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SENATE FILE

484

BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 365)

Passed Senate, Date 4/24/95 (p. 1380) Passed House, (p. 2249) Date 5/3/95
Vote: Ayes 26 Nays 23 Vote: Ayes 71 Nays 26

Approved

[Signature]
[Signature]
May 31, 1995

A BILL FOR

1 An Act relating to and making appropriations to certain state
2 departments, agencies, funds, and certain other entities,
3 providing for regulatory authority and other properly related
4 matters, providing an effective date, and providing penalties.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

S.F. 484

1 Section 1. AUDITOR OF STATE. There is appropriated from
 2 the general fund of the state to the office of the auditor of
 3 state for the fiscal year beginning July 1, 1995, and ending
 4 June 30, 1996, the following amount, or so much thereof as is
 5 necessary, to be used for the purposes designated:

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

9 \$ 1,269,633
 10 FTEs 112.50

11 The auditor of state may retain additional full-time
 12 equivalent positions as is reasonable and necessary to perform
 13 governmental subdivision audits which are reimbursable
 14 pursuant to section 11.20 or 11.21, to perform audits which
 15 are requested by and reimbursable from the federal government,
 16 and to perform work requested by and reimbursable from
 17 departments or agencies pursuant to section 11.5A or 11.5B.
 18 The auditor of state shall notify the department of
 19 management, the legislative fiscal committee, and the
 20 legislative fiscal bureau of the additional full-time
 21 equivalent positions retained.

22 Sec. 2. IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD. There
 23 is appropriated from the general fund of the state to the Iowa
 24 ethics and campaign disclosure board for the fiscal year
 25 beginning July 1, 1995, and ending June 30, 1996, the
 26 following amount, or so much thereof as is necessary, for the
 27 purposes designated:

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

31 \$ 362,512
 32 FTEs 8.00

33 Sec. 3. DEPARTMENT OF COMMERCE. There is appropriated
 34 from the general fund of the state to the department of
 35 commerce for the fiscal year beginning July 1, 1995, and

1 ending June 30, 1996, the following amounts, or so much
2 thereof as is necessary, for the purposes designated:

3 1. PROFESSIONAL LICENSING AND REGULATION DIVISION

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

7	\$	897,802
8	FTEs	14.00

9 It is the intent of the general assembly that each
10 examining and licensing board or commission created under
11 chapters 542B, 542C, 543B, 543D, 544A, and 544B shall provide
12 that the fees assessed for licensing do not exceed the
13 operating costs of services provided by each board or
14 commission.

15 2. ADMINISTRATIVE SERVICES DIVISION

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

19	\$	211,586
20	FTEs	2.00

21 It is the intent of the general assembly that the two
22 positions authorized in this subsection for the division shall
23 coordinate the administrative services to be provided to the
24 divisions in the department. These two positions are under
25 the direct supervision of, and shall report to, the director
26 of the department.

27 The division of administrative services shall assess each
28 division within the department of commerce and the office of
29 consumer advocate within the department of justice a pro rata
30 share of the operating expenses of the division of
31 administrative services. The pro rata share shall be
32 determined pursuant to a cost allocation plan established by
33 the division of administrative services and agreed to by the
34 administrators of the divisions and the consumer advocate. To
35 the extent practicable, the cost allocation plan shall be

1 based on the proportion of the administrative expenses
 2 incurred on behalf of each division and the office of consumer
 3 advocate. Each division and the office of consumer advocate
 4 shall include in its charges assessed or revenues generated,
 5 an amount sufficient to cover the amount stated in its
 6 appropriation, any state-assessed indirect costs determined by
 7 the department of revenue and finance, and the cost of
 8 services provided by the division of administrative services.

9 3. ALCOHOLIC BEVERAGES DIVISION

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

13 \$ 1,773,619
 14 FTEs 33.50

15 The Iowa telecommunications and technology commission shall
 16 transfer to the alcoholic beverages division of the department
 17 of commerce for the fiscal year beginning July 1, 1995, and
 18 ending June 30, 1996, the sum of \$67,000 or so much thereof as
 19 is necessary to fully reimburse the licensing and regulatory
 20 bureau for an employee classified as a public service
 21 executive 3.

22 4. BANKING DIVISION

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

26 \$ 5,375,058
 27 FTEs 84.00

28 5. CREDIT UNION DIVISION

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

32 \$ 1,047,066
 33 FTEs 20.00

34 6. INSURANCE DIVISION

35 For salaries, support, maintenance, miscellaneous purposes,

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

3 \$ 2,777,339
4 FTEs 90.50

5 Of the amounts appropriated in this section to the
6 insurance division, not more than \$100,000 shall be used for
7 the regulation of health insurance purchasing cooperatives.

8 The insurance division shall monitor public utilization of
9 the coverages identified in chapter 514C under managed care
10 plans in this state.

11 The insurance division may reallocate authorized full-time
12 equivalent positions as necessary to respond to accreditation
13 recommendations or requirements. The insurance division
14 expenditures for examination purposes may exceed the projected
15 receipts, refunds and reimbursements, estimated pursuant to
16 section 505.7, subsection 7, including the expenditures for
17 retention of additional personnel, if the expenditures are
18 fully reimburseable and the division first does both of the
19 following:

20 a. Notifies the department of management, legislative
21 fiscal bureau, and the legislative fiscal committee of the
22 need for the expenditures.

23 b. Files with each of the entities named in paragraph "a"
24 the legislative and regulatory justification for the
25 expenditures, along with an estimate of the expenditures.

26 7. UTILITIES DIVISION

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

30 \$ 4,911,871
31 FTEs 79.00

32 The utilities division may expend additional funds,
33 including funds for additional personnel, if those additional
34 expenditures are actual expenses which exceed the funds
35 budgeted for utility regulation. Before the division expends

1 or encumbers an amount in excess of the funds budgeted for
 2 regulation, the director of the department of management shall
 3 approve the expenditure or encumbrance. Before approval is
 4 given, the director of the department of management shall
 5 determine that the regulation expenses exceed the funds
 6 budgeted by the general assembly to the division and that the
 7 division does not have other funds from which regulation
 8 expenses can be paid. Upon approval of the director of the
 9 department of management the division may expend and encumber
 10 funds for excess regulation expenses. The amounts necessary
 11 to fund the excess regulation expenses shall be collected from
 12 those utility companies being regulated which caused the
 13 excess expenditures, and the collections shall be treated as
 14 repayment receipts as defined in section 8.2.

15 Sec. 4. There is appropriated from the general fund of the
 16 state to the following named agencies for the fiscal year
 17 beginning July 1, 1995, and ending June 30, 1996, the
 18 following amounts, or so much thereof as is necessary, to be
 19 used for the purposes designated:

20 1. COMMISSION ON UNIFORM STATE LAWS

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

22 \$ 20,127

23 2. NATIONAL CONFERENCE OF STATE LEGISLATURES

24 For support of the membership assessment:

25 \$ 87,719

26 Sec. 5. There is appropriated from the general fund of the
 27 state to the department of general services for the fiscal
 28 year beginning July 1, 1995, and ending June 30, 1996, the
 29 following amounts, or so much thereof as is necessary, to be
 30 used for the purposes designated:

31 1. ADMINISTRATION DIVISION

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

35 \$ 1,131,951

1 FTEs 31.35

2 2. INFORMATION SERVICES DIVISION

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

6 \$ 5,294,162

7 FTEs 141.60

8 3. PROPERTY MANAGEMENT DIVISION

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

12 \$ 3,776,252

13 FTEs 112.00

14 The department of general services shall not change the
15 appropriations for the purposes designated in subsections 1
16 through 3 from the amounts appropriated under those
17 subsections unless notice of the revisions is given prior to
18 their effective date to the legislative fiscal bureau. The
19 notice shall include information on the department's rationale
20 for making the changes.

21 Savings achieved in providing telephone services shall be
22 used by the department of general services to increase
23 efficiencies in the provision of those services. The
24 department of general services shall report not later than
25 August 31, 1996, on the projects undertaken to the
26 chairpersons and the ranking members of the joint
27 appropriations subcommittee on administration and regulation
28 and to the legislative fiscal bureau. The report shall
29 include a listing of the projects and efficiencies undertaken
30 during the fiscal year, the cost of each project, and the
31 benefits, including the projected savings on an annual basis
32 and for the life of the efficiency improvement.

33 4. RENTAL SPACE

34 For payment of lease or rental costs of buildings and
35 office space at the seat of government as provided in section

1 18.12, subsection 9, notwithstanding section 18.16:

2 \$ 588,196

3 5. UTILITY COSTS

4 For payment of utility costs and for not more than the
5 following full-time equivalent positions:

6 \$ 1,992,255

7 FTEs 1.00

8 The department of general services may use funds
9 appropriated in this subsection for utility costs to fund
10 energy conservation projects in the state capitol complex
11 which will have a 100 percent payback within a 24-month
12 period. In addition, notwithstanding sections 8.33 and 18.12,
13 subsection 11, any excess funds appropriated for utility costs
14 in this subsection shall not revert to the general fund of the
15 state on June 30, 1996, and these funds shall be used for
16 implementation of energy conservation projects having a
17 payback of 100 percent within a two-year to six-year period.
18 The department of general services shall report not later than
19 August 31, 1996, on the projects having 100 percent payback
20 within a six-year period to the chairpersons and ranking
21 members of the joint appropriations subcommittee on
22 administration and regulation and to the legislative fiscal
23 bureau. The report shall include a listing of the projects
24 undertaken, the cost of each project, and the projected
25 savings on an annual basis and for the life of the project.

26 6. TERRACE HILL OPERATIONS

27 For salaries, support, maintenance, and miscellaneous
28 purposes necessary for the operation of Terrace Hill and for
29 not more than the following full-time equivalent positions:

30 \$ 158,326

31 FTEs 4.00

32 Sec. 6. There is appropriated from the designated
33 revolving funds to the department of general services for the
34 fiscal year beginning July 1, 1995, and ending June 30, 1996,
35 the following amounts, or so much thereof as is necessary, to

1 be used for the purposes designated:

2 1. From the centralized printing permanent revolving fund
3 established by section 18.57 for salaries, support,
4 maintenance, miscellaneous purposes, and for not more than the
5 following full-time equivalent positions:

6	\$	912,217
7	FTEs	26.05

8 2. The remainder of the centralized printing permanent
9 revolving fund is appropriated for the expense incurred in
10 supplying paper stock, offset printing, copy preparation,
11 binding, distribution costs, original payment of printing and
12 binding claims and contingencies arising during the fiscal
13 year beginning July 1, 1995, and ending June 30, 1996, which
14 are legally payable from this fund.

15 3. From the centralized purchasing permanent revolving
16 fund established by section 18.9 for salaries, support,
17 maintenance, miscellaneous purposes, and for not more than the
18 following full-time equivalent positions:

19	\$	734,140
20	FTEs	16.05

21 4. The remainder of the centralized purchasing permanent
22 revolving fund is appropriated for the payment of expenses
23 incurred through purchases by various state departments and
24 for contingencies arising during the fiscal year beginning
25 July 1, 1995, and ending June 30, 1996, which are legally
26 payable from this fund.

27 5. From the vehicle dispatcher revolving fund established
28 by section 18.119 for salaries, support, maintenance,
29 miscellaneous purposes, and for not more than the following
30 full-time equivalent positions:

31	\$	456,075
32	FTEs	15.00

33 The vehicle dispatcher shall determine the difference
34 between the projected cost of motor vehicle fuel and the
35 actual cost of the motor vehicle fuel purchased for the use of

1 each state agency for the fiscal year beginning July 1, 1995,
2 and ending June 30, 1996. If the actual cost of the fuel is
3 less than the projected cost, the vehicle dispatcher shall
4 bill the amount of the difference to each state agency at the
5 end of each calendar quarter. Upon receipt, the director or
6 head of each state agency shall pay the amount of the claim
7 submitted by the vehicle dispatcher.

8 6. The remainder of the vehicle dispatcher revolving fund
9 is appropriated for the purchase of gasoline, gasohol, oil,
10 tires, repairs, and all other maintenance expenses incurred in
11 the operation of state-owned motor vehicles and for
12 contingencies arising during the fiscal year beginning July 1,
13 1995, and ending June 30, 1996, which are legally payable from
14 this fund.

15 The vehicle dispatcher shall report, not later than
16 February 15, 1996, to the chairpersons and the ranking members
17 of the joint appropriations subcommittee on administration and
18 regulation and to the legislative fiscal bureau regarding the
19 efficiencies of the vehicle fleet and the changes in the
20 efficiencies. The report shall include the cost per mile,
21 fuel efficiencies, maintenance costs, useful life, the costs
22 of extending the useful life, and other measures which the
23 vehicle dispatcher or the legislative fiscal bureau finds
24 appropriate. The information shall be reported for each
25 general type of vehicle. The overhead costs shall also be
26 reported with the total costs of the vehicle dispatcher
27 operations.

28 The department of general services shall report to the
29 chairpersons and ranking members of the joint appropriations
30 subcommittee on administration and regulation and the
31 legislative fiscal bureau not later than February 15, 1996, a
32 comparison of the performance of vehicles burning an 85
33 percent ethanol mixture and those burning a 10 percent ethanol
34 mixture. The report shall include, but is not limited to,
35 average mileage, vehicle life, and problems encountered.

1 Sec. 7. GOVERNOR AND LIEUTENANT GOVERNOR. There is
2 appropriated from the general fund of the state to the offices
3 of the governor and the lieutenant governor for the fiscal
4 year beginning July 1, 1995, and ending June 30, 1996, the
5 following amounts, or so much thereof as is necessary, to be
6 used for the purposes designated:

7 1. For salaries, support, maintenance, and miscellaneous
8 purposes for the general office of the governor and the
9 general office of the lieutenant governor, and for not more
10 than the following full-time equivalent positions:

11 \$ 1,005,171

12 FTEs 16.25

13 2. For salaries, support, maintenance, and miscellaneous
14 purposes for the governor's quarters at Terrace Hill, and for
15 not more than the following full-time equivalent positions:

16 \$ 50,064

17 FTEs 1.50

18 3. For salaries, support, maintenance, and miscellaneous
19 purposes for the office of administrative rules coordinator,
20 and for not more than the following full-time equivalent
21 positions:

22 \$ 104,815

23 FTEs 2.00

24 4. For payment of Iowa's membership in the national
25 governors' conference:

26 \$ 74,435

27 Sec. 8. DEPARTMENT OF INSPECTIONS AND APPEALS. There is
28 appropriated from the general fund of the state to the
29 department of inspections and appeals for the fiscal year
30 beginning July 1, 1995, and ending June 30, 1996, the
31 following amounts, or so much thereof as is necessary, for the
32 purposes designated:

33 1. FINANCE AND SERVICES DIVISION

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

1 positions:

2 \$ 452,089
 3 FTEs 21.00

4 2. AUDITS DIVISION

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

8 \$ 340,649
 9 FTEs 11.00

10 3. APPEALS AND FAIR HEARINGS DIVISION

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

14 \$ 215,799
 15 FTEs 24.00

16 4. INVESTIGATIONS DIVISION

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

20 \$ 705,415
 21 FTEs 35.00

22 5. HEALTH FACILITIES DIVISION

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

26 \$ 1,496,288
 27 FTEs 99.00

28 6. INSPECTIONS DIVISION

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

32 \$ 559,088
 33 FTEs 13.00

34 7. EMPLOYMENT APPEAL BOARD

35 For salaries, support, maintenance, miscellaneous purposes,

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

3 \$ 31,992
4 FTEs 15.00

5 The employment appeal board shall be reimbursed by the
6 labor services division of the department of employment
7 services for all costs associated with hearings conducted
8 under chapter 91C, related to contractor registration. The
9 board may expend, in addition to the amount appropriated under
10 this subsection, additional amounts as are directly billable
11 to the labor services division under this subsection and to
12 retain the additional full-time equivalent positions as needed
13 to conduct hearings required pursuant to chapter 91C.

14 8. STATE FOSTER CARE REVIEW BOARD

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

18 \$ 509,912
19 FTEs 8.00

20 The department of human services, in coordination with the
21 state foster care review board and the department of
22 inspections and appeals, shall submit an application for
23 funding available pursuant to Title IV-E of the federal Social
24 Security Act for claims for state foster care review board
25 administrative review costs.

26 9. NATIVE AMERICAN GAMING. The department of inspections
27 and appeals shall provide an accounting of all costs
28 associated with negotiating agreements and compacts pursuant
29 to section 10A.104, subsection 10, and all costs associated
30 with monitoring such agreements and compacts. Information in
31 the accounting shall include the dates and destinations of all
32 travel related to the negotiations and monitoring, and all
33 costs associated with the personnel involved, including
34 salary, travel, and support costs.

35 Sec. 9. RACETRACK REGULATION. There is appropriated from

1 the general fund of the state to the racing and gaming
 2 commission of the department of inspections and appeals for
 3 the fiscal year beginning July 1, 1995, and ending June 30,
 4 1996, the following amount, or so much thereof as is
 5 necessary, to be used for the purposes designated:

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

9 \$ 1,703,166
 10 FTEs 23.85

11 Sec. 10. EXCURSION BOAT REGULATION. There is appropriated
 12 from the general fund of the state to the racing and gaming
 13 commission of the department of inspections and appeals for
 14 the fiscal year beginning July 1, 1995, and ending June 30,
 15 1996, the following amount, or so much thereof as is
 16 necessary, to be used for the purposes designated:

17 For salaries, support, maintenance, and miscellaneous
 18 purposes for administration and enforcement of the excursion
 19 boat gambling laws, and for not more than the following full-
 20 time equivalent positions:

21 \$ 860,651
 22 FTEs 17.11

23 It is the intent of the general assembly that the racing
 24 and gaming commission shall only employ additional full-time
 25 equivalent positions for riverboat gambling enforcement as
 26 authorized by the department of management as needed for
 27 enforcement on new riverboats. If more than six riverboats
 28 are operating during the fiscal year beginning July 1, 1995,
 29 and ending June 30, 1996, the commission may expend no more
 30 than \$84,917 for no more than 2.00 FTEs for each additional
 31 riverboat in excess of six. The additional expense associated
 32 with the positions shall be paid from fees assessed by the
 33 commission as provided in chapter 99F.

34 Notwithstanding section 8.39, funds shall not be
 35 transferred to the department of inspections and appeals which

1 would be used for monitoring Indian gaming.

2 Sec. 11. DEPARTMENT OF INSPECTIONS AND APPEALS -- SERVICE
3 CHARGES. The department of inspections and appeals may charge
4 state departments, agencies, and commissions for services
5 rendered and the payment received shall be considered
6 repayment receipts as defined in section 8.2.

7 Sec. 12. USE TAX APPROPRIATION. There is appropriated
8 from the use tax receipts collected pursuant to section 423.7
9 prior to their deposit in the road use tax fund pursuant to
10 section 423.24, subsection 1, to the appeals and fair hearings
11 division of the department of inspections and appeals for the
12 fiscal year beginning July 1, 1995, and ending June 30, 1996,
13 the following amount, or so much thereof as is necessary, for
14 the purposes designated:

15 For salaries, support, maintenance, and miscellaneous
16 purposes:

17 \$ 924,090

18 Sec. 13. DEPARTMENT OF MANAGEMENT. There is appropriated
19 from the general fund of the state to the department of
20 management for the fiscal year beginning July 1, 1995, and
21 ending June 30, 1996, the following amounts, or so much
22 thereof as is necessary, to be used for the purposes
23 designated:

24 1. GENERAL OFFICE

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

28 \$ 1,558,399

29 FTEs 25.00

30 2. LAW ENFORCEMENT TRAINING REIMBURSEMENTS

31 For reimbursement to local law enforcement agencies for the
32 training of officers who resign pursuant to section 384.15,
33 subsection 7:

34 \$ 45,956

35 3. COUNCIL OF STATE GOVERNMENTS

1 For support of the membership assessment:

2 \$ 63,971

3 Sec. 14. There is appropriated from the road use tax fund
4 to the department of management for the fiscal year beginning
5 July 1, 1995, and ending June 30, 1996, the following amount,
6 or so much thereof as is necessary, to be used for the
7 purposes designated:

8 For salaries, support, maintenance, and miscellaneous
9 purposes:

10 \$ 56,000

11 The department of management shall report to the
12 chairpersons and ranking members of the senate and house
13 committees on appropriations, the chairpersons and ranking
14 members of the joint appropriations subcommittee on
15 administration and regulation, and the legislative fiscal
16 bureau, the number of furloughs and the number of layoffs that
17 occur in each state agency, the savings associated with those
18 furloughs and layoffs, the effect of the furloughs and layoffs
19 on services provided by the state agency, and other relevant
20 information. The department shall provide a year-end report
21 summarizing the information for the fiscal year beginning July
22 1, 1995, which will be due by September 1, 1996.

23 When addressing staffing targets for state agencies, the
24 department of management shall state the number of staff
25 authorized for a state agency in terms of full-time equivalent
26 positions.

27 Sec. 15. There is appropriated from the general fund of
28 the state to the department of personnel for the fiscal year
29 beginning July 1, 1995, and ending June 30, 1996, the
30 following amounts, or so much thereof as is necessary, to be
31 used for the purposes designated including the filing of
32 quarterly reports as required in this section:

33 1. OPERATIONS

34 For salaries, support, maintenance, and miscellaneous
35 purposes for the director's staff, information services, data

1 processing, and financial services, and for not more than the
2 following full-time equivalent positions:

3 \$ 1,007,860
4 FTEs 18.58

5 2. PROGRAM DELIVERY

6 For salaries for personnel services, employment law and
7 labor relations and training for not more than the following
8 full-time equivalent positions:

9 \$ 1,174,510
10 FTEs 33.20

11 3. PROGRAM ADMINISTRATION AND DEVELOPMENT

12 For salaries for employment, compensation, and benefits and
13 workers' compensation and for not more than the following
14 full-time equivalent positions:

15 \$ 1,341,858
16 FTEs 32.80

17 Any funds received by the department for workers'
18 compensation purposes other than the funds appropriated in
19 subsection 3 shall be used only for the payment of workers'
20 compensation claims.

21 The funds for support, maintenance, and miscellaneous
22 purposes for personnel assigned to program delivery under
23 subsection 2 and program administration and development under
24 subsection 3 are payable from the appropriation made in
25 subsection 1.

26 The department of personnel shall report semi-annually to
27 the chairpersons and ranking members of the joint
28 appropriations subcommittee on administration and regulation
29 concerning the number of vacancies in existing full-time
30 equivalent positions and the average time taken to fill the
31 vacancies. The reports shall include quarterly and annual
32 averages organized according to state agency and general
33 occupational category as established by the federal equal
34 employment opportunity commission. All departments and
35 agencies of the state shall cooperate with the department in

1 the preparation of the reports.

2 Sec. 16. IPERS. There is appropriated from the Iowa
3 public employees' retirement system fund to the department of
4 personnel for the fiscal year beginning July 1, 1995, and
5 ending June 30, 1996, the following amount, or so much thereof
6 as is necessary, to be used for the purposes designated:

7 1. For salaries, support, maintenance, and other
8 operational purposes to pay the costs of the Iowa public
9 employees' retirement system:

10 \$ 3,749,983

11 2. It is the intent of the general assembly that the Iowa
12 public employees' retirement system employ sufficient staff
13 within the appropriation provided in this section to meet the
14 developing requirements of the investment program.

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

23 Sec. 17. There is appropriated from the primary road fund
24 to the department of personnel for the fiscal year beginning
25 July 1, 1995, and ending June 30, 1996, the following amount,
26 or so much thereof as is necessary, to be used for the
27 purposes designated:

28 For salaries, support, maintenance, and miscellaneous
29 purposes to provide personnel services for the state
30 department of transportation:

31 \$ 331,694

32 Sec. 18. There is appropriated from the road use tax fund
33 to the department of personnel for the fiscal year beginning
34 July 1, 1995, and ending June 30, 1996, the following amount,
35 or so much thereof as is necessary, to be used for the

1 purposes designated:

2 For salaries, support, maintenance, and miscellaneous
3 purposes to provide personnel services for the state
4 department of transportation:

5 \$ 53,996

6 Sec. 19. There is appropriated from the general fund of
7 the state to the department of revenue and finance for the
8 fiscal year beginning July 1, 1995, and ending June 30, 1996,
9 the following amounts, or so much thereof as is necessary, to
10 be used for the purposes designated, and for not more than the
11 following full-time equivalent positions used for the purposes
12 designated in subsections 1 through 3:

13 FTEs 577.43

14 1. AUDIT AND COMPLIANCE

15 For salaries, support, maintenance, and miscellaneous
16 purposes:

17 \$ 10,219,986

18 2. STATE FINANCIAL MANAGEMENT

19 For salaries, support, maintenance, and miscellaneous
20 purposes:

21 \$ 9,071,810

22 3. INTERNAL RESOURCES MANAGEMENT

23 For salaries, support, maintenance, and miscellaneous
24 purposes:

25 \$ 5,718,032

26 4. COLLECTION COSTS AND FEES

27 For payment of collection costs and fees pursuant to
28 section 422.26:

29 \$ 43,538

30 5. a. The department of revenue and finance shall not
31 change the appropriations for the purposes designated in
32 subsections 1 through 3 from the amounts appropriated in those
33 subsections unless notice of the revisions is given prior to
34 their effective date to the legislative fiscal bureau. The
35 notice shall include information on the department's rationale

1 for making the changes.

2 b. The department of revenue and finance shall report
 3 quarterly to the legislative fiscal bureau concerning progress
 4 in the implementation of generally accepted accounting
 5 principles, including determination of reporting entities,
 6 fund classifications, modification of the Iowa financial
 7 accounting system, progress on preparing a comprehensive
 8 annual financial report, and the most current estimate of the
 9 general fund balance based on current generally accepted
 10 accounting principles.

11 c. The director of revenue and finance shall report
 12 annually to the chairpersons and ranking members of the joint
 13 appropriations subcommittee on administration and regulation
 14 and the legislative fiscal bureau on the implementation and
 15 financial status of the integrated revenue information system.
 16 The report shall include any changes from the scheduled
 17 progress including expenditures or estimated revenue.

18 d. The director of revenue and finance shall prepare and
 19 issue a state appraisal manual and the revisions to the state
 20 appraisal manual as provided in section 421.17, subsection 18,
 21 without cost to a city or county.

22 Sec. 20. There is appropriated from the lottery fund to
 23 the department of revenue and finance for the fiscal year
 24 beginning July 1, 1995, and ending June 30, 1996, the
 25 following amount, or so much thereof as is necessary, to be
 26 used for the purposes designated:

27 For salaries, support, maintenance, miscellaneous purposes
 28 for the administration and operation of lottery games, and for
 29 not more than the following full-time equivalent positions:
 30 \$ 7,408,016
 31 FTEs 120.00

32 Sec. 21. There is appropriated from the motor vehicle fuel
 33 tax fund created by section 452A.77 to the department of
 34 revenue and finance for the fiscal year beginning July 1,
 35 1995, and ending June 30, 1996, the following amount, or so

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

3 For salaries, support, maintenance, and miscellaneous
4 purposes for administration and enforcement of the provisions
5 of chapter 452A and the motor vehicle use tax program:

6 \$ 1,008,025

7 Sec. 22. There is appropriated from the general fund of
8 the state to the office of the secretary of state for the
9 fiscal year beginning July 1, 1995, and ending June 30, 1996,
10 the following amounts, or so much thereof as is necessary, to
11 be used for the purposes designated:

12 1. ADMINISTRATION AND ELECTIONS

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

16 \$ 495,211

17 FTEs 9.00

18 2. BUSINESS SERVICES

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

22 \$ 1,408,493

23 FTEs 28.00

24 3. For costs incurred in the printing of the official
25 register:

26 \$ 58,050

27 Sec. 23. TREASURER OF STATE. There is appropriated from
28 the general fund of the state to the office of treasurer of
29 state for the fiscal year beginning July 1, 1995, and ending
30 June 30, 1996, the following amount, or so much thereof as is
31 necessary, to be used for the purposes designated:

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

35 \$ 784,366

1 FTEs 26.80

2 The office of treasurer of state shall supply clerical and
3 secretarial support for the executive council.

4 Sec. 24. SECOND INJURY FUND. The administrative costs and
5 expenses incurred by the treasurer of state, the attorney
6 general, the second injury fund, or the department of revenue
7 and finance, in connection with the second injury fund, may be
8 paid from the second injury fund. However, the payment of
9 administrative costs and expenses incurred by the treasurer of
10 state, the attorney general, the second injury fund, and the
11 department of revenue and finance, as authorized in this
12 section, shall only be permitted for administrative costs and
13 expenses incurred in the fiscal year commencing July 1, 1995,
14 and ending June 30, 1996, and shall not exceed \$170,000.

15 Sec. 25. STATE WORKERS' COMPENSATION CLAIMS. There is
16 appropriated from the general fund of the state to the
17 department of personnel for the fiscal year beginning July 1,
18 1995, and ending June 30, 1996, the following amount, or so
19 much thereof as is necessary, to be used for the purpose
20 designated:

21 For distribution, subject to approval of the department of
22 management, to various state departments to fund the premiums
23 for paying workers' compensation claims which are assessed to
24 and collected from the state department by the department of
25 personnel based upon a rating formula established by the
26 department of personnel:

27 \$ 5,693,486

28 The premiums collected by the department of personnel shall
29 be segregated into a separate workers' compensation fund in
30 the state treasury to be used for payment of state employees'
31 workers' compensation claims. Notwithstanding section 8.33,
32 unencumbered or unobligated moneys remaining in this workers'
33 compensation fund at the end of the fiscal year shall not
34 revert but shall be available for expenditure for purposes of
35 the fund for subsequent fiscal years.

1 Sec. 26. CENTRALIZED PURCHASING REVOLVING FUND TRANSFER.
2 Notwithstanding section 18.9, there is transferred from the
3 centralized purchasing revolving fund created under section
4 18.9 to the general fund of the state on June 30, 1995, the
5 sum of \$500,000.

6 Sec. 27. AUDITOR OF STATE FILING FEE TRANSFER. Not-
7 withstanding a contrary provision of section 11.6, there is
8 transferred from the filing fee account of the auditor of
9 state to the general fund of the state on June 30, 1995, the
10 sum of \$99,833.

11 Sec. 28. SECRETARY OF STATE OPTICAL IMAGING ACCOUNT
12 TRANSFER. The secretary of state shall pay to the general
13 fund of the state on June 30, 1995, the sum of \$75,000, or so
14 much thereof as remains of funds appropriated for an optical
15 imaging project. If insufficient unencumbered or unobligated
16 funds remain in the optical imaging account as of June 30,
17 1995, to pay \$75,000 to the general fund of the state, the
18 deficiency shall be paid from other moneys appropriated to the
19 office of secretary of state pursuant to this Act.

20 Sec. 29. IMPLEMENTATION OF FUNDING REDUCTIONS -- INTENT OF
21 GENERAL ASSEMBLY. It is the intent of the general assembly
22 that the departments, agencies, and offices of the executive
23 department of state government shall implement funding
24 reductions through organizational changes which reduce
25 supervisory positions, vertically and horizontally, and
26 increase the span of control of the remaining supervisors as
27 recommended by the governor's committee on government spending
28 reform.

29 Sec. 30. ELIMINATION OF VACANT UNFUNDED JOBS. The state
30 departments, agencies, or offices receiving appropriations
31 under this Act shall eliminate, within thirty days after the
32 beginning of a fiscal year, all vacant unfunded positions on
33 the table of organization of the state department, agency, or
34 office.

35 Sec. 31. STATE COMMUNICATIONS NETWORK -- REDUCTION OF

1 TRAVEL AND RELATED EXPENSES. The offices of the governor and
2 lieutenant governor, the office of secretary of state, the
3 office of treasurer of state, the auditor of state, the
4 department of commerce, the department of inspections and
5 appeals, the Iowa ethics and campaign disclosure board, the
6 department of general services, the department of management,
7 the department of revenue and finance, the department of
8 personnel shall use the services of the state communications
9 network as much as possible for interagency communication,
10 meetings, and conferences to reduce travel and related
11 expenses for the respective offices or departments.

12 Sec. 32. REPORT OF ADDITIONAL INCOME AND EXPENDITURES.

13 The state departments, agencies, and offices receiving
14 appropriations under this Act shall report all expenses in
15 excess of the funds appropriated from any statutory revolving
16 funds during the fiscal year beginning July 1, 1994, and
17 ending June 30, 1995. The report shall also include the
18 beginning and ending balances of the revolving funds.

19 The report required pursuant to this section shall be
20 submitted not later than September 30, 1995, for expenditures
21 made during the fiscal year beginning July 1, 1994, and ending
22 June 30, 1995, to the chairpersons and ranking members of the
23 joint appropriations subcommittee on administration and
24 regulation and the legislative fiscal bureau.

25 Sec. 33. FEDERAL GRANTS. All federal grants to and the
26 federal receipts of agencies appropriated funds under this
27 Act, not otherwise appropriated, are appropriated for the
28 purposes set forth in the federal grants or receipts unless
29 otherwise provided by the general assembly.

30 CORRESPONDING AMENDMENTS

31 Sec. 34. Section 12.21, Code 1995, is amended to read as
32 follows:

33 12.21 ACCEPTING CREDIT CARD PAYMENTS.

34 The treasurer of state may enter into an agreement with a
35 financial institution to provide credit card receipt

1 processing for state departments which are authorized by the
2 treasurer of state to accept payment by credit card. A
3 department which accepts credit card payments ~~shall~~ may adjust
4 its fees to reflect the cost of processing as determined by
5 the treasurer of state. A fee may be charged by a department
6 for using the credit card payment method notwithstanding any
7 other provision of the Code setting specific fees. The
8 treasurer of state shall adopt rules to implement this
9 section.

10 Sec. 35. Section 12.32, subsection 1, Code 1995, is
11 amended to read as follows:

12 1. "Eligible borrower" means any person who is in the
13 business or is entering the business of producing, processing,
14 or marketing horticultural crops, or nontraditional crops, or
15 nontraditional livestock in this state, including but not
16 limited to the breeding or training of horses and dogs which
17 are involved in racing at a facility licensed pursuant to
18 chapter 99D.

19 Sec. 36. Section 12.33, subsection 1, Code 1995, is
20 amended by adding the following new paragraph:

21 NEW PARAGRAPH. c. That there is an increasing expansion
22 of nontraditional livestock production which promises new
23 opportunities for agricultural animal producers, creates new
24 value-added products, and ensures greater diversity in
25 agricultural production.

26 Sec. 37. Section 12.33, subsections 2 and 3, Code 1995,
27 are amended to read as follows:

28 2. The linked investments for tomorrow program provided
29 for in this division is intended to provide statewide
30 availability of lower cost funds for lending purposes that
31 will stimulate existing or encourage new businesses in the
32 area of producing, processing, or marketing horticultural or
33 crops, nontraditional crops, or nontraditional livestock,
34 including but not limited to the breeding or training of
35 horses and dogs which are involved in racing at a facility

1 licensed pursuant to chapter 99D.

2 3. It is the public policy of the state through the linked
3 investments for tomorrow program to create an availability of
4 lower cost funds to inject needed capital into the business of
5 producing, processing, or marketing horticultural crops, or
6 nontraditional crops, or nontraditional livestock, including
7 but not limited to the breeding or training of horses and dogs
8 which are involved in racing at a facility licensed pursuant
9 to chapter 99D.

10 Sec. 38. Section 12.34, subsection 2, Code 1995, is
11 amended to read as follows:

12 2. The treasurer shall adopt rules pursuant to chapter 17A
13 to implement this division including, but not limited to,
14 rules identifying horticultural crops, and nontraditional
15 crops, and nontraditional livestock, including but not limited
16 to the breeding or training of horses and dogs which are
17 involved in racing at a facility licensed pursuant to chapter
18 99D, for which the linked investments may be loaned.

19 Sec. 39. Section 12.35, subsection 1, Code 1995, is
20 amended to read as follows:

21 1. An eligible lending institution that desires to receive
22 a linked investment shall accept and review applications for
23 loans from eligible borrowers. The lending institution shall
24 apply all usual lending standards to determine the credit
25 worthiness of each eligible borrower. Loan applications shall
26 be for the purchase or lease of land, machinery, equipment,
27 seed, fertilizer, direct marketing facilities, or new or
28 expanding production, processing, or marketing facilities for
29 horticultural crops, or nontraditional crops, or
30 nontraditional livestock, including but not limited to the
31 breeding or training of horses and dogs which are involved in
32 racing at a facility licensed pursuant to chapter 99D. The
33 maximum size of a loan is two hundred thousand dollars per
34 borrower for a production loan and five hundred thousand
35 dollars for processing or marketing facilities.

1 Sec. 40. Section 12.37, subsection 1, Code 1995, is
2 amended to read as follows:

3 1. Upon the placement of a linked investment with an
4 eligible lending institution, the institution is required to
5 lend the funds to the eligible borrower listed in the linked
6 investment loan package and in accordance with the investment
7 agreement. The loan shall be at a rate not more than four
8 percent above the rate paid the treasurer by the financial
9 institution. The eligible lending institution shall be
10 required to submit a certification of compliance with this
11 section in the form and manner as prescribed by the treasurer
12 of state. The eligible lending institution shall not commit
13 more than twenty percent of available investment funds for
14 nontraditional livestock.

15 Sec. 41. Section 17A.8, subsection 9, Code 1995, is
16 amended to read as follows:

17 9. Upon a vote of ~~two-thirds~~ six of its members, the
18 administrative rules review committee may delay the effective
19 date of a rule until the adjournment of the next regular
20 session of the general assembly. The committee shall refer a
21 rule whose effective date has been delayed to the speaker of
22 the house of representatives and the president of the senate
23 who shall refer the rule to the appropriate standing
24 committees of the general assembly. If the general assembly
25 has not disapproved of the rule by a joint resolution, the
26 rule shall become effective. The speaker of the house of
27 representatives and the president of the senate shall notify
28 the administrative code editor of the final disposition of any
29 rule delayed pursuant to this subsection. If a rule is
30 disapproved, it shall not become effective and the agency
31 shall withdraw the rule. This section shall not apply to
32 rules made effective under section 17A.5, subsection 2,
33 paragraph "b".

34 Sec. 42. Section 25.2, Code 1995, is amended to read as
35 follows:

1 25.2 EXAMINATION OF REPORT -- APPROVAL OR REJECTION --
2 PAYMENT.

3 The state appeal board with the recommendation of the
4 special assistant attorney general for claims may approve or
5 reject claims against the state of less than ten years
6 covering the following: Outdated warrants; outdated sales and
7 use tax refunds; license refunds; additional agricultural land
8 tax credits; outdated invoices; fuel and gas tax refunds;
9 outdated homestead and veterans' exemptions; outdated funeral
10 service claims; tractor fees; registration permits; outdated
11 bills for merchandise; services furnished to the state; claims
12 by any county or county official relating to the personal
13 property tax credit; and refunds of fees collected by the
14 state. Payments authorized by the state appeal board shall be
15 paid from the appropriation or fund of original certification
16 of the claim. However, if that appropriation or fund has
17 since reverted under section 8.33 then such payment authorized
18 by the state appeal board shall be out of any money in the
19 state treasury not otherwise appropriated. Notwithstanding
20 the provisions of this section, the director of revenue and
21 finance may reissue outdated warrants. On or before November
22 1 of each year, the director of revenue and finance shall
23 provide the treasurer of state with a report of all unpaid
24 warrants which have been outdated for two years or more. The
25 treasurer shall include information regarding outdated
26 warrants in the notice published pursuant to section 556.12.
27 The provisions of section 556.11 regarding agreements to pay
28 compensation for recovery or assistance in recovery of
29 unclaimed property are applicable to agreements to pay
30 compensation to recover or assist in the recovery of outdated
31 warrants.

32 Sec. 43. NEW SECTION. 70A.1A SALARY LIMITATIONS --
33 CERTAIN DEPARTMENT HEADS AND SUBORDINATE OFFICERS AND
34 EMPLOYEES.

35 1. The directors, principal assistants, and employees of

1 the following departments, boards, and offices shall not
2 receive an annual salary which exceeds eighty percent of the
3 annual salary of the governor:

- 4 a. Iowa ethics and campaign disclosure board.
- 5 b. Department of commerce.
- 6 c. Department of general services.
- 7 d. Office of the governor.
- 8 e. Department of inspections and appeals.
- 9 f. Department of management.
- 10 g. Department of personnel.
- 11 h. Department of revenue and finance.
- 12 i. Office of state-federal relations.

13 2. The annual salaries of the deputy officers and
14 employees of the following state agencies shall not exceed
15 eighty percent of annual salary of the state agency's elected
16 principal officer:

- 17 a. Office of auditor of state.
- 18 b. Office of secretary of state.
- 19 c. Office of treasurer of state.

20 Sec. 44. SALARIES EXCEEDING LIMITS -- TRANSITION.

21 On the effective date of this Act, if the salary of an
22 officer or employee of the state departments and offices
23 listed in section 43 of this Act exceeds the 80 percent
24 limitation, the salary of the officer or employee shall be
25 frozen at that pay rate until the officer's or employee's
26 salary is less than 80 percent of the applicable principal
27 officer's salary. When the officer's or employee's salary is
28 less than an amount which equals the 80 percent limitation,
29 the officer or employee may receive salary adjustments as
30 otherwise provided by law, but total annual salary shall not
31 exceed the 80 percent limitation.

32 Sec. 45. Section 411.36, subsection 1, unnumbered
33 paragraph 1, Code 1995, as amended by 1995 Iowa Acts, Senate
34 File 45, section 5, is amended to read as follows:

35 A board of trustees for the statewide fire and police

1 retirement system is created. The board shall consist of
2 ~~thirteen~~ fourteen members, including nine voting members and
3 ~~four~~ five nonvoting members. Section 69.16A applies to the
4 appointment of the voting members of the board. The voting
5 members of the board shall be as follows:

6 Sec. 46. Section 411.36, subsection 1, unnumbered
7 paragraph 2, Code 1995, as amended by 1995 Iowa Acts, Senate
8 File 45, section 5, is amended to read as follows:

9 The treasurer of state, or the treasurer's designee, shall
10 serve as an ex officio, nonvoting member. The other nonvoting
11 members of the board shall be two state representatives, one
12 appointed by the speaker of the house of representatives and
13 one by the minority leader of the house, and two state
14 senators, one appointed by the majority leader of the senate
15 and one by the minority leader of the senate.

16 Sec. 47. Section 411.36, subsection 2, Code 1995, is
17 amended to read as follows:

18 ~~2. Except-as-otherwise-provided-for-the-initial~~
19 ~~appointments,-the~~ The voting members shall be appointed for
20 four-year terms, and the nonvoting members who are members of
21 the senate and the house of representatives shall be appointed
22 for two-year terms. Terms begin on May 1 in the year of
23 appointment and expire on April 30 in the year of expiration.

24 Sec. 48. Section 411.36, subsection 5, paragraph a, Code
25 1995, is amended to read as follows:

26 a. Members of the board, except the treasurer of state or
27 the treasurer's designee, shall be paid their actual and
28 necessary expenses incurred in the performance of their duties
29 and shall receive a per diem as specified in section 7E.6 for
30 each day of service. Per diem and expenses shall be paid to
31 voting members from the fire and police retirement fund
32 created in section 411.8.

33 Sec. 49. MEMBERSHIP OF TREASURER OF STATE. The treasurer
34 of state, or the treasurer's designee, shall become a member
35 of the board of trustees for the statewide fire and police

1 retirement system on May 1, 1995.

2 Sec. 50. Section 462A.78, subsection 5, Code 1995, is
3 amended to read as follows:

4 5. The funds collected under subsection 1, paragraph "a",
5 shall be placed in the general fund of the county and used for
6 the expenses of the county conservation board if one exists in
7 that county. Of each surcharge collected as required under
8 subsection 1, paragraph "b", the county recorder shall remit
9 five dollars to the ~~office-of-treasurer-of-state~~ department of
10 revenue and finance for deposit in the general fund of the
11 state.

12 Sec. 51. Section 476.3, Code 1995, is amended by adding
13 the following new subsection:

14 NEW SUBSECTION. 4. Notwithstanding subsection 3, if,
15 within one year of the effective date of a rate increase, the
16 board issues a decision which places a rate limitation on the
17 rates charged a particular class of customer which results in
18 lower rates for that class of customer, the utility shall be
19 required to refund the difference between the amount of the
20 initial rate increase and the amount of the subsequent rate
21 decrease.

22 Sec. 52. Section 476.6, Code 1995, is amended by adding
23 the following new subsection:

24 NEW SUBSECTION. 22. If a rate-regulated public utility
25 acquires all or part of another rate-regulated utility, the
26 acquired public utility service area shall be considered a
27 separate service area of the public utility for the purpose of
28 determining customer rates, charges, and schedules. The board
29 shall approve rate adjustments, charges, and schedules only
30 which reflect the differences between the customer rates,
31 charges, and schedules of the separate service areas at the
32 time of acquisition.

33 Sec. 53. NEW SECTION. 514I.1 HEALTH EDUCATION AND
34 ADVOCACY PROGRAM ESTABLISHED.

35 1. A health education and advocacy program is established

1 in the insurance division in the department of commerce which
2 shall do all of the following:

3 a. Assist health care consumers to make more informed
4 choices in the health care marketplace, and to be able to
5 participate in decisions concerning the consumers' health
6 care.

7 b. Promote the interest of health care consumers in this
8 state in the health care marketplace.

9 2. a. The program shall provide assistance to health care
10 consumers for all of the following:

11 (1) Understanding their health care bills and third-party
12 coverage.

13 (2) Identifying improper billing or coverage
14 determinations.

15 (3) Reporting billing or coverage problems to appropriate
16 entities.

17 b. If a billing or coverage issue concerns the adequacy or
18 propriety of a service or treatment, the program shall refer
19 the matter to an appropriate professional, licensing, or
20 disciplinary body, as applicable. The program shall monitor
21 the progress of the concerns raised by health care consumers
22 through the referrals.

23 c. The program shall work with the appropriate state
24 agency to assist with the resolution of billing or coverage
25 questions as necessary.

26 3. a. The program shall recommend to the attorney
27 general, the governor, the general assembly, or any other
28 appropriate state agency, any measure that will promote the
29 interests of health care consumers in the health marketplace.

30 b. The program shall make an annual report to the general
31 assembly concerning the program's activities. The legislative
32 council shall appoint an advisory committee to monitor the
33 activities and progress of the program in satisfying the
34 objectives established in this section. The advisory
35 committee shall consist of seven members of which one member

1 shall represent a small employer providing health care
2 coverage to its employees; two members shall represent
3 employees, at least one of whom shall be a member of a
4 statewide labor organization; and four members shall represent
5 consumers, at least one of whom shall be a member of a
6 statewide consumer organization. The committee shall meet
7 with program staff on a regular basis to receive reports on
8 the activities of the program.

9 Sec. 54. Section 533.4, subsections 1, 4, 5, and 19, Code
10 1995, are amended to read as follows:

11 1. Receive ~~the savings of~~ from its members ~~either,~~
12 nonmembers as prescribed by rule where the credit union is
13 serving predominantly low-income members, other credit unions,
14 and federal, state, county, and city governments, as payment
15 payments on shares or as deposits, including the right to
16 conduct Christmas clubs, vacation clubs, and other such thrift
17 organizations within the membership subject to the terms,
18 rates, and conditions established by the board of directors,
19 subject to the limitations established by rule by the
20 superintendent.

21 4. ~~Deposit~~ Make deposits in state and national banks,
22 state and federal savings banks or savings and loan
23 associations, and state and federal credit unions, the
24 accounts of which are insured by the federal deposit insurance
25 corporation or the national credit union share insurance fund.

26 5. Make investments in:

27 a. Time deposits in state and national banks and in state
28 banks, state and federal savings banks or savings and loan
29 associations, and state and federal credit unions, the
30 deposits of which are insured by the federal deposit insurance
31 corporation or the national credit union share insurance fund.

32 b. Obligations, participations, or other instruments of or
33 issued by, or fully guaranteed as to principal and interest by
34 the United States government or any agency thereof; or any
35 trust or trusts established for investing directly or

1 collectively in the same.

2 c. General obligations of the state of Iowa and any
3 subdivision thereof of the state.

4 ~~d. Paid-up deposits of savings and loan associations, the~~
5 ~~deposits of which are insured by the federal savings and loan~~
6 ~~insurance corporation.~~

7 ~~e. d.~~ Purchase of notes of liquidating credit unions with
8 the approval of the superintendent.

9 ~~f. e.~~ Shares and deposits in other credit unions.

