan including the  
24 specific duties of the state and local jurisdictions. The  
25 plans may include provisions for local jurisdiction actions or  
26 expenditure of funds under the plan which involve waiver of  
27 state rules relating to services to children and their  
28 families.

29 4. The innovation zone board shall include all of the  
30 following members:

31 a. The directors, or their designees, of the department of  
32 human services, the department of human rights, the department  
33 of education, the Iowa department of public health, the  
34 department of employment services, the department of  
35 management, and any other state departments or agencies, as

1 necessary, as determined by the board.

2 b. Four members of the general assembly shall serve as ex  
3 officio, nonvoting members. The legislative members shall be  
4 appointed by the majority leader of the senate, by the  
5 minority leader of the senate, by the speaker of the house,  
6 and by the minority leader of the house of representatives.  
7 Appointments shall comply with sections 69.16 and 69.16A.  
8 Vacancies shall be filled by the original appointing authority  
9 and in the manner of the original appointments. Legislative  
10 members shall serve terms of two years and shall receive  
11 compensation pursuant to section 2.12.

12 c. Additional members, which the governor shall appoint,  
13 who are not affiliated with a state agency but who are members  
14 of the general public with expertise or interest in children  
15 and family issues.

16 5. For the purposes of this section, "local jurisdiction"  
17 or "jurisdiction" means one or more cities, counties, or  
18 school districts or a combination of any of these entities.

19 Sec. 55. Section 34A.3, subsection 1, unnumbered paragraph  
20 1, Code 1995, is amended to read as follows:

21 The board of supervisors of each county shall establish a  
22 joint 911 service board not later than January 1, 1989. Each  
23 political subdivision of-the-state-having-a-public-safety  
24 agency-serving-territory within the county is entitled to  
25 voting membership on the joint 911 service board. Each  
26 private public safety agency operating within the area is  
27 entitled to nonvoting voting membership on the board. A  
28 township-which-does-not-operate-its-own-public-safety-agency,  
29 but-contracts Each private safety agency under contract with a  
30 political subdivision within the county for the provision of  
31 public safety services, is not entitled to membership on  
32 joint-911-service-board, but its contractor is entitled to  
33 membership according to the contractor's status as a public or  
34 private safety agency is entitled to voting membership on the  
35 board. The board of supervisors of the county establishing

1 the board is also entitled to voting membership on the board.  
2 The joint 911 service board shall develop an enhanced 911  
3 service plan encompassing at minimum the entire county, unless  
4 an exemption is granted by the administrator permitting a  
5 smaller E911 service area. The administrator may grant a  
6 discretionary exemption from the single county minimum service  
7 area requirement based upon an E911 joint service board's or  
8 other E911 service plan operating authority's presentation of  
9 evidence which supports the requested exemption if the  
10 administrator finds that local conditions make adherence to  
11 the minimum standard unreasonable or technically infeasible,  
12 and that the purposes of this chapter would be furthered by  
13 granting an exemption. The minimum size requirement is  
14 intended to prevent unnecessary duplication of public safety  
15 answering points and minimize other administrative, personnel,  
16 and equipment expenses. An E911 service area must encompass a  
17 geographically contiguous area. No exemption shall be granted  
18 from the contiguous area requirement. The administrator may  
19 order the inclusion of a specific territory in an adjoining  
20 E911 service plan area to avoid the creation by exclusion of a  
21 territory smaller than a single county not serviced by  
22 surrounding E911 service plan areas upon request of the joint  
23 911 service board representing the territory. The E911  
24 service plan operating authority shall submit the plan on or  
25 before January 1, 1994, to all of the following:

26     Sec. 56. NEW SECTION. 34A.15 E911 COMMUNICATIONS COUNCIL  
27 ESTABLISHED -- DUTIES.

28     1. An E911 communications council is established. The  
29 council consists of the following eleven members:

30     a. One person appointed by the commissioner of public  
31 safety.

32     b. One person appointed by the Iowa state sheriffs' and  
33 deputies' association.

34     c. One person appointed by the Iowa association of chiefs  
35 of police and peace officers.

- 1 d. One person appointed by the Iowa emergency medical  
2 services association.
- 3 e. One person appointed by the Iowa association of  
4 professional firefighters.
- 5 f. One person appointed by the Iowa firemen's association.
- 6 g. One person appointed by the Iowa chapter of the  
7 national emergency number association.
- 8 h. One person appointed by the Iowa chapter of the  
9 association of public safety communications officials-  
10 international, inc.
- 11 i. One person appointed by the Iowa emergency management  
12 directors association.
- 13 j. Two persons appointed by the Iowa telephone  
14 association, with one person appointed to represent telephone  
15 companies having fifteen thousand or more customers and one  
16 person appointed to represent telephone companies having less  
17 than fifteen thousand customers.

18 2. The council shall coordinate the development of and  
19 mediate disputes relating to E911 systems and service in this  
20 state. The council shall oversee the planning,  
21 implementation, and operation of E911 communications services.  
22 The council shall mediate issues relating to addressing, call  
23 routing, E911 database, E911 network, equipment, and surcharge  
24 collection which arise between and among E911 service boards,  
25 telephone companies, and other providers and users of E911  
26 communications services.

27 3. The authority of the council is limited to the issues  
28 specifically identified in this section and does not preempt  
29 the authority of the utilities board, created in section  
30 474.1, to act on issues within the jurisdiction of the  
31 utilities board.

32 Sec. 57. Section 232.2, Code Supplement 1995, is amended  
33 by adding the following new subsection:

34 NEW SUBSECTION. 6A. "Chronic runaway" means a child who  
35 is reported to law enforcement as a runaway more than once in

1 any month or three or more times in a year.

2 Sec. 58. Section 232.19, subsection 1, paragraph c, Code  
3 1995, is amended to read as follows:

4 c. By a peace officer ~~for-the-purpose-of-reuniting-a-child~~  
5 ~~with-the-child's-family-or-removing-the-child-to-a-shelter~~  
6 ~~care-facility~~ or a juvenile court officer, when the peace  
7 officer or juvenile court officer has reasonable grounds to  
8 believe the child has run away from the child's parents,  
9 guardian, or custodian, for the purposes of determining  
10 whether the child shall be reunited with the child's parents,  
11 guardian, or custodian, placed in shelter care, or, if a  
12 chronic runaway, placed in a runaway assessment and treatment  
13 center under section 232.196.

14 Sec. 59. NEW SECTION. 232.195 RUNAWAY TREATMENT PLAN.

15 A county, multicounty, or nonprofit organization may  
16 develop a runaway treatment plan to address problems with  
17 chronic runaway children in the area served by the  
18 organization. The organization shall submit the plan to the  
19 department of human rights, division of criminal and juvenile  
20 justice planning for approval for funding. The plan shall  
21 identify the problems with chronic runaway children and  
22 specific solutions to be implemented, including the  
23 development of a runaway assessment and treatment center and  
24 may include a request for funding. The division may award  
25 funds appropriated for implementation of the runaway treatment  
26 plan to shelter care homes which are licensed or approved by  
27 the department of human services.

28 Sec. 60. NEW SECTION. 232.196 RUNAWAY ASSESSMENT AND  
29 TREATMENT CENTER.

30 1. As part of a county, multicounty, or nonprofit  
31 organization's runaway treatment plan under section 232.195,  
32 the organization may establish a runaway assessment and  
33 treatment center. A center shall be operated by an entity  
34 which is licensed or approved by the department to operate a  
35 shelter care home. A center shall provide services to assess



1 a child who is referred to the center for being a chronic  
2 runaway and intensive family counseling designed to address  
3 any problem causing the child to run away.

4 2. a. If a child is a chronic runaway and is not sent  
5 home with the child's parent, guardian, or custodian, the  
6 child may be placed in a runaway assessment and treatment  
7 center by a peace officer, juvenile court officer, or the  
8 child if the officer, juvenile court officer, or the child  
9 believes it to be in the child's best interest after  
10 consulting with the child's parent, guardian, or custodian.

11 b. Within forty-eight hours of being placed in the center  
12 the child shall be assessed by a center counselor to determine  
13 the reasons why the child is a chronic runaway and whether  
14 child in need of assistance or family in need of assistance  
15 proceedings are appropriate. As soon as practicable following  
16 the assessment, the child and the child's parent, guardian, or  
17 custodian shall be provided the opportunity for counseling  
18 sessions to identify the underlying causes of the runaway  
19 behavior and to develop a plan to address those causes.

20 c. A child shall be released from a runaway assessment and  
21 treatment center to the child's parent, guardian, or custodian  
22 not later than forty-eight hours after being placed in the  
23 center unless the child is placed in shelter care under  
24 section 232.21 or an order is entered under section 232.78. A  
25 child whose parent, guardian, or custodian failed to attend  
26 counseling or who fails to take custody of the child at the  
27 end of placement in the center may be the subject of a child  
28 in need of assistance petition or such other order as the  
29 juvenile court finds to be in the child's best interest.

30 3. The department of human services may establish a  
31 special category within rules applicable to a juvenile shelter  
32 care home licensed or approved by the department which  
33 provides for operation of a runaway assessment and treatment  
34 center by such a home. Any rules applicable to the special  
35 category shall be jointly developed by the department of human

1 services and the division of criminal and juvenile justice  
2 planning of the department of human rights.

3 Sec. 61. Section 476.1D, subsection 10, Code Supplement  
4 1995, is amended to read as follows:

5 10. The board, at the request of a long distance telephone  
6 company, shall classify such company as a competitive long  
7 distance telephone company if more than half of the company's  
8 revenues from its Iowa intrastate telecommunications services  
9 and facilities are received from services and facilities that  
10 the board has determined to be subject to effective  
11 competition, or if more than half of the company's revenues  
12 from its Iowa intrastate telecommunications services and  
13 facilities are received from intralata interexchange services  
14 and facilities. For purposes of this subsection, "intralata  
15 interexchange services" means those interexchange services  
16 that originate and terminate within the same local access  
17 transport area.

18 PARAGRAPH DIVIDED. The board shall promptly notify the  
19 director of revenue and finance that a long distance telephone  
20 company has been classified as a competitive long distance  
21 telephone company. Upon such notification by the board, the  
22 director of revenue and finance shall assess the property of  
23 such competitive long distance telephone company, which  
24 property is first assessed for taxation in this state on or  
25 after January 1, 1996, in the same manner as all other  
26 property assessed as commercial property by the local assessor  
27 under chapters 427, 427A, 427B, 428, and 441. As used in this  
28 section, "long distance telephone company" means an entity  
29 that provides telephone service and facilities between local  
30 exchanges, but does not include a cellular service provider or  
31 a local exchange utility holding a certificate issued under  
32 section 476.29, subsection 12.

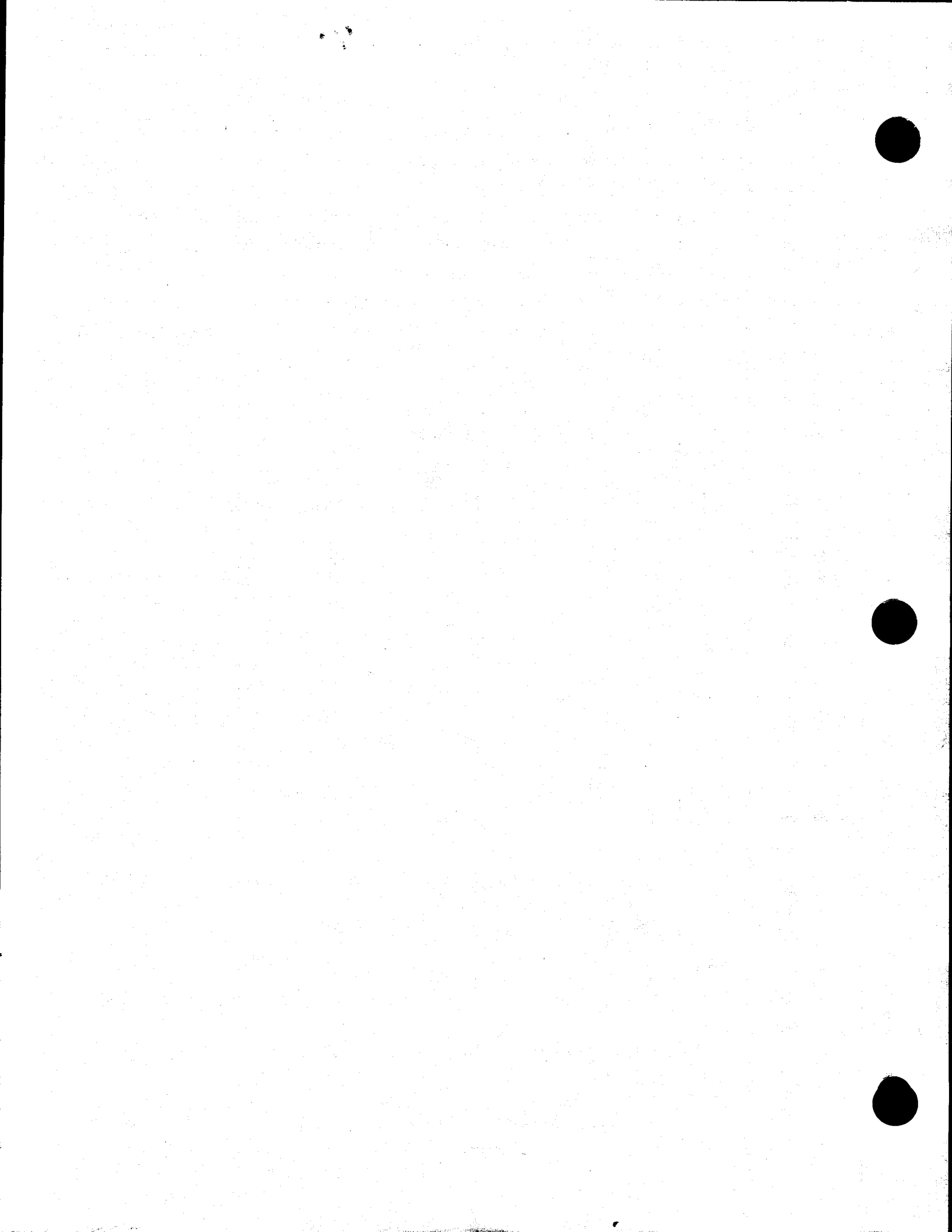
33 Sec. 62. Section 710.8, Code 1995, is amended by adding  
34 the following new subsection:

35 NEW SUBSECTION. 4. A person shall not harbor a runaway

1 child with the intent of allowing the runaway child to remain  
2 away from home against the wishes of the child's parent,  
3 guardian, or custodian. However, the provisions of this  
4 subsection do not apply to a shelter care home which is  
5 licensed or approved by the department of human services.

6 Sec. 63. REPEAL -- INNOVATION ZONE BOARD. Section 8A.2,  
7 subsections 2 and 4, as enacted by this division of this Act,  
8 relating to the innovation zone board, are repealed June 30,  
9 1998.

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## SENATE FILE 2470

H-6069

1 Amend Senate File 2470, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 36, by inserting after line 9, the  
4 following:

5 "DIVISION  
6 SPECIAL REGISTRATION PLATES -- SURVIVING SPOUSE  
7 Sec. \_\_\_\_\_. The state department of transportation  
8 shall allow the surviving spouse of a person who was  
9 issued prisoner of war plates pursuant to section  
10 321.34, subsection 8, to continue to use the special  
11 plates, subject to registration of the special plates  
12 in the surviving spouse's name and upon payment of the  
13 annual registration fee. If the surviving spouse  
14 remarries, the surviving spouse shall return the  
15 special plates to the department and the department  
16 shall issue regular registration plates to the  
17 surviving spouse.

18 This division of this Act, being deemed of  
19 immediate importance, takes effect upon enactment."

20 2. By renumbering as necessary.

By WEIGEL of Chickasaw

H-6069 FILED MAY 1, 1996

*Adopted 5-1-96  
(P.2127)*

## SENATE FILE 2470

H-6075

1 Amend Senate File 2470, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 24, by striking lines 19 through 28.

4 2. By renumbering as necessary.

By FALLON of Polk

H-6075 FILED MAY 1, 1996

*Lat 5-1-96 (P.2125)*

## SENATE FILE 2470

H-6076

1 Amend the amendment, H-6068, to Senate File 2470,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 5, by striking line 17 and inserting the  
5 following: ", reduced by up to an equivalent amount,  
6 to the extent that federal funding for child day care  
7 is not jeopardized by the reduction of the  
8 appropriation in that section."

By HOUSER of Pottawattamie

H-6076 FILED MAY 1, 1996

*adopted 5-1-96  
(P.2123)*

SENATE FILE 2470

H-6068

1 Amend Senate File 2470, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 2, line 17, by striking the words  
4 "fifteen million seven one hundred" and inserting the  
5 following: "fourteen million seven five hundred  
6 twenty".

7 2. Page 2, lines 26 and 27, by striking the words  
8 "eight million one two hundred twenty-five fifty" and  
9 inserting the following: "seven million one six  
10 hundred twenty-five seventy".

11 3. Page 4, by striking lines 19 through 32.

12 4. Page 5, by inserting after line 13 the  
13 following:

14 "4. To Clyde Dalbey for a claim relating to an  
15 individual income tax refund:

16 ..... \$ 1,922.39

17 5. To Cecil Travis of Ankeny for a claim relating  
18 to a mobile home use tax refund:

19 ..... \$ 420.00"

20 5. Page 6, by striking lines 12 through 14.

21 6. Page 6, by inserting after line 24 the  
22 following:

23 "The moneys appropriated in this subsection shall  
24 be utilized for purposes of providing information,  
25 technical assistance, coordination, and legal advice  
26 to groups of farmers who desire to create a value-  
27 added cooperative. The primary goal shall be to  
28 assist the successful development of such cooperatives  
29 while minimizing the risks to the farmers involved."

30 7. Page 9, by inserting after line 1 the  
31 following:

32 "\_\_\_\_\_. To the department of economic development  
33 for a grant for completion of the Cherokee area rural  
34 economic development center in Cherokee:

35 ..... \$ 150,000"

36 8. Page 9, by inserting after line 30 the  
37 following:

38 "\_\_\_\_\_. To the department of natural resources for a  
39 grant to the city of Sioux City for expenses  
40 associated with the Perry creek flood control and  
41 greenway project:

42 ..... \$ 100,000"

43 9. Page 10, by inserting after line 3 the  
44 following:

45 "\_\_\_\_\_. To the Iowa department of public health for  
46 the period beginning July 1, 1996, and ending June 30,  
47 1998, to be used for purposes of supporting a program  
48 to assist counties in testing private wells and waters  
49 of the state for pollution caused by confinement  
50 feeding operations:

H-6068

H-6068

Page 2

1 ..... \$ 50,000

2 From moneys appropriated in this subsection, the
3 department shall support testing programs administered
4 by counties which may submit an application to the
5 department to participate in the state assistance
6 program, as provided by the department. The county
7 shall perform testing within a test area. As used in
8 this subsection, "test area" means an area within a
9 two-mile radius of any structure used to store manure
10 which is part of a confinement feeding operation.
11 Iowa state university of science and technology shall
12 adopt necessary standards, protocols, and criteria for
13 testing by counties. The program shall be
14 administered within each participating county by the
15 county's board of health or the board's designee. The
16 testing may be performed with volunteer assistance.
17 However, all testing shall be performed under the
18 supervision of a county official. The samples of the
19 testing shall be analyzed by the state hygienic
20 laboratory at the state university of Iowa. All
21 moneys available under this subsection shall only be
22 used for the following purposes:

23 a. Analyzing test samples by the state hygienic
24 laboratory.

25 b. Performing tests by counties. However, not
26 more than \$50 of the moneys available to a county
27 under this subsection shall be used to pay for
28 administering testing by the county within any test
29 area, including labor and equipment costs, regardless
30 of the number of tests performed by the county within
31 the test area."

32 10. Page 10, line 19, by striking the figure
33 "50,000" and inserting the following: "100,000".

34 11. Page 11, by inserting after line 18 the
35 following:

36 "\_\_\_ . To the department of commerce for the
37 insurance division to continue the senior health
38 insurance information program:

39 ..... \$ 75,000

40 \_\_\_ . To the department of elder affairs for the
41 older Iowans' legislature:

42 ..... \$ 15,000

43 \_\_\_ . To the department of natural resources for
44 testing of animal feeding operations and their
45 structures, in accordance with this subsection:

46 ..... \$ 185,000

47 The department of natural resources shall utilize
48 the moneys appropriated in this subsection to perform
49 testing of animal feeding operations and their
50 structures, including confinement feeding operations

H-6068

H-6068

Page 3

1 and confinement feeding operation structures all as  
2 defined in section 455B.161, and manure management and  
3 disposal systems used by such operations. The  
4 operations and their structures or systems must have  
5 been constructed or installed on or before July 1,  
6 1985. The testing shall be for the purpose of  
7 determining the extent to which operations and their  
8 structures and manure management and disposal systems  
9 contribute to point and nonpoint contamination of the  
10 state's groundwater and surface water. A person  
11 owning or operating an animal feeding operation may  
12 cooperate with the department in carrying out this  
13 subsection. The identity of the animal feeding  
14 operations shall be confidential and not subject to  
15 chapter 22. The findings of the testing shall not be  
16 used in a case or proceeding brought against a person  
17 based upon a violation of state law. The department  
18 shall report its findings and recommendations to the  
19 general assembly not later than January 15, 1998."

20 12. Page 19, by inserting after line 33 the  
21 following:

22 "Sec. \_\_\_\_\_. INSTITUTE REFERENCE. The reference to  
23 the "institute of public leadership" in 1996 Iowa  
24 Acts, House File 2477, section 12, subsection 3,  
25 paragraph "a", if enacted, means the Iowa institute  
26 for public leadership."

27 13. Page 20, by inserting after line 3 the  
28 following:

29 "Sec. \_\_\_\_\_. VERTICAL INFRASTRUCTURE TASK FORCE.  
30 Notwithstanding the membership specified for the  
31 vertical infrastructure definition task force as  
32 created in 1996 Iowa Acts, House File 2421, if  
33 enacted, a representative from the national electrical  
34 contractors association, Iowa chapter, shall be a  
35 member of the task force rather than a representative  
36 from the Iowa chapter, national electrical  
37 association."

38 14. Page 21, line 18, by inserting after the word  
39 "building" the following: "and the old historical  
40 building".

41 15. Page 21, by inserting after line 30 the  
42 following:

43 "Sec. \_\_\_\_\_. DEPARTMENT OF HUMAN SERVICES -- LOCAL  
44 PURCHASE. There is appropriated from the general fund  
45 of the state to the department of human services for  
46 the fiscal year beginning July 1, 1995, and ending  
47 June 30, 1996, the following amount, or so much  
48 thereof as is necessary, to be used for the purpose  
49 designated:

50 For replacement of federal social services block

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1 grant funding allocated in 1995 Iowa Acts, chapter  
 2 208, section 10, subsection 3, paragraphs "d" and "g",  
 3 and subsequently reduced by the federal government,  
 4 for local administrative costs and other local  
 5 services and for local purchase of services for  
 6 persons with mental illness or mental retardation or  
 7 other developmental disability:  
 8 ..... \$ 1,600,000

9 Sec. \_\_\_\_ DEPARTMENT OF HUMAN SERVICES -- SPECIAL  
 10 AUTHORIZATION. Notwithstanding sections 8.33 and  
 11 8.62, and any other provision of law to the contrary,  
 12 not more than \$2,200,000 of moneys appropriated to the  
 13 department of human services for the fiscal year  
 14 beginning July 1, 1995, and ending June 30, 1996,  
 15 which remain unobligated or unexpended shall not  
 16 revert to the fund from which appropriated but shall  
 17 remain available in the succeeding fiscal year for use  
 18 as follows:

- 19 1. For the adolescent tracking and monitoring
- 20 program, \$1,200,000.
- 21 2. For upgrading computer hardware, \$1,000,000.
- 22 If the actual amount of moneys available pursuant
- 23 to this section is less than \$2,200,000, the
- 24 department shall prorate the actual amount based upon
- 25 the relative amounts allocated in subsections 1 and
- 26 2."

27 16. Page 22, lines 5 and 6, by striking the words  
 28 "department of personnel" and inserting the following:  
 29 "Iowa public employees' retirement system".

30 17. Page 22, line 18, by striking the words  
 31 "department of personnel" and inserting the following:  
 32 "Iowa public employees' retirement system".

33 18. Page 22, line 23, by striking the words  
 34 "department of personnel" and inserting the following:  
 35 "system".

36 19. Page 23, by striking lines 4 through 7 and  
 37 inserting the following: "to be located in southwest  
 38 Iowa."

39 20. Page 24, by inserting after line 28 the  
 40 following:

41 "Sec. \_\_\_\_ WORKFORCE DEVELOPMENT FUND. There is  
 42 appropriated from the workforce development fund  
 43 account, as established in 1996 Iowa Acts, Senate File  
 44 2351, section 1, for the fiscal year beginning July 1,  
 45 1996, and ending June 30, 1997, to the workforce  
 46 development fund created in section 15.343, the  
 47 following amount for the purposes of the workforce  
 48 development fund:  
 49 ..... \$ 3,152,000"

50 21. By striking page 24, line 29, through page

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1 25, line 19.

2 22. By striking page 25, line 20, through page  
3 26, line 3.

4 23. Page 26, by striking lines 4 through 25.

5 24. Page 27, by inserting after line 23 the  
6 following:

7 "Sec. \_\_\_\_ . DEPARTMENT OF HUMAN SERVICES CONTINGENT  
8 REDUCTION. Notwithstanding contrary provisions of  
9 section 8.41, subsection 3, as enacted by 1996 Iowa  
10 Acts, House File 2256, if during the fiscal year  
11 beginning July 1, 1996, the department of human  
12 services receives federal funding for child day care  
13 assistance which is unanticipated and has not been  
14 budgeted, the funding shall be used as provided in  
15 1996 Iowa Acts, Senate File 2442, section 6, if  
16 enacted, and the appropriation in that section is  
17 reduced by an equivalent amount.

18 Sec. \_\_\_\_ . GROUP FOSTER CARE TARGET.  
19 Notwithstanding 1996 Iowa Acts, Senate File 2442,  
20 section 10, subsection 2, paragraph "a", if enacted,  
21 the amount allocated as the statewide expenditure  
22 target under section 242.143 for group foster care  
23 maintenance and services is \$23,601,280.

24 Sec. \_\_\_\_ . 1996 Iowa Acts, House File 2472, section  
25 21, subsection 2, paragraph b, unnumbered paragraph 2,  
26 if enacted, is amended to read as follows:

27 The department of public safety, with the approval  
28 of the department of management, may employ no more  
29 than two special agents and four gaming enforcement  
30 officers for each additional riverboat regulated after  
31 March 31, 1996, and one special agent for each racing  
32 facility which becomes operational during the fiscal  
33 year beginning July 1, 1996. One additional gaming  
34 enforcement officer, up to a total of four per boat,  
35 may be employed for each riverboat that has extended  
36 operations to 24 hours and has not previously operated  
37 with a 24-hour schedule. Positions authorized in this  
38 paragraph are in addition to the full-time equivalent  
39 positions authorized in this subsection."

40 25. Page 32, by inserting after line 31 the  
41 following:

42 "Sec. \_\_\_\_ . Section 159.29, subsection 2,  
43 unnumbered paragraph 1, Code 1995, is amended to read  
44 as follows:

45 An owner of an agricultural drainage well and a  
46 landholder whose land is drained by the well or wells  
47 of another person shall develop, in consultation with  
48 the department of agriculture and land stewardship and  
49 the department of natural resources, a plan which  
50 proposes alternatives to the use of agricultural

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1 drainage wells by July 1, ~~1996~~ 1998."

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

4 "Sec. \_\_\_\_ . NEW SECTION. 279.8A TRAFFIC AND  
5 PARKING.

6 The board may make necessary rules to provide for  
7 the policing, control, and regulation of traffic and  
8 parking of vehicles and bicycles on school grounds.

9 The rules may provide for the use of institutional  
10 roads, driveways, and grounds; registration of  
11 vehicles and bicycles; the designation of parking  
12 areas; the erection and maintenance of signs  
13 designating prohibitions or restrictions; the  
14 installation and maintenance of parking control  
15 devices; and assessment, enforcement, and collection  
16 of reasonable penalties for the violation of the  
17 rules.

18 Rules made under this section may be enforced under  
19 procedures adopted by the board. Penalties may be  
20 imposed for violation of the rules, including, but not  
21 limited to, a reasonable monetary penalty. The rules  
22 made under this section may also be enforced by the  
23 impoundment of vehicles and bicycles for violation of  
24 the rules. The board shall establish procedures for  
25 the determination of controversies in connection with  
26 the imposition of penalties. The procedures must  
27 require giving notice of the violation and the penalty  
28 prescribed and providing the opportunity for an  
29 administrative hearing.

30 The board may contract with a city or county to  
31 enforce rules made under this section by ordinance of  
32 the city or county, and shall consult with local  
33 government transportation officials to ensure that  
34 rules made pursuant to this section are not in  
35 conflict with city or county parking and traffic  
36 ordinances.

37 Sec. \_\_\_\_ . Section 356.7, as enacted by 1996 Iowa  
38 Acts, Senate File 2352, section 1, is amended to read  
39 as follows:

40 356.7 CHARGE FOR ROOM AND BOARD -- LIEN.

41 1. The county sheriff may charge a prisoner who is  
42 eighteen years of age or older for the room and board  
43 provided to the prisoner while in the custody of the  
44 county sheriff. Moneys collected by the sheriff under  
45 this section shall be credited to the county general  
46 fund and distributed as provided in this section. If  
47 a prisoner fails to pay for the room and board, the  
48 sheriff may file a room and board reimbursement lien  
49 as provided in subsection 2. The county attorney may  
50 file the room and board reimbursement lien on behalf

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1 of the sheriff and the county. This section does not  
2 apply to prisoners who are paying for their room and  
3 board by court order pursuant to sections 356.26  
4 through 356.35.

5 2. The sheriff or the county attorney, on behalf  
6 of the sheriff, may file a room and board  
7 reimbursement lien with the clerk of the district  
8 court which shall include all of the following  
9 information, if known:

10 a. The name and date of birth of the person whose  
11 property or other interests are subject to the lien.

12 b. The present address of the residence and  
13 principal place of business of the person named in the  
14 lien.

15 c. The criminal proceeding pursuant to which the  
16 lien is filed, including the name of the court, the  
17 title of the action, and the court's file number.

18 d. The name and address of the sheriff or the name  
19 and address of the county attorney who is filing the  
20 lien on behalf of the sheriff.

21 e. A statement that the notice is being filed  
22 pursuant to this section.

23 f. The amount of room and board reimbursement the  
24 person has been ordered to pay or is likely to be  
25 ordered to pay.

26 3. The filing of a room and board reimbursement  
27 lien in accordance with this section creates a lien in  
28 favor of the sheriff in any personal or real property  
29 identified in the lien to the extent of the interest  
30 held in that property by the person named in the lien.

31 4. This section does not limit the right of the  
32 sheriff to obtain any other remedy authorized by law.

33 5. Of the moneys collected and credited to the  
34 county general fund as provided in this section, sixty  
35 percent of the moneys collected shall be used for the  
36 following purposes:

37 a. Courthouse security equipment and law  
38 enforcement personnel costs.

39 b. Infrastructure improvements of a jail including  
40 new or remodeling costs.

41 c. Infrastructure improvements of juvenile  
42 detention facilities, including new or remodeling  
43 costs.

44 The sheriff may submit a plan or recommendations to  
45 the county board of supervisors for the use of the  
46 funds as provided in this subsection or the sheriff  
47 and board may jointly develop a plan for the use of  
48 the funds.

49 The county board of supervisors shall review the  
50 plan or recommendations submitted by the sheriff

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1 during the normal budget process of the county."

2 27. Page 35, by inserting after line 32 the  
3 following:

4 "Sec. \_\_\_\_ . NEW SECTION. 509A.14A IOWA INDIVIDUAL  
5 HEALTH BENEFIT REINSURANCE ASSOCIATION -- ELECTION NOT  
6 TO PARTICIPATE.

7 A political subdivision of the state, other than a  
8 school corporation, providing health insurance or  
9 health benefits for employees pursuant to section  
10 509A.14 may elect not to participate in the Iowa  
11 individual health benefit reinsurance association  
12 established in section 513C.10 in accordance with and  
13 subject to the terms and conditions adopted by the  
14 board of the Iowa individual health benefit  
15 reinsurance association. Health insurance or health  
16 benefits provided by a political subdivision of the  
17 state, other than a school corporation, which elects  
18 not to participate in the Iowa individual health  
19 benefit reinsurance association shall not be  
20 considered qualifying existing coverage or qualifying  
21 previous coverage as defined in section 513C.3.

22 Sec. \_\_\_\_ . Section 602.8107, subsection 2,  
23 paragraph d, Code Supplement 1995, is amended to read  
24 as follows:

25 d. Court costs, including correctional fees  
26 assessed pursuant to sections 356.7 and 904.108,  
27 court-appointed attorney fees, or public defender  
28 expenses."

29 28. Page 36, by inserting after line 5 the  
30 following:

31 "Sec. \_\_\_\_ . Section 904.108, Code 1995, is amended  
32 by adding the following new subsection:

33 NEW SUBSECTION. 7. The director may charge an  
34 inmate a correctional fee for custodial expenses  
35 incurred or which may be incurred while the inmate is  
36 in the custody of the department. The custodial  
37 expenses may include, but are not limited to, board  
38 and room, medical and dental fees, education costs,  
39 clothing costs, and the costs of supervision,  
40 services, and treatment to the inmate. The  
41 correctional fee shall not exceed the actual cost of  
42 keeping the inmate in custody. The correctional fees  
43 shall be assessed as court costs and any correctional  
44 fees collected pursuant to this subsection shall be  
45 credited to the general fund of the state. The  
46 correctional fees shall be collected as other court  
47 costs pursuant to section 602.8107. This subsection  
48 does not limit the right of the director to obtain any  
49 other remedy authorized by law."

50 29. Page 36, by inserting after line 9 the

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Page 9

1 following:

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"DIVISION

3

COUNTY PROVISIONS

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Sec. 100. Section 331.424, subsection 1, paragraph a, subparagraph (1), Code Supplement 1995, is amended to read as follows:

(1) The costs of inpatient or outpatient substance abuse admission, commitment, transportation, care, and treatment at any of the following:

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(a) ~~Care and treatment of persons at the~~ The alcoholic treatment center at Oakdale. However, the county may require that an admission to the center shall be reported to the board by the center within five days as a condition of the payment of county funds for that admission.

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(b) A state mental health institute, or a community-based public or private facility or service.

Sec. \_\_\_\_ . Section 331.424A, subsection 4, Code Supplement 1995, as amended by 1996 Iowa Acts, Senate File 2030, section 1, is amended to read as follows:

4. For the fiscal year beginning July 1, 1996, and for each subsequent fiscal year, the county shall certify a levy for payment of services. ~~Unless~~

~~otherwise provided by state law, for~~ For each fiscal year, county revenues from taxes imposed by the county credited to the services fund shall not exceed an amount equal to the amount of base year expenditures for services as defined in section 331.438, less the amount of property tax relief to be received pursuant to section 426B.2, subsections 1 and 3, in the fiscal year for which the budget is certified. The county auditor and the board of supervisors shall reduce the amount of the levy certified for the services fund by the amount of property tax relief to be received. A levy certified under this section is not subject to the appeal provisions of sections 331.426 and 444.25B or to any other provision in law authorizing a county to exceed, increase, or appeal a property tax levy limit.

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Sec. \_\_\_\_ . Section 426B.1, Code Supplement 1995, is amended by adding the following new subsection:

NEW SUBSECTION. 3. There is annually appropriated from the property tax relief fund to the department of human services to supplement the medical assistance appropriation for the fiscal year beginning July 1, 1997, and for succeeding fiscal years, six million six hundred thousand dollars to be used for the nonfederal share of the costs of services provided to minors with mental retardation under the medical assistance program to meet the requirements of section 249A.12,

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1 subsection 4. The appropriation in this subsection  
2 shall be charged to the property tax relief fund prior  
3 to the distribution of moneys from the fund under  
4 section 426B.2 and the amount of moneys available for  
5 distribution shall be reduced accordingly. However,  
6 the appropriation in this subsection shall be  
7 considered to be a property tax relief payment for  
8 purposes of the combined amount of payments required  
9 to achieve fifty percent of the counties' base year  
10 expenditures as provided in section 426B.2, subsection  
11 3.

12 Sec. \_\_\_\_\_. Section 444.25A, subsection 2, paragraph  
13 e, unnumbered paragraph 2, Code Supplement 1995, is  
14 amended to read as follows:

15 For purposes of this paragraph, the price index for  
16 government purchases by type for state and local  
17 governments is defined by the bureau of economic  
18 analysis of the United States department of commerce  
19 and published in table 7.11 of the national income and  
20 products accounts. For the fiscal years beginning  
21 July 1, 1995, and July 1, 1996, the price index used  
22 shall be the revision published in the November 1994  
23 and November 1995 issues, respectively, of the United  
24 States department of commerce publication, "survey of  
25 current business". For purposes of this paragraph,  
26 tax dollars levied in the fiscal years beginning July  
27 1, 1994, and July 1, 1995, shall not include funds  
28 levied for paragraphs "a", "b", and "c", and "d" of  
29 this subsection.

30 Sec. \_\_\_\_\_. Section 444.25B, subsection 1,  
31 unnumbered paragraph 1, Code Supplement 1995, is  
32 amended to read as follows:

33 The maximum amount of property tax dollars which  
34 may be certified by a county for taxes payable in the  
35 fiscal year beginning July 1, 1997, shall not exceed  
36 the amount of property tax dollars certified by the  
37 county for taxes payable in the fiscal year beginning  
38 July 1, 1996, ~~minus the amount by which the property~~  
39 ~~tax relief moneys to be received by the county in the~~  
40 ~~fiscal year beginning July 1, 1997, pursuant to~~  
41 ~~section 426B.27 subsections 1 and 3, exceed the amount~~  
42 ~~of the property tax relief moneys received in the~~  
43 ~~fiscal year beginning July 1, 1996,~~ for each of the  
44 levies for the following, except for the levies on the  
45 increase in taxable valuation due to new construction,  
46 additions or improvements to existing structures,  
47 remodeling of existing structures for which a building  
48 permit is required, annexation, and phasing out of tax  
49 exemptions, and on the increase in valuation of  
50 taxable property as a result of a comprehensive

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1 revaluation by a private appraiser under a contract  
2 entered into prior to January 1, 1992, or as a result  
3 of a comprehensive revaluation directed or authorized  
4 by the conference board prior to January 1, 1992, with  
5 documentation of the contract, authorization, or  
6 directive on the revaluation provided to the director  
7 of revenue and finance, if the levies are equal to or  
8 less than the levies for the previous year, levies on  
9 that portion of the taxable property located in an  
10 urban renewal project the tax revenues from which are  
11 no longer divided as provided in section 403.19,  
12 subsection 2, or as otherwise provided in this  
13 section:

14 Sec. \_\_\_\_\_. Section 444.25B, subsection 2, Code  
15 Supplement 1995, is amended by adding the following  
16 new paragraph after paragraph d and relettering the  
17 subsequent paragraph:

18 NEW PARAGRAPH. dd. Mental health, mental  
19 retardation, and developmental disabilities services  
20 fund under section 331.424A.

21 Sec. \_\_\_\_\_. Section 444.25B, subsection 2, paragraph  
22 e, unnumbered paragraphs 1 and 2, Code Supplement  
23 1995, are amended to read as follows:

24 Unusual need for additional moneys to finance  
25 existing programs which would provide substantial  
26 benefit to county residents or compelling need to  
27 finance new programs which would provide substantial  
28 benefit to county residents. The increase in taxes  
29 levied under this exception for the fiscal year  
30 beginning July 1, 1997, is limited to no more than the  
31 product of the total tax dollars levied in the fiscal  
32 year beginning July 1, 1996, and the percent change,  
33 computed to two decimal places, ~~in-the-price-index-for~~  
34 ~~government-purchases-by-type-for-state-and-local~~  
35 ~~governments-computed~~ between the preliminary price  
36 index for the third quarter of calendar year 1996 from  
37 that-computed and the revised price index for the  
38 third quarter of calendar year 1995 as published in  
39 the same issue in which the preliminary 1996 third  
40 quarter price index is first published.

41 ~~For-purposes-of-this-paragraph, the-price-index-for~~  
42 ~~government-purchases-by-type-for-state-and-local~~  
43 ~~governments-is-defined-by-the-bureau-of-economic~~  
44 ~~analysis-of-the-United-States-department-of-commerce~~  
45 ~~and-published-in-table-7-ii-of-the-national-income-and~~  
46 ~~products-accounts.~~ For the fiscal year beginning July  
47 1, 1997, the price index used shall be the revision  
48 ~~published-in-the-November-1996-edition-of-the-United~~  
49 ~~States-department-of-commerce-publication, "survey-of~~  
50 ~~current-business"~~ state and local government chain-

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1 type price index used in the quantity and price  
 2 indexes for gross domestic product, as published by  
 3 the bureau of economic analysis of the United States  
 4 department of commerce in the national income and  
 5 products accounts as published in "survey of current  
 6 business". For purposes of this paragraph, tax  
 7 dollars levied in the fiscal year beginning July 1,  
 8 1996, shall not include funds levied for paragraphs  
 9 "a", "b", and "c", "d", and "dd" of this subsection.  
 10 Sec. \_\_\_\_\_. Section 444.25B, Code Supplement 1995,  
 11 is amended by adding the following new subsection:  
 12 NEW SUBSECTION. 5. MH/MR/DD LEVY ADJUSTMENT. A  
 13 county which did not certify the maximum levy  
 14 authorized for the county's mental health, mental  
 15 retardation, and developmental disabilities services  
 16 fund under section 331.424A, subsection 4, for the  
 17 fiscal year beginning July 1, 1996, may certify up to  
 18 the maximum authorized levy under the services fund  
 19 for the fiscal year beginning July 1, 1997. However,  
 20 any amount of increase in the certified services fund  
 21 levy under this subsection over the amount certified  
 22 for the services fund in the previous fiscal year  
 23 shall be offset by an equivalent decrease in the  
 24 amount certified by the county for general county  
 25 services.

26 Sec. \_\_\_\_\_. EFFECTIVE DATE. Section 100 of this  
 27 division of this Act, relating to substance abuse  
 treatment costs, being deemed of immediate importance,  
 takes effect upon enactment."

30 30. Title page, line 1, by striking the words  
 31 "state expenditure" and inserting the following:  
 32 "public levy, expenditure,".

33 31. By renumbering, relettering, or redesignating  
 34 and correcting internal references as necessary.

By COMMITTEE ON APPROPRIATIONS  
 MILLAGE of Scott, Chairperson

H-6068 FILED MAY 1, 1996

5/1 *Adopted 5/1/96 (P. 2124)*  
*intentionally - prevailed*

*adopted as amended 5/1/96 (P. 2145)*

SENATE FILE 2470

H-6078

1 Amend the amendment, H-6068, to Senate File 2470,  
 2 as amended, passed, and reprinted by the Senate, as  
 3 follows:

4 Page 7, line 48, by inserting after the word  
 5 "ends." the following: "Subject to the requirements  
 6 of this subsection, funds may be used in the manner  
 7 set forth in an agreement entered into under chapter  
 8 \_\_\_\_\_"

By KREIMAN of Davis

FILED MAY 1, 1996

*adopted 5-1-96 (P. 2124)*

## SENATE FILE 2470

H-6062

1 Amend Senate File 2470, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 30, by inserting after line 18 the  
4 following:

5 "Sec. \_\_\_\_ . NEW SECTION. 28E.41 EMERGENCY  
6 SERVICES -- CONTRACTS FOR MUTUAL AID.

7 1. A city fire department, benefited fire  
8 district, or township fire department may enter into  
9 contracts providing for mutual aid regarding emergency  
10 services provided by such department or district. The  
11 contracts that are agreed upon may provide for  
12 compensation from the parties and other terms that are  
13 agreeable to the parties and may be for an indefinite  
14 period as long as they include a sixty-day  
15 cancellation notice by any party. The contracts  
16 agreed upon shall not be entered into for the purpose  
17 of reducing the number of employees of any party.

18 2. A city fire department, benefited fire  
19 district, or township fire department may provide  
20 assistance to any other such department or district in  
21 the state at the time of a significant emergency such  
22 as a fire, earthquake, flood, tornado, hazardous  
23 material incident, or other such disaster. The chief  
24 or highest ranking fire officer of an assisting  
25 department or district may render aid to a requesting  
26 department or district as long as the chief or officer  
27 is acting in accordance with the policies and  
28 procedures set forth by the governing board of the  
29 assisting department or district.

30 3. The chief or highest ranking officer of the  
31 city fire department, benefited fire district, or  
32 township fire department of the district within which  
33 the incident occurs shall maintain control of the  
34 incident in accordance with the provisions of chapter  
35 102. The chief or highest ranking officer of the  
36 department or district giving mutual aid shall be in  
37 charge of the assisting departmental or district  
38 personnel."

39 2. Page 35, by inserting after line 32 the  
40 following:

41 "Sec. \_\_\_\_ . Section 613.17, Code 1995, is amended  
42 to read as follows:

43 613.17 EMERGENCY ASSISTANCE IN AN ACCIDENT.

44 A person, who in good faith renders emergency care  
45 or assistance without compensation, shall not be  
46 liable for any civil damages for acts or omissions  
47 occurring at the place of an emergency or accident or  
48 while the person is in transit to or from the  
49 emergency or accident or while the person is at or  
50 being moved to or from an emergency shelter unless

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1 such acts or omissions constitute recklessness. For  
2 purposes of this section, if a volunteer fire fighter,  
3 a volunteer operator or attendant of an ambulance or  
4 rescue squad service, a volunteer paramedic, a  
5 volunteer emergency medical technician, or a volunteer  
6 registered member of the national ski patrol system  
7 receives nominal compensation not based upon the value  
8 of the services performed, that person shall be  
9 considered to be receiving no compensation. The  
10 operation of a motor vehicle in compliance with  
11 section 321.231 by a volunteer fire fighter, volunteer  
12 operator, or attendant of an ambulance or rescue squad  
13 service, a volunteer paramedic, or volunteer emergency  
14 medical technician shall be considered rendering  
15 emergency care or assistance for purposes of this  
16 section. For purposes of this section, a person  
17 rendering emergency care or assistance includes a  
18 person involved in a workplace rescue arising out of  
19 an emergency or accident."

20 3. By renumbering as necessary.

By WARNSTADT of Woodbury  
WEIGEL of Chickasaw

H-6062 FILED MAY 1, 1996

*Adopted 5-1-96 (p. 2126)*

## SENATE FILE 2470

H-6060

1 Amend Senate File 2470, as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 11, by inserting after line 27 the  
4 following:  
5 "All moneys remaining in the excess lottery fund on  
6 June 30, 1996, which were subject to transfer pursuant  
7 to 1995 Iowa Acts, chapter 220, section 15, and which  
8 are not reserved for paying prizes and have not been  
9 transferred as provided in this section shall be  
10 transferred to the general fund of the state."

By BRUNKHORST of Bremer

H-6060 FILED MAY 1, 1996

WITHDRAWN

*5-1-96 (p. 2125)*



SENATE FILE 2470

H-6079

1 Amend Senate File 2470, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 36, by inserting after line 9 the  
4 following:

5 "DIVISION 101

6 ECONOMIC DEVELOPMENT AND RELATED APPROPRIATIONS  
7 AND STATUTORY CHANGES

8 Sec. 150. There is appropriated from the general  
9 fund of the state and other designated funds to the  
10 department of economic development for the fiscal year  
11 beginning July 1, 1996, and ending June 30, 1997, the  
12 following amounts, or so much thereof as is necessary,  
13 to be used for the purposes designated:

14 1. ADMINISTRATIVE SERVICES DIVISION

15 a. General administration

16 For salaries, support, maintenance, miscellaneous  
17 purposes, and for providing that a business receiving  
18 moneys from the department for the purpose of job  
19 creation shall make available ten percent of the new  
20 jobs created for promise jobs program participants who  
21 are qualified for the jobs created and for not more  
22 than the following full-time equivalent positions:

23 .....	\$	1,405,687
24 .....	FTEs	23.75

25 The director shall coordinate efforts with the  
26 workforce coordinator and the department of workforce  
27 development if enacted by Senate File 2409, to  
28 implement the intent of the general assembly regarding  
29 businesses receiving job creation moneys and shall  
30 report to the joint appropriations subcommittee on  
31 economic development regarding the number of jobs to  
32 be created by each business, the number of qualified  
33 promise jobs participants applying with the business,  
34 and the number of promise jobs participants hired.

35 b. Film office

36 For salaries, support, maintenance, miscellaneous  
37 purposes, and for not more than the following full-  
38 time equivalent positions:

39 .....	\$	199,341
40 .....	FTEs	2.00

41 2. BUSINESS DEVELOPMENT DIVISION

42 a. Business development operations

43 For salaries, support, maintenance, miscellaneous  
44 purposes, for not more than the following full-time  
45 equivalent positions, for allocating \$495,000 to the  
46 heartland technology network, \$150,000 to the graphic  
47 arts center, and \$100,000 to the university of  
48 northern Iowa for operation of industrial technology  
49 programs at the Iowa plastics technology center  
50 located in Waverly, Iowa, for allocating \$75,000 for

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1 the purposes of the regulatory assistance program, and  
 2 for allocating \$60,000, and up to a 0.50 full-time  
 3 equivalent position to administer the heartland  
 4 technology network, the graphic arts technology  
 5 center, and the plastics technology center:

6 ..... \$ 3,890,775  
 7 ..... FTEs 17.75

8 b. Small business programs

9 For salaries, support, maintenance, miscellaneous  
 10 purposes, and for not more than the following full-  
 11 time equivalent positions for the small business  
 12 program, the small business advisory council, and  
 13 targeted small business program:

14 ..... \$ 498,756  
 15 ..... FTEs 6.00

16 c. Federal procurement office

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

20 ..... \$ 96,492  
 21 ..... FTEs 3.00

22 Notwithstanding section 8.33, moneys remaining  
 23 unencumbered or unobligated on June 30, 1997, shall  
 24 not revert and shall be available for expenditure  
 25 during the fiscal year beginning July 1, 1997, for the  
 26 same purposes.

27 d. Strategic investment fund

28 For deposit in the strategic investment fund for  
 29 salaries, support, for not more than the following  
 30 full-time equivalent positions, and for allocating  
 31 from the funds remaining unobligated in the Wallace  
 32 technology transfer foundation fund on June 30, 1996,  
 33 notwithstanding section 8.33, \$200,000 for a study  
 34 regarding the feasibility of establishing an Iowa-  
 35 based airline:

36 ..... \$ 6,707,638  
 37 ..... FTEs 10.50

38 As a condition of any portion of the appropriation  
 39 made under this lettered paragraph being used for  
 40 awards from the community economic betterment account,  
 41 the department shall provide that awards under the  
 42 program of \$500,000 or more must be to businesses able  
 43 to pay at least 130 percent of the average county  
 44 wage, shall review the wage cap in high wage counties  
 45 and provide that it is tied to an appropriate inflator  
 46 for determining eligibility for awards, and shall  
 47 provide, in addition to all other existing  
 48 requirements for awards from the community economic  
 49 betterment account, that the remaining 10 percent of  
 50 the funds shall be transferred by the department to

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1 other programs within the strategic investment fund  
2 and used for purposes other than the community  
3 economic betterment program if, after 90 percent of  
4 funds in the account have been obligated for the  
5 fiscal year, either of the following conditions have  
6 not been met:

7 (1) All projects approved have starting wages not  
8 less than 90 percent of the lesser of either the  
9 average county wage or the average regional wage, as  
10 compiled annually by the department for the community  
11 economic betterment program. For the purposes of this  
12 lettered paragraph, the average regional wage shall be  
13 compiled based upon the service delivery areas in  
14 section 84B.2, if enacted by 1996 Iowa Acts, Senate  
15 File 2409.

16 (2) The average starting wage for the businesses  
17 for which the awards were made under the program shall  
18 exceed 100 percent of the statewide average wage.

19 Additionally, the department shall provide an  
20 annual report on the progress made by the department  
21 in making the community economic betterment program a  
22 self-sustaining, revolving loan program.

23 e. Targeted small business incubator

24 Moneys appropriated for fiscal year 1995-1996 and  
25 not expended by June 30, 1996, shall not revert but  
26 shall be held by the department for funding, with  
27 local matching funds, the targeted small business  
28 incubator in Des Moines for the fiscal year beginning  
29 July 1, 1996, and ending June 30, 1997.

30 f. Insurance economic development

31 There is appropriated from moneys collected by the  
32 division of insurance in excess of the anticipated  
33 gross revenues under section 505.7, subsection 3, to  
34 the department for the fiscal year beginning July 1,  
35 1996, and ending June 30, 1997, the following amount,  
36 or so much thereof as is necessary, for insurance  
37 economic development and international insurance  
38 economic development:

39 ..... \$ 200,000

40 g. Value-added agriculture

41 There is appropriated from the moneys available to  
42 support value-added agricultural products and  
43 processes, four percent, or so much thereof as is  
44 necessary, of the total moneys available to support  
45 value-added agricultural products and processes  
46 pursuant to section 423.24 each quarter for  
47 administration of the value-added agricultural  
48 products and processes financial assistance program as  
49 provided in section 15E.111, including salaries,  
50 support, maintenance, miscellaneous purposes, and for

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1 not more than 2.00 FTEs.

2 3. COMMUNITY DEVELOPMENT DIVISION

3 a. Community assistance

4 For salaries, support, maintenance, miscellaneous  
5 purposes, and for not more than the following full-  
6 time equivalent positions for administration of the  
7 community economic preparedness program, the Iowa  
8 community betterment program, and the city development  
9 boards:

10 ..... \$ 578,943  
11 ..... FTEs 8.50

12 There is also appropriated from the rural community  
13 2000 program revolving fund established in section  
14 15.287 to the community assistance program for the  
15 purposes of the community economic preparedness  
16 program:

17 ..... \$ 50,000

18 b. Main street/rural main street program

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

21 ..... \$ 413,530  
22 ..... FTEs 3.00

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

29 c. Rural development program

30 For salaries, support, maintenance, miscellaneous  
31 purposes, for not more than the following full-time  
32 equivalent positions, for rural resource coordination,  
33 rural community leadership, rural innovations grant  
34 program, and the rural enterprise fund and for  
35 allocating \$100,000 for the purposes of the  
36 microbusiness rural enterprise assistance program  
37 under section 15.114:

38 ..... \$ 711,181  
39 ..... FTEs 4.50

40 There is also appropriated from the rural community  
41 2000 program revolving fund established in section  
42 15.287 to the rural development program for the  
43 purposes of the program including the rural enterprise  
44 fund and collaborative skills development training:

45 ..... \$ 351,000

46 Notwithstanding section 8.33, moneys committed to  
47 grantees under contract from the general fund of the  
48 state or through transfers from the Iowa community  
49 development loan fund or from the rural community 2000  
50 program revolving fund that remain unexpended at the



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

4 d. Community development block grant and HOME  
5 For administration and related federal housing and  
6 urban development grant administration for salaries,  
7 support, maintenance, miscellaneous purposes, and for  
8 not more than the following full-time equivalent  
9 positions:

10 ..... \$ 403,974  
11 ..... FTEs 18.75

12 e. Councils of governments  
13 There is appropriated from the rural community 2000  
14 program revolving fund established in section 15.287  
15 to provide to Iowa's councils of governments funds for  
16 planning and technical assistance funds to assist  
17 local governments to develop community development  
18 strategies for addressing long-term and short-term  
19 community needs:

20 ..... \$ 178,000

21 f. Councils of governments  
22 For distributing on a per capita basis to each  
23 council of governments:

24 ..... \$ 50,000

25 g. Housing development fund  
26 For providing technical assistance to communities  
27 of all sizes and local financial institutions to help  
28 meet local housing needs and to provide and transfer  
29 matching funds for the HOME program:

30 ..... \$ 1,300,000

31 Notwithstanding section 8.33, moneys committed to  
32 grantees under contract from the housing development  
33 fund and moneys transferred for matching funds for the  
34 HOME program that remain unexpended or unobligated on  
35 June 30 of the fiscal year shall not revert to any  
36 fund but shall be available for obligation and  
37 expenditure for purposes of those programs during the  
38 succeeding fiscal year.

39 4. INTERNATIONAL DIVISION

40 a. International trade operations  
41 For salaries, support, maintenance, miscellaneous  
42 purposes, for not more than the following full-time  
43 equivalent positions, and for allocating \$100,000 to  
44 promote trade opportunities in Korea and the Pacific  
45 rim:

46 ..... \$ 1,027,950  
47 ..... FTEs 10.00

48 From among the full-time equivalent positions  
49 authorized by this paragraph, one position shall  
50 concentrate on the export sale of grain, one on the

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1 export sale of livestock, and one on the export sale  
2 of value-added agricultural products.  
3 b. Foreign trade offices  
4 For salaries, support, maintenance, and  
5 miscellaneous purposes:  
6 ..... \$ 595,250  
7 c. Export trade assistance program  
8 For export trade activities, including a program to  
9 encourage and increase participation in trade shows  
10 and trade missions by providing financial assistance  
11 to businesses for a percentage of their costs of  
12 participating in trade shows and trade missions, by  
13 providing for the lease/sublease of showcase space in  
14 existing world trade centers, by providing temporary  
15 office space for foreign buyers, international  
16 prospects, and potential reverse investors, and by  
17 providing other promotional and assistance activities,  
18 including salaries and support for not more than the  
19 following full-time equivalent position:  
20 ..... \$ 275,000  
21 ..... FTEs 0.25  
22 d. Agricultural product advisory council  
23 For support, maintenance, and miscellaneous  
24 purposes:  
25 ..... \$ 1,300  
26 e. For transfer to the partner state program which  
27 the department may use to contract with private groups  
28 or organizations which are the most appropriate to  
29 administer this program and the groups and  
30 organizations participating in the program shall, to  
31 the fullest extent possible, provide the funds to  
32 match the appropriation made in this subsection of the  
33 funds transferred:  
34 ..... \$ 100,000  
35 5. TOURISM DIVISION  
36 a. Tourism operations  
37 For salaries, support, maintenance, miscellaneous  
38 purposes, for not more than the following full-time  
39 equivalent positions, and for allocating \$100,000 for  
40 a grant program for annual community celebrations of  
41 Iowa's agricultural heritage, provided that the  
42 appropriation shall not be used for advertising  
43 placements for in-state and out-of-state tourism  
44 marketing:  
45 ..... \$ 825,212  
46 ..... FTEs 18.52  
47 b. Tourism advertising  
48 For contracting exclusively for tourism advertising  
49 for in-state and out-of-state tourism marketing  
50 services, tourism promotion programs, electronic

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1 media, print media, and printed materials:  
 2 ..... \$ 2,737,000

3 The department shall not use the moneys  
 4 appropriated in this lettered paragraph, unless the  
 5 department develops public-private partnerships with  
 6 Iowa businesses in the tourism industry, Iowa tour  
 7 groups, Iowa tourism organizations, and political  
 8 subdivisions in this state to assist in the  
 9 development of advertising efforts. The department  
 10 shall, to the fullest extent possible, develop  
 11 cooperative efforts for advertising with contributions  
 12 from other sources.

13 c. Welcome center program  
 14 To provide tourism materials for welcome centers:  
 15 ..... \$ 100,000

16 Sec. \_\_\_\_\_. Notwithstanding section 15E.120,  
 17 subsections 5, 6, and 7, and section 15.287, there is  
 18 appropriated from the Iowa community development loan  
 19 fund all the moneys available during the fiscal year  
 20 beginning July 1, 1996, and ending June 30, 1997, to  
 21 the department of economic development for the rural  
 22 development program to be used by the department for  
 23 the purposes of the program.

24 Sec. \_\_\_\_\_. Notwithstanding section 15.251,  
 25 subsection 2, there is appropriated from the job  
 26 training fund to the department of economic  
 27 development for the fiscal year beginning July 1,  
 28 1996, and ending June 30, 1997, the following amounts,  
 29 or so much thereof as is necessary, to be used for the  
 30 purposes designated:

31 For administration of chapter 260E, including  
 32 salaries, support, maintenance, miscellaneous  
 33 purposes, and for not more than the following full-  
 34 time equivalent positions:  
 35 ..... \$ 160,000  
 36 ..... FTEs 2.40

37 Appropriations to the department of economic  
 38 development for administration of chapter 260E and the  
 39 department of employment services for the target  
 40 alliance program shall be funded on a proportional  
 41 basis if receipts to the job training fund are  
 42 insufficient to fund both appropriations in their  
 43 entirety.

44 Sec. \_\_\_\_\_. Of all funds appropriated to or receipts  
 45 credited to the job training fund created in section  
 46 260F.6, subsection 1, up to \$125,000 for the fiscal  
 47 year beginning July 1, 1996, and ending June 30, 1997,  
 48 and not more than 1.30 of the full-time equivalent  
 49 positions may be used for the administration of the  
 50 Iowa small business new job training Act.

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1 Sec. \_\_\_\_\_. Notwithstanding section 423.24,  
 2 subsection 1, paragraph "b", subparagraph (1), there  
 3 is appropriated for the fiscal year beginning July 1,  
 4 1996, and ending June 30, 1997, \$100,000 of the total  
 5 revenues collected pursuant to section 423.7 and  
 6 deposited in the value-added agricultural products and  
 7 processes financial assistance fund, pursuant to  
 8 section 423.24, subsection 1, paragraph "b",  
 9 subparagraph (1), to the Iowa cooperative extension  
 10 service in agriculture and home economics at Iowa  
 11 state university of science and technology for  
 12 administration of the Iowa grain quality initiative.