10 ~~g. f.~~ Shares, stocks, loans, and other obligations or a
11 combination thereof of an organization, corporation, or
12 association, provided the membership or ownership, as the case
13 may be, of the organization, corporation, or association is
14 primarily confined or restricted to credit unions or
15 organizations of credit unions and provided that the purpose
16 of the organization, corporation, or association is primarily
17 designed to provide services to credit unions, organizations
18 of credit unions, or credit union members. However, the
19 aggregate amount invested pursuant to this subsection shall
20 not exceed five percent of the assets of the credit union.

21 ~~h. g.~~ Obligations issued by federal land banks, federal
22 intermediate credit banks, banks for cooperatives, or any or
23 all of the federal farm credit banks.

24 ~~i. h.~~ Commercial paper issued by United States
25 corporations as defined by rule.

26 ~~j. i.~~ Corporate bonds as defined by and subject to terms
27 and conditions imposed by the administrator, provided that the
28 administrator shall not approve investment in corporate bonds
29 unless the bonds are rated in the two highest grades of
30 corporate bonds by a nationally accepted rating agency,
31 including but not limited to a rating of AAA or AA from
32 Standard and Poors.

33 19. Establish one or more offices other than its main
34 office, subject to the approval and regulation of the
35 superintendent, if such offices ~~shall be~~ are reasonably

1 necessary to furnish service to its membership. A credit
2 union office may furnish all credit union services ordinarily
3 furnished to the membership at the principal place of business
4 of the credit union which operates the office. All
5 transactions of a credit union office shall be transmitted
6 daily to the principal place of business of the credit union
7 which operates the office, and no current recordkeeping
8 functions shall not be maintained at a credit union office
9 except to the extent the credit union which operates the
10 office deems it desirable to keep at the office duplicates of
11 the records kept at the principal place of business of the
12 credit union. The central executive and official business
13 functions of a credit union shall be exercised only at the
14 principal place of business.

15 A credit union office shall not be opened without the prior
16 written approval of the superintendent. Upon application by a
17 credit union in the form prescribed by the superintendent, the
18 superintendent shall determine, after notice and hearing, if
19 the establishment of the credit union office is reasonably
20 necessary for service to, and is in the best interests of, the
21 members of the credit union.

22 Notwithstanding the provisions of this section, data
23 processing services and loan documentation recordkeeping
24 functions may be performed or located at an authorized credit
25 union office or at some other location, subject to the
26 approval of the superintendent.

27 Sec. 55. Section 533.16, subsection 3, Code 1995, is
28 amended to read as follows:

29 3. A director of a credit union may borrow from that
30 credit union under the provisions of this chapter, but the
31 rates, terms, and conditions of a loan or line of credit
32 either made to or endorsed or guaranteed by the director shall
33 not be made-on-terms more favorable than those-extended the
34 rates, terms, or conditions of comparable loans or lines of
35 credit provided to other members. ~~A-director-of-a-credit~~

1 union may borrow from that credit union to the extent and in
2 the amount of such director's holdings in the credit union in
3 shares and deposits. -- A director desiring to borrow from the
4 credit union an amount in excess of the director's holdings in
5 shares and deposits shall first submit application for
6 approval by the board of directors at a regular or special
7 meeting. -- The director making application for the loan shall
8 not be in attendance at the time the board of directors
9 considers the application and shall not take part in the
10 consideration. -- Prior to consideration of such loan, the
11 director must have submitted to the board a detailed current
12 financial statement. The aggregate amount of all director
13 loans and lines of credit shall not exceed twenty twenty-five
14 percent of the assets of the credit union.

15 Sec. 56. Section 533.16, subsection 4, paragraph c, Code
16 1995, is amended by striking the paragraph and inserting in
17 lieu thereof the following:

18 c. A credit union which obtains a report or opinion by an
19 attorney or from another mortgage lender relating to defects
20 in or liens or encumbrances on the title to real property, the
21 unmarketability of the title to real property, or the in-
22 validity or unenforceability of liens or encumbrances on real
23 property, shall provide a copy of the report or opinion to the
24 mortgagor and the mortgagor's attorney.

25 Sec. 57. Section 533.17, subsection 1, unnumbered
26 paragraph 1, Code 1995, is amended to read as follows:

27 ~~Immediately before the payment of a dividend~~ At the end of
28 each dividend period, but no less than quarterly, the gross
29 income of the credit union shall determine its gross earnings
30 be determined. A legal reserve ~~for contingencies~~ against
31 losses on loans and against such other losses as may be
32 specified by rule shall be set aside from the gross earnings
33 income in accordance with the following schedule:

34 Sec. 58. Section 533.17, subsection 2, Code 1995, is
35 amended to read as follows:

1 2. For the purpose of establishing legal reserves, the
2 following shall not be considered risk assets:

3 a. Cash on hand.

4 b. Deposits and shares in ~~federal-or-state~~ federally
5 insured banks, savings and loan associations, and credit
6 unions.

7 c. Assets which are insured by, fully guaranteed as to
8 principal and interest by, or due from the United States
9 government, its agencies, and instrumentalities.

10 d. Loans to other credit unions.

11 e. Student loans insured under the provisions of Title XX,
12 United States Code, section 1071 to section 1087 or similar
13 state programs.

14 f. Loans insured by the federal housing administration
15 under Title XII, United States Code, section 1703.

16 g. Loans fully insured or guaranteed by the federal
17 government, a state government, or any agency of either.

18 ~~g~~ h. Common trust investments which deal in investments
19 authorized in section 533.4.

20 ~~h~~ i. Prepaid expenses.

21 ~~i~~ j. Accrued interest on nonrisk investments.

22 ~~j~~ k. Furniture and equipment.

23 ~~k~~ l. Land and buildings.

24 m. Loans fully secured by a pledge of shares within the
25 credit union.

26 n. Deposits in the national credit union share insurance
27 fund.

28 o. Real estate loans in transit to the secondary market as
29 specified by rule.

30 Sec. 59. Section 533.18, Code 1995, is amended to read as
31 follows:

32 533.18 DIVIDENDS.

33 ~~At such intervals and for such periods as the board of~~
34 ~~directors may authorize, and after transfers-to-the provision~~
35 for required reserves pursuant to section 533.17, the board of

1 directors may declare dividends at such rates and upon such
2 classes of shares as are determined by the board. Such
3 dividends shall be paid on all paid-up shares outstanding at
4 the close of the period for which the dividend is declared.

5 ~~2.---Shares-which-become-fully-paid-up-during-such-dividend~~
6 ~~period-and-are-outstanding-at-the-close-of-period-shall-be~~
7 ~~entitled-to-a-proportional-share-of-such-dividend.~~

8 ~~3.---Dividend-credit-for-a-month-may-be-accrued-on-shares~~
9 ~~which-are-or-become-fully-paid-up-during-the-first-fifteen~~
10 ~~days-of-that-month.~~

11 Sec. 60. NEW SECTION. 533.49 AUTHORITY TO LEASE SAFE
12 DEPOSIT BOXES.

13 1. A credit union may lease safe deposit boxes for the
14 storage of property on terms and conditions prescribed by it.
15 Such terms and conditions shall not bind any person to whom
16 the credit union does not give notice of the terms and condi-
17 tions by delivery of a lease and agreement in writing contain-
18 ing the terms and conditions. A credit union may limit its
19 liability provided such limitations are set forth in the lease
20 and agreement in at least the same size and type as the other
21 substantive provisions of the contract.

22 2. The lease and agreement of a safe deposit box may
23 provide that evidence tending to prove that property was left
24 in a safe deposit box upon the last entry by the member or the
25 member's authorized agent, and that the property or any part
26 of the property was found missing upon subsequent entry, is
27 not sufficient to raise a presumption that the property was
28 lost by any negligence or wrongdoing for which the credit
29 union is responsible, or put upon the credit union the burden
30 of proof that the alleged loss was not the fault of the credit
31 union.

32 3. A credit union may lease a safe deposit box to a minor.
33 A credit union may deal with a minor with respect to a safe
34 deposit box lease and agreement without the consent of a
35 parent, guardian, or conservator and with the same effect as

1 though the minor were an adult. Any action of the minor with
2 respect to such safe deposit box lease and agreement is
3 binding on the minor with the same effect as though the minor
4 were an adult.

5 4. A credit union which has on file a power of attorney of
6 a member covering a safe deposit box lease and agreement,
7 which has not been revoked by the member, shall incur no
8 liability as a result of continuing to honor the provisions of
9 the power of attorney in the event of the death or
10 incompetence of the donor of the power of attorney until the
11 credit union receives written notice of the death, or written
12 notice of adjudication by a court of the incompetence of the
13 member and the appointment of a guardian or conservator.

14 Sec. 61. NEW SECTION. 533.49A SEARCH PROCEDURE ON DEATH.

15 A credit union shall permit the person named in a court
16 order or, if no order has been served upon the credit union,
17 the spouse, a parent, an adult descendant, or a person named
18 as executor in a copy of a purported will produced by the
19 person, to open and examine the contents of a safe deposit box
20 leased by a decedent, or to examine any property delivered by
21 a decedent for safekeeping, in the presence of an officer of
22 the credit union. The credit union, if requested by such
23 person, and upon the credit union's receipt of the request,
24 shall deliver:

25 1. Any writing purported to be a will of the decedent to
26 the court having jurisdiction of the decedent's estate.

27 2. Any writing purported to be a deed to a burial plot, or
28 to give burial instructions, to the person making the request
29 for a search.

30 3. Any document purported to be an insurance policy on the
31 life of the decedent to the beneficiary named in the policy.
32 A credit union shall prepare and keep a list of any contents
33 delivered pursuant to this section describing the nature of
34 the property and the individual to whom delivered, and place a
35 copy of the list in the safe deposit box from which the con-

1 tents were removed.

2 Sec. 62. NEW SECTION. 533.49B ADVERSE CLAIMS TO PROPERTY
3 IN SAFE DEPOSIT AND SAFEKEEPING.

4 1. A credit union shall not be required, in the absence of
5 a court order or indemnity required by this section, to
6 recognize any claim to, or claim of authority to exercise
7 control over, property held in safe deposit or property held
8 for safekeeping pursuant to section 533.49D made by a person
9 or persons other than the following:

10 a. The member in whose name the property is held by the
11 credit union.

12 b. An individual or group of individuals who are
13 authorized to have access to the safe deposit box, or to the
14 property held for safekeeping, pursuant to a certified
15 corporate resolution or other written arrangement with the
16 member, currently on file with the credit union, which has not
17 been revoked by valid corporate action in the case of a
18 corporation, or by a valid agreement or other valid action
19 appropriate for the form of legal organization of any other
20 member, of which the credit union has received notice and
21 which is not the subject of a dispute known to the credit
22 union as to its original validity. The safe deposit and
23 safekeeping account records of a credit union shall be
24 presumptive evidence as to the identity of the member on whose
25 behalf the property is held.

26 2. To require a credit union to recognize an adverse claim
27 to, or adverse claim of authority to control, property held in
28 safe deposit or for safekeeping, whoever makes the claim must
29 do either of the following:

30 a. Obtain and serve on the credit union an appropriate
31 court order or judicial process directed to the credit union,
32 restraining any action with respect to the property until
33 further order of the court or instructing the credit union to
34 deliver the property, in whole or in part, as indicated in the
35 order or process.

1 b. Deliver to the credit union a bond, in form and amount
2 with sureties satisfactory to the credit union, indemnifying
3 the credit union against any liability, loss, or expense which
4 the credit union might incur because of its refusal to deliver
5 the property to any person described in subsection 1,
6 paragraph "a" or "b".

7 Sec. 63. NEW SECTION. 533.49C REMEDIES AND PROCEEDINGS
8 FOR NONPAYMENT OF RENT ON SAFE DEPOSIT BOX.

9 1. A credit union has a lien upon the contents of a safe
10 deposit box for past due rentals and any expense incurred in
11 opening the safe deposit box, replacement of the locks on the
12 safe deposit box, and of a sale made pursuant to this section.
13 If the rental of a safe deposit box is not paid within six
14 months from the day the rental is due, at any time after the
15 six months and while the rental remains unpaid, the credit
16 union shall mail a notice by restricted certified mail to the
17 member at the member's last known address as shown upon the
18 records of the credit union, stating that if the amount due
19 for the rental is not paid on or before a specified day, which
20 shall be at least thirty days after the date of mailing such
21 notice, the credit union will remove the contents of the safe
22 deposit box and hold the contents for the account of the
23 member.

24 2. If the rental for the safe deposit box has not been
25 paid after the expiration of the period specified in a notice
26 mailed pursuant to subsection 1, the credit union, in the
27 presence of two of its officers, may cause the box to be
28 opened and the contents removed. An inventory of the contents
29 of the safe deposit box shall be made by the two officers
30 present and the contents held by the credit union for the
31 account of the member.

32 3. If the contents are not claimed within two years after
33 their removal from the safe deposit box, the credit union may
34 proceed to sell so much of the contents as is necessary to pay
35 the past due rentals and expense incurred in opening the safe

1 deposit box, replacement of the locks on the safe deposit box,
2 and the sale of the contents. The sale shall be held at the
3 time and place specified in a notice published prior to the
4 sale once each week for two successive weeks in a newspaper of
5 general circulation published in the city or unincorporated
6 area in which the credit union has its principal place of
7 business, or if there is none, a newspaper of general circu-
8 lation published in the county, or in a county adjoining the
9 county, in which the credit union has its principal place of
10 business. A copy of the published notice shall be mailed to
11 the member at the member's last known address as shown upon
12 the records of the credit union. The notice shall contain the
13 name of the member and need only describe the contents of the
14 safe deposit box in general terms. The contents of any number
15 of safe deposit boxes may be sold under one notice of sale and
16 the cost of the sale apportioned ratably among the several
17 safe deposit box members involved. At the time and place
18 designated in the notice the contents taken from each
19 respective safe deposit box shall be sold separately to the
20 highest bidder for cash and the proceeds of each sale applied
21 to the rentals and expenses due to the credit union and the
22 residue from any such sale shall be held by the credit union
23 for the account of the member or members. An amount held as
24 proceeds from such sale shall be credited with interest at the
25 customary annual rate for savings accounts at the credit
26 union, or in lieu thereof, at the customary rate of interest
27 in the community where such proceeds are held. The crediting
28 of interest does not activate the account to avoid an
29 abandonment as unclaimed property under chapter 556.

30 4. Notwithstanding the provisions of this section, shares,
31 bonds, or other securities which, at the time of a sale pur-
32 suant to subsection 3, are listed on an established stock ex-
33 change in the United States, shall not be sold at public sale
34 but may be sold through an established stock exchange. Upon
35 making a sale of any such securities, an officer of the credit

1 union shall execute and attach to the securities so sold an
2 affidavit reciting facts showing that the securities were sold
3 pursuant to this section and that the credit union has
4 complied with the provisions of this section. The affidavit
5 constitutes sufficient authority to any corporation whose
6 shares are sold or to any registrar or transfer agent of such
7 corporation to cancel the certificates representing the shares
8 to the purchaser of the shares, and to any registrar, trustee,
9 or transfer agent of registered bonds or other securities, to
10 register any such bonds or other securities in the name of the
11 purchaser of the bonds or other securities.

12 5. The proceeds of any sale made pursuant to this section,
13 after the payment of any amounts with respect to which the
14 credit union has a lien, any property which was not offered
15 for sale and property which, although offered for sale, was
16 not sold, shall be retained by the credit union until such
17 time as the property is presumed abandoned according to
18 section 556.2, and shall be handled pursuant to chapter 556.

19 Sec. 64. NEW SECTION. 533.49D AUTHORITY TO RECEIVE
20 PROPERTY FOR SAFEKEEPING.

21 1. A credit union may accept property for safekeeping if,
22 except in the case of night depositories, the credit union
23 issues a receipt for the property. A credit union accepting
24 property for safekeeping shall purchase and maintain
25 reasonable insurance coverage to ensure against loss incurred
26 in connection with the acceptance of property for safekeeping.
27 Property held for safekeeping shall not be commingled with the
28 property of the credit union or the property of others.

29 2. A credit union has a lien upon any property held for
30 safekeeping and for expenses incurred in any sale made
31 pursuant to this subsection. If the charge for safekeeping of
32 property is not paid within six months from the day the charge
33 is due, at any time after the six months and while the charge
34 remains unpaid, the credit union may mail a notice to the
35 member at the member's last known address as shown upon the

1 records of the credit union, stating that if the amount due is
2 not paid on or before a specified day, which shall be at least
3 thirty days after the date of mailing the notice, the credit
4 union will remove the property from safekeeping and hold the
5 property for the account of the member. After the expiration
6 of the period specified in the notice, if the charge for
7 safekeeping has not been paid, the credit union may remove the
8 property from safekeeping, cause the property to be
9 inventoried, and hold the property for the account of the
10 member. If the property is not claimed within two years after
11 its removal from safekeeping the credit union may proceed to
12 sell so much of the property as is necessary to pay the charge
13 which remains unpaid and the expense incurred in making the
14 sale in the manner provided for in section 533.49C,
15 subsections 3 and 4. The proceeds of any sale made pursuant
16 to this section, after payment of any amounts with respect to
17 which the credit union has a lien, any property which was not
18 offered for sale, and property which, although offered for
19 sale, was not sold, shall be retained by the credit union
20 until such time as the property is presumed abandoned
21 according to section 556.2, and shall be handled pursuant to
22 chapter 556.

23 Sec. 65. Section 533.62, subsection 4, Code 1995, is
24 amended by striking the subsection and inserting in lieu
25 thereof the following:

26 4. a. A loan of money or property shall not be made
27 directly or indirectly by a state-chartered credit union, or
28 by its officers, directors, or employees, to the
29 superintendent, deputy, or employee of the credit union
30 division. The superintendent, deputy, or employee of the
31 credit union division shall not accept from a state-chartered
32 credit union, or its officers, directors, or employees, a loan
33 of money or property, either directly or indirectly.

34 b. The superintendent, deputy, or employee of the credit
35 union division shall not perform any services for or be an

1 officer, director, or employee of a state-chartered credit
2 union.

3 c. A person who willfully undertakes to establish a
4 business dealing contrary to this section commits a serious
5 misdemeanor, and shall be permanently disqualified from acting
6 as an officer, director, or employee of a state-chartered
7 credit union and permanently disqualified from acting as
8 superintendent, deputy, or employee of the credit union
9 division.

10 d. The superintendent, deputy, or employee of the credit
11 union division who is convicted of theft, burglary, robbery,
12 larceny, or embezzlement as a result of a violation of the
13 laws of any state or of the United States while holding such
14 position shall be immediately disqualified from employment and
15 shall be forever disqualified from holding any position in the
16 credit union division.

17 Sec. 66. Section 554.9401, subsection 6, Code 1995, is
18 amended to read as follows:

19 6. Of each fee collected by the county recorder under
20 sections 570A.4, 554.9403, 554.9405, and 554.9406, the county
21 recorder shall remit five dollars, if filed on a standard form
22 or six dollars otherwise, to the ~~office of the treasurer of~~
23 state department of revenue and finance for deposit in the
24 general fund of the state.

25 Sec. 67. Section 99D.5, subsection 1, Code 1995, is
26 amended to read as follows:

27 1. A state racing and gaming commission is created within
28 the department of inspections and appeals consisting of five
29 members who shall be appointed by the governor subject to
30 confirmation by the senate, and who shall serve not to exceed
31 a three-year term at the pleasure of the governor. The term
32 of each member shall begin and end as provided in section
33 69.19. Before a person is appointed to the commission, the
34 division of criminal investigation of the department of public
35 safety shall conduct a thorough background investigation of

1 the proposed appointee. The proposed appointee shall provide
2 information on a form as required by the division of criminal
3 investigation. The background investigation shall be the same
4 as conducted for an applicant for a license to conduct pari-
5 mutuel wagering. The information shall be made available to
6 the members of the senate standing committee assigned to
7 investigate and recommend confirmation of an appointee.

8 Sec. 68. Section 53 of this Act, relating to health
9 education, shall take effect only if the general assembly
10 appropriates \$200,000 for 4 FTEs in the insurance division of
11 the department of commerce to be used to staff the program
12 established pursuant to section 53 of this Act.

13 Sec. 69. REPEAL. Chapter 7F and sections 12.9, 12.12, and
14 12.13, Code 1995, are repealed.

15 Sec. 70. EFFECTIVE DATE. This section and sections 43,
16 44, 45, 46, 47, 48, 49, 51, and 52, being deemed of immediate
17 importance, take effect upon enactment. Section 51 of this
18 Act is retroactive to May 1, 1993. Section 52 of this Act is
19 retroactive to April 1, 1995. Sections 26, 27, and 28 of this
20 Act take effect on June 30, 1995. The remainder of this Act
21 takes effect on July 1, 1995.

22 EXPLANATION

23 This bill relates to and appropriates moneys to various
24 state departments, agencies, funds, and certain other
25 interstate and national entities for the fiscal year beginning
26 July 1, 1995, and ending June 30, 1996.

27 The state departments and agencies include the auditor of
28 state, Iowa ethics and campaign disclosure board, department
29 of commerce, department of general services, office of
30 governor including the lieutenant governor and Terrace Hill
31 quarters, department of inspections and appeals, department of
32 management, department of personnel, Iowa public employees'
33 retirement system, department of revenue and finance,
34 secretary of state, and treasurer of state.

35 The bill also appropriates funding for the state's

1 membership on the commission on uniform state laws, the
2 national conference of state legislatures, the council of
3 state governments, the national governors' conference, and law
4 enforcement training reimbursements.

5 The bill also repeals chapter 7F which establishes the
6 office for state-federal relations and prescribes its duties.

7 The bill also transfers funds from the centralized
8 purchasing revolving fund, auditor of state filing fee
9 account, and secretary of state optical imaging account to the
10 general fund of the state on June 30, 1995. This procedure
11 requires an early effective date for those sections.

12 New section 70A.1A provides for salary limitations for
13 certain state officers and employees in the executive
14 departments. The limitation is 80 percent of the salary of
15 the governor or principal department officer.

16 The bill requires the state agencies receiving
17 appropriations under the bill to report all expenses in excess
18 of the funds appropriated from any statutory revolving fund
19 during the fiscal year beginning July 1, 1994, and ending June
20 30, 1995. The report is due by September 30, 1995, and shall
21 be submitted to the chairpersons and ranking members of the
22 joint appropriations subcommittee on administration and
23 regulation and the legislative fiscal bureau.

24 An amendment to section 12.21 allows departments to
25 determine if payment by credit card is cost-effective when a
26 department is required to pay the discount without passing the
27 cost to the consumer.

28 The bill amends chapter 12 to provide for linked
29 investments for nontraditional livestock.

30 Section 462A.78, subsection 5, and section 554.9401,
31 subsection 6, are amended to have certain fees collected by
32 the county recorder remitted directly to the department of
33 revenue and finance for deposit in the general fund of the
34 state rather than through the office of the treasurer of
35 state.

1 The bill amends section 17A.8 to provide that the speaker
2 of the house of representatives and the president of the
3 senate shall notify the administrative code editor of the
4 final disposition of any rule delayed by the administrative
5 rules review committee. The bill also reduces the number of
6 members of the committee needed to delay a proposed rule to
7 six members.

8 New section 514I.1 establishes a health education and
9 advisory program in the insurance division of the department
10 of commerce to assist health care consumers.

11 This bill also amends section 25.2 to provide that the
12 treasurer of state shall, upon receipt of a report on unpaid
13 warrants which have been outdated for two years or more from
14 the director of revenue and finance, publish notice of these
15 warrants. The publication of the notice shall be pursuant to
16 section 556.12. The provisions of section 556.11 regarding
17 agreements to pay compensation for recovery or assistance in
18 recovery of unclaimed property shall apply.

19 The bill amends chapter 411 to add the treasurer of state,
20 or the treasurer's designee, as an ex officio, nonvoting
21 member of the board of trustees of the statewide fire and
22 police retirement system effective May 1, 1995. The bill
23 requires the membership of the voting members to be gender-
24 balanced. The provisions pertaining to the treasurer of state
25 and the gender balance requirement take effect upon enactment.

26 The bill amends chapter 476 to require a rate-regulated
27 utility that acquires another rate-regulated utility to
28 maintain separate service areas with respect to customer rates
29 and charges. The bill also requires a utility to refund the
30 difference in rate changes to a class of customer if the
31 utilities board issues a decision increasing the rates and
32 subsequently limits the same customer rates.

33 This bill also amends provisions of chapter 533 relating to
34 the regulation of credit unions.

35 Sections 12.9, 12.12, and 12.13 are repealed. The

1 treasurer of state will no longer need to report annual fees
2 received from the judicial department. The fees are currently
3 remitted to the judicial department in lieu of the treasurer
4 of state. Statements and payments related to unclaimed fees
5 are also repealed because the section related to unclaimed
6 fees was repealed in 1990.

7 Section 533.4 is amended to permit a credit union to
8 receive payments on shares and deposits from nonmembers as
9 prescribed by rule of the superintendent where the credit
10 union is serving predominately low-income members, other
11 credit unions, and federal, state, county, and city
12 governments, in addition to payments from its members. The
13 bill authorizes credit unions to make deposits in state and
14 federal savings banks and savings and loan associations, and
15 state and federal credit unions which are insured by the
16 federal deposit insurance corporation or the national credit
17 union share insurance fund. The bill provides that data
18 processing services and loan documentation recordkeeping
19 functions may be performed at an authorized office or other
20 location, subject to the approval of the superintendent.

21 Section 533.16 is amended to provide that the rates, terms,
22 and conditions of a loan or line of credit to a director of a
23 credit union shall not be more favorable than the rates,
24 terms, or conditions of comparable loans or lines of credit to
25 the other members of the credit union. The bill increases the
26 limit on the aggregate amount of all loans and lines of credit
27 to directors from 20 to 25 percent of the assets of the credit
28 union. The section is also amended to provide that a credit
29 union which obtains a report or opinion by an attorney of
30 another mortgage lender relating to defects in the title to
31 real property is to provide a copy of the report or opinion to
32 the mortgagor and the mortgagor's attorney.

33 Section 533.17 is amended to provide that at the end of
34 each dividend period, but no less than quarterly, the gross
35 income of a credit union is to be determined and an amount set

1 aside as a legal reserve against losses on loans and other
2 losses as specified by rule. The section is also amended to
3 list certain other assets of the credit union which are not to
4 be considered risk assets for purposes of determining the
5 amount of the required reserves.

6 Section 533.18 is amended to strike language which provides
7 that shares which become fully payable during a dividend
8 period and are outstanding at the close of the period are
9 entitled to a proportional share of the dividend, and that
10 dividend credit for a month may be accrued on shares which are
11 or become fully paid up during the first fifteen days of that
12 month.

13 New section 533.49 authorizes the credit union to lease
14 safe deposit boxes similar to the authority of banks.

15 New section 533.49A establishes a procedure for searching a
16 safe deposit box of a person who has died similar to the
17 procedure established for banks.

18 New section 533.49B establishes a procedure for recognizing
19 an adverse claim to property held in a safe deposit box or
20 property held for safekeeping which is similar to the
21 procedure established for banks.

22 New section 533.49C establishes the remedies available to a
23 credit union for nonpayment of rent on a safe deposit box.
24 These remedies are similar to those provided for banks.

25 New section 533.49D authorizes a credit union to accept
26 property for safekeeping which is similar to the authority
27 granted to state banks.

28 Section 533.62 is amended to define the business
29 relationship which can exist between a state-chartered credit
30 union and the superintendent, deputy, or other employee of the
31 credit union division. This language is similar to that
32 applicable to the banking division.

33 The bill amends section 99D.5 to provide that members of
34 the state racing and gaming commission must have background
35 investigations conducted by the bureau of criminal

1 investigation.
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SENATE FILE 484

S-3566

- 1 Amend Senate File 484 as follows:
2 1. Page 14, by inserting after line 29 the
3 following:
4 "____. COUNCIL ON HUMAN INVESTMENT
5 For administrative costs relating to the council on
6 human investment:
7 \$ 196,618"
By ELAINE SZYMONIAK
MAGGIE TINSMAN

S-3566 FILED APRIL 24, 1995
LOST (p. 1376)

SENATE FILE 484

S-3567

- 1 Amend the amendment, S-3548, to Senate File 484 as
2 follows:
3 1. Page 1, by striking lines 5 through 23.
4 2. Page 1, line 35, by inserting after the word
5 "a." the following: "The director of general services
6 shall develop a plan for establishing and operating a
7 fee-based child day care program available to public
8 employees officed at or near the capitol complex. The
9 plan shall include all of the information contained in
10 the steering committee description contained in this
11 paragraph and shall be submitted to the general
12 assembly on or before March 1, 1996."
13 3. Page 2, by striking lines 9 through 11 and
14 inserting the following: "shall develop a child day
15 care program plan giving consideration to the
16 recommendations of the March 1990 consultant report."
17 4. By renumbering as necessary.
By PATTY JUDGE
MERLIN E. BARTZ

S-3567 FILED APRIL 24, 1995
ADOPTED (p. 1376)

SENATE FILE 484

S-3565

1 Amend Senate File 484 as follows:

2 1. Page 30, by inserting after line 32 the
3 following:

4 "Sec. ____ . NEW SECTION. 514C.11 PATIENT ACCESS
5 TO TYPES OF PHYSICIANS UNDER MANAGED CARE HEALTH PLAN
6 OR INDEMNITY PLAN WITH LIMITED PROVIDER NETWORK.
7 Notwithstanding section 514C.6, a managed care
8 health plan or indemnity plan with a limited provider
9 network shall provide patients direct access to each
10 type of physician, as defined in section 135.1 and
11 licensed under chapter 148, 150A, or 151, and shall
12 not condition that access upon a referral by a
13 physician licensed under another chapter. Access to a
14 specialist may be conditioned upon a referral by a
15 primary care provider licensed under the same chapter.
16 Any copayment, deductible, cost containment mechanism,
17 or premium rate shall not discriminate directly or
18 indirectly upon the basis of the license held by the
19 physician. Access to a specialist may be subject to a
20 different copayment or deductible than access to a
21 primary care provider. Access to a nonparticipating
22 physician may be restricted or may be subject to
23 different copayments, deductibles, or premium rates,
24 or may be excluded, provided that a plan shall not
25 differentiate or exclude a physician directly or
26 indirectly upon the basis of the license held by the
27 physician.

28 Each plan must demonstrate that it is capable of
29 serving appropriately the needs of the subscriber
30 population in the service area of the plan with regard
31 to patient access to each type of physician.

32 For purposes of this section, "managed care health
33 plan or indemnity plan with a limited provider
34 network" means a health maintenance organization,
35 organized delivery system, accountable health plan,
36 health care insurance plan which limits the number of
37 licensed physicians who can provide services under the
38 plan, preferred provider organization, exclusive
39 provider organization, restricted access network, or
40 similar health-care plan. For purposes of this
41 section, "physician" means as defined in section 135.1
42 and licensed under chapter 148, 150A, or 151."

43 2. By renumbering as necessary.

By MICHAEL E. GRONSTAL

EUGENE S. FRAISE

EMIL J. HUSAK

JOHN W. JENSEN

BRAD BANKS

MARY A. LUNDBY

S-3565 FILED APRIL 24, 1995

ADOPTED (p. 1375)

SENATE FILE 484

S-3562

1 Amend Senate File 484, as follows:

2 1. Page 28, by inserting after line 31 the
3 following:

4 "Sec. ____ . Section 216.16, subsection 5, Code
5 1995, is amended to read as follows:

6 5. The district court may grant any relief in an
7 action under this section which is authorized by
8 section 216.15, subsection 8 to be issued by the
9 commission. The district court may also award the
10 respondent reasonable attorney's fees and court costs
11 when the court finds that the complainant's action was
12 frivolous. In an action authorized under this
13 section, the district court retains the powers of a
14 court in addition to any special powers conferred on
15 the court by this chapter. An action authorized under
16 this section may be tried to a jury on the same basis
17 as an ordinary civil action."

18 2. By renumbering as necessary.

By JIM LIND

TOM VILSACK

S-3562 FILED APRIL 24, 1995
WITHDRAWN (p. 1374)

SENATE FILE 484

S-3560

- 1 Amend the amendment, S-3548, to Senate File 484 as
2 follows:
3 1. Page 1, by striking lines 5 through 23.
4 2. Page 1, line 35, by inserting after the word
5 "a." the following: "The director of general services
6 shall develop a plan for establishing and operating a
7 fee-based child day care program available to public
8 employees officed at or near the capitol complex. The
9 plan shall include all of the information contained in
10 the steering committee description contained in this
11 paragraph and shall be submitted to the general
12 assembly on or before March 1, 1996."
13 3. Page 2, by striking lines 9 through 11 and
14 inserting the following: "may retain a consultant to
15 assist in developing a plan which may provide for a
16 vendor contract to manage the program."
17 4. By renumbering as necessary.

By PATTY JUDGE

MERLIN E. BARTZ

S-3560 FILED APRIL 24, 1995

RULED OUT OF ORDER (p. 1376)

SENATE FILE 484

S-3561

- 1 Amend Senate File 484 as follows:
2 1. Page 30, by inserting after line 32 the
3 following:
4 "Sec. ____ . NEW SECTION. 476.78A PUBLIC UTILITY
5 -- SEPARATE AFFILIATE REQUIRED.
6 A rate-regulated utility, as defined in section
7 476.1, which engages in a nonutility service, as
8 defined in section 476.72, shall establish a separate
9 affiliate business entity for the purpose of engaging
10 in such service. The separate affiliate shall not use
11 in any manner, any name, logo, property, equipment, or
12 facilities owned or leased by, or personnel employed
13 by, the rate-regulated utility."
14 2. Renumber as necessary.

By ROBERT E. DVORSKY
EMIL J. HUSAK

MARY A. LUNDBY
JIM LIND

S-3561 FILED APRIL 24, 1995

ADOPTED, MOTION TO RECONSIDER LOST (pp. 1374+75)

SENATE FILE 484

S-3551

1 Amend Senate File 484 as follows:
2 1. Page 3, by striking line 35 and inserting the
3 following:
4 "a. For salaries, support, maintenance,
5 miscellaneous purposes,".
6 2. Page 4, line 3, by striking the figure
7 "2,777,339" and inserting the following: "2,977,339".
8 3. Page 4, line 4, by striking the figure "90.50"
9 and inserting the following: "94.50".
10 4. Page 4, line 5, by inserting before the word
11 "Of" the following: "b."
12 5. Page 4, line 8, by inserting before the word
13 "The" the following: "c."
14 6. Page 4, line 11, by inserting before the word
15 "The" the following: "d."
16 7. Page 4, line 20, by striking the letter "a."
17 and inserting the following: "(1)".
18 8. Page 4, line 23, by striking the letter "b."
19 and inserting the following: "(2)".
20 9. Page 4, by inserting after line 25 the
21 following:
22 "e. (1) Of the amounts appropriated to the
23 insurance division in this subsection not more than
24 \$100,000 shall be used for continuing the division's
25 senior health insurance information program and for
26 the purpose of establishing a pilot consumer health
27 education and assistance program.
28 (2) The purpose of the consumer health education
29 and assistance program is to educate and assist health
30 care consumers to make more informed health insurance
31 and care choices in the marketplace. Both oral and
32 written educational assistance relating to health care
33 insurance, delivery systems, provider services and
34 coverage, billing procedures, and sources of
35 information shall be provided by the division. The
36 division of insurance may request, and other state
37 agencies shall provide, assistance in implementing and
38 administering the health care education and assistance
39 program.
40 (3) The commissioner of insurance shall appoint an
41 advisory committee consisting of knowledgeable and
42 interested citizens and state and local public
43 officials to provide advice and review the program. A
44 majority of the members of the advisory committee
45 shall be bona fide representatives of consumers.
46 (4) The commissioner of insurance shall prepare a
47 progress report relating to the activities of the
48 program, the report to be submitted to the governor
49 and the members of the general assembly not later than
50 March 1, 1996. The governor and the legislative

S-3551

S-3551

Page 2

- 1 council may request progress reports from the
- 2 commissioner of insurance as deemed appropriate."
- 3 10. By striking page 30, line 33, through page
- 4 32, line 8.
- 5 11. Page 45, by striking lines 8 through 12.

By MICHAEL E. GRONSTAL
MARY E. KRAMER

S-3551 FILED APRIL 24, 1995
ADOPTED (p.1373)

SENATE FILE 484

S-3552

- 1 Amend Senate File 484 as follows:
- 2 1. Page 30, by striking lines 12 through 32.
- 3 2. Page 45, line 16, by striking the figures and
- 4 word "49, 51, and 52" and inserting the following:
- 5 "and 49".
- 6 3. Page 45, by striking lines 17 through 19 and
- 7 inserting the following: "importance, take effect
- 8 upon enactment. Sections 26, 27, and 28 of this".
- 9 4. By renumbering as necessary.

By MICHAEL E. GRONSTAL

S-3552 FILED APRIL 24, 1995
ADOPTED (p.1374)

SENATE FILE 484

S-3556

- 1 Amend Senate File 484 as follows:
- 2 1. Page 6, by inserting after line 32 the
- 3 following:
- 4 "____. CAPITOL PLANNING COMMISSION
- 5 For expenses of the members in carrying out their
- 6 duties under chapter 18A:
- 7 \$ 2,000"

By JOHN W. JENSEN

S-3556 FILED APRIL 24, 1995
ADOPTED (p.1373)

SENATE FILE 484

S-3559

- 1 Amend the amendment, S-3551, to Senate File 484 as
- 2 follows:
- 3 1. Page 1, line 25, by inserting after the word
- 4 "and" the following: "not more than \$100,000 shall be
- 5 used".

By MICHAEL E. GRONSTAL
MARY E. KRAMER

S-3559 FILED APRIL 24, 1995
ADOPTED (p.1373)

SENATE FILE 484

S-3548

1 Amend Senate File 484 as follows:

2 1. Page 9, by inserting after line 35 the
3 following:

4 "Sec. ____ CHILD DAY CARE PROGRAM.

5 1. There is appropriated from the general fund of
6 the state to the department of general services for
7 the fiscal year beginning July 1, 1995, and ending
8 June 30, 1996, the following amount or so much thereof
9 as is necessary, to be used for the purposes
10 designated:

11 For planning, design, site acquisition and
12 preparation, and other expenditures necessary to
13 establish a fee-based child day care program available
14 to public employees officed at or near the capitol
15 complex:

16 \$ 600,000

17 2. Notwithstanding section 8.33, the moneys
18 appropriated in this section that remain unencumbered
19 and unobligated on June 30 of the fiscal year in which
20 the moneys were appropriated, shall not revert to the
21 general fund of the state but shall remain available
22 for expenditure for the purposes designated during the
23 succeeding fiscal year.

24 3. The general assembly considers child day care
25 to be an important service for employers, employees,
26 and their children. Employer-supported child care can
27 have a positive impact upon employee morale and
28 retention and can positively affect the children who
29 are receiving child care services. High quality child
30 care is of significant value to employers. It is
31 believed that a quality, on-site child care program
32 available to the children of state employees will
33 provide a model for other employers in this state to
34 emulate.

35 4. a. The legislative council is requested to
36 appoint a capitol complex child day care program
37 steering committee to provide direction to the
38 department of general services in developing facility
39 plans, establishing the facilities, developing
40 operation policies, contracting with a vendor to
41 operate the program, and other decisions involving
42 establishment and operation of the program. The
43 steering committee shall utilize the March 1990
44 consultant report to the capitol complex ad hoc
45 committee on child care, particularly the intermediate
46 quality recommendations, in its decision making.

47 b. The steering committee membership shall include
48 members of the general assembly; representatives of
49 the departments of general services, personnel, human
50 services, and education; employees officed at the

S-3548

-1-

S-3548

Page 2

1 capitol complex who purchase child day care services;
2 a representative of the state board of regents center
3 for early childhood education; a representative of the
4 Iowa state university of science and technology early
5 childhood education programs; and other persons
6 knowledgeable concerning child day care programs.
7 5. In consultation with the steering committee,
8 the director of the department of general services
9 shall retain a consultant to oversee the process of
10 developing the program and shall contract with a
11 vendor to manage the program.
12 6. The program shall be designed to operate with a
13 capacity of 150 children and to regularly serve
14 infants, toddlers, preschool, school age, and mildly
15 ill children."
16 2. By renumbering as necessary.

By JOHNIE HAMMOND

S-3548 FILED APRIL 24, 1995

ADOPTED (p. 1376)

SENATE FILE 484

S-3547

1 Amend Senate File 484 as follows:
2 1. Page 11, by inserting after line 15 the
3 following:
4 "If Senate File 358 is enacted by the Seventy-sixth
5 General Assembly, 1995 Regular Session, there is
6 appropriated from the general fund of the state to the
7 appeals and fair hearings division for the fiscal year
8 beginning July 1, 1995, and ending June 30, 1996, an
9 additional sum of \$45,000, or so much thereof as is
10 necessary, and 1.50 FTEs to carry out the
11 responsibilities of the division as specified in
12 Senate File 358."

By RANDAL J. GIANNETTO

S-3547 FILED APRIL 24, 1995
WITHDRAWN (p. 1375)

SENATE FILE 484

S-3569

1 Amend Senate File 484 as follows:
2 1. Page 15, by inserting after line 2 the
3 following:
4 "The department of management shall conduct a study
5 of the positions of deputy director throughout the
6 executive branch of state government. The study shall
7 include the responsibilities of each deputy director,
8 the salaries of the deputy directors, the number of
9 deputy director positions, and the variation of
10 responsibilities among the deputy director positions.
11 The department shall report its findings to the
12 chairpersons and ranking members of the joint
13 subcommittees on oversight, audit and government
14 reform, and to the legislative fiscal bureau by
15 September 1, 1995."

By MARY NEUHAUSER
LARRY MURPHY

S-3569 FILED APRIL 24, 1995
ADOPTED (p. 1380)

SENATE FILE 484

S-3546

1 Amend Senate File 484 as follows:
2 1. Page 44, by inserting after line 16 the
3 following:
4 "Sec. ____ . Section 537.2504, unnumbered paragraph
5 1, Code 1995, is amended to read as follows:
6 With respect to a consumer credit transaction in
7 which the rate of finance charge required to be
8 disclosed in the transaction pursuant to section
9 537.3201 does not exceed eighteen percent per year,
10 other than a consumer lease or a consumer rental
11 purchase agreement, the creditor may, by agreement
12 with the consumer, refinance the unpaid balance and
13 may contract for and receive a finance charge based on
14 the amount financed resulting from the refinancing at
15 a rate not exceeding that permitted by the provisions
16 on finance charge for consumer credit sales other than
17 open end credit in section 537.2201 if a consumer
18 credit sale is refinanced, the provisions on finance
19 charge for a consumer loan other than a supervised
20 loan in section 537.2401, subsection 1, or the
21 provisions on finance charge for a supervised loan not
22 pursuant to open end credit in section 537.2401,
23 subsection 2, as applicable, if a consumer loan is
24 refinanced. With respect to a consumer credit
25 transaction in which the rate of finance charge
26 required to be disclosed in the transaction to the
27 consumer pursuant to section 537.3201 exceeds eighteen
28 percent per year, other than a consumer lease or a
29 consumer rental purchase agreement, the creditor may
30 by agreement with the consumer, refinance the unpaid
31 balance and may contract for and receive a finance
32 charge based on the amount financed resulting from the
33 refinancing at a rate of finance charge not to exceed
34 ~~that which was required to be disclosed in the~~
35 ~~original transaction to the consumer~~ rate permitted
36 for consumer credit sales pursuant to section 537.3201
37 537.2201 or the rate permitted for consumer loans
38 pursuant to section 537.2401, whichever is greater.
39 For the purpose of determining the finance charge
40 permitted, the amount financed resulting from the
41 refinancing consists of:"

By JOHN W. JENSEN

S-3546 FILED APRIL 24, 1995
RULED OUT OF ORDER (p. 1376)

SENATE AMENDMENT TO HOUSE AMENDMENT TO SENATE FILE 484
H-4225

1 Amend the House amendment, S-3684, to Senate File
2 484, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. By striking page 1, line 1, through page 19,
5 line 2, and inserting the following:

6 "Amend Senate File 484, as amended, passed, and
7 reprinted by the Senate, as follows:

8 1. By striking everything after the enacting
9 clause and inserting the following:

10 "Section 1. AUDITOR OF STATE. There is
11 appropriated from the general fund of the state to the
12 office of the auditor of state for the fiscal year
13 beginning July 1, 1995, and ending June 30, 1996, the
14 following amount, or so much thereof as is necessary,
15 to be used for the purposes designated:

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

19	\$	1,310,549
20	FTEs	112.50

21 The auditor of state may retain additional full-
22 time equivalent positions as is reasonable and
23 necessary to perform governmental subdivision audits
24 which are reimbursable pursuant to section 11.20 or
25 11.21, to perform audits which are requested by and
26 reimbursable from the federal government, and to
27 perform work requested by and reimbursable from
28 departments or agencies pursuant to section 11.5A or
29 11.5B. The auditor of state shall notify the
30 department of management, the legislative fiscal
31 committee, and the legislative fiscal bureau of the
32 additional full-time equivalent positions retained.

33 Sec. 2. IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD.
34 There is appropriated from the general fund of the
35 state to the Iowa ethics and campaign disclosure board
36 for the fiscal year beginning July 1, 1995, and ending
37 June 30, 1996, the following amount, or so much
38 thereof as 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	\$	375,786
43	FTEs	8.00

44 Sec. 3. DEPARTMENT OF COMMERCE. There is
45 appropriated from the general fund of the state to the
46 department of commerce for the fiscal year beginning
47 July 1, 1995, and ending June 30, 1996, the following
48 amounts, or so much thereof as is necessary, for the
49 purposes designated:

50 1. PROFESSIONAL LICENSING AND REGULATION DIVISION

H-4225

H-4225

Page 2

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

4 \$ 897,802
5 FTEs 14.00

6 It is the intent of the general assembly that each
7 examining and licensing board or commission created
8 under chapters 542B, 542C, 543B, 543D, 544A, and 544B
9 shall provide that the fees assessed for licensing do
10 not exceed the operating costs of services provided by
11 each board or commission.

12 2. ADMINISTRATIVE SERVICES DIVISION

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

16 \$ 211,586
17 FTEs 2.00

18 It is the intent of the general assembly that the
19 two positions authorized in this subsection for the
20 division shall coordinate the administrative services
21 to be provided to the divisions in the department.
22 These two positions are under the direct supervision
23 of, and shall report to, the director of the
24 department.

25 The division of administrative services shall
26 assess each division within the department of commerce
27 and the office of consumer advocate within the
28 department of justice a pro rata share of the
29 operating expenses of the division of administrative
30 services. The pro rata share shall be determined
31 pursuant to a cost allocation plan established by the
32 division of administrative services and agreed to by
33 the administrators of the divisions and the consumer
34 advocate. To the extent practicable, the cost
35 allocation plan shall be based on the proportion of
36 the administrative expenses incurred on behalf of each
37 division and the office of consumer advocate. Each
38 division and the office of consumer advocate shall
39 include in its charges assessed or revenues generated,
40 an amount sufficient to cover the amount stated in its
41 appropriation, any state assessed indirect costs
42 determined by the department of revenue and finance,
43 and the cost of services provided by the division of
44 administrative services.

45 3. ALCOHOLIC BEVERAGES DIVISION

46 For salaries, support, maintenance, miscellaneous
47 purposes, and for not more than the following full-
48 time equivalent positions:

49 \$ 1,861,105
50 FTEs 33.50

H-4225

H-4225

Page 3

1 4. BANKING DIVISION

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

5 \$ 5,375,058
6 FTEs 84.00

7 5. CREDIT UNION DIVISION

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

11 \$ 1,047,066
12 FTEs 20.00

13 6. INSURANCE DIVISION

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

17 \$ 2,924,482
18 FTEs 91.50

19 Of the amounts appropriated in this section to the
20 insurance division, not more than \$100,000 shall be
21 used for the regulation of health insurance purchasing
22 cooperatives.

23 The insurance division shall monitor public
24 utilization of the coverages identified in chapter
25 514C under managed care plans in this state.

26 The insurance division may reallocate authorized
27 full-time equivalent positions as necessary to respond
28 to accreditation recommendations or requirements. The
29 insurance division expenditures for examination
30 purposes may exceed the projected receipts, refunds
31 and reimbursements, estimated pursuant to section
32 505.7, subsection 7, including the expenditures for
33 retention of additional personnel, if the expenditures
34 are fully reimbursable and the division first does
35 both of the following:

36 a. Notifies the department of management,
37 legislative fiscal bureau, and the legislative fiscal
38 committee of the need for the expenditures.

39 b. Files with each of the entities named in
40 paragraph "a" the legislative and regulatory
41 justification for the expenditures, along with an
42 estimate of the expenditures.