13 Sec. \_\_\_\_\_. The Iowa seed capital corporation is  
 14 authorized up to 5.00 FTEs. The seed capital  
 15 corporation shall not make any new investments after  
 16 June 30, 1997. The portfolio of investments held by  
 17 the seed capital corporation on June 30, 1997, shall  
 18 be transferred to a private entity for management of  
 19 the investments.

20 Sec. \_\_\_\_\_. There is appropriated from the general  
 21 fund of the state to the Iowa state university of  
 22 science and technology for the fiscal year beginning  
 23 July 1, 1996, and ending June 30, 1997, the following  
 24 amounts, or so much thereof as is necessary, to be  
 25 used for the purposes designated:

26 1. For funding and maintaining in their current  
 27 locations the existing small business development  
 28 centers, and for not more than the following full-time  
 29 equivalent positions:

30 .....	\$	1,216,245
31 .....	FTEs	5.80

32 2. For funding the institute for physical research  
 33 and technology, provided that \$318,358 shall be  
 34 allocated to the industrial incentive program in  
 35 accordance with the intent of the general assembly,  
 36 and for not more than the following full-time  
 37 equivalent positions:

38 .....	\$	4,124,607
39 .....	FTEs	46.42

40 It is the intent of the general assembly that the  
 41 incentive program focus on Iowa industrial sectors and  
 42 seek contributions and in-kind donations from  
 43 businesses, industrial foundations, and trade  
 44 associations and that moneys for the institute for  
 45 physical research and technology industrial incentive  
 46 program shall only be allocated for projects which are  
 47 matched by private sector moneys for directed contract  
 48 research or for nondirected research. The match  
 49 required of small businesses as defined in section  
 50 15.102, subsection 4, for directed contract research

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1 or for nondirected research shall be \$1 for each \$3 of  
 2 state funds. The match required for other businesses  
 3 for directed contract research or for nondirected  
 4 research shall be \$1 for each \$1 of state funds. The  
 5 match required of industrial foundations or trade  
 6 associations shall be \$1 for each \$1 of state funds.  
 7 Iowa state university shall report annually to the  
 8 joint appropriations subcommittee on economic  
 9 development of the senate and house appropriations  
 10 committees the total amounts of private contributions,  
 11 the proportion of contributions from small businesses  
 12 and other businesses, and the proportion for directed  
 13 contract research and nondirected research of benefit  
 14 to Iowa businesses and industrial sectors.

15 Notwithstanding section 8.33, moneys appropriated  
 16 for any fiscal year which remain unobligated and  
 17 unexpended at the end of the fiscal year shall not  
 18 revert but shall be available for expenditure the  
 19 following fiscal year.

20 Sec. \_\_\_\_\_. There is appropriated from the general  
 21 fund of the state to the state university of Iowa for  
 22 the fiscal year beginning July 1, 1996, and ending  
 23 June 30, 1997, the following amount, or so much  
 24 thereof as is necessary, to be used for the purpose  
 25 designated:

26 For funding the advanced drug development program  
 27 at the Oakdale research park and for not more than the  
 28 following full-time equivalent positions:

29 .....	\$	319,169
30 .....	FTEs	2.85

31 The board of regents shall submit a report on the  
 32 progress of regents institutions in meeting the  
 33 strategic plan for technology transfer and economic  
 34 development to the chairpersons of the joint  
 35 appropriations subcommittee on economic development,  
 36 the joint appropriations subcommittee on education,  
 37 the majority leader and minority leader of the senate,  
 38 the majority and minority leaders of the house of  
 39 representatives, the secretary of the senate, the  
 40 chief clerk of the house of representatives, and the  
 41 legislative fiscal bureau by December 1, 1996.

42 Sec. \_\_\_\_\_. DEPARTMENT OF EMPLOYMENT SERVICES OR  
 43 DEPARTMENT OF WORKFORCE DEVELOPMENT. As used in this  
 44 section, references to the department of employment  
 45 services shall include the department of workforce  
 46 development if enacted by Senate File 2409. There is  
 47 appropriated from the general fund of the state, to  
 48 the department of employment services for the fiscal  
 49 year beginning July 1, 1996, and ending June 30, 1997,  
 50 the following amounts, or so much thereof as is

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1 necessary, for the purposes designated, including that  
 2 the department of employment services, the department  
 3 of personnel, and the department of management shall  
 4 ensure that all nonsupervisory full-time equivalent  
 5 positions authorized and funded for the department of  
 6 employment services in this section will be utilized  
 7 during the fiscal year beginning July 1, 1996, and  
 8 ending June 30, 1997, and during future fiscal years,  
 9 and will not be held vacant, to ensure that the  
 10 backlog of cases in that department will be reduced as  
 11 rapidly as possible:

12 1. DIVISION OF LABOR SERVICES

13 For salaries, support, maintenance, miscellaneous  
 14 purposes, and for not more than the following full-  
 15 time equivalent positions contingent upon the  
 16 enactment of section 12 of this Act and the provision  
 17 which requires moneys appropriated from the special  
 18 employment security contingency fund to first be used  
 19 to fully fund the appropriation of \$296,000 to the  
 20 division of labor services in subsection 1 of section  
 21 13 of this Act prior to funding the appropriation in  
 22 section 13 of this Act to the division of industrial  
 23 services:

24 ..... \$ 2,729,542  
 25 ..... FTEs 89.50

26 From the contractor registration fees, the division  
 27 of labor services shall reimburse the department of  
 28 inspections and appeals for all costs associated with  
 29 hearings under chapter 91C, relating to contractor  
 30 registration.

31 2. DIVISION OF INDUSTRIAL SERVICES

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

35 ..... \$ 2,131,389  
 36 ..... FTEs 33.00

37 3. For salaries, support, maintenance,  
 38 miscellaneous purposes, and for not more than the  
 39 following full-time equivalent position for a  
 40 workforce development coordinator and council:

41 ..... \$ 141,606  
 42 ..... FTEs 1.00

43 4. For the workforce development initiative to be  
 44 used to create model workforce development centers and  
 45 provide an integrated management information system:

46 ..... \$ 275,000

47 5. For salaries, support, maintenance,  
 48 miscellaneous purposes for collection of labor market  
 49 information, and for not more than the following full-  
 50 time equivalent positions:

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1 .....	\$	173,250
2 .....	FTEs	3.20

3 6. For salaries, support, maintenance, and  
4 miscellaneous purposes for the mentoring project for  
5 family investment program participants, and for not  
6 more than the following full-time equivalent  
7 positions:

8 .....	\$	72,000
9 .....	FTEs	1.50

10 7. a. Youth workforce programs  
11 For purposes of the conservation corps, including  
12 allocating \$800,000 for a summer youth program for  
13 cities of over 150,000 in population, salary, support,  
14 maintenance, miscellaneous purposes, and for not more  
15 than the following full-time equivalent positions:

16 .....	\$	1,718,661
17 .....	FTEs	2.40

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

23 b. Workforce investment program  
24 For allocating \$425,000 to the workforce  
25 development fund under section 15.343 for funding, to  
26 the extent possible, the currently existing high  
27 technology apprenticeship programs, under section  
28 260C.44 at the community colleges, for the purposes of  
29 the workforce investment program, and for a  
30 competitive grant program by the department for  
31 projects that increase Iowa's pool of available labor  
32 via training and support services with priority given  
33 to projects which serve displaced homemakers or  
34 welfare recipients, including salaries and support,  
35 and not more than the following full-time equivalent  
36 position:

37 .....	\$	903,000
38 .....	FTEs	0.90

39 The department shall ensure that the workforce  
40 investment program is coordinated with services  
41 provided under the federal Job Training Partnership  
42 Act and that welfare recipients receive priority for  
43 services under both programs.

44 Notwithstanding section 8.33, moneys committed to  
45 grantees under contract that remain unexpended at the  
46 end of the fiscal year, shall not revert to any fund  
47 but shall be available for expenditure for purposes of  
48 the contract during the succeeding fiscal year.

49 c. Labor management councils  
50 For salaries, support, maintenance, miscellaneous

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1 purposes, and for not more than the following full-  
2 time equivalent position:

3 .....	\$	100,338
4 .....	FTEs	0.50

5 Notwithstanding section 8.33, moneys committed to  
6 grantees under contract that remain unexpended on June  
7 30 of the fiscal year shall not revert to any fund but  
8 shall be available for expenditure for purposes of the  
9 contract during the succeeding fiscal year. The  
10 department shall not use moneys appropriated in this  
11 lettered paragraph for grants to grantees who do not  
12 facilitate the active participation of labor as  
13 members of labor management councils or who fail to  
14 make a good faith effort to either schedule meetings  
15 during nonworking hours or obtain voluntary agreements  
16 with employers to allow employees time off to attend  
17 labor management council meetings with no loss of pay  
18 or other benefits.

19 Sec. \_\_\_\_\_. Notwithstanding section 15.251,  
20 subsection 2, there is appropriated from the job  
21 training fund to the department of employment services  
22 for the fiscal year beginning July 1, 1996, and ending  
23 June 30, 1997, the following amount, or so much  
24 thereof as is necessary, to be used for the purpose  
25 designated:

26 For the target alliance program:

27 .....	\$	30,000
----------	----	--------

28 Sec. \_\_\_\_\_. ADMINISTRATIVE CONTRIBUTION SURCHARGE  
29 FUND. There is appropriated from the administrative  
30 contribution surcharge fund of the state to the  
31 department of employment services for the fiscal year  
32 beginning July 1, 1996, and ending June 30, 1997, the  
33 following amount, or so much thereof as is necessary,  
34 for the purposes designated:

35 DIVISION OF JOB SERVICE

36 Notwithstanding section 96.7, subsection 12,  
37 paragraph "c", for salaries, support, maintenance,  
38 conducting labor availability surveys, miscellaneous  
39 purposes, and for not more than the following full-  
40 time equivalent positions:

41 .....	\$	6,310,000
42 .....	FTEs	141.54

43 1. The department of employment services shall  
44 provide services throughout the fiscal year beginning  
45 July 1, 1996, and ending June 30, 1997, in all  
46 communities in which workforce centers were operating  
47 on July 1, 1993. However, this provision shall not  
48 prevent the consolidation of multiple offices within  
49 the same city or the colocation of workforce centers  
50 with another public agency.

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1 2. The division of industrial services shall not  
 2 reduce the number of scheduled hearings of contested  
 3 cases or eliminate the venue of such hearings, as  
 4 established by the division for the period beginning  
 5 January 1, 1996, and ending January 20, 1997. The  
 6 division shall also establish a substantially similar  
 7 schedule for such hearings for the period beginning  
 8 January 20, 1997, and ending June 30, 1997. The  
 9 division shall report to the legislative fiscal bureau  
 10 concerning any modification of the established  
 11 schedule, or any changes which the division determines  
 12 are necessary in establishing the schedule for the  
 13 period beginning January 20, 1997, and ending June 30,  
 14 1997.

15 3. The division shall continue charging a \$65  
 16 filing fee for workers' compensation cases. The  
 17 filing fee shall be paid by the petitioner of a claim.  
 18 However, the fee can be taxed as a cost and paid by  
 19 the losing party, except in cases where it would  
 20 impose an undue hardship or be unjust under the  
 21 circumstances.

22 Sec. \_\_\_\_ . EMPLOYMENT SECURITY CONTINGENCY FUND.  
 23 There is appropriated from the special employment  
 24 security contingency fund to the department of  
 25 employment services for the fiscal year beginning July  
 26 1, 1996, and ending June 30, 1997, the following  
 27 amounts, or so much thereof as is necessary, for the  
 28 purposes designated and subject to the requirement  
 29 that the appropriation to the division of labor  
 30 services under this section be fully funded from the  
 31 special employment security contingency fund prior to  
 32 any amounts being used to fund the appropriation made  
 33 to the division of industrial services under this  
 34 section:

35	1. DIVISION OF LABOR SERVICES	
36	For salaries, support, maintenance, and	
37	miscellaneous purposes:	
38	.....	\$ 296,000
39	2. DIVISION OF INDUSTRIAL SERVICES	
40	For salaries, support, maintenance, and	
41	miscellaneous purposes:	
42	.....	\$ 175,000

43 Any additional penalty and interest revenue may be  
 44 used to accomplish the mission of the department.

45 Sec. \_\_\_\_ . PUBLIC EMPLOYMENT RELATIONS BOARD.  
 46 There is appropriated from the general fund of the  
 47 state to the public employment relations board for the  
 48 fiscal year beginning July 1, 1996, and ending June  
 49 30, 1997, the following amount, or so much thereof as  
 50 is necessary, for the purposes designated:

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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 .....	\$	777,164
5 .....	FTEs	12.80

6 Sec. \_\_\_\_\_. There is appropriated from the general  
7 fund of the state to the Iowa finance authority for  
8 the fiscal year beginning July 1, 1996, and ending  
9 June 30, 1997, the following amount, or so much  
10 thereof as is necessary, to be used for the purpose  
11 designated:

12 For deposit in the housing improvement fund created  
13 in section 16.100 for purposes of the fund:

14 .....	\$	400,000
----------	----	---------

15 Sec. \_\_\_\_\_. There is allocated from the unobligated  
16 funds remaining in the Wallace technology transfer  
17 foundation fund, after the allocation in section 150,  
18 subsection 2, paragraph "d", of this Act, on June 30,  
19 1996, \$100,000 for deposit in the housing improvement  
20 fund created in section 16.100 for the purposes of the  
21 fund. Any funds remaining shall not revert to any  
22 fund, notwithstanding section 8.33. Unobligated funds  
23 remaining on June 30, 1997, shall revert to the  
24 general fund of the state.

25 . Sec. \_\_\_\_\_. NEW SECTION. 15.113 ECONOMIC  
26 DEVELOPMENT ASSISTANCE -- REPORT.

27 In order for the general assembly to have accurate  
28 and complete information regarding expenditures for  
29 economic development and job training incentives and  
30 to respond to the job training needs of Iowa workers,  
31 the department shall provide to the legislative fiscal  
32 bureau by January 15 of each year data on all  
33 assistance or benefits provided under the community  
34 economic betterment program, the new jobs and income  
35 program, and the Iowa industrial new jobs training Act  
36 during the previous calendar year. The department  
37 shall meet with the legislative fiscal bureau prior to  
38 submitting the data to assure that its form and  
39 specificity are sufficient to provide accurate and  
40 complete information to the general assembly. The  
41 department shall also contact other state agencies  
42 providing financial assistance to Iowa businesses and,  
43 to the extent practical coordinate the submission of  
44 the data to the legislative fiscal bureau.

45 Sec. \_\_\_\_\_. NEW SECTION. 15.114 MICROBUSINESS  
46 RURAL ENTERPRISE ASSISTANCE.

47 1. As used in this section:

48 a. "Department" means the department of economic  
49 development.

50 b. "Microbusiness" or "microbusiness enterprise"

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1 means a business producing services with five or fewer  
2 full-time equivalent employee positions and with  
3 assistance requirements of not more than twenty-five  
4 thousand dollars.

5 c. "Microbusiness organization" means a nonprofit  
6 corporation organized under chapter 504A which is  
7 exempt from taxation pursuant to section 501(c) of the  
8 Internal Revenue Code and which has a principal  
9 mission of actively engaging in microbusiness  
10 development, training, technical assistance, and  
11 capital access for the start-up or expansion of  
12 microbusinesses.

13 2. The department shall contract with a  
14 microenterprise organization actively engaged in  
15 microbusiness enterprise to assist in the  
16 establishment of this program. In order to qualify  
17 for the contract, the microenterprise organization  
18 shall do all of the following:

19 a. Demonstrate a past performance of and a  
20 capacity to successfully engage in microbusiness  
21 development.

22 b. Have a statewide commitment to and focus on  
23 microbusiness development.

24 c. Provide training and technical assistance.

25 d. Demonstrate an ability to provide access to  
26 capital for start-up or expansion of a microbusiness.

27 e. Have established linkages with financial  
28 institutions.

29 f. Demonstrate an ability to provide follow-up  
30 technical assistance after a microbusiness start-up or  
31 expansion.

32 3. Moneys allocated pursuant to this section which  
33 remain unexpended or unobligated at the end of a  
34 fiscal year shall remain available to the department  
35 to support the assistance program or may be credited  
36 to the value-added agricultural products and processes  
37 financial assistance fund created in section 15E.112  
38 and shall not revert notwithstanding section 8.33.

39 4. The department shall submit a report in  
40 accordance with section 7A.11 not later than November  
41 1 of each year detailing the activities of the  
42 microenterprise organization and describing the  
43 success of the project.

44 Sec. \_\_\_\_ . Section 15.313, subsection 2, Code 1995,  
45 is amended by adding the following new paragraphs:

46 NEW PARAGRAPH. g. The entrepreneurs with  
47 disabilities program, which provides technical and  
48 financial assistance to help persons with disabilities  
49 become self-sufficient and create additional  
50 employment opportunities by establishing or expanding

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1 small business ventures.

2 NEW PARAGRAPH. h. The job opportunities for  
3 persons with disabilities program, which provides  
4 service and technical assistance to rehabilitation  
5 organizations or agencies that create, expand, or spin  
6 off business ventures for persons with disabilities.

7 Sec. \_\_\_\_. NEW SECTION. 15A.4 COMPETITIVE  
8 PROGRAMS -- GOOD NEIGHBOR AGREEMENT -- ADDITIONAL  
9 CONSIDERATION.

10 For any program providing financial assistance for  
11 economic development in which the assistance is  
12 provided on a competitive basis, a business which  
13 enters into a good neighbor agreement shall receive  
14 extra consideration of at least ten points or the  
15 equivalent. A good neighbor agreement is an  
16 enforceable contract between the business and a  
17 community group or coalition of community groups which  
18 requires the business to adhere to negotiated  
19 environmental, economic, labor, or other social and  
20 community standards.

21 A business which fails to abide by the good  
22 neighbor agreement shall repay all financial  
23 assistance received under the program.

24 Sec. \_\_\_\_. Section 15E.112, subsection 1, Code  
25 1995, is amended to read as follows:

26 1. A value-added agricultural products and  
27 processes financial assistance fund is created within  
28 the state treasury under the control of the  
29 department. The fund shall consist of any money  
30 appropriated by the general assembly and any other  
31 moneys available to and obtained or accepted by the  
32 department from the federal government or private  
33 sources for placement in the fund. ~~Until July 1,~~  
34 ~~2000, moneys shall be deposited in the fund as~~  
35 ~~provided in section 423.24. -- Not more than one percent~~  
36 ~~of the total moneys available to support value-added~~  
37 ~~agricultural products and processes pursuant to~~  
38 ~~section 423.24 during each quarter shall be used by~~  
39 ~~the department for administration of the value-added~~  
40 ~~agricultural products and processes financial~~  
41 ~~assistance program, as provided in section 15E.111.~~  
42 The assets of the fund shall be used by the department  
43 only for carrying out the purposes of section 15E.111.

44 Sec. \_\_\_\_. For the fiscal year beginning July 1,  
45 1996, and ending June 30, 1997, section 15.343,  
46 subsection 2, paragraph "d", as amended in Senate File  
47 2351, if enacted, shall be available for the funding  
48 of innovative training and career opportunity  
49 programming for minorities, provided such funding is  
50 matched on a dollar-for-dollar basis by a

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- 1 participating community college.  
2 Sec. \_\_\_\_\_. Notwithstanding sections 15.108, 15.224  
3 through 15.230, 15.347, 15.348, and 239.22, the  
4 department of employment services shall administer the  
5 following programs: job training partnership Act,  
6 Iowa conservation corps, americorps, mentoring for  
7 promise jobs, food stamp employment and training, and  
8 the labor/management co-op programs.  
9 Sec. \_\_\_\_\_. FEDERAL GRANTS. All federal grants to  
10 and the federal receipts of agencies appropriated  
11 funds under this Act, not otherwise appropriated, are  
12 appropriated for the purposes set forth in the federal  
13 grants or receipts unless otherwise provided by the  
14 general assembly."  
15 2. By renumbering as necessary.

By MILLAGE of Scott

H-6079 FILED MAY 1, 1996

*Adopted 5-1-96 (P2144)*

## SENATE FILE 2470

H-6086

- 1 Amend the amendment H-6068, to Senate File 2470 as  
2 amended, passed, and reprinted by the Senate, as  
3 follows;  
4 1. Page 8, by striking lines 2 through 21.

By MILLAGE of Scott

H-6086 FILED MAY 1, 1996

*Adopted 5-1-96 (P2145)*

## SENATE FILE 2470

H-6077

1 Amend Senate File 2470, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 2, by inserting after line 11 the  
4 following:

5 "Sec. \_\_\_\_\_. Section 261.12, Code Supplement 1995,  
6 is amended by adding the following new subsection:

7 NEW SUBSECTION. 1A. The amount of a tuition grant  
8 to a qualified full-time student for the summer  
9 semester or trimester equivalent shall be one-half the  
10 amount of the tuition grant the student receives under  
11 subsection 1.

12 Sec. \_\_\_\_\_. Section 261.12, subsection 2, Code  
13 Supplement 1995, is amended to read as follows:

14 2. The amount of a tuition grant to a qualified  
15 part-time student enrolled in a course of study  
16 including at least three semester hours but fewer than  
17 twelve semester hours for the fall, and spring, and  
18 summer semesters, or the trimester or quarter  
19 equivalent, shall be equal to the amount of a tuition  
20 grant that would be paid to a full-time student times  
21 a number which represents the number of hours in which  
22 the part-time student is actually enrolled divided by  
23 twelve semester hours, or the trimester or quarter  
24 equivalent.

25 Sec. \_\_\_\_\_. Section 261.13, Code 1995, is amended to  
26 read as follows:

27 261.13 ANNUAL GRANT.

28 A tuition grant may be made annually for both the  
29 fall, and spring, and summer semesters or the  
30 trimester equivalent. Payments under the grant shall  
31 be allocated equally among the semesters or trimesters  
32 and shall be paid at the beginning of each semester or  
33 trimester upon certification by the accredited private  
34 institution that the student is admitted and in  
35 attendance. If the student discontinues attendance  
36 before the end of any semester or trimester after  
37 receiving payment under the grant, the entire amount  
38 of any refund due that student, up to the amount of  
39 any payments made under the annual grant, shall be  
40 paid by the accredited private institution to the  
41 state."

42 2. By renumbering as necessary.

By MILLAGE of Scott  
MURPHY of Dubuque

H-6077 FILED MAY 1, 1996

*Adopted*  
*5-1-96*  
*(P. 2125)*

HOUSE AMENDMENT TO  
SENATE FILE 2470

S-5886

1 Amend Senate File 2470, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 2, by inserting after line 11 the  
4 following:

5 "Sec. \_\_\_\_ . Section 261.12, Code Supplement 1995,  
6 is amended by adding the following new subsection:  
7 NEW SUBSECTION. 1A. The amount of a tuition grant  
8 to a qualified full-time student for the summer  
9 semester or trimester equivalent shall be one-half the  
10 amount of the tuition grant the student receives under  
11 subsection 1.

12 Sec. \_\_\_\_ . Section 261.12, subsection 2, Code  
13 Supplement 1995, is amended to read as follows:

14 2. The amount of a tuition grant to a qualified  
15 part-time student enrolled in a course of study  
16 including at least three semester hours but fewer than  
17 twelve semester hours for the fall, and spring, and  
18 summer semesters, or the trimester or quarter  
19 equivalent, shall be equal to the amount of a tuition  
20 grant that would be paid to a full-time student times  
21 a number which represents the number of hours in which  
22 the part-time student is actually enrolled divided by  
23 twelve semester hours, or the trimester or quarter  
24 equivalent.

25 Sec. \_\_\_\_ . Section 261.13, Code 1995, is amended to  
26 read as follows:

27 261.13 ANNUAL GRANT.

28 A tuition grant may be made annually for both the  
29 fall, and spring, and summer semesters or the  
30 trimester equivalent. Payments under the grant shall  
31 be allocated equally among the semesters or trimesters  
32 and shall be paid at the beginning of each semester or  
33 trimester upon certification by the accredited private  
34 institution that the student is admitted and in  
35 attendance. If the student discontinues attendance  
36 before the end of any semester or trimester after  
37 receiving payment under the grant, the entire amount  
38 of any refund due that student, up to the amount of  
39 any payments made under the annual grant, shall be  
40 paid by the accredited private institution to the  
41 state."

42 2. Page 2, line 17, by striking the words  
43 "fifteen million seven one hundred" and inserting the  
44 following: "fourteen million seven five hundred  
45 twenty".

46 3. Page 2, lines 26 and 27, by striking the words  
47 "eight million one two hundred twenty-five fifty" and  
48 inserting the following: "seven million one six  
49 hundred twenty-five seventy".

50 4. Page 4, by striking lines 19 through 32.

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1 5. Page 5, by inserting after line 13 the  
2 following:

3 "4. To Clyde Dalbey for a claim relating to an  
4 individual income tax refund:

5 ..... \$ 1,922.39

6 5. To Cecil Travis of Ankeny for a claim relating  
7 to a mobile home use tax refund:

8 ..... \$ 420.00"

9 6. Page 6, by striking lines 12 through 14.

10 7. Page 6, by inserting after line 24 the  
11 following:

12 "The moneys appropriated in this subsection shall  
13 be utilized for purposes of providing information,  
14 technical assistance, coordination, and legal advice  
15 to groups of farmers who desire to create a value-  
16 added cooperative. The primary goal shall be to  
17 assist the successful development of such cooperatives  
18 while minimizing the risks to the farmers involved."

19 8. Page 9, by inserting after line 1 the  
20 following:

21 "\_\_\_\_\_. To the department of economic development  
22 for a grant for completion of the Cherokee area rural  
23 economic development center in Cherokee:

24 ..... \$ 150,000"

25 9. Page 9, by inserting after line 30 the  
26 following:

27 "\_\_\_\_\_. To the department of natural resources for a  
28 grant to the city of Sioux City for expenses  
29 associated with the Perry creek flood control and  
30 greenway project:

31 ..... \$ 100,000"

32 10. Page 10, by inserting after line 3 the  
33 following:

34 "\_\_\_\_\_. To the Iowa department of public health for  
35 the period beginning July 1, 1996, and ending June 30,  
36 1998, to be used for purposes of supporting a program  
37 to assist counties in testing private wells and waters  
38 of the state for pollution caused by confinement  
39 feeding operations:

40 ..... \$ 50,000

41 From moneys appropriated in this subsection, the  
42 department shall support testing programs administered  
43 by counties which may submit an application to the  
44 department to participate in the state assistance  
45 program, as provided by the department. The county  
46 shall perform testing within a test area. As used in  
47 this subsection, "test area" means an area within a  
48 two-mile radius of any structure used to store manure  
49 which is part of a confinement feeding operation.

50 Iowa state university of science and technology shall

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1 adopt necessary standards, protocols, and criteria for  
 2 testing by counties. The program shall be  
 3 administered within each participating county by the  
 4 county's board of health or the board's designee. The  
 5 testing may be performed with volunteer assistance.  
 6 However, all testing shall be performed under the  
 7 supervision of a county official. The samples of the  
 8 testing shall be analyzed by the state hygienic  
 9 laboratory at the state university of Iowa. All  
 10 moneys available under this subsection shall only be  
 11 used for the following purposes:

12 a. Analyzing test samples by the state hygienic  
 13 laboratory.

14 b. Performing tests by counties. However, not  
 15 more than \$50 of the moneys available to a county  
 16 under this subsection shall be used to pay for  
 17 administering testing by the county within any test  
 18 area, including labor and equipment costs, regardless  
 19 of the number of tests performed by the county within  
 20 the test area."

21 11. Page 10, line 19, by striking the figure  
 22 "50,000" and inserting the following: "100,000".

23 12. Page 11, by inserting after line 18 the  
 24 following:

25 "\_\_\_\_. To the department of commerce for the  
 26 insurance division to continue the senior health  
 27 insurance information program:

28 ..... \$ 75,000

29 \_\_\_\_\_. To the department of elder affairs for the  
 30 older Iowans' legislature:

31 ..... \$ 15,000

32 \_\_\_\_\_. To the department of natural resources for  
 33 testing of animal feeding operations and their  
 34 structures, in accordance with this subsection:

35 ..... \$ 185,000

36 The department of natural resources shall utilize  
 37 the moneys appropriated in this subsection to perform  
 38 testing of animal feeding operations and their  
 39 structures, including confinement feeding operations  
 40 and confinement feeding operation structures all as  
 41 defined in section 455B.161, and manure management and  
 42 disposal systems used by such operations. The  
 43 operations and their structures or systems must have  
 44 been constructed or installed on or before July 1,  
 45 1985. The testing shall be for the purpose of  
 46 determining the extent to which operations and their  
 47 structures and manure management and disposal systems  
 48 contribute to point and nonpoint contamination of the  
 49 state's groundwater and surface water. A person  
 50 owning or operating an animal feeding operation may

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1 cooperate with the department in carrying out this  
2 subsection. The identity of the animal feeding  
3 operations shall be confidential and not subject to  
4 chapter 22. The findings of the testing shall not be  
5 used in a case or proceeding brought against a person  
6 based upon a violation of state law. The department  
7 shall report its findings and recommendations to the  
8 general assembly not later than January 15, 1998."

9 13. Page 19, by inserting after line 33 the  
10 following:

11 "Sec. \_\_\_\_ . INSTITUTE REFERENCE. The reference to  
12 the "institute of public leadership" in 1996 Iowa  
13 Acts, House File 2477, section 12, subsection 3,  
14 paragraph "a", if enacted, means the Iowa institute  
15 for public leadership."

16 14. Page 20, by inserting after line 3 the  
17 following:

18 "Sec. \_\_\_\_ . VERTICAL INFRASTRUCTURE TASK FORCE.  
19 Notwithstanding the membership specified for the  
20 vertical infrastructure definition task force as  
21 created in 1996 Iowa Acts, House File 2421, if  
22 enacted, a representative from the national electrical  
23 contractors association, Iowa chapter, shall be a  
24 member of the task force rather than a representative  
25 from the Iowa chapter, national electrical  
26 association."

27 15. Page 21, line 18, by inserting after the word  
28 "building" the following: "and the old historical  
29 building".

30 16. Page 21, by inserting after line 30 the  
31 following:

32 "Sec. \_\_\_\_ . DEPARTMENT OF HUMAN SERVICES -- LOCAL  
33 PURCHASE. There is appropriated from the general fund  
34 of the state to the department of human services for  
35 the fiscal year beginning July 1, 1995, and ending  
36 June 30, 1996, the following amount, or so much  
37 thereof as is necessary, to be used for the purpose  
38 designated:

39 For replacement of federal social services block  
40 grant funding allocated in 1995 Iowa Acts, chapter  
41 208, section 10, subsection 3, paragraphs "d" and "g",  
42 and subsequently reduced by the federal government,  
43 for local administrative costs and other local  
44 services and for local purchase of services for  
45 persons with mental illness or mental retardation or  
46 other developmental disability:

47 ..... \$ 1,600,000

48 Sec. \_\_\_\_ . DEPARTMENT OF HUMAN SERVICES -- SPECIAL  
49 AUTHORIZATION. Notwithstanding sections 8.33 and  
50 8.62, and any other provision of law to the contrary,

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1 not more than \$2,200,000 of moneys appropriated to the  
2 department of human services for the fiscal year  
3 beginning July 1, 1995, and ending June 30, 1996,  
4 which remain unobligated or unexpended shall not  
5 revert to the fund from which appropriated but shall  
6 remain available in the succeeding fiscal year for use  
7 as follows:

8 1. For the adolescent tracking and monitoring  
9 program, \$1,200,000.

10 2. For upgrading computer hardware, \$1,000,000.

11 If the actual amount of moneys available pursuant  
12 to this section is less than \$2,200,000, the  
13 department shall prorate the actual amount based upon  
14 the relative amounts allocated in subsections 1 and  
15 2."

16 17. Page 22, lines 5 and 6, by striking the words  
17 "department of personnel" and inserting the following:  
18 "Iowa public employees' retirement system".

19 18. Page 22, line 18, by striking the words  
20 "department of personnel" and inserting the following:  
21 "Iowa public employees' retirement system".

22 19. Page 22, line 23, by striking the words  
23 "department of personnel" and inserting the following:  
24 "system".

25 20. Page 23, by striking lines 4 through 7 and  
26 inserting the following: "to be located in southwest  
27 Iowa."

28 21. Page 24, by inserting after line 28 the  
29 following:

30 "Sec. \_\_\_\_ . WORKFORCE DEVELOPMENT FUND. There is  
31 appropriated from the workforce development fund  
32 account, as established in 1996 Iowa Acts, Senate File  
33 2351, section 1, for the fiscal year beginning July 1,  
34 1996, and ending June 30, 1997, to the workforce  
35 development fund created in section 15.343, the  
36 following amount for the purposes of the workforce  
37 development fund:

38 ..... \$ 3,152,000"  
39 22. By striking page 24, line 29, through page

40 25, line 19.

41 23. By striking page 25, line 20, through page  
42 26, line 3.

43 24. Page 26, by striking lines 4 through 25.

44 25. Page 27, by inserting after line 23 the  
45 following:

46 "Sec. \_\_\_\_ . DEPARTMENT OF HUMAN SERVICES CONTINGENT  
47 REDUCTION. Notwithstanding contrary provisions of  
48 section 8.41, subsection 3, as enacted by 1996 Iowa  
49 Acts, House File 2256, if during the fiscal year  
50 beginning July 1, 1996, the department of human

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1 services receives federal funding for child day care  
2 assistance which is unanticipated and has not been  
3 budgeted, the funding shall be used as provided in  
4 1996 Iowa Acts, Senate File 2442, section 6, if  
5 enacted, and the appropriation in that section is,  
6 reduced by up to an equivalent amount, to the extent  
7 that federal funding for child day care is not  
8 jeopardized by the reduction of the appropriation in  
9 that section.

10 Sec. \_\_\_\_ . GROUP FOSTER CARE TARGET.

11 Notwithstanding 1996 Iowa Acts, Senate File 2442,  
12 section 10, subsection 2, paragraph "a", if enacted,  
13 the amount allocated as the statewide expenditure  
14 target under section 242.143 for group foster care  
15 maintenance and services is \$23,601,280.

16 Sec. \_\_\_\_ . 1996 Iowa Acts, House File 2472, section  
17 21, subsection 2, paragraph b, unnumbered paragraph 2,  
18 if enacted, is amended to read as follows:

19 The department of public safety, with the approval  
20 of the department of management, may employ no more  
21 than two special agents and four gaming enforcement  
22 officers for each additional riverboat regulated after  
23 March 31, 1996, and one special agent for each racing  
24 facility which becomes operational during the fiscal  
25 year beginning July 1, 1996. One additional gaming  
26 enforcement officer, up to a total of four per boat,  
27 may be employed for each riverboat that has extended  
28 operations to 24 hours and has not previously operated  
29 with a 24-hour schedule. Positions authorized in this  
30 paragraph are in addition to the full-time equivalent  
31 positions authorized in this subsection."

32 26. Page 30, by inserting after line 18 the  
33 following:

34 "Sec. \_\_\_\_ . NEW SECTION. 28E.41 EMERGENCY  
35 SERVICES -- CONTRACTS FOR MUTUAL AID.

36 1. A city fire department, benefited fire  
37 district, or township fire department may enter into  
38 contracts providing for mutual aid regarding emergency  
39 services provided by such department or district. The  
40 contracts that are agreed upon may provide for  
41 compensation from the parties and other terms that are  
42 agreeable to the parties and may be for an indefinite  
43 period as long as they include a sixty-day  
44 cancellation notice by any party. The contracts  
45 agreed upon shall not be entered into for the purpose  
46 of reducing the number of employees of any party.

47 2. A city fire department, benefited fire  
48 district, or township fire department may provide  
49 assistance to any other such department or district in  
50 the state at the time of a significant emergency such

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1 as a fire, earthquake, flood, tornado, hazardous  
2 material incident, or other such disaster. The chief  
3 or highest ranking fire officer of an assisting  
4 department or district may render aid to a requesting  
5 department or district as long as the chief or officer  
6 is acting in accordance with the policies and  
7 procedures set forth by the governing board of the  
8 assisting department or district.

9 3. The chief or highest ranking officer of the  
10 city fire department, benefited fire district, or  
11 township fire department of the district within which  
12 the incident occurs shall maintain control of the  
13 incident in accordance with the provisions of chapter  
14 102. The chief or highest ranking officer of the  
15 department or district giving mutual aid shall be in  
16 charge of the assisting departmental or district  
17 personnel."

18 27. Page 32, by inserting after line 31 the  
19 following:

20 "Sec. \_\_\_\_ . Section 159.29, subsection 2,  
21 unnumbered paragraph 1, Code 1995, is amended to read  
22 as follows:

23 An owner of an agricultural drainage well and a  
24 landholder whose land is drained by the well or wells  
25 of another person shall develop, in consultation with  
26 the department of agriculture and land stewardship and  
27 the department of natural resources, a plan which  
28 proposes alternatives to the use of agricultural  
29 drainage wells by July 1, ~~1996~~ 1998."

30 28. Page 35, by inserting after line 2 the  
31 following:

32 "Sec. \_\_\_\_ . NEW SECTION. 279.8A TRAFFIC AND  
33 PARKING.

34 The board may make necessary rules to provide for  
35 the policing, control, and regulation of traffic and  
36 parking of vehicles and bicycles on school grounds.  
37 The rules may provide for the use of institutional  
38 roads, driveways, and grounds; registration of  
39 vehicles and bicycles; the designation of parking  
40 areas; the erection and maintenance of signs  
41 designating prohibitions or restrictions; the  
42 installation and maintenance of parking control  
43 devices; and assessment, enforcement, and collection  
44 of reasonable penalties for the violation of the  
45 rules.

46 Rules made under this section may be enforced under  
47 procedures adopted by the board. Penalties may be  
48 imposed for violation of the rules, including, but not  
49 limited to, a reasonable monetary penalty. The rules  
50 made under this section may also be enforced by the

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1 impoundment of vehicles and bicycles for violation of  
2 the rules. The board shall establish procedures for  
3 the determination of controversies in connection with  
4 the imposition of penalties. The procedures must  
5 require giving notice of the violation and the penalty  
6 prescribed and providing the opportunity for an  
7 administrative hearing.

8 The board may contract with a city or county to  
9 enforce rules made under this section by ordinance of  
10 the city or county, and shall consult with local  
11 government transportation officials to ensure that  
12 rules made pursuant to this section are not in  
13 conflict with city or county parking and traffic  
14 ordinances.

15 Sec. \_\_\_\_\_. Section 356.7, as enacted by 1996 Iowa  
16 Acts, Senate File 2352, section 1, is amended to read  
17 as follows:

18 356.7 CHARGE FOR ROOM AND BOARD -- LIEN.

19 1. The county sheriff may charge a prisoner who is  
20 eighteen years of age or older for the room and board  
21 provided to the prisoner while in the custody of the  
22 county sheriff. Moneys collected by the sheriff under  
23 this section shall be credited to the county general  
24 fund and distributed as provided in this section. If  
25 a prisoner fails to pay for the room and board, the  
26 sheriff may file a room and board reimbursement lien  
27 as provided in subsection 2. The county attorney may  
28 file the room and board reimbursement lien on behalf  
29 of the sheriff and the county. This section does not  
30 apply to prisoners who are paying for their room and  
31 board by court order pursuant to sections 356.26  
32 through 356.35.

33 2. The sheriff or the county attorney, on behalf  
34 of the sheriff, may file a room and board  
35 reimbursement lien with the clerk of the district  
36 court which shall include all of the following  
37 information, if known:

38 a. The name and date of birth of the person whose  
39 property or other interests are subject to the lien.

40 b. The present address of the residence and  
41 principal place of business of the person named in the  
42 lien.

43 c. The criminal proceeding pursuant to which the  
44 lien is filed, including the name of the court, the  
45 title of the action, and the court's file number.

46 d. The name and address of the sheriff or the name  
47 and address of the county attorney who is filing the  
48 lien on behalf of the sheriff.

49 e. A statement that the notice is being filed  
50 pursuant to this section.

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1 f. The amount of room and board reimbursement the  
2 person has been ordered to pay or is likely to be  
3 ordered to pay.

4 3. The filing of a room and board reimbursement  
5 lien in accordance with this section creates a lien in  
6 favor of the sheriff in any personal or real property  
7 identified in the lien to the extent of the interest  
8 held in that property by the person named in the lien.

9 4. This section does not limit the right of the  
10 sheriff to obtain any other remedy authorized by law.

11 5. Of the moneys collected and credited to the  
12 county general fund as provided in this section, sixty  
13 percent of the moneys collected shall be used for the  
14 following purposes:

15 a. Courthouse security equipment and law  
16 enforcement personnel costs.

17 b. Infrastructure improvements of a jail including  
18 new or remodeling costs.

19 c. Infrastructure improvements of juvenile  
20 detention facilities, including new or remodeling  
21 costs.

22 The sheriff may submit a plan or recommendations to  
23 the county board of supervisors for the use of the  
24 funds as provided in this subsection or the sheriff  
25 and board may jointly develop a plan for the use of  
26 the funds. Subject to the requirements of this  
27 subsection, funds may be used in the manner set forth  
28 in an agreement entered into under chapter 28E.

29 The county board of supervisors shall review the  
30 plan or recommendations submitted by the sheriff  
31 during the normal budget process of the county.

32 Sec. \_\_\_\_ . Section 602.8107, subsection 2,  
33 paragraph d, Code Supplement 1995, is amended to read  
34 as follows:

35 d. Court costs, including correctional fees  
36 assessed pursuant to sections 356.7 and 904.108,  
37 court-appointed attorney fees, or public defender  
38 expenses."

39 29. Page 35, by inserting after line 32 the  
40 following:

41 "Sec. \_\_\_\_ . Section 613.17, Code 1995, is amended  
42 to read as follows:

43 613.17 EMERGENCY ASSISTANCE IN AN ACCIDENT.

44 A person, who in good faith renders emergency care  
45 or assistance without compensation, shall not be  
46 liable for any civil damages for acts or omissions  
47 occurring at the place of an emergency or accident or  
48 while the person is in transit to or from the  
49 emergency or accident or while the person is at or  
50 being moved to or from an emergency shelter unless

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1 such acts or omissions constitute recklessness. For  
2 purposes of this section, if a volunteer fire fighter,  
3 a volunteer operator or attendant of an ambulance or  
4 rescue squad service, a volunteer paramedic, a  
5 volunteer emergency medical technician, or a volunteer  
6 registered member of the national ski patrol system  
7 receives nominal compensation not based upon the value  
8 of the services performed, that person shall be  
9 considered to be receiving no compensation. The  
10 operation of a motor vehicle in compliance with  
11 section 321.231 by a volunteer fire fighter, volunteer  
12 operator, or attendant of an ambulance or rescue squad  
13 service, a volunteer paramedic, or volunteer emergency  
14 medical technician shall be considered rendering  
15 emergency care or assistance for purposes of this  
16 section. For purposes of this section, a person  
17 rendering emergency care or assistance includes a  
18 person involved in a workplace rescue arising out of  
19 an emergency or accident."

20 30. Page 36, by inserting after line 5 the  
21 following:

22 "Sec. \_\_\_\_ . Section 904.108, Code 1995, is amended  
23 by adding the following new subsection:

24 NEW SUBSECTION. 7. The director may charge an  
25 inmate a correctional fee for custodial expenses  
26 incurred or which may be incurred while the inmate is  
27 in the custody of the department. The custodial  
28 expenses may include, but are not limited to, board  
29 and room, medical and dental fees, education costs,  
30 clothing costs, and the costs of supervision,  
31 services, and treatment to the inmate. The  
32 correctional fee shall not exceed the actual cost of  
33 keeping the inmate in custody. The correctional fees  
34 shall be assessed as court costs and any correctional  
35 fees collected pursuant to this subsection shall be  
36 credited to the general fund of the state. The  
37 correctional fees shall be collected as other court  
38 costs pursuant to section 602.8107. This subsection  
39 does not limit the right of the director to obtain any  
40 other remedy authorized by law."

41 31. Page 36, by inserting after line 9 the  
42 following:

43 "DIVISION 101  
44 ECONOMIC DEVELOPMENT AND RELATED APPROPRIATIONS  
45 AND STATUTORY CHANGES

46 Sec. 150. There is appropriated from the general  
47 fund of the state and other designated funds to the  
48 department of economic development for the fiscal year  
49 beginning July 1, 1996, and ending June 30, 1997, the  
50 following amounts, or so much thereof as is necessary,

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1 to be used for the purposes designated:

2 1. ADMINISTRATIVE SERVICES DIVISION

3 a. General administration

4 For salaries, support, maintenance, miscellaneous  
5 purposes, and for providing that a business receiving  
6 moneys from the department for the purpose of job  
7 creation shall make available ten percent of the new  
8 jobs created for promise jobs program participants who  
9 are qualified for the jobs created and for not more  
10 than the following full-time equivalent positions:

11 .....	\$	1,405,687
12 .....	FTEs	23.75

13 The director shall coordinate efforts with the  
14 workforce coordinator and the department of workforce  
15 development if enacted by Senate File 2409, to  
16 implement the intent of the general assembly regarding  
17 businesses receiving job creation moneys and shall  
18 report to the joint appropriations subcommittee on  
19 economic development regarding the number of jobs to  
20 be created by each business, the number of qualified  
21 promise jobs participants applying with the business,  
22 and the number of promise jobs participants hired.

23 b. Film office

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

27 .....	\$	199,341
28 .....	FTEs	2.00

29 2. BUSINESS DEVELOPMENT DIVISION

30 a. Business development operations

31 For salaries, support, maintenance, miscellaneous  
32 purposes, for not more than the following full-time  
33 equivalent positions, for allocating \$495,000 to the  
34 heartland technology network, \$150,000 to the graphic  
35 arts center, and \$100,000 to the university of  
36 northern Iowa for operation of industrial technology  
37 programs at the Iowa plastics technology center  
38 located in Waverly, Iowa, for allocating \$75,000 for  
39 the purposes of the regulatory assistance program, and  
40 for allocating \$60,000, and up to a 0.50 full-time  
41 equivalent position to administer the heartland  
42 technology network, the graphic arts technology  
43 center, and the plastics technology center:

44 .....	\$	3,890,775
45 .....	FTEs	17.75

46 b. Small business programs

47 For salaries, support, maintenance, miscellaneous  
48 purposes, and for not more than the following full-  
49 time equivalent positions for the small business  
50 program, the small business advisory council, and

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1	targeted small business program:		
2	.....	\$	498,756
3	.....	FTEs	6.00
4	c. Federal procurement office		
5	For salaries, support, maintenance, miscellaneous		
6	purposes, and for not more than the following full-		
7	time equivalent positions:		
8	.....	\$	96,492
9	.....	FTEs	3.00

10 Notwithstanding section 8.33, moneys remaining  
 11 unencumbered or unobligated on June 30, 1997, shall  
 12 not revert and shall be available for expenditure  
 13 during the fiscal year beginning July 1, 1997, for the  
 14 same purposes.

15	d. Strategic investment fund		
16	For deposit in the strategic investment fund for		
17	salaries, support, for not more than the following		
18	full-time equivalent positions, and for allocating		
19	from the funds remaining unobligated in the Wallace		
20	technology transfer foundation fund on June 30, 1996,		
21	notwithstanding section 8.33, \$200,000 for a study		
22	regarding the feasibility of establishing an Iowa-		
23	based airline:		
24	.....	\$	6,707,638
25	.....	FTEs	10.50

26 As a condition of any portion of the appropriation  
 27 made under this lettered paragraph being used for  
 28 awards from the community economic betterment account,  
 29 the department shall provide that awards under the  
 30 program of \$500,000 or more must be to businesses able  
 31 to pay at least 130 percent of the average county  
 32 wage, shall review the wage cap in high wage counties  
 33 and provide that it is tied to an appropriate inflator  
 34 for determining eligibility for awards, and shall  
 35 provide, in addition to all other existing  
 36 requirements for awards from the community economic  
 37 betterment account, that the remaining 10 percent of  
 38 the funds shall be transferred by the department to  
 39 other programs within the strategic investment fund  
 40 and used for purposes other than the community  
 41 economic betterment program if, after 90 percent of  
 42 funds in the account have been obligated for the  
 43 fiscal year, either of the following conditions have  
 44 not been met:

45 (1) All projects approved have starting wages not  
 46 less than 90 percent of the lesser of either the  
 47 average county wage or the average regional wage, as  
 48 compiled annually by the department for the community  
 49 economic betterment program. For the purposes of this  
 50 lettered paragraph, the average regional wage shall be

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1 compiled based upon the service delivery areas in  
2 section 84B.2, if enacted by 1996 Iowa Acts, Senate  
3 File 2409.

4 (2) The average starting wage for the businesses  
5 for which the awards were made under the program shall  
6 exceed 100 percent of the statewide average wage.

7 Additionally, the department shall provide an  
8 annual report on the progress made by the department  
9 in making the community economic betterment program a  
10 self-sustaining, revolving loan program.

11 e. Targeted small business incubator

12 Moneys appropriated for fiscal year 1995-1996 and  
13 not expended by June 30, 1996, shall not revert but  
14 shall be held by the department for funding, with  
15 local matching funds, the targeted small business  
16 incubator in Des Moines for the fiscal year beginning  
17 July 1, 1996, and ending June 30, 1997.

18 f. Insurance economic development

19 There is appropriated from moneys collected by the  
20 division of insurance in excess of the anticipated  
21 gross revenues under section 505.7, subsection 3, to  
22 the department for the fiscal year beginning July 1,  
23 1996, and ending June 30, 1997, the following amount,  
24 or so much thereof as is necessary, for insurance  
25 economic development and international insurance  
26 economic development:

27 ..... \$ 200,000

28 g. Value-added agriculture

29 There is appropriated from the moneys available to  
30 support value-added agricultural products and  
31 processes, four percent, or so much thereof as is  
32 necessary, of the total moneys available to support  
33 value-added agricultural products and processes  
34 pursuant to section 423.24 each quarter for  
35 administration of the value-added agricultural  
36 products and processes financial assistance program as  
37 provided in section 15E.111, including salaries,  
38 support, maintenance, miscellaneous purposes, and for  
39 not more than 2.00 FTEs.

40 3. COMMUNITY DEVELOPMENT DIVISION

41 a. Community assistance

42 For salaries, support, maintenance, miscellaneous  
43 purposes, and for not more than the following full-  
44 time equivalent positions for administration of the  
45 community economic preparedness program, the Iowa  
46 community betterment program, and the city development  
47 boards:

48 ..... \$ 578,943  
49 ..... FTEs 8.50

50 There is also appropriated from the rural community

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1 2000 program revolving fund established in section  
2 15.287 to the community assistance program for the  
3 purposes of the community economic preparedness  
4 program:

5 ..... \$ 50,000

6 b. Main street/rural main street program

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

9 ..... \$ 413,530

10 ..... FTEs 3.00

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

17 c. Rural development program

18 For salaries, support, maintenance, miscellaneous  
19 purposes, for not more than the following full-time  
20 equivalent positions, for rural resource coordination,  
21 rural community leadership, rural innovations grant  
22 program, and the rural enterprise fund and for  
23 allocating \$100,000 for the purposes of the  
24 microbusiness rural enterprise assistance program  
25 under section 15.114:

26 ..... \$ 711,181

27 ..... FTEs 4.50

28 There is also appropriated from the rural community  
29 2000 program revolving fund established in section  
30 15.287 to the rural development program for the  
31 purposes of the program including the rural enterprise  
32 fund and collaborative skills development training:

33 ..... \$ 351,000

34 Notwithstanding section 8.33, moneys committed to  
35 grantees under contract from the general fund of the  
36 state or through transfers from the Iowa community  
37 development loan fund or from the rural community 2000  
38 program revolving fund that remain unexpended at the  
39 end of the fiscal year shall not revert but shall be  
40 available for expenditure for purposes of the contract  
41 during the succeeding fiscal year.

42 d. Community development block grant and HOME

43 For administration and related federal housing and  
44 urban development grant administration for salaries,  
45 support, maintenance, miscellaneous purposes, and for  
46 not more than the following full-time equivalent  
47 positions:

48 ..... \$ 403,974

49 ..... FTEs 18.75

50 e. Councils of governments

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1 There is appropriated from the rural community 2000  
 2 program revolving fund established in section 15.287  
 3 to provide to Iowa's councils of governments funds for  
 4 planning and technical assistance funds to assist  
 5 local governments to develop community development  
 6 strategies for addressing long-term and short-term  
 7 community needs:  
 8 ..... \$ 178,000

9 f. Councils of governments  
 10 For distributing on a per capita basis to each  
 11 council of governments:  
 12 ..... \$ 50,000

13 g. Housing development fund  
 14 For providing technical assistance to communities  
 15 of all sizes and local financial institutions to help  
 16 meet local housing needs and to provide and transfer  
 17 matching funds for the HOME program:  
 18 ..... \$ 1,300,000

19 Notwithstanding section 8.33, moneys committed to  
 20 grantees under contract from the housing development  
 21 fund and moneys transferred for matching funds for the  
 22 HOME program that remain unexpended or unobligated on  
 23 June 30 of the fiscal year shall not revert to any  
 24 fund but shall be available for obligation and  
 25 expenditure for purposes of those programs during the  
 26 succeeding fiscal year.

27 4. INTERNATIONAL DIVISION

28 a. International trade operations  
 29 For salaries, support, maintenance, miscellaneous  
 30 purposes, for not more than the following full-time  
 31 equivalent positions, and for allocating \$100,000 to  
 32 promote trade opportunities in Korea and the Pacific  
 33 rim:  
 34 ..... \$ 1,027,950  
 35 ..... FTEs 10.00

36 From among the full-time equivalent positions  
 37 authorized by this paragraph, one position shall  
 38 concentrate on the export sale of grain, one on the  
 39 export sale of livestock, and one on the export sale  
 40 of value-added agricultural products.

41 b. Foreign trade offices  
 42 For salaries, support, maintenance, and  
 43 miscellaneous purposes:  
 44 ..... \$ 595,250

45 c. Export trade assistance program  
 46 For export trade activities, including a program to  
 47 encourage and increase participation in trade shows  
 48 and trade missions by providing financial assistance  
 49 to businesses for a percentage of their costs of  
 50 participating in trade shows and trade missions, by

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1 providing for the lease/sublease of showcase space in  
 2 existing world trade centers, by providing temporary  
 3 office space for foreign buyers, international  
 4 prospects, and potential reverse investors, and by  
 5 providing other promotional and assistance activities,  
 6 including salaries and support for not more than the  
 7 following full-time equivalent position:

8 ..... \$ 275,000  
 9 ..... FTEs 0.25

10 d. Agricultural product advisory council  
 11 For support, maintenance, and miscellaneous  
 12 purposes:

13 ..... \$ 1,300

14 e. For transfer to the partner state program which  
 15 the department may use to contract with private groups  
 16 or organizations which are the most appropriate to  
 17 administer this program and the groups and  
 18 organizations participating in the program shall, to  
 19 the fullest extent possible, provide the funds to  
 20 match the appropriation made in this subsection of the  
 21 funds transferred:

22 ..... \$ 100,000

23 5. TOURISM DIVISION

24 a. Tourism operations

25 For salaries, support, maintenance, miscellaneous  
 26 purposes, for not more than the following full-time  
 27 equivalent positions, and for allocating \$100,000 for  
 28 a grant program for annual community celebrations of  
 29 Iowa's agricultural heritage, provided that the  
 30 appropriation shall not be used for advertising  
 31 placements for in-state and out-of-state tourism  
 32 marketing:

33 ..... \$ 825,212  
 34 ..... FTEs 18.52

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 ..... \$ 2,737,000

41 The department shall not use the moneys  
 42 appropriated in this lettered paragraph, unless the  
 43 department develops public-private partnerships with  
 44 Iowa businesses in the tourism industry, Iowa tour  
 45 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 To provide tourism materials for welcome centers:

3 ..... \$ 100,000

4 Sec. \_\_\_\_\_. Notwithstanding section 15E.120,  
5 subsections 5, 6, and 7, and section 15.287, there is  
6 appropriated from the Iowa community development loan  
7 fund all the moneys available during the fiscal year  
8 beginning July 1, 1996, and ending June 30, 1997, to  
9 the department of economic development for the rural  
10 development program to be used by the department for  
11 the purposes of the program.

12 Sec. \_\_\_\_\_. Notwithstanding section 15.251,  
13 subsection 2, there is appropriated from the job  
14 training fund to the department of economic  
15 development for the fiscal year beginning July 1,  
16 1996, and ending June 30, 1997, the following amounts,  
17 or so much thereof as is necessary, to be used for the  
18 purposes designated:

19 For administration of chapter 260E, including  
20 salaries, support, maintenance, miscellaneous  
21 purposes, and for not more than the following full-  
22 time equivalent positions:

23 ..... \$ 160,000

24 ..... FTEs 2.40

25 Appropriations to the department of economic  
26 development for administration of chapter 260E and the  
27 department of employment services for the target  
28 alliance program shall be funded on a proportional  
29 basis if receipts to the job training fund are  
30 insufficient to fund both appropriations in their  
31 entirety.

32 Sec. \_\_\_\_\_. Of all funds appropriated to or receipts  
33 credited to the job training fund created in section  
34 260F.6, subsection 1, up to \$125,000 for the fiscal  
35 year beginning July 1, 1996, and ending June 30, 1997,  
36 and not more than 1.30 of the full-time equivalent  
37 positions may be used for the administration of the  
38 Iowa small business new job training Act.

39 Sec. \_\_\_\_\_. Notwithstanding section 423.24,  
40 subsection 1, paragraph "b", subparagraph (1), there  
41 is appropriated for the fiscal year beginning July 1,  
42 1996, and ending June 30, 1997, \$100,000 of the total  
43 revenues collected pursuant to section 423.7 and  
44 deposited in the value-added agricultural products and  
45 processes financial assistance fund, pursuant to  
46 section 423.24, subsection 1, paragraph "b",  
47 subparagraph (1), to the Iowa cooperative extension  
48 service in agriculture and home economics at Iowa  
49 state university of science and technology for  
50 administration of the Iowa grain quality initiative.

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1 Sec. \_\_\_\_\_. The Iowa seed capital corporation is  
 2 authorized up to 5.00 FTEs. The seed capital  
 3 corporation shall not make any new investments after  
 4 June 30, 1997. The portfolio of investments held by  
 5 the seed capital corporation on June 30, 1997, shall  
 6 be transferred to a private entity for management of  
 7 the investments.

8 Sec. \_\_\_\_\_. There is appropriated from the general  
 9 fund of the state to the Iowa state university of  
 10 science and technology for the fiscal year beginning  
 11 July 1, 1996, and ending June 30, 1997, the following  
 12 amounts, or so much thereof as is necessary, to be  
 13 used for the purposes designated:

14 1. For funding and maintaining in their current  
 15 locations the existing small business development  
 16 centers, and for not more than the following full-time  
 17 equivalent positions:

18 .....	\$	1,216,245
19 .....	FTEs	5.80

20 2. For funding the institute for physical research  
 21 and technology, provided that \$318,358 shall be  
 22 allocated to the industrial incentive program in  
 23 accordance with the intent of the general assembly,  
 24 and for not more than the following full-time  
 25 equivalent positions:

26 .....	\$	4,124,607
27 .....	FTEs	46.42

28 It is the intent of the general assembly that the  
 29 incentive program focus on Iowa industrial sectors and  
 30 seek contributions and in-kind donations from  
 31 businesses, industrial foundations, and trade  
 32 associations and that moneys for the institute for  
 33 physical research and technology industrial incentive  
 34 program shall only be allocated for projects which are  
 35 matched by private sector moneys for directed contract  
 36 research or for nondirected research. The match  
 37 required of small businesses as defined in section  
 38 15.102, subsection 4, for directed contract research  
 39 or for nondirected research shall be \$1 for each \$3 of  
 40 state funds. The match required for other businesses  
 41 for directed contract research or for nondirected  
 42 research shall be \$1 for each \$1 of state funds. The  
 43 match required of industrial foundations or trade  
 44 associations shall be \$1 for each \$1 of state funds.

45 Iowa state university shall report annually to the  
 46 joint appropriations subcommittee on economic  
 47 development of the senate and house appropriations  
 48 committees the total amounts of private contributions,  
 49 the proportion of contributions from small businesses  
 50 and other businesses, and the proportion for directed

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1 contract research and nondirected research of benefit  
2 to Iowa businesses and industrial sectors.

3 Notwithstanding section 8.33, moneys appropriated  
4 for any fiscal year which remain unobligated and  
5 unexpended at the end of the fiscal year shall not  
6 revert but shall be available for expenditure the  
7 following fiscal year.

8 Sec. \_\_\_\_\_. There is appropriated from the general  
9 fund of the state to the state university of Iowa for  
10 the fiscal year beginning July 1, 1996, and ending  
11 June 30, 1997, the following amount, or so much  
12 thereof as is necessary, to be used for the purpose  
13 designated:

14 For funding the advanced drug development program  
15 at the Oakdale research park and for not more than the  
16 following full-time equivalent positions:

17 .....	\$	319,169
18 .....	FTEs	2.85

19 The board of regents shall submit a report on the  
20 progress of regents institutions in meeting the  
21 strategic plan for technology transfer and economic  
22 development to the chairpersons of the joint  
23 appropriations subcommittee on economic development,  
24 the joint appropriations subcommittee on education,  
25 the majority leader and minority leader of the senate,  
26 the majority and minority leaders of the house of  
27 representatives, the secretary of the senate, the  
28 chief clerk of the house of representatives, and the  
29 legislative fiscal bureau by December 1, 1996.