43 c. (1) Of the amounts appropriated to the
44 insurance division in this subsection not more than
45 \$100,000 shall be used for continuing the division's
46 senior health insurance information program and not
47 more than \$100,000 shall be used for the purpose of
48 establishing a pilot consumer health education and
49 assistance program.

50 (2) The purpose of the consumer health education

H-4225

H-4225

Page 4

1 and assistance program is to educate and assist health
2 care consumers to make more informed health insurance
3 and care choices in the marketplace. Both oral and
4 written educational assistance relating to health care
5 insurance, delivery systems, provider services and
6 coverage, billing procedures, and sources of
7 information shall be provided by the division. The
8 division of insurance may request, and other state
9 agencies shall provide, assistance in implementing and
10 administering the health care education and assistance
11 program.

12 (3) The commissioner of insurance shall appoint an
13 advisory committee consisting of knowledgeable and
14 interested citizens and state and local public
15 officials to provide advice and review the program. A
16 majority of the members of the advisory committee
17 shall be bona fide representatives of consumers.

18 (4) The commissioner of insurance shall prepare a
19 progress report relating to the activities of the
20 program, the report to be submitted to the governor
21 and the members of the general assembly not later than
22 March 1, 1996. The governor and the legislative
23 council may request progress reports from the
24 commissioner of insurance as deemed appropriate.

25 7. UTILITIES DIVISION

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

29	\$ 4,911,871
30	FTEs 79.00

31 The utilities division may expend additional funds,
32 including funds for additional personnel, if those
33 additional expenditures are actual expenses which
34 exceed the funds budgeted for utility regulation.
35 Before the division expends or encumbers an amount in
36 excess of the funds budgeted for regulation, the
37 director of the department of management shall approve
38 the expenditure or encumbrance. Before approval is
39 given, the director of the department of management
40 shall determine that the regulation expenses exceed
41 the funds budgeted by the general assembly to the
42 division and that the division does not have other
43 funds from which regulation expenses can be paid.
44 Upon approval of the director of the department of
45 management the division may expend and encumber funds
46 for excess regulation expenses. The amounts necessary
47 to fund the excess regulation expenses shall be
48 collected from those utility companies being regulated
49 which caused the excess expenditures, and the
50 collections shall be treated as repayment receipts as

H-4225

-4-

H-4225

Page 5

1 defined in section 8.2.

2 Sec. 4. There is appropriated from the general
3 fund of the state to the following named agencies for
4 the fiscal year beginning July 1, 1995, and ending
5 June 30, 1996, the following amounts, or so much
6 thereof as is necessary, to be used for the purposes
7 designated:

8 1. COMMISSION ON UNIFORM STATE LAWS

9 For support of the commission and expenses of the
10 members:

11 \$ 20,803

12 2. NATIONAL CONFERENCE OF STATE LEGISLATURES

13 For support of the membership assessment:

14 \$ 87,719

15 Sec. 5. There is appropriated from the general
16 fund of the state to the department of general
17 services for the fiscal year beginning July 1, 1995,
18 and ending June 30, 1996, the following amounts, or so
19 much thereof as is necessary, to be used for the
20 purposes designated:

21 1. ADMINISTRATION DIVISION

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

25 \$ 1,169,975

26 FTEs 31.35

27 2. INFORMATION SERVICES DIVISION

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

31 \$ 5,497,002

32 FTEs 141.60

33 3. PROPERTY MANAGEMENT DIVISION

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

37 \$ 3,903,103

38 FTEs 112.00

39 The department of general services shall not change
40 the appropriations for the purposes designated in
41 subsections 1 through 3 from the amounts appropriated
42 under those subsections unless notice of the revisions
43 is given prior to their effective date to the
44 legislative fiscal bureau. The notice shall include
45 information on the department's rationale for making
46 the changes.

47 Savings achieved in providing telephone services
48 shall be used by the department of general services to
49 increase efficiencies in the provision of those
50 services. The department of general services shall

H-4225

-5-

H-4225

Page 6

1 report not later than August 31, 1996, on the projects
2 undertaken to the chairpersons and the ranking members
3 of the joint appropriations subcommittee on
4 administration and regulation and to the legislative
5 fiscal bureau. The report shall include a listing of
6 the projects and efficiencies undertaken during the
7 fiscal year, the cost of each project, and the
8 benefits, including the projected savings on an annual
9 basis and for the life of the efficiency improvement.

10 4. CAPITOL PLANNING COMMISSION

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

13 \$ 2,000

14 5. RENTAL SPACE

15 For payment of lease or rental costs of buildings
16 and office space at the seat of government as provided
17 in section 18.12, subsection 9, notwithstanding
18 section 18.16:

19 \$ 607,955

20 6. UTILITY COSTS

21 For payment of utility costs and for not more than
22 the following full-time equivalent positions:

23 \$ 2,059,178

24 FTEs 1.00

25 The department of general services may use funds
26 appropriated in this subsection for utility costs to
27 fund energy conservation projects in the state capitol
28 complex which will have a 100 percent payback within a
29 24-month period. In addition, notwithstanding
30 sections 8.33 and 18.12, subsection 11, any excess
31 funds appropriated for utility costs in this
32 subsection shall not revert to the general fund of the
33 state on June 30, 1996, and these funds shall be used
34 for implementation of energy conservation projects
35 having a payback of 100 percent within a two-year to
36 six-year period. The department of general services
37 shall report not later than August 31, 1996, on the
38 projects having 100 percent payback within a six-year
39 period to the chairpersons and ranking members of the
40 joint appropriations subcommittee on administration
41 and regulation and to the legislative fiscal bureau.
42 The report shall include a listing of the projects
43 undertaken, the cost of each project, and the
44 projected savings on an annual basis and for the life
45 of the project.

46 7. TERRACE HILL OPERATIONS

47 For salaries, support, maintenance, and
48 miscellaneous purposes necessary for the operation of
49 Terrace Hill and for not more than the following full-
50 time equivalent positions:

H-4225

-6-

H-4225

Page 7

1 \$ 164,637
2 FTEs 4.00

3 Sec. 6. There is appropriated from the designated
4 revolving funds to the department of general services
5 for the fiscal year beginning July 1, 1995, and ending
6 June 30, 1996, the following amounts, or so much
7 thereof as is necessary, to be used for the purposes
8 designated:

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

14 \$ 912,217
15 FTEs 26.05

16 2. The remainder of the centralized printing
17 permanent revolving fund is appropriated for the
18 expense incurred in supplying paper stock, offset
19 printing, copy preparation, binding, distribution
20 costs, original payment of printing and binding claims
21 and contingencies arising during the fiscal year
22 beginning July 1, 1995, and ending June 30, 1996,
23 which are legally payable from this fund.

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

29 \$ 734,140
30 FTEs 16.05

31 4. The remainder of the centralized purchasing
32 permanent revolving fund is appropriated for the
33 payment of expenses incurred through purchases by
34 various state departments and for contingencies
35 arising during the fiscal year beginning July 1, 1995,
36 and ending June 30, 1996, which are legally payable
37 from this fund.

38 5. From the vehicle dispatcher revolving fund
39 established by section 18.119 for salaries, support,
40 maintenance, miscellaneous purposes, and for not more
41 than the following full-time equivalent positions:

42 \$ 625,075
43 FTEs 15.00

44 The vehicle dispatcher shall determine the
45 difference between the projected cost of motor vehicle
46 fuel and the actual cost of the motor vehicle fuel
47 purchased for the use of each state agency for the
48 fiscal year beginning July 1, 1995, and ending June
49 30, 1996. If the actual cost of the fuel is less than
50 the projected cost, the vehicle dispatcher shall bill

H-4225

-7-

H-4225

Page 8

1 the amount of the difference to each state agency at
2 the end of each calendar quarter. Upon receipt, the
3 director or head of each state agency shall pay the
4 amount of the claim submitted by the vehicle
5 dispatcher.

6 6. The remainder of the vehicle dispatcher
7 revolving fund is appropriated for the purchase of
8 gasoline, gasohol, oil, tires, repairs, and all other
9 maintenance expenses incurred in the operation of
10 state-owned motor vehicles and for contingencies
11 arising during the fiscal year beginning July 1, 1995,
12 and ending June 30, 1996, which are legally payable
13 from this fund.

14 The vehicle dispatcher shall report, not later than
15 February 15, 1996, to the chairpersons and the ranking
16 members of the joint appropriations subcommittee on
17 administration and regulation and to the legislative
18 fiscal bureau regarding the efficiencies of the
19 vehicle fleet and the changes in the efficiencies.
20 The report shall include the cost per mile, fuel
21 efficiencies, maintenance costs, useful life, the
22 costs of extending the useful life, and other measures
23 which the vehicle dispatcher or the legislative fiscal
24 bureau finds appropriate. The information shall be
25 reported for each general type of vehicle. The
26 overhead costs shall also be reported with the total
27 costs of the vehicle dispatcher operations.

28 The department of general services shall report to
29 the chairpersons and ranking members of the joint
30 appropriations subcommittee on administration and
31 regulation and the legislative fiscal bureau not later
32 than February 15, 1996, a comparison of the
33 performance of vehicles burning an 85 percent ethanol
34 mixture and those burning a 10 percent ethanol
35 mixture. The report shall include, but is not limited
36 to, average mileage, vehicle life, and problems
37 encountered.

38 Sec. 7. CHILD DAY CARE PROGRAM.

39 1. The general assembly considers child day care
40 to be an important service for employers, employees,
41 and their children. Employer-supported child care can
42 have a positive impact upon employee morale and
43 retention and can positively affect the children who
44 are receiving child care services. High quality child
45 care is of significant value to employers. It is
46 believed that a quality, on-site child care program
47 available to the children of state employees will
48 provide a model for other employers in this state to
49 emulate.

50 2. a. The director of general services shall

H-4225

H-4225

Page 9

1 develop a plan for establishing and operating a fee-
2 based child day care program available to public
3 employees officed at or near the capitol complex. The
4 plan shall include all of the information contained in
5 the steering committee description contained in this
6 paragraph and shall be submitted to the general
7 assembly on or before March 1, 1996. The legislative
8 council is requested to appoint a capitol complex
9 child day care program steering committee to provide
10 direction to the department of general services in
11 developing facility plans, establishing the
12 facilities, developing operation policies, contracting
13 with a vendor to operate the program, and other
14 decisions involving establishment and operation of the
15 program. The steering committee shall utilize the
16 March 1990 consultant report to the capitol complex ad
17 hoc committee on child care, particularly the
18 intermediate quality recommendations, in its decision
19 making.

20 b. The steering committee membership shall include
21 members of the general assembly; representatives of
22 the departments of general services, personnel, human
23 services, and education; employees officed at the
24 capitol complex who purchase child day care services;
25 a representative of the state board of regents center
26 for early childhood education; a representative of the
27 Iowa state university of science and technology early
28 childhood education programs; and other persons
29 knowledgeable concerning child day care programs.

30 3. In consultation with the steering committee,
31 the director of the department of general services
32 shall develop a child day care program plan giving
33 consideration to the recommendations of the March 1990
34 consultant report.

35 4. The program shall be designed to operate with a
36 capacity of 150 children and to regularly serve
37 infants, toddlers, preschool, school age, and mildly
38 ill children.

39 Sec. 8. GOVERNOR AND LIEUTENANT GOVERNOR. There
40 is appropriated from the general fund of the state to
41 the offices of the governor and the lieutenant
42 governor for the fiscal year beginning July 1, 1995,
43 and ending June 30, 1996, the following amounts, or so
44 much thereof as is necessary, to be used for the
45 purposes designated:

46 1. For salaries, support, maintenance, and
47 miscellaneous purposes for the general office of the
48 governor and the general office of the lieutenant
49 governor, and for not more than the following full-
50 time equivalent positions:

H-4225

-9-

H-4225

Page 10

1	\$	1,088,936
2	FTEs	17.25
3 2. For the governor's expenses and the lieutenant		
4 governor's expenses connected with office:		
5	\$	2,416
6 3. For salaries, support, maintenance, and		
7 miscellaneous purposes for the governor's quarters at		
8 Terrace Hill, and for not more than the following		
9 full-time equivalent positions:		
10	\$	51,746
11	FTEs	1.50
12 4. For the payment of expenses of ad hoc		
13 committees, councils, and task forces appointed by the		
14 governor to research and analyze a particular subject		
15 area relevant to the problems and responsibilities of		
16 state and local government, including the employment		
17 of professional, technical, and administrative staff		
18 and the payment of per diem and actual expenses of		
19 committee, council, or task force members as specified		
20 pursuant to section 7E.6:		
21	\$	1,610
22 The ad hoc committees, councils, and task forces		
23 appointed by the governor are subject to chapters 21		
24 and 22 and the members and the staff shall be informed		
25 of these requirements. A member shall not receive a		
26 per diem if the member is receiving a salary as a		
27 full-time public employee, but members shall be		
28 reimbursed for actual and necessary expenses.		
29 5. For salaries, support, maintenance, and		
30 miscellaneous purposes for the office of		
31 administrative rules coordinator, and for not more		
32 than the following full-time equivalent positions:		
33	\$	108,336
34	FTEs	2.00
35 6. For payment of Iowa's membership in the		
36 national governors' conference:		
37	\$	74,435
38 Sec. 9. DEPARTMENT OF INSPECTIONS AND APPEALS.		
39 There is appropriated from the general fund of the		
40 state to the department of inspections and appeals for		
41 the fiscal year beginning July 1, 1995, and ending		
42 June 30, 1996, the following amounts, or so much		
43 thereof as is necessary, for the purposes designated:		
44 1. FINANCE AND SERVICES DIVISION		
45 For salaries, support, maintenance, miscellaneous		
46 purposes, and for not more than the following full-		
47 time equivalent positions:		
48	\$	467,275
49	FTEs	21.00
50 2. AUDITS DIVISION		

H-4225

-10-

H-4225

Page 11

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

4 \$ 352,092
5 FTEs 11.00

6 3. APPEALS AND FAIR HEARINGS DIVISION

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

10 \$ 223,048
11 FTEs 24.00

12 If Senate File 358 is enacted by the Seventy-sixth
13 General Assembly, 1995 Regular Session, there is
14 appropriated from the general fund of the state to the
15 appeals and fair hearings division for the fiscal year
16 beginning July 1, 1995, and ending December 31, 1995,
17 an additional sum of \$45,000, or so much thereof as is
18 necessary, and 1.50 FTEs to carry out the
19 responsibilities of the division as specified in
20 Senate File 358.

21 4. INVESTIGATIONS DIVISION

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

25 \$ 729,111
26 FTEs 35.00

27 5. HEALTH FACILITIES DIVISION

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

31 \$ 1,663,070
32 FTEs 99.00

33 6. INSPECTIONS DIVISION

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

37 \$ 577,869
38 FTEs 13.00

39 7. EMPLOYMENT APPEAL BOARD

40 For salaries, support, maintenance, miscellaneous
41 purposes, and for not more than the following full-
42 time equivalent positions:

43 \$ 33,067
44 FTEs 15.00

45 The employment appeal board shall be reimbursed by
46 the labor services division of the department of
47 employment services for all costs associated with
48 hearings conducted under chapter 91C, related to
49 contractor registration. The board may expend, in
50 addition to the amount appropriated under this

H-4225

-11-

H-4225

Page 12

1 subsection, additional amounts as are directly
2 billable to the labor services division under this
3 subsection and to retain the additional full-time
4 equivalent positions as needed to conduct hearings
5 required pursuant to chapter 91C.

6 8. STATE FOSTER CARE REVIEW BOARD

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

10	\$	527,041
11	FTEs	10.00

12 The department of human services, in coordination
13 with the state foster care review board and the
14 department of inspections and appeals, shall submit an
15 application for funding available pursuant to Title
16 IV-E of the federal Social Security Act for claims for
17 state foster care review board administrative review
18 costs.

19 9. The department of inspections and appeals shall
20 provide an accounting of all costs associated with
21 negotiating agreements and compacts pursuant to
22 section 10A.104, subsection 10, and all costs
23 associated with monitoring such agreements and
24 compacts. Information in the accounting shall include
25 the dates and destinations of all travel related to
26 the negotiations and monitoring, and all costs
27 associated with the personnel involved, including
28 salary, travel, and support costs.

29 Sec. 10. RACETRACK REGULATION. There is
30 appropriated from the general fund of the state to the
31 racing and gaming commission of the department of
32 inspections and appeals for the fiscal year beginning
33 July 1, 1995, and ending June 30, 1996, the following
34 amount, or so much thereof as is necessary, to be used
35 for the purposes designated:

36 For salaries, support, maintenance, miscellaneous
37 purposes, for the regulation of pari-mutuel
38 racetracks, and for not more than the following full-
39 time equivalent positions:

40	\$	1,760,378
41	FTEs	23.85

42 Sec. 11. EXCURSION BOAT REGULATION. There is
43 appropriated from the general fund of the state to the
44 racing and gaming commission of the department of
45 inspections and appeals for the fiscal year beginning
46 July 1, 1995, and ending June 30, 1996, the following
47 amount, or so much thereof as is necessary, to be used
48 for the purposes designated:

49 For salaries, support, maintenance, and
50 miscellaneous purposes for administration and

H-4225

-12-

H-4225

Page 13

1 enforcement of the excursion boat gambling laws, and
2 for not more than the following full-time equivalent
3 positions:

4	\$	860,651
5	FTEs	17.11

6 It is the intent of the general assembly that the
7 racing and gaming commission shall only employ
8 additional full-time equivalent positions for
9 riverboat gambling enforcement as authorized by the
10 department of management as needed for enforcement on
11 new riverboats. If more than six riverboats are
12 operating during the fiscal year beginning July 1,
13 1995, and ending June 30, 1996, the commission may
14 expend no more than \$84,917 for no more than 2.00 FTEs
15 for each additional riverboat in excess of six. The
16 additional expense associated with the positions shall
17 be paid from fees assessed by the commission as
18 provided in chapter 99F.

19 Notwithstanding section 8.39, funds shall not be
20 transferred to the department of inspections and
21 appeals which would be used for monitoring Indian
22 gaming.

23 Sec. 12. DEPARTMENT OF INSPECTIONS AND APPEALS --
24 SERVICE CHARGES. The department of inspections and
25 appeals may charge state departments, agencies, and
26 commissions for services rendered and the payment
27 received shall be considered repayment receipts as
28 defined in section 8.2.

29 Sec. 13. USE TAX APPROPRIATION. There is
30 appropriated from the use tax receipts collected
31 pursuant to section 423.7 prior to their deposit in
32 the road use tax fund pursuant to section 423.24,
33 subsection 1, to the appeals and fair hearings
34 division of the department of inspections and appeals
35 for the fiscal year beginning July 1, 1995, and ending
36 June 30, 1996, the following amount, or so much
37 thereof as is necessary, for the purposes designated:

38 For salaries, support, maintenance, and
39 miscellaneous purposes:

40	\$	924,090

41 Sec. 14. DEPARTMENT OF MANAGEMENT. There is
42 appropriated from the general fund of the state to the
43 department of management for the fiscal year beginning
44 July 1, 1995, and ending June 30, 1996, the following
45 amounts, or so much thereof as is necessary, to be
46 used for the purposes designated:

47 1. GENERAL OFFICE

48 For salaries, support, maintenance, miscellaneous
49 purposes, and for not more than the following full-
50 time equivalent positions:

H-4225

-13-

H-4225

Page 14

1 \$ 1,959,287
2 FTEs 29.00
3 2. LAW ENFORCEMENT TRAINING REIMBURSEMENTS
4 For reimbursement to local law enforcement agencies
5 for the training of officers who resign pursuant to
6 section 384.15, subsection 7:
7 \$ 47,500
8 3. COUNCIL OF STATE GOVERNMENTS
9 For support of the membership assessment:
10 \$ 75,500
11 The department of management shall conduct a study
12 of the positions of deputy director throughout the
13 executive branch of state government. The study shall
14 include the responsibilities of each deputy director,
15 the salaries of the deputy directors, the number of
16 deputy director positions, and the variation of
17 responsibilities among the deputy director positions.
18 The department shall report its findings to the
19 chairpersons and ranking members of the joint
20 subcommittees on oversight, audit and government
21 reform, and to the legislative fiscal bureau by
22 September 1, 1995.
23 Sec. 15. There is appropriated from the road use
24 tax fund to the department of management for the
25 fiscal year beginning July 1, 1995, and ending June
26 30, 1996, the following amount, or so much thereof as
27 is necessary, to be used for the purposes designated:
28 For salaries, support, maintenance, and
29 miscellaneous purposes:
30 \$ 56,000
31 The department of management shall report to the
32 chairpersons and ranking members of the senate and
33 house committees on appropriations, the chairpersons
34 and ranking members of the joint appropriations
35 subcommittee on administration and regulation, and the
36 legislative fiscal bureau, the number of furloughs and
37 the number of layoffs that occur in each state agency,
38 the savings associated with those furloughs and
39 layoffs, the effect of the furloughs and layoffs on
40 services provided by the state agency, and other
41 relevant information. The department shall provide a
42 year-end report summarizing the information for the
43 fiscal year beginning July 1, 1995, which will be due
44 by September 1, 1996.
45 When addressing staffing targets for state
46 agencies, the department of management shall state the
47 number of staff authorized for a state agency in terms
48 of full-time equivalent positions.
49 Sec. 16. There is appropriated from the general
50 fund of the state to the department of personnel for

H-4225

-14-

H-4225

Page 15

1 the fiscal year beginning July 1, 1995, and ending
2 June 30, 1996, the following amounts, or so much
3 thereof as is necessary, to be used for the purposes
4 designated including the filing of quarterly reports
5 as required in this section:

6 1. OPERATIONS

7 For salaries, support, maintenance, and
8 miscellaneous purposes for the director's staff,
9 information services, data processing, and financial
10 services, and for not more than the following full-
11 time equivalent positions:

12	\$	1,041,716
13	FTEs	18.58

14 2. PROGRAM DELIVERY

15 For salaries for personnel services, employment law
16 and labor relations and training for not more than the
17 following full-time equivalent positions:

18	\$	1,213,964
19	FTEs	33.20

20 3. PROGRAM ADMINISTRATION AND DEVELOPMENT

21 For salaries for employment, compensation, and
22 benefits and workers' compensation and for not more
23 than the following full-time equivalent positions:

24	\$	1,386,933
25	FTEs	32.80

26 Any funds received by the department for workers'
27 compensation purposes other than the funds
28 appropriated in subsection 3 shall be used only for
29 the payment of workers' compensation claims.

30 The funds for support, maintenance, and
31 miscellaneous purposes for personnel assigned to
32 program delivery under subsection 2 and program
33 administration and development under subsection 3 are
34 payable from the appropriation made in subsection 1.

35 The department of personnel shall report semi-
36 annually to the chairpersons and ranking members of
37 the joint appropriations subcommittee on
38 administration and regulation concerning the number of
39 vacancies in existing full-time equivalent positions
40 and the average time taken to fill the vacancies. The
41 reports shall include quarterly and annual averages
42 organized according to state agency and general
43 occupational category as established by the federal
44 equal employment opportunity commission. All
45 departments and agencies of the state shall cooperate
46 with the department in the preparation of the reports.

47 Sec. 17. IPERS. There is appropriated from the
48 Iowa public employees' retirement system fund to the
49 department of personnel for the fiscal year beginning
50 July 1, 1995, and ending June 30, 1996, the following

H-4225

-15-

H-4225

Page 16

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

3 1. For salaries, support, maintenance, and other
4 operational purposes to pay the costs of the Iowa
5 public employees' retirement system:

6 \$ 3,749,983

7 2. It is the intent of the general assembly that
8 the Iowa public employees' retirement system employ
9 sufficient staff within the appropriation provided in
10 this section to meet the developing requirements of
11 the investment program.

12 3. The department of personnel shall submit,
13 annually, a report to the chairpersons and ranking
14 members of the joint appropriations subcommittee on
15 administration and regulation and to the legislative
16 fiscal bureau regarding the results of the state's top
17 achievement recognition program. The reports
18 submitted shall include, but are not limited to,
19 identification of the recipients, a description of the
20 meritorious achievements, and the awards conferred.

21 Sec. 18. There is appropriated from the primary
22 road fund to the department of personnel for the
23 fiscal year beginning July 1, 1995, and ending June
24 30, 1996, the following amount, or so much thereof as
25 is necessary, to be used for the purposes designated:

26 For salaries, support, maintenance, and
27 miscellaneous purposes to provide personnel services
28 for the state department of transportation:

29 \$ 331,694

30 Sec. 19. There is appropriated from the road use
31 tax fund to the department of personnel for the fiscal
32 year beginning July 1, 1995, and ending June 30, 1996,
33 the following amount, or so much thereof as is
34 necessary, to be used for the purposes designated:

35 For salaries, support, maintenance, and
36 miscellaneous purposes to provide personnel services
37 for the state department of transportation:

38 \$ 53,996

39 Sec. 20. There is appropriated from the general
40 fund of the state to the department of revenue and
41 finance for the fiscal year beginning July 1, 1995,
42 and ending June 30, 1996, the following amounts, or so
43 much thereof as is necessary, to be used for the
44 purposes designated, and for not more than the
45 following full-time equivalent positions used for the
46 purposes designated in subsections 1 through 3:

47 FTEs 577.43

48 1. AUDIT AND COMPLIANCE

49 For salaries, support, maintenance, and
50 miscellaneous purposes:

H-4225

-16-

H-4225

Page 17

1 \$ 10,563,293
2 2. STATE FINANCIAL MANAGEMENT
3 For salaries, support, maintenance, and
4 miscellaneous purposes:
5 \$ 9,376,548
6 3. INTERNAL RESOURCES MANAGEMENT
7 For salaries, support, maintenance, and
8 miscellaneous purposes:
9 \$ 5,910,111
10 4. COLLECTION COSTS AND FEES
11 For payment of collection costs and fees pursuant
12 to section 422.26:
13 \$ 45,000
14 5. a. The department of revenue and finance shall
15 not change the appropriations for the purposes
16 designated in subsections 1 through 3 from the amounts
17 appropriated in those subsections unless notice of the
18 revisions is given prior to their effective date to
19 the legislative fiscal bureau. The notice shall
20 include information on the department's rationale for
21 making the changes.
22 b. The department of revenue and finance shall
23 report quarterly to the legislative fiscal bureau
24 concerning progress in the implementation of generally
25 accepted accounting principles, including
26 determination of reporting entities, fund
27 classifications, modification of the Iowa financial
28 accounting system, progress on preparing a
29 comprehensive annual financial report, and the most
30 current estimate of the general fund balance based on
31 current generally accepted accounting principles.
32 c. The director of revenue and finance shall
33 report annually to the chairpersons and ranking
34 members of the joint appropriations subcommittee on
35 administration and regulation and the legislative
36 fiscal bureau on the implementation and financial
37 status of the integrated revenue information system.
38 The report shall include any changes from the
39 scheduled progress including expenditures or estimated
40 revenue.
41 d. The director of revenue and finance shall
42 prepare and issue a state appraisal manual and the
43 revisions to the state appraisal manual as provided in
44 section 421.17, subsection 18, without cost to a city
45 or county.
46 Sec. 21. There is appropriated from the lottery
47 fund to the department of revenue and finance for the
48 fiscal year beginning July 1, 1995, and ending June
49 30, 1996, the following amount, or so much thereof as
50 is necessary, to be used for the purposes designated:

H-4225

-17-

H-4225

Page 18

1 For salaries, support, maintenance, miscellaneous
2 purposes for the administration and operation of
3 lottery games, and for not more than the following
4 full-time equivalent positions:

5 \$ 7,408,016
6 FTEs 120.00

7 Sec. 22. There is appropriated from the motor
8 vehicle fuel tax fund created by section 452A.77 to
9 the department of revenue and finance for the fiscal
10 year beginning July 1, 1995, and ending June 30, 1996,
11 the following amount, or so much thereof as is
12 necessary, to be used for the purposes designated:

13 For salaries, support, maintenance, and
14 miscellaneous purposes for administration and
15 enforcement of the provisions of chapter 452A and the
16 motor vehicle use tax program:
17 \$ 1,008,025

18 Sec. 23. There is appropriated from the general
19 fund of the state to the office of the secretary of
20 state for the fiscal year beginning July 1, 1995, and
21 ending June 30, 1996, the following amounts, or so
22 much thereof as is necessary, to be used for the
23 purposes designated:

24 1. ADMINISTRATION AND ELECTIONS

25 For salaries, support, maintenance, miscellaneous
26 purposes, and for not more than the following full-
27 time equivalent positions:
28 \$ 520,514
29 FTEs 9.00

30 2. BUSINESS SERVICES

31 For salaries, support, maintenance, miscellaneous
32 purposes, and for not more than the following full-
33 time equivalent positions:
34 \$ 1,565,021
35 FTEs 28.00

36 3. For costs incurred in the printing of the
37 official register:

38 \$ 60,000

39 Sec. 24. STATE-FEDERAL RELATIONS. There is
40 appropriated from the general fund of the state to the
41 office of state-federal relations for the fiscal year
42 beginning July 1, 1995, and ending June 30, 1996, the
43 following amount, or so much thereof as is necessary,
44 to be used for the purposes designated:

45 For salaries, support, maintenance, miscellaneous
46 purposes, and for not more than the following full-
47 time equivalent positions:
48 \$ 235,521
49 FTEs 3.00

50 Sec. 25. TREASURER. There is appropriated from

H-4225

-18-

H-4225

Page 19

1 the general fund of the state to the office of
2 treasurer of state for the fiscal year beginning July
3 1, 1995, and ending June 30, 1996, the following
4 amount, or so much thereof as is necessary, to be used
5 for the purposes designated:

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

9	\$	855,694
10	FTEs	27.80

11 The office of treasurer of state shall supply
12 clerical and secretarial support for the executive
13 council.

14 Sec. 26. SECOND INJURY FUND. The administrative
15 costs and expenses incurred by the treasurer of state,
16 the attorney general, the second injury fund, or the
17 department of revenue and finance, in connection with
18 the second injury fund, may be paid from the second
19 injury fund. However, the payment of administrative
20 costs and expenses incurred by the treasurer of state,
21 the attorney general, the second injury fund, and the
22 department of revenue and finance, as authorized in
23 this section, shall only be permitted for
24 administrative costs and expenses incurred in the
25 fiscal year commencing July 1, 1995, and ending June
26 30, 1996, shall not exceed \$170,000.

27 Sec. 27. STATE WORKERS' COMPENSATION CLAIMS.
28 There is appropriated from the general fund of the
29 state to the department of personnel for the fiscal
30 year beginning July 1, 1995, and ending June 30, 1996,
31 the following amount, or so much thereof as is
32 necessary, to be used for the purpose designated:

33 For distribution, subject to approval of the
34 department of management, to various state departments
35 to fund the premiums for paying workers' compensation
36 claims which are assessed to and collected from the
37 state department by the department of personnel based
38 upon a rating formula established by the department of
39 personnel:

40	\$	5,884,740

41 The premiums collected by the department of
42 personnel shall be segregated into a separate workers'
43 compensation fund in the state treasury to be used for
44 payment of state employees' workers' compensation
45 claims. Notwithstanding section 8.33, unencumbered or
46 unobligated moneys remaining in this workers'
47 compensation fund at the end of the fiscal year shall
48 not revert but shall be available for expenditure for
49 purposes of the fund for subsequent fiscal years.

50 Sec. 28. Notwithstanding section 509A.5, there is

H-4225

-19-

H-4225

Page 20

1 appropriated from the employer share of the health
2 insurance premium reserve fund the following amount
3 for the purpose designated:

4 For the health data commission:

5 \$ 100,000

6 Sec. 29. RURAL FIRE PROTECTION.

7 1. There is appropriated from the general fund of
8 the state to the fire marshal for the fiscal year
9 beginning July 1, 1995, and ending June 30, 1996, the
10 following amount, or so much thereof as is necessary,
11 to be used for the purpose designated:

12 For supporting a rural fire protection
13 demonstration project:

14 \$ 6,000

15 2. The department shall award moneys to one or
16 more resource conservation and development councils
17 which apply for such moneys for the installation of
18 permanent dry fire hydrants. Moneys awarded under
19 this section shall not be used to pay for salaries or
20 support administration. The purpose of a project
21 shall be to demonstrate how dry hydrants may be used
22 to preserve life and protect property from dangers
23 associated with fire, and to support rural
24 infrastructure in order to encourage investment in
25 rural communities.

26 3. A resource conservation and development council
27 which receives an award under this section shall
28 appoint a dry hydrant project coordinator who shall be
29 responsible for administering the award as provided in
30 this section. In applying for and administering an
31 award, a council shall cooperate with relevant county
32 boards of supervisors, county engineers, soil and
33 water conservation districts, local fire departments,
34 township trustees, rural water associations, and
35 landowners. The council shall also seek cooperation
36 from the natural resources and conservation service of
37 the United States department of agriculture, and, if
38 appropriate, the United States army corps of
39 engineers.

40 4. Applications shall be judged based on criteria
41 established by the department. The fire service
42 institute advisory committee established pursuant to
43 section 266.46 may assist the department in
44 establishing criteria and judging applications.
45 Applicants shall submit a plan that demonstrates the
46 practical advantages of using a dry hydrant, which
47 relies upon natural roadside water impoundments and
48 man-made impoundments fed by rural water mains, to
49 provide viable and economical sources of water
50 required to extinguish fires in rural areas. The plan

H-4225

-20-

H-4225

Page 21

1 shall provide for instructing fire departments
2 regarding the installation and operation of dry
3 hydrants, including methods to utilize labor and
4 equipment. In implementing the plan, the dry hydrant
5 project coordinator shall cooperate with the Iowa fire
6 service institute at Iowa state university as provided
7 in section 266.41, the fire service institute advisory
8 committee, and any association which provides for the
9 training of fire fighters, including the Iowa
10 firemen's association and the Iowa society of fire
11 service instructors.

12 5. The fire marshal shall prepare a report which
13 shall include findings submitted by each dry hydrant
14 project coordinator who administers an award and
15 recommendations submitted by the fire service
16 institute advisory committee. The committee may
17 provide a plan or model for the installation of dry
18 hydrants throughout the state. The report shall be
19 delivered to the general assembly by January 10, 1996.

20 Sec. 30. CENTRALIZED PURCHASING REVOLVING FUND
21 TRANSFER. Notwithstanding section 18.9, there is
22 transferred from the centralized purchasing revolving
23 fund created under section 18.9 to the general fund of
24 the state on June 30, 1995, the sum of \$250,000.

25 Sec. 31. SECRETARY OF STATE OPTICAL IMAGING
26 ACCOUNT TRANSFER. The secretary of state shall pay to
27 the general fund of the state on June 30, 1995, the
28 sum of \$75,000, or so much thereof as remains of funds
29 appropriated for an optical imaging project. If
30 insufficient unencumbered or unobligated funds remain
31 in the optical imaging account as of June 30, 1995, to
32 pay \$75,000 to the general fund of the state, the
33 deficiency shall be paid from other moneys
34 appropriated to the office of secretary of state
35 pursuant to this Act.

36 Sec. 32. IMPLEMENTATION OF FUNDING REDUCTIONS --
37 INTENT OF GENERAL ASSEMBLY. It is the intent of the
38 general assembly that the departments, agencies, and
39 offices of the executive department of state
40 government shall implement funding reductions through
41 organizational changes which reduce supervisory
42 positions, vertically and horizontally, and increase
43 the span of control of the remaining supervisors as
44 recommended by the governor's committee on government
45 spending reform.

46 Sec. 33. ELIMINATION OF VACANT UNFUNDED JOBS. The
47 state departments, agencies, or offices receiving
48 appropriations under this Act shall eliminate, within
49 thirty days after the beginning of a fiscal year, all
50 vacant unfunded positions on the table of organization

H-4225

-21-

H-4225

Page 22

1 of the state department, agency, or office.

2 Sec. 34. STATE COMMUNICATIONS NETWORK -- REDUCTION
3 OF TRAVEL AND RELATED EXPENSES. The offices of the
4 governor and lieutenant governor, the office of
5 secretary of state, the office of treasurer of state,
6 the auditor of state, the department of commerce, the
7 department of inspections and appeals, the Iowa ethics
8 and campaign disclosure board, the department of
9 general services, the department of management, the
10 department of revenue and finance, and the department
11 of personnel shall use the services of the state
12 communications network as much as possible for
13 interagency communication, meetings, and conferences
14 to reduce travel and related expenses for the
15 respective offices or departments.

16 Sec. 35. REPORT OF ADDITIONAL INCOME AND
17 EXPENDITURES. The state departments, agencies, and
18 offices receiving appropriations under this Act shall
19 report all expenses in excess of the funds
20 appropriated from any statutory revolving funds during
21 the fiscal year beginning July 1, 1994, and ending
22 June 30, 1995. The report shall also include the
23 beginning and ending balances of the revolving funds.

24 The report required pursuant to this section shall
25 be submitted not later than September 30, 1995, for
26 expenditures made during the fiscal year beginning
27 July 1, 1994, and ending June 30, 1995, to the
28 chairpersons and ranking members of the joint
29 appropriations subcommittee on administration and
30 regulations and the legislative fiscal bureau.

31 Sec. 36. FEDERAL GRANTS. All federal grants to
32 and the federal receipts of agencies appropriated
33 funds under this Act, not otherwise appropriated, are
34 appropriated for the purposes set forth in the federal
35 grants or receipts unless otherwise provided by the
36 general assembly.

37 Sec. 37. Section 12.21, Code 1995, is amended to
38 read as follows:

39 12.21 ACCEPTING CREDIT CARD PAYMENTS.

40 The treasurer of state may enter into an agreement
41 with a financial institution to provide credit card
42 receipt processing for state departments which are
43 authorized by the treasurer of state to accept payment
44 by credit card. A department which accepts credit
45 card payments ~~shall~~ may adjust its fees to reflect the
46 cost of processing as determined by the treasurer of
47 state. A fee may be charged by a department for using
48 the credit card payment method notwithstanding any
49 other provision of the Code setting specific fees.
50 The treasurer of state shall adopt rules to implement

H-4225

-22-

H-4225

Page 23

1 this section.

2 Sec. 38. Section 17A.8, subsection 9, Code 1995,
3 is amended to read as follows:

4 9. Upon a vote of ~~two-thirds~~ six of its members,
5 the administrative rules review committee may delay
6 the effective date of a rule until the adjournment of
7 the next regular session of the general assembly. The
8 committee shall refer a rule whose effective date has
9 been delayed to the speaker of the house of
10 representatives and the president of the senate who
11 shall refer the rule to the appropriate standing
12 committees of the general assembly. If the general
13 assembly has not disapproved of the rule by a joint
14 resolution, the rule shall become effective. The
15 speaker of the house of representatives and the
16 president of the senate shall notify the
17 administrative code editor of the final disposition of
18 any rule delayed pursuant to this subsection. If a
19 rule is disapproved, it shall not become effective and
20 the agency shall withdraw the rule. This section
21 shall not apply to rules made effective under section
22 17A.5, subsection 2, paragraph "b".

23 Sec. 39. Section 25.2, Code 1995, is amended to
24 read as follows:

25 25.2 EXAMINATION OF REPORT -- APPROVAL OR
26 REJECTION -- PAYMENT.

27 The state appeal board with the recommendation of
28 the special assistant attorney general for claims may
29 approve or reject claims against the state of less
30 than ten years covering the following: Outdated
31 warrants; outdated sales and use tax refunds; license
32 refunds; additional agricultural land tax credits;
33 outdated invoices; fuel and gas tax refunds; outdated
34 homestead and veterans' exemptions; outdated funeral
35 service claims; tractor fees; registration permits;
36 outdated bills for merchandise; services furnished to
37 the state; claims by any county or county official
38 relating to the personal property tax credit; and
39 refunds of fees collected by the state. Payments
40 authorized by the state appeal board shall be paid
41 from the appropriation or fund of original
42 certification of the claim. However, if that
43 appropriation or fund has since reverted under section
44 8.33 then such payment authorized by the state appeal
45 board shall be out of any money in the state treasury
46 not otherwise appropriated. Notwithstanding the
47 provisions of this section, the director of revenue
48 and finance may reissue outdated warrants. On or
49 before November 1 of each year, the director of
50 revenue and finance shall provide the treasurer of

H-4225

-23-

H-4225

Page 24

1 state with a report of all unpaid warrants which have
2 been outdated for two years or more. The treasurer
3 shall include information regarding outdated warrants
4 in the notice published pursuant to section 556.12.
5 The provisions of section 556.11 regarding agreements
6 to pay compensation for recovery or assistance in
7 recovery of unclaimed property are applicable to
8 agreements to pay compensation to recover or assist in
9 the recovery of outdated warrants.

10 Sec. 40. NEW SECTION. 70A.1A SALARY LIMITATIONS
11 -- CERTAIN DEPARTMENT HEADS AND SUBORDINATE OFFICERS
12 AND EMPLOYEES.

13 1. The directors, principal assistants, and
14 employees of the following departments, boards, and
15 offices shall not receive an annual salary which
16 exceeds eighty percent of the annual salary of the
17 governor:

- 18 a. Iowa ethics and campaign disclosure board.
- 19 b. Department of commerce.
- 20 c. Department of general services.
- 21 d. Office of the governor.
- 22 e. Department of inspections and appeals.
- 23 f. Department of management.
- 24 g. Department of personnel.
- 25 h. Department of revenue and finance.
- 26 i. Office of state-federal relations.

27 2. The annual salaries of the deputy officers and
28 employees of the following state agencies shall not
29 exceed eighty percent of annual salary of the state
30 agency's elected principal officer:

- 31 a. Office of auditor of state.
- 32 b. Office of secretary of state.
- 33 c. Office of treasurer of state.

34 Sec. 41. SALARIES EXCEEDING LIMITS -- TRANSITION.

35 On the effective date of this Act, if the salary of
36 an officer or employee of the state departments and
37 offices listed in section 43 of this Act exceeds the
38 80 percent limitation, the salary of the officer or
39 employee shall be frozen at that pay rate until the
40 officer's or employee's salary is less than 80 percent
41 of the applicable principal officer's salary. When
42 the officer's or employee's salary is less than an
43 amount which equals the 80 percent limitation, the
44 officer or employee may receive salary adjustments as
45 otherwise provided by law, but total annual salary
46 shall not exceed the 80 percent limitation.

47 Sec. 42. Section 411.36, subsection 1, unnumbered
48 paragraph 1, Code 1995, as amended by 1995 Iowa Acts,
49 Senate File 45, section 5, is amended to read as
50 follows:

H-4225

-24-

H-4225

Page 25

1 A board of trustees for the statewide fire and
2 police retirement system is created. The board shall
3 consist of ~~thirteen~~ fourteen members, including nine
4 voting members and ~~four~~ five nonvoting members.
5 Section 69.16A applies to the appointment of the
6 voting members of the board. The voting members of
7 the board shall be as follows:

8 Sec. 43. Section 411.36, subsection 1, unnumbered
9 paragraph 2, Code 1995, as amended by 1995 Iowa Acts,
10 Senate File 45, section 5, is amended to read as
11 follows:

12 The treasurer of state, or the treasurer's
13 designee, shall serve as an ex officio, nonvoting
14 member. The other nonvoting members of the board
15 shall be two state representatives, one appointed by
16 the speaker of the house of representatives and one by
17 the minority leader of the house, and two state
18 senators, one appointed by the majority leader of the
19 senate and one by the minority leader of the senate.

20 Sec. 44. Section 411.36, subsection 2, Code 1995,
21 is amended to read as follows:

22 2. ~~Except-as-otherwise-provided-for-the-initial~~
23 ~~appointments,~~ The voting members shall be
24 appointed for four-year terms, and the nonvoting
25 members who are members of the senate and the house of
26 representatives shall be appointed for two-year terms.
27 Terms begin on May 1 in the year of appointment and
28 expire on April 30 in the year of expiration.

29 Sec. 45. Section 411.36, subsection 5, paragraph
30 a, Code 1995, is amended to read as follows:

31 a. Members of the board, except the treasurer of
32 state or the treasurer's designee, shall be paid their
33 actual and necessary expenses incurred in the
34 performance of their duties and shall receive a per
35 diem as specified in section 7E.6 for each day of
36 service. Per diem and expenses shall be paid to
37 voting members from the fire and police retirement
38 fund created in section 411.8.

39 Sec. 46. Section 462A.78, subsection 5, Code 1995,
40 is amended to read as follows:

41 5. The funds collected under subsection 1,
42 paragraph "a", shall be placed in the general fund of
43 the county and used for the expenses of the county
44 conservation board if one exists in that county. Of
45 each surcharge collected as required under subsection
46 1, paragraph "b", the county recorder shall remit five
47 dollars to the ~~office-of-treasurer-of-state~~ department
48 of revenue and finance for deposit in the general fund
49 of the state.

50 Sec. 47. NEW SECTION. 514C.11 PATIENT ACCESS TO

H-4225

-25-

H-4225

Page 26

1 TYPES OF PHYSICIANS UNDER MANAGED CARE HEALTH PLAN OR
2 INDEMNITY PLAN WITH LIMITED PROVIDER NETWORK.

3 Notwithstanding section 514C.6, a managed care
4 health plan or indemnity plan with a limited provider
5 network shall provide patients direct access to each
6 type of physician, as defined in section 135.1 and
7 licensed under chapter 148, 150A, or 151, and shall
8 not condition that access upon a referral by a
9 physician licensed under another chapter. Access to a
10 specialist may be conditioned upon a referral by a
11 primary care provider licensed under the same chapter.
12 Any copayment, deductible, cost containment mechanism,
13 or premium rate shall not discriminate directly or
14 indirectly upon the basis of the license held by the
15 physician. Access to a specialist may be subject to a
16 different copayment or deductible than access to a
17 primary care provider. Access to a nonparticipating
18 physician may be restricted or may be subject to
19 different copayments, deductibles, or premium rates,
20 or may be excluded, provided that a plan shall not
21 differentiate or exclude a physician directly or
22 indirectly upon the basis of the license held by the
23 physician.

24 Each plan must demonstrate that it is capable of
25 serving appropriately the needs of the subscriber
26 population in the service area of the plan with regard
27 to patient access to each type of physician.

28 For purposes of this section, "managed care health
29 plan or indemnity plan with a limited provider
30 network" means a health maintenance organization,
31 organized delivery system, accountable health plan,
32 health care insurance plan which limits the number of
33 licensed physicians who can provide services under the
34 plan, preferred provider organization, exclusive
35 provider organization, restricted access network, or
36 similar health-care plan. For purposes of this
37 section, "physician" means as defined in section 135.1
38 and licensed under chapter 148, 150A, or 151.

39 Sec. 48. Section 533.4, subsections 1, 4, 5, and
40 19, Code 1995, are amended to read as follows:

41 1. Receive the savings of from its members either,
42 nonmembers as prescribed by rule where the credit
43 union is serving predominantly low-income members,
44 other credit unions, and federal, state, county, and
45 city governments, as payment payments on shares or as
46 deposits, including the right to conduct Christmas
47 clubs, vacation clubs, and other such thrift
48 organizations within the membership subject to the
49 terms, rates, and conditions established by the board
50 of directors, subject to the limitations established

H-4225

-26-

H-4225

Page 27

1 by rule by the superintendent.

2 4. Deposit Make deposits in state and national
3 banks, state and federal savings banks or savings and
4 loan associations, and state and federal credit
5 unions, the accounts of which are insured by the
6 federal deposit insurance corporation or the national
7 credit union share insurance fund.

8 5. Make investments in:

9 a. Time deposits in state and national banks and
10 ~~in-state-banks~~, state and federal savings banks or
11 savings and loan associations, and state and federal
12 credit unions, the deposits of which are insured by
13 the federal deposit insurance corporation or the
14 national credit union share insurance fund.

15 b. Obligations, participations, or other
16 instruments of or issued by, or fully guaranteed as to
17 principal and interest by the United States government
18 or any agency thereof; or any trust or trusts
19 established for investing directly or collectively in
20 the same.

21 c. General obligations of the state of Iowa and
22 any subdivision thereof of the state.

23 ~~d. Paid-up deposits of savings and loan~~
24 ~~associations, the deposits of which are insured by the~~
25 ~~federal savings and loan insurance corporation.~~

26 ~~e. d.~~ Purchase of notes of liquidating credit
27 unions with the approval of the superintendent.

28 ~~f. e.~~ Shares and deposits in other credit unions.

29 ~~g. f.~~ Shares, stocks, loans, and other obligations
30 or a combination thereof of an organization,
31 corporation, or association, provided the membership
32 or ownership, as the case may be, of the organization,
33 corporation, or association is primarily confined or
34 restricted to credit unions or organizations of credit
35 unions and provided that the purpose of the
36 organization, corporation, or association is primarily
37 designed to provide services to credit unions,
38 organizations of credit unions, or credit union
39 members. However, the aggregate amount invested
40 pursuant to this subsection shall not exceed five
41 percent of the assets of the credit union.

42 ~~h. g.~~ Obligations issued by federal land banks,
43 federal intermediate credit banks, banks for
44 cooperatives, or any or all of the federal farm credit
45 banks.

46 ~~i. h.~~ Commercial paper issued by United States
47 corporations as defined by rule.

48 ~~j. i.~~ Corporate bonds as defined by and subject to
49 terms and conditions imposed by the administrator,
50 provided that the administrator shall not approve

H-4225

-27-

H-4225

Page 28

1 investment in corporate bonds unless the bonds are
2 rated in the two highest grades of corporate bonds by
3 a nationally accepted rating agency, including but not
4 limited to a rating of AAA or AA from Standard and
5 Poors.

6 19. Establish one or more offices other than its
7 main office, subject to the approval and regulation of
8 the superintendent, if such offices ~~shall-be~~ are
9 reasonably necessary to furnish service to its
10 membership. A credit union office may furnish all
11 credit union services ordinarily furnished to the
12 membership at the principal place of business of the
13 credit union which operates the office. All
14 transactions of a credit union office shall be
15 transmitted daily to the principal place of business
16 of the credit union which operates the office, and no
17 current recordkeeping functions shall not be
18 maintained at a credit union office except to the
19 extent the credit union which operates the office
20 deems it desirable to keep at the office duplicates of
21 the records kept at the principal place of business of
22 the credit union. The central executive and official
23 business functions of a credit union shall be
24 exercised only at the principal place of business.

25 A credit union office shall not be opened without
26 the prior written approval of the superintendent.
27 Upon application by a credit union in the form
28 prescribed by the superintendent, the superintendent
29 shall determine, after notice and hearing, if the
30 establishment of the credit union office is reasonably
31 necessary for service to, and is in the best interests
32 of, the members of the credit union.

33 Notwithstanding the provisions of this section,
34 data processing services and loan documentation
35 recordkeeping functions may be performed or located at
36 an authorized credit union office or at some other
37 location, subject to the approval of the
38 superintendent.

39 Sec. 49. Section 533.16, subsection 3, Code 1995,
40 is amended to read as follows:

41 3. A director of a credit union may borrow from
42 that credit union under the provisions of this
43 chapter, but the rates, terms, and conditions of a
44 loan or line of credit either made to or endorsed or
45 guaranteed by the director shall not be made-on-terms
46 more favorable than those-extended the rates, terms,
47 or conditions of comparable loans or lines of credit
48 provided to other members. A-director-of-a-credit
49 union-may-borrow-from-that-credit-union-to-the-extent
50 and-in-the-amount-of-such-director's-holdings-in-the

H-4225

-28-

H-4225

Page 29

1 ~~credit-union-in-shares-and-deposits:--A-director~~
2 ~~desiring-to-borrow-from-the-credit-union-an-amount-in~~
3 ~~excess-of-the-director's-holdings-in-shares-and~~
4 ~~deposits-shall-first-submit-application-for-approval~~
5 ~~by-the-board-of-directors-at-a-regular-or-special~~
6 ~~meeting.--The-director-making-application-for-the-loan~~
7 ~~shall-not-be-in-attendance-at-the-time-the-board-of~~
8 ~~directors-considers-the-application-and-shall-not-take~~
9 ~~part-in-the-consideration.--Prior-to-consideration-of~~
10 ~~such-loan, the-director-must-have-submitted-to-the~~
11 ~~board-a-detailed-current-financial-statement. The~~
12 ~~aggregate amount of all director loans and lines of~~
13 ~~credit shall not exceed twenty twenty-five percent of~~
14 ~~the assets of the credit union.~~

15 Sec. 50. Section 533.16, subsection 4, paragraph
16 c, Code 1995, is amended by striking the paragraph and
17 inserting in lieu thereof the following:

18 c. A credit union which obtains a report or
19 opinion by an attorney or from another mortgage lender
20 relating to defects in or liens or encumbrances on the
21 title to real property, the unmarketability of the
22 title to real property, or the invalidity or
23 unenforceability of liens or encumbrances on real
24 property, shall provide a copy of the report or
25 opinion to the mortgagor and the mortgagor's attorney.

26 Sec. 51. Section 533.17, subsection 1, unnumbered
27 paragraph 1, Code 1995, is amended to read as follows:

28 ~~Immediately-before-the-payment-of-a-dividend~~ At the
29 ~~end of each dividend period, but no less than~~
30 ~~quarterly, the gross income of the credit union shall~~
31 ~~determine-its-gross-earnings be determined.~~ A legal
32 ~~reserve for-contingencies against losses on loans and~~
33 ~~against such other losses as may be specified by rule~~
34 ~~shall be set aside from the gross earnings income in~~
35 ~~accordance with the following schedule:~~

36 Sec. 52. Section 533.17, subsection 2, Code 1995,
37 is amended to read as follows:

38 2. For the purpose of establishing legal reserves,
39 the following shall not be considered risk assets:

40 a. Cash on hand.

41 b. Deposits and shares in ~~federal-or-state~~
42 federally insured banks, savings and loan
43 associations, and credit unions.

44 c. Assets which are insured by, fully guaranteed
45 as to principal and interest by, or due from the
46 United States government, its agencies, and
47 instrumentalities.

48 d. Loans to other credit unions.

49 e. Student loans insured under the provisions of
50 Title XX, United States Code, section 1071 to section

H-4225

-29-

H-4225

Page 30

1 1087 or similar state programs.

2 f. Loans insured by the federal housing
3 administration under Title XII, United States Code,
4 section 1703.

5 g. Loans fully insured or guaranteed by the
6 federal government, a state government, or any agency
7 of either.

8 g- h. Common trust investments which deal in
9 investments authorized in section 533.4.

10 h- i. Prepaid expenses.

11 i- j. Accrued interest on nonrisk investments.

12 j- k. Furniture and equipment.

13 k- l. Land and buildings.

14 m. Loans fully secured by a pledge of shares
15 within the credit union.

16 n. Deposits in the national credit union share
17 insurance fund.

18 o. Real estate loans in transit to the secondary
19 market as specified by rule.

20 Sec. 53. Section 533.18, Code 1995, is amended to
21 read as follows:

22 533.18 DIVIDENDS.

23 i- At such intervals and for such periods as the
24 board of directors may authorize, and after ~~transfers~~
25 to the provision for required reserves pursuant to
26 section 533.17, the board of directors may declare
27 dividends at such rates and upon such classes of
28 shares as are determined by the board. Such dividends
29 shall be paid on all paid-up shares outstanding at the
30 close of the period for which the dividend is
31 declared.

32 ~~2---Shares-which-become-fully-paid-up-during-such~~
33 ~~dividend-period-and-are-outstanding-at-the-close-of~~
34 ~~period-shall-be-entitled-to-a-proportional-share-of~~
35 ~~such-dividend-~~

36 ~~---3---Dividend-credit-for-a-month-may-be-accrued-on~~
37 ~~shares-which-are-or-become-fully-paid-up-during-the~~
38 ~~first-fifteen-days-of-that-month-~~

39 ---Sec. 54. NEW SECTION. 533.49 AUTHORITY TO LEASE
40 SAFE DEPOSIT BOXES.

41 1. A credit union may lease safe deposit boxes for
42 the storage of property on terms and conditions
43 prescribed by it. Such terms and conditions shall not
44 bind any person to whom the credit union does not give
45 notice of the terms and conditions by delivery of a
46 lease and agreement in writing containing the terms
47 and conditions. A credit union may limit its
48 liability provided such limitations are set forth in
49 the lease and agreement in at least the same size and
50 type as the other substantive provisions of the

H-4225

-30-

H-4225

Page 31

1 contract.

2 2. The lease and agreement of a safe deposit box
3 may provide that evidence tending to prove that
4 property was left in a safe deposit box upon the last
5 entry by the member or the member's authorized agent,
6 and that the property or any part of the property was
7 found missing upon subsequent entry, is not sufficient
8 to raise a presumption that the property was lost by
9 any negligence or wrongdoing for which the credit
10 union is responsible, or put upon the credit union the
11 burden of proof that the alleged loss was not the
12 fault of the credit union.

13 3. A credit union may lease a safe deposit box to
14 a minor. A credit union may deal with a minor with
15 respect to a safe deposit box lease and agreement
16 without the consent of a parent, guardian, or
17 conservator and with the same effect as though the
18 minor were an adult. Any action of the minor with
19 respect to such safe deposit box lease and agreement
20 is binding on the minor with the same effect as though
21 the minor were an adult.

22 4. A credit union which has on file a power of
23 attorney of a member covering a safe deposit box lease
24 and agreement, which has not been revoked by the
25 member, shall incur no liability as a result of
26 continuing to honor the provisions of the power of
27 attorney in the event of the death or incompetence of
28 the donor of the power of attorney until the credit
29 union receives written notice of the death, or written
30 notice of adjudication by a court of the incompetence
31 of the member and the appointment of a guardian or
32 conservator.

33 Sec. 55. NEW SECTION. 533.49A SEARCH PROCEDURE
34 ON DEATH.

35 A credit union shall permit the person named in a
36 court order or, if no order has been served upon the
37 credit union, the spouse, a parent, an adult
38 descendant, or a person named as executor in a copy of
39 a purported will produced by the person, to open and
40 examine the contents of a safe deposit box leased by a
41 decedent, or to examine any property delivered by a
42 decedent for safekeeping, in the presence of an
43 officer of the credit union. The credit union, if
44 requested by such person, and upon the credit union's
45 receipt of the request, shall deliver:

46 1. Any writing purported to be a will of the
47 decedent to the court having jurisdiction of the
48 decedent's estate.

49 2. Any writing purported to be a deed to a burial
50 plot, or to give burial instructions, to the person

H-4225

-31-

H-4225

Page 32

1 making the request for a search.

2 3. Any document purported to be an insurance
3 policy on the life of the decedent to the beneficiary
4 named in the policy. A credit union shall prepare and
5 keep a list of any contents delivered pursuant to this
6 section describing the nature of the property and the
7 individual to whom delivered, and place a copy of the
8 list in the safe deposit box from which the contents
9 were removed.

10 Sec. 56. NEW SECTION. 533.49B ADVERSE CLAIMS TO
11 PROPERTY IN SAFE DEPOSIT AND SAFEKEEPING.

12 1. A credit union shall not be required, in the
13 absence of a court order or indemnity required by this
14 section, to recognize any claim to, or claim of
15 authority to exercise control over, property held in
16 safe deposit or property held for safekeeping pursuant
17 to section 533.49D made by a person or persons other
18 than the following:

19 a. The member in whose name the property is held
20 by the credit union.

21 b. An individual or group of individuals who are
22 authorized to have access to the safe deposit box, or
23 to the property held for safekeeping, pursuant to a
24 certified corporate resolution or other written
25 arrangement with the member, currently on file with
26 the credit union, which has not been revoked by valid
27 corporate action in the case of a corporation, or by a
28 valid agreement or other valid action appropriate for
29 the form of legal organization of any other member, of
30 which the credit union has received notice and which
31 is not the subject of a dispute known to the credit
32 union as to its original validity. The safe deposit
33 and safekeeping account records of a credit union
34 shall be presumptive evidence as to the identity of
35 the member on whose behalf the property is held.

36 2. To require a credit union to recognize an
37 adverse claim to, or adverse claim of authority to
38 control, property held in safe deposit or for
39 safekeeping, whoever makes the claim must do either of
40 the following:

41 a. Obtain and serve on the credit union an
42 appropriate court order or judicial process directed
43 to the credit union, restraining any action with
44 respect to the property until further order of the
45 court or instructing the credit union to deliver the
46 property, in whole or in part, as indicated in the
47 order or process.

48 b. Deliver to the credit union a bond, in form and
49 amount with sureties satisfactory to the credit union,
50 indemnifying the credit union against any liability,

H-4225

-32-

H-4225

Page 33

1 loss, or expense which the credit union might incur
2 because of its refusal to deliver the property to any
3 person described in subsection 1, paragraph "a" or
4 "b".

5 Sec. 57. NEW SECTION. 533.49C REMEDIES AND
6 PROCEEDINGS FOR NONPAYMENT OF RENT ON SAFE DEPOSIT
7 BOX.

8 1. A credit union has a lien upon the contents of
9 a safe deposit box for past due rentals and any
10 expense incurred in opening the safe deposit box,
11 replacement of the locks on the safe deposit box, and
12 of a sale made pursuant to this section. If the
13 rental of a safe deposit box is not paid within six
14 months from the day the rental is due, at any time
15 after the six months and while the rental remains
16 unpaid, the credit union shall mail a notice by
17 restricted certified mail to the member at the
18 member's last known address as shown upon the records
19 of the credit union, stating that if the amount due
20 for the rental is not paid on or before a specified
21 day, which shall be at least thirty days after the
22 date of mailing such notice, the credit union will
23 remove the contents of the safe deposit box and hold
24 the contents for the account of the member.

25 2. If the rental for the safe deposit box has not
26 been paid after the expiration of the period specified
27 in a notice mailed pursuant to subsection 1, the
28 credit union, in the presence of two of its officers,
29 may cause the box to be opened and the contents
30 removed. An inventory of the contents of the safe
31 deposit box shall be made by the two officers present
32 and the contents held by the credit union for the
33 account of the member.

34 3. If the contents are not claimed within two
35 years after their removal from the safe deposit box,
36 the credit union may proceed to sell so much of the
37 contents as is necessary to pay the past due rentals
38 and expense incurred in opening the safe deposit box,
39 replacement of the locks on the safe deposit box, and
40 the sale of the contents. The sale shall be held at
41 the time and place specified in a notice published
42 prior to the sale once each week for two successive
43 weeks in a newspaper of general circulation published
44 in the city or unincorporated area in which the credit
45 union has its principal place of business, or if there
46 is none, a newspaper of general circulation published
47 in the county, or in a county adjoining the county, in
48 which the credit union has its principal place of
49 business. A copy of the published notice shall be
50 mailed to the member at the member's last known

H-4225

-33-

H-4225

Page 34

1 address as shown upon the records of the credit union.
2 The notice shall contain the name of the member and
3 need only describe the contents of the safe deposit
4 box in general terms. The contents of any number of
5 safe deposit boxes may be sold under one notice of
6 sale and the cost of the sale apportioned ratably
7 among the several safe deposit box members involved.
8 At the time and place designated in the notice the
9 contents taken from each respective safe deposit box
10 shall be sold separately to the highest bidder for
11 cash and the proceeds of each sale applied to the
12 rentals and expenses due to the credit union and the
13 residue from any such sale shall be held by the credit
14 union for the account of the member or members. An
15 amount held as proceeds from such sale shall be
16 credited with interest at the customary annual rate
17 for savings accounts at the credit union, or in lieu
18 thereof, at the customary rate of interest in the
19 community where such proceeds are held. The crediting
20 of interest does not activate the account to avoid an
21 abandonment as unclaimed property under chapter 556.
22 4. Notwithstanding the provisions of this section,
23 shares, bonds, or other securities which, at the time
24 of a sale pursuant to subsection 3, are listed on an
25 established stock exchange in the United States, shall
26 not be sold at public sale but may be sold through an
27 established stock exchange. Upon making a sale of any
28 such securities, an officer of the credit union shall
29 execute and attach to the securities so sold an
30 affidavit reciting facts showing that the securities
31 were sold pursuant to this section and that the credit
32 union has complied with the provisions of this
33 section. The affidavit constitutes sufficient
34 authority to any corporation whose shares are sold or
35 to any registrar or transfer agent of such corporation
36 to cancel the certificates representing the shares to
37 the purchaser of the shares, and to any registrar,
38 trustee, or transfer agent of registered bonds or
39 other securities, to register any such bonds or other
40 securities in the name of the purchaser of the bonds
41 or other securities.
42 5. The proceeds of any sale made pursuant to this
43 section, after the payment of any amounts with respect
44 to which the credit union has a lien, any property
45 which was not offered for sale and property which,
46 although offered for sale, was not sold, shall be
47 retained by the credit union until such time as the
48 property is presumed abandoned according to section
49 556.2, and shall be handled pursuant to chapter 556.
50 Sec. 58. NEW SECTION. 533.49D AUTHORITY TO

H-4225

-34-

H-4225

Page 35

1 RECEIVE PROPERTY FOR SAFEKEEPING.

2 1. A credit union may accept property for
3 safekeeping if, except in the case of night
4 depositories, the credit union issues a receipt for
5 the property. A credit union accepting property for
6 safekeeping shall purchase and maintain reasonable
7 insurance coverage to ensure against loss incurred in
8 connection with the acceptance of property for
9 safekeeping. Property held for safekeeping shall not
10 be commingled with the property of the credit union or
11 the property of others.

12 2. A credit union has a lien upon any property
13 held for safekeeping and for expenses incurred in any
14 sale made pursuant to this subsection. If the charge
15 for safekeeping of property is not paid within six
16 months from the day the charge is due, at any time
17 after the six months and while the charge remains
18 unpaid, the credit union may mail a notice to the
19 member at the member's last known address as shown
20 upon the records of the credit union, stating that if
21 the amount due is not paid on or before a specified
22 day, which shall be at least thirty days after the
23 date of mailing the notice, the credit union will
24 remove the property from safekeeping and hold the
25 property for the account of the member. After the
26 expiration of the period specified in the notice, if
27 the charge for safekeeping has not been paid, the
28 credit union may remove the property from safekeeping,
29 cause the property to be inventoried, and hold the
30 property for the account of the member. If the
31 property is not claimed within two years after its
32 removal from safekeeping the credit union may proceed
33 to sell so much of the property as is necessary to pay
34 the charge which remains unpaid and the expense
35 incurred in making the sale in the manner provided for
36 in section 533.49C, subsections 3 and 4. The proceeds
37 of any sale made pursuant to this section, after
38 payment of any amounts with respect to which the
39 credit union has a lien, any property which was not
40 offered for sale, and property which, although offered
41 for sale, was not sold, shall be retained by the
42 credit union until such time as the property is
43 presumed abandoned according to section 556.2, and
44 shall be handled pursuant to chapter 556.

45 Sec. 59. Section 533.62, subsection 4, Code 1995,
46 is amended by striking the subsection and inserting in
47 lieu thereof the following:

48 4. a. A loan of money or property shall not be
49 made directly or indirectly by a state-chartered
50 credit union, or by its officers, directors, or

H-4225

-35-

H-4225

Page 36

1 employees, to the superintendent, deputy, or employee
2 of the credit union division. The superintendent,
3 deputy, or employee of the credit union division shall
4 not accept from a state-chartered credit union, or its
5 officers, directors, or employees, a loan of money or
6 property, either directly or indirectly.

7 b. The superintendent, deputy, or employee of the
8 credit union division shall not perform any services
9 for or be an officer, director, or employee of a
10 state-chartered credit union.

11 c. A person who willfully undertakes to establish
12 a business dealing contrary to this section commits a
13 serious misdemeanor, and shall be permanently
14 disqualified from acting as an officer, director, or
15 employee of a state-chartered credit union and
16 permanently disqualified from acting as
17 superintendent, deputy, or employee of the credit
18 union division.

19 d. The superintendent, deputy, or employee of the
20 credit union division who is convicted of theft,
21 burglary, robbery, larceny, or embezzlement as a
22 result of a violation of the laws of any state or of
23 the United States while holding such position shall be
24 immediately disqualified from employment and shall be
25 forever disqualified from holding any position in the
26 credit union division.

27 Sec. 60. Section 554.9401, subsection 6, Code
28 1995, is amended to read as follows:

29 6. Of each fee collected by the county recorder
30 under sections 570A.4, 554.9403, 554.9405, and
31 554.9406, the county recorder shall remit five
32 dollars, if filed on a standard form or six dollars
33 otherwise, to the ~~office-of-the-treasurer-of-state~~
34 department of revenue and finance for deposit in the
35 general fund of the state.

36 Sec. 61. Section 99D.5, subsection 1, Code 1995,
37 is amended to read as follows:

38 1. A state racing and gaming commission is created
39 within the department of inspections and appeals
40 consisting of five members who shall be appointed by
41 the governor subject to confirmation by the senate,
42 and who shall serve not to exceed a three-year term at
43 the pleasure of the governor. The term of each member
44 shall begin and end as provided in section 69.19.

45 Before a person is appointed to the commission, the
46 division of criminal investigation of the department
47 of public safety shall conduct a thorough background
48 investigation of the proposed appointee. The proposed
49 appointee shall provide information on a form as
50 required by the division of criminal investigation.

H-4225

-36-

H-4225

Page 37

1 The background investigation shall be the same as
2 conducted for an applicant for a license to conduct
3 pari-mutuel wagering. The information shall be made
4 available to the members of the senate standing
5 committee assigned to investigate and recommend
6 confirmation of an appointee.

7 Sec. 62. Section 515A.15, Code 1995, as amended by
8 1995 Iowa Acts, House File 247, section 24, is amended
9 to read as follows:

10 515A.15 ASSIGNED RISKS.

11 Agreements shall be made among insurers with
12 respect to the equitable apportionment among them of
13 insurance which may be afforded applicants who are in
14 good faith entitled to but who are unable to procure
15 such insurance through ordinary methods and such
16 insurers may agree among themselves on the use of
17 reasonable rate modifications for such insurance, the
18 agreements and rate modifications to be subject to the
19 approval of the commissioner.

20 For purposes of this section, "insurer" includes,
21 in addition to insurers defined pursuant to section
22 515A.2, an entity which has submitted a plan of self-
23 insurance for approval pursuant to section 87.4 on or
24 before May 1, 1995, and a self-insurance association
25 formed on or after July 1, 1995, pursuant to section
26 87.4 except for an association comprised of cities or
27 counties, or both, or an association comprised of
28 community colleges as defined in section 260C.2, which
29 have entered into an agreement pursuant to chapter 28E
30 for the purpose of establishing a self-insured program
31 for the payment of workers' compensation benefits.

32 Sec. 63. REPEAL. Sections 12.9, 12.12, and 12.13,
33 Code 1995, are repealed.

34 Sec. 64. EFFECTIVE DATE. This section and
35 sections 40, 41, 42, 43, 44, and 45, being deemed of
36 immediate importance, take effect upon enactment.
37 Sections 30 and 31 of this Act take effect on June 30,
38 1995. The remainder of this Act takes effect on July
39 1, 1995."

RECEIVED FROM THE SENATE

H-4225 FILED MAY 3, 1995

REFUSED TO CONCUR

5-3-95
(P. 2324)

Senate Insurer

5/3/95-

(P. 1617)

SENATE FILE 484

H-4213

- 1 Amend the amendment, H-4212, to Senate File 484, as
2 amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 17, by inserting after line 33 the
5 following:
6 "Sec. _____. Notwithstanding section 509A.5, there
7 is appropriated from the employer share of the health
8 insurance premium reserve fund the following amount
9 for the purpose designated:
10 For the health data commission:
11 \$ 100,000"
12 2. By renumbering as necessary.

By MARTIN of Scott

H-4213 FILED MAY 3, 1995

ADOPTED

(P. 2248)

SENATE FILE 484

H-4214

- 1 Amend the amendment, H-4212, to Senate File 484, as
2 amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 8, line 6, by striking the figure
5 "1,088,936" and inserting the following: "1,106,128".
6 2. Page 8, line 15, by striking the figure
7 "51,746" and inserting the following: "64,648".
8 3. Page 8, line 16, by striking the figure "1.50"
9 and inserting the following: "2.00".

By MILLAGE of Scott

H-4214 FILED MAY 3, 1995

ADOPTED

(P 2247)

SENATE FILE 484

H-4215

- 1 Amend the amendment, H-4212, to Senate File 484, as
2 amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 11, line 47, by striking the figure
5 "1,959,287" and inserting the following: "2,032,287".
6 2. Page 11, line 48, by striking the figure
7 "29.00" and inserting the following: "30.00".

By MILLAGE of Scott

H-4215 FILED MAY 3, 1995

ADOPTED

(P. 2247)

SENATE FILE 484

H-4212

1 Amend Senate File 484, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. By striking everything after the enacting
4 clause and inserting the following:

5 "Section 1. AUDITOR OF STATE. There is
6 appropriated from the general fund of the state to the
7 office of the auditor of state for the fiscal year
8 beginning July 1, 1995, and ending June 30, 1996, the
9 following amount, or so much thereof as is necessary,
10 to be used for the purposes designated:

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

14 \$ 1,310,549
15 FTEs 112.50

16 The auditor of state may retain additional full-
17 time equivalent positions as is reasonable and
18 necessary to perform governmental subdivision audits
19 which are reimbursable pursuant to section 11.20 or
20 11.21, to perform audits which are requested by and
21 reimbursable from the federal government, and to
22 perform work requested by and reimbursable from
23 departments or agencies pursuant to section 11.5A or
24 11.5B. The auditor of state shall notify the
25 department of management, the legislative fiscal
26 committee, and the legislative fiscal bureau of the
27 additional full-time equivalent positions retained.

28 Sec. 2. IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD.

29 There is appropriated from the general fund of the
30 state to the Iowa ethics and campaign disclosure board
31 for the fiscal year beginning July 1, 1995, and ending
32 June 30, 1996, the following amount, or so much
33 thereof as is necessary, for the purposes designated:

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

37 \$ 375,786
38 FTEs 8.00

39 Sec. 3. DEPARTMENT OF COMMERCE. There is
40 appropriated from the general fund of the state to the
41 department of commerce for the fiscal year beginning
42 July 1, 1995, and ending June 30, 1996, the following
43 amounts, or so much thereof as is necessary, for the
44 purposes designated:

45 1. PROFESSIONAL LICENSING AND REGULATION DIVISION

46 a. For salaries, support, maintenance,
47 miscellaneous purposes, and for not more than the
48 following full-time equivalent positions:

49 \$ 897,802
50 FTEs 14.00

H-4212

-1-

1 b. There is appropriated from the title guaranty
2 fund created in section 16.91 to the professional
3 licensing and regulation division, an amount up to
4 \$25,000, to be used to pay half the cost of employing
5 an auditor for real estate broker trust accounts. In
6 addition to the amount appropriated in this paragraph,
7 the commission may increase the license fees provided
8 for in section 543B.27 in an amount sufficient to pay
9 half the cost of employing an auditor for real estate
10 broker trust accounts.

11 2. ADMINISTRATIVE SERVICES DIVISION

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

15	\$	211,586
16	FTEs	2.00

17 It is the intent of the general assembly that the
18 two positions authorized in this subsection for the
19 division shall coordinate the administrative services
20 to be provided to the divisions in the department.
21 These two positions are under the direct supervision
22 of, and shall report to, the director of the
23 department.

24 The division of administrative services shall
25 assess each division within the department of commerce
26 and the office of consumer advocate within the
27 department of justice a pro rata share of the
28 operating expenses of the division of administrative
29 services. The pro rata share shall be determined
30 pursuant to a cost allocation plan established by the
31 division of administrative services and agreed to by
32 the administrators of the divisions and the consumer
33 advocate. To the extent practicable, the cost
34 allocation plan shall be based on the proportion of
35 the administrative expenses incurred on behalf of each
36 division and the office of consumer advocate. Each
37 division and the office of consumer advocate shall
38 include in its charges assessed or revenues generated,
39 an amount sufficient to cover the amount stated in its
40 appropriation, any state assessed indirect costs
41 determined by the department of revenue and finance,
42 and the cost of services provided by the division of
43 administrative services.

44 3. ALCOHOLIC BEVERAGES DIVISION

45 For salaries, support, maintenance, miscellaneous
46 purposes, and for not more than the following full-
47 time equivalent positions:

48	\$	1,861,105
49	FTEs	33.50

50 4. BANKING DIVISION

H-4212

Page 3

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

4 \$ 5,375,058
5 FTEs 84.00

6 5. CREDIT UNION DIVISION

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

10 \$ 1,047,066
11 FTEs 20.00

12 6. INSURANCE DIVISION

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

16 \$ 2,924,482
17 FTEs 91.50

18 Of the amounts appropriated in this section to the
19 insurance division, not more than \$100,000 shall be
20 used for the regulation of health insurance purchasing
21 cooperatives.

22 The insurance division may reallocate authorized
23 full-time equivalent positions as necessary to respond
24 to accreditation recommendations or requirements. The
25 insurance division expenditures for examination
26 purposes may exceed the projected receipts, refunds
27 and reimbursements, estimated pursuant to section
28 505.7, subsection 7, including the expenditures for
29 retention of additional personnel, if the expenditures
30 are fully reimbursable and the division first does
31 both of the following:

32 a. Notifies the department of management,
33 legislative fiscal bureau, and the legislative fiscal
34 committee of the need for the expenditures.

35 b. Files with each of the entities named in
36 paragraph "a" the legislative and regulatory
37 justification for the expenditures, along with an
38 estimate of the expenditures.

39 7. UTILITIES DIVISION

40 For salaries, support, maintenance, miscellaneous
41 purposes, and for not more than the following full-
42 time equivalent positions:

43 \$ 4,911,871
44 FTEs 79.00

45 The utilities division may expend additional funds,
46 including funds for additional personnel, if those
47 additional expenditures are actual expenses which
48 exceed the funds budgeted for utility regulation.
49 Before the division expends or encumbers an amount in
50 excess of the funds budgeted for regulation, the

H-4212

-3-

1 director of the department of management shall approve
 2 the expenditure or encumbrance. Before approval is
 3 given, the director of the department of management
 4 shall determine that the regulation expenses exceed
 5 the funds budgeted by the general assembly to the
 6 division and that the division does not have other
 7 funds from which regulation expenses can be paid.
 8 Upon approval of the director of the department of
 9 management the division may expend and encumber funds
 10 for excess regulation expenses. The amounts necessary
 11 to fund the excess regulation expenses shall be
 12 collected from those utility companies being regulated
 13 which caused the excess expenditures, and the
 14 collections shall be treated as repayment receipts as
 15 defined in section 8.2.

16 Sec. 4. There is appropriated from the general
 17 fund of the state to the following named agencies for
 18 the fiscal year beginning July 1, 1995, and ending
 19 June 30, 1996, the following amounts, or so much
 20 thereof as is necessary, to be used for the purposes
 21 designated:

22 1. COMMISSION ON UNIFORM STATE LAWS

23 For support of the commission and expenses of the
 24 members:

25 \$ 20,803

26 2. NATIONAL CONFERENCE OF STATE LEGISLATURES

27 For support of the membership assessment:

28 \$ 87,719

29 3. AMERICAN LEGISLATIVE EXCHANGE COUNCIL

30 For support of biennial individual dues of \$50
 31 payable upon request of a legislator:

32 \$ 7,500

33 Sec. 5. There is appropriated from the general
 34 fund of the state to the department of general
 35 services for the fiscal year beginning July 1, 1995,
 36 and ending June 30, 1996, the following amounts, or so
 37 much thereof as is necessary, to be used for the
 38 purposes designated:

39 1. ADMINISTRATION DIVISION

40 For salaries, support, maintenance, miscellaneous
 41 purposes, and for not more than the following full-
 42 time equivalent positions:

43 \$ 1,190,167

44 FTEs 32.35

45 2. INFORMATION SERVICES DIVISION

46 For salaries, support, maintenance, miscellaneous
 47 purposes, and for not more than the following full-
 48 time equivalent positions:

49 \$ 5,497,002

50 FTEs 141.60

H-4212

Page 5

1 3. PROPERTY MANAGEMENT DIVISION

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

5 \$ 3,935,381
6 FTEs 113.00

7 The department of general services shall not change
8 the appropriations for the purposes designated in
9 subsections 1 through 3 from the amounts appropriated
10 under those subsections unless notice of the revisions
11 is given prior to their effective date to the
12 legislative fiscal bureau. The notice shall include
13 information on the department's rationale for making
14 the changes.

15 Savings achieved in providing telephone services
16 shall be used by the department of general services to
17 increase efficiencies in the provision of those
18 services. The department of general services shall
19 report not later than August 31, 1996, on the projects
20 undertaken to the chairpersons and the ranking members
21 of the joint appropriations subcommittee on
22 administration and regulation and to the legislative
23 fiscal bureau. The report shall include a listing of
24 the projects and efficiencies undertaken during the
25 fiscal year, the cost of each project, and the
26 benefits, including the projected savings on an annual
27 basis and for the life of the efficiency improvement.

28 4. CAPITOL PLANNING COMMISSION

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

31 \$ 1,256

32 5. RENTAL SPACE

33 For payment of lease or rental costs of buildings
34 and office space at the seat of government as provided
35 in section 18.12, subsection 9, notwithstanding
36 section 18.16:

37 \$ 607,955

38 6. UTILITY COSTS

39 For payment of utility costs and for not more than
40 the following full-time equivalent positions:

41 \$ 2,059,178
42 FTEs 1.00

43 The department of general services may use funds
44 appropriated in this subsection for utility costs to
45 fund energy conservation projects in the state capitol
46 complex which will have a 100 percent payback within a
47 24-month period. In addition, notwithstanding
48 sections 8.33 and 18.12, subsection 11, any excess
49 funds appropriated for utility costs in this
50 subsection shall not revert to the general fund of the

H-4212

-5-

H-4212

Page 6

1 state on June 30, 1996, and these funds shall be used
2 for implementation of energy conservation projects
3 having a payback of 100 percent within a two-year to
4 six-year period. The department of general services
5 shall report not later than August 31, 1996, on the
6 projects having 100 percent payback within a six-year
7 period to the chairpersons and ranking members of the
8 joint appropriations subcommittee on administration
9 and regulation and to the legislative fiscal bureau.
10 The report shall include a listing of the projects
11 undertaken, the cost of each project, and the
12 projected savings on an annual basis and for the life
13 of the project.

14 7. TERRACE HILL OPERATIONS

15 For salaries, support, maintenance, and
16 miscellaneous purposes necessary for the operation of
17 Terrace Hill and for not more than the following full-
18 time equivalent positions:

19	\$	164,637
20	FTEs	4.00

21 Sec. 6. There is appropriated from the designated
22 revolving funds to the department of general services
23 for the fiscal year beginning July 1, 1995, and ending
24 June 30, 1996, the following amounts, or so much
25 thereof as is necessary, to be used for the purposes
26 designated:

27 1. From the centralized printing permanent
28 revolving fund established by section 18.57 for
29 salaries, support, maintenance, miscellaneous
30 purposes, and for not more than the following full-
31 time equivalent positions:

32	\$	912,217
33	FTEs	26.05

34 2. The remainder of the centralized printing
35 permanent revolving fund is appropriated for the
36 expense incurred in supplying paper stock, offset
37 printing, copy preparation, binding, distribution
38 costs, original payment of printing and binding claims
39 and contingencies arising during the fiscal year
40 beginning July 1, 1995, and ending June 30, 1996,
41 which are legally payable from this fund.

42 3. From the centralized purchasing permanent
43 revolving fund established by section 18.9 for
44 salaries, support, maintenance, miscellaneous
45 purposes, and for not more than the following full-
46 time equivalent positions:

47	\$	734,140
48	FTEs	16.05

49 4. The remainder of the centralized purchasing
50 permanent revolving fund is appropriated for the

H-4212

-6-

H-4212

Page 7

1 payment of expenses incurred through purchases by
2 various state departments and for contingencies
3 arising during the fiscal year beginning July 1, 1995,
4 and ending June 30, 1996, which are legally payable
5 from this fund.

6 5. From the vehicle dispatcher revolving fund
7 established by section 18.119 for salaries, support,
8 maintenance, miscellaneous purposes, and for not more
9 than the following full-time equivalent positions:

10	\$	625,075
11	FTEs	15.00

12 6. The remainder of the vehicle dispatcher
13 revolving fund is appropriated for the purchase of
14 gasoline, gasohol, oil, tires, repairs, and all other
15 maintenance expenses incurred in the operation of
16 state-owned motor vehicles and for contingencies
17 arising during the fiscal year beginning July 1, 1995,
18 and ending June 30, 1996, which are legally payable
19 from this fund.

20 The vehicle dispatcher shall report, not later than
21 February 15, 1996, to the chairpersons and the ranking
22 members of the joint appropriations subcommittee on
23 administration and regulation and to the legislative
24 fiscal bureau regarding the efficiencies of the
25 vehicle fleet and the changes in the efficiencies.
26 The report shall include the cost per mile, fuel
27 efficiencies, maintenance costs, useful life, the
28 costs of extending the useful life, and other measures
29 which the vehicle dispatcher or the legislative fiscal
30 bureau finds appropriate. The information shall be
31 reported for each general type of vehicle. The
32 overhead costs shall also be reported with the total
33 costs of the vehicle dispatcher operations.

34 The department of general services shall report to
35 the chairpersons and ranking members of the joint
36 appropriations subcommittee on administration and
37 regulation and the legislative fiscal bureau not later
38 than February 15, 1996, a comparison of the
39 performance of vehicles burning an 85 percent ethanol
40 mixture and those burning a 10 percent ethanol
41 mixture. The report shall include, but is not limited
42 to, average mileage, vehicle life, and problems
43 encountered.

44 Sec. 7. GOVERNOR AND LIEUTENANT GOVERNOR. There
45 is appropriated from the general fund of the state to
46 the offices of the governor and the lieutenant
47 governor for the fiscal year beginning July 1, 1995,
48 and ending June 30, 1996, the following amounts, or so
49 much thereof as is necessary, to be used for the
50 purposes designated:

H-4212

-7-

H-4212

Page 8

1 1. For salaries, support, maintenance, and
2 miscellaneous purposes for the general office of the
3 governor and the general office of the lieutenant
4 governor, and for not more than the following full-
5 time equivalent positions:

6 \$ 1,088,936
7 FTEs 17.25

8 2. For the governor's expenses and the lieutenant
9 governor's expenses connected with office:

10 \$ 2,416

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

15 \$ 51,746
16 FTEs 1.50

17 4. For the payment of expenses of ad hoc
18 committees, councils, and task forces appointed by the
19 governor to research and analyze a particular subject
20 area relevant to the problems and responsibilities of
21 state and local government, including the employment
22 of professional, technical, and administrative staff
23 and the payment of per diem and actual expenses of
24 committee, council, or task force members as specified
25 pursuant to section 7E.6:

26 \$ 1,610

27 The ad hoc committees, councils, and task forces
28 appointed by the governor are subject to chapters 21
29 and 22 and the members and the staff shall be informed
30 of these requirements. A member shall not receive a
31 per diem if the member is receiving a salary as a
32 full-time public employee, but members shall be
33 reimbursed for actual and necessary expenses.

34 5. For salaries, support, maintenance, and
35 miscellaneous purposes for the office of
36 administrative rules coordinator, and for not more
37 than the following full-time equivalent positions:

38 \$ 108,336
39 FTEs 2.00

40 6. For payment of Iowa's membership in the
41 national governors' conference:

42 \$ 74,435

43 Sec. 8. DEPARTMENT OF INSPECTIONS AND APPEALS.

44 There is appropriated from the general fund of the
45 state to the department of inspections and appeals for
46 the fiscal year beginning July 1, 1995, and ending
47 June 30, 1996, the following amounts, or so much
48 thereof as is necessary, for the purposes designated:

49 1. FINANCE AND SERVICES DIVISION

50 For salaries, support, maintenance, miscellaneous

H-4212

H-4212

Page 9

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

3 \$ 467,275
4 FTEs 21.00

5 2. AUDITS DIVISION

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

9 \$ 352,092
10 FTEs 11.00

11 3. APPEALS AND FAIR HEARINGS DIVISION

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

15 \$ 223,048
16 FTEs 24.00

17 4. INVESTIGATIONS DIVISION

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

21 \$ 729,111
22 FTEs 35.00

23 5. HEALTH FACILITIES DIVISION

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

27 \$ 1,663,070
28 FTEs 101.00

29 6. INSPECTIONS DIVISION

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

33 \$ 577,869
34 FTEs 13.00

35 7. EMPLOYMENT APPEAL BOARD

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

39 \$ 33,067
40 FTEs 15.00

41 The employment appeal board shall be reimbursed by
42 the labor services division of the department of
43 employment services for all costs associated with
44 hearings conducted under chapter 91C, related to
45 contractor registration. The board may expend, in
46 addition to the amount appropriated under this
47 subsection, additional amounts as are directly
48 billable to the labor services division under this
49 subsection and to retain the additional full-time
50 equivalent positions as needed to conduct hearings

H-4212

-9-

H-4212

Page 10

1 required pursuant to chapter 91C.

2 8. STATE FOSTER CARE REVIEW BOARD

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

6	\$	527,041
7	FTEs	10.00

8 The department of human services, in coordination
9 with the state foster care review board and the
10 department of inspections and appeals, shall submit an
11 application for funding available pursuant to Title
12 IV-E of the federal Social Security Act for claims for
13 state foster care review board administrative review
14 costs.

15 9. The department of inspections and appeals shall
16 provide an accounting of all costs associated with
17 negotiating agreements and compacts pursuant to
18 section 10A.104, subsection 10, and all costs
19 associated with monitoring such agreements and
20 compacts. Information in the accounting shall include
21 the dates and destinations of all travel related to
22 the negotiations and monitoring, and all costs
23 associated with the personnel involved, including
24 salary, travel, and support costs.

25 Sec. 9. RACETRACK REGULATION. There is
26 appropriated from the general fund of the state to the
27 racing and gaming commission of the department of
28 inspections and appeals for the fiscal year beginning
29 July 1, 1995, and ending June 30, 1996, the following
30 amount, or so much thereof as is necessary, to be used
31 for the purposes designated:

32 For salaries, support, maintenance, miscellaneous
33 purposes, for the regulation of pari-mutuel
34 racetracks, and for not more than the following full-
35 time equivalent positions:

36	\$	1,760,378
37	FTEs	23.85

38 Sec. 10. EXCURSION BOAT REGULATION. There is
39 appropriated from the general fund of the state to the
40 racing and gaming commission of the department of
41 inspections and appeals for the fiscal year beginning
42 July 1, 1995, and ending June 30, 1996, the following
43 amount, or so much thereof as is necessary, to be used
44 for the purposes designated:

45 For salaries, support, maintenance, and
46 miscellaneous purposes for administration and
47 enforcement of the excursion boat gambling laws, and
48 for not more than the following full-time equivalent
49 positions:

50	\$	860,651

H-4212

-10-

H-4212

Page 11

1 FTEs 17.11
2 It is the intent of the general assembly that the
3 racing and gaming commission shall only employ
4 additional full-time equivalent positions for
5 riverboat gambling enforcement as authorized by the
6 department of management as needed for enforcement on
7 new riverboats. If more than six riverboats are
8 operating during the fiscal year beginning July 1,
9 1995, and ending June 30, 1996, the commission may
10 expend no more than \$84,917 for no more than 2.00 FTEs
11 for each additional riverboat in excess of six. The
12 additional expense associated with the positions shall
13 be paid from fees assessed by the commission as
14 provided in chapter 99F.

15 Notwithstanding section 8.39, funds shall not be
16 transferred to the department of inspections and
17 appeals which would be used for monitoring Indian
18 gaming.

19 Sec. 11. DEPARTMENT OF INSPECTIONS AND APPEALS --
20 SERVICE CHARGES. The department of inspections and
21 appeals may charge state departments, agencies, and
22 commissions for services rendered and the payment
23 received shall be considered repayment receipts as
24 defined in section 8.2.

25 Sec. 12. USE TAX APPROPRIATION. There is
26 appropriated from the use tax receipts collected
27 pursuant to section 423.7 prior to their deposit in
28 the road use tax fund pursuant to section 423.24,
29 subsection 1, to the appeals and fair hearings
30 division of the department of inspections and appeals
31 for the fiscal year beginning July 1, 1995, and ending
32 June 30, 1996, the following amount, or so much
33 thereof as is necessary, for the purposes designated:

34 For salaries, support, maintenance, and
35 miscellaneous purposes:

36 \$ 924,090

37 Sec. 13. DEPARTMENT OF MANAGEMENT. There is
38 appropriated from the general fund of the state to the
39 department of management for the fiscal year beginning
40 July 1, 1995, and ending June 30, 1996, the following
41 amounts, or so much thereof as is necessary, to be
42 used for the purposes designated:

43 1. GENERAL OFFICE

44 For salaries, support, maintenance, miscellaneous
45 purposes, and for not more than the following full-
46 time equivalent positions:

47 \$ 1,959,287

48 FTEs 29.00

49 2. LAW ENFORCEMENT TRAINING REIMBURSEMENTS

50 For reimbursement to local law enforcement agencies

H-4212

-11-

H-4212

Page 12

1 for the training of officers who resign pursuant to
2 section 384.15, subsection 7:

3 \$ 47,500

4 3. COUNCIL OF STATE GOVERNMENTS

5 For support of the membership assessment:

6 \$ 75,500

7 Sec. 14. There is appropriated from the road use
8 tax fund to the department of management for the
9 fiscal year beginning July 1, 1995, and ending June
10 30, 1996, the following amount, or so much thereof as
11 is necessary, to be used for the purposes designated:

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

14 \$ 56,000

15 The department of management shall report to the
16 chairpersons and ranking members of the senate and
17 house committees on appropriations, the chairpersons
18 and ranking members of the joint appropriations
19 subcommittee on administration and regulation, and the
20 legislative fiscal bureau, the number of furloughs and
21 the number of layoffs that occur in each state agency,
22 the savings associated with those furloughs and
23 layoffs, the effect of the furloughs and layoffs on
24 services provided by the state agency, and other
25 relevant information. The department shall provide a
26 year-end report summarizing the information for the
27 fiscal year beginning July 1, 1995, which will be due
28 by September 1, 1996.

29 When addressing staffing targets for state
30 agencies, the department of management shall state the
31 number of staff authorized for a state agency in terms
32 of full-time equivalent positions.

33 Sec. 15. There is appropriated from the general
34 fund of the state to the department of personnel for
35 the fiscal year beginning July 1, 1995, and ending
36 June 30, 1996, the following amounts, or so much
37 thereof as is necessary, to be used for the purposes
38 designated including the filing of quarterly reports
39 as required in this section:

40 1. OPERATIONS

41 For salaries, support, maintenance, and
42 miscellaneous purposes for the director's staff,
43 information services, data processing, and financial
44 services, and for not more than the following full-
45 time equivalent positions:

46 \$ 1,041,716

47 FTEs 18.58

48 2. PROGRAM DELIVERY

49 For salaries for personnel services, employment law
50 and labor relations and training for not more than the

H-4212

-12-

H-4212

Page 13

1 following full-time equivalent positions:

2 \$ 1,213,964
3 FTEs 33.20

4 3. PROGRAM ADMINISTRATION AND DEVELOPMENT

5 For salaries for employment, compensation, and
6 benefits and workers' compensation and for not more
7 than the following full-time equivalent positions:

8 \$ 1,386,933
9 FTEs 32.80

10 Any funds received by the department for workers'
11 compensation purposes other than the funds
12 appropriated in subsection 3 shall be used only for
13 the payment of workers' compensation claims.

14 The funds for support, maintenance, and
15 miscellaneous purposes for personnel assigned to
16 program delivery under subsection 2 and program
17 administration and development under subsection 3 are
18 payable from the appropriation made in subsection 1.

19 The department of personnel shall report semi-
20 annually to the chairpersons and ranking members of
21 the joint appropriations subcommittee on
22 administration and regulation concerning the number of
23 vacancies in existing full-time equivalent positions
24 and the average time taken to fill the vacancies. The
25 reports shall include quarterly and annual averages
26 organized according to state agency and general
27 occupational category as established by the federal
28 equal employment opportunity commission. All
29 departments and agencies of the state shall cooperate
30 with the department in the preparation of the reports.

31 Sec. 16. IPERS. There is appropriated from the
32 Iowa public employees' retirement system fund to the
33 department of personnel for the fiscal year beginning
34 July 1, 1995, and ending June 30, 1996, the following
35 amount, or so much thereof as is necessary, to be used
36 for the purposes designated:

37 1. For salaries, support, maintenance, and other
38 operational purposes to pay the costs of the Iowa
39 public employees' retirement system:

40 \$ 3,749,983

41 2. It is the intent of the general assembly that
42 the Iowa public employees' retirement system employ
43 sufficient staff within the appropriation provided in
44 this section to meet the developing requirements of
45 the investment program.

46 3. The department of personnel shall submit,
47 annually, a report to the chairpersons and ranking
48 members of the joint appropriations subcommittee on
49 administration and regulation and to the legislative
50 fiscal bureau regarding the results of the state's top

H-4212

-13-

1 achievement recognition program. The reports
2 submitted shall include, but are not limited to,
3 identification of the recipients, a description of the
4 meritorious achievements, and the awards conferred.