30 Sec. \_\_\_\_\_. DEPARTMENT OF EMPLOYMENT SERVICES OR  
31 DEPARTMENT OF WORKFORCE DEVELOPMENT. As used in this  
32 section, references to the department of employment  
33 services shall include the department of workforce  
34 development if enacted by Senate File 2409. There is  
35 appropriated from the general fund of the state, to  
36 the department of employment services for the fiscal  
37 year beginning July 1, 1996, and ending June 30, 1997,  
38 the following amounts, or so much thereof as is  
39 necessary, for the purposes designated, including that  
40 the department of employment services, the department  
41 of personnel, and the department of management shall  
42 ensure that all nonsupervisory full-time equivalent  
43 positions authorized and funded for the department of  
44 employment services in this section will be utilized  
45 during the fiscal year beginning July 1, 1996, and  
46 ending June 30, 1997, and during future fiscal years,  
47 and will not be held vacant, to ensure that the  
48 backlog of cases in that department will be reduced as  
49 rapidly as possible:

50 1. DIVISION OF LABOR SERVICES

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1 For salaries, support, maintenance, miscellaneous  
 2 purposes, and for not more than the following full-  
 3 time equivalent positions contingent upon the  
 4 enactment of section 12 of this Act and the provision  
 5 which requires moneys appropriated from the special  
 6 employment security contingency fund to first be used  
 7 to fully fund the appropriation of \$296,000 to the  
 8 division of labor services in subsection 1 of section  
 9 13 of this Act prior to funding the appropriation in  
 10 section 13 of this Act to the division of industrial  
 11 services:

12 ..... \$ 2,729,542  
 13 ..... FTEs 89.50

14 From the contractor registration fees, the division  
 15 of labor services shall reimburse the department of  
 16 inspections and appeals for all costs associated with  
 17 hearings under chapter 91C, relating to contractor  
 18 registration.

19 2. DIVISION OF INDUSTRIAL SERVICES

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

23 ..... \$ 2,131,389  
 24 ..... FTEs 33.00

25 3. For salaries, support, maintenance,  
 26 miscellaneous purposes, and for not more than the  
 27 following full-time equivalent position for a  
 28 workforce development coordinator and council:

29 ..... \$ 141,606  
 30 ..... FTEs 1.00

31 4. For the workforce development initiative to be  
 32 used to create model workforce development centers and  
 33 provide an integrated management information system:

34 ..... \$ 275,000

35 5. For salaries, support, maintenance,  
 36 miscellaneous purposes for collection of labor market  
 37 information, and for not more than the following full-  
 38 time equivalent positions:

39 ..... \$ 173,250  
 40 ..... FTEs 3.20

41 6. For salaries, support, maintenance, and  
 42 miscellaneous purposes for the mentoring project for  
 43 family investment program participants, and for not  
 44 more than the following full-time equivalent  
 45 positions:

46 ..... \$ 72,000  
 47 ..... FTEs 1.50

48 7. a. Youth workforce programs  
 49 For purposes of the conservation corps, including  
 50 allocating \$800,000 for a summer youth program for

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1 cities of over 150,000 in population, salary, support,  
2 maintenance, miscellaneous purposes, and for not more  
3 than the following full-time equivalent positions:

4 ..... \$ 1,718,661  
5 ..... FTEs 2.40

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

11 b. Workforce investment program

12 For allocating \$425,000 to the workforce  
13 development fund under section 15.343 for funding, to  
14 the extent possible, the currently existing high  
15 technology apprenticeship programs, under section  
16 260C.44 at the community colleges, for the purposes of  
17 the workforce investment program, and for a  
18 competitive grant program by the department for  
19 projects that increase Iowa's pool of available labor  
20 via training and support services with priority given  
21 to projects which serve displaced homemakers or  
22 welfare recipients, including salaries and support,  
23 and not more than the following full-time equivalent  
24 position:

25 ..... \$ 903,000  
26 ..... FTEs 0.90

27 The department shall ensure that the workforce  
28 investment program is coordinated with services  
29 provided under the federal Job Training Partnership  
30 Act and that welfare recipients receive priority for  
31 services under both programs.

32 Notwithstanding section 8.33, moneys committed to  
33 grantees under contract that remain unexpended at the  
34 end of the fiscal year, shall not revert to any fund  
35 but shall be available for expenditure for purposes of  
36 the contract during the succeeding fiscal year.

37 c. Labor management councils

38 For salaries, support, maintenance, miscellaneous  
39 purposes, and for not more than the following full-  
40 time equivalent position:

41 ..... \$ 100,338  
42 ..... FTEs 0.50

43 Notwithstanding section 8.33, moneys committed to  
44 grantees under contract that remain unexpended on June  
45 30 of the fiscal year shall not revert to any fund but  
46 shall be available for expenditure for purposes of the  
47 contract during the succeeding fiscal year. The  
48 department shall not use moneys appropriated in this  
49 lettered paragraph for grants to grantees who do not  
50 facilitate the active participation of labor as

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1 members of labor management councils or who fail to  
2 make a good faith effort to either schedule meetings  
3 during nonworking hours or obtain voluntary agreements  
4 with employers to allow employees time off to attend  
5 labor management council meetings with no loss of pay  
6 or other benefits.

7 Sec. \_\_\_\_\_. Notwithstanding section 15.251,  
8 subsection 2, there is appropriated from the job  
9 training fund to the department of employment services  
10 for the fiscal year beginning July 1, 1996, and ending  
11 June 30, 1997, the following amount, or so much  
12 thereof as is necessary, to be used for the purpose  
13 designated:

14 For the target alliance program:  
15 ..... \$ 30,000

16 Sec. \_\_\_\_\_. ADMINISTRATIVE CONTRIBUTION SURCHARGE  
17 FUND. There is appropriated from the administrative  
18 contribution surcharge fund of the state to the  
19 department of employment services for the fiscal year  
20 beginning July 1, 1996, and ending June 30, 1997, the  
21 following amount, or so much thereof as is necessary,  
22 for the purposes designated:

23 DIVISION OF JOB SERVICE  
24 Notwithstanding section 96.7, subsection 12,  
25 paragraph "c", for salaries, support, maintenance,  
26 conducting labor availability surveys, miscellaneous  
27 purposes, and for not more than the following full-  
28 time equivalent positions:  
29 ..... \$ 6,310,000  
30 ..... FTEs 141.54

31 1. The department of employment services shall  
32 provide services throughout the fiscal year beginning  
33 July 1, 1996, and ending June 30, 1997, in all  
34 communities in which workforce centers were operating  
35 on July 1, 1993. However, this provision shall not  
36 prevent the consolidation of multiple offices within  
37 the same city or the colocation of workforce centers  
38 with another public agency.

39 2. The division of industrial services shall not  
40 reduce the number of scheduled hearings of contested  
41 cases or eliminate the venue of such hearings, as  
42 established by the division for the period beginning  
43 January 1, 1996, and ending January 20, 1997. The  
44 division shall also establish a substantially similar  
45 schedule for such hearings for the period beginning  
46 January 20, 1997, and ending June 30, 1997. The  
47 division shall report to the legislative fiscal bureau  
48 concerning any modification of the established  
49 schedule, or any changes which the division determines  
50 are necessary in establishing the schedule for the

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1 period beginning January 20, 1997, and ending June 30,  
2 1997.

3 3. The division shall continue charging a \$65  
4 filing fee for workers' compensation cases. The  
5 filing fee shall be paid by the petitioner of a claim.  
6 However, the fee can be taxed as a cost and paid by  
7 the losing party, except in cases where it would  
8 impose an undue hardship or be unjust under the  
9 circumstances.

10 Sec. \_\_\_\_ EMPLOYMENT SECURITY CONTINGENCY FUND.  
11 There is appropriated from the special employment  
12 security contingency fund to the department of  
13 employment services for the fiscal year beginning July  
14 1, 1996, and ending June 30, 1997, the following  
15 amounts, or so much thereof as is necessary, for the  
16 purposes designated and subject to the requirement  
17 that the appropriation to the division of labor  
18 services under this section be fully funded from the  
19 special employment security contingency fund prior to  
20 any amounts being used to fund the appropriation made  
21 to the division of industrial services under this  
22 section:

23	1. DIVISION OF LABOR SERVICES		
24	For salaries, support, maintenance, and		
25	miscellaneous purposes:		
26	.....	\$	296,000
27	2. DIVISION OF INDUSTRIAL SERVICES		
28	For salaries, support, maintenance, and		
29	miscellaneous purposes:		
30	.....	\$	175,000

31 Any additional penalty and interest revenue may be  
32 used to accomplish the mission of the department.

33 Sec. \_\_\_\_ PUBLIC EMPLOYMENT RELATIONS BOARD.  
34 There is appropriated from the general fund of the  
35 state to the public employment relations board for the  
36 fiscal year beginning July 1, 1996, and ending June  
37 30, 1997, the following amount, or so much thereof as  
38 is necessary, for the purposes designated:

39	For salaries, support, maintenance, miscellaneous		
40	purposes, and for not more than the following full-		
41	time equivalent positions:		
42	.....	\$	777,164
43	.....	FTEs	12.80

44 Sec. \_\_\_\_ There is appropriated from the general  
45 fund of the state to the Iowa finance authority for  
46 the fiscal year beginning July 1, 1996, and ending  
47 June 30, 1997, the following amount, or so much  
48 thereof as is necessary, to be used for the purpose  
49 designated:

50 For deposit in the housing improvement fund created

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1 in section 16.100 for purposes of the fund:  
 2 ..... \$ 400,000

3 Sec. \_\_\_\_\_. There is allocated from the unobligated  
 4 funds remaining in the Wallace technology transfer  
 5 foundation fund, after the allocation in section 150,  
 6 subsection 2, paragraph "d", of this Act, on June 30,  
 7 1996, \$100,000 for deposit in the housing improvement  
 8 fund created in section 16.100 for the purposes of the  
 9 fund. Any funds remaining shall not revert to any  
 10 fund, notwithstanding section 8.33. Unobligated funds  
 11 remaining on June 30, 1997, shall revert to the  
 12 general fund of the state.

13 Sec. \_\_\_\_\_. NEW SECTION. 15.113 ECONOMIC  
 14 DEVELOPMENT ASSISTANCE -- REPORT.

15 In order for the general assembly to have accurate  
 16 and complete information regarding expenditures for  
 17 economic development and job training incentives and  
 18 to respond to the job training needs of Iowa workers,  
 19 the department shall provide to the legislative fiscal  
 20 bureau by January 15 of each year data on all  
 21 assistance or benefits provided under the community  
 22 economic betterment program, the new jobs and income  
 23 program, and the Iowa industrial new jobs training Act  
 24 during the previous calendar year. The department  
 25 shall meet with the legislative fiscal bureau prior to  
 26 submitting the data to assure that its form and  
 27 specificity are sufficient to provide accurate and  
 28 complete information to the general assembly. The  
 29 department shall also contact other state agencies  
 30 providing financial assistance to Iowa businesses and,  
 31 to the extent practical coordinate the submission of  
 32 the data to the legislative fiscal bureau.

33 Sec. \_\_\_\_\_. NEW SECTION. 15.114 MICROBUSINESS  
 34 RURAL ENTERPRISE ASSISTANCE.

- 35 1. As used in this section:  
 36 a. "Department" means the department of economic  
 37 development.  
 38 b. "Microbusiness" or "microbusiness enterprise"  
 39 means a business producing services with five or fewer  
 40 full-time equivalent employee positions and with  
 41 assistance requirements of not more than twenty-five  
 42 thousand dollars.  
 43 c. "Microbusiness organization" means a nonprofit  
 44 corporation organized under chapter 504A which is  
 45 exempt from taxation pursuant to section 501(c) of the  
 46 Internal Revenue Code and which has a principal  
 47 mission of actively engaging in microbusiness  
 48 development, training, technical assistance, and  
 49 capital access for the start-up or expansion of  
 50 microbusinesses.

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1 2. The department shall contract with a  
2 microenterprise organization actively engaged in  
3 microbusiness enterprise to assist in the  
4 establishment of this program. In order to qualify  
5 for the contract, the microenterprise organization  
6 shall do all of the following:  
7 a. Demonstrate a past performance of and a  
8 capacity to successfully engage in microbusiness  
9 development.  
10 b. Have a statewide commitment to and focus on  
11 microbusiness development.  
12 c. Provide training and technical assistance.  
13 d. Demonstrate an ability to provide access to  
14 capital for start-up or expansion of a microbusiness.  
15 e. Have established linkages with financial  
16 institutions.  
17 f. Demonstrate an ability to provide follow-up  
18 technical assistance after a microbusiness start-up or  
19 expansion.

20 3. Moneys allocated pursuant to this section which  
21 remain unexpended or unobligated at the end of a  
22 fiscal year shall remain available to the department  
23 to support the assistance program or may be credited  
24 to the value-added agricultural products and processes  
25 financial assistance fund created in section 15E.112  
26 and shall not revert notwithstanding section 8.33.

27 4. The department shall submit a report in  
28 accordance with section 7A.11 not later than November  
29 1 of each year detailing the activities of the  
30 microenterprise organization and describing the  
31 success of the project.

32 Sec. \_\_\_\_ . Section 15.313, subsection 2, Code 1995,  
33 is amended by adding the following new paragraphs:

34 NEW PARAGRAPH. g. The entrepreneurs with  
35 disabilities program, which provides technical and  
36 financial assistance to help persons with disabilities  
37 become self-sufficient and create additional  
38 employment opportunities by establishing or expanding  
39 small business ventures.

40 NEW PARAGRAPH. h. The job opportunities for  
41 persons with disabilities program, which provides  
42 service and technical assistance to rehabilitation  
43 organizations or agencies that create, expand, or spin  
44 off business ventures for persons with disabilities.

45 Sec. \_\_\_\_ . NEW SECTION. 15A.4 COMPETITIVE  
46 PROGRAMS -- GOOD NEIGHBOR AGREEMENT -- ADDITIONAL  
47 CONSIDERATION.

48 For any program providing financial assistance for  
49 economic development in which the assistance is  
50 provided on a competitive basis, a business which

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1 enters into a good neighbor agreement shall receive  
2 extra consideration of at least ten points or the  
3 equivalent. A good neighbor agreement is an  
4 enforceable contract between the business and a  
5 community group or coalition of community groups which  
6 requires the business to adhere to negotiated  
7 environmental, economic, labor, or other social and  
8 community standards.

9 A business which fails to abide by the good  
10 neighbor agreement shall repay all financial  
11 assistance received under the program.

12 Sec. \_\_\_\_\_. Section 15E.112, subsection 1, Code  
13 1995, is amended to read as follows:

14 1. A value-added agricultural products and  
15 processes financial assistance fund is created within  
16 the state treasury under the control of the  
17 department. The fund shall consist of any money  
18 appropriated by the general assembly and any other  
19 moneys available to and obtained or accepted by the  
20 department from the federal government or private  
21 sources for placement in the fund. ~~Until July 17~~  
22 ~~2000, moneys shall be deposited in the fund as~~  
23 ~~provided in section 423.24. -- Not more than one percent~~  
24 ~~of the total moneys available to support value added~~  
25 ~~agricultural products and processes pursuant to~~  
26 ~~section 423.24 during each quarter shall be used by~~  
27 ~~the department for administration of the value added~~  
28 ~~agricultural products and processes financial~~  
29 ~~assistance program, as provided in section 15E.111.~~

30 The assets of the fund shall be used by the department  
31 only for carrying out the purposes of section 15E.111.

32 Sec. \_\_\_\_\_. For the fiscal year beginning July 1,  
33 1996, and ending June 30, 1997, section 15.343,  
34 subsection 2, paragraph "d", as amended in Senate File  
35 2351, if enacted, shall be available for the funding  
36 of innovative training and career opportunity  
37 programming for minorities, provided such funding is  
38 matched on a dollar-for-dollar basis by a  
39 participating community college.

40 Sec. \_\_\_\_\_. Notwithstanding sections 15.108, 15.224  
41 through 15.230, 15.347, 15.348, and 239.22, the  
42 department of employment services shall administer the  
43 following programs: job training partnership Act,  
44 Iowa conservation corps, americorps, mentoring for  
45 promise jobs, food stamp employment and training, and  
46 the labor/management co-op programs.

47 Sec. \_\_\_\_\_. FEDERAL GRANTS. All federal grants to  
48 and the federal receipts of agencies appropriated  
49 funds under this Act, not otherwise appropriated, are  
50 appropriated for the purposes set forth in the federal

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1 grants or receipts unless otherwise provided by the  
2 general assembly."

3 32. Page 36, by inserting after line 9, the  
4 following:

5

"DIVISION

6 SPECIAL REGISTRATION PLATES -- SURVIVING SPOUSE

7 Sec. \_\_\_\_\_. The state department of transportation  
8 shall allow the surviving spouse of a person who was  
9 issued prisoner of war plates pursuant to section  
10 321.34, subsection 8, to continue to use the special  
11 plates, subject to registration of the special plates  
12 in the surviving spouse's name and upon payment of the  
13 annual registration fee. If the surviving spouse  
14 remarries, the surviving spouse shall return the  
15 special plates to the department and the department  
16 shall issue regular registration plates to the  
17 surviving spouse.

18 This division of this Act, being deemed of  
19 immediate importance, takes effect upon enactment."

20 33. Page 36, by inserting after line 9 the  
21 following:

22

"DIVISION

23

COUNTY PROVISIONS

24 Sec. 100. Section 331.424, subsection 1, paragraph  
25 a, subparagraph (1), Code Supplement 1995, is amended  
26 to read as follows:

27 (1) The costs of inpatient or outpatient substance  
28 abuse admission, commitment, transportation, care, and  
29 treatment at any of the following:

30 (a) ~~Care-and-treatment-of-persons-at-the~~ The  
31 alcoholic treatment center at Oakdale. However, the  
32 county may require that an admission to the center  
33 shall be reported to the board by the center within  
34 five days as a condition of the payment of county  
35 funds for that admission.

36 (b) A state mental health institute, or a  
37 community-based public or private facility or service.

38 Sec. \_\_\_\_\_. Section 331.424A, subsection 4, Code  
39 Supplement 1995, as amended by 1996 Iowa Acts, Senate  
40 File 2030, section 1, is amended to read as follows:

41 4. For the fiscal year beginning July 1, 1996, and  
42 for each subsequent fiscal year, the county shall  
43 certify a levy for payment of services. ~~Unless~~  
44 ~~otherwise-provided-by-state-law,-for~~ For each fiscal  
45 year, county revenues from taxes imposed by the county  
46 credited to the services fund shall not exceed an  
47 amount equal to the amount of base year expenditures  
48 for services as defined in section 331.438, less the  
49 amount of property tax relief to be received pursuant  
50 to section 426B.2, subsections 1 and 3, in the fiscal

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1 year for which the budget is certified. The county auditor and the board of supervisors shall reduce the amount of the levy certified for the services fund by the amount of property tax relief to be received. A levy certified under this section is not subject to the appeal provisions of sections 331.426 and 444.25B or to any other provision in law authorizing a county to exceed, increase, or appeal a property tax levy limit.

Sec. \_\_\_\_ . Section 426B.1, Code Supplement 1995, is amended by adding the following new subsection:

NEW SUBSECTION. 3. There is annually appropriated from the property tax relief fund to the department of human services to supplement the medical assistance appropriation for the fiscal year beginning July 1, 1997, and for succeeding fiscal years, six million six hundred thousand dollars to be used for the nonfederal share of the costs of services provided to minors with mental retardation under the medical assistance program to meet the requirements of section 249A.12, subsection 4. The appropriation in this subsection shall be charged to the property tax relief fund prior to the distribution of moneys from the fund under section 426B.2 and the amount of moneys available for distribution shall be reduced accordingly. However, the appropriation in this subsection shall be considered to be a property tax relief payment for purposes of the combined amount of payments required to achieve fifty percent of the counties' base year expenditures as provided in section 426B.2, subsection 3.

Sec. \_\_\_\_ . Section 444.25A, subsection 2, paragraph e, unnumbered paragraph 2, Code Supplement 1995, is amended to read as follows:

For purposes of this paragraph, the price index for government purchases by type for state and local governments is defined by the bureau of economic analysis of the United States department of commerce and published in table 7.11 of the national income and products accounts. For the fiscal years beginning July 1, 1995, and July 1, 1996, the price index used shall be the revision published in the November 1994 and November 1995 issues, respectively, of the United States department of commerce publication, "survey of current business". For purposes of this paragraph, tax dollars levied in the fiscal years beginning July 1, 1994, and July 1, 1995, shall not include funds levied for paragraphs "a", "b", and "c", and "d" of this subsection.

Sec. \_\_\_\_ . Section 444.25B, subsection 1,

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1 unnumbered paragraph 1, Code Supplement 1995, is  
2 amended to read as follows:

3 The maximum amount of property tax dollars which  
4 may be certified by a county for taxes payable in the  
5 fiscal year beginning July 1, 1997, shall not exceed  
6 the amount of property tax dollars certified by the  
7 county for taxes payable in the fiscal year beginning  
8 July 1, 1996, ~~minus the amount by which the property~~  
9 ~~tax relief moneys to be received by the county in the~~  
10 ~~fiscal year beginning July 1, 1997, pursuant to~~  
11 ~~section 426B.27, subsections 1 and 3, exceed the amount~~  
12 ~~of the property tax relief moneys received in the~~  
13 ~~fiscal year beginning July 1, 1996,~~ for each of the  
14 levies for the following, except for the levies on the  
15 increase in taxable valuation due to new construction,  
16 additions or improvements to existing structures,  
17 remodeling of existing structures for which a building  
18 permit is required, annexation, and phasing out of tax  
19 exemptions, and on the increase in valuation of  
20 taxable property as a result of a comprehensive  
21 revaluation by a private appraiser under a contract  
22 entered into prior to January 1, 1992, or as a result  
23 of a comprehensive revaluation directed or authorized  
24 by the conference board prior to January 1, 1992, with  
25 documentation of the contract, authorization, or  
26 directive on the revaluation provided to the director  
27 of revenue and finance, if the levies are equal to or  
28 less than the levies for the previous year, levies on  
29 that portion of the taxable property located in an  
30 urban renewal project the tax revenues from which are  
31 no longer divided as provided in section 403.19,  
32 subsection 2, or as otherwise provided in this  
33 section:

34 Sec. \_\_\_\_\_. Section 444.25B, subsection 2, Code  
35 Supplement 1995, is amended by adding the following  
36 new paragraph after paragraph d and relettering the  
37 subsequent paragraph:

38 NEW PARAGRAPH. dd. Mental health, mental  
39 retardation, and developmental disabilities services  
40 fund under section 331.424A.

41 Sec. \_\_\_\_\_. Section 444.25B, subsection 2, paragraph  
42 e, unnumbered paragraphs 1 and 2, Code Supplement  
43 1995, are amended to read as follows:

44 Unusual need for additional moneys to finance  
45 existing programs which would provide substantial  
46 benefit to county residents or compelling need to  
47 finance new programs which would provide substantial  
48 benefit to county residents. The increase in taxes  
49 levied under this exception for the fiscal year  
50 beginning July 1, 1997, is limited to no more than the

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1 product of the total tax dollars levied in the fiscal  
2 year beginning July 1, 1996, and the percent change,  
3 computed to two decimal places, ~~in-the-price-index-for~~  
4 ~~government-purchases-by-type-for-state-and-local~~  
5 ~~governments-computed~~ between the preliminary price  
6 index for the third quarter of calendar year 1996 from  
7 that-computed and the revised price index for the  
8 third quarter of calendar year 1995 as published in  
9 the same issue in which the preliminary 1996 third  
10 quarter price index is first published.

11 ~~For-purposes-of-this-paragraph,-the-price-index-for~~  
12 ~~government-purchases-by-type-for-state-and-local~~  
13 ~~governments-is-defined-by-the-bureau-of-economic~~  
14 ~~analysis-of-the-United-States-department-of-commerce~~  
15 ~~and-published-in-table-7.11-of-the-national-income-and~~  
16 ~~products-accounts.~~ For the fiscal year beginning July  
17 1, 1997, the price index used shall be the revision  
18 ~~published-in-the-November-1996-edition-of-the-United~~  
19 ~~States-department-of-commerce-publication,-"survey-of~~  
20 ~~current-business"~~ state and local government chain-  
21 type price index used in the quantity and price  
22 indexes for gross domestic product, as published by  
23 the bureau of economic analysis of the United States  
24 department of commerce in the national income and  
25 products accounts as published in "survey of current  
26 business". For purposes of this paragraph, tax  
27 dollars levied in the fiscal year beginning July 1,  
28 1996, shall not include funds levied for paragraphs  
29 "a", "b", and "c", "d", and "dd" of this subsection.

30 Sec. \_\_\_\_ . Section 444.25B, Code Supplement 1995,  
31 is amended by adding the following new subsection:

32 NEW SUBSECTION. 5. MH/MR/DD LEVY ADJUSTMENT. A  
33 county which did not certify the maximum levy  
34 authorized for the county's mental health, mental  
35 retardation, and developmental disabilities services  
36 fund under section 331.424A, subsection 4, for the  
37 fiscal year beginning July 1, 1996, may certify up to  
38 the maximum authorized levy under the services fund  
39 for the fiscal year beginning July 1, 1997. However,  
40 any amount of increase in the certified services fund  
41 levy under this subsection over the amount certified  
42 for the services fund in the previous fiscal year  
43 shall be offset by an equivalent decrease in the  
44 amount certified by the county for general county  
45 services.

46 Sec. \_\_\_\_ . EFFECTIVE DATE. Section 100 of this  
47 division of this Act, relating to substance abuse  
48 treatment costs, being deemed of immediate importance,  
49 takes effect upon enactment."

50 34. Title page, line 1, by striking the words

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- 1 "state expenditure" and inserting the following:
  - 2 "public levy, expenditure,".
  - 3 35. By renumbering, relettering, or redesignating
  - 4 and correcting internal references as necessary.
- RECEIVED FROM THE HOUSE

S-5886 FILED MAY 1, 1996

CONCURRED

(p. 1594)



OFFICE OF THE GOVERNOR

STATE CAPITOL  
DES MOINES, IOWA 50319

515 281-5211

TERRY E. BRANSTAD  
GOVERNOR

May 30, 1996

The Honorable Paul Pate  
Secretary of State  
State Capitol Building  
LOCAL

RECEIVED

MAY 31 1996

LEGISLATIVE SERVICE  
BUREAU

Dear Mr. Secretary:

I hereby transmit Senate File 2470, an act relating to public levy, expenditure, and regulatory matters by making standing and other appropriations, and providing technical provisions, studies of runaway youth, physician utilization, and retirement system issues, and providing a penalty and effective dates.

Senate File 2470 is, therefore, approved on this date with the following exceptions, which I hereby disapprove.

I am unable to approve the items designated as Section 14, subsections 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 14, 15, 16, 17, 18 and 19, in their entirety. These items make numerous appropriations from a one-time source of fiscal year 1995 lottery funds. With the exception of subsection 2 which I have approved, all of this spending is for items beyond what was included in my budget recommendations. It is in the state's financial interest to keep spending as low as possible. In addition, many of these items are for ongoing expenses that are inappropriately funded from a one-time source. As a result of these item vetoes, total state spending will be reduced by \$2.1 million.

I am unable to approve the item designated as Section 17, in its entirety. This item would provide that, in determining the amount of lottery revenues to be transferred to the general fund each month, not more than \$1.5 million could be retained by the lottery fund. The Iowa Lottery, the Iowa Department of Justice and the State Auditor have all raised concerns about this language, suggesting the Iowa Lottery would be unable to pay prize winnings on a timely basis and possibly result in reporting negative retained earnings. Moreover, the Multi-State Lottery Association advises the Iowa Lottery would be expelled from the Multi-State Lottery Association and be prohibited from participating in Powerball, a

The Honorable Paul Pate  
May 30, 1996  
Page 2

\$1.25 billion per year sales organization headquartered in Iowa. As a result of this item veto, an estimated \$1.35 million of spending contained in Section 15 of this bill will not occur.

I am unable to approve the item designated as Section 41, in its entirety. This item would provide a fiscal year 1996 supplemental appropriation of \$200,000 for the State Hygienic Laboratory to conduct analyses of test samples for alcohol or controlled substances. This provision was added to the bill in anticipation of the passage of an employee drug testing bill. The bill did not pass and therefore the appropriation is unnecessary.

I am unable to approve the item designated as Section 53, in its entirety. This item provides a \$70,000 appropriation to the E911 communications council. This is spending beyond the level recommended in my budget.

I am unable to approve the item designated as Section 63, in its entirety. This item greatly expands the membership of county joint E911 boards at a time when most counties report difficulty in having a quorum of members present under the current membership requirements. Expanding membership to include political subdivisions that have no direct responsibilities for E911 services would reduce the ability of these service boards to carry out their duties, and for this reason should not be approved.

I am unable to approve the items designated as Sections 66, 67, 68 and 69, in their entirety. These items relate to a new runaway treatment program. According to the House Co-Chair of the Appropriations Committee, the funding for this program was struck, but the language creating the program was inadvertently left in the bill. Without the appropriation, the program provisions in Sections 66 through 69 are meaningless.

I am unable to approve the designated portions of Section 78, subsection 2, paragraph d. This item would impose a new wage requirement for all projects funded through the Community Economic Betterment Account (CEBA) Program. Ironically, the effect of this language would be to lower the wage requirement for eligibility in the larger cities and increase the wage requirement in rural areas where new jobs are most critically needed. It would damage development efforts in our rural areas while increasing the eligibility of lower wage projects in the more populous counties. The Department of Economic Development Board voted

The Honorable Paul Pate

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unanimously to oppose this provision and feels strongly it is not workable in its current form. The Board should be complimented on the progress it has made in raising the average wage of CEBA projects, and I am confident it will continue to make additional progress in the future.

I am unable to approve the item designated as Section 78, subsection 3, paragraph f, in its entirety. This item appropriates \$50,000 to councils of government for distribution on a per capita basis. This is spending beyond the level recommended in my budget.

I am unable to approve the designated portion of Section 78, subsection 5, paragraph a. This item earmarks \$100,000 from tourism operations for a grant program for annual community celebrations of Iowa's agricultural heritage. The practice of special-interest earmarking should be discouraged. As a result of this action, this \$100,000 will remain unspent and revert to the general fund at the end of the fiscal year that begins on July 1, 1996 and ends on June 30, 1997.

I am unable to approve the item designated as Section 83, in its entirety. This item requires the Iowa Seed Capital Corporation to cease making new investments and to transfer its portfolio to private sector management on June 30, 1997. I believe the Iowa Seed Capital Corporation needs to be reconfigured and moved to private sector management. However, the timetable provided in the bill may be too short to allow for adequate consideration of all options for accomplishing this change in a manner that best meets the full range of state objectives.

I am unable to approve the designated portion of Section 86, unnumbered and unlettered paragraph 1. This item would authorize the legislature to be involved in decisions relating to the staffing and organization of the Department of Workforce Development. Decisions concerning the personnel needs and structure of the department fall properly within the discretion of the director of the department. Legislative attempts to encroach into matters that are the prerogative of the executive branch cannot be approved.