5 Sec. 17. There is appropriated from the primary
6 road fund to the department of personnel for the
7 fiscal year beginning July 1, 1995, and ending June
8 30, 1996, the following amount, or so much thereof as
9 is necessary, to be used for the purposes designated:

10 For salaries, support, maintenance, and
11 miscellaneous purposes to provide personnel services
12 for the state department of transportation:
13 \$ 331,694

14 Sec. 18. There is appropriated from the road use
15 tax fund to the department of personnel for the fiscal
16 year beginning July 1, 1995, and ending June 30, 1996,
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 to provide personnel services
21 for the state department of transportation:
22 \$ 53,996

23 Sec. 19. There is appropriated from the general
24 fund of the state to the department of revenue and
25 finance for the fiscal year beginning July 1, 1995,
26 and ending June 30, 1996, the following amounts, or so
27 much thereof as is necessary, to be used for the
28 purposes designated, and for not more than the
29 following full-time equivalent positions used for the
30 purposes designated in subsections 1 through 3:

31 FTEs 577.43

32 1. AUDIT AND COMPLIANCE

33 For salaries, support, maintenance, and
34 miscellaneous purposes:

35 \$ 10,563,293

36 2. STATE FINANCIAL MANAGEMENT

37 For salaries, support, maintenance, and
38 miscellaneous purposes:

39 \$ 9,376,548

40 3. INTERNAL RESOURCES MANAGEMENT

41 For salaries, support, maintenance, and
42 miscellaneous purposes:

43 \$ 5,910,111

44 4. COLLECTION COSTS AND FEES

45 For payment of collection costs and fees pursuant
46 to section 422.26:

47 \$ 45,000

48 8. a. The department of revenue and finance shall
49 not change the appropriations for the purposes
50 designated in subsections 1 through 3 from the amounts

H-4212

Page 15

1 appropriated in those subsections unless notice of the
2 revisions is given prior to their effective date to
3 the legislative fiscal bureau. The notice shall
4 include information on the department's rationale for
5 making the changes.

6 b. The department of revenue and finance shall
7 report quarterly to the legislative fiscal bureau
8 concerning progress in the implementation of generally
9 accepted accounting principles, including
10 determination of reporting entities, fund
11 classifications, modification of the Iowa financial
12 accounting system, progress on preparing a
13 comprehensive annual financial report, and the most
14 current estimate of the general fund balance based on
15 current generally accepted accounting principles.

16 c. The director of revenue and finance shall
17 report annually to the chairpersons and ranking
18 members of the joint appropriations subcommittee on
19 administration and regulation and the legislative
20 fiscal bureau on the implementation and financial
21 status of the integrated revenue information system.
22 The report shall include any changes from the
23 scheduled progress including expenditures or estimated
24 revenue.

25 d. The director of revenue and finance shall
26 prepare and issue a state appraisal manual and the
27 revisions to the state appraisal manual as provided in
28 section 421.17, subsection 18, without cost to a city
29 or county.

30 Sec. 20. There is appropriated from the lottery
31 fund to the department of revenue and finance for the
32 fiscal year beginning July 1, 1995, and ending June
33 30, 1996, the following amount, or so much thereof as
34 is necessary, to be used for the purposes designated:

35 For salaries, support, maintenance, miscellaneous
36 purposes for the administration and operation of
37 lottery games, and for not more than the following
38 full-time equivalent positions:

39	\$	7,408,016
40	FTEs	120.00

41 Sec. 21. There is appropriated from the motor
42 vehicle fuel tax fund created by section 452A.77 to
43 the department of revenue and finance for the fiscal
44 year beginning July 1, 1995, and ending June 30, 1996,
45 the following amount, or so much thereof as is
46 necessary, to be used for the purposes designated:

47 For salaries, support, maintenance, and
48 miscellaneous purposes for administration and
49 enforcement of the provisions of chapter 452A and the
50 motor vehicle use tax program:

H-4212

-15-

H-4212

Page 16

1 \$ 1,008,025

2 Sec. 22. There is appropriated from the general
3 fund of the state to the office of the secretary of
4 state for the fiscal year beginning July 1, 1995, and
5 ending June 30, 1996, the following amounts, or so
6 much thereof as is necessary, to be used for the
7 purposes designated:

8 1. ADMINISTRATION AND ELECTIONS

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

12 \$ 520,514

13 FTEs 9.00

14 2. BUSINESS SERVICES

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

18 \$ 1,565,021

19 FTEs 28.00

20 3. For costs incurred in the printing of the
21 official register:

22 \$ 60,000

23 Sec. 23. STATE-FEDERAL RELATIONS. There is
24 appropriated from the general fund of the state to the
25 office of state-federal relations for the fiscal year
26 beginning July 1, 1995, and ending June 30, 1996, the
27 following amount, or so much thereof as is necessary,
28 to be used for the purposes designated:

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

32 \$ 235,521

33 FTEs 3.00

34 Sec. 24. TREASURER. There is appropriated from
35 the general fund of the state to the office of
36 treasurer of state for the fiscal year beginning July
37 1, 1995, and ending June 30, 1996, the following
38 amount, or so much thereof as is necessary, to be used
39 for the purposes designated:

40 For salaries, support, maintenance, miscellaneous
41 purposes, and for not more than the following full-
42 time equivalent positions:

43 \$ 855,694

44 FTEs 27.80

45 The office of treasurer of state shall supply
46 clerical and secretarial support for the executive
47 council.

48 Sec. 25. SECOND INJURY FUND. The administrative
49 costs and expenses incurred by the treasurer of state,
50 the attorney general, the second injury fund, or the

H-4212

-16-

H-4212

Page 17

1 department of revenue and finance, in connection with
2 the second injury fund, may be paid from the second
3 injury fund. However, the payment of administrative
4 costs and expenses incurred by the treasurer of state,
5 the attorney general, the second injury fund, and the
6 department of revenue and finance, as authorized in
7 this section, shall only be permitted for
8 administrative costs and expenses incurred in the
9 fiscal year commencing July 1, 1995, and ending June
10 30, 1996, shall not exceed \$170,000.

11 Sec. 26. STATE WORKERS' COMPENSATION CLAIMS.

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

17 For distribution, subject to approval of the
18 department of management, to various state departments
19 to fund the premiums for paying workers' compensation
20 claims which are assessed to and collected from the
21 state department by the department of personnel based
22 upon a rating formula established by the department of
23 personnel:

24 \$ 5,884,740

25 The premiums collected by the department of
26 personnel shall be segregated into a separate workers'
27 compensation fund in the state treasury to be used for
28 payment of state employees' workers' compensation
29 claims. Notwithstanding section 8.33, unencumbered or
30 unobligated moneys remaining in this workers'
31 compensation fund at the end of the fiscal year shall
32 not revert but shall be available for expenditure for
33 purposes of the fund for subsequent fiscal years.

34 Sec. 27. CENTRALIZED PURCHASING REVOLVING FUND
35 TRANSFER. Notwithstanding section 18.9, there is
36 transferred from the centralized purchasing revolving
37 fund created under section 18.9 to the general fund of
38 the state on June 30, 1995, the sum of \$135,000.

39 Sec. 28. IMPLEMENTATION OF FUNDING REDUCTIONS --
40 INTENT OF GENERAL ASSEMBLY. It is the intent of the
41 general assembly that the departments, agencies, and
42 offices of the executive department of state
43 government shall implement funding reductions through
44 organizational changes which reduce supervisory
45 positions, vertically and horizontally, and increase
46 the span of control of the remaining supervisors as
47 recommended by the governor's committee on government
48 spending reform.

49 Sec. 29. ELIMINATION OF VACANT UNFUNDED JOBS. The
50 state departments, agencies, or offices receiving

H-4212

-17-

H-4212

Page 18

1 appropriations under this Act shall eliminate, within
2 thirty days after the beginning of a fiscal year, all
3 vacant unfunded positions on the table of organization
4 of the state department, agency, or office.

5 Sec. 30. STATE COMMUNICATIONS NETWORK -- REDUCTION
6 OF TRAVEL AND RELATED EXPENSES. The offices of the
7 governor and lieutenant governor, the office of
8 secretary of state, the office of treasurer of state,
9 the auditor of state, the department of commerce, the
10 department of inspections and appeals, the Iowa ethics
11 and campaign disclosure board, the department of
12 general services, the department of management, the
13 department of revenue and finance, and the department
14 of personnel shall use the services of the state
15 communications network as much as possible for
16 interagency communication, meetings, and conferences
17 to reduce travel and related expenses for the
18 respective offices or departments.

19 Sec. 31. REPORT OF ADDITIONAL INCOME AND
20 EXPENDITURES. The state departments, agencies, and
21 offices receiving appropriations under this Act shall
22 report all expenses in excess of the funds
23 appropriated from any statutory revolving funds during
24 the fiscal year beginning July 1, 1994, and ending
25 June 30, 1995. The report shall also include the
26 beginning and ending balances of the revolving funds.

27 The report required pursuant to this section shall
28 be submitted not later than September 30, 1995, for
29 expenditures made during the fiscal year beginning
30 July 1, 1994, and ending June 30, 1995, to the
31 chairpersons and ranking members of the joint
32 appropriations subcommittee on administration and
33 regulations and the legislative fiscal bureau.

34 Sec. 32. FEDERAL GRANTS. All federal grants to
35 and the federal receipts of agencies appropriated
36 funds under this Act, not otherwise appropriated, are
37 appropriated for the purposes set forth in the federal
38 grants or receipts unless otherwise provided by the
39 general assembly.

40 Sec. 33. EFFECTIVE DATE. This section and section
41 27 of this Act take effect on June 30, 1995. The
42 remainder of this Act takes effect on July 1, 1995."

43 2. Title page, by striking lines 3 and 4 and
44 inserting the following: "providing for other
45 properly related matters, and providing an effective
46 date."

By COMMITTEE ON APPROPRIATIONS
MILLAGE of Scott

H-4212 FILED MAY 3, 1995
AS AMENDED - ADOPTED

(p. 2249)

SENATE FILE 484

BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 365)

(AS AMENDED AND PASSED BY THE SENATE APRIL 24, 1995)

 - New Language by the Senate

* - Language Stricken by the Senate

Passed Senate, Date ^(p. 1615) 5/3/95 Passed House, Date ^(p. 2249) 5/3/95
Vote: Ayes 27 Nays 23 Vote: Ayes 71 Nays 26

Approved May 31, 1995
Re-Passed 5/4/95 Vote 41-8 Item vetoed
Re-Passed 5/4/95 Vote 57-38 (P. 2375)

A BILL FOR

1 An Act relating to and making appropriations to certain state
2 departments, agencies, funds, and certain other entities,
3 providing for regulatory authority and other properly related
4 matters, providing an effective date, and providing penalties.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

5/3/95 6 Senate Conf. Comm.
7
8 Judge
9 Murphy
10 Granata
11 David
12 Bortz

House Conf. Comm. -
Hanson
Mullage
Lipp
Cataldo
Murphy

S.F. 484

1 Section 1. AUDITOR OF STATE. There is appropriated from
 2 the general fund of the state to the office of the auditor of
 3 state for the fiscal year beginning July 1, 1995, and ending
 4 June 30, 1996, the following amount, or so much thereof as is
 5 necessary, to be used for the purposes designated:

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

9 \$ 1,269,633
 10 FTES 112.50

11 The auditor of state may retain additional full-time
 12 equivalent positions as is reasonable and necessary to perform
 13 governmental subdivision audits which are reimbursable
 14 pursuant to section 11.20 or 11.21, to perform audits which
 15 are requested by and reimbursable from the federal government,
 16 and to perform work requested by and reimbursable from
 17 departments or agencies pursuant to section 11.5A or 11.5B.
 18 The auditor of state shall notify the department of
 19 management, the legislative fiscal committee, and the
 20 legislative fiscal bureau of the additional full-time
 21 equivalent positions retained.

22 Sec. 2. IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD. There
 23 is appropriated from the general fund of the state to the Iowa
 24 ethics and campaign disclosure board for the fiscal year
 25 beginning July 1, 1995, and ending June 30, 1996, the
 26 following amount, or so much thereof as is necessary, for the
 27 purposes designated:

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

31 \$ 362,512
 32 FTES 8.00

33 Sec. 3. DEPARTMENT OF COMMERCE. There is appropriated
 34 from the general fund of the state to the department of
 35 commerce for the fiscal year beginning July 1, 1995, and

1 ending June 30, 1996, the following amounts, or so much
2 thereof as is necessary, for the purposes designated:

3 1. PROFESSIONAL LICENSING AND REGULATION DIVISION

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

7 \$ 897,802

8 FTEs 14.00

9 It is the intent of the general assembly that each
10 examining and licensing board or commission created under
11 chapters 542B, 542C, 543B, 543D, 544A, and 544B shall provide
12 that the fees assessed for licensing do not exceed the
13 operating costs of services provided by each board or
14 commission.

15 2. ADMINISTRATIVE SERVICES DIVISION

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

19 \$ 211,586

20 FTEs 2.00

21 It is the intent of the general assembly that the two
22 positions authorized in this subsection for the division shall
23 coordinate the administrative services to be provided to the
24 divisions in the department. These two positions are under
25 the direct supervision of, and shall report to, the director
26 of the department.

27 The division of administrative services shall assess each
28 division within the department of commerce and the office of
29 consumer advocate within the department of justice a pro rata
30 share of the operating expenses of the division of
31 administrative services. The pro rata share shall be
32 determined pursuant to a cost allocation plan established by
33 the division of administrative services and agreed to by the
34 administrators of the divisions and the consumer advocate. To
35 the extent practicable, the cost allocation plan shall be

1 based on the proportion of the administrative expenses
 2 incurred on behalf of each division and the office of consumer
 3 advocate. Each division and the office of consumer advocate
 4 shall include in its charges assessed or revenues generated,
 5 an amount sufficient to cover the amount stated in its
 6 appropriation, any state-assessed indirect costs determined by
 7 the department of revenue and finance, and the cost of
 8 services provided by the division of administrative services.

9 3. ALCOHOLIC BEVERAGES DIVISION

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

13 \$ 1,773,619
 14 FTEs 33.50

15 The Iowa telecommunications and technology commission shall
 16 transfer to the alcoholic beverages division of the department
 17 of commerce for the fiscal year beginning July 1, 1995, and
 18 ending June 30, 1996, the sum of \$67,000 or so much thereof as
 19 is necessary to fully reimburse the licensing and regulatory
 20 bureau for an employee classified as a public service
 21 executive 3.

22 4. BANKING DIVISION

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

26 \$ 5,375,058
 27 FTEs 84.00

28 5. CREDIT UNION DIVISION

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

32 \$ 1,047,066
 33 FTEs 20.00

34 6. INSURANCE DIVISION

35 a. For salaries, support, maintenance, miscellaneous

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

3 \$ 2,977,339

4 FTEs 94.50

5 b. Of the amounts appropriated in this section to the
 6 insurance division, not more than \$100,000 shall be used for
 7 the regulation of health insurance purchasing cooperatives.

8 c. The insurance division shall monitor public utilization
 9 of the coverages identified in chapter 514C under managed care
 10 plans in this state.

11 d. The insurance division may reallocate authorized full-
 12 time equivalent positions as necessary to respond to
 13 accreditation recommendations or requirements. The insurance
 14 division expenditures for examination purposes may exceed the
 15 projected receipts, refunds and reimbursements, estimated
 16 pursuant to section 505.7, subsection 7, including the
 17 expenditures for retention of additional personnel, if the
 18 expenditures are fully reimburseable and the division first
 19 does both of the following:

20 (1) Notifies the department of management, legislative
 21 fiscal bureau, and the legislative fiscal committee of the
 22 need for the expenditures.

23 (2) Files with each of the entities named in paragraph "a"
 24 the legislative and regulatory justification for the
 25 expenditures, along with an estimate of the expenditures.

26 e. (1) Of the amounts appropriated to the insurance
 27 division in this subsection not more than \$100,000 shall be
 28 used for continuing the division's senior health insurance
 29 information program and not more than \$100,000 shall be used
 30 for the purpose of establishing a pilot consumer health
 31 education and assistance program.

32 (2) The purpose of the consumer health education and
 33 assistance program is to educate and assist health care
 34 consumers to make more informed health insurance and care
 35 choices in the marketplace. Both oral and written educational

1 assistance relating to health care insurance, delivery
 2 systems, provider services and coverage, billing procedures,
 3 and sources of information shall be provided by the division.
 4 The division of insurance may request, and other state
 5 agencies shall provide, assistance in implementing and
 6 administering the health care education and assistance
 7 program.

8 (3) The commissioner of insurance shall appoint an
 9 advisory committee consisting of knowledgeable and interested
 10 citizens and state and local public officials to provide
 11 advice and review the program. A majority of the members of
 12 the advisory committee shall be bona fide representatives of
 13 consumers.

14 (4) The commissioner of insurance shall prepare a progress
 15 report relating to the activities of the program, the report
 16 to be submitted to the governor and the members of the general
 17 assembly not later than March 1, 1996. The governor and the
 18 legislative council may request progress reports from the
 19 commissioner of insurance as deemed appropriate.

20 7. UTILITIES DIVISION

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

24	\$ 4,911,871
25	FTEs 79.00

26 The utilities division may expend additional funds,
 27 including funds for additional personnel, if those additional
 28 expenditures are actual expenses which exceed the funds
 29 budgeted for utility regulation. Before the division expends
 30 or encumbers an amount in excess of the funds budgeted for
 31 regulation, the director of the department of management shall
 32 approve the expenditure or encumbrance. Before approval is
 33 given, the director of the department of management shall
 34 determine that the regulation expenses exceed the funds
 35 budgeted by the general assembly to the division and that the

1 division does not have other funds from which regulation
 2 expenses can be paid. Upon approval of the director of the
 3 department of management the division may expend and encumber
 4 funds for excess regulation expenses. The amounts necessary
 5 to fund the excess regulation expenses shall be collected from
 6 those utility companies being regulated which caused the
 7 excess expenditures, and the collections shall be treated as
 8 repayment receipts as defined in section 8.2.

9 Sec. 4. There is appropriated from the general fund of the
 10 state to the following named agencies for the fiscal year
 11 beginning July 1, 1995, and ending June 30, 1996, the
 12 following amounts, or so much thereof as is necessary, to be
 13 used for the purposes designated:

14 1. COMMISSION ON UNIFORM STATE LAWS

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

16 \$ 20,127

17 2. NATIONAL CONFERENCE OF STATE LEGISLATURES

18 For support of the membership assessment:

19 \$ 87,719

20 Sec. 5. There is appropriated from the general fund of the
 21 state to the department of general services for the fiscal
 22 year beginning July 1, 1995, and ending June 30, 1996, the
 23 following amounts, or so much thereof as is necessary, to be
 24 used for the purposes designated:

25 1. ADMINISTRATION DIVISION

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

29 \$ 1,131,951

30 FTEs 31.35

31 2. INFORMATION SERVICES DIVISION

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

35 \$ 5,294,162

1 FTEs 141.60

2 3. PROPERTY MANAGEMENT DIVISION

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

6 \$ 3,776,252

7 FTEs 112.00

8 The department of general services shall not change the
9 appropriations for the purposes designated in subsections 1
10 through 3 from the amounts appropriated under those
11 subsections unless notice of the revisions is given prior to
12 their effective date to the legislative fiscal bureau. The
13 notice shall include information on the department's rationale
14 for making the changes.

15 Savings achieved in providing telephone services shall be
16 used by the department of general services to increase
17 efficiencies in the provision of those services. The
18 department of general services shall report not later than
19 August 31, 1996, on the projects undertaken to the
20 chairpersons and the ranking members of the joint
21 appropriations subcommittee on administration and regulation
22 and to the legislative fiscal bureau. The report shall
23 include a listing of the projects and efficiencies undertaken
24 during the fiscal year, the cost of each project, and the
25 benefits, including the projected savings on an annual basis
26 and for the life of the efficiency improvement.

27 4. CAPITOL PLANNING COMMISSION

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

30 \$ 2,000

31 5. RENTAL SPACE

32 For payment of lease or rental costs of buildings and
33 office space at the seat of government as provided in section
34 18.12, subsection 9, notwithstanding section 18.16:

35 \$ 588,196

1 6. UTILITY COSTS

2 For payment of utility costs and for not more than the
3 following full-time equivalent positions:

4 \$ 1,992,255
5 FTEs 1.00

6 The department of general services may use funds
7 appropriated in this subsection for utility costs to fund
8 energy conservation projects in the state capitol complex
9 which will have a 100 percent payback within a 24-month
10 period. In addition, notwithstanding sections 8.33 and 18.12,
11 subsection 11, any excess funds appropriated for utility costs
12 in this subsection shall not revert to the general fund of the
13 state on June 30, 1996, and these funds shall be used for
14 implementation of energy conservation projects having a
15 payback of 100 percent within a two-year to six-year period.
16 The department of general services shall report not later than
17 August 31, 1996, on the projects having 100 percent payback
18 within a six-year period to the chairpersons and ranking
19 members of the joint appropriations subcommittee on
20 administration and regulation and to the legislative fiscal
21 bureau. The report shall include a listing of the projects
22 undertaken, the cost of each project, and the projected
23 savings on an annual basis and for the life of the project.

24 7. TERRACE HILL OPERATIONS

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

28 \$ 158,326
29 FTEs 4.00

30 Sec. 6. There is appropriated from the designated
31 revolving funds to the department of general services for the
32 fiscal year beginning July 1, 1995, and ending June 30, 1996,
33 the following amounts, or so much thereof as is necessary, to
34 be used for the purposes designated:

35 1. From the centralized printing permanent revolving fund

1 established by section 18.57 for salaries, support,
2 maintenance, miscellaneous purposes, and for not more than the
3 following full-time equivalent positions:

4	\$	912,217
5	FTEs	26.05

6 2. The remainder of the centralized printing permanent
7 revolving fund is appropriated for the expense incurred in
8 supplying paper stock, offset printing, copy preparation,
9 binding, distribution costs, original payment of printing and
10 binding claims and contingencies arising during the fiscal
11 year beginning July 1, 1995, and ending June 30, 1996, which
12 are legally payable from this fund.

13 3. From the centralized purchasing permanent revolving
14 fund established by section 18.9 for salaries, support,
15 maintenance, miscellaneous purposes, and for not more than the
16 following full-time equivalent positions:

17	\$	734,140
18	FTEs	16.05

19 4. The remainder of the centralized purchasing permanent
20 revolving fund is appropriated for the payment of expenses
21 incurred through purchases by various state departments and
22 for contingencies arising during the fiscal year beginning
23 July 1, 1995, and ending June 30, 1996, which are legally
24 payable from this fund.

25 5. From the vehicle dispatcher revolving fund established
26 by section 18.119 for salaries, support, maintenance,
27 miscellaneous purposes, and for not more than the following
28 full-time equivalent positions:

29	\$	456,075
30	FTEs	15.00

31 The vehicle dispatcher shall determine the difference
32 between the projected cost of motor vehicle fuel and the
33 actual cost of the motor vehicle fuel purchased for the use of
34 each state agency for the fiscal year beginning July 1, 1995,
35 and ending June 30, 1996. If the actual cost of the fuel is

1 less than the projected cost, the vehicle dispatcher shall
2 bill the amount of the difference to each state agency at the
3 end of each calendar quarter. Upon receipt, the director or
4 head of each state agency shall pay the amount of the claim
5 submitted by the vehicle dispatcher.

6 6. The remainder of the vehicle dispatcher revolving fund
7 is appropriated for the purchase of gasoline, gasohol, oil,
8 tires, repairs, and all other maintenance expenses incurred in
9 the operation of state-owned motor vehicles and for
10 contingencies arising during the fiscal year beginning July 1,
11 1995, and ending June 30, 1996, which are legally payable from
12 this fund.

13 The vehicle dispatcher shall report, not later than
14 February 15, 1996, to the chairpersons and the ranking members
15 of the joint appropriations subcommittee on administration and
16 regulation and to the legislative fiscal bureau regarding the
17 efficiencies of the vehicle fleet and the changes in the
18 efficiencies. The report shall include the cost per mile,
19 fuel efficiencies, maintenance costs, useful life, the costs
20 of extending the useful life, and other measures which the
21 vehicle dispatcher or the legislative fiscal bureau finds
22 appropriate. The information shall be reported for each
23 general type of vehicle. The overhead costs shall also be
24 reported with the total costs of the vehicle dispatcher
25 operations.

26 The department of general services shall report to the
27 chairpersons and ranking members of the joint appropriations
28 subcommittee on administration and regulation and the
29 legislative fiscal bureau not later than February 15, 1996, a
30 comparison of the performance of vehicles burning an 85
31 percent ethanol mixture and those burning a 10 percent ethanol
32 mixture. The report shall include, but is not limited to,
33 average mileage, vehicle life, and problems encountered.

34 Sec. 7. CHILD DAY CARE PROGRAM.

35 1. The general assembly considers child day care to be an

1 important service for employers, employees, and their
2 children. Employer-supported child care can have a positive
3 impact upon employee morale and retention and can positively
4 affect the children who are receiving child care services.
5 High quality child care is of significant value to employers.
6 It is believed that a quality, on-site child care program
7 available to the children of state employees will provide a
8 model for other employers in this state to emulate.

9 2. a. The director of general services shall develop a
10 plan for establishing and operating a fee-based child day care
11 program available to public employees officed at or near the
12 capitol complex. The plan shall include all of the
13 information contained in the steering committee description
14 contained in this paragraph and shall be submitted to the
15 general assembly on or before March 1, 1996. The legislative
16 council is requested to appoint a capitol complex child day
17 care program steering committee to provide direction to the
18 department of general services in developing facility plans,
19 establishing the facilities, developing operation policies,
20 contracting with a vendor to operate the program, and other
21 decisions involving establishment and operation of the
22 program. The steering committee shall utilize the March 1990
23 consultant report to the capitol complex ad hoc committee on
24 child care, particularly the intermediate quality
25 recommendations, in its decision making.

26 b. The steering committee membership shall include members
27 of the general assembly; representatives of the departments of
28 general services, personnel, human services, and education;
29 employees officed at the capitol complex who purchase child
30 day care services; a representative of the state board of
31 regents center for early childhood education; a representative
32 of the Iowa state university of science and technology early
33 childhood education programs; and other persons knowledgeable
34 concerning child day care programs.

35 3. In consultation with the steering committee, the

1 director of the department of general services shall develop a
 2 child day care program plan giving consideration to the
 3 recommendations of the March 1990 consultant report.

4 4. The program shall be designed to operate with a
 5 capacity of 150 children and to regularly serve infants,
 6 toddlers, preschool, school age, and mildly ill children.

7 Sec. 8. GOVERNOR AND LIEUTENANT GOVERNOR. There is
 8 appropriated from the general fund of the state to the offices
 9 of the governor and the lieutenant governor for the fiscal
 10 year beginning July 1, 1995, and ending June 30, 1996, the
 11 following amounts, or so much thereof as is necessary, to be
 12 used for the purposes designated:

13 1. For salaries, support, maintenance, and miscellaneous
 14 purposes for the general office of the governor and the
 15 general office of the lieutenant governor, and for not more
 16 than the following full-time equivalent positions:

17 \$ 1,005,171
 18 FTEs 16.25

19 2. For salaries, support, maintenance, and miscellaneous
 20 purposes for the governor's quarters at Terrace Hill, and for
 21 not more than the following full-time equivalent positions:

22 \$ 50,064
 23 FTEs 1.50

24 3. For salaries, support, maintenance, and miscellaneous
 25 purposes for the office of administrative rules coordinator,
 26 and for not more than the following full-time equivalent
 27 positions:

28 \$ 104,815
 29 FTEs 2.00

30 4. For payment of Iowa's membership in the national
 31 governors' conference:

32 \$ 74,435

33 Sec. 9. DEPARTMENT OF INSPECTIONS AND APPEALS. There is
 34 appropriated from the general fund of the state to the
 35 department of inspections and appeals for the fiscal year

1 beginning July 1, 1995, and ending June 30, 1996, the
2 following amounts, or so much thereof as is necessary, for the
3 purposes designated:

4 1. FINANCE AND SERVICES DIVISION

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

8 \$ 452,089
9 FTEs 21.00

10 2. AUDITS DIVISION

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

14 \$ 340,649
15 FTEs 11.00

16 3. APPEALS AND FAIR HEARINGS DIVISION

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

20 \$ 215,799
21 FTEs 24.00

22 4. INVESTIGATIONS DIVISION

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

26 \$ 705,415
27 FTEs 35.00

28 5. HEALTH FACILITIES DIVISION

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

32 \$ 1,496,288
33 FTEs 99.

34 6. INSPECTIONS DIVISION

35 For salaries, support, maintenance, miscellaneous purposes,

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

3 \$ 559,088
4 FTEs 13.00

5 7. EMPLOYMENT APPEAL BOARD

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

9 \$ 31,992
10 FTEs 15.00

11 The employment appeal board shall be reimbursed by the
12 labor services division of the department of employment
13 services for all costs associated with hearings conducted
14 under chapter 91C, related to contractor registration. The
15 board may expend, in addition to the amount appropriated under
16 this subsection, additional amounts as are directly billable
17 to the labor services division under this subsection and to
18 retain the additional full-time equivalent positions as needed
19 to conduct hearings required pursuant to chapter 91C.

20 8. STATE FOSTER CARE REVIEW BOARD

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

24 \$ 509,912
25 FTEs 8.00

26 The department of human services, in coordination with the
27 state foster care review board and the department of
28 inspections and appeals, shall submit an application for
29 funding available pursuant to Title IV-E of the federal Social
30 Security Act for claims for state foster care review board
31 administrative review costs.

32 9. NATIVE AMERICAN GAMING. The department of inspections
33 and appeals shall provide an accounting of all costs
34 associated with negotiating agreements and compacts pursuant
35 to section 10A.104, subsection 10, and all costs associated

1 with monitoring such agreements and compacts. Information in
 2 the accounting shall include the dates and destinations of all
 3 travel related to the negotiations and monitoring, and all
 4 costs associated with the personnel involved, including
 5 salary, travel, and support costs.

6 Sec. 10. RACETRACK REGULATION. There is appropriated from
 7 the general fund of the state to the racing and gaming
 8 commission of the department of inspections and appeals for
 9 the fiscal year beginning July 1, 1995, and ending June 30,
 10 1996, the following amount, or so much thereof as is
 11 necessary, to be used for the purposes designated:

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

15	\$	1,703,166
16	FTEs	23.85

17 Sec. 11. EXCURSION BOAT REGULATION. There is appropriated
 18 from the general fund of the state to the racing and gaming
 19 commission of the department of inspections and appeals for
 20 the fiscal year beginning July 1, 1995, and ending June 30,
 21 1996, the following amount, or so much thereof as is
 22 necessary, to be used for the purposes designated:

23 For salaries, support, maintenance, and miscellaneous
 24 purposes for administration and enforcement of the excursion
 25 boat gambling laws, and for not more than the following full-
 26 time equivalent positions:

27	\$	860,651
28	FTEs	17.11

29 It is the intent of the general assembly that the racing
 30 and gaming commission shall only employ additional full-time
 31 equivalent positions for riverboat gambling enforcement as
 32 authorized by the department of management as needed for
 33 enforcement on new riverboats. If more than six riverboats
 34 are operating during the fiscal year beginning July 1, 1995,
 35 and ending June 30, 1996, the commission may expend no more

1 than \$84,917 for no more than 2.00 FTEs for each additional
2 riverboat in excess of six. The additional expense associated
3 with the positions shall be paid from fees assessed by the
4 commission as provided in chapter 99F.

5 Notwithstanding section 8.39, funds shall not be
6 transferred to the department of inspections and appeals which
7 would be used for monitoring Indian gaming.

8 Sec. 12. DEPARTMENT OF INSPECTIONS AND APPEALS -- SERVICE
9 CHARGES. The department of inspections and appeals may charge
10 state departments, agencies, and commissions for services
11 rendered and the payment received shall be considered
12 repayment receipts as defined in section 8.2.

13 Sec. 13. USE TAX APPROPRIATION. There is appropriated
14 from the use tax receipts collected pursuant to section 423.7
15 prior to their deposit in the road use tax fund pursuant to
16 section 423.24, subsection 1, to the appeals and fair hearings
17 division of the department of inspections and appeals for the
18 fiscal year beginning July 1, 1995, and ending June 30, 1996,
19 the following amount, or so much thereof as is necessary, for
20 the purposes designated:

21 For salaries, support, maintenance, and miscellaneous
22 purposes:
23 \$ 924,090

24 Sec. 14. DEPARTMENT OF MANAGEMENT. There is appropriated
25 from the general fund of the state to the department of
26 management for the fiscal year beginning July 1, 1995, and
27 ending June 30, 1996, the following amounts, or so much
28 thereof as is necessary, to be used for the purposes
29 designated:

30 1. GENERAL OFFICE

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

34 \$ 1,558,399
35 FTEs 25.00

1 2. LAW ENFORCEMENT TRAINING REIMBURSEMENTS

2 For reimbursement to local law enforcement agencies for the
3 training of officers who resign pursuant to section 384.15,
4 subsection 7:

5 \$ 45,956

6 3. COUNCIL OF STATE GOVERNMENTS

7 For support of the membership assessment:

8 \$ 63,971

9 The department of management shall conduct a study of the
10 positions of deputy director throughout the executive branch
11 of state government. The study shall include the
12 responsibilities of each deputy director, the salaries of the
13 deputy directors, the number of deputy director positions, and
14 the variation of responsibilities among the deputy director
15 positions. The department shall report its findings to the
16 chairpersons and ranking members of the joint subcommittees on
17 oversight, audit and government reform, and to the legislati
18 fiscal bureau by September 1, 1995.

19 Sec. 15. There is appropriated from the road use tax fund
20 to the department of management for the fiscal year beginning
21 July 1, 1995, and ending June 30, 1996, the following amount,
22 or so much thereof as is necessary, to be used for the
23 purposes designated:

24 For salaries, support, maintenance, and miscellaneous
25 purposes:

26 \$ 56,000

27 The department of management shall report to the
28 chairpersons and ranking members of the senate and house
29 committees on appropriations, the chairpersons and ranking
30 members of the joint appropriations subcommittee on
31 administration and regulation, and the legislative fiscal
32 bureau, the number of furloughs and the number of layoffs that
33 occur in each state agency, the savings associated with those
34 furloughs and layoffs, the effect of the furloughs and layoffs
35 on services provided by the state agency, and other relevant

1 information. The department shall provide a year-end report
2 summarizing the information for the fiscal year beginning July
3 1, 1995, which will be due by September 1, 1996.

4 When addressing staffing targets for state agencies, the
5 department of management shall state the number of staff
6 authorized for a state agency in terms of full-time equivalent
7 positions.

8 Sec. 16. There is appropriated from the general fund of
9 the state to the department of personnel for the fiscal year
10 beginning July 1, 1995, and ending June 30, 1996, the
11 following amounts, or so much thereof as is necessary, to be
12 used for the purposes designated including the filing of
13 quarterly reports as required in this section:

14 1. OPERATIONS

15 For salaries, support, maintenance, and miscellaneous
16 purposes for the director's staff, information services, data
17 processing, and financial services, and for not more than the
18 following full-time equivalent positions:

19	\$	1,007,860
20	FTEs	18.58

21 2. PROGRAM DELIVERY

22 For salaries for personnel services, employment law and
23 labor relations and training for not more than the following
24 full-time equivalent positions:

25	\$	1,174,510
26	FTEs	33.20

27 3. PROGRAM ADMINISTRATION AND DEVELOPMENT

28 For salaries for employment, compensation, and benefits and
29 workers' compensation and for not more than the following
30 full-time equivalent positions:

31	\$	1,341,858
32	FTEs	32.80

33 Any funds received by the department for workers'
34 compensation purposes other than the funds appropriated in
35 subsection 3 shall be used only for the payment of workers'

1 compensation claims.

2 The funds for support, maintenance, and miscellaneous
3 purposes for personnel assigned to program delivery under
4 subsection 2 and program administration and development under
5 subsection 3 are payable from the appropriation made in
6 subsection 1.

7 The department of personnel shall report semi-annually to
8 the chairpersons and ranking members of the joint
9 appropriations subcommittee on administration and regulation
10 concerning the number of vacancies in existing full-time
11 equivalent positions and the average time taken to fill the
12 vacancies. The reports shall include quarterly and annual
13 averages organized according to state agency and general
14 occupational category as established by the federal equal
15 employment opportunity commission. All departments and
16 agencies of the state shall cooperate with the department in
17 the preparation of the reports.

18 Sec. 17. IPERS. There is appropriated from the Iowa
19 public employees' retirement system fund to the department of
20 personnel for the fiscal year beginning July 1, 1995, and
21 ending June 30, 1996, the following amount, or so much thereof
22 as is necessary, to be used for the purposes designated:

23 1. For salaries, support, maintenance, and other
24 operational purposes to pay the costs of the Iowa public
25 employees' retirement system:

26 \$ 3,749,983

27 2. It is the intent of the general assembly that the Iowa
28 public employees' retirement system employ sufficient staff
29 within the appropriation provided in this section to meet the
30 developing requirements of the investment program.

31 3. The department of personnel shall submit, annually, a
32 report to the chairpersons and ranking members of the joint
33 appropriations subcommittee on administration and regulation
34 and to the legislative fiscal bureau regarding the results of
35 the state's top achievement recognition program. The reports

1 submitted shall include, but are not limited to,
 2 identification of the recipients, a description of the
 3 meritorious achievements, and the awards conferred.

4 Sec. 18. There is appropriated from the primary road fund
 5 to the department of personnel for the fiscal year beginning
 6 July 1, 1995, and ending June 30, 1996, the following amount,
 7 or so much thereof as is necessary, to be used for the
 8 purposes designated:

9 For salaries, support, maintenance, and miscellaneous
 10 purposes to provide personnel services for the state
 11 department of transportation:

12 \$ 331,694

13 Sec. 19. There is appropriated from the road use tax fund
 14 to the department of personnel for the fiscal year beginning
 15 July 1, 1995, and ending June 30, 1996, the following amount,
 16 or so much thereof as is necessary, to be used for the
 17 purposes designated:

18 For salaries, support, maintenance, and miscellaneous
 19 purposes to provide personnel services for the state
 20 department of transportation:

21 \$ 53,996

22 Sec. 20. There is appropriated from the general fund of
 23 the state to the department of revenue and finance for the
 24 fiscal year beginning July 1, 1995, and ending June 30, 1996,
 25 the following amounts, or so much thereof as is necessary, to
 26 be used for the purposes designated, and for not more than the
 27 following full-time equivalent positions used for the purposes
 28 designated in subsections 1 through 3:

29 FTEs 577.43

30 1. AUDIT AND COMPLIANCE

31 For salaries, support, maintenance, and miscellaneous
 32 purposes:

33 \$ 10,219,986

34 2. STATE FINANCIAL MANAGEMENT

35 For salaries, support, maintenance, and miscellaneous

1 purposes:

2 \$ 9,071,810

3 3. INTERNAL RESOURCES MANAGEMENT

4 For salaries, support, maintenance, and miscellaneous

5 purposes:

6 \$ 5,718,032

7 4. COLLECTION COSTS AND FEES

8 For payment of collection costs and fees pursuant to

9 section 422.26:

10 \$ 43,538

11 5. a. The department of revenue and finance shall not
12 change the appropriations for the purposes designated in
13 subsections 1 through 3 from the amounts appropriated in those
14 subsections unless notice of the revisions is given prior to
15 their effective date to the legislative fiscal bureau. The
16 notice shall include information on the department's rationale
17 for making the changes.

18 b. The department of revenue and finance shall report
19 quarterly to the legislative fiscal bureau concerning progress
20 in the implementation of generally accepted accounting
21 principles, including determination of reporting entities,
22 fund classifications, modification of the Iowa financial
23 accounting system, progress on preparing a comprehensive
24 annual financial report, and the most current estimate of the
25 general fund balance based on current generally accepted
26 accounting principles.

27 c. The director of revenue and finance shall report
28 annually to the chairpersons and ranking members of the joint
29 appropriations subcommittee on administration and regulation
30 and the legislative fiscal bureau on the implementation and
31 financial status of the integrated revenue information system.
32 The report shall include any changes from the scheduled
33 progress including expenditures or estimated revenue.

34 d. The director of revenue and finance shall prepare and
35 issue a state appraisal manual and the revisions to the state

1 appraisal manual as provided in section 421.17, subsection 18,
2 without cost to a city or county.

3 Sec. 21. There is appropriated from the lottery fund to
4 the department of revenue and finance for the fiscal year
5 beginning July 1, 1995, and ending June 30, 1996, the
6 following amount, or so much thereof as is necessary, to be
7 used for the purposes designated:

8 For salaries, support, maintenance, miscellaneous purposes
9 for the administration and operation of lottery games, and for
10 not more than the following full-time equivalent positions:
11 \$ 7,408,016
12 FTEs 120.00

13 Sec. 22. There is appropriated from the motor vehicle fuel
14 tax fund created by section 452A.77 to the department of
15 revenue and finance for the fiscal year beginning July 1,
16 1995, and ending June 30, 1996, the following amount, or so
17 much thereof as is necessary, to be used for the purposes
18 designated:

19 For salaries, support, maintenance, and miscellaneous
20 purposes for administration and enforcement of the provisions
21 of chapter 452A and the motor vehicle use tax program:
22 \$ 1,008,025

23 Sec. 23. There is appropriated from the general fund of
24 the state to the office of the secretary of state for the
25 fiscal year beginning July 1, 1995, and ending June 30, 1996,
26 the following amounts, or so much thereof as is necessary, to
27 be used for the purposes designated:

28 1. ADMINISTRATION AND ELECTIONS

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

32 \$ 495,211
33 FTEs 9.00

34 2. BUSINESS SERVICES

35 For salaries, support, maintenance, miscellaneous purposes,

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

3 \$ 1,408,493
4 FTEs 28.00

5 3. For costs incurred in the printing of the official
6 register:

7 \$ 58,050

8 Sec. 24. TREASURER OF STATE. There is appropriated from
9 the general fund of the state to the office of treasurer of
10 state for the fiscal year beginning July 1, 1995, and ending
11 June 30, 1996, the following amount, or so much thereof as is
12 necessary, to be used for the purposes designated:

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

16 \$ 784,366
17 FTEs 26.80

18 The office of treasurer of state shall supply clerical and
19 secretarial support for the executive council.

20 Sec. 25. SECOND INJURY FUND. The administrative costs and
21 expenses incurred by the treasurer of state, the attorney
22 general, the second injury fund, or the department of revenue
23 and finance, in connection with the second injury fund, may be
24 paid from the second injury fund. However, the payment of
25 administrative costs and expenses incurred by the treasurer of
26 state, the attorney general, the second injury fund, and the
27 department of revenue and finance, as authorized in this
28 section, shall only be permitted for administrative costs and
29 expenses incurred in the fiscal year commencing July 1, 1995,
30 and ending June 30, 1996, and shall not exceed \$170,000.

31 Sec. 26. STATE WORKERS' COMPENSATION CLAIMS. There is
32 appropriated from the general fund of the state to the
33 department of personnel for the fiscal year beginning July 1,
34 1995, and ending June 30, 1996, the following amount, or so
35 much thereof as is necessary, to be used for the purpose

1 designated:

2 For distribution, subject to approval of the department of
3 management, to various state departments to fund the premiums
4 for paying workers' compensation claims which are assessed to
5 and collected from the state department by the department of
6 personnel based upon a rating formula established by the
7 department of personnel:

8 \$ 5,693,486

9 The premiums collected by the department of personnel shall
10 be segregated into a separate workers' compensation fund in
11 the state treasury to be used for payment of state employees'
12 workers' compensation claims. Notwithstanding section 8.33,
13 unencumbered or unobligated moneys remaining in this workers'
14 compensation fund at the end of the fiscal year shall not
15 revert but shall be available for expenditure for purposes of
16 the fund for subsequent fiscal years.

17 Sec. 27. CENTRALIZED PURCHASING REVOLVING FUND TRANSFER.
18 Notwithstanding section 18.9, there is transferred from the
19 centralized purchasing revolving fund created under section
20 18.9 to the general fund of the state on June 30, 1995, the
21 sum of \$500,000.

22 Sec. 28. AUDITOR OF STATE FILING FEE TRANSFER. Not-
23 withstanding a contrary provision of section 11.6, there is
24 transferred from the filing fee account of the auditor of
25 state to the general fund of the state on June 30, 1995, the
26 sum of \$99,833.

27 Sec. 29. SECRETARY OF STATE OPTICAL IMAGING ACCOUNT
28 TRANSFER. The secretary of state shall pay to the general
29 fund of the state on June 30, 1995, the sum of \$75,000, or so
30 much thereof as remains of funds appropriated for an optical
31 imaging project. If insufficient unencumbered or unobligated
32 funds remain in the optical imaging account as of June 30,
33 1995, to pay \$75,000 to the general fund of the state, the
34 deficiency shall be paid from other moneys appropriated to the
35 office of secretary of state pursuant to this Act.

1 Sec. 30. IMPLEMENTATION OF FUNDING REDUCTIONS -- INTENT OF
2 GENERAL ASSEMBLY. It is the intent of the general assembly
3 that the departments, agencies, and offices of the executive
4 department of state government shall implement funding
5 reductions through organizational changes which reduce
6 supervisory positions, vertically and horizontally, and
7 increase the span of control of the remaining supervisors as
8 recommended by the governor's committee on government spending
9 reform.

10 Sec. 31. ELIMINATION OF VACANT UNFUNDED JOBS. The state
11 departments, agencies, or offices receiving appropriations
12 under this Act shall eliminate, within thirty days after the
13 beginning of a fiscal year, all vacant unfunded positions on
14 the table of organization of the state department, agency, or
15 office.

16 Sec. 32. STATE COMMUNICATIONS NETWORK -- REDUCTION OF
17 TRAVEL AND RELATED EXPENSES. The offices of the governor and
18 lieutenant governor, the office of secretary of state, the
19 office of treasurer of state, the auditor of state, the
20 department of commerce, the department of inspections and
21 appeals, the Iowa ethics and campaign disclosure board, the
22 department of general services, the department of management,
23 the department of revenue and finance, the department of
24 personnel shall use the services of the state communications
25 network as much as possible for interagency communication,
26 meetings, and conferences to reduce travel and related
27 expenses for the respective offices or departments.

28 Sec. 33. REPORT OF ADDITIONAL INCOME AND EXPENDITURES.
29 The state departments, agencies, and offices receiving
30 appropriations under this Act shall report all expenses in
31 excess of the funds appropriated from any statutory revolving
32 funds during the fiscal year beginning July 1, 1994, and
33 ending June 30, 1995. The report shall also include the
34 beginning and ending balances of the revolving funds.

35 The report required pursuant to this section shall be

1 submitted not later than September 30, 1995, for expenditures
2 made during the fiscal year beginning July 1, 1994, and ending
3 June 30, 1995, to the chairpersons and ranking members of the
4 joint appropriations subcommittee on administration and
5 regulation and the legislative fiscal bureau.

6 Sec. 34. FEDERAL GRANTS. All federal grants to and the
7 federal receipts of agencies appropriated funds under this
8 Act, not otherwise appropriated, are appropriated for the
9 purposes set forth in the federal grants or receipts unless
10 otherwise provided by the general assembly.

11 CORRESPONDING AMENDMENTS

12 Sec. 35. Section 12.21, Code 1995, is amended to read as
13 follows:

14 12.21 ACCEPTING CREDIT CARD PAYMENTS.

15 The treasurer of state may enter into an agreement with a
16 financial institution to provide credit card receipt
17 processing for state departments which are authorized by the
18 treasurer of state to accept payment by credit card. A
19 department which accepts credit card payments ~~shall~~ may adjust
20 its fees to reflect the cost of processing as determined by
21 the treasurer of state. A fee may be charged by a department
22 for using the credit card payment method notwithstanding any
23 other provision of the Code setting specific fees. The
24 treasurer of state shall adopt rules to implement this
25 section.

26 Sec. 36. Section 12.32, subsection 1, Code 1995, is
27 amended to read as follows:

28 1. "Eligible borrower" means any person who is in the
29 business or is entering the business of producing, processing,
30 or marketing horticultural crops, ~~or~~ nontraditional crops, or
31 nontraditional livestock in this state, including but not
32 limited to the breeding or training of horses and dogs which
33 are involved in racing at a facility licensed pursuant to
34 chapter 99D.

35 Sec. 37. Section 12.33, subsection 1, Code 1995, is

1 amended by adding the following new paragraph:

2 NEW PARAGRAPH. c. That there is an increasing expansion
3 of nontraditional livestock production which promises new
4 opportunities for agricultural animal producers, creates new
5 value-added products, and ensures greater diversity in
6 agricultural production.