I am unable to approve the designated portion of Section 86, subsection 7, paragraph a, unnumbered and unlettered subparagraph 1. This item would earmark \$800,000 from the youth conservation corps for a summer youth program in one city. The practice of special-interest earmarking should be



The Honorable Paul Pate  
May 30, 1996  
Page 4

discouraged. As a result of this action, this \$800,000 will remain unspent and revert to the general fund at the end of the fiscal year that begins on July 1, 1996 and ends on June 30, 1997.

I am unable to approve the items designated as Section 88, subsections 1 and 2, in their entirety. These items relate to the operations of workforce development centers and the management of workers' compensation hearings. These items would allow the legislative branch to interfere in decisions that are best made by the director of the Department of Workforce Development and for that reason, can not be approved.

For the above reasons, I 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 Senate File 2470 are hereby approved as of this date.

Sincerely,



Terry E. Branstad  
Governor

TEB/ps

cc: Secretary of the Senate  
Chief Clerk of the House

DIVISION I  
REVERSIONS

Section 1. Section 8.62, Code 1995, is amended to read as follows:

8.62 USE OF REVERSIONS.

1. For the purposes of this section, "operational appropriation" means an appropriation from the general fund of the state providing for salary, support, administrative expenses, or other personnel-related costs.

2. Notwithstanding the provisions of section 8.33 or any other provision of law to the contrary, if on June 30 of the fiscal years ending in 1995 and 1996 year, a balance of an operational appropriation remains unexpended or unencumbered, not more than fifty percent of the balance may be encumbered by the agency to which the appropriation was made and used as provided in this section and the remaining balance shall be deposited in the cash reserve fund created in section 8.56. Moneys encumbered under this section shall only be used by the agency during the succeeding fiscal year for employee training and for technology enhancement. Unused moneys encumbered under this section shall be deposited in the cash reserve fund on June 30 of the succeeding fiscal year.

3. On or before June 30, 1996 and 1997 of the fiscal year following the fiscal year in which funds were encumbered under this section, an agency encumbering funds under this section shall report to the joint appropriations subcommittee which recommends funding for the agency, the legislative fiscal bureau, the department of management, and the legislative fiscal committee of the legislative council detailing how the moneys were expended. Moneys shall not be encumbered under this section from an appropriation which received a transfer from another appropriation pursuant to section 8.39.

4. This section is repealed on September 1, 1997 1999.

Sec. 2. 1996 Iowa Acts, House File 2114, section 2, is amended by adding the following new unnumbered paragraph:

SENATE FILE 2470

AN ACT

RELATING TO PUBLIC LEVY, EXPENDITURE, AND REGULATORY MATTERS BY MAKING STANDING AND OTHER APPROPRIATIONS, AND PROVIDING TECHNICAL PROVISIONS, STUDIES OF RUNAWAY YOUTH, PHYSICIAN UTILIZATION, AND RETIREMENT SYSTEM ISSUES, AND PROVIDING A PENALTY AND EFFECTIVE DATES.

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

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NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33, moneys appropriated in this section which remain unexpended or unobligated at the close of the fiscal year shall not revert to the general fund of the state but shall remain available for expenditure in the succeeding fiscal year.

Sec. 3. EFFECTIVE DATE. Section 2 of this division of this Act, amending 1996 Iowa Acts, House File 2114, section 2, being deemed of immediate importance, takes effect upon enactment.

DIVISION II  
EDUCATION PROVISIONS

Sec. 4. Section 261.12, Code Supplement 1995, is amended by adding the following new subsection:

NEW SUBSECTION. 1A. The amount of a tuition grant to a qualified full-time student for the summer semester or trimester equivalent shall be one-half the amount of the tuition grant the student receives under subsection 1.

Sec. 5. Section 261.12, subsection 2, Code Supplement 1995, is amended to read as follows:

2. The amount of a tuition grant to a qualified part-time student enrolled in a course of study including at least three semester hours but fewer than twelve semester hours for the fall, and spring, and summer semesters, or the trimester or quarter equivalent, shall be equal to the amount of a tuition grant that would be paid to a full-time student times a number which represents the number of hours in which the part-time student is actually enrolled divided by twelve semester hours, or the trimester or quarter equivalent.

Sec. 6. Section 261.13, Code 1995, is amended to read as follows:

261.13 ANNUAL GRANT.

A tuition grant may be made annually for both the fall, and spring, and summer semesters or the trimester equivalent. Payments under the grant shall be allocated equally among the semesters or trimesters and shall be paid at the beginning of each semester or trimester upon certification by the accredited private institution that the student is admitted

and in attendance. If the student discontinues attendance before the end of any semester or trimester after receiving payment under the grant, the entire amount of any refund due that student, up to the amount of any payments made under the annual grant, shall be paid by the accredited private institution to the state.

Sec. 7. Section 279.51, subsection 1, unnumbered paragraph 1, Code Supplement 1995, is amended to read as follows:

There is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 1990 1996, and each succeeding fiscal year, the sum of eight fourteen million seven five hundred twenty thousand dollars. ~~For each fiscal year beginning on or after July 17 1995 there is appropriated the sum which was appropriated for the fiscal year commencing July 17 1994.~~

Sec. 8. Section 279.51, subsection 1, paragraphs b, c, d, e, and f, Code Supplement 1995, are amended to read as follows:

b. For the fiscal year beginning July 1, 1990 1996, ~~four million six hundred twenty-five thousand dollars,~~ and for each succeeding fiscal year thereafter, six seven million one six hundred twenty-five seventy thousand dollars of the funds appropriated shall be allocated to the child development coordinating council established in chapter 256A for the purposes set out in subsection 2 of this section and section 256A.3.

c. For each of the fiscal years during the fiscal period beginning July 1, 1994 1996, and ending June 30, 1998, two million eight hundred thousand dollars of the funds appropriated shall be allocated for the school-based youth services education program established in subsection 3. For each of the fiscal years during the fiscal period beginning July 1, 1994, and ending June 30, 1998, twenty thousand dollars of the funds allocated under in this paragraph shall be expended for staff development, research, and the development of strategies for coordination with community-based youth organizations and agencies. A school that

received a grant during the fiscal year beginning July 1, 1993, is ineligible to receive a grant under this paragraph. Subject to the approval of the state board of education, the allocation made in this paragraph may be renewed for additional four-year periods of time.

d. For the fiscal year beginning July 1, 1990 1996, ~~three million dollars~~, and for each fiscal year thereafter, ~~four three million~~ five hundred thousand 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.

~~e. --Additional funds available under this subsection as a result of additional growth provided to the appropriation in subsection 1 shall be distributed equally between paragraphs "b" and "d".~~

~~f. e.~~ For Notwithstanding paragraph "c", for each of the fiscal years during the fiscal period beginning July 1, 1994, and ending June 30, 1998, fifty thousand dollars of the funds appropriated allocated in paragraph "c" shall be granted to each of the four schools that received grants under subsection 3 during the fiscal year beginning July 1, 1993, to allow for expansion and to include identified minimum services if the school submits a program plan pursuant to subsection 3.

Sec. 9. Section 279.51, subsection 1, paragraph g, Code Supplement 1995, is amended by striking the paragraph and inserting in lieu thereof the following:

g. Notwithstanding section 256A.3, subsection 6, of the amount appropriated in this subsection for the fiscal year beginning July 1, 1996, and for each succeeding fiscal year, two and one-fourth percent may be used for administrative costs. Any reduction of an allocation under this subsection as necessary to fund the provisions of this paragraph shall be made from the allocation in paragraph "b".

Sec. 10. Section 279.51, subsection 1, unnumbered paragraphs 3 and 4, Code Supplement 1995, are amended by striking the unnumbered paragraphs.

DIVISION III

CLAIMS AGAINST THE STATE

Sec. 11. CLAIMS APPROPRIATION. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1995, and ending June 30, 1996, to the following persons the indicated amount in full settlement of the claim filed by the person against the state of Iowa:

- 1. To Gordon Eklund for claim number G95-1326, relating to an agricultural land credit refund:  
..... \$ 22,697.00
- 2. To William Broeker for claim number G95-2940, relating to a license refund:  
..... \$ 114.00
- 3. To Ann and Bill Broeker for claim number G95-2941, relating to a license refund:  
..... \$ 85.36
- 4. To Clyde Dalbey for a claim relating to an individual income tax refund:  
..... \$ 1,922.39
- 5. To Cecil Travis of Ankeny for a claim relating to a mobile home use tax refund:  
..... \$ 420.00

Sec. 12. DISAPPROVAL OF CLAIMS. The general assembly disapproves of all other claims submitted and considered by the claims committees of the senate and house of representatives as of April 22, 1996.

Sec. 13. EFFECTIVE DATE. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION IV  
LOTTERY TRANSFER

Sec. 14. EXCESS LOTTERY REVENUES -- FISCAL YEAR 1994-1995. Of the lottery revenues received during the fiscal year beginning July 1, 1994, which remain in the lottery fund following the transfers made pursuant to 1995 Iowa Acts, chapter 220, section 16, the following amounts are appropriated for use during the fiscal period beginning July 1, 1996, and ending June 30, 1998, as follows:

1. To the Iowa agricultural development authority to support the establishment of an agri-entrepreneurship education project to provide beginning agriculturists with an opportunity to gain experience in owning or operating agriculture-related businesses through entrepreneurship loans to future farmers of America chapters or other organizations administering secondary education-related agricultural programs:

*Vetoed*

..... \$ 100,000

2. To the department of education for contracting with the Iowa alliance for arts education to execute the local arts comprehensive educational strategies program:

..... \$ 125,000

3. To the department of natural resources, to be combined with local matched funding of two dollars for every one state dollar, for repair and replacement costs associated with the spillway at Hickory Grove lake:

..... \$ 150,000

4. To the department of elder affairs for transfer to the Hawkeye area agency on aging to be used for a grant for a summer youth program:

..... \$ 10,000

5. To the department of cultural affairs to be used for restoration of the Louis Sullivan building in Algona:

..... \$ 25,000

*Veto*

6. To the department of agriculture and land stewardship for support of the Iowa cooperative foundation:

..... \$ 100,000

The moneys appropriated in this subsection shall be utilized for purposes of providing information, technical assistance, coordination, and legal advice to groups of farmers who desire to create a value-added cooperative. The primary goal shall be to assist the successful development of such cooperatives while minimizing the risks to the farmers involved.

7. To the state board of regents for an addition to the Iowa lakeside laboratory for costs of fixing a sewage line, expanding a phone system, and installing a natural gas pipeline:

..... \$ 70,000

8. To the department of economic development, in consultation with the department of cultural affairs, to be used for community grants related to historical and cultural preservation, including projects involving railroads, and related to the Iowa Sesquicentennial:

..... \$ 250,000

Not more than \$50,000 shall be provided for any community grant.

9. To the department of natural resources to be used for grants to communities for purchase or replacement of playground equipment:

..... \$ 250,000

10. To the department of transportation to be used for a grant to Boone county for costs associated with paving of Arboretum road:

..... \$ 50,000

11. To the department of natural resources, to be combined with local matching funding of two dollars for every one state dollar, for the costs of dredging at Crystal lake in Hancock county:

..... \$ 200,000

*NOT Vetoed*

12. To the department of natural resources for purposes of continuing natural lake preservation efforts:

..... \$ 100,000

*Veto*

The department shall award the amount transferred in this subsection to a city as defined in section 362.2. The department shall award the amount on a matching basis with the department contributing one dollar for each one dollar dedicated by the city, or the city acting in conjunction with a county, regardless of the source from which the city or county obtains the money, for the continuation of natural lake preservation efforts, if the city or county has previously received state funding for such purposes. However, the city, or the city and county, must have dedicated at least \$100,000 of local funds in order to qualify for the award. The city must also be located in a county having a population of less than 12,000.

13. To the department of education for continuation of a grant to Southeast Polk community school district to implement an interagency coalition strategy combining education, health, and social services in addressing the problems of children and families through school-linked services:

..... \$ 60,000

14. To the department of human services to be used for grants as provided in this subsection:

..... \$ 100,000

*Veto*

The funds appropriated in this subsection shall be used for grants to community or regional groups to develop at least five regional demonstration projects for youth between the ages of 13 and 17, to develop specific vocational skills through work-based learning experiences, with job placement as the ultimate goal. The programs shall include activities which assist the participant in developing basic academic, training, personal, interpersonal, and other occupational skills. Grants shall be awarded in a manner so that the projects are geographically representative of the state and are located in both rural and urban areas.

15. To the department of natural resources to be used for grants to assist local communities with removal of waste tires from facilities located within a city's limits:

..... \$ 150,000

16. To the community grant fund established under section 232.190, to be allocated by the division of criminal and juvenile justice planning of the department of human rights for a grant to an urban facility whose primary function is to provide shelter services for runaways ages 11 through 17:

..... \$ 150,000

17. To the department of cultural affairs for a grant to be combined with local match funding of one dollar for every one state dollar to be used for the Heartland Discovery Center:

..... \$ 100,000

18. To the department of natural resources for purposes of creating, improving, or enhancing recreational opportunities directly related to the restoration and development of lake Ahquabi and related facilities:

..... \$ 100,000

19. To the department of economic development for a grant for completion of the Cherokee area rural economic development center in Cherokee:

..... \$ 150,000

Notwithstanding section 8.33, moneys appropriated in accordance with this section shall not revert to the lottery fund at the close of the fiscal year beginning July 1, 1996, but shall remain available for expenditure for the purposes designated. Unless otherwise provided in this section, moneys appropriated in this section which remain unobligated or unexpended for the purpose designated shall revert at the close of the succeeding fiscal year.

Sec. 15. EXCESS LOTTERY REVENUES -- FISCAL YEAR 1995-1996. Notwithstanding 1995 Iowa Acts, chapter 220, section 15, of the lottery revenues remaining after \$42,200,000 is transferred and credited to the general fund of the state during the fiscal year beginning July 1, 1995, the following

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amounts shall be transferred and appropriated in descending priority order for use during the fiscal period beginning July 1, 1995, and ending June 30, 1998, as follows:

- 1. To the treasurer of state for the continued funding of Iowa's participation in the funding of the world food prize:
  - ..... \$ 250,000

It is the intent of the general assembly that this appropriation of public funds will result in a commitment for additional funding for the world food prize from private sources.

The treasurer of state shall only provide the funds appropriated in this section to the world food prize foundation if sufficient private funds are raised to maintain the world food prize foundation in Iowa and the foundation is structured to include representation that reflects environmental concerns and sustainable agriculture.

- 2. To the department of natural resources for a grant to the city of Sioux City for expenses associated with the Perry creek flood control and greenway project:
  - ..... \$ 100,000

- 3. To the department of cultural affairs for design and construction of a gothic house visitors center in Eldon, Iowa:
  - ..... \$ 200,000

- 4. To the department of natural resources to be used for a grant to a city with a population of more than 200,000 to be used for costs associated with the development of the Riverview Nature Island environmental education project:
  - ..... \$ 50,000

- 5. To the Iowa department of public health for the period beginning July 1, 1996, and ending June 30, 1998, to be used for purposes of supporting a program to assist counties in testing private wells and waters of the state for pollution caused by confinement feeding operations:
  - ..... \$ 50,000

From moneys appropriated in this subsection, the department shall support testing programs administered by counties which may submit an application to the department to participate in

the state assistance program, as provided by the department. The county shall perform testing within a test area. As used in this subsection, "test area" means an area within a two-mile radius of any structure used to store manure which is part of a confinement feeding operation. Iowa state university of science and technology shall adopt necessary standards, protocols, and criteria for testing by counties. The program shall be administered within each participating county by the county's board of health or the board's designee. The testing may be performed with volunteer assistance. However, all testing shall be performed under the supervision of a county official. The samples of the testing shall be analyzed by the state hygienic laboratory at the state university of Iowa. All moneys available under this subsection shall only be used for the following purposes:

- a. Analyzing test samples by the state hygienic laboratory.
- b. Performing tests by counties. However, not more than \$50 of the moneys available to a county under this subsection shall be used to pay for administering testing by the county within any test area, including labor and equipment costs, regardless of the number of tests performed by the county within the test area.

- 6. To the department of cultural affairs to be used for trail development at Blood Run national historic landmark:
  - ..... \$ 75,000

- 7. To the department of economic development for operation and support of the Dows welcome center:
  - ..... \$ 5,000

- 8. To the state department of transportation for the city of Durant to construct a curb on highway 927:
  - ..... \$ 100,000

- 9. To the department of economic development for operation and support of the north and south gateway welcome centers on I-35:
  - ..... \$ 20,000

16. To the department of commerce for the insurance division to continue the senior health insurance information program:

..... \$ 75,000

17. To the department of elder affairs for the older Iowans' legislature:

..... \$ 15,000

18. To the department of natural resources for testing of animal feeding operations and their structures, in accordance with this subsection:

..... \$ 185,000

The department of natural resources shall utilize the moneys appropriated in this subsection to perform testing of animal feeding operations and their structures, including confinement feeding operations and confinement feeding operation structures all as defined in section 455B.161, and manure management and disposal systems used by such operations. The operations and their structures or systems must have been constructed or installed on or before July 1, 1985. The testing shall be for the purpose of determining the extent to which operations and their structures and manure management and disposal systems contribute to point and nonpoint contamination of the state's groundwater and surface water. A person owning or operating an animal feeding operation may cooperate with the department in carrying out this subsection. The identity of the animal feeding operations shall be confidential and not subject to chapter 22. The findings of the testing shall not be used in a case or proceeding brought against a person based upon a violation of state law. The department shall report its findings and recommendations to the general assembly not later than January 15, 1998.

Notwithstanding section 8.33, moneys transferred and appropriated in accordance with this section shall not revert at the close of the fiscal years beginning July 1, 1995, and July 1, 1996, but shall remain available for expenditure for the purposes designated. Unless otherwise provided in this

10. To the department of cultural affairs for the restoration of the Heisermann memorial library in West Union:

..... \$ 100,000

Funds under this subsection shall be available upon a local match of two dollars for each one dollar of state moneys.

11. For the renovation of historical electric cars and the payment of renovation expenses incurred by the Mason City-Clear Lake electric trolley railroad historical society conditioned upon \$75,000 in local matching funds being raised:

..... \$ 100,000

12. To the department of education for allocation to Hawkeye community college for purposes of renovating the Martin Luther King building for use as an urban center with classrooms to prepare students for the workplace or to pursue postsecondary education:

..... \$ 100,000

13. To the department of economic development for a grant to America's agricultural/industrial heritage landscape, inc. for purchase, continued rehabilitation, and development of tourist information services at the national heritage orientation center and public market:

..... \$ 100,000

It is the intent of the general assembly that the project funded under this subsection which is located at the former Chicago great western railway freight station shall continue to serve as a pilot project for comprehensive regional economic development through agricultural heritage tourism.

14. To the department of cultural affairs for a grant to be combined with local match funding of one dollar for every one state dollar to be used for an area science center in Iowa City:

..... \$ 25,000

15. To the department of cultural affairs for a grant to be combined with local match funding of two dollars for every one state dollar to be used for costs associated with establishment of the Iowa fire fighters memorial:

..... \$ 50,000



section, moneys transferred in this section which remain unobligated or unexpended for the purpose designated shall revert at the close of the fiscal year beginning July 1, 1997, and ending June 30, 1998.

Sec. 16. LOTTERY REVENUE TRANSFER -- FISCAL YEAR 1996-1997. Notwithstanding the requirement in section 99E.10, subsection 1, to transfer lottery revenue remaining after expenses are deducted, notwithstanding the requirement under section 99E.20, subsection 2, for the commissioner to certify and transfer a portion of the lottery fund to the CLEAN fund, and notwithstanding the appropriations and allocations in section 99E.34, all lottery revenues received during the fiscal year beginning July 1, 1996, and ending June 30, 1997, after deductions as provided in section 99E.10, subsection 1, and as appropriated under any Act of the Seventy-sixth General Assembly, 1996 Session, shall not be transferred to and deposited into the CLEAN fund but shall be transferred and credited to the general fund of the state.

Sec. 17. Section 99E.10, subsection 1, Code 1995, is amended by adding the following new unnumbered paragraph:  
NEW UNNUMBERED PARAGRAPH. Notwithstanding any other provision, in determining the amount of lottery revenues to be transferred in a specific month as provided by law, not more than one million five hundred thousand dollars may be retained by the lottery fund.

*Wetland*

Sec. 18. EFFECTIVE DATE. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION V

TECHNICAL AMENDMENTS

Sec. 19. Section 88B.4, subsection 4, as enacted by 1996 Iowa Acts, House File 2308, section 4, is amended to read as follows:

4. The permittee shall keep a record containing information of each asbestos project it performs and shall make the record available to the division at any reasonable time. Records shall contain information and be kept for a time prescribed in rules adopted by the division.

Sec. 20. Section 147.1, subsection 3, Code Supplement 1995, as amended by 1996 Iowa Acts, Senate File 2013, section 4, is amended to read as follows:

3. "Licensed" or "certified" when applied to a physician and surgeon, podiatric physician, osteopath, osteopathic physician and surgeon, physician assistant, psychologist or associate psychologist, chiropractor, nurse, dentist, dental hygienist, optometrist, speech pathologist, audiologist, pharmacist, physical therapist, occupational therapist, respiratory care practitioner, practitioner of cosmetology arts and sciences, practitioner of barbering, funeral director, dietitian, marital and family therapist, mental health counselor, or social worker means a person licensed under this subtitle, excluding chapters 152B, 152C, and 152D.

Sec. 21. Section 321.34, subsection 27, paragraph b, as enacted by 1996 Iowa Acts, House File 514, section 4, is amended to read as follows:

b. The special Iowa heritage fee for letter number designated plates is thirty-five dollars. The special fee for personalized Iowa heritage plates is twenty-five dollars which shall be paid in addition to the special fee of thirty-five dollars. The special fee The annual special Iowa heritage fee is ten dollars for letter number designated registration plates and is fifteen dollars for personalized registration plates which shall be paid in addition to the regular annual registration fee.

Sec. 22. Section 321.34, subsection 28, paragraphs a and b, as enacted by 1996 Iowa Acts, House File 514, section 4, are amended by striking the paragraphs and inserting in lieu thereof the following:

a. An owner referred to in subsection 18, upon written application to the department, may order special registration plates with an education emblem. The education emblem shall be designed by the department in cooperation with the department of education.

Sec. 23. Section 321.34, subsection 28, paragraph c, as enacted by 1996 Iowa Acts, House File 514, section 4, is amended to read as follows:

e. b. The special school transportation fee for letter number designated education plates is thirty-five dollars. The fee for personalized education plates is twenty-five dollars, which shall be paid in addition to the special school transportation fee of thirty-five dollars. The annual special school transportation fee is ten dollars for letter number designated registration plates and is fifteen dollars for personalized registration plates which shall be paid in addition to the regular annual registration fee. The fees collected by the director under this subsection shall be paid monthly to the treasurer of state and credited to the road use tax fund. Notwithstanding section 423.24, and prior to the crediting of revenues to the road use tax fund under section 423.24, subsection 1, paragraph "d", the treasurer of state shall transfer monthly from those revenues to the school budget review committee in accordance with section 257.31, subsection 16 17, the amount of the special school transportation fees collected in the previous month for the education plates.

Sec. 24. Section 321.34, subsection 28, paragraph d, as enacted by 1996 Iowa Acts, House File 514, section 4, is amended by striking the paragraph.

Sec. 25. Section 321.166, subsection 2, Code 1995, as amended by 1996 Iowa Acts, Senate File 2266, section 7, is amended to read as follows:

2. Every registration plate or pair of plates shall display a registration plate number which shall consist of alphabetical or numerical characters or a combination thereof and the name of this state, which may be abbreviated. Every registration plate issued by the county treasurer shall display the name of the county including any plate issued pursuant to section 321.34, except Pearl Harbor, and purple heart registration plates issued prior to January 1, 1997, and collegiate, fire fighter, and congressional medal of honor registration plates. Special truck registration plates shall display the word "special".

Sec. 26. Section 321.457, subsection 2, paragraph f, Code 1995, as amended by 1996 Iowa Acts, House File 2066, section 1, is amended to read as follows:

f. A motor vehicle or combination of vehicles may be operated upon the highways of this state, irrespective of the length and weight limitations imposed by the laws of this state, if the motor vehicle or combination of vehicles is operated within the corporate limits of a city abutting a border of this state and such operations have been approved by ordinance of the city council and if the length and weight of the motor vehicle or combination of vehicles is in conformity with the laws relating to length and weight of the abutting state. If a city council has authorized such operation upon highways within the corporate limits, then the limit of travel for such motor vehicles or combination of vehicles within the state is extended to the commercial zones as described by federal regulations concerning interstate commerce, 49 C.F.R. § 1048.101 and to the interstate system as provided in 23 U.S.C. § 127 and 49 U.S.C. § 31112(c), as amended by 1995 Pub. L. No. 104-59.

Sec. 27. Section 422.5, subsection 1, paragraph j, subparagraph (2), subparagraph subdivision (b), if enacted by 1996 Iowa Acts, Senate File 2449, is amended to read as follows:

(b) This subparagraph shall not affect the amount of the taxpayer's checkoff to the Iowa election campaign fund under section 56.18, the checkoff for the fish and game fund in section ~~107-16~~ 456A.16, the credits from tax provided in sections 422.10, 422.11A, and 422.12 and the allocation of these credits between spouses if the taxpayers filed separate returns or separately on combined returns.

Sec. 28. Section 533.4, subsection 1, Code 1995, as amended by 1996 Iowa Acts, Senate File 376, section 1, is amended to read as follows:

1. Receive from its members, nonmembers as prescribed by rule where the credit union is serving predominantly low-income members, other credit unions, and federal, state,

county, and city governments, as payments on shares or as deposits. Rules adopted allowing nonmember deposits in credit unions serving predominantly low-income members shall be designed solely to meet the needs of the low-income members.

Sec. 29. Section 542B.27, as enacted by 1996 Iowa Acts, House File 2318, section 2, is amended to read as follows:  
542B.27 CIVIL PENALTY.

1. a- In addition to any other penalties provided for in this section, the board may by order impose a civil penalty upon a person who is not registered licensed under this chapter as a professional engineer or a land surveyor and who does any of the following:

- {1} a. Engages in or offers to engage in the practice of professional engineering or land surveying.
- {2} b. Uses or employs the words "professional engineer" or "land surveyor", or implies authorization to provide or offer professional engineering or land surveying services, or otherwise uses or advertises any title, word, figure, sign, card, advertisement, or other symbol or description tending to convey the impression that the person is a professional engineer or land surveyor or is engaged in the practice of professional engineering or land surveying.
- {3} c. Presents or attempts to use the certificate of registration licensure or the seal of a professional engineer or land surveyor.
- {4} d. Gives false or forged evidence of any kind to the board or any member of the board in obtaining or attempting to obtain a certificate of registration licensure.
- {5} e. Falsely impersonates any registered licensed professional engineer or land surveyor.
- {6} f. Uses or attempts to use an expired, suspended, revoked, or nonexistent certificate of registration licensure.
- {7} g. Knowingly aids or abets an unregistered unlicensed person who engages in any activity identified in this paragraph subsection.

b- 2. A civil penalty imposed shall not exceed one thousand dollars for each offense. Each day of a continued violation constitutes a separate offense.

e- 3. In determining the amount of a civil penalty to be imposed, the board may consider any of the following:

- {1} a. Whether the amount imposed will be a substantial economic deterrent to the violation.
- {2} b. The circumstances leading to the violation.
- {3} c. The severity of the violation and the risk of harm to the public.
- {4} d. The economic benefits gained by the violator as a result of noncompliance.
- {5} e. The interest of the public.

d- 4. Before issuing an order under this section, the board shall provide the person written notice and the opportunity to request a hearing on the record. The hearing must be requested within thirty days of the issuance of the notice and shall be conducted in the same manner as provided in section 542B.22.

e- 5. The board, in connection with a proceeding under this subsection section, may issue subpoenas to compel the attendance and testimony of witnesses and the disclosure of evidence, and may request the attorney general to bring an action to enforce the subpoena.

f- 6. A person aggrieved by the imposition of a civil penalty under this subsection section may seek judicial review in accordance with section 17A.19.

g- 7. If a person fails to pay a civil penalty within thirty days after entry of an order under paragraph-"a" subsection 1, or if the order is stayed pending an appeal within ten days after the court enters a final judgment in favor of the board, the board shall notify the attorney general. The attorney general may commence an action to recover the amount of the penalty, including reasonable attorney's fees and costs.

h- 8. An action to enforce an order under this section may be joined with an action for an injunction.

Sec. 30. NEW SECTION. 554.8116 SECURITIES INTERMEDIARY AS PURCHASER FOR VALUE.

A securities intermediary that receives a financial asset and establishes a security entitlement to the financial asset in favor of an entitlement holder is a purchaser for value of the financial asset. A securities intermediary that acquires a security entitlement to a financial asset from another securities intermediary acquires the security entitlement for value if the securities intermediary acquiring the security entitlement establishes a security entitlement to the financial asset in favor of an entitlement holder.

Sec. 31. Section 607A.3, subsection 2A, as enacted by 1996 Iowa Acts, Senate File 2207, section 1, is amended to read as follows:

2A. "Disabled Person with a disability" means a person who is not physically able to operate a motor vehicle or use public transportation without assistance due to a physical disability.

Sec. 32. Section 607A.8, Code 1995, as amended by 1996 Iowa Acts, Senate File 2207, section 2, is amended to read as follows:

607A.8 FEES AND EXPENSES FOR JURORS.

Grand jurors and petit jurors in all courts shall receive ten dollars as compensation for each day's service or attendance, including attendance required for the purpose of being considered for service, reimbursement for mileage expenses at the rate specified in section 602.1509 for each mile traveled each day to and from their residences to the place of service or attendance, and reimbursement for actual expenses of parking, as determined by the clerk. A juror who is disabled a person with a disability may receive reimbursement for the costs of alternate transportation from the disabled juror's residence to the place of service or attendance. A juror shall not receive reimbursement for mileage expenses or actual expenses of parking when the juror travels in a vehicle for which another juror is receiving reimbursement for mileage and parking expenses.

Sec. 33. Section 910A.9A, Code Supplement 1995, as amended by 1996 Iowa Acts, Senate File 2080, section 67, is amended to read as follows:

910A.9A NOTIFICATION BY DEPARTMENT OF HUMAN SERVICES.

The department of human services shall notify a victim registered with the department, regarding a juvenile adjudicated delinquent for a violent crime, committed to the custody of the department of human services, and placed at the state training school at Eldora or Toledo, ~~or regarding a person determined to be a sexually-violent-predator under chapter 709E, and committed to the custody of the department of human services,~~ of the following:

1. The date on which the juvenile ~~or-sexually-violent predator~~ is expected to be temporarily released from the custody of the department of human services, and whether the juvenile ~~or-sexually-violent-predator~~ is expected to return to the community where the registered victim resides.

2. The juvenile's ~~or-the-sexually-violent-predator's~~ escape from custody.

3. The recommendation by the department to consider the juvenile ~~or-sexually-violent-predator~~ for release or placement.

4. The date on which the juvenile ~~or-sexually-violent predator~~ is expected to be released from a facility pursuant to a plan of placement.

Sec. 34. 1996 Iowa Acts, Senate File 2348, section 15, subsection 1, is amended to read as follows:

1. Except as provided in subsection 2, this Act takes effect on January 1, 1997. However, until January 1, 1998, a person holding an inventory of packaged agricultural liming material on January 1, 1997, may continue to sell that inventory as labeled under chapter 201 as the chapter existed on December 31, ~~1997~~ 1996.

Sec. 35. INSTITUTE REFERENCE. The reference to the "institute of public leadership" in 1996 Iowa Acts, House File 2477, section 12, subsection 3, paragraph "a", if enacted, means the Iowa institute for public leadership.

Sec. 36. 1996 Iowa Acts, House File 2306, section 1, subsection 2, is amended to read as follows:

2. This section applies to ~~artificial-lakes~~ Big Creek lake from May 24, 1996, through September 2, 1996, both dates inclusive.

Sec. 37. VERTICAL INFRASTRUCTURE TASK FORCE. Notwithstanding the membership specified for the vertical infrastructure definition task force as created in 1996 Iowa Acts, House File 2421, if enacted, a representative from the national electrical contractors association, Iowa chapter, shall be a member of the task force rather than a representative from the Iowa chapter, national electrical association.

Sec. 38. 1996 Iowa Acts, Senate File 2080, section 62, is repealed.

Sec. 39. 1996 Iowa Acts, Senate File 2351, section 3, amending section 15.343, subsection 1, paragraph "c", Code Supplement 1995, is repealed.

Sec. 40. EFFECTIVE DATE. Section 554.8116, as enacted in this Act, takes effect July 1, 1997.

DIVISION VI

STATE APPROPRIATIONS FOR FY 1995-1996

Sec. 41. STATE HYGIENIC LABORATORY. There is appropriated from the general fund of the state to the state board of regents for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amount, or so much thereof as is necessary, to be used by the state hygienic laboratory at the state university of Iowa for the purpose designated:

For conducting analyses of test samples for alcohol or illegal controlled substances:  
..... \$ 200,000

*Retraced*

Sec. 42. SENATE FILE 13. There is appropriated from the general fund of the state to the Iowa department of public health for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For expenditures relating to the establishment of a prospective minor parents decision-making assistance program in accordance with chapter 135L, as enacted by 1996 Iowa Acts, Senate File 13:

..... \$ 200,000

Sec. 43. STATEWIDE FIRE AND POLICE RETIREMENT SYSTEM -- VOLUNTARY BENEFIT PROGRAMS. There is appropriated from the general fund of the state to the statewide fire and police retirement system established in chapter 411, for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For implementation of voluntary benefit programs as provided in 1996 Iowa Acts, Senate File 2245, if enacted:  
..... \$ 75,000

It is the intent of the general assembly that the statewide fire and police retirement system shall reimburse the general fund of the state for the appropriation provided by this section from contributions to the voluntary benefit fund, as established in 1996 Iowa Acts, Senate File 2245, if enacted.

Sec. 44. RELOCATION. There is appropriated from the general fund of the state to the department of general services for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For relocation of offices and other transition costs associated with renovation of the Lucas state office building and the old historical building:  
..... \$ 300,000

Sec. 45. STATE PUBLIC DEFENDER. There is appropriated from the general fund of the state to the office of the state public defender of the department of inspections and appeals for the fiscal year beginning July 1, 1995, and ending June 30, 1996, to supplement the appropriation made in 1995 Iowa Acts, chapter 207, section 16, subsection 2, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For court-appointed attorney fees for indigent adults and juveniles, as specified in law by the general assembly:  
..... \$ 6,400,000

Sec. 46. DEPARTMENT OF HUMAN SERVICES -- LOCAL PURCHASE. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For replacement of federal social services block grant funding allocated in 1995 Iowa Acts, chapter 208, section 10, subsection 3, paragraphs "d" and "g", and subsequently reduced by the federal government, for local administrative costs and other local services and for local purchase of services for persons with mental illness or mental retardation or other developmental disability:  
..... \$ 1,600,000

Sec. 47. DEPARTMENT OF HUMAN SERVICES -- SPECIAL AUTHORIZATION. Notwithstanding sections 8.33 and 8.62, and any other provision of law to the contrary, not more than \$2,200,000 of moneys appropriated to the department of human services for the fiscal year beginning July 1, 1995, and ending June 30, 1996, which remain unobligated or unexpended shall not revert to the fund from which appropriated but shall remain available in the succeeding fiscal year for use as follows:

- 1. For the adolescent tracking and monitoring program, \$1,200,000.
- 2. For upgrading computer hardware, \$1,000,000.

If the actual amount of moneys available pursuant to this section is less than \$2,200,000, the department shall prorate the actual amount based upon the relative amounts allocated in subsections 1 and 2.

Sec. 48. NONREVERSION. Notwithstanding section 8.33, unobligated moneys remaining on June 30, 1996, from moneys appropriated pursuant to this division of this Act shall not revert but shall be available for expenditure for the following fiscal year for the purposes for which appropriated.

Sec. 49. PUBLIC EMPLOYEES' RETIREMENT SYSTEM -- DEFINED CONTRIBUTION OPTION. There is appropriated from the Iowa public employees' retirement fund to the Iowa public employees' retirement system for the fiscal year beginning July 1, 1996, and ending June 30, 1997, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

- 1. For costs associated with studies and reports required in 1996 Iowa Acts, Senate File 2245, if enacted:  
..... \$ 60,000
- 2. For costs associated with the development of a proposal for establishing a defined contribution option under the Iowa public employees' retirement system in accordance with the provisions of this subsection:  
..... \$ 25,000

The Iowa public employees' retirement system, in consultation with the public retirement systems committee established in section 97D.4, shall develop a proposal concerning various alternatives for establishing a defined contribution option for members of the Iowa public employees' retirement system. On or before September 1, 1997, the system shall file a report with the legislative service bureau, for distribution to the public retirement systems committee, which contains a proposal, or proposals, for establishing a defined contribution option. The report shall also contain actuarial information concerning the costs of the proposal or proposals.

Sec. 50. VALUE-ADDED AGRICULTURAL PRODUCTS. Notwithstanding contrary provisions of sections 15E.111 and 15E.112 and related eligibility requirements for participation in the value-added agricultural products and processes financial assistance program, for the fiscal year beginning July 1, 1996, and ending June 30, 1997, the department of economic development shall allocate not more than \$700,000 from the value-added agricultural products and processes financial assistance fund for use in planning, marketing, or constructing a new state-of-the-art beef processing facility to be located in southwest Iowa.

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Sec. 51. COMMUNICATIONS SERVICES REGULATION. There is appropriated from the general fund of the state to the department of commerce for the fiscal year beginning July 1, 1996, and ending June 30, 1997, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For consulting services to assist the utilities board with implementation of 1995 Iowa Acts, chapter 199, to assist in the regulatory transition of the communications industry, and for implementation of the federal Telecommunications Act of 1996, Pub. L. No. 104-104:

..... \$ 120,000

The utilities division shall recover the moneys appropriated in this section pursuant to the assessment procedures in section 476.10.

Sec. 52. PHYSICIAN UTILIZATION STUDY. There is appropriated from the general fund of the state to the insurance division of the department of commerce for the fiscal year beginning July 1, 1996, and ending June 30, 1997, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For a study of physician utilization in accordance with this section:

..... \$ 25,000

1. As part of the study, the commissioner of insurance shall conduct a review of existing research and literature regarding the utilization of various types of physicians, as defined in section 135.1, in individual, small group, and managed care settings. The study shall determine the costs and effectiveness of including under individual and small group health care reforms certain forms of treatment and methodologies utilized by types of physicians which are not currently included under the reforms.

2. The commissioner of insurance shall submit a final report and recommendations, including proposed rules changes, to the general assembly on or before January 2, 1997.

*Vetoed*

Sec. 53. E911 COMMUNICATIONS COUNCIL. There is appropriated from the general fund of the state to the E911 communications council for the fiscal year beginning July 1, 1996, and ending June 30, 1997, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For the implementation, support, and maintenance of the E911 communications council established pursuant to section 34A.15 as enacted by this Act:

..... \$ 70,000

Sec. 54. GOVERNOR. There is appropriated from the general fund of the state to the office of the governor for the fiscal year beginning July 1, 1996, and ending June 30, 1997, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For use of the office of the governor:

..... \$ 25,000

The appropriation in this section is in addition to any other appropriation made for the use of the office of the governor.

Sec. 55. WORKFORCE DEVELOPMENT FUND. There is appropriated from the workforce development fund account, as established in 1996 Iowa Acts, Senate File 2351, section 1, for the fiscal year beginning July 1, 1996, and ending June 30, 1997, to the workforce development fund created in section 15.343, the following amount for the purposes of the workforce development fund:

..... \$ 3,152,000

Sec. 56. DEPARTMENT OF INSPECTIONS AND APPEALS.

1. The investigations division of the department of inspections and appeals is authorized 1.00 FTE for the fiscal year beginning July 1, 1996, and ending June 30, 1997. This authorization of 1.00 FTE is in addition to the number of full-time equivalent positions authorized the investigations division in 1996 Iowa Acts, House File 2416, section 8, subsection 4.

2. There is appropriated from the general fund of the state to the racing and gaming commission of the department of inspections and appeals for the fiscal year beginning July 1, 1996, and ending June 30, 1997, 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 administration and enforcement of the excursion boat gambling laws, and for not more than the following full-time equivalent position:	
.....	\$ 39,804
.....FTEs	1.00

The appropriation and full-time equivalent position authorization provided in this subsection is in addition to the appropriation and full-time equivalent position authorization provided in 1996 Iowa Acts, House File 2416, section 10.

Sec. 57. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP. The department of agriculture and land stewardship shall utilize not more than \$82,000 of the moneys appropriated to the department's administrative division in 1996 Iowa Acts, Senate File 2446, section 1, subsection 1, if enacted, for the acquisition of laboratory equipment, including but not limited to a rapid fat analyzer and a nitrogen protein combustion analyzer.

Sec. 58. DEPARTMENT OF HUMAN SERVICES CONTINGENT REDUCTION. Notwithstanding contrary provisions of section 8.41, subsection 3, as enacted by 1996 Iowa Acts, House File 2256, if during the fiscal year beginning July 1, 1996, the department of human services receives federal funding for child day care assistance which is unanticipated and has not been budgeted, the funding shall be used as provided in 1996 Iowa Acts, Senate File 2442, section 6, if enacted, and the appropriation in that section is, reduced by up to an equivalent amount, to the extent that federal funding for child day care is not jeopardized by the reduction of the appropriation in that section.

Sec. 59. GROUP FOSTER CARE TARGET. Notwithstanding 1996 Iowa Acts, Senate File 2442, section 10, subsection 2, paragraph "a", if enacted, the amount allocated as the statewide expenditure target under section 242.143 for group foster care maintenance and services is \$23,601,280.

Sec. 60. 1996 Iowa Acts, House File 2472, section 21, subsection 2, paragraph b, unnumbered paragraph 2, if enacted, is amended to read as follows:

The department of public safety, with the approval of the department of management, may employ no more than two special agents and four gaming enforcement officers for each additional riverboat regulated after March 31, 1996, and one special agent for each racing facility which becomes operational during the fiscal year beginning July 1, 1996. One additional gaming enforcement officer, up to a total of four per boat, may be employed for each riverboat that has extended operations to 24 hours and has not previously operated with a 24-hour schedule. Positions authorized in this paragraph are in addition to the full-time equivalent positions authorized in this subsection.

DIVISION VIII

OTHER STATUTORY PROVISIONS

Sec. 61. NEW SECTION. 8A.2 INNOVATION ZONES.

1. The purpose of this section is to enable local jurisdictions to establish community partnerships to redirect existing public funds to achieve improved outcomes for children and their families. The state and local jurisdictions shall negotiate new relationships in the decategorization of funding appropriated and available to local jurisdictions which share the risk related to and responsibility for achieving improved outcomes.

2. An innovation zone board is created within the council on human investment. The staff of the council on human investment shall act as staff to the board. The board shall select a chairperson, annually, from its membership. A simple majority of the members of the board shall constitute a quorum. On or before June 30, 1997, the board shall do all of the following:



a. Issue a request for applications to be submitted by local jurisdictions to participate in innovation zones in order to develop new, community-based strategies which are cross-system in focus, to improve outcomes for children and their families.

b. Select from the requests received, at least three jurisdictions to develop and implement innovation zone plans. The board shall establish criteria for selection of the jurisdictions. Selection criteria shall include a component which measures the comprehensiveness of the plan and the capacity of the jurisdiction to implement the plan.

c. Provide technical assistance, if requested, to assist selected jurisdictions in developing and implementing the innovation zone plans, including but not limited to assistance in providing information regarding state and federal funding directed to the local jurisdiction for use in implementation of the plans.

d. Negotiate with local jurisdictions the state and local jurisdiction duties in implementing the innovation zone plans. The negotiations shall include methods to evaluate the performance of the innovation zones. The board shall coordinate and respond to any requests from a local jurisdiction relating to waiver of existing rules or regulations, the pooling and redirecting of existing state funds, and the seeking of federal waivers.

e. Provide for maximum flexibility and creativity in the designing and implementation of innovation zone plans with an emphasis on the plans' potential for improving outcomes for children and their families.

f. Review and approve or disapprove any provision in an innovation zone plan submitted which requires the waiver or superseding of any state rule relating to local jurisdiction actions or expenditure of funds for services provided to children and their families.

g. Report provisions included in a local jurisdiction's innovation zone plan which require the waiver or superseding of a state law or rule to the general assembly for review and necessary action.

3. A local jurisdiction seeking to develop and implement an innovation zone plan shall do all of the following:

a. Define the geographic service area of the local jurisdiction.

b. Establish a local jurisdiction innovation zone governing body which shall develop and implement the innovation zone plan. The governing body shall be representative of the local jurisdiction.

c. Develop a budget for the development and implementation of the innovation zone plan which includes a commitment of ongoing local funding and which also involves the commitment of other private and public resources to the innovation zone.

d. Negotiate the specific requirements of the innovation zone plan and implementation of the plan including the specific duties of the state and local jurisdictions. The plans may include provisions for local jurisdiction actions or expenditure of funds under the plan which involve waiver of state rules relating to services to children and their families.

4. The innovation zone board shall include all of the following members:

a. The directors, or their designees, of the department of human services, the department of human rights, the department of education, the Iowa department of public health, the department of employment services, the department of management, and any other state departments or agencies, as necessary, as determined by the board.

b. Four members of the general assembly shall serve as ex officio, nonvoting members. The legislative members shall be appointed by the majority leader of the senate, by the minority leader of the senate, by the speaker of the house, and by the minority leader of the house of representatives. Appointments shall comply with sections 69.16 and 69.16A. Vacancies shall be filled by the original appointing authority and in the manner of the original appointments. Legislative members shall serve terms of two years and shall receive compensation pursuant to section 2.12.

c. Additional members, which the governor shall appoint, who are not affiliated with a state agency but who are members of the general public with expertise or interest in children and family issues.

5. For the purposes of this section, "local jurisdiction" or "jurisdiction" means one or more cities, counties, or school districts or a combination of any of these entities.

Sec. 62. NEW SECTION. 28E.41 EMERGENCY SERVICES -- CONTRACTS FOR MUTUAL AID.

1. A city fire department, benefited fire district, or township fire department may enter into contracts providing for mutual aid regarding emergency services provided by such department or district. The contracts that are agreed upon may provide for compensation from the parties and other terms that are agreeable to the parties and may be for an indefinite period as long as they include a sixty-day cancellation notice by any party. The contracts agreed upon shall not be entered into for the purpose of reducing the number of employees of any party.

2. A city fire department, benefited fire district, or township fire department may provide assistance to any other such department or district in the state at the time of a significant emergency such as a fire, earthquake, flood, tornado, hazardous material incident, or other such disaster. The chief or highest ranking fire officer of an assisting department or district may render aid to a requesting department or district as long as the chief or officer is acting in accordance with the policies and procedures set forth by the governing board of the assisting department or district.

3. The chief or highest ranking officer of the city fire department, benefited fire district, or township fire department of the district within which the incident occurs shall maintain control of the incident in accordance with the provisions of chapter 102. The chief or highest ranking officer of the department or district giving mutual aid shall be in charge of the assisting departmental or district personnel.

*Deleted*

Sec. 63. Section 34A.3, subsection 1, unnumbered paragraph 1, Code 1995, is amended to read as follows:

The board of supervisors of each county shall establish a joint 911 service board not later than January 1, 1989. Each political subdivision ~~of the state having a public safety agency serving territory~~ within the county is entitled to voting membership on the joint 911 service board. Each private public safety agency operating within the area is entitled to nonvoting voting membership on the board. A ~~township which does not operate its own public safety agency, but contracts~~ Each private safety agency under contract with a political subdivision within the county for the provision of public safety services, is not entitled to membership on the joint 911 service board, but its contractor is entitled to membership according to the contractor's status as a public or private safety agency is entitled to voting membership on the board. The board of supervisors of the county establishing the board is also entitled to voting membership on the board. The joint 911 service board shall develop an enhanced 911 service plan encompassing at minimum the entire county, unless an exemption is granted by the administrator permitting a smaller E911 service area. The administrator may grant a discretionary exemption from the single county minimum service area requirement based upon an E911 joint service board's or other E911 service plan operating authority's presentation of evidence which supports the requested exemption if the administrator finds that local conditions make adherence to the minimum standard unreasonable or technically infeasible, and that the purposes of this chapter would be furthered by granting an exemption. The minimum size requirement is intended to prevent unnecessary duplication of public safety answering points and minimize other administrative, personnel, and equipment expenses. An E911 service area must encompass a geographically contiguous area. No exemption shall be granted from the contiguous area requirement. The administrator may order the inclusion of a specific territory in an adjoining E911 service plan area to avoid the creation by exclusion of a

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territory smaller than a single county not serviced by surrounding E911 service plan areas upon request of the joint 911 service board representing the territory. The E911 service plan operating authority shall submit the plan on or before January 1, 1994, to all of the following:

*Veto*

Sec. 64. NEW SECTION. 34A.15 E911 COMMUNICATIONS COUNCIL ESTABLISHED -- DUTIES.

1. An E911 communications council is established. The council consists of the following eleven members:
  - a. One person appointed by the commissioner of public safety.
  - b. One person appointed by the Iowa state sheriffs' and deputies' association.
  - c. One person appointed by the Iowa association of chiefs of police and peace officers.
  - d. One person appointed by the Iowa emergency medical services association.
  - e. One person appointed by the Iowa association of professional firefighters.
  - f. One person appointed by the Iowa firemen's association.
  - g. One person appointed by the Iowa chapter of the national emergency number association.
  - h. One person appointed by the Iowa chapter of the association of public safety communications officials-international, inc.
  - i. One person appointed by the Iowa emergency management directors association.
  - j. Two persons appointed by the Iowa telephone association, with one person appointed to represent telephone companies having fifteen thousand or more customers and one person appointed to represent telephone companies having less than fifteen thousand customers.
2. The council shall coordinate the development of and mediate disputes relating to E911 systems and service in this state. The council shall oversee the planning, implementation, and operation of E911 communications services. The council shall mediate issues relating to addressing, call

routing, E911 database, E911 network, equipment, and surcharge collection which arise between and among E911 service boards, telephone companies, and other providers and users of E911 communications services.

3. The authority of the council is limited to the issues specifically identified in this section and does not preempt the authority of the utilities board, created in section 474.1, to act on issues within the jurisdiction of the utilities board.

Sec. 65. Section 159.29, subsection 2, unnumbered paragraph 1, Code 1995, is amended to read as follows:

An owner of an agricultural drainage well and a landholder whose land is drained by the well or wells of another person shall develop, in consultation with the department of agriculture and land stewardship and the department of natural resources, a plan which proposes alternatives to the use of agricultural drainage wells by July 1, 1996 1998.

Sec. 66. Section 232.2, Code Supplement 1995, is amended by adding the following new subsection:

NEW SUBSECTION. 6A. "Chronic runaway" means a child who is reported to law enforcement as a runaway more than once in any month or three or more times in a year.

*Veto*

Sec. 67. Section 232.19, subsection 1, paragraph c, Code 1995, is amended to read as follows:

c. By a peace officer ~~for the purpose of reuniting a child with the child's family or removing the child to a shelter care facility~~ or a juvenile court officer, when the peace officer or juvenile court officer has reasonable grounds to believe the child has run away from the child's parents, guardian, or custodian, for the purposes of determining whether the child shall be reunited with the child's parents, guardian, or custodian, placed in shelter care, or, if a chronic runaway, placed in a runaway assessment and treatment center under section 232.196.

*Veto*

Sec. 68. NEW SECTION. 232.195 RUNAWAY TREATMENT PLAN.

A county, multicounty, or nonprofit organization may develop a runaway treatment plan to address problems with

chronic runaway children in the area served by the organization. The organization shall submit the plan to the department of human rights, division of criminal and juvenile justice planning for approval for funding. The plan shall identify the problems with chronic runaway children and specific solutions to be implemented, including the development of a runaway assessment and treatment center and may include a request for funding. The division may award funds appropriated for implementation of the runaway treatment plan to shelter care homes which are licensed or approved by the department of human services.

Sec. 69. NEW SECTION. 232.196 RUNAWAY ASSESSMENT AND TREATMENT CENTER.

1. As part of a county, multicounty, or nonprofit organization's runaway treatment plan under section 232.195, the organization may establish a runaway assessment and treatment center. A center shall be operated by an entity which is licensed or approved by the department to operate a shelter care home. A center shall provide services to assess a child who is referred to the center for being a chronic runaway and intensive family counseling designed to address any problem causing the child to run away.

2. a. If a child is a chronic runaway and is not sent home with the child's parent, guardian, or custodian, the child may be placed in a runaway assessment and treatment center by a peace officer, juvenile court officer, or the child if the officer, juvenile court officer, or the child believes it to be in the child's best interest after consulting with the child's parent, guardian, or custodian.

b. Within forty-eight hours of being placed in the center the child shall be assessed by a center counselor to determine the reasons why the child is a chronic runaway and whether child in need of assistance or family in need of assistance proceedings are appropriate. As soon as practicable following the assessment, the child and the child's parent, guardian, or custodian shall be provided the opportunity for counseling sessions to identify the underlying causes of the runaway behavior and to develop a plan to address those causes.

*Veto*

*Veto*

c. A child shall be released from a runaway assessment and treatment center to the child's parent, guardian, or custodian not later than forty-eight hours after being placed in the center unless the child is placed in shelter care under section 232.21 or an order is entered under section 232.78. A child whose parent, guardian, or custodian failed to attend counseling or who fails to take custody of the child at the end of placement in the center may be the subject of a child in need of assistance petition or such other order as the juvenile court finds to be in the child's best interest.

3. The department of human services may establish a special category within rules applicable to a juvenile shelter care home licensed or approved by the department which provides for operation of a runaway assessment and treatment center by such a home. Any rules applicable to the special category shall be jointly developed by the department of human services and the division of criminal and juvenile justice planning of the department of human rights.

Sec. 70. NEW SECTION. 279.8A TRAFFIC AND PARKING.

The board may make necessary rules to provide for the policing, control, and regulation of traffic and parking of vehicles and bicycles on school grounds. The rules may provide for the use of institutional roads, driveways, and grounds; registration of vehicles and bicycles; the designation of parking areas; the erection and maintenance of signs designating prohibitions or restrictions; the installation and maintenance of parking control devices; and assessment, enforcement, and collection of reasonable penalties for the violation of the rules.

Rules made under this section may be enforced under procedures adopted by the board. Penalties may be imposed for violation of the rules, including, but not limited to, a reasonable monetary penalty. The rules made under this section may also be enforced by the impoundment of vehicles and bicycles for violation of the rules. The board shall establish procedures for the determination of controversies in connection with the imposition of penalties. The procedures

must require giving notice of the violation and the penalty prescribed and providing the opportunity for an administrative hearing.

The board may contract with a city or county to enforce rules made under this section by ordinance of the city or county, and shall consult with local government transportation officials to ensure that rules made pursuant to this section are not in conflict with city or county parking and traffic ordinances.

Sec. 71. Section 356.7, as enacted by 1996 Iowa Acts, Senate File 2352, section 1, is amended to read as follows:

356.7 CHARGE FOR ROOM AND BOARD -- LIEN.

1. The county sheriff may charge a prisoner who is eighteen years of age or older for the room and board provided to the prisoner while in the custody of the county sheriff. Moneys collected by the sheriff under this section shall be credited to the county general fund and distributed as provided in this section. If a prisoner fails to pay for the room and board, the sheriff may file a room and board reimbursement lien as provided in subsection 2. The county attorney may file the room and board reimbursement lien on behalf of the sheriff and the county. This section does not apply to prisoners who are paying for their room and board by court order pursuant to sections 356.26 through 356.35.

2. The sheriff or the county attorney, on behalf of the sheriff, may file a room and board reimbursement lien with the clerk of the district court which shall include all of the following information, if known:

- a. The name and date of birth of the person whose property or other interests are subject to the lien.
- b. The present address of the residence and principal place of business of the person named in the lien.
- c. The criminal proceeding pursuant to which the lien is filed, including the name of the court, the title of the action, and the court's file number.
- d. The name and address of the sheriff or the name and address of the county attorney who is filing the lien on behalf of the sheriff.

e. A statement that the notice is being filed pursuant to this section.

f. The amount of room and board reimbursement the person has been ordered to pay or is likely to be ordered to pay.

3. The filing of a room and board reimbursement lien in accordance with this section creates a lien in favor of the sheriff in any personal or real property identified in the lien to the extent of the interest held in that property by the person named in the lien.

4. This section does not limit the right of the sheriff to obtain any other remedy authorized by law.

5. Of the moneys collected and credited to the county general fund as provided in this section, sixty percent of the moneys collected shall be used for the following purposes:

- a. Courthouse security equipment and law enforcement personnel costs.
- b. Infrastructure improvements of a jail including new or remodeling costs.
- c. Infrastructure improvements of juvenile detention facilities, including new or remodeling costs.

The sheriff may submit a plan or recommendations to the county board of supervisors for the use of the funds as provided in this subsection or the sheriff and board may jointly develop a plan for the use of the funds. Subject to the requirements of this subsection, funds may be used in the manner set forth in an agreement entered into under chapter 28E.

The county board of supervisors shall review the plan or recommendations submitted by the sheriff during the normal budget process of the county.

Sec. 72. Section 602.8107, subsection 2, paragraph d, Code Supplement 1995, is amended to read as follows:

d. Court costs, including correctional fees assessed pursuant to sections 356.7 and 904.108, court-appointed attorney fees, or public defender expenses.

Sec. 73. Section 476.1D, subsection 10, Code Supplement 1995, is amended to read as follows:

10. The board, at the request of a long distance telephone company, shall classify such company as a competitive long distance telephone company if more than half of the company's revenues from its Iowa intrastate telecommunications services and facilities are received from services and facilities that the board has determined to be subject to effective competition, or if more than half of the company's revenues from its Iowa intrastate telecommunications services and facilities are received from intralata interexchange services and facilities. For purposes of this subsection, "intralata interexchange services" means those interexchange services that originate and terminate within the same local access transport area.

PARAGRAPH DIVIDED. The board shall promptly notify the director of revenue and finance that a long distance telephone company has been classified as a competitive long distance telephone company. Upon such notification by the board, the director of revenue and finance shall assess the property of such competitive long distance telephone company, which property is first assessed for taxation in this state on or after January 1, 1996, in the same manner as all other property assessed as commercial property by the local assessor under chapters 427, 427A, 427B, 428, and 441. As used in this section, "long distance telephone company" means an entity that provides telephone service and facilities between local exchanges, but does not include a cellular service provider or a local exchange utility holding a certificate issued under section 476.29, subsection 12.

Sec. 74. Section 613.17, Code 1995, is amended to read as follows:

**613.17 EMERGENCY ASSISTANCE IN AN ACCIDENT.**

A person, who in good faith renders emergency care or assistance without compensation, shall not be liable for any civil damages for acts or omissions occurring at the place of an emergency or accident or while the person is in transit to or from the emergency or accident or while the person is at or being moved to or from an emergency shelter unless such acts

or omissions constitute recklessness. For purposes of this section, if a volunteer fire fighter, a volunteer operator or attendant of an ambulance or rescue squad service, a volunteer paramedic, a volunteer emergency medical technician, or a volunteer registered member of the national ski patrol system receives nominal compensation not based upon the value of the services performed, that person shall be considered to be receiving no compensation. The operation of a motor vehicle in compliance with section 321.231 by a volunteer fire fighter, volunteer operator, or attendant of an ambulance or rescue squad service, a volunteer paramedic, or volunteer emergency medical technician shall be considered rendering emergency care or assistance for purposes of this section. For purposes of this section, a person rendering emergency care or assistance includes a person involved in a workplace rescue arising out of an emergency or accident.

Sec. 75. Section 710.8, Code 1995, is amended by adding the following new subsection:

NEW SUBSECTION. 4. A person shall not harbor a runaway child with the intent of allowing the runaway child to remain away from home against the wishes of the child's parent, guardian, or custodian. However, the provisions of this subsection do not apply to a shelter care home which is licensed or approved by the department of human services.

Sec. 76. Section 904.108, Code 1995, is amended by adding the following new subsection:

NEW SUBSECTION. 7. The director may charge an inmate a correctional fee for custodial expenses incurred or which may be incurred while the inmate is in the custody of the department. The custodial expenses may include, but are not limited to, board and room, medical and dental fees, education costs, clothing costs, and the costs of supervision, services, and treatment to the inmate. The correctional fee shall not exceed the actual cost of keeping the inmate in custody. The correctional fees shall be assessed as court costs and any correctional fees collected pursuant to this subsection shall be credited to the general fund of the state. The

correctional fees shall be collected as other court costs pursuant to section 602.8107. This subsection does not limit the right of the director to obtain any other remedy authorized by law.

Sec. 77. REPEAL -- INNOVATION ZONE BOARD. Section 8A.2, subsections 2 and 4, as enacted by this division of this Act, relating to the innovation zone board, are repealed June 30, 1998.