7 Sec. 38. Section 12.33, subsections 2 and 3, Code 1995,
8 are amended to read as follows:

9 2. The linked investments for tomorrow program provided
10 for in this division is intended to provide statewide
11 availability of lower cost funds for lending purposes that
12 will stimulate existing or encourage new businesses in the
13 area of producing, processing, or marketing horticultural ~~or~~
14 crops, nontraditional crops, or nontraditional livestock,
15 including but not limited to the breeding or training of
16 horses and dogs which are involved in racing at a facility
17 licensed pursuant to chapter 99D.

18 3. It is the public policy of the state through the linked
19 investments for tomorrow program to create an availability of
20 lower cost funds to inject needed capital into the business of
21 producing, processing, or marketing horticultural crops, ~~or~~
22 nontraditional crops, or nontraditional livestock, including
23 but not limited to the breeding or training of horses and dogs
24 which are involved in racing at a facility licensed pursuant
25 to chapter 99D.

26 Sec. 39. Section 12.34, subsection 2, Code 1995, is
27 amended to read as follows:

28 2. The treasurer shall adopt rules pursuant to chapter 17A
29 to implement this division including, but not limited to,
30 rules identifying horticultural crops, ~~and~~ nontraditional
31 crops, and nontraditional livestock, including but not limited
32 to the breeding or training of horses and dogs which are
33 involved in racing at a facility licensed pursuant to chapter
34 99D, for which the linked investments may be loaned.

35 Sec. 40. Section 12.35, subsection 1, Code 1995, is

1 amended to read as follows:

2 1. An eligible lending institution that desires to receive
3 a linked investment shall accept and review applications for
4 loans from eligible borrowers. The lending institution shall
5 apply all usual lending standards to determine the credit
6 worthiness of each eligible borrower. Loan applications shall
7 be for the purchase or lease of land, machinery, equipment,
8 seed, fertilizer, direct marketing facilities, or new or
9 expanding production, processing, or marketing facilities for
10 horticultural crops, or nontraditional crops, or
11 nontraditional livestock, including but not limited to the
12 breeding or training of horses and dogs which are involved in
13 racing at a facility licensed pursuant to chapter 99D. The
14 maximum size of a loan is two hundred thousand dollars per
15 borrower for a production loan and five hundred thousand
16 dollars for processing or marketing facilities.

17 Sec. 41. Section 12.37, subsection 1, Code 1995, is
18 amended to read as follows:

19 1. Upon the placement of a linked investment with an
20 eligible lending institution, the institution is required to
21 lend the funds to the eligible borrower listed in the linked
22 investment loan package and in accordance with the investment
23 agreement. The loan shall be at a rate not more than four
24 percent above the rate paid the treasurer by the financial
25 institution. The eligible lending institution shall be
26 required to submit a certification of compliance with this
27 section in the form and manner as prescribed by the treasurer
28 of state. The eligible lending institution shall not commit
29 more than twenty percent of available investment funds for
30 nontraditional livestock.

31 Sec. 42. Section 17A.8, subsection 9, Code 1995, is
32 amended to read as follows:

33 9. Upon a vote of ~~two-thirds~~ six of its members, the
34 administrative rules review committee may delay the effective
35 date of a rule until the adjournment of the next regular

1 session of the general assembly. The committee shall refer a
2 rule whose effective date has been delayed to the speaker of
3 the house of representatives and the president of the senate
4 who shall refer the rule to the appropriate standing
5 committees of the general assembly. If the general assembly
6 has not disapproved of the rule by a joint resolution, the
7 rule shall become effective. The speaker of the house of
8 representatives and the president of the senate shall notify
9 the administrative code editor of the final disposition of any
10 rule delayed pursuant to this subsection. If a rule is
11 disapproved, it shall not become effective and the agency
12 shall withdraw the rule. This section shall not apply to
13 rules made effective under section 17A.5, subsection 2,
14 paragraph "b".

15 Sec. 43. Section 25.2, Code 1995, is amended to read as
16 follows:

17 25.2 EXAMINATION OF REPORT -- APPROVAL OR REJECTION --
18 PAYMENT.

19 The state appeal board with the recommendation of the
20 special assistant attorney general for claims may approve or
21 reject claims against the state of less than ten years
22 covering the following: Outdated warrants; outdated sales and
23 use tax refunds; license refunds; additional agricultural land
24 tax credits; outdated invoices; fuel and gas tax refunds;
25 outdated homestead and veterans' exemptions; outdated funeral
26 service claims; tractor fees; registration permits; outdated
27 bills for merchandise; services furnished to the state; claims
28 by any county or county official relating to the personal
29 property tax credit; and refunds of fees collected by the
30 state. Payments authorized by the state appeal board shall be
31 paid from the appropriation or fund of original certification
32 of the claim. However, if that appropriation or fund has
33 since reverted under section 8.33 then such payment authorized
34 by the state appeal board shall be out of any money in the
35 state treasury not otherwise appropriated. Notwithstanding

1 the provisions of this section, the director of revenue and
2 finance may reissue outdated warrants. On or before November
3 1 of each year, the director of revenue and finance shall
4 provide the treasurer of state with a report of all unpaid
5 warrants which have been outdated for two years or more. The
6 treasurer shall include information regarding outdated
7 warrants in the notice published pursuant to section 556.12.
8 The provisions of section 556.11 regarding agreements to pay
9 compensation for recovery or assistance in recovery of
10 unclaimed property are applicable to agreements to pay
11 compensation to recover or assist in the recovery of outdated
12 warrants.

13 Sec. 44. NEW SECTION. 70A.1A SALARY LIMITATIONS --
14 CERTAIN DEPARTMENT HEADS AND SUBORDINATE OFFICERS AND
15 EMPLOYEES.

16 1. The directors, principal assistants, and employees of
17 the following departments, boards, and offices shall not
18 receive an annual salary which exceeds eighty percent of the
19 annual salary of the governor:

- 20 a. Iowa ethics and campaign disclosure board.
- 21 b. Department of commerce.
- 22 c. Department of general services.
- 23 d. Office of the governor.
- 24 e. Department of inspections and appeals.
- 25 f. Department of management.
- 26 g. Department of personnel.
- 27 h. Department of revenue and finance.
- 28 i. Office of state-federal relations.

29 2. The annual salaries of the deputy officers and
30 employees of the following state agencies shall not exceed
31 eighty percent of annual salary of the state agency's elected
32 principal officer:

- 33 a. Office of auditor of state.
- 34 b. Office of secretary of state.
- 35 c. Office of treasurer of state.

1 Sec. 45. SALARIES EXCEEDING LIMITS -- TRANSITION.

2 On the effective date of this Act, if the salary of an
3 officer or employee of the state departments and offices
4 listed in section 43 of this Act exceeds the 80 percent
5 limitation, the salary of the officer or employee shall be
6 frozen at that pay rate until the officer's or employee's
7 salary is less than 80 percent of the applicable principal
8 officer's salary. When the officer's or employee's salary is
9 less than an amount which equals the 80 percent limitation,
10 the officer or employee may receive salary adjustments as
11 otherwise provided by law, but total annual salary shall not
12 exceed the 80 percent limitation.

13 Sec. 46. Section 411.36, subsection 1, unnumbered
14 paragraph 1, Code 1995, as amended by 1995 Iowa Acts, Senate
15 File 45, section 5, is amended to read as follows:

16 A board of trustees for the statewide fire and police
17 retirement system is created. The board shall consist of
18 ~~thirteen~~ fourteen members, including nine voting members and
19 ~~four~~ five nonvoting members. Section 69.16A applies to the
20 appointment of the voting members of the board. The voting
21 members of the board shall be as follows:

22 Sec. 47. Section 411.36, subsection 1, unnumbered
23 paragraph 2, Code 1995, as amended by 1995 Iowa Acts, Senate
24 File 45, section 5, is amended to read as follows:

25 The treasurer of state, or the treasurer's designee, shall
26 serve as an ex officio, nonvoting member. The other nonvoting
27 members of the board shall be two state representatives, one
28 appointed by the speaker of the house of representatives and
29 one by the minority leader of the house, and two state
30 senators, one appointed by the majority leader of the senate
31 and one by the minority leader of the senate.

32 Sec. 48. Section 411.36, subsection 2, Code 1995, is
33 amended to read as follows:

34 2. ~~Except-as-otherwise-provided-for-the-initial~~
35 ~~appointments,~~ The voting members shall be appointed for

1 four-year terms, and the nonvoting members who are members of
2 the senate and the house of representatives shall be appointed
3 for two-year terms. Terms begin on May 1 in the year of
4 appointment and expire on April 30 in the year of expiration.

5 Sec. 49. Section 411.36, subsection 5, paragraph a, Code
6 1995, is amended to read as follows:

7 a. Members of the board, except the treasurer of state or
8 the treasurer's designee, shall be paid their actual and
9 necessary expenses incurred in the performance of their duties
10 and shall receive a per diem as specified in section 7E.6 for
11 each day of service. Per diem and expenses shall be paid to
12 voting members from the fire and police retirement fund
13 created in section 411.8.

14 Sec. 50. MEMBERSHIP OF TREASURER OF STATE. The treasurer
15 of state, or the treasurer's designee, shall become a member
16 of the board of trustees for the statewide fire and police
17 retirement system on May 1, 1995.

18 Sec. 51. Section 462A.78, subsection 5, Code 1995, is
19 amended to read as follows:

20 5. The funds collected under subsection 1, paragraph "a",
21 shall be placed in the general fund of the county and used for
22 the expenses of the county conservation board if one exists in
23 that county. Of each surcharge collected as required under
24 subsection 1, paragraph "b", the county recorder shall remit
25 five dollars to the office-of-treasurer-of-state department of
26 revenue and finance for deposit in the general fund of the
27 state.

28 *** Sec. 52. NEW SECTION. 476.78A PUBLIC UTILITY -- SEPARATE
29 AFFILIATE REQUIRED.

30 A rate-regulated utility, as defined in section 476.1,
31 which engages in a nonutility service, as defined in section
32 476.72, shall establish a separate affiliate business entity
33 for the purpose of engaging in such service. The separate
34 affiliate shall not use in any manner, any name, logo,
35 property, equipment, or facilities owned or leased by, or

1 personnel employed by, the rate-regulated utility.

2 Sec. 53. NEW SECTION. 514C.11 PATIENT ACCESS TO TYPES OF
3 PHYSICIANS UNDER MANAGED CARE HEALTH PLAN OR INDEMNITY PLAN
4 WITH LIMITED PROVIDER NETWORK.

5 Notwithstanding section 514C.6, a managed care health plan
6 or indemnity plan with a limited provider network shall
7 provide patients direct access to each type of physician, as
8 defined in section 135.1 and licensed under chapter 148, 150A,
9 or 151, and shall not condition that access upon a referral by
10 a physician licensed under another chapter. Access to a
11 specialist may be conditioned upon a referral by a primary
12 care provider licensed under the same chapter. Any copayment,
13 deductible, cost containment mechanism, or premium rate shall
14 not discriminate directly or indirectly upon the basis of the
15 license held by the physician. Access to a specialist may be
16 subject to a different copayment or deductible than access to
17 a primary care provider. Access to a nonparticipating
18 physician may be restricted or may be subject to different
19 copayments, deductibles, or premium rates, or may be excluded,
20 provided that a plan shall not differentiate or exclude a
21 physician directly or indirectly upon the basis of the license
22 held by the physician.

23 Each plan must demonstrate that it is capable of serving
24 appropriately the needs of the subscriber population in the
25 service area of the plan with regard to patient access to each
26 type of physician.

27 For purposes of this section, "managed care health plan or
28 indemnity plan with a limited provider network" means a health
29 maintenance organization, organized delivery system,
30 accountable health plan, health care insurance plan which
31 limits the number of licensed physicians who can provide
32 services under the plan, preferred provider organization,
33 exclusive provider organization, restricted access network, or
34 similar health-care plan. For purposes of this section,
35 "physician" means as defined in section 135.1 and licensed

1 under chapter 148, 150A, or 151.

2 Sec. 54. Section 533.4, subsections 1, 4, 5, and 19, Code
3 1995, are amended to read as follows:

4 1. ~~Receive the-savings-of~~ from its members either,
5 nonmembers as prescribed by rule where the credit union is
6 serving predominantly low-income members, other credit unions,
7 and federal, state, county, and city governments, as payment
8 payments on shares or as deposits, including-the-right-to
9 ~~conduct-Christmas-clubs,-vacation-clubs,-and-other-such-thrift~~
10 ~~organizations-within-the-membership~~ subject to the terms,
11 rates, and conditions established by the board of directors,
12 subject to the limitations established by rule by the
13 superintendent.

14 4. ~~Deposit~~ Make deposits in state and national banks,
15 state and federal savings banks or savings and loan
16 associations, and state and federal credit unions, the
17 accounts of which are insured by the federal deposit insurance
18 corporation or the national credit union share insurance fund.

19 5. Make investments in:

20 a. Time deposits in state and national banks ~~and-in-state~~
21 ~~banks,~~ state and federal savings banks or savings and loan
22 associations, and state and federal credit unions, the
23 deposits of which are insured by the federal deposit insurance
24 corporation or the national credit union share insurance fund.

25 b. Obligations, participations, or other instruments of or
26 issued by, or fully guaranteed as to principal and interest by
27 the United States government or any agency thereof; or any
28 trust or trusts established for investing directly or
29 collectively in the same.

30 c. General obligations of the state of Iowa and any
31 subdivision thereof of the state.

32 ~~d.---Paid-up-deposits-of-savings-and-loan-associations,-the~~
33 ~~deposits-of-which-are-insured-by-the-federal-savings-and-loan~~
34 ~~insurance-corporation.~~

35 e. d. Purchase of notes of liquidating credit unions with

1 the approval of the superintendent.

2 f- e. Shares and deposits in other credit unions.

3 g- f. Shares, stocks, loans, and other obligations or a
4 combination thereof of an organization, corporation, or
5 association, provided the membership or ownership, as the case
6 may be, of the organization, corporation, or association is
7 primarily confined or restricted to credit unions or
8 organizations of credit unions and provided that the purpose
9 of the organization, corporation, or association is primarily
10 designed to provide services to credit unions, organizations
11 of credit unions, or credit union members. However, the
12 aggregate amount invested pursuant to this subsection shall
13 not exceed five percent of the assets of the credit union.

14 h- g. Obligations issued by federal land banks, federal
15 intermediate credit banks, banks for cooperatives, or any or
16 all of the federal farm credit banks.

17 i- h. Commercial paper issued by United States
18 corporations as defined by rule.

19 j- i. Corporate bonds as defined by and subject to terms
20 and conditions imposed by the administrator, provided that the
21 administrator shall not approve investment in corporate bonds
22 unless the bonds are rated in the two highest grades of
23 corporate bonds by a nationally accepted rating agency,
24 including but not limited to a rating of AAA or AA from
25 Standard and Poors.

26 19. Establish one or more offices other than its main
27 office, subject to the approval and regulation of the
28 superintendent, if such offices ~~shall-be~~ are reasonably
29 necessary to furnish service to its membership. A credit
30 union office may furnish all credit union services ordinarily
31 furnished to the membership at the principal place of business
32 of the credit union which operates the office. All
33 transactions of a credit union office shall be transmitted
34 daily to the principal place of business of the credit union
35 which operates the office, and no current recordkeeping

1 functions shall not be maintained at a credit union office
2 except to the extent the credit union which operates the
3 office deems it desirable to keep at the office duplicates of
4 the records kept at the principal place of business of the
5 credit union. The central executive and official business
6 functions of a credit union shall be exercised only at the
7 principal place of business.

8 A credit union office shall not be opened without the prior
9 written approval of the superintendent. Upon application by a
10 credit union in the form prescribed by the superintendent, the
11 superintendent shall determine, after notice and hearing, if
12 the establishment of the credit union office is reasonably
13 necessary for service to, and is in the best interests of, the
14 members of the credit union.

15 Notwithstanding the provisions of this section, data
16 processing services and loan documentation recordkeeping
17 functions may be performed or located at an authorized credit
18 union office or at some other location, subject to the
19 approval of the superintendent.

20 Sec. 55. Section 533.16, subsection 3, Code 1995, is
21 amended to read as follows:

22 3. A director of a credit union may borrow from that
23 credit union under the provisions of this chapter, but the
24 rates, terms, and conditions of a loan or line of credit
25 either made to or endorsed or guaranteed by the director shall
26 not be made-on-terms more favorable than those-extended the
27 rates, terms, or conditions of comparable loans or lines of
28 credit provided to other members. A-director-of-a-credit
29 union-may-borrow-from-that-credit-union-to-the-extent-and-in
30 the-amount-of-such-director's-holdings-in-the-credit-union-in
31 shares-and-deposits.--A-director-desiring-to-borrow-from-the
32 credit-union-an-amount-in-excess-of-the-director's-holdings-in
33 shares-and-deposits-shall-first-submit-application-for
34 approval-by-the-board-of-directors-at-a-regular-or-special
35 meeting.--The-director-making-application-for-the-loan-shall

1 not-be-in-attendance-at-the-time-the-board-of-directors
2 considers-the-application-and-shall-not-take-part-in-the
3 consideration.--Prior-to-consideration-of-such-loan, the
4 director-must-have-submitted-to-the-board-a-detailed-current
5 financial-statement. The aggregate amount of all director
6 loans and lines of credit shall not exceed twenty twenty-five
7 percent of the assets of the credit union.

8 Sec. 56. Section 533.16, subsection 4, paragraph c, Code
9 1995, is amended by striking the paragraph and inserting in
10 lieu thereof the following:

11 c. A credit union which obtains a report or opinion by an
12 attorney or from another mortgage lender relating to defects
13 in or liens or encumbrances on the title to real property, the
14 unmarketability of the title to real property, or the in-
15 validity or unenforceability of liens or encumbrances on real
16 property, shall provide a copy of the report or opinion to the
17 mortgagor and the mortgagor's attorney.

18 Sec. 57. Section 533.17, subsection 1, unnumbered
19 paragraph 1, Code 1995, is amended to read as follows:

20 ~~Immediately-before-the-payment-of-a-dividend~~ At the end of
21 each dividend period, but no less than quarterly, the gross
22 income of the credit union shall determine-its-gross-earnings
23 be determined. A legal reserve ~~for-contingencies~~ against
24 losses on loans and against such other losses as may be
25 specified by rule shall be set aside from the gross ~~earnings~~
26 income in accordance with the following schedule:

27 Sec. 58. Section 533.17, subsection 2, Code 1995, is
28 amended to read as follows:

29 2. For the purpose of establishing legal reserves, the
30 following shall not be considered risk assets:

31 a. Cash on hand.

32 b. Deposits and shares in ~~federal-or-state~~ federally
33 insured banks, savings and loan associations, and credit
34 unions.

35 c. Assets which are insured by, fully guaranteed as to

1 principal and interest by, or due from the United States
2 government, its agencies, and instrumentalities.

3 d. Loans to other credit unions.

4 e. Student loans insured under the provisions of Title XX,
5 United States Code, section 1071 to section 1087 or similar
6 state programs.

7 f. Loans insured by the federal housing administration
8 under Title XII, United States Code, section 1703.

9 g. Loans fully insured or guaranteed by the federal
10 government, a state government, or any agency of either.

11 g- h. Common trust investments which deal in investments
12 authorized in section 533.4.

13 h- i. Prepaid expenses.

14 i- j. Accrued interest on nonrisk investments.

15 j- k. Furniture and equipment.

16 k- l. Land and buildings.

17 m. Loans fully secured by a pledge of shares within the
18 credit union.

19 n. Deposits in the national credit union share insurance
20 fund.

21 o. Real estate loans in transit to the secondary market as
22 specified by rule.

23 Sec. 59. Section 533.18, Code 1995, is amended to read as
24 follows:

25 533.18 DIVIDENDS.

26 ~~h-~~ At such intervals and for such periods as the board of
27 directors may authorize, and after ~~transfers-to-the~~ provision
28 for required reserves pursuant to section 533.17, the board of
29 directors may declare dividends at such rates and upon such
30 classes of shares as are determined by the board. Such
31 dividends shall be paid on all paid-up shares outstanding at
32 the close of the period for which the dividend is declared.

33 ~~2--Shares-which-become-fully-paid-up-during-such-dividend~~
34 ~~period-and-are-outstanding-at-the-close-of-period-shall-be~~
35 ~~entitled-to-a-proportional-share-of-such-dividend-~~

1 3---Dividend-credit-for-a-month-may-be-accrued-on-shares
2 which-are-or-become-fully-paid-up-during-the-first-fifteen
3 days-of-that-month-

4 Sec. 60. NEW SECTION. 533.49 AUTHORITY TO LEASE SAFE
5 DEPOSIT BOXES.

6 1. A credit union may lease safe deposit boxes for the
7 storage of property on terms and conditions prescribed by it.
8 Such terms and conditions shall not bind any person to whom
9 the credit union does not give notice of the terms and condi-
10 tions by delivery of a lease and agreement in writing contain-
11 ing the terms and conditions. A credit union may limit its
12 liability provided such limitations are set forth in the lease
13 and agreement in at least the same size and type as the other
14 substantive provisions of the contract.

15 2. The lease and agreement of a safe deposit box may
16 provide that evidence tending to prove that property was left
17 in a safe deposit box upon the last entry by the member or the
18 member's authorized agent, and that the property or any part
19 of the property was found missing upon subsequent entry, is
20 not sufficient to raise a presumption that the property was
21 lost by any negligence or wrongdoing for which the credit
22 union is responsible, or put upon the credit union the burden
23 of proof that the alleged loss was not the fault of the credit
24 union.

25 3. A credit union may lease a safe deposit box to a minor.
26 A credit union may deal with a minor with respect to a safe
27 deposit box lease and agreement without the consent of a
28 parent, guardian, or conservator and with the same effect as
29 though the minor were an adult. Any action of the minor with
30 respect to such safe deposit box lease and agreement is
31 binding on the minor with the same effect as though the minor
32 were an adult.

33 4. A credit union which has on file a power of attorney of
34 a member covering a safe deposit box lease and agreement,
35 which has not been revoked by the member, shall incur no

1 liability as a result of continuing to honor the provisions of
2 the power of attorney in the event of the death or
3 incompetence of the donor of the power of attorney until the
4 credit union receives written notice of the death, or written
5 notice of adjudication by a court of the incompetence of the
6 member and the appointment of a guardian or conservator.

7 Sec. 61. NEW SECTION. 533.49A SEARCH PROCEDURE ON DEATH.

8 A credit union shall permit the person named in a court
9 order or, if no order has been served upon the credit union,
10 the spouse, a parent, an adult descendant, or a person named
11 as executor in a copy of a purported will produced by the
12 person, to open and examine the contents of a safe deposit box
13 leased by a decedent, or to examine any property delivered by
14 a decedent for safekeeping, in the presence of an officer of
15 the credit union. The credit union, if requested by such
16 person, and upon the credit union's receipt of the request,
17 shall deliver:

18 1. Any writing purported to be a will of the decedent to
19 the court having jurisdiction of the decedent's estate.

20 2. Any writing purported to be a deed to a burial plot, or
21 to give burial instructions, to the person making the request
22 for a search.

23 3. Any document purported to be an insurance policy on the
24 life of the decedent to the beneficiary named in the policy.
25 A credit union shall prepare and keep a list of any contents
26 delivered pursuant to this section describing the nature of
27 the property and the individual to whom delivered, and place a
28 copy of the list in the safe deposit box from which the con-
29 tents were removed.

30 Sec. 62. NEW SECTION. 533.49B ADVERSE CLAIMS TO PROPERTY
31 IN SAFE DEPOSIT AND SAFEKEEPING.

32 1. A credit union shall not be required, in the absence of
33 a court order or indemnity required by this section, to
34 recognize any claim to, or claim of authority to exercise
35 control over, property held in safe deposit or property held

1 for safekeeping pursuant to section 533.49D made by a person
2 or persons other than the following:

3 a. The member in whose name the property is held by the
4 credit union.

5 b. An individual or group of individuals who are
6 authorized to have access to the safe deposit box, or to the
7 property held for safekeeping, pursuant to a certified
8 corporate resolution or other written arrangement with the
9 member, currently on file with the credit union, which has not
10 been revoked by valid corporate action in the case of a
11 corporation, or by a valid agreement or other valid action
12 appropriate for the form of legal organization of any other
13 member, of which the credit union has received notice and
14 which is not the subject of a dispute known to the credit
15 union as to its original validity. The safe deposit and
16 safekeeping account records of a credit union shall be
17 presumptive evidence as to the identity of the member on whose
18 behalf the property is held.

19 2. To require a credit union to recognize an adverse claim
20 to, or adverse claim of authority to control, property held in
21 safe deposit or for safekeeping, whoever makes the claim must
22 do either of the following:

23 a. Obtain and serve on the credit union an appropriate
24 court order or judicial process directed to the credit union,
25 restraining any action with respect to the property until
26 further order of the court or instructing the credit union to
27 deliver the property, in whole or in part, as indicated in the
28 order or process.

29 b. Deliver to the credit union a bond, in form and amount
30 with sureties satisfactory to the credit union, indemnifying
31 the credit union against any liability, loss, or expense which
32 the credit union might incur because of its refusal to deliver
33 the property to any person described in subsection 1,
34 paragraph "a" or "b".

35 Sec. 63. NEW SECTION. 533.49C REMEDIES AND PROCEEDINGS

1 FOR NONPAYMENT OF RENT ON SAFE DEPOSIT BOX.

2 1. A credit union has a lien upon the contents of a safe
3 deposit box for past due rentals and any expense incurred in
4 opening the safe deposit box, replacement of the locks on the
5 safe deposit box, and of a sale made pursuant to this section.
6 If the rental of a safe deposit box is not paid within six
7 months from the day the rental is due, at any time after the
8 six months and while the rental remains unpaid, the credit
9 union shall mail a notice by restricted certified mail to the
10 member at the member's last known address as shown upon the
11 records of the credit union, stating that if the amount due
12 for the rental is not paid on or before a specified day, which
13 shall be at least thirty days after the date of mailing such
14 notice, the credit union will remove the contents of the safe
15 deposit box and hold the contents for the account of the
16 member.

17 2. If the rental for the safe deposit box has not been
18 paid after the expiration of the period specified in a notice
19 mailed pursuant to subsection 1, the credit union, in the
20 presence of two of its officers, may cause the box to be
21 opened and the contents removed. An inventory of the contents
22 of the safe deposit box shall be made by the two officers
23 present and the contents held by the credit union for the
24 account of the member.

25 3. If the contents are not claimed within two years after
26 their removal from the safe deposit box, the credit union may
27 proceed to sell so much of the contents as is necessary to pay
28 the past due rentals and expense incurred in opening the safe
29 deposit box, replacement of the locks on the safe deposit box,
30 and the sale of the contents. The sale shall be held at the
31 time and place specified in a notice published prior to the
32 sale once each week for two successive weeks in a newspaper of
33 general circulation published in the city or unincorporated
34 area in which the credit union has its principal place of
35 business, or if there is none, a newspaper of general circu-

1 lation published in the county, or in a county adjoining the
2 county, in which the credit union has its principal place of
3 business. A copy of the published notice shall be mailed to
4 the member at the member's last known address as shown upon
5 the records of the credit union. The notice shall contain the
6 name of the member and need only describe the contents of the
7 safe deposit box in general terms. The contents of any number
8 of safe deposit boxes may be sold under one notice of sale and
9 the cost of the sale apportioned ratably among the several
10 safe deposit box members involved. At the time and place
11 designated in the notice the contents taken from each
12 respective safe deposit box shall be sold separately to the
13 highest bidder for cash and the proceeds of each sale applied
14 to the rentals and expenses due to the credit union and the
15 residue from any such sale shall be held by the credit union
16 for the account of the member or members. An amount held as
17 proceeds from such sale shall be credited with interest at the
18 customary annual rate for savings accounts at the credit
19 union, or in lieu thereof, at the customary rate of interest
20 in the community where such proceeds are held. The crediting
21 of interest does not activate the account to avoid an
22 abandonment as unclaimed property under chapter 556.

23 4. Notwithstanding the provisions of this section, shares,
24 bonds, or other securities which, at the time of a sale pur-
25 suant to subsection 3, are listed on an established stock ex-
26 change in the United States, shall not be sold at public sale
27 but may be sold through an established stock exchange. Upon
28 making a sale of any such securities, an officer of the credit
29 union shall execute and attach to the securities so sold an
30 affidavit reciting facts showing that the securities were sold
31 pursuant to this section and that the credit union has
32 complied with the provisions of this section. The affidavit
33 constitutes sufficient authority to any corporation whose
34 shares are sold or to any registrar or transfer agent of such
35 corporation to cancel the certificates representing the shares

1 to the purchaser of the shares, and to any registrar, trustee,
2 or transfer agent of registered bonds or other securities, to
3 register any such bonds or other securities in the name of the
4 purchaser of the bonds or other securities.

5 5. The proceeds of any sale made pursuant to this section,
6 after the payment of any amounts with respect to which the
7 credit union has a lien, any property which was not offered
8 for sale and property which, although offered for sale, was
9 not sold, shall be retained by the credit union until such
10 time as the property is presumed abandoned according to
11 section 556.2, and shall be handled pursuant to chapter 556.

12 Sec. 64. NEW SECTION. 533.49D AUTHORITY TO RECEIVE
13 PROPERTY FOR SAFEKEEPING.

14 1. A credit union may accept property for safekeeping if,
15 except in the case of night depositories, the credit union
16 issues a receipt for the property. A credit union accepting
17 property for safekeeping shall purchase and maintain
18 reasonable insurance coverage to ensure against loss incurred
19 in connection with the acceptance of property for safekeeping.
20 Property held for safekeeping shall not be commingled with the
21 property of the credit union or the property of others.

22 2. A credit union has a lien upon any property held for
23 safekeeping and for expenses incurred in any sale made
24 pursuant to this subsection. If the charge for safekeeping of
25 property is not paid within six months from the day the charge
26 is due, at any time after the six months and while the charge
27 remains unpaid, the credit union may mail a notice to the
28 member at the member's last known address as shown upon the
29 records of the credit union, stating that if the amount due is
30 not paid on or before a specified day, which shall be at least
31 thirty days after the date of mailing the notice, the credit
32 union will remove the property from safekeeping and hold the
33 property for the account of the member. After the expiration
34 of the period specified in the notice, if the charge for
35 safekeeping has not been paid, the credit union may remove the

1 property from safekeeping, cause the property to be
2 inventoried, and hold the property for the account of the
3 member. If the property is not claimed within two years after
4 its removal from safekeeping the credit union may proceed to
5 sell so much of the property as is necessary to pay the charge
6 which remains unpaid and the expense incurred in making the
7 sale in the manner provided for in section 533.49C,
8 subsections 3 and 4. The proceeds of any sale made pursuant
9 to this section, after payment of any amounts with respect to
10 which the credit union has a lien, any property which was not
11 offered for sale, and property which, although offered for
12 sale, was not sold, shall be retained by the credit union
13 until such time as the property is presumed abandoned
14 according to section 556.2, and shall be handled pursuant to
15 chapter 556.

16 Sec. 65. Section 533.62, subsection 4, Code 1995, is
17 amended by striking the subsection and inserting in lieu
18 thereof the following:

19 4. a. A loan of money or property shall not be made
20 directly or indirectly by a state-chartered credit union, or
21 by its officers, directors, or employees, to the
22 superintendent, deputy, or employee of the credit union
23 division. The superintendent, deputy, or employee of the
24 credit union division shall not accept from a state-chartered
25 credit union, or its officers, directors, or employees, a loan
26 of money or property, either directly or indirectly.

27 b. The superintendent, deputy, or employee of the credit
28 union division shall not perform any services for or be an
29 officer, director, or employee of a state-chartered credit
30 union.

31 c. A person who willfully undertakes to establish a
32 business dealing contrary to this section commits a serious
33 misdemeanor, and shall be permanently disqualified from acting
34 as an officer, director, or employee of a state-chartered
35 credit union and permanently disqualified from acting as

1 superintendent, deputy, or employee of the credit union
2 division.

3 d. The superintendent, deputy, or employee of the credit
4 union division who is convicted of theft, burglary, robbery,
5 larceny, or embezzlement as a result of a violation of the
6 laws of any state or of the United States while holding such
7 position shall be immediately disqualified from employment and
8 shall be forever disqualified from holding any position in the
9 credit union division.

10 Sec. 66. Section 554.9401, subsection 6, Code 1995, is
11 amended to read as follows:

12 6. Of each fee collected by the county recorder under
13 sections 570A.4, 554.9403, 554.9405, and 554.9406, the county
14 recorder shall remit five dollars, if filed on a standard form
15 or six dollars otherwise, to the ~~office of the treasurer of~~
16 state department of revenue and finance for deposit in the
17 general fund of the state.

18 Sec. 67. Section 99D.5, subsection 1, Code 1995, is
19 amended to read as follows:

20 1. A state racing and gaming commission is created within
21 the department of inspections and appeals consisting of five
22 members who shall be appointed by the governor subject to
23 confirmation by the senate, and who shall serve not to exceed
24 a three-year term at the pleasure of the governor. The term
25 of each member shall begin and end as provided in section
26 69.19. Before a person is appointed to the commission, the
27 division of criminal investigation of the department of public
28 safety shall conduct a thorough background investigation of
29 the proposed appointee. The proposed appointee shall provide
30 information on a form as required by the division of criminal
31 investigation. The background investigation shall be the same
32 as conducted for an applicant for a license to conduct pari-
33 mutuel wagering. The information shall be made available to
34 the members of the senate standing committee assigned to
35 investigate and recommend confirmation of an appointee.

*1 Sec. 68. REPEAL. Chapter 7F and sections 12.9, 12.12, and
2 12.13, Code 1995, are repealed.

3 Sec. 69. EFFECTIVE DATE. This section and sections 44,
4 45, 46, 47, 48, 49, and 50, being deemed of immediate
5 importance, take effect upon enactment. Sections 27, 28, and
6 29 of this Act take effect on June 30, 1995. The remainder of
7 this Act takes effect on July 1, 1995.

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HOUSE AMENDMENT TO
SENATE FILE 484

S-3684

1 Amend Senate File 484, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. By striking everything after the enacting
4 clause and inserting the following:

5 "Section 1. AUDITOR OF STATE. There is
6 appropriated from the general fund of the state to the
7 office of the auditor of state for the fiscal year
8 beginning July 1, 1995, and ending June 30, 1996, the
9 following amount, or so much thereof as is necessary,
10 to be used for the purposes designated:

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

14 \$ 1,310,549
15 FTEs 112.50

16 The auditor of state may retain additional full-
17 time equivalent positions as is reasonable and
18 necessary to perform governmental subdivision audits
19 which are reimbursable pursuant to section 11.20 or
20 11.21, to perform audits which are requested by and
21 reimbursable from the federal government, and to
22 perform work requested by and reimbursable from
23 departments or agencies pursuant to section 11.5A or
24 11.5B. The auditor of state shall notify the
25 department of management, the legislative fiscal
26 committee, and the legislative fiscal bureau of the
27 additional full-time equivalent positions retained.

28 Sec. 2. IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD.
29 There is appropriated from the general fund of the
30 state to the Iowa ethics and campaign disclosure board
31 for the fiscal year beginning July 1, 1995, and ending
32 June 30, 1996, the following amount, or so much
33 thereof as is necessary, for the purposes designated:

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

37 \$ 375,786
38 FTEs 8.00

39 Sec. 3. DEPARTMENT OF COMMERCE. There is
40 appropriated from the general fund of the state to the
41 department of commerce for the fiscal year beginning
42 July 1, 1995, and ending June 30, 1996, the following
43 amounts, or so much thereof as is necessary, for the
44 purposes designated:

45 1. PROFESSIONAL LICENSING AND REGULATION DIVISION

46 a. For salaries, support, maintenance,
47 miscellaneous purposes, and for not more than the
48 following full-time equivalent positions:

49 \$ 897,802
50 FTEs 14.00

S-3684

-1-

S-3684

Page 2

1 b. There is appropriated from the title guaranty
2 fund created in section 16.91 to the professional
3 licensing and regulation division, an amount up to
4 \$25,000, to be used to pay half the cost of employing
5 an auditor for real estate broker trust accounts. In
6 addition to the amount appropriated in this paragraph,
7 the commission may increase the license fees provided
8 for in section 543B.27 in an amount sufficient to pay
9 half the cost of employing an auditor for real estate
10 broker trust accounts.

11 2. ADMINISTRATIVE SERVICES DIVISION

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

15	\$	211,586
16	FTEs	2.00

17 It is the intent of the general assembly that the
18 two positions authorized in this subsection for the
19 division shall coordinate the administrative services
20 to be provided to the divisions in the department.
21 These two positions are under the direct supervision
22 of, and shall report to, the director of the
23 department.

24 The division of administrative services shall
25 assess each division within the department of commerce
26 and the office of consumer advocate within the
27 department of justice a pro rata share of the
28 operating expenses of the division of administrative
29 services. The pro rata share shall be determined
30 pursuant to a cost allocation plan established by the
31 division of administrative services and agreed to by
32 the administrators of the divisions and the consumer
33 advocate. To the extent practicable, the cost
34 allocation plan shall be based on the proportion of
35 the administrative expenses incurred on behalf of each
36 division and the office of consumer advocate. Each
37 division and the office of consumer advocate shall
38 include in its charges assessed or revenues generated,
39 an amount sufficient to cover the amount stated in its
40 appropriation, any state assessed indirect costs
41 determined by the department of revenue and finance,
42 and the cost of services provided by the division of
43 administrative services.

44 3. ALCOHOLIC BEVERAGES DIVISION

45 For salaries, support, maintenance, miscellaneous
46 purposes, and for not more than the following full-
47 time equivalent positions:

48	\$	1,861,105
49	FTEs	33.50

50 4. BANKING DIVISION

S-3684

-2-

S-3684

Page 3

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

4 \$ 5,375,058
5 FTEs 84.00

6 5. CREDIT UNION DIVISION

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

10 \$ 1,047,066
11 FTEs 20.00

12 6. INSURANCE DIVISION

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

16 \$ 2,924,482
17 FTEs 91.50

18 Of the amounts appropriated in this section to the
19 insurance division, not more than \$100,000 shall be
20 used for the regulation of health insurance purchasing
21 cooperatives.

22 The insurance division may reallocate authorized
23 full-time equivalent positions as necessary to respond
24 to accreditation recommendations or requirements. The
25 insurance division expenditures for examination
26 purposes may exceed the projected receipts, refunds
27 and reimbursements, estimated pursuant to section
28 505.7, subsection 7, including the expenditures for
29 retention of additional personnel, if the expenditures
30 are fully reimbursable and the division first does
31 both of the following:

32 a. Notifies the department of management,
33 legislative fiscal bureau, and the legislative fiscal
34 committee of the need for the expenditures.

35 b. Files with each of the entities named in
36 paragraph "a" the legislative and regulatory
37 justification for the expenditures, along with an
38 estimate of the expenditures.

39 7. UTILITIES DIVISION

40 For salaries, support, maintenance, miscellaneous
41 purposes, and for not more than the following full-
42 time equivalent positions:

43 \$ 4,911,871
44 FTEs 79.00

45 The utilities division may expend additional funds,
46 including funds for additional personnel, if those
47 additional expenditures are actual expenses which
48 exceed the funds budgeted for utility regulation.
49 Before the division expends or encumbers an amount in
50 excess of the funds budgeted for regulation, the

S-3684

-3-

S-3684

Page 4

1 director of the department of management shall approve
2 the expenditure or encumbrance. Before approval is
3 given, the director of the department of management
4 shall determine that the regulation expenses exceed
5 the funds budgeted by the general assembly to the
6 division and that the division does not have other
7 funds from which regulation expenses can be paid.
8 Upon approval of the director of the department of
9 management the division may expend and encumber funds
10 for excess regulation expenses. The amounts necessary
11 to fund the excess regulation expenses shall be
12 collected from those utility companies being regulated
13 which caused the excess expenditures, and the
14 collections shall be treated as repayment receipts as
15 defined in section 8.2.

16 Sec. 4. There is appropriated from the general
17 fund of the state to the following named agencies for
18 the fiscal year beginning July 1, 1995, and ending
19 June 30, 1996, the following amounts, or so much
20 thereof as is necessary, to be used for the purposes
21 designated:

22 1. COMMISSION ON UNIFORM STATE LAWS

23 For support of the commission and expenses of the
24 members:

25 \$ 20,803

26 2. NATIONAL CONFERENCE OF STATE LEGISLATURES

27 For support of the membership assessment:

28 \$ 87,719

29 3. AMERICAN LEGISLATIVE EXCHANGE COUNCIL

30 For support of biennial individual dues of \$50
31 payable upon request of a legislator:

32 \$ 7,500

33 Sec. 5. There is appropriated from the general
34 fund of the state to the department of general
35 services for the fiscal year beginning July 1, 1995,
36 and ending June 30, 1996, the following amounts, or so
37 much thereof as is necessary, to be used for the
38 purposes designated:

39 1. ADMINISTRATION DIVISION

40 For salaries, support, maintenance, miscellaneous
41 purposes, and for not more than the following full-
42 time equivalent positions:

43 \$ 1,190,167

44 FTEs 32.35

45 2. INFORMATION SERVICES DIVISION

46 For salaries, support, maintenance, miscellaneous
47 purposes, and for not more than the following full-
48 time equivalent positions:

49 \$ 5,497,002

50 FTEs 141.60

S-3684

-4-

S-3684

Page 5

1 3. PROPERTY MANAGEMENT DIVISION

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

5 \$ 3,935,381
6 FTEs 113.00

7 The department of general services shall not change
8 the appropriations for the purposes designated in
9 subsections 1 through 3 from the amounts appropriated
10 under those subsections unless notice of the revisions
11 is given prior to their effective date to the
12 legislative fiscal bureau. The notice shall include
13 information on the department's rationale for making
14 the changes.

15 Savings achieved in providing telephone services
16 shall be used by the department of general services to
17 increase efficiencies in the provision of those
18 services. The department of general services shall
19 report not later than August 31, 1996, on the projects
20 undertaken to the chairpersons and the ranking members
21 of the joint appropriations subcommittee on
22 administration and regulation and to the legislative
23 fiscal bureau. The report shall include a listing of
24 the projects and efficiencies undertaken during the
25 fiscal year, the cost of each project, and the
26 benefits, including the projected savings on an annual
27 basis and for the life of the efficiency improvement.

28 4. CAPITOL PLANNING COMMISSION

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

31 \$ 1,256

32 5. RENTAL SPACE

33 For payment of lease or rental costs of buildings
34 and office space at the seat of government as provided
35 in section 18.12, subsection 9, notwithstanding
36 section 18.16:

37 \$ 607,955

38 6. UTILITY COSTS

39 For payment of utility costs and for not more than
40 the following full-time equivalent positions:

41 \$ 2,059,178
42 FTEs 1.00

43 The department of general services may use funds
44 appropriated in this subsection for utility costs to
45 fund energy conservation projects in the state capitol
46 complex which will have a 100 percent payback within a
47 24-month period. In addition, notwithstanding
48 sections 8.33 and 18.12, subsection 11, any excess
49 funds appropriated for utility costs in this
50 subsection shall not revert to the general fund of the

S-3684

-5-

S-3684

Page 6

1 state on June 30, 1996, and these funds shall be used
2 for implementation of energy conservation projects
3 having a payback of 100 percent within a two-year to
4 six-year period. The department of general services
5 shall report not later than August 31, 1996, on the
6 projects having 100 percent payback within a six-year
7 period to the chairpersons and ranking members of the
8 joint appropriations subcommittee on administration
9 and regulation and to the legislative fiscal bureau.
10 The report shall include a listing of the projects
11 undertaken, the cost of each project, and the
12 projected savings on an annual basis and for the life
13 of the project.

14 7. TERRACE HILL OPERATIONS

15 For salaries, support, maintenance, and
16 miscellaneous purposes necessary for the operation of
17 Terrace Hill and for not more than the following full-
18 time equivalent positions:

19	\$	164,637
20	FTEs	4.00

21 Sec. 6. There is appropriated from the designated
22 revolving funds to the department of general services
23 for the fiscal year beginning July 1, 1995, and ending
24 June 30, 1996, the following amounts, or so much
25 thereof as is necessary, to be used for the purposes
26 designated:

27 1. From the centralized printing permanent
28 revolving fund established by section 18.57 for
29 salaries, support, maintenance, miscellaneous
30 purposes, and for not more than the following full-
31 time equivalent positions:

32	\$	912,217
33	FTEs	26.05

34 2. The remainder of the centralized printing
35 permanent revolving fund is appropriated for the
36 expense incurred in supplying paper stock, offset
37 printing, copy preparation, binding, distribution
38 costs, original payment of printing and binding claims
39 and contingencies arising during the fiscal year
40 beginning July 1, 1995, and ending June 30, 1996,
41 which are legally payable from this fund.

42 3. From the centralized purchasing permanent
43 revolving fund established by section 18.9 for
44 salaries, support, maintenance, miscellaneous
45 purposes, and for not more than the following full-
46 time equivalent positions:

47	\$	734,140
48	FTEs	16.05

49 4. The remainder of the centralized purchasing
50 permanent revolving fund is appropriated for the

S-3684

-6-

S-3684

Page 7

1 payment of expenses incurred through purchases by
2 various state departments and for contingencies
3 arising during the fiscal year beginning July 1, 1995,
4 and ending June 30, 1996, which are legally payable
5 from this fund.

6 5. From the vehicle dispatcher revolving fund
7 established by section 18.119 for salaries, support,
8 maintenance, miscellaneous purposes, and for not more
9 than the following full-time equivalent positions:

10	\$	625,075
11	FTEs	15.00

12 6. The remainder of the vehicle dispatcher
13 revolving fund is appropriated for the purchase of
14 gasoline, gasohol, oil, tires, repairs, and all other
15 maintenance expenses incurred in the operation of
16 state-owned motor vehicles and for contingencies
17 arising during the fiscal year beginning July 1, 1995,
18 and ending June 30, 1996, which are legally payable
19 from this fund.

20 The vehicle dispatcher shall report, not later than
21 February 15, 1996, to the chairpersons and the ranking
22 members of the joint appropriations subcommittee on
23 administration and regulation and to the legislative
24 fiscal bureau regarding the efficiencies of the
25 vehicle fleet and the changes in the efficiencies.
26 The report shall include the cost per mile, fuel
27 efficiencies, maintenance costs, useful life, the
28 costs of extending the useful life, and other measures
29 which the vehicle dispatcher or the legislative fiscal
30 bureau finds appropriate. The information shall be
31 reported for each general type of vehicle. The
32 overhead costs shall also be reported with the total
33 costs of the vehicle dispatcher operations.

34 The department of general services shall report to
35 the chairpersons and ranking members of the joint
36 appropriations subcommittee on administration and
37 regulation and the legislative fiscal bureau not later
38 than February 15, 1996, a comparison of the
39 performance of vehicles burning an 85 percent ethanol
40 mixture and those burning a 10 percent ethanol
41 mixture. The report shall include, but is not limited
42 to, average mileage, vehicle life, and problems
43 encountered.

44 Sec. 7. GOVERNOR AND LIEUTENANT GOVERNOR. There
45 is appropriated from the general fund of the state to
46 the offices of the governor and the lieutenant
47 governor for the fiscal year beginning July 1, 1995,
48 and ending June 30, 1996, the following amounts, or so
49 much thereof as is necessary, to be used for the
50 purposes designated:

S-3684

-7-

S-3684

Page 8

1 1. For salaries, support, maintenance, and
2 miscellaneous purposes for the general office of the
3 governor and the general office of the lieutenant
4 governor, and for not more than the following full-
5 time equivalent positions:
6 \$ 1,106,128
7 FTEs 17.25

8 2. For the governor's expenses and the lieutenant
9 governor's expenses connected with office:
10 \$ 2,416

11 3. For salaries, support, maintenance, and
12 miscellaneous purposes for the governor's quarters at
13 Terrace Hill, and for not more than the following
14 full-time equivalent positions:
15 \$ 64,648
16 FTEs 2.00

17 4. For the payment of expenses of ad hoc
18 committees, councils, and task forces appointed by the
19 governor to research and analyze a particular subject
20 area relevant to the problems and responsibilities of
21 state and local government, including the employment
22 of professional, technical, and administrative staff
23 and the payment of per diem and actual expenses of
24 committee, council, or task force members as specified
25 pursuant to section 7E.6:
26 \$ 1,610

27 The ad hoc committees, councils, and task forces
28 appointed by the governor are subject to chapters 21
29 and 22 and the members and the staff shall be informed
30 of these requirements. A member shall not receive a
31 per diem if the member is receiving a salary as a
32 full-time public employee, but members shall be
33 reimbursed for actual and necessary expenses.