DIVISION IX  
ECONOMIC DEVELOPMENT AND RELATED APPROPRIATIONS  
AND STATUTORY CHANGES

Sec. 78. There is appropriated from the general fund of the state and other designated funds to the department of economic development for the fiscal year beginning July 1, 1996, and ending June 30, 1997, 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 providing that a business receiving moneys from the department for the purpose of job creation shall make available ten percent of the new jobs created for promise jobs program participants who are qualified for the jobs created and for not more than the following full-time equivalent positions:

.....	\$ 1,405,687
..... FTEs	23.75

The director shall coordinate efforts with the workforce coordinator and the department of workforce development if enacted by Senate File 2409, to implement the intent of the general assembly regarding businesses receiving job creation moneys and shall report to the joint appropriations subcommittee on economic development regarding the number of jobs to be created by each business, the number of qualified promise jobs participants applying with the business, and the number of promise jobs participants hired.

b. Film office

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

.....	\$ 199,341
..... FTEs	2.00

2. BUSINESS DEVELOPMENT DIVISION

a. Business development operations

For salaries, support, maintenance, miscellaneous purposes, for not more than the following full-time equivalent positions, for allocating \$495,000 to the heartland technology network, \$150,000 to the graphic arts center, and \$100,000 to the university of northern Iowa for operation of industrial technology programs at the Iowa plastics technology center located in Waverly, Iowa, for allocating \$75,000 for the purposes of the regulatory assistance program, and for allocating \$60,000, and up to a 0.50 full-time equivalent position to administer the heartland technology network, the graphic arts technology center, and the plastics technology center:

.....	\$ 3,890,775
..... FTEs	17.75

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, the small business advisory council, and targeted small business program:

.....	\$ 498,756
..... FTEs	6.00

c. Federal procurement office

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

.....	\$ 96,492
..... FTEs	3.00

Notwithstanding section 8.33, moneys remaining unencumbered or unobligated on June 30, 1997, shall not revert and shall be available for expenditure during the fiscal year beginning July 1, 1997, for the same purposes.

d. Strategic investment fund

For deposit in the strategic investment fund for salaries, support, for not more than the following full-time equivalent positions, and for allocating from the funds remaining unobligated in the Wallace technology transfer foundation fund on June 30, 1996, notwithstanding section 8.33, \$200,000 for a study regarding the feasibility of establishing an Iowa-based airline:

..... \$ 6,707,638
..... FTEs 10.50

As a condition of any portion of the appropriation made under this lettered paragraph being used for awards from the community economic betterment account, the department shall provide that awards under the program of \$500,000 or more must be to businesses able to pay at least 130 percent of the average county wage, shall review the wage cap in high wage counties and provide that it is tied to an appropriate inflator for determining eligibility for awards, and shall provide, in addition to all other existing requirements for awards from the community economic betterment account, that the remaining 10 percent of the funds shall be transferred by the department to other programs within the strategic investment fund and used for purposes other than the community economic betterment program if, after 90 percent of funds in the account have been obligated for the fiscal year, neither of the following conditions have not been met:

(1) All projects approved have starting wages not less than 90 percent of the lesser of either the average county wage or the average regional wage, as compiled annually by the department for the community economic betterment program. For the purposes of this lettered paragraph, the average regional wage shall be compiled based upon the service delivery areas in section 84B.2, if enacted by 1996 Iowa Acts, Senate File 2409.

(2) The average starting wage for the businesses for which the awards were made under the program shall exceed 100 percent of the statewide average wage.

Veto

Veto

Additionally, the department shall provide an annual report on the progress made by the department in making the community economic betterment program a self-sustaining, revolving loan program.

e. Targeted small business incubator

Moneys appropriated for fiscal year 1995-1996 and not expended by June 30, 1996, shall not revert but shall be held by the department for funding, with local matching funds, the targeted small business incubator in Des Moines for the fiscal year beginning July 1, 1996, and ending June 30, 1997.

f. Insurance economic development

There is appropriated from moneys collected by the division of insurance in excess of the anticipated gross revenues under section 505.7, subsection 3, to the department for the fiscal year beginning July 1, 1996, and ending June 30, 1997, the following amount, or so much thereof as is necessary, for insurance economic development and international insurance economic development:

..... \$ 200,000

g. Value-added agriculture

There is appropriated from the moneys available to support value-added agricultural products and processes, four percent, or so much thereof as is necessary, of the total moneys available to support value-added agricultural products and processes pursuant to section 423.24 each quarter for administration of the value-added agricultural products and processes financial assistance program as provided in section 15E.111, including salaries, support, maintenance, miscellaneous purposes, and for not more than 2.00 FTEs.

3. COMMUNITY DEVELOPMENT DIVISION

a. Community assistance

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 boards:

..... \$ 578,943

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..... FTEs 8.50

There is also appropriated from the rural community 2000 program revolving fund established in section 15.287 to the community assistance program for the purposes of the community economic preparedness program:

..... \$ 50,000

b. Main street/rural main street program

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

..... \$ 413,530

..... FTEs 3.00

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

c. Rural development program

For salaries, support, maintenance, miscellaneous purposes, for not more than the following full-time equivalent positions, for rural resource coordination, rural community leadership, rural innovations grant program, and the rural enterprise fund and for allocating \$100,000 for the purposes of the microbusiness rural enterprise assistance program under section 15.114:

..... \$ 711,181

..... FTEs 4.50

There is also appropriated from the rural community 2000 program revolving fund established in section 15.287 to the rural development program for the purposes of the program including the rural enterprise fund and collaborative skills development training:

..... \$ 351,000

Notwithstanding section 8.33, moneys committed to grantees under contract from the general fund of the state or through transfers from the Iowa community development loan fund or from the rural community 2000 program revolving fund that remain unexpended at the end of the fiscal year shall not

revert but shall be available for expenditure for purposes of the contract during the succeeding fiscal year.

d. Community development block grant and HOME

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:

..... \$ 403,974

..... FTEs 18.75

e. Councils of governments

There is appropriated from the rural community 2000 program revolving fund established in section 15.287 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:

..... \$ 178,000

f. Councils of governments

For distributing on a per capita basis to each council of governments:

..... \$ 50,000

g. Housing development fund

For providing technical assistance to communities of all sizes and local financial institutions to help meet local housing needs and to provide and transfer matching funds for the HOME program:

..... \$ 1,300,000

Notwithstanding section 8.33, moneys committed to grantees under contract from the housing development fund and moneys transferred for matching funds for the HOME program that remain unexpended or unobligated on June 30 of the fiscal year shall not revert to any fund but shall be available for obligation and expenditure for purposes of those programs during the succeeding fiscal year.

4. INTERNATIONAL DIVISION

a. International trade operations

*Veto* [Handwritten note in a box covering items f and g]

For salaries, support, maintenance, miscellaneous purposes, for not more than the following full-time equivalent positions, and for allocating \$100,000 to promote trade opportunities in Korea and the Pacific rim:

..... \$ 1,027,950  
..... FTEs 10.00

From among the full-time equivalent positions authorized by this paragraph, one position shall concentrate on the export sale of grain, one on the export sale of livestock, and one on the export sale of value-added agricultural products.

b. Foreign trade offices

For salaries, support, maintenance, and miscellaneous purposes:

..... \$ 595,250

c. Export trade assistance 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:

..... \$ 275,000  
..... FTEs 0.25

d. Agricultural product advisory council

For support, maintenance, and miscellaneous purposes:

..... \$ 1,300

e. For transfer to the partner state program which the department may use to contract with private groups or organizations which are the most appropriate to administer this program and the groups and organizations participating in the program shall, to the fullest extent possible, provide the funds to match the appropriation made in this subsection of the funds transferred:

..... \$ 100,000

5. TOURISM DIVISION

a. Tourism operations

For salaries, support, maintenance, miscellaneous purposes, for not more than the following full-time equivalent positions, and for allocating \$100,000 for a grant program for annual community celebrations of Iowa's agricultural heritage, provided that the appropriation shall not be used for advertising placements for in-state and out-of-state tourism marketing:

..... \$ 825,212  
..... FTEs 18.52

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:

..... \$ 2,737,000

The department shall not use the moneys appropriated in this lettered paragraph, unless the department develops 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

To provide tourism materials for welcome centers:

..... \$ 100,000

Sec. 79. Notwithstanding section 15E.120, subsections 5, 6, and 7, and section 15.287, there is appropriated from the Iowa community development loan fund all the moneys available during the fiscal year beginning July 1, 1996, and ending June 30, 1997, to the department of economic development for the rural development program to be used by the department for the purposes of the program.

*Veto*

Sec. 80. Notwithstanding section 15.251, subsection 2, there is appropriated from the job training fund to the department of economic development for the fiscal year beginning July 1, 1996, and ending June 30, 1997, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

For administration of chapter 260E, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:  
..... \$ 160,000  
..... FTEs 2.40

Appropriations to the department of economic development for administration of chapter 260E and the department of employment services for the target alliance program shall be funded on a proportional basis if receipts to the job training fund are insufficient to fund both appropriations in their entirety.

Sec. 81. Of all funds appropriated to or receipts credited to the job training fund created in section 260F.6, subsection 1, up to \$125,000 for the fiscal year beginning July 1, 1996, and ending June 30, 1997, and not more than 1.30 of the full-time equivalent positions may be used for the administration of the Iowa small business new job training Act.

Sec. 82. Notwithstanding section 423.24, subsection 1, paragraph "b", subparagraph (1), there is appropriated for the fiscal year beginning July 1, 1996, and ending June 30, 1997, \$100,000 of the total revenues collected pursuant to section 423.7 and deposited in the value-added agricultural products and processes financial assistance fund, pursuant to section 423.24, subsection 1, paragraph "b", subparagraph (1), to the Iowa cooperative extension service in agriculture and home economics at Iowa state university of science and technology for administration of the Iowa grain quality initiative.

Sec. 83. The Iowa seed capital corporation is authorized up to 5.00 FTEs. The seed capital corporation shall not make any new investments after June 30, 1997. The portfolio of investments held by the seed capital corporation on June 30,

*fvet*

*data*  
1997, shall be transferred to a private entity for management of the investments.

Sec. 84. 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, 1996, and ending June 30, 1997, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For funding and maintaining in their current locations the existing small business development centers, and for not more than the following full-time equivalent positions:  
..... \$ 1,216,245  
..... FTEs 5.80

2. For funding the institute for physical research and technology, provided that \$318,358 shall be allocated to the industrial incentive program in accordance with the intent of the general assembly, and for not more than the following full-time equivalent positions:  
..... \$ 4,124,607  
..... FTEs 46.42

It is the intent of the general assembly that the incentive program focus on Iowa industrial sectors and seek contributions and in-kind donations from businesses, industrial foundations, and trade associations and that moneys for the institute for physical research and technology industrial incentive program shall only be allocated for projects which are matched by private sector moneys for directed contract research or for nondirected research. The match required of small businesses as defined in section 15.102, subsection 4, for directed contract research or for nondirected research shall be \$1 for each \$3 of state funds. The match required for other businesses for directed contract research or for nondirected research shall be \$1 for each \$1 of state funds. The match required of industrial foundations or trade associations shall be \$1 for each \$1 of state funds.

Iowa state university shall report annually to the joint appropriations subcommittee on economic development of the

senate and house appropriations committees the total amounts of private contributions, the proportion of contributions from small businesses and other businesses, and the proportion for directed contract research and nondirected research of benefit to Iowa businesses and industrial sectors.

Notwithstanding section 8.33, moneys appropriated for any fiscal year which remain unobligated and unexpended at the end of the fiscal year shall not revert but shall be available for expenditure the following fiscal year.

Sec. 85. There is appropriated from the general fund of the state to the state university of Iowa for the fiscal year beginning July 1, 1996, and ending June 30, 1997, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For funding the advanced drug development program at the Oakdale research park and for not more than the following full-time equivalent positions:

.....	\$	319,169
.....	FTEs	2.85

The board of regents shall submit a report on the progress of regents institutions in meeting the strategic plan for technology transfer and economic development to the chairpersons of the joint appropriations subcommittee on economic development, the joint appropriations subcommittee on education, the majority leader and minority leader of the senate, the majority and minority leaders of the house of representatives, the secretary of the senate, the chief clerk of the house of representatives, and the legislative fiscal bureau by December 1, 1996.

Sec. 86. DEPARTMENT OF EMPLOYMENT SERVICES OR DEPARTMENT OF WORKFORCE DEVELOPMENT. As used in this section, references to the department of employment services shall include the department of workforce development if enacted by Senate File 2409. There is appropriated from the general fund of the state, to the department of employment services for the fiscal year beginning July 1, 1996, and ending June 30, 1997, the following amounts, or so much thereof as is necessary, for the

purposes designated, including that the department of employment services, the department of personnel, and the department of management shall ensure that all nonsupervisory full-time equivalent positions authorized and funded for the department of employment services in this section will be utilized during the fiscal year beginning July 1, 1996, and ending June 30, 1997, and during future fiscal years, and will not be held vacant, to ensure that the backlog of cases in that department will be reduced as rapidly as possible:

*Veto*

1. DIVISION OF LABOR SERVICES

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions contingent upon the enactment of section 88 of this Act and the provision which requires moneys appropriated from the special employment security contingency fund to first be used to fully fund the appropriation of \$296,000 to the division of labor services in subsection 1 of section 89 of this Act prior to funding the appropriation in section 89 of this Act to the division of industrial services:

.....	\$	2,729,542
.....	FTEs	89.50

From the contractor registration fees, the division of labor services shall reimburse the department of inspections and appeals for all costs associated with hearings under chapter 91C, relating to contractor registration.

2. DIVISION OF INDUSTRIAL SERVICES

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

.....	\$	2,131,389
.....	FTEs	33.00

3. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent position for a workforce development coordinator and council:

.....	\$	141,606
.....	FTEs	1.00

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4. For the workforce development initiative to be used to create model workforce development centers and provide an integrated management information system:

..... \$ 275,000

5. For salaries, support, maintenance, miscellaneous purposes for collection of labor market information, and for not more than the following full-time equivalent positions:

..... \$ 173,250

..... FTEs 3.20

6. For salaries, support, maintenance, and miscellaneous purposes for the mentoring project for family investment program participants, and for not more than the following full-time equivalent positions:

..... \$ 72,000

..... FTEs 1.50

7. a. Youth workforce programs

For purposes of the conservation corps, including allocating \$800,000 for a summer youth program for cities of over 150,000 in population, salary, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 1,718,661

..... FTEs 2.40

Notwithstanding section 8.33, moneys committed to grantees under contract that remain unexpended on June 30 of the 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. Workforce investment program

For allocating \$425,000 to the workforce development fund under section 15.343 for funding, to the extent possible, the currently existing high technology apprenticeship programs, under section 260C.44 at the community colleges, for the purposes of the workforce investment program, and for a competitive grant program by the department for projects that increase Iowa's pool of available labor via training and support services with priority given to projects which serve

displaced homemakers or welfare recipients, including salaries and support, and not more than the following full-time equivalent position:

..... \$ 903,000

..... FTEs 0.90

The department shall ensure that the workforce investment program is coordinated with services provided under the federal Job Training Partnership Act and that welfare recipients receive priority for services under both programs.

Notwithstanding section 8.33, moneys committed to grantees under contract that remain unexpended at the end of the fiscal year, shall not revert to any fund but shall be available for expenditure for purposes of the contract during the succeeding fiscal year.

c. Labor management councils

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent position:

..... \$ 100,338

..... FTEs 0.50

Notwithstanding section 8.33, moneys committed to grantees under contract that remain unexpended on June 30 of the fiscal year shall not revert to any fund but shall be available for expenditure for purposes of the contract during the succeeding fiscal year. The department shall not use moneys appropriated in this lettered paragraph for grants to grantees who do not facilitate the active participation of labor as members of labor management councils or who fail to 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.

Sec. 87. Notwithstanding section 15.251, subsection 2, there is appropriated from the job training fund to the department of employment services for the fiscal year beginning July 1, 1996, and ending June 30, 1997, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

*Veto*

For the target alliance program:

..... \$ 30,000

Sec. 88. ADMINISTRATIVE CONTRIBUTION SURCHARGE FUND.

There is appropriated from the administrative contribution surcharge fund of the state to the department of employment services for the fiscal year beginning July 1, 1996, and ending June 30, 1997, the following amount, or so much thereof as is necessary, for the purposes designated:

DIVISION OF JOB SERVICE

Notwithstanding section 96.7, subsection 12, paragraph "c", for salaries, support, maintenance, conducting labor availability surveys, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 6,310,000
..... FTEs 141.54

1. The department of employment services shall provide services throughout the fiscal year beginning July 1, 1996, and ending June 30, 1997, in all communities in which workforce centers were operating on July 1, 1993. However, this provision shall not prevent the consolidation of multiple offices within the same city or the colocation of workforce centers with another public agency.

2. The division of industrial services shall not reduce the number of scheduled hearings of contested cases or eliminate the venue of such hearings, as established by the division for the period beginning January 1, 1996, and ending January 20, 1997. The division shall also establish a substantially similar schedule for such hearings for the period beginning January 20, 1997, and ending June 30, 1997. The division shall report to the legislative fiscal bureau concerning any modification of the established schedule, or any changes which the division determines are necessary in establishing the schedule for the period beginning January 20, 1997, and ending June 30, 1997.

3. The division shall continue charging a \$65 filing fee for workers' compensation cases. The filing fee shall be paid by the petitioner of a claim. However, the fee can be taxed

Veto

as a cost and paid by the losing party, except in cases where it would impose an undue hardship or be unjust under the circumstances.

Sec. 89. EMPLOYMENT SECURITY CONTINGENCY FUND. There is appropriated from the special employment security contingency fund to the department of employment services for the fiscal year beginning July 1, 1996, and ending June 30, 1997, the following amounts, or so much thereof as is necessary, for the purposes designated and subject to the requirement that the appropriation to the division of labor services under this section be fully funded from the special employment security contingency fund prior to any amounts being used to fund the appropriation made to the division of industrial services under this section:

1. DIVISION OF LABOR SERVICES

For salaries, support, maintenance, and miscellaneous purposes:

..... \$ 296,000

2. DIVISION OF INDUSTRIAL SERVICES

For salaries, support, maintenance, and miscellaneous purposes:

..... \$ 175,000

Any additional penalty and interest revenue may be used to accomplish the mission of the department.

Sec. 90. PUBLIC EMPLOYMENT RELATIONS BOARD. There is appropriated from the general fund of the state to the public employment relations board for the fiscal year beginning July 1, 1996, and ending June 30, 1997, the following amount, or so much thereof as is necessary, for the purposes designated:

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

..... \$ 777,164
..... FTEs 12.80

Sec. 91. There is appropriated from the general fund of the state to the Iowa finance authority for the fiscal year beginning July 1, 1996, and ending June 30, 1997, the

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

For deposit in the housing improvement fund created in section 16.100 for purposes of the fund:

..... \$ 400,000

Sec. 92. There is allocated from the unobligated funds remaining in the Wallace technology transfer foundation fund, after the allocation in section 78, subsection 2, paragraph "d", of this Act, on June 30, 1996, \$100,000 for deposit in the housing improvement fund created in section 16.100 for the purposes of the fund. Any funds remaining shall not revert to any fund, notwithstanding section 8.33. Unobligated funds remaining on June 30, 1997, shall revert to the general fund of the state.

Sec. 93. NEW SECTION. 15.113 ECONOMIC DEVELOPMENT ASSISTANCE -- REPORT.

In order for the general assembly to have accurate and complete information regarding expenditures for economic development and job training incentives and to respond to the job training needs of Iowa workers, the department shall provide to the legislative fiscal bureau by January 15 of each year data on all assistance or benefits provided under the community economic betterment program, the new jobs and income program, and the Iowa industrial new jobs training Act during the previous calendar year. The department shall meet with the legislative fiscal bureau prior to submitting the data to assure that its form and specificity are sufficient to provide accurate and complete information to the general assembly. The department shall also contact other state agencies providing financial assistance to Iowa businesses and, to the extent practical coordinate the submission of the data to the legislative fiscal bureau.

Sec. 94. NEW SECTION. 15.114 MICROBUSINESS RURAL ENTERPRISE ASSISTANCE.

- 1. As used in this section:
  - a. "Department" means the department of economic development.

b. "Microbusiness" or "microbusiness enterprise" means a business producing services with five or fewer full-time equivalent employee positions and with assistance requirements of not more than twenty-five thousand dollars.

c. "Microbusiness organization" means a nonprofit corporation organized under chapter 504A which is exempt from taxation pursuant to section 501(c) of the Internal Revenue Code and which has a principal mission of actively engaging in microbusiness development, training, technical assistance, and capital access for the start-up or expansion of microbusinesses.

2. The department shall contract with a microenterprise organization actively engaged in microbusiness enterprise to assist in the establishment of this program. In order to qualify for the contract, the microenterprise organization shall do all of the following:

- a. Demonstrate a past performance of and a capacity to successfully engage in microbusiness development.
- b. Have a statewide commitment to and focus on microbusiness development.
- c. Provide training and technical assistance.
- d. Demonstrate an ability to provide access to capital for start-up or expansion of a microbusiness.
- e. Have established linkages with financial institutions.
- f. Demonstrate an ability to provide follow-up technical assistance after a microbusiness start-up or expansion.

3. Moneys allocated pursuant to this section which remain unexpended or unobligated at the end of a fiscal year shall remain available to the department to support the assistance program or may be credited to the value-added agricultural products and processes financial assistance fund created in section 15E.112 and shall not revert notwithstanding section 8.33.

4. The department shall submit a report in accordance with section 7A.11 not later than November 1 of each year detailing the activities of the microenterprise organization and describing the success of the project.

This division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION XI  
COUNTY PROVISIONS

Sec. 102. Section 331.424, subsection 1, paragraph a, subparagraph (1), Code Supplement 1995, is amended to read as follows:

(1) The costs of inpatient or outpatient substance abuse admission, commitment, transportation, care, and treatment at any of the following:

(a) ~~Care and treatment of persons at the~~ The alcoholic treatment center at Oakdale. However, the county may require that an admission to the center shall be reported to the board by the center within five days as a condition of the payment of county funds for that admission.

(b) A state mental health institute, or a community-based public or private facility or service.

Sec. 103. Section 331.424A, subsection 4, Code Supplement 1995, as amended by 1996 Iowa Acts, Senate File 2030, section 1, is amended to read as follows:

4. For the fiscal year beginning July 1, 1996, and for each subsequent fiscal year, the county shall certify a levy for payment of services. ~~Unless otherwise provided by state law, for~~ For each fiscal year, county revenues from taxes imposed by the county credited to the services fund shall not exceed an amount equal to the amount of base year expenditures for services as defined in section 331.438, less the amount of property tax relief to be received pursuant to section 426B.2, subsections 1 and 3, in the fiscal year for which the budget is certified. The county auditor and the board of supervisors shall reduce the amount of the levy certified for the services fund by the amount of property tax relief to be received. A levy certified under this section is not subject to the appeal provisions of sections 331.426 and 444.25B or to any other provision in law authorizing a county to exceed, increase, or appeal a property tax levy limit.

Sec. 104. Section 426B.1, Code Supplement 1995, is amended by adding the following new subsection:

NEW SUBSECTION. 3. There is annually appropriated from the property tax relief fund to the department of human services to supplement the medical assistance appropriation for the fiscal year beginning July 1, 1997, and for succeeding fiscal years, six million six hundred thousand dollars to be used for the nonfederal share of the costs of services provided to minors with mental retardation under the medical assistance program to meet the requirements of section 249A.12, subsection 4. The appropriation in this subsection shall be charged to the property tax relief fund prior to the distribution of moneys from the fund under section 426B.2 and the amount of moneys available for distribution shall be reduced accordingly. However, the appropriation in this subsection shall be considered to be a property tax relief payment for purposes of the combined amount of payments required to achieve fifty percent of the counties' base year expenditures as provided in section 426B.2, subsection 3.

Sec. 105. Section 444.25A, subsection 2, paragraph e, unnumbered paragraph 2, Code Supplement 1995, is amended to read as follows:

For purposes of this paragraph, the price index for government purchases by type for state and local governments is defined by the bureau of economic analysis of the United States department of commerce and published in table 7.11 of the national income and products accounts. For the fiscal years beginning July 1, 1995, and July 1, 1996, the price index used shall be the revision published in the November 1994 and November 1995 issues, respectively, of the United States department of commerce publication, "survey of current business". For purposes of this paragraph, tax dollars levied in the fiscal years beginning July 1, 1994, and July 1, 1995, shall not include funds levied for paragraphs "a", "b", and "c", and "d" of this subsection.

Sec. 106. Section 444.25B, subsection 1, unnumbered paragraph 1, Code Supplement 1995, is amended to read as follows:



Sec. 95. Section 15.313, subsection 2, Code 1995, is amended by adding the following new paragraphs:

NEW PARAGRAPH. g. The entrepreneurs with disabilities program, which provides technical and financial assistance to help persons with disabilities become self-sufficient and create additional employment opportunities by establishing or expanding small business ventures.

NEW PARAGRAPH. h. The job opportunities for persons with disabilities program, which provides service and technical assistance to rehabilitation organizations or agencies that create, expand, or spin off business ventures for persons with disabilities.

Sec. 96. NEW SECTION. 15A.4 COMPETITIVE PROGRAMS -- GOOD NEIGHBOR AGREEMENT -- ADDITIONAL CONSIDERATION.

For any program providing financial assistance for economic development in which the assistance is provided on a competitive basis, a business which enters into a good neighbor agreement shall receive extra consideration of at least ten points or the equivalent. A good neighbor agreement is an enforceable contract between the business and a community group or coalition of community groups which requires the business to adhere to negotiated environmental, economic, labor, or other social and community standards.

A business which fails to abide by the good neighbor agreement shall repay all financial assistance received under the program.

Sec. 97. Section 15E.112, subsection 1, Code 1995, is amended to read as follows:

1. A value-added agricultural products and processes financial assistance fund is created within the state treasury under the control of the department. The fund shall consist of any money appropriated by the general assembly and any other moneys available to and obtained or accepted by the department from the federal government or private sources for placement in the fund. ~~Until July 17, 2000, moneys shall be deposited in the fund as provided in section 423.24. Not more than one percent of the total moneys available to support~~

~~value-added agricultural products and processes pursuant to section 423.24 during each quarter shall be used by the department for administration of the value-added agricultural products and processes financial assistance program, as provided in section 15E.111.~~ The assets of the fund shall be used by the department only for carrying out the purposes of section 15E.111.

Sec. 98. For the fiscal year beginning July 1, 1996, and ending June 30, 1997, section 15.343, subsection 2, paragraph "d", as amended in Senate File 2351, if enacted, shall be available for the funding of innovative training and career opportunity programming for minorities, provided such funding is matched on a dollar-for-dollar basis by a participating community college.

Sec. 99. Notwithstanding sections 15.108, 15.224 through 15.230, 15.347, 15.348, and 239.22, the department of employment services shall administer the following programs: job training partnership Act, Iowa conservation corps, americorps, mentoring for promise jobs, food stamp employment and training, and the labor/management co-op programs.

Sec. 100. FEDERAL GRANTS. All federal grants to and the federal receipts of agencies appropriated funds under this Act, not otherwise appropriated, are appropriated for the purposes set forth in the federal grants or receipts unless otherwise provided by the general assembly.

#### DIVISION X

##### SPECIAL REGISTRATION PLATES -- SURVIVING SPOUSE

Sec. 101. The state department of transportation shall allow the surviving spouse of a person who was issued prisoner of war plates pursuant to section 321.34, subsection 8, to continue to use the special plates, subject to registration of the special plates in the surviving spouse's name and upon payment of the annual registration fee. If the surviving spouse remarries, the surviving spouse shall return the special plates to the department and the department shall issue regular registration plates to the surviving spouse.

The maximum amount of property tax dollars which may be certified by a county for taxes payable in the fiscal year beginning July 1, 1997, shall not exceed the amount of property tax dollars certified by the county for taxes payable in the fiscal year beginning July 1, 1996, ~~minus the amount by which the property tax relief moneys to be received by the county in the fiscal year beginning July 1, 1997, pursuant to section 426B-27-subsections 1 and 37 exceed the amount of the property tax relief moneys received in the fiscal year beginning July 1, 1996,~~ for each of the levies for the following, except for the levies on the increase in taxable valuation due to new construction, additions or improvements to existing structures, remodeling of existing structures for which a building permit is required, annexation, and phasing out of tax exemptions, and on the increase in valuation of taxable property as a result of a comprehensive revaluation by a private appraiser under a contract entered into prior to January 1, 1992, or as a result of a comprehensive revaluation directed or authorized by the conference board prior to January 1, 1992, with documentation of the contract, authorization, or directive on the revaluation provided to the director of revenue and finance, if the levies are equal to or less than the levies for the previous year, levies on that portion of the taxable property located in an urban renewal project the tax revenues from which are no longer divided as provided in section 403.19, subsection 2, or as otherwise provided in this section:

Sec. 107. Section 444.25B, subsection 2, Code Supplement 1995, is amended by adding the following new paragraph after paragraph d and relettering the subsequent paragraph:

NEW PARAGRAPH. dd. Mental health, mental retardation, and developmental disabilities services fund under section 331.424A.

Sec. 108. Section 444.25B, subsection 2, paragraph e, unnumbered paragraphs 1 and 2, Code Supplement 1995, are amended to read as follows:

Unusual need for additional moneys to finance existing programs which would provide substantial benefit to county residents or compelling need to finance new programs which would provide substantial benefit to county residents. The increase in taxes levied under this exception for the fiscal year beginning July 1, 1997, is limited to no more than the product of the total tax dollars levied in the fiscal year beginning July 1, 1996, and the percent change, computed to two decimal places, ~~in the price index for government purchases by type for state and local governments computed between the preliminary price index for the third quarter of calendar year 1996 from that computed and the revised price index for the third quarter of calendar year 1995 as published in the same issue in which the preliminary 1996 third quarter price index is first published.~~

~~For purposes of this paragraph, the price index for government purchases by type for state and local governments is defined by the bureau of economic analysis of the United States department of commerce and published in table 7.11 of the national income and products accounts.~~ For the fiscal year beginning July 1, 1997, the price index used shall be the revision published in the November 1996 edition of the United States department of commerce publication, "survey of current business" state and local government chain-type price index used in the quantity and price indexes for gross domestic product, as published by the bureau of economic analysis of the United States department of commerce in the national income and products accounts as published in "survey of current business". For purposes of this paragraph, tax dollars levied in the fiscal year beginning July 1, 1996, shall not include funds levied for paragraphs "a", "b", and "c", "d", and "dd" of this subsection.

Sec. 109. Section 444.25B, Code Supplement 1995, is amended by adding the following new subsection:

NEW SUBSECTION. 5. MH/MR/DD LEVY ADJUSTMENT. A county which did not certify the maximum levy authorized for the county's mental health, mental retardation, and developmental

disabilities services fund under section 331.424A, subsection 4, for the fiscal year beginning July 1, 1996, may certify up to the maximum authorized levy under the services fund for the fiscal year beginning July 1, 1997. However, any amount of increase in the certified services fund levy under this subsection over the amount certified for the services fund in the previous fiscal year shall be offset by an equivalent decrease in the amount certified by the county for general county services.

Sec. 110. EFFECTIVE DATE. Section 102 of this division of this Act, relating to substance abuse treatment costs, being deemed of immediate importance, takes effect upon enactment.

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LEONARD L. BOSWELL  
President of the Senate

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RON J. CORBETT  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2470, Seventy-sixth General Assembly.

*John F. Dwyer*  
Approved 5/30, 1996

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JOHN F. DWYER  
Secretary of the Senate

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TERRY E. BRANSTAD  
Governor