34 5. For salaries, support, maintenance, and
35 miscellaneous purposes for the office of
36 administrative rules coordinator, and for not more
37 than the following full-time equivalent positions:
38 \$ 108,336
39 FTEs 2.00

40 6. For payment of Iowa's membership in the
41 national governors' conference:
42 \$ 74,435

43 Sec. 8. DEPARTMENT OF INSPECTIONS AND APPEALS.
44 There is appropriated from the general fund of the
45 state to the department of inspections and appeals for
46 the fiscal year beginning July 1, 1995, and ending
47 June 30, 1996, the following amounts, or so much
48 thereof as is necessary, for the purposes designated:

49 1. FINANCE AND SERVICES DIVISION
50 For salaries, support, maintenance, miscellaneous

S-3684

-8-

S-3684

Page 9

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

3 \$ 467,275
4 FTEs 21.00

5 2. AUDITS DIVISION

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

9 \$ 352,092
10 FTEs 11.00

11 3. APPEALS AND FAIR HEARINGS DIVISION

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

15 \$ 223,048
16 FTEs 24.00

17 4. INVESTIGATIONS DIVISION

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

21 \$ 729,111
22 FTEs 35.00

23 5. HEALTH FACILITIES DIVISION

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

27 \$ 1,663,070
28 FTEs 101.00

29 6. INSPECTIONS DIVISION

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

33 \$ 577,869
34 FTEs 13.00

35 7. EMPLOYMENT APPEAL BOARD

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

39 \$ 33,067
40 FTEs 15.00

41 The employment appeal board shall be reimbursed by
42 the labor services division of the department of
43 employment services for all costs associated with
44 hearings conducted under chapter 91C, related to
45 contractor registration. The board may expend, in
46 addition to the amount appropriated under this
47 subsection, additional amounts as are directly
48 billable to the labor services division under this
49 subsection and to retain the additional full-time
50 equivalent positions as needed to conduct hearings

S-3684

-9-

S-3684

Page 10

1 required pursuant to chapter 91C.

2 8. STATE FOSTER CARE REVIEW BOARD

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

6	\$	527,041
7	FTEs	10.00

8 The department of human services, in coordination
9 with the state foster care review board and the
10 department of inspections and appeals, shall submit an
11 application for funding available pursuant to Title
12 IV-E of the federal Social Security Act for claims for
13 state foster care review board administrative review
14 costs.

15 9. The department of inspections and appeals shall
16 provide an accounting of all costs associated with
17 negotiating agreements and compacts pursuant to
18 section 10A.104, subsection 10, and all costs
19 associated with monitoring such agreements and
20 compacts. Information in the accounting shall include
21 the dates and destinations of all travel related to
22 the negotiations and monitoring, and all costs
23 associated with the personnel involved, including
24 salary, travel, and support costs.

25 Sec. 9. RACETRACK REGULATION. There is
26 appropriated from the general fund of the state to the
27 racing and gaming commission of the department of
28 inspections and appeals for the fiscal year beginning
29 July 1, 1995, and ending June 30, 1996, the following
30 amount, or so much thereof as is necessary, to be used
31 for the purposes designated:

32 For salaries, support, maintenance, miscellaneous		
33 purposes, for the regulation of pari-mutuel		
34 racetracks, and for not more than the following full-		
35 time equivalent positions:		
36	\$	1,760,378
37	FTEs	23.85

38 Sec. 10. EXCURSION BOAT REGULATION. There is
39 appropriated from the general fund of the state to the
40 racing and gaming commission of the department of
41 inspections and appeals for the fiscal year beginning
42 July 1, 1995, and ending June 30, 1996, the following
43 amount, or so much thereof as is necessary, to be used
44 for the purposes designated:

45 For salaries, support, maintenance, and		
46 miscellaneous purposes for administration and		
47 enforcement of the excursion boat gambling laws, and		
48 for not more than the following full-time equivalent		
49 positions:		
50	\$	860,651

S-3684

-10-

S-3684

Page 11

1 FTEs 17.11

2 It is the intent of the general assembly that the
3 racing and gaming commission shall only employ
4 additional full-time equivalent positions for
5 riverboat gambling enforcement as authorized by the
6 department of management as needed for enforcement on
7 new riverboats. If more than six riverboats are
8 operating during the fiscal year beginning July 1,
9 1995, and ending June 30, 1996, the commission may
10 expend no more than \$84,917 for no more than 2.00 FTEs
11 for each additional riverboat in excess of six. The
12 additional expense associated with the positions shall
13 be paid from fees assessed by the commission as
14 provided in chapter 99F.

15 Notwithstanding section 8.39, funds shall not be
16 transferred to the department of inspections and
17 appeals which would be used for monitoring Indian
18 gaming.

19 Sec. 11. DEPARTMENT OF INSPECTIONS AND APPEALS --
20 SERVICE CHARGES. The department of inspections and
21 appeals may charge state departments, agencies, and
22 commissions for services rendered and the payment
23 received shall be considered repayment receipts as
24 defined in section 8.2.

25 Sec. 12. USE TAX APPROPRIATION. There is
26 appropriated from the use tax receipts collected
27 pursuant to section 423.7 prior to their deposit in
28 the road use tax fund pursuant to section 423.24,
29 subsection 1, to the appeals and fair hearings
30 division of the department of inspections and appeals
31 for the fiscal year beginning July 1, 1995, and ending
32 June 30, 1996, the following amount, or so much
33 thereof as is necessary, for the purposes designated:

34 For salaries, support, maintenance, and
35 miscellaneous purposes:

36 \$ 924,090

37 Sec. 13. DEPARTMENT OF MANAGEMENT. There is
38 appropriated from the general fund of the state to the
39 department of management for the fiscal year beginning
40 July 1, 1995, and ending June 30, 1996, the following
41 amounts, or so much thereof as is necessary, to be
42 used for the purposes designated:

43 1. GENERAL OFFICE

44 For salaries, support, maintenance, miscellaneous
45 purposes, and for not more than the following full-
46 time equivalent positions:

47 \$ 2,032,287

48 FTEs 30.00

49 2. LAW ENFORCEMENT TRAINING REIMBURSEMENTS

50 For reimbursement to local law enforcement agencies

S-3684

-11-

S-3684

Page 12

1 for the training of officers who resign pursuant to
2 section 384.15, subsection 7:
3 \$ 47,500
4 3. COUNCIL OF STATE GOVERNMENTS
5 For support of the membership assessment:
6 \$ 75,500
7 Sec. 14. There is appropriated from the road use
8 tax fund to the department of management for the
9 fiscal year beginning July 1, 1995, and ending June
10 30, 1996, the following amount, or so much thereof as
11 is necessary, to be used for the purposes designated:
12 For salaries, support, maintenance, and
13 miscellaneous purposes:
14 \$ 56,000
15 The department of management shall report to the
16 chairpersons and ranking members of the senate and
17 house committees on appropriations, the chairpersons
18 and ranking members of the joint appropriations
19 subcommittee on administration and regulation, and the
20 legislative fiscal bureau, the number of furloughs and
21 the number of layoffs that occur in each state agency,
22 the savings associated with those furloughs and
23 layoffs, the effect of the furloughs and layoffs on
24 services provided by the state agency, and other
25 relevant information. The department shall provide a
26 year-end report summarizing the information for the
27 fiscal year beginning July 1, 1995, which will be due
28 by September 1, 1996.
29 When addressing staffing targets for state
30 agencies, the department of management shall state the
31 number of staff authorized for a state agency in terms
32 of full-time equivalent positions.
33 Sec. 15. There is appropriated from the general
34 fund of the state to the department of personnel for
35 the fiscal year beginning July 1, 1995, and ending
36 June 30, 1996, the following amounts, or so much
37 thereof as is necessary, to be used for the purposes
38 designated including the filing of quarterly reports
39 as required in this section:
40 1. OPERATIONS
41 For salaries, support, maintenance, and
42 miscellaneous purposes for the director's staff,
43 information services, data processing, and financial
44 services, and for not more than the following full-
45 time equivalent positions:
46 \$ 1,041,716
47 FTEs 18.58
48 2. PROGRAM DELIVERY
49 For salaries for personnel services, employment law
50 and labor relations and training for not more than the

S-3684

-12-

S-3684

Page 13

1 following full-time equivalent positions:

2 \$ 1,213,964
3 FTEs 33.20

4 3. PROGRAM ADMINISTRATION AND DEVELOPMENT

5 For salaries for employment, compensation, and
6 benefits and workers' compensation and for not more
7 than the following full-time equivalent positions:

8 \$ 1,386,933
9 FTEs 32.80

10 Any funds received by the department for workers'
11 compensation purposes other than the funds
12 appropriated in subsection 3 shall be used only for
13 the payment of workers' compensation claims.

14 The funds for support, maintenance, and
15 miscellaneous purposes for personnel assigned to
16 program delivery under subsection 2 and program
17 administration and development under subsection 3 are
18 payable from the appropriation made in subsection 1.

19 The department of personnel shall report semi-
20 annually to the chairpersons and ranking members of
21 the joint appropriations subcommittee on
22 administration and regulation concerning the number of
23 vacancies in existing full-time equivalent positions
24 and the average time taken to fill the vacancies. The
25 reports shall include quarterly and annual averages
26 organized according to state agency and general
27 occupational category as established by the federal
28 equal employment opportunity commission. All
29 departments and agencies of the state shall cooperate
30 with the department in the preparation of the reports.

31 Sec. 16. IPERS. There is appropriated from the
32 Iowa public employees' retirement system fund to the
33 department of personnel for the fiscal year beginning
34 July 1, 1995, and ending June 30, 1996, the following
35 amount, or so much thereof as is necessary, to be used
36 for the purposes designated:

37 1. For salaries, support, maintenance, and other
38 operational purposes to pay the costs of the Iowa
39 public employees' retirement system:

40 \$ 3,749,983

41 2. It is the intent of the general assembly that
42 the Iowa public employees' retirement system employ
43 sufficient staff within the appropriation provided in
44 this section to meet the developing requirements of
45 the investment program.

46 3. The department of personnel shall submit,
47 annually, a report to the chairpersons and ranking
48 members of the joint appropriations subcommittee on
49 administration and regulation and to the legislative
50 fiscal bureau regarding the results of the state's top

S-3684

-13-

S-3684

Page 14

1 achievement recognition program. The reports
2 submitted shall include, but are not limited to,
3 identification of the recipients, a description of the
4 meritorious achievements, and the awards conferred.

5 Sec. 17. There is appropriated from the primary
6 road fund to the department of personnel for the
7 fiscal year beginning July 1, 1995, and ending June
8 30, 1996, the following amount, or so much thereof as
9 is necessary, to be used for the purposes designated:

10 For salaries, support, maintenance, and
11 miscellaneous purposes to provide personnel services
12 for the state department of transportation:
13 \$ 331,694

14 Sec. 18. There is appropriated from the road use
15 tax fund to the department of personnel for the fiscal
16 year beginning July 1, 1995, and ending June 30, 1996,
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 to provide personnel services
21 for the state department of transportation:
22 \$ 53,996

23 Sec. 19. There is appropriated from the general
24 fund of the state to the department of revenue and
25 finance for the fiscal year beginning July 1, 1995,
26 and ending June 30, 1996, the following amounts, or so
27 much thereof as is necessary, to be used for the
28 purposes designated, and for not more than the
29 following full-time equivalent positions used for the
30 purposes designated in subsections 1 through 3:

31 FTEs 577.43

32 1. AUDIT AND COMPLIANCE

33 For salaries, support, maintenance, and
34 miscellaneous purposes:

35 \$ 10,563,293

36 2. STATE FINANCIAL MANAGEMENT

37 For salaries, support, maintenance, and
38 miscellaneous purposes:

39 \$ 9,376,548

40 3. INTERNAL RESOURCES MANAGEMENT

41 For salaries, support, maintenance, and
42 miscellaneous purposes:

43 \$ 5,910,111

44 4. COLLECTION COSTS AND FEES

45 For payment of collection costs and fees pursuant
46 to section 422.26:

47 \$ 45,000

48 8. a. The department of revenue and finance shall
49 not change the appropriations for the purposes
50 designated in subsections 1 through 3 from the amounts

S-3684

-14-

S-3684

Page 15

1 appropriated in those subsections unless notice of the
2 revisions is given prior to their effective date to
3 the legislative fiscal bureau. The notice shall
4 include information on the department's rationale for
5 making the changes.

6 b. The department of revenue and finance shall
7 report quarterly to the legislative fiscal bureau
8 concerning progress in the implementation of generally
9 accepted accounting principles, including
10 determination of reporting entities, fund
11 classifications, modification of the Iowa financial
12 accounting system, progress on preparing a
13 comprehensive annual financial report, and the most
14 current estimate of the general fund balance based on
15 current generally accepted accounting principles.

16 c. The director of revenue and finance shall
17 report annually to the chairpersons and ranking
18 members of the joint appropriations subcommittee on
19 administration and regulation and the legislative
20 fiscal bureau on the implementation and financial
21 status of the integrated revenue information system.
22 The report shall include any changes from the
23 scheduled progress including expenditures or estimated
24 revenue.

25 d. The director of revenue and finance shall
26 prepare and issue a state appraisal manual and the
27 revisions to the state appraisal manual as provided in
28 section 421.17, subsection 18, without cost to a city
29 or county.

30 Sec. 20. There is appropriated from the lottery
31 fund to the department of revenue and finance for the
32 fiscal year beginning July 1, 1995, and ending June
33 30, 1996, the following amount, or so much thereof as
34 is necessary, to be used for the purposes designated:

35 For salaries, support, maintenance, miscellaneous
36 purposes for the administration and operation of
37 lottery games, and for not more than the following
38 full-time equivalent positions:

39	\$	7,408,016
40	FTEs	120.00

41 Sec. 21. There is appropriated from the motor
42 vehicle fuel tax fund created by section 452A.77 to
43 the department of revenue and finance for the fiscal
44 year beginning July 1, 1995, and ending June 30, 1996,
45 the following amount, or so much thereof as is
46 necessary, to be used for the purposes designated:

47 For salaries, support, maintenance, and
48 miscellaneous purposes for administration and
49 enforcement of the provisions of chapter 452A and the
50 motor vehicle use tax program:

S-3684

-15-

S-3684

Page 16

1 \$ 1,008,125

2 Sec. 22. There is appropriated from the general

3 fund of the state to the office of the secretary of

4 state for the fiscal year beginning July 1, 1995, and

5 ending June 30, 1996, the following amounts, or so

6 much thereof as is necessary, to be used for the

7 purposes designated:

8 1. ADMINISTRATION AND ELECTIONS

9 For salaries, support, maintenance, miscellaneous

10 purposes, and for not more than the following full-

11 time equivalent positions:

12 \$ 520,514

13 FTEs 9.00

14 2. BUSINESS SERVICES

15 For salaries, support, maintenance, miscellaneous

16 purposes, and for not more than the following full-

17 time equivalent positions:

18 \$ 1,565,021

19 FTEs 28.00

20 3. For costs incurred in the printing of the

21 official register:

22 \$ 60,000

23 Sec. 23. STATE-FEDERAL RELATIONS. There is

24 appropriated from the general fund of the state to the

25 office of state-federal relations for the fiscal year

26 beginning July 1, 1995, and ending June 30, 1996, the

27 following amount, or so much thereof as is necessary,

28 to be used for the purposes designated:

29 For salaries, support, maintenance, miscellaneous

30 purposes, and for not more than the following full-

31 time equivalent positions:

32 \$ 235,521

33 FTEs 3.00

34 Sec. 24. TREASURER. There is appropriated from

35 the general fund of the state to the office of

36 treasurer of state for the fiscal year beginning July

37 1, 1995, and ending June 30, 1996, the following

38 amount, or so much thereof as is necessary, to be used

39 for the purposes designated:

40 For salaries, support, maintenance, miscellaneous

41 purposes, and for not more than the following full-

42 time equivalent positions:

43 \$ 855,694

44 FTEs 27.80

45 The office of treasurer of state shall supply

46 clerical and secretarial support for the executive

47 council.

48 Sec. 25. SECOND INJURY FUND. The administrative

49 costs and expenses incurred by the treasurer of state,

50 the attorney general, the second injury fund, or the

S-3684 -16-

S-3684

Page 17

1 department of revenue and finance, in connection with
2 the second injury fund, may be paid from the second
3 injury fund. However, the payment of administrative
4 costs and expenses incurred by the treasurer of state,
5 the attorney general, the second injury fund, and the
6 department of revenue and finance, as authorized in
7 this section, shall only be permitted for
8 administrative costs and expenses incurred in the
9 fiscal year commencing July 1, 1995, and ending June
10 30, 1996, shall not exceed \$170,000.

11 Sec. 26. STATE WORKERS' COMPENSATION CLAIMS.

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

17 For distribution, subject to approval of the
18 department of management, to various state departments
19 to fund the premiums for paying workers' compensation
20 claims which are assessed to and collected from the
21 state department by the department of personnel based
22 upon a rating formula established by the department of
23 personnel:

24 \$ 5,884,740

25 The premiums collected by the department of
26 personnel shall be segregated into a separate workers'
27 compensation fund in the state treasury to be used for
28 payment of state employees' workers' compensation
29 claims. Notwithstanding section 8.33, unencumbered or
30 unobligated moneys remaining in this workers'
31 compensation fund at the end of the fiscal year shall
32 not revert but shall be available for expenditure for
33 purposes of the fund for subsequent fiscal years.

34 Sec. 27. Notwithstanding section 509A.5, there is
35 appropriated from the employer share of the health
36 insurance premium reserve fund the following amount
37 for the purpose designated:

38 For the health data commission:

39 \$ 100,000

40 Sec. 28. CENTRALIZED PURCHASING REVOLVING FUND

41 TRANSFER. Notwithstanding section 18.9, there is
42 transferred from the centralized purchasing revolving
43 fund created under section 18.9 to the general fund of
44 the state on June 30, 1995, the sum of \$135,000.

45 Sec. 29. IMPLEMENTATION OF FUNDING REDUCTIONS --
46 INTENT OF GENERAL ASSEMBLY. It is the intent of the
47 general assembly that the departments, agencies, and
48 offices of the executive department of state
49 government shall implement funding reductions through
50 organizational changes which reduce supervisory

S-3684

-17-

S-3684

Page 18

1 positions, vertically and horizontally, and increase
2 the span of control of the remaining supervisors as
3 recommended by the governor's committee on government
4 spending reform.

5 Sec. 30. ELIMINATION OF VACANT UNFUNDED JOBS. The
6 state departments, agencies, or offices receiving
7 appropriations under this Act shall eliminate, within
8 thirty days after the beginning of a fiscal year, all
9 vacant unfunded positions on the table of organization
10 of the state department, agency, or office.

11 Sec. 31. STATE COMMUNICATIONS NETWORK -- REDUCTION
12 OF TRAVEL AND RELATED EXPENSES. The offices of the
13 governor and lieutenant governor, the office of
14 secretary of state, the office of treasurer of state,
15 the auditor of state, the department of commerce, the
16 department of inspections and appeals, the Iowa ethics
17 and campaign disclosure board, the department of
18 general services, the department of management, the
19 department of revenue and finance, and the department
20 of personnel shall use the services of the state
21 communications network as much as possible for
22 interagency communication, meetings, and conferences
23 to reduce travel and related expenses for the
24 respective offices or departments.

25 Sec. 32. REPORT OF ADDITIONAL INCOME AND
26 EXPENDITURES. The state departments, agencies, and
27 offices receiving appropriations under this Act shall
28 report all expenses in excess of the funds
29 appropriated from any statutory revolving funds during
30 the fiscal year beginning July 1, 1994, and ending
31 June 30, 1995. The report shall also include the
32 beginning and ending balances of the revolving funds.

33 The report required pursuant to this section shall
34 be submitted not later than September 30, 1995, for
35 expenditures made during the fiscal year beginning
36 July 1, 1994, and ending June 30, 1995, to the
37 chairpersons and ranking members of the joint
38 appropriations subcommittee on administration and
39 regulations and the legislative fiscal bureau.

40 Sec. 33. FEDERAL GRANTS. All federal grants to
41 and the federal receipts of agencies appropriated
42 funds under this Act, not otherwise appropriated, are
43 appropriated for the purposes set forth in the federal
44 grants or receipts unless otherwise provided by the
45 general assembly.

46 Sec. 34. EFFECTIVE DATE. This section and section
47 28 of this Act take effect on June 30, 1995. The
48 remainder of this Act takes effect on July 1, 1995."

49 2. Title page, by striking lines 3 and 4 and
50 inserting the following: "providing for other

S-3684

-18-

S-3684

Page 19

1 properly related matters, and providing an effective
2 date."

RECEIVED FROM THE HOUSE

S-3684 FILED MAY 3, 1995

CONCURRED

SENATE FILE 484

S-3689

1 Amend the House amendment, S-3684, to Senate File
2 484, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. Page 1, by striking page 1, line 1, through
5 page 19, line 2, and inserting the following:

6 "Amend Senate File 484, as amended, passed, and
7 reprinted by the Senate, as follows:

8 _____. By striking everything after the enacting
9 clause and inserting the following:

10 "Section 1. AUDITOR OF STATE. There is
11 appropriated from the general fund of the state to the
12 office of the auditor of state for the fiscal year
13 beginning July 1, 1995, and ending June 30, 1996, the
14 following amount, or so much thereof as is necessary,
15 to be used for the purposes designated:

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

19	\$	1,310,549
20	FTEs	112.50

21 The auditor of state may retain additional full-
22 time equivalent positions as is reasonable and
23 necessary to perform governmental subdivision audits
24 which are reimbursable pursuant to section 11.20 or
25 11.21, to perform audits which are requested by and
26 reimbursable from the federal government, and to
27 perform work requested by and reimbursable from
28 departments or agencies pursuant to section 11.5A or
29 11.5B. The auditor of state shall notify the
30 department of management, the legislative fiscal
31 committee, and the legislative fiscal bureau of the
32 additional full-time equivalent positions retained.

33 Sec. 2. IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD.
34 There is appropriated from the general fund of the
35 state to the Iowa ethics and campaign disclosure board
36 for the fiscal year beginning July 1, 1995, and ending
37 June 30, 1996, the following amount, or so much
38 thereof as 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	\$	375,786
43	FTEs	8.00

44 Sec. 3. DEPARTMENT OF COMMERCE. There is
45 appropriated from the general fund of the state to the
46 department of commerce for the fiscal year beginning
47 July 1, 1995, and ending June 30, 1996, the following
48 amounts, or so much thereof as is necessary, for the
49 purposes designated:

50 1. PROFESSIONAL LICENSING AND REGULATION DIVISION

S-3689

S-3689

Page 2

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

4 \$ 897,802
5 FTEs 14.00

6 It is the intent of the general assembly that each
7 examining and licensing board or commission created
8 under chapters 542B, 542C, 543B, 543D, 544A, and 544B
9 shall provide that the fees assessed for licensing do
10 not exceed the operating costs of services provided by
11 each board or commission.

12 2. ADMINISTRATIVE SERVICES DIVISION

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

16 \$ 211,586
17 FTEs 2.00

18 It is the intent of the general assembly that the
19 two positions authorized in this subsection for the
20 division shall coordinate the administrative services
21 to be provided to the divisions in the department.
22 These two positions are under the direct supervision
23 of, and shall report to, the director of the
24 department.

25 The division of administrative services shall
26 assess each division within the department of commerce
27 and the office of consumer advocate within the
28 department of justice a pro rata share of the
29 operating expenses of the division of administrative
30 services. The pro rata share shall be determined
31 pursuant to a cost allocation plan established by the
32 division of administrative services and agreed to by
33 the administrators of the divisions and the consumer
34 advocate. To the extent practicable, the cost
35 allocation plan shall be based on the proportion of
36 the administrative expenses incurred on behalf of each
37 division and the office of consumer advocate. Each
38 division and the office of consumer advocate shall
39 include in its charges assessed or revenues generated,
40 an amount sufficient to cover the amount stated in its
41 appropriation, any state assessed indirect costs
42 determined by the department of revenue and finance,
43 and the cost of services provided by the division of
44 administrative services.

45 3. ALCOHOLIC BEVERAGES DIVISION

46 For salaries, support, maintenance, miscellaneous
47 purposes, and for not more than the following full-
48 time equivalent positions:

49 \$ 1,861,105
50 FTEs 33.50

S-3689

-2-

S-3689

Page 3

1 4. BANKING DIVISION

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

5 \$ 5,375,058
6 FTEs 84.00

7 5. CREDIT UNION DIVISION

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

11 \$ 1,047,066
12 FTEs 20.00

13 6. INSURANCE DIVISION

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

17 \$ 2,924,482
18 FTEs 91.50

19 Of the amounts appropriated in this section to the
20 insurance division, not more than \$100,000 shall be
21 used for the regulation of health insurance purchasing
22 cooperatives.

23 The insurance division shall monitor public
24 utilization of the coverages identified in chapter
25 514C under managed care plans in this state.

26 The insurance division may reallocate authorized
27 full-time equivalent positions as necessary to respond
28 to accreditation recommendations or requirements. The
29 insurance division expenditures for examination
30 purposes may exceed the projected receipts, refunds
31 and reimbursements, estimated pursuant to section
32 505.7, subsection 7, including the expenditures for
33 retention of additional personnel, if the expenditures
34 are fully reimburseable and the division first does
35 both of the following:

36 a. Notifies the department of management,
37 legislative fiscal bureau, and the legislative fiscal
38 committee of the need for the expenditures.

39 b. Files with each of the entities named in
40 paragraph "a" the legislative and regulatory
41 justification for the expenditures, along with an
42 estimate of the expenditures.

43 c. (1) Of the amounts appropriated to the
44 insurance division in this subsection not more than
45 \$100,000 shall be used for continuing the division's
46 senior health insurance information program and not
47 more than \$100,000 shall be used for the purpose of
48 establishing a pilot consumer health education and
49 assistance program.

50 (2) The purpose of the consumer health education

S-3689

S-3689

Page 4

1 and assistance program is to educate and assist health
2 care consumers to make more informed health insurance
3 and care choices in the marketplace. Both oral and
4 written educational assistance relating to health care
5 insurance, delivery systems, provider services and
6 coverage, billing procedures, and sources of
7 information shall be provided by the division. The
8 division of insurance may request, and other state
9 agencies shall provide, assistance in implementing and
10 administering the health care education and assistance
11 program.

12 (3) The commissioner of insurance shall appoint an
13 advisory committee consisting of knowledgeable and
14 interested citizens and state and local public
15 officials to provide advice and review the program. A
16 majority of the members of the advisory committee
17 shall be bona fide representatives of consumers.

18 (4) The commissioner of insurance shall prepare a
19 progress report relating to the activities of the
20 program, the report to be submitted to the governor
21 and the members of the general assembly not later than
22 March 1, 1996. The governor and the legislative
23 council may request progress reports from the
24 commissioner of insurance as deemed appropriate.

25 7. UTILITIES DIVISION

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

29	\$ 4,911,871
30	FTEs 79.00

31 The utilities division may expend additional funds,
32 including funds for additional personnel, if those
33 additional expenditures are actual expenses which
34 exceed the funds budgeted for utility regulation.
35 Before the division expends or encumbers an amount in
36 excess of the funds budgeted for regulation, the
37 director of the department of management shall approve
38 the expenditure or encumbrance. Before approval is
39 given, the director of the department of management
40 shall determine that the regulation expenses exceed
41 the funds budgeted by the general assembly to the
42 division and that the division does not have other
43 funds from which regulation expenses can be paid.
44 Upon approval of the director of the department of
45 management the division may expend and encumber funds
46 for excess regulation expenses. The amounts necessary
47 to fund the excess regulation expenses shall be
48 collected from those utility companies being regulated
49 which caused the excess expenditures, and the
50 collections shall be treated as repayment receipts as

S-3689

S-3689

Page 5

1 defined in section 8.2.

2 Sec. 4. There is appropriated from the general
3 fund of the state to the following named agencies for
4 the fiscal year beginning July 1, 1995, and ending
5 June 30, 1996, the following amounts, or so much
6 thereof as is necessary, to be used for the purposes
7 designated:

8 1. COMMISSION ON UNIFORM STATE LAWS

9 For support of the commission and expenses of the
10 members:

11 \$ 20,803

12 2. NATIONAL CONFERENCE OF STATE LEGISLATURES

13 For support of the membership assessment:

14 \$ 87,719

15 Sec. 5. There is appropriated from the general
16 fund of the state to the department of general
17 services for the fiscal year beginning July 1, 1995,
18 and ending June 30, 1996, the following amounts, or so
19 much thereof as is necessary, to be used for the
20 purposes designated:

21 1. ADMINISTRATION DIVISION

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

25 \$ 1,169,975

26 FTEs 31.35

27 2. INFORMATION SERVICES DIVISION

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

31 \$ 5,497,002

32 FTEs 141.60

33 3. PROPERTY MANAGEMENT DIVISION

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

37 \$ 3,903,103

38 FTEs 112.00

39 The department of general services shall not change
40 the appropriations for the purposes designated in
41 subsections 1 through 3 from the amounts appropriated
42 under those subsections unless notice of the revisions
43 is given prior to their effective date to the
44 legislative fiscal bureau. The notice shall include
45 information on the department's rationale for making
46 the changes.

47 Savings achieved in providing telephone services
48 shall be used by the department of general services to
49 increase efficiencies in the provision of those
50 services. The department of general services shall

S-3689

-5-

S-3689

Page 6

1 report not later than August 31, 1996, on the projects
2 undertaken to the chairpersons and the ranking members
3 of the joint appropriations subcommittee on
4 administration and regulation and to the legislative
5 fiscal bureau. The report shall include a listing of
6 the projects and efficiencies undertaken during the
7 fiscal year, the cost of each project, and the
8 benefits, including the projected savings on an annual
9 basis and for the life of the efficiency improvement.

10 4. CAPITOL PLANNING COMMISSION

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

13 \$ 2,000

14 5. RENTAL SPACE

15 For payment of lease or rental costs of buildings
16 and office space at the seat of government as provided
17 in section 18.12, subsection 9, notwithstanding
18 section 18.16:

19 \$ 607,955

20 6. UTILITY COSTS

21 For payment of utility costs and for not more than
22 the following full-time equivalent positions:

23 \$ 2,059,178

24 FTEs 1.00

25 The department of general services may use funds
26 appropriated in this subsection for utility costs to
27 fund energy conservation projects in the state capitol
28 complex which will have a 100 percent payback within a
29 24-month period. In addition, notwithstanding
30 sections 8.33 and 18.12, subsection 11, any excess
31 funds appropriated for utility costs in this
32 subsection shall not revert to the general fund of the
33 state on June 30, 1996, and these funds shall be used
34 for implementation of energy conservation projects
35 having a payback of 100 percent within a two-year to
36 six-year period. The department of general services
37 shall report not later than August 31, 1996, on the
38 projects having 100 percent payback within a six-year
39 period to the chairpersons and ranking members of the
40 joint appropriations subcommittee on administration
41 and regulation and to the legislative fiscal bureau.
42 The report shall include a listing of the projects
43 undertaken, the cost of each project, and the
44 projected savings on an annual basis and for the life
45 of the project.

46 7. TERRACE HILL OPERATIONS

47 For salaries, support, maintenance, and
48 miscellaneous purposes necessary for the operation of
49 Terrace Hill and for not more than the following full-
50 time equivalent positions:

S-3689

-6-

S-3689

Page 7

1 \$ 164,637
2 FTEs 4.00

3 Sec. 6. There is appropriated from the designated
4 revolving funds to the department of general services
5 for the fiscal year beginning July 1, 1995, and ending
6 June 30, 1996, the following amounts, or so much
7 thereof as is necessary, to be used for the purposes
8 designated:

9 1. From the centralized printing permanent
10 revolving fund established by section 18.57 for
11 salaries, support, maintenance, miscellaneous
12 purposes, and for not more than the following full-
13 time equivalent positions:
14 \$ 912,217
15 FTEs 26.05

16 2. The remainder of the centralized printing
17 permanent revolving fund is appropriated for the
18 expense incurred in supplying paper stock, offset
19 printing, copy preparation, binding, distribution
20 costs, original payment of printing and binding claims
21 and contingencies arising during the fiscal year
22 beginning July 1, 1995, and ending June 30, 1996,
23 which are legally payable from this fund.

24 3. From the centralized purchasing permanent
25 revolving fund established by section 18.9 for
26 salaries, support, maintenance, miscellaneous
27 purposes, and for not more than the following full-
28 time equivalent positions:
29 \$ 734,140
30 FTEs 16.05

31 4. The remainder of the centralized purchasing
32 permanent revolving fund is appropriated for the
33 payment of expenses incurred through purchases by
34 various state departments and for contingencies
35 arising during the fiscal year beginning July 1, 1995,
36 and ending June 30, 1996, which are legally payable
37 from this fund.

38 5. From the vehicle dispatcher revolving fund
39 established by section 18.119 for salaries, support,
40 maintenance, miscellaneous purposes, and for not more
41 than the following full-time equivalent positions:
42 \$ 625,075
43 FTEs 15.00

44 The vehicle dispatcher shall determine the
45 difference between the projected cost of motor vehicle
46 fuel and the actual cost of the motor vehicle fuel
47 purchased for the use of each state agency for the
48 fiscal year beginning July 1, 1995, and ending June
49 30, 1996. If the actual cost of the fuel is less than
50 the projected cost, the vehicle dispatcher shall bill

S-3689

-7-

S-3689

Page 8

1 the amount of the difference to each state agency at
2 the end of each calendar quarter. Upon receipt, the
3 director or head of each state agency shall pay the
4 amount of the claim submitted by the vehicle
5 dispatcher.

6 6. The remainder of the vehicle dispatcher
7 revolving fund is appropriated for the purchase of
8 gasoline, gasohol, oil, tires, repairs, and all other
9 maintenance expenses incurred in the operation of
10 state-owned motor vehicles and for contingencies
11 arising during the fiscal year beginning July 1, 1995,
12 and ending June 30, 1996, which are legally payable
13 from this fund.

14 The vehicle dispatcher shall report, not later than
15 February 15, 1996, to the chairpersons and the ranking
16 members of the joint appropriations subcommittee on
17 administration and regulation and to the legislative
18 fiscal bureau regarding the efficiencies of the
19 vehicle fleet and the changes in the efficiencies.
20 The report shall include the cost per mile, fuel
21 efficiencies, maintenance costs, useful life, the
22 costs of extending the useful life, and other measures
23 which the vehicle dispatcher or the legislative fiscal
24 bureau finds appropriate. The information shall be
25 reported for each general type of vehicle. The
26 overhead costs shall also be reported with the total
27 costs of the vehicle dispatcher operations.

28 The department of general services shall report to
29 the chairpersons and ranking members of the joint
30 appropriations subcommittee on administration and
31 regulation and the legislative fiscal bureau not later
32 than February 15, 1996, a comparison of the
33 performance of vehicles burning an 85 percent ethanol
34 mixture and those burning a 10 percent ethanol
35 mixture. The report shall include, but is not limited
36 to, average mileage, vehicle life, and problems
37 encountered.

38 Sec. 7. CHILD DAY CARE PROGRAM.

39 1. The general assembly considers child day care
40 to be an important service for employers, employees,
41 and their children. Employer-supported child care can
42 have a positive impact upon employee morale and
43 retention and can positively affect the children who
44 are receiving child care services. High quality child
45 care is of significant value to employers. It is
46 believed that a quality, on-site child care program
47 available to the children of state employees will
48 provide a model for other employers in this state to
49 emulate.

50 2. a. The director of general services shall

S-3689

S-3689

Page 9

1 develop a plan for establishing and operating a fee-
2 based child day care program available to public
3 employees officed at or near the capitol complex. The
4 plan shall include all of the information contained in
5 the steering committee description contained in this
6 paragraph and shall be submitted to the general
7 assembly on or before March 1, 1996. The legislative
8 council is requested to appoint a capitol complex
9 child day care program steering committee to provide
10 direction to the department of general services in
11 developing facility plans, establishing the
12 facilities, developing operation policies, contracting
13 with a vendor to operate the program, and other
14 decisions involving establishment and operation of the
15 program. The steering committee shall utilize the
16 March 1990 consultant report to the capitol complex ad
17 hoc committee on child care, particularly the
18 intermediate quality recommendations, in its decision
19 making.

20 b. The steering committee membership shall include
21 members of the general assembly; representatives of
22 the departments of general services, personnel, human
23 services, and education; employees officed at the
24 capitol complex who purchase child day care services;
25 a representative of the state board of regents center
26 for early childhood education; a representative of the
27 Iowa state university of science and technology early
28 childhood education programs; and other persons
29 knowledgeable concerning child day care programs.

30 3. In consultation with the steering committee,
31 the director of the department of general services
32 shall develop a child day care program plan giving
33 consideration to the recommendations of the March 1990
34 consultant report.

35 4. The program shall be designed to operate with a
36 capacity of 150 children and to regularly serve
37 infants, toddlers, preschool, school age, and mildly
38 ill children.

39 Sec. 8. GOVERNOR AND LIEUTENANT GOVERNOR. There
40 is appropriated from the general fund of the state to
41 the offices of the governor and the lieutenant
42 governor for the fiscal year beginning July 1, 1995,
43 and ending June 30, 1996, the following amounts, or so
44 much thereof as is necessary, to be used for the
45 purposes designated:

46 1. For salaries, support, maintenance, and
47 miscellaneous purposes for the general office of the
48 governor and the general office of the lieutenant
49 governor, and for not more than the following full-
50 time equivalent positions:

S-3689

-9-

S-3689

Page 10

1	\$	1,088,936
2	FTEs	17.25
3 2. For the governor's expenses and the lieutenant		
4 governor's expenses connected with office:		
5	\$	2,416
6 3. For salaries, support, maintenance, and		
7 miscellaneous purposes for the governor's quarters at		
8 Terrace Hill, and for not more than the following		
9 full-time equivalent positions:		
10	\$	51,746
11	FTEs	1.50
12 4. For the payment of expenses of ad hoc		
13 committees, councils, and task forces appointed by the		
14 governor to research and analyze a particular subject		
15 area relevant to the problems and responsibilities of		
16 state and local government, including the employment		
17 of professional, technical, and administrative staff		
18 and the payment of per diem and actual expenses of		
19 committee, council, or task force members as specified		
20 pursuant to section 7E.6:		
21	\$	1,610
22 The ad hoc committees, councils, and task forces		
23 appointed by the governor are subject to chapters 21		
24 and 22 and the members and the staff shall be informed		
25 of these requirements. A member shall not receive a		
26 per diem if the member is receiving a salary as a		
27 full-time public employee, but members shall be		
28 reimbursed for actual and necessary expenses.		
29 5. For salaries, support, maintenance, and		
30 miscellaneous purposes for the office of		
31 administrative rules coordinator, and for not more		
32 than the following full-time equivalent positions:		
33	\$	108,336
34	FTEs	2.00
35 6. For payment of Iowa's membership in the		
36 national governors' conference:		
37	\$	74,435
38 Sec. 9. DEPARTMENT OF INSPECTIONS AND APPEALS.		
39 There is appropriated from the general fund of the		
40 state to the department of inspections and appeals for		
41 the fiscal year beginning July 1, 1995, and ending		
42 June 30, 1996, the following amounts, or so much		
43 thereof as is necessary, for the purposes designated:		
44 1. FINANCE AND SERVICES DIVISION		
45 For salaries, support, maintenance, miscellaneous		
46 purposes, and for not more than the following full-		
47 time equivalent positions:		
48	\$	467,275
49	FTEs	21.00
50 2. AUDITS DIVISION		

S-3689

-10-

S-3689

Page 11

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

4 \$ 352,092
5 FTEs 11.00

6 3. APPEALS AND FAIR HEARINGS DIVISION

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

10 \$ 223,048
11 FTEs 24.00

12 If Senate File 358 is enacted by the Seventy-sixth
13 General Assembly, 1995 Regular Session, there is
14 appropriated from the general fund of the state to the
15 appeals and fair hearings division for the fiscal year
16 beginning July 1, 1995, and ending December 31, 1995,
17 an additional sum of \$45,000, or so much thereof as is
18 necessary, and 1.50 FTEs to carry out the
19 responsibilities of the division as specified in
20 Senate File 358.

21 4. INVESTIGATIONS DIVISION

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

25 \$ 729,111
26 FTEs 35.00

27 5. HEALTH FACILITIES DIVISION

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

31 \$ 1,663,070
32 FTEs 99.00

33 6. INSPECTIONS DIVISION

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

37 \$ 577,869
38 FTEs 13.00

39 7. EMPLOYMENT APPEAL BOARD

40 For salaries, support, maintenance, miscellaneous
41 purposes, and for not more than the following full-
42 time equivalent positions:

43 \$ 33,067
44 FTEs 15.00

45 The employment appeal board shall be reimbursed by
46 the labor services division of the department of
47 employment services for all costs associated with
48 hearings conducted under chapter 91C, related to
49 contractor registration. The board may expend, in
50 addition to the amount appropriated under this

S-3689

-11-

S-3689

Page 12

1 subsection, additional amounts as are directly
2 billable to the labor services division under this
3 subsection and to retain the additional full-time
4 equivalent positions as needed to conduct hearings
5 required pursuant to chapter 91C.

6 8. STATE FOSTER CARE REVIEW BOARD

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

10	\$	527,041
11	FTEs	10.00

12 The department of human services, in coordination
13 with the state foster care review board and the
14 department of inspections and appeals, shall submit an
15 application for funding available pursuant to Title
16 IV-E of the federal Social Security Act for claims for
17 state foster care review board administrative review
18 costs.

19 9. The department of inspections and appeals shall
20 provide an accounting of all costs associated with
21 negotiating agreements and compacts pursuant to
22 section 10A.104, subsection 10, and all costs
23 associated with monitoring such agreements and
24 compacts. Information in the accounting shall include
25 the dates and destinations of all travel related to
26 the negotiations and monitoring, and all costs
27 associated with the personnel involved, including
28 salary, travel, and support costs.

29 Sec. 10. RACETRACK REGULATION. There is
30 appropriated from the general fund of the state to the
31 racing and gaming commission of the department of
32 inspections and appeals for the fiscal year beginning
33 July 1, 1995, and ending June 30, 1996, the following
34 amount, or so much thereof as is necessary, to be used
35 for the purposes designated:

36 For salaries, support, maintenance, miscellaneous		
37 purposes, for the regulation of pari-mutuel		
38 racetracks, and for not more than the following full-		
39 time equivalent positions:		
40	\$	1,760,378
41	FTEs	23.85

42 Sec. 11. EXCURSION BOAT REGULATION. There is
43 appropriated from the general fund of the state to the
44 racing and gaming commission of the department of
45 inspections and appeals for the fiscal year beginning
46 July 1, 1995, and ending June 30, 1996, the following
47 amount, or so much thereof as is necessary, to be used
48 for the purposes designated:

49 For salaries, support, maintenance, and
50 miscellaneous purposes for administration and

S-3689

-12-

S-3689

Page 13

1 enforcement of the excursion boat gambling laws, and
2 for not more than the following full-time equivalent
3 positions:

4	\$	860,651
5	FTEs	17.11

6 It is the intent of the general assembly that the
7 racing and gaming commission shall only employ
8 additional full-time equivalent positions for
9 riverboat gambling enforcement as authorized by the
10 department of management as needed for enforcement on
11 new riverboats. If more than six riverboats are
12 operating during the fiscal year beginning July 1,
13 1995, and ending June 30, 1996, the commission may
14 expend no more than \$84,917 for no more than 2.00 FTEs
15 for each additional riverboat in excess of six. The
16 additional expense associated with the positions shall
17 be paid from fees assessed by the commission as
18 provided in chapter 99F.

19 Notwithstanding section 8.39, funds shall not be
20 transferred to the department of inspections and
21 appeals which would be used for monitoring Indian
22 gaming.

23 Sec. 12. DEPARTMENT OF INSPECTIONS AND APPEALS --
24 SERVICE CHARGES. The department of inspections and
25 appeals may charge state departments, agencies, and
26 commissions for services rendered and the payment
27 received shall be considered repayment receipts as
28 defined in section 8.2.

29 Sec. 13. USE TAX APPROPRIATION. There is
30 appropriated from the use tax receipts collected
31 pursuant to section 423.7 prior to their deposit in
32 the road use tax fund pursuant to section 423.24,
33 subsection 1, to the appeals and fair hearings
34 division of the department of inspections and appeals
35 for the fiscal year beginning July 1, 1995, and ending
36 June 30, 1996, the following amount, or so much
37 thereof as is necessary, for the purposes designated:

38 For salaries, support, maintenance, and 39 miscellaneous purposes:		
40	\$	924,090

41 Sec. 14. DEPARTMENT OF MANAGEMENT. There is
42 appropriated from the general fund of the state to the
43 department of management for the fiscal year beginning
44 July 1, 1995, and ending June 30, 1996, the following
45 amounts, or so much thereof as is necessary, to be
46 used for the purposes designated:

47 1. GENERAL OFFICE

48 For salaries, support, maintenance, miscellaneous
49 purposes, and for not more than the following full-
50 time equivalent positions:

S-3689

-13-

S-3689

Page 14

1 \$ 1,959,287
2 FTEs . 29.00

3 2. LAW ENFORCEMENT TRAINING REIMBURSEMENTS

4 For reimbursement to local law enforcement agencies
5 for the training of officers who resign pursuant to
6 section 384.15, subsection 7:

7 \$ 47,500

8 3. COUNCIL OF STATE GOVERNMENTS

9 For support of the membership assessment:

10 \$ 75,500

11 The department of management shall conduct a study
12 of the positions of deputy director throughout the
13 executive branch of state government. The study shall
14 include the responsibilities of each deputy director,
15 the salaries of the deputy directors, the number of
16 deputy director positions, and the variation of
17 responsibilities among the deputy director positions.
18 The department shall report its findings to the
19 chairpersons and ranking members of the joint
20 subcommittees on oversight, audit and government
21 reform, and to the legislative fiscal bureau by
22 September 1, 1995.

23 Sec. 15. There is appropriated from the road use
24 tax fund to the department of management for the
25 fiscal year beginning July 1, 1995, and ending June
26 30, 1996, the following amount, or so much thereof as
27 is necessary, to be used for the purposes designated:

28 For salaries, support, maintenance, and
29 miscellaneous purposes:

30 \$ 56,000

31 The department of management shall report to the
32 chairpersons and ranking members of the senate and
33 house committees on appropriations, the chairpersons
34 and ranking members of the joint appropriations
35 subcommittee on administration and regulation, and the
36 legislative fiscal bureau, the number of furloughs and
37 the number of layoffs that occur in each state agency,
38 the savings associated with those furloughs and
39 layoffs, the effect of the furloughs and layoffs on
40 services provided by the state agency, and other
41 relevant information. The department shall provide a
42 year-end report summarizing the information for the
43 fiscal year beginning July 1, 1995, which will be due
44 by September 1, 1996.

45 When addressing staffing targets for state
46 agencies, the department of management shall state the
47 number of staff authorized for a state agency in terms
48 of full-time equivalent positions.

49 Sec. 16. There is appropriated from the general
50 fund of the state to the department of personnel for

S-3689

-14-

S-3689

Page 15

1 the fiscal year beginning July 1, 1995, and ending
2 June 30, 1996, the following amounts, or so much
3 thereof as is necessary, to be used for the purposes
4 designated including the filing of quarterly reports
5 as required in this section:

6 1. OPERATIONS

7 For salaries, support, maintenance, and
8 miscellaneous purposes for the director's staff,
9 information services, data processing, and financial
10 services, and for not more than the following full-
11 time equivalent positions:

12 \$ 1,041,716
13 FTEs 18.58

14 2. PROGRAM DELIVERY

15 For salaries for personnel services, employment law
16 and labor relations and training for not more than the
17 following full-time equivalent positions:

18 \$ 1,213,964
19 FTEs 33.20

20 3. PROGRAM ADMINISTRATION AND DEVELOPMENT

21 For salaries for employment, compensation, and
22 benefits and workers' compensation and for not more
23 than the following full-time equivalent positions:

24 \$ 1,386,933
25 FTEs 32.80

26 Any funds received by the department for workers'
27 compensation purposes other than the funds
28 appropriated in subsection 3 shall be used only for
29 the payment of workers' compensation claims.

30 The funds for support, maintenance, and
31 miscellaneous purposes for personnel assigned to
32 program delivery under subsection 2 and program
33 administration and development under subsection 3 are
34 payable from the appropriation made in subsection 1.

35 The department of personnel shall report semi-
36 annually to the chairpersons and ranking members of
37 the joint appropriations subcommittee on
38 administration and regulation concerning the number of
39 vacancies in existing full-time equivalent positions
40 and the average time taken to fill the vacancies. The
41 reports shall include quarterly and annual averages
42 organized according to state agency and general
43 occupational category as established by the federal
44 equal employment opportunity commission. All
45 departments and agencies of the state shall cooperate
46 with the department in the preparation of the reports.

47 Sec. 17. IPERS. There is appropriated from the
48 Iowa public employees' retirement system fund to the
49 department of personnel for the fiscal year beginning
50 July 1, 1995, and ending June 30, 1996, the following

S-3689

-15-

S-3689

Page 16

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

3 1. For salaries, support, maintenance, and other
4 operational purposes to pay the costs of the Iowa
5 public employees' retirement system:

6 \$ 3,749,983

7 2. It is the intent of the general assembly that
8 the Iowa public employees' retirement system employ
9 sufficient staff within the appropriation provided in
10 this section to meet the developing requirements of
11 the investment program.

12 3. The department of personnel shall submit,
13 annually, a report to the chairpersons and ranking
14 members of the joint appropriations subcommittee on
15 administration and regulation and to the legislative
16 fiscal bureau regarding the results of the state's top
17 achievement recognition program. The reports
18 submitted shall include, but are not limited to,
19 identification of the recipients, a description of the
20 meritorious achievements, and the awards conferred.

21 Sec. 18. There is appropriated from the primary
22 road fund to the department of personnel for the
23 fiscal year beginning July 1, 1995, and ending June
24 30, 1996, the following amount, or so much thereof as
25 is necessary, to be used for the purposes designated:

26 For salaries, support, maintenance, and
27 miscellaneous purposes to provide personnel services
28 for the state department of transportation:

29 \$ 331,694

30 Sec. 19. There is appropriated from the road use
31 tax fund to the department of personnel for the fiscal
32 year beginning July 1, 1995, and ending June 30, 1996,
33 the following amount, or so much thereof as is
34 necessary, to be used for the purposes designated:

35 For salaries, support, maintenance, and
36 miscellaneous purposes to provide personnel services
37 for the state department of transportation:

38 \$ 53,996

39 Sec. 20. There is appropriated from the general
40 fund of the state to the department of revenue and
41 finance for the fiscal year beginning July 1, 1995,
42 and ending June 30, 1996, the following amounts, or so
43 much thereof as is necessary, to be used for the
44 purposes designated, and for not more than the
45 following full-time equivalent positions used for the
46 purposes designated in subsections 1 through 3:

47 FTEs 577.43

48 1. AUDIT AND COMPLIANCE

49 For salaries, support, maintenance, and
50 miscellaneous purposes:

S-3689

-16-

S-3689

Page 17

1 \$ 10,563,293
2 2. STATE FINANCIAL MANAGEMENT
3 For salaries, support, maintenance, and
4 miscellaneous purposes:
5 \$ 9,376,548
6 3. INTERNAL RESOURCES MANAGEMENT
7 For salaries, support, maintenance, and
8 miscellaneous purposes:
9 \$ 5,910,111
10 4. COLLECTION COSTS AND FEES
11 For payment of collection costs and fees pursuant
12 to section 422.26:
13 \$ 45,000
14 5. a. The department of revenue and finance shall
15 not change the appropriations for the purposes
16 designated in subsections 1 through 3 from the amounts
17 appropriated in those subsections unless notice of the
18 revisions is given prior to their effective date to
19 the legislative fiscal bureau. The notice shall
20 include information on the department's rationale for
21 making the changes.
22 b. The department of revenue and finance shall
23 report quarterly to the legislative fiscal bureau
24 concerning progress in the implementation of generally
25 accepted accounting principles, including
26 determination of reporting entities, fund
27 classifications, modification of the Iowa financial
28 accounting system, progress on preparing a
29 comprehensive annual financial report, and the most
30 current estimate of the general fund balance based on
31 current generally accepted accounting principles.
32 c. The director of revenue and finance shall
33 report annually to the chairpersons and ranking
34 members of the joint appropriations subcommittee on
35 administration and regulation and the legislative
36 fiscal bureau on the implementation and financial
37 status of the integrated revenue information system.
38 The report shall include any changes from the
39 scheduled progress including expenditures or estimated
40 revenue.
41 d. The director of revenue and finance shall
42 prepare and issue a state appraisal manual and the
43 revisions to the state appraisal manual as provided in
44 section 421.17, subsection 18, without cost to a city
45 or county.
46 Sec. 21. There is appropriated from the lottery
47 fund to the department of revenue and finance for the
48 fiscal year beginning July 1, 1995, and ending June
49 30, 1996, the following amount, or so much thereof as
50 is necessary, to be used for the purposes designated:

S-3689

-17-

S-3689

Page 18

1 For salaries, support, maintenance, miscellaneous
2 purposes for the administration and operation of
3 lottery games, and for not more than the following
4 full-time equivalent positions:

5 \$ 7,408,016
6 FTEs 120.00

7 Sec. 22. There is appropriated from the motor
8 vehicle fuel tax fund created by section 452A.77 to
9 the department of revenue and finance for the fiscal
10 year beginning July 1, 1995, and ending June 30, 1996,
11 the following amount, or so much thereof as is
12 necessary, to be used for the purposes designated:

13 For salaries, support, maintenance, and
14 miscellaneous purposes for administration and
15 enforcement of the provisions of chapter 452A and the
16 motor vehicle use tax program:

17 \$ 1,008,025

18 Sec. 23. There is appropriated from the general
19 fund of the state to the office of the secretary of
20 state for the fiscal year beginning July 1, 1995, and
21 ending June 30, 1996, the following amounts, or so
22 much thereof as is necessary, to be used for the
23 purposes designated:

24 1. ADMINISTRATION AND ELECTIONS

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

28 \$ 520,514
29 FTEs 9.00

30 2. BUSINESS SERVICES

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

34 \$ 1,565,021
35 FTEs 28.00

36 3. For costs incurred in the printing of the
37 official register:

38 \$ 60,000

39 Sec. 24. STATE-FEDERAL RELATIONS. There is
40 appropriated from the general fund of the state to the
41 office of state-federal relations for the fiscal year
42 beginning July 1, 1995, and ending June 30, 1996, the
43 following amount, or so much thereof as is necessary,
44 to be used for the purposes designated:

45 For salaries, support, maintenance, miscellaneous
46 purposes, and for not more than the following full-
47 time equivalent positions:

48 \$ 235,521
49 FTEs 3.00

50 Sec. 25. TREASURER. There is appropriated from

S-3689

-18-

S-3689

Page 19

1 the general fund of the state to the office of
2 treasurer of state for the fiscal year beginning July
3 1, 1995, and ending June 30, 1996, the following
4 amount, or so much thereof as is necessary, to be used
5 for the purposes designated:

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

9	\$	855,694
10	FTEs	27.80

11 The office of treasurer of state shall supply
12 clerical and secretarial support for the executive
13 council.

14 Sec. 26. SECOND INJURY FUND. The administrative
15 costs and expenses incurred by the treasurer of state,
16 the attorney general, the second injury fund, or the
17 department of revenue and finance, in connection with
18 the second injury fund, may be paid from the second
19 injury fund. However, the payment of administrative
20 costs and expenses incurred by the treasurer of state,
21 the attorney general, the second injury fund, and the
22 department of revenue and finance, as authorized in
23 this section, shall only be permitted for
24 administrative costs and expenses incurred in the
25 fiscal year commencing July 1, 1995, and ending June
26 30, 1996, shall not exceed \$170,000.

27 Sec. 27. STATE WORKERS' COMPENSATION CLAIMS.
28 There is appropriated from the general fund of the
29 state to the department of personnel for the fiscal
30 year beginning July 1, 1995, and ending June 30, 1996,
31 the following amount, or so much thereof as is
32 necessary, to be used for the purpose designated:

33 For distribution, subject to approval of the
34 department of management, to various state departments
35 to fund the premiums for paying workers' compensation
36 claims which are assessed to and collected from the
37 state department by the department of personnel based
38 upon a rating formula established by the department of
39 personnel:

40	\$	5,884,740

41 The premiums collected by the department of
42 personnel shall be segregated into a separate workers'
43 compensation fund in the state treasury to be used for
44 payment of state employees' workers' compensation
45 claims. Notwithstanding section 8.33, unencumbered or
46 unobligated moneys remaining in this workers'
47 compensation fund at the end of the fiscal year shall
48 not revert but shall be available for expenditure for
49 purposes of the fund for subsequent fiscal years.

50 Sec. 28. Notwithstanding section 509A.5, there is

S-3689

-19-

S-3689

Page 20

1 appropriated from the employer share of the health
2 insurance premium reserve fund the following amount
3 for the purpose designated:

4 For the health data commission:

5 \$ 100,000

6 Sec. 29. RURAL FIRE PROTECTION.

7 1. There is appropriated from the general fund of
8 the state to the fire marshal for the fiscal year
9 beginning July 1, 1995, and ending June 30, 1996, the
10 following amount, or so much thereof as is necessary,
11 to be used for the purpose designated:

12 For supporting a rural fire protection
13 demonstration project:

14 \$ 6,000

15 2. The department shall award moneys to one or
16 more resource conservation and development councils
17 which apply for such moneys for the installation of
18 permanent dry fire hydrants. Moneys awarded under
19 this section shall not be used to pay for salaries or
20 support administration. The purpose of a project
21 shall be to demonstrate how dry hydrants may be used
22 to preserve life and protect property from dangers
23 associated with fire, and to support rural
24 infrastructure in order to encourage investment in
25 rural communities.

26 3. A resource conservation and development council
27 which receives an award under this section shall
28 appoint a dry hydrant project coordinator who shall be
29 responsible for administering the award as provided in
30 this section. In applying for and administering an
31 award, a council shall cooperate with relevant county
32 boards of supervisors, county engineers, soil and
33 water conservation districts, local fire departments,
34 township trustees, rural water associations, and
35 landowners. The council shall also seek cooperation
36 from the natural resources and conservation service of
37 the United States department of agriculture, and, if
38 appropriate, the United States army corps of
39 engineers.

40 4. Applications shall be judged based on criteria
41 established by the department. The fire service
42 institute advisory committee established pursuant to
43 section 266.46 may assist the department in
44 establishing criteria and judging applications.
45 Applicants shall submit a plan that demonstrates the
46 practical advantages of using a dry hydrant, which
47 relies upon natural roadside water impoundments and
48 man-made impoundments fed by rural water mains, to
49 provide viable and economical sources of water
50 required to extinguish fires in rural areas. The plan

S-3689

-20-

S-3689

Page 21

1 shall provide for instructing fire departments
2 regarding the installation and operation of dry
3 hydrants, including methods to utilize labor and
4 equipment. In implementing the plan, the dry hydrant
5 project coordinator shall cooperate with the Iowa fire
6 service institute at Iowa state university as provided
7 in section 266.41, the fire service institute advisory
8 committee, and any association which provides for the
9 training of fire fighters, including the Iowa
10 firemen's association and the Iowa society of fire
11 service instructors.

12 5. The fire marshal shall prepare a report which
13 shall include findings submitted by each dry hydrant
14 project coordinator who administers an award and
15 recommendations submitted by the fire service
16 institute advisory committee. The committee may
17 provide a plan or model for the installation of dry
18 hydrants throughout the state. The report shall be
19 delivered to the general assembly by January 10, 1996.

20 Sec. 30. CENTRALIZED PURCHASING REVOLVING FUND
21 TRANSFER. Notwithstanding section 18.9, there is
22 transferred from the centralized purchasing revolving
23 fund created under section 18.9 to the general fund of
24 the state on June 30, 1995, the sum of \$250,000.

25 Sec. 31. SECRETARY OF STATE OPTICAL IMAGING
26 ACCOUNT TRANSFER. The secretary of state shall pay to
27 the general fund of the state on June 30, 1995, the
28 sum of \$75,000, or so much thereof as remains of funds
29 appropriated for an optical imaging project. If
30 insufficient unencumbered or unobligated funds remain
31 in the optical imaging account as of June 30, 1995, to
32 pay \$75,000 to the general fund of the state, the
33 deficiency shall be paid from other moneys
34 appropriated to the office of secretary of state
35 pursuant to this Act.

36 Sec. 32. IMPLEMENTATION OF FUNDING REDUCTIONS --
37 INTENT OF GENERAL ASSEMBLY. It is the intent of the
38 general assembly that the departments, agencies, and
39 offices of the executive department of state
40 government shall implement funding reductions through
41 organizational changes which reduce supervisory
42 positions, vertically and horizontally, and increase
43 the span of control of the remaining supervisors as
44 recommended by the governor's committee on government
45 spending reform.

46 Sec. 33. ELIMINATION OF VACANT UNFUNDED JOBS. The
47 state departments, agencies, or offices receiving
48 appropriations under this Act shall eliminate, within
49 thirty days after the beginning of a fiscal year, all
50 vacant unfunded positions on the table of organization

S-3689

-21-

S-3689

Page 22

1 of the state department, agency, or office.

2 Sec. 34. STATE COMMUNICATIONS NETWORK -- REDUCTION
3 OF TRAVEL AND RELATED EXPENSES. The offices of the
4 governor and lieutenant governor, the office of
5 secretary of state, the office of treasurer of state,
6 the auditor of state, the department of commerce, the
7 department of inspections and appeals, the Iowa ethics
8 and campaign disclosure board, the department of
9 general services, the department of management, the
10 department of revenue and finance, and the department
11 of personnel shall use the services of the state
12 communications network as much as possible for
13 interagency communication, meetings, and conferences
14 to reduce travel and related expenses for the
15 respective offices or departments.

16 Sec. 35. REPORT OF ADDITIONAL INCOME AND
17 EXPENDITURES. The state departments, agencies, and
18 offices receiving appropriations under this Act shall
19 report all expenses in excess of the funds
20 appropriated from any statutory revolving funds during
21 the fiscal year beginning July 1, 1994, and ending
22 June 30, 1995. The report shall also include the
23 beginning and ending balances of the revolving funds.

24 The report required pursuant to this section shall
25 be submitted not later than September 30, 1995, for
26 expenditures made during the fiscal year beginning
27 July 1, 1994, and ending June 30, 1995, to the
28 chairpersons and ranking members of the joint
29 appropriations subcommittee on administration and
30 regulations and the legislative fiscal bureau.

31 Sec. 36. FEDERAL GRANTS. All federal grants to
32 and the federal receipts of agencies appropriated
33 funds under this Act, not otherwise appropriated, are
34 appropriated for the purposes set forth in the federal
35 grants or receipts unless otherwise provided by the
36 general assembly.

37 Sec. 37. Section 12.21, Code 1995, is amended to
38 read as follows:

39 12.21 ACCEPTING CREDIT CARD PAYMENTS.

40 The treasurer of state may enter into an agreement
41 with a financial institution to provide credit card
42 receipt processing for state departments which are
43 authorized by the treasurer of state to accept payment
44 by credit card. A department which accepts credit
45 card payments ~~shall~~ may adjust its fees to reflect the
46 cost of processing as determined by the treasurer of
47 state. A fee may be charged by a department for using
48 the credit card payment method notwithstanding any
49 other provision of the Code setting specific fees.
50 The treasurer of state shall adopt rules to implement

S-3689

-22-

S-3689

Page 23

1 this section.

2 Sec. 38. Section 17A.8, subsection 9, Code 1995,
3 is amended to read as follows:

4 9. Upon a vote of ~~two-thirds~~ six of its members,
5 the administrative rules review committee may delay
6 the effective date of a rule until the adjournment of
7 the next regular session of the general assembly. The
8 committee shall refer a rule whose effective date has
9 been delayed to the speaker of the house of
10 representatives and the president of the senate who
11 shall refer the rule to the appropriate standing
12 committees of the general assembly. If the general
13 assembly has not disapproved of the rule by a joint
14 resolution, the rule shall become effective. The
15 speaker of the house of representatives and the
16 president of the senate shall notify the
17 administrative code editor of the final disposition of
18 any rule delayed pursuant to this subsection. If a
19 rule is disapproved, it shall not become effective and
20 the agency shall withdraw the rule. This section
21 shall not apply to rules made effective under section
22 17A.5, subsection 2, paragraph "b".

23 Sec. 39. Section 25.2, Code 1995, is amended to
24 read as follows:

25 25.2 EXAMINATION OF REPORT -- APPROVAL OR
26 REJECTION -- PAYMENT.

27 The state appeal board with the recommendation of
28 the special assistant attorney general for claims may
29 approve or reject claims against the state of less
30 than ten years covering the following: Outdated
31 warrants; outdated sales and use tax refunds; license
32 refunds; additional agricultural land tax credits;
33 outdated invoices; fuel and gas tax refunds; outdated
34 homestead and veterans' exemptions; outdated funeral
35 service claims; tractor fees; registration permits;
36 outdated bills for merchandise; services furnished to
37 the state; claims by any county or county official
38 relating to the personal property tax credit; and
39 refunds of fees collected by the state. Payments
40 authorized by the state appeal board shall be paid
41 from the appropriation or fund of original
42 certification of the claim. However, if that
43 appropriation or fund has since reverted under section
44 8.33 then such payment authorized by the state appeal
45 board shall be out of any money in the state treasury
46 not otherwise appropriated. Notwithstanding the
47 provisions of this section, the director of revenue
48 and finance may reissue outdated warrants. On or
49 before November 1 of each year, the director of
50 revenue and finance shall provide the treasurer of

S-3689

-23-

S-3689

Page 24

1 state with a report of all unpaid warrants which have
2 been outdated for two years or more. The treasurer
3 shall include information regarding outdated warrants
4 in the notice published pursuant to section 556.12.
5 The provisions of section 556.11 regarding agreements
6 to pay compensation for recovery or assistance in
7 recovery of unclaimed property are applicable to
8 agreements to pay compensation to recover or assist in
9 the recovery of outdated warrants.

10 Sec. 40. NEW SECTION. 70A.1A SALARY LIMITATIONS
11 -- CERTAIN DEPARTMENT HEADS AND SUBORDINATE OFFICERS
12 AND EMPLOYEES.

13 1. The directors, principal assistants, and
14 employees of the following departments, boards, and
15 offices shall not receive an annual salary which
16 exceeds eighty percent of the annual salary of the
17 governor:

- 18 a. Iowa ethics and campaign disclosure board.
- 19 b. Department of commerce.
- 20 c. Department of general services.
- 21 d. Office of the governor.
- 22 e. Department of inspections and appeals.
- 23 f. Department of management.
- 24 g. Department of personnel.
- 25 h. Department of revenue and finance.
- 26 i. Office of state-federal relations.

27 2. The annual salaries of the deputy officers and
28 employees of the following state agencies shall not
29 exceed eighty percent of annual salary of the state
30 agency's elected principal officer:

- 31 a. Office of auditor of state.
- 32 b. Office of secretary of state.
- 33 c. Office of treasurer of state.

34 Sec. 41. SALARIES EXCEEDING LIMITS -- TRANSITION.

35 On the effective date of this Act, if the salary of
36 an officer or employee of the state departments and
37 offices listed in section 43 of this Act exceeds the
38 80 percent limitation, the salary of the officer or
39 employee shall be frozen at that pay rate until the
40 officer's or employee's salary is less than 80 percent
41 of the applicable principal officer's salary. When
42 the officer's or employee's salary is less than an
43 amount which equals the 80 percent limitation, the
44 officer or employee may receive salary adjustments as
45 otherwise provided by law, but total annual salary
46 shall not exceed the 80 percent limitation.

47 Sec. 42. Section 411.36, subsection 1, unnumbered
48 paragraph 1, Code 1995, as amended by 1995 Iowa Acts,
49 Senate File 45, section 5, is amended to read as
50 follows:

S-3689

-24-

S-3689

Page 25

1 A board of trustees for the statewide fire and
2 police retirement system is created. The board shall
3 consist of ~~thirteen~~ fourteen members, including nine
4 voting members and ~~four~~ five nonvoting members.

5 Section 69.16A applies to the appointment of the
6 voting members of the board. The voting members of
7 the board shall be as follows:

8 Sec. 43. Section 411.36, subsection 1, unnumbered
9 paragraph 2, Code 1995, as amended by 1995 Iowa Acts,
10 Senate File 45, section 5, is amended to read as
11 follows:

12 The treasurer of state, or the treasurer's
13 designee, shall serve as an ex officio, nonvoting
14 member. The other nonvoting members of the board
15 shall be two state representatives, one appointed by
16 the speaker of the house of representatives and one by
17 the minority leader of the house, and two state
18 senators, one appointed by the majority leader of the
19 senate and one by the minority leader of the senate.

20 Sec. 44. Section 411.36, subsection 2, Code 1995,
21 is amended to read as follows:

22 2. ~~Except as otherwise provided for the initial~~
23 ~~appointments, the~~ The voting members shall be
24 appointed for four-year terms, and the nonvoting
25 members who are members of the senate and the house of
26 representatives shall be appointed for two-year terms.
27 Terms begin on May 1 in the year of appointment and
28 expire on April 30 in the year of expiration.

29 Sec. 45. Section 411.36, subsection 5, paragraph
30 a, Code 1995, is amended to read as follows:

31 a. Members of the board, except the treasurer of
32 state or the treasurer's designee, shall be paid their
33 actual and necessary expenses incurred in the
34 performance of their duties and shall receive a per
35 diem as specified in section 7E.6 for each day of
36 service. Per diem and expenses shall be paid to
37 voting members from the fire and police retirement
38 fund created in section 411.8.

39 Sec. 46. Section 462A.78, subsection 5, Code 1995,
40 is amended to read as follows:

41 5. The funds collected under subsection 1,
42 paragraph "a", shall be placed in the general fund of
43 the county and used for the expenses of the county
44 conservation board if one exists in that county. Of
45 each surcharge collected as required under subsection
46 1, paragraph "b", the county recorder shall remit five
47 dollars to the ~~office of treasurer of state~~ department
48 of revenue and finance for deposit in the general fund
49 of the state.

50 Sec. 47. NEW SECTION. 514C.11 PATIENT ACCESS TO

S-3689

-25-

S-3689

Page 26

1 TYPES OF PHYSICIANS UNDER MANAGED CARE HEALTH PLAN OR
2 INDEMNITY PLAN WITH LIMITED PROVIDER NETWORK.

3 Notwithstanding section 514C.6, a managed care
4 health plan or indemnity plan with a limited provider
5 network shall provide patients direct access to each
6 type of physician, as defined in section 135.1 and
7 licensed under chapter 148, 150A, or 151, and shall
8 not condition that access upon a referral by a
9 physician licensed under another chapter. Access to a
10 specialist may be conditioned upon a referral by a
11 primary care provider licensed under the same chapter.
12 Any copayment, deductible, cost containment mechanism,
13 or premium rate shall not discriminate directly or
14 indirectly upon the basis of the license held by the
15 physician. Access to a specialist may be subject to a
16 different copayment or deductible than access to a
17 primary care provider. Access to a nonparticipating
18 physician may be restricted or may be subject to
19 different copayments, deductibles, or premium rates,
20 or may be excluded, provided that a plan shall not
21 differentiate or exclude a physician directly or
22 indirectly upon the basis of the license held by the
23 physician.

24 Each plan must demonstrate that it is capable of
25 serving appropriately the needs of the subscriber
26 population in the service area of the plan with regard
27 to patient access to each type of physician.

28 For purposes of this section, "managed care health
29 plan or indemnity plan with a limited provider
30 network" means a health maintenance organization,
31 organized delivery system, accountable health plan,
32 health care insurance plan which limits the number of
33 licensed physicians who can provide services under the
34 plan, preferred provider organization, exclusive
35 provider organization, restricted access network, or
36 similar health-care plan. For purposes of this
37 section, "physician" means as defined in section 135.1
38 and licensed under chapter 148, 150A, or 151.

39 Sec. 48. Section 533.4, subsections 1, 4, 5, and
40 19, Code 1995, are amended to read as follows:

41 1. Receive the-savings-of from its members either,
42 nonmembers as prescribed by rule where the credit
43 union is serving predominantly low-income members,
44 other credit unions, and federal, state, county, and
45 city governments, as payment payments on shares or as
46 deposits, including-the-right-to-conduct-Christmas
47 clubs,-vacation-clubs,-and-other-such-thrift
48 organizations-within-the-membership subject to the
49 terms, rates, and conditions established by the board
50 of directors, subject to the limitations established

S-3689

-26-

S-3689

Page 27

1 by rule by the superintendent.

2 4. ~~Deposit~~ Make deposits in state and national
3 banks, state and federal savings banks or savings and
4 loan associations, and state and federal credit
5 unions, the accounts of which are insured by the
6 federal deposit insurance corporation or the national
7 credit union share insurance fund.

8 5. Make investments in:

9 a. Time deposits in state and national banks and
10 ~~in-state-banks~~, state and federal savings banks or
11 savings and loan associations, and state and federal
12 credit unions, the deposits of which are insured by
13 the federal deposit insurance corporation or the
14 national credit union share insurance fund.

15 b. Obligations, participations, or other
16 instruments of or issued by, or fully guaranteed as to
17 principal and interest by the United States government
18 or any agency thereof; or any trust or trusts
19 established for investing directly or collectively in
20 the same.

21 c. General obligations of the state of Iowa and
22 any subdivision thereof of the state.

23 ~~d.---Paid-up-deposits-of-savings-and-loan~~
24 ~~associations, the deposits of which are insured by the~~
25 ~~federal-savings-and-loan-insurance-corporation.~~

26 e. d. Purchase of notes of liquidating credit
27 unions with the approval of the superintendent.

28 f. e. Shares and deposits in other credit unions.

29 g. f. Shares, stocks, loans, and other obligations
30 or a combination thereof of an organization,
31 corporation, or association, provided the membership
32 or ownership, as the case may be, of the organization,
33 corporation, or association is primarily confined or
34 restricted to credit unions or organizations of credit
35 unions and provided that the purpose of the
36 organization, corporation, or association is primarily
37 designed to provide services to credit unions,
38 organizations of credit unions, or credit union
39 members. However, the aggregate amount invested
40 pursuant to this subsection shall not exceed five
41 percent of the assets of the credit union.

42 h. g. Obligations issued by federal land banks,
43 federal intermediate credit banks, banks for
44 cooperatives, or any or all of the federal farm credit
45 banks.

46 i. h. Commercial paper issued by United States
47 corporations as defined by rule.

48 j. i. Corporate bonds as defined by and subject to
49 terms and conditions imposed by the administrator,
50 provided that the administrator shall not approve

S-3689

-27-

S-3689

Page 28

1 investment in corporate bonds unless the bonds are
2 rated in the two highest grades of corporate bonds by
3 a nationally accepted rating agency, including but not
4 limited to a rating of AAA or AA from Standard and
5 Poors.

6 19. Establish one or more offices other than its
7 main office, subject to the approval and regulation of
8 the superintendent, if such offices ~~shall be~~ are
9 reasonably necessary to furnish service to its
10 membership. A credit union office may furnish all
11 credit union services ordinarily furnished to the
12 membership at the principal place of business of the
13 credit union which operates the office. All
14 transactions of a credit union office shall be
15 transmitted daily to the principal place of business
16 of the credit union which operates the office, and no
17 current recordkeeping functions shall not be
18 maintained at a credit union office except to the
19 extent the credit union which operates the office
20 deems it desirable to keep at the office duplicates of
21 the records kept at the principal place of business of
22 the credit union. The central executive and official
23 business functions of a credit union shall be
24 exercised only at the principal place of business.

25 A credit union office shall not be opened without
26 the prior written approval of the superintendent.
27 Upon application by a credit union in the form
28 prescribed by the superintendent, the superintendent
29 shall determine, after notice and hearing, if the
30 establishment of the credit union office is reasonably
31 necessary for service to, and is in the best interests
32 of, the members of the credit union.

33 Notwithstanding the provisions of this section,
34 data processing services and loan documentation
35 recordkeeping functions may be performed or located at
36 an authorized credit union office or at some other
37 location, subject to the approval of the
38 superintendent.

39 Sec. 49. Section 533.16, subsection 3, Code 1995,
40 is amended to read as follows:

41 3. A director of a credit union may borrow from
42 that credit union under the provisions of this
43 chapter, but the rates, terms, and conditions of a
44 loan or line of credit either made to or endorsed or
45 guaranteed by the director shall not be made-on-terms
46 more favorable than those extended the rates, terms,
47 or conditions of comparable loans or lines of credit
48 provided to other members. A-director-of-a-credit
49 union-may-borrow-from-that-credit-union-to-the-extent
50 and-in-the-amount-of-such-director's-holdings-in-the

S-3689

-28-

S-3689

Page 29

1 ~~credit-union-in-shares-and-deposits---A-director~~
2 ~~desiring-to-borrow-from-the-credit-union-an-amount-in~~
3 ~~excess-of-the-director's-holdings-in-shares-and~~
4 ~~deposits-shall-first-submit-application-for-approval~~
5 ~~by-the-board-of-directors-at-a-regular-or-special~~
6 ~~meeting---The-director-making-application-for-the-loan~~
7 ~~shall-not-be-in-attendance-at-the-time-the-board-of~~
8 ~~directors-considers-the-application-and-shall-not-take~~
9 ~~part-in-the-consideration---Prior-to-consideration-of~~
10 ~~such-loan, the-director-must-have-submitted-to-the~~
11 ~~board-a-detailed-current-financial-statement. The~~
12 ~~aggregate amount of all director loans and lines of~~
13 ~~credit shall not exceed twenty twenty-five percent of~~
14 ~~the assets of the credit union.~~

15 Sec. 50. Section 533.16, subsection 4, paragraph
16 c, Code 1995, is amended by striking the paragraph and
17 inserting in lieu thereof the following:

18 c. A credit union which obtains a report or
19 opinion by an attorney or from another mortgage lender
20 relating to defects in or liens or encumbrances on the
21 title to real property, the unmarketability of the
22 title to real property, or the invalidity or
23 unenforceability of liens or encumbrances on real
24 property, shall provide a copy of the report or
25 opinion to the mortgagor and the mortgagor's attorney.

26 Sec. 51. Section 533.17, subsection 1, unnumbered
27 paragraph 1, Code 1995, is amended to read as follows:

28 ~~Immediately-before-the-payment-of-a-dividend~~ At the
29 end of each dividend period, but no less than
30 quarterly, the gross income of the credit union shall
31 determine-its-gross-earnings be determined. A legal
32 reserve for contingencies against losses on loans and
33 against such other losses as may be specified by rule
34 shall be set aside from the gross earnings income in
35 accordance with the following schedule:

36 Sec. 52. Section 533.17, subsection 2, Code 1995,
37 is amended to read as follows:

38 2. For the purpose of establishing legal reserves,
39 the following shall not be considered risk assets:

40 a. Cash on hand.

41 b. Deposits and shares in ~~federal-or-state~~
42 federally insured banks, savings and loan
43 associations, and credit unions.

44 c. Assets which are insured by, fully guaranteed
45 as to principal and interest by, or due from the
46 United States government, its agencies, and
47 instrumentalities.

48 d. Loans to other credit unions.

49 e. Student loans insured under the provisions of
50 Title XX, United States Code, section 1071 to section

S-3689

-29-

S-3689

Page 30

1 1087 or similar state programs.

2 f. Loans insured by the federal housing
3 administration under Title XII, United States Code,
4 section 1703.

5 g. Loans fully insured or guaranteed by the
6 federal government, a state government, or any agency
7 of either.

8 ~~g.~~ h. Common trust investments which deal in
9 investments authorized in section 533.4.

10 ~~h.~~ i. Prepaid expenses.

11 ~~i.~~ j. Accrued interest on nonrisk investments.

12 ~~j.~~ k. Furniture and equipment.

13 ~~k.~~ l. Land and buildings.

14 m. Loans fully secured by a pledge of shares
15 within the credit union.

16 n. Deposits in the national credit union share
17 insurance fund.

18 o. Real estate loans in transit to the secondary
19 market as specified by rule.

20 Sec. 53. Section 533.18, Code 1995, is amended to
21 read as follows:

22 533.18 DIVIDENDS.

23 ~~1.~~ At such intervals and for such periods as the
24 board of directors may authorize, and after ~~transfers~~
25 ~~to-the~~ provision for required reserves pursuant to
26 section 533.17, the board of directors may declare
27 dividends at such rates and upon such classes of
28 shares as are determined by the board. Such dividends
29 shall be paid on all paid-up shares outstanding at the
30 close of the period for which the dividend is
31 declared.

32 ~~2.--Shares-which-become-fully-paid-up-during-such~~
33 ~~dividend-period-and-are-outstanding-at-the-close-of~~
34 ~~period-shall-be-entitled-to-a-proportional-share-of~~
35 ~~such-dividend.~~

36 ~~---3.--Dividend-credit-for-a-month-may-be-accrued-on~~
37 ~~shares-which-are-or-become-fully-paid-up-during-the~~
38 ~~first-fifteen-days-of-that-month.~~

39 ---Sec. 54. NEW SECTION. 533.49 AUTHORITY TO LEASE
40 SAFE DEPOSIT BOXES.

41 1. A credit union may lease safe deposit boxes for
42 the storage of property on terms and conditions
43 prescribed by it. Such terms and conditions shall not
44 bind any person to whom the credit union does not give
45 notice of the terms and conditions by delivery of a
46 lease and agreement in writing containing the terms
47 and conditions. A credit union may limit its
48 liability provided such limitations are set forth in
49 the lease and agreement in at least the same size and
50 type as the other substantive provisions of the

S-3689

-30-

S-3689

Page 31

1 contract.

2 2. The lease and agreement of a safe deposit box
3 may provide that evidence tending to prove that
4 property was left in a safe deposit box upon the last
5 entry by the member or the member's authorized agent,
6 and that the property or any part of the property was
7 found missing upon subsequent entry, is not sufficient
8 to raise a presumption that the property was lost by
9 any negligence or wrongdoing for which the credit
10 union is responsible, or put upon the credit union the
11 burden of proof that the alleged loss was not the
12 fault of the credit union.

13 3. A credit union may lease a safe deposit box to
14 a minor. A credit union may deal with a minor with
15 respect to a safe deposit box lease and agreement
16 without the consent of a parent, guardian, or
17 conservator and with the same effect as though the
18 minor were an adult. Any action of the minor with
19 respect to such safe deposit box lease and agreement
20 is binding on the minor with the same effect as though
21 the minor were an adult..

22 4. A credit union which has on file a power of
23 attorney of a member covering a safe deposit box lease
24 and agreement, which has not been revoked by the
25 member, shall incur no liability as a result of
26 continuing to honor the provisions of the power of
27 attorney in the event of the death or incompetence of
28 the donor of the power of attorney until the credit
29 union receives written notice of the death, or written
30 notice of adjudication by a court of the incompetence
31 of the member and the appointment of a guardian or
32 conservator.

33 Sec. 55. NEW SECTION. 533.49A SEARCH PROCEDURE
34 ON DEATH.

35 A credit union shall permit the person named in a
36 court order or, if no order has been served upon the
37 credit union, the spouse, a parent, an adult
38 descendant, or a person named as executor in a copy of
39 a purported will produced by the person, to open and
40 examine the contents of a safe deposit box leased by a
41 decedent, or to examine any property delivered by a
42 decedent for safekeeping, in the presence of an
43 officer of the credit union. The credit union, if
44 requested by such person, and upon the credit union's
45 receipt of the request, shall deliver:

46 1. Any writing purported to be a will of the
47 decedent to the court having jurisdiction of the
48 decedent's estate.

49 2. Any writing purported to be a deed to a burial
50 plot, or to give burial instructions, to the person

S-3689

-31-

S-3689

Page 32

1 making the request for a search.

2 3. Any document purported to be an insurance
3 policy on the life of the decedent to the beneficiary
4 named in the policy. A credit union shall prepare and
5 keep a list of any contents delivered pursuant to this
6 section describing the nature of the property and the
7 individual to whom delivered, and place a copy of the
8 list in the safe deposit box from which the contents
9 were removed.

10 Sec. 56. NEW SECTION. 533.49B ADVERSE CLAIMS TO
11 PROPERTY IN SAFE DEPOSIT AND SAFEKEEPING.

12 1. A credit union shall not be required, in the
13 absence of a court order or indemnity required by this
14 section, to recognize any claim to, or claim of
15 authority to exercise control over, property held in
16 safe deposit or property held for safekeeping pursuant
17 to section 533.49D made by a person or persons other
18 than the following:

19 a. The member in whose name the property is held
20 by the credit union.

21 b. An individual or group of individuals who are
22 authorized to have access to the safe deposit box, or
23 to the property held for safekeeping, pursuant to a
24 certified corporate resolution or other written
25 arrangement with the member, currently on file with
26 the credit union, which has not been revoked by valid
27 corporate action in the case of a corporation, or by a
28 valid agreement or other valid action appropriate for
29 the form of legal organization of any other member, of
30 which the credit union has received notice and which
31 is not the subject of a dispute known to the credit
32 union as to its original validity. The safe deposit
33 and safekeeping account records of a credit union
34 shall be presumptive evidence as to the identity of
35 the member on whose behalf the property is held.

36 2. To require a credit union to recognize an
37 adverse claim to, or adverse claim of authority to
38 control, property held in safe deposit or for
39 safekeeping, whoever makes the claim must do either of
40 the following:

41 a. Obtain and serve on the credit union an
42 appropriate court order or judicial process directed
43 to the credit union, restraining any action with
44 respect to the property until further order of the
45 court or instructing the credit union to deliver the
46 property, in whole or in part, as indicated in the
47 order or process.

48 b. Deliver to the credit union a bond, in form and
49 amount with sureties satisfactory to the credit union,
50 indemnifying the credit union against any liability,

S-3689

-32-

S-3689

Page 33

1 loss, or expense which the credit union might incur
2 because of its refusal to deliver the property to any
3 person described in subsection 1, paragraph "a" or
4 "b".

5 Sec. 57. NEW SECTION. 533.49C REMEDIES AND
6 PROCEEDINGS FOR NONPAYMENT OF RENT ON SAFE DEPOSIT
7 BOX.

8 1. A credit union has a lien upon the contents of
9 a safe deposit box for past due rentals and any
10 expense incurred in opening the safe deposit box,
11 replacement of the locks on the safe deposit box, and
12 of a sale made pursuant to this section. If the
13 rental of a safe deposit box is not paid within six
14 months from the day the rental is due, at any time
15 after the six months and while the rental remains
16 unpaid, the credit union shall mail a notice by
17 restricted certified mail to the member at the
18 member's last known address as shown upon the records
19 of the credit union, stating that if the amount due
20 for the rental is not paid on or before a specified
21 day, which shall be at least thirty days after the
22 date of mailing such notice, the credit union will
23 remove the contents of the safe deposit box and hold
24 the contents for the account of the member.

25 2. If the rental for the safe deposit box has not
26 been paid after the expiration of the period specified
27 in a notice mailed pursuant to subsection 1, the
28 credit union, in the presence of two of its officers,
29 may cause the box to be opened and the contents
30 removed. An inventory of the contents of the safe
31 deposit box shall be made by the two officers present
32 and the contents held by the credit union for the
33 account of the member.

34 3. If the contents are not claimed within two
35 years after their removal from the safe deposit box,
36 the credit union may proceed to sell so much of the
37 contents as is necessary to pay the past due rentals
38 and expense incurred in opening the safe deposit box,
39 replacement of the locks on the safe deposit box, and
40 the sale of the contents. The sale shall be held at
41 the time and place specified in a notice published
42 prior to the sale once each week for two successive
43 weeks in a newspaper of general circulation published
44 in the city or unincorporated area in which the credit
45 union has its principal place of business, or if there
46 is none, a newspaper of general circulation published
47 in the county, or in a county adjoining the county, in
48 which the credit union has its principal place of
49 business. A copy of the published notice shall be
50 mailed to the member at the member's last known

S-3689

-33-

S-3689

Page 34

1 address as shown upon the records of the credit union.
2 The notice shall contain the name of the member and
3 need only describe the contents of the safe deposit
4 box in general terms. The contents of any number of
5 safe deposit boxes may be sold under one notice of
6 sale and the cost of the sale apportioned ratably
7 among the several safe deposit box members involved.
8 At the time and place designated in the notice the
9 contents taken from each respective safe deposit box
10 shall be sold separately to the highest bidder for
11 cash and the proceeds of each sale applied to the
12 rentals and expenses due to the credit union and the
13 residue from any such sale shall be held by the credit
14 union for the account of the member or members. An
15 amount held as proceeds from such sale shall be
16 credited with interest at the customary annual rate
17 for savings accounts at the credit union, or in lieu
18 thereof, at the customary rate of interest in the
19 community where such proceeds are held. The crediting
20 of interest does not activate the account to avoid an
21 abandonment as unclaimed property under chapter 556.

22 4. Notwithstanding the provisions of this section,
23 shares, bonds, or other securities which, at the time
24 of a sale pursuant to subsection 3, are listed on an
25 established stock exchange in the United States, shall
26 not be sold at public sale but may be sold through an
27 established stock exchange. Upon making a sale of any
28 such securities, an officer of the credit union shall
29 execute and attach to the securities so sold an
30 affidavit reciting facts showing that the securities
31 were sold pursuant to this section and that the credit
32 union has complied with the provisions of this
33 section. The affidavit constitutes sufficient
34 authority to any corporation whose shares are sold or
35 to any registrar or transfer agent of such corporation
36 to cancel the certificates representing the shares to
37 the purchaser of the shares, and to any registrar,
38 trustee, or transfer agent of registered bonds or
39 other securities, to register any such bonds or other
40 securities in the name of the purchaser of the bonds
41 or other securities.

42 5. The proceeds of any sale made pursuant to this
43 section, after the payment of any amounts with respect
44 to which the credit union has a lien, any property
45 which was not offered for sale and property which,
46 although offered for sale, was not sold, shall be
47 retained by the credit union until such time as the
48 property is presumed abandoned according to section
49 556.2, and shall be handled pursuant to chapter 556.

50 Sec. 58. NEW SECTION. 533.49D AUTHORITY TO

S-3689

-34-

S-3689

Page 35

1 RECEIVE PROPERTY FOR SAFEKEEPING.

2 1. A credit union may accept property for
3 safekeeping if, except in the case of night
4 depositories, the credit union issues a receipt for
5 the property. A credit union accepting property for
6 safekeeping shall purchase and maintain reasonable
7 insurance coverage to ensure against loss incurred in
8 connection with the acceptance of property for
9 safekeeping. Property held for safekeeping shall not
10 be commingled with the property of the credit union or
11 the property of others.

12 2. A credit union has a lien upon any property
13 held for safekeeping and for expenses incurred in any
14 sale made pursuant to this subsection. If the charge
15 for safekeeping of property is not paid within six
16 months from the day the charge is due, at any time
17 after the six months and while the charge remains
18 unpaid, the credit union may mail a notice to the
19 member at the member's last known address as shown
20 upon the records of the credit union, stating that if
21 the amount due is not paid on or before a specified
22 day, which shall be at least thirty days after the
23 date of mailing the notice, the credit union will
24 remove the property from safekeeping and hold the
25 property for the account of the member. After the
26 expiration of the period specified in the notice, if
27 the charge for safekeeping has not been paid, the
28 credit union may remove the property from safekeeping,
29 cause the property to be inventoried, and hold the
30 property for the account of the member. If the
31 property is not claimed within two years after its
32 removal from safekeeping the credit union may proceed
33 to sell so much of the property as is necessary to pay
34 the charge which remains unpaid and the expense
35 incurred in making the sale in the manner provided for
36 in section 533.49C, subsections 3 and 4. The proceeds
37 of any sale made pursuant to this section, after
38 payment of any amounts with respect to which the
39 credit union has a lien, any property which was not
40 offered for sale, and property which, although offered
41 for sale, was not sold, shall be retained by the
42 credit union until such time as the property is
43 presumed abandoned according to section 556.2, and
44 shall be handled pursuant to chapter 556.

45 Sec. 59. Section 533.62, subsection 4, Code 1995,
46 is amended by striking the subsection and inserting in
47 lieu thereof the following:

48 4. a. A loan of money or property shall not be
49 made directly or indirectly by a state-chartered
50 credit union, or by its officers, directors, or

S-3689

-35-

S-3689

Page 36

1 employees, to the superintendent, deputy, or employee
2 of the credit union division. The superintendent,
3 deputy, or employee of the credit union division shall
4 not accept from a state-chartered credit union, or its
5 officers, directors, or employees, a loan of money or
6 property, either directly or indirectly.

7 b. The superintendent, deputy, or employee of the
8 credit union division shall not perform any services
9 for or be an officer, director, or employee of a
10 state-chartered credit union.

11 c. A person who willfully undertakes to establish
12 a business dealing contrary to this section commits a
13 serious misdemeanor, and shall be permanently
14 disqualified from acting as an officer, director, or
15 employee of a state-chartered credit union and
16 permanently disqualified from acting as
17 superintendent, deputy, or employee of the credit
18 union division.

19 d. The superintendent, deputy, or employee of the
20 credit union division who is convicted of theft,
21 burglary, robbery, larceny, or embezzlement as a
22 result of a violation of the laws of any state or of
23 the United States while holding such position shall be
24 immediately disqualified from employment and shall be
25 forever disqualified from holding any position in the
26 credit union division.

27 Sec. 60. Section 554.9401, subsection 6, Code
28 1995, is amended to read as follows:

29 6. Of each fee collected by the county recorder
30 under sections 570A.4, 554.9403, 554.9405, and
31 554.9406, the county recorder shall remit five
32 dollars, if filed on a standard form or six dollars
33 otherwise, to the ~~office of the treasurer of state~~
34 department of revenue and finance for deposit in the
35 general fund of the state.

36 Sec. 61. Section 99D.5, subsection 1, Code 1995,
37 is amended to read as follows:

38 1. A state racing and gaming commission is created
39 within the department of inspections and appeals
40 consisting of five members who shall be appointed by
41 the governor subject to confirmation by the senate,
42 and who shall serve not to exceed a three-year term at
43 the pleasure of the governor. The term of each member
44 shall begin and end as provided in section 69.19.

45 Before a person is appointed to the commission, the
46 division of criminal investigation of the department
47 of public safety shall conduct a thorough background
48 investigation of the proposed appointee. The proposed
49 appointee shall provide information on a form as
50 required by the division of criminal investigation.

S-3689

-36-

S-3689

Page 37

1 The background investigation shall be the same as
2 conducted for an applicant for a license to conduct
3 pari-mutuel wagering. The information shall be made
4 available to the members of the senate standing
5 committee assigned to investigate and recommend
6 confirmation of an appointee.

7 Sec. 62. REPEAL. Sections 12.9, 12.12, and 12.13,
8 Code 1995, are repealed.

9 Sec. 63. EFFECTIVE DATE. This section and
10 sections 40, 41, 42, 43, 44, and 45, being deemed of
11 immediate importance, take effect upon enactment.
12 Sections 30 and 31 of this Act take effect on June 30,
13 1995. The remainder of this Act takes effect on July
14 1, 1995."

By PATTY JUDGE

S-3689 FILED MAY 3, 1995
ADOPTED

(p.1614)

SENATE FILE 484

S-3690

1 Amend the amendment, S-3689, to the House
2 amendment, S-3684, to Senate File 484, as amended,
3 passed, and reprinted by the Senate, as follows:
4 1. By striking page 1, line 1, through page 37,
5 line 14, and inserting the following:
6 "Amend the House amendment, S-3684, to Senate File
7 484, as amended, passed, and reprinted by the Senate,
8 as follows:

9 "____. By striking page 1, line 1, through page
10 19, line 2, and inserting the following:

11 "Amend Senate File 484, as amended, passed, and
12 reprinted by the Senate, as follows:

13 "____. By striking everything after the enacting
14 clause and inserting the following:

15 "Section 1. AUDITOR OF STATE. There is
16 appropriated from the general fund of the state to the
17 office of the auditor of state for the fiscal year
18 beginning July 1, 1995, and ending June 30, 1996, the
19 following amount, or so much thereof as is necessary,
20 to be used for the purposes designated:

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

24	\$	1,310,549
25	FTEs	112.50

26 The auditor of state may retain additional full-
27 time equivalent positions as is reasonable and
28 necessary to perform governmental subdivision audits
29 which are reimbursable pursuant to section 11.20 or
30 11.21, to perform audits which are requested by and
31 reimbursable from the federal government, and to
32 perform work requested by and reimbursable from
33 departments or agencies pursuant to section 11.5A or
34 11.5B. The auditor of state shall notify the
35 department of management, the legislative fiscal
36 committee, and the legislative fiscal bureau of the
37 additional full-time equivalent positions retained.

38 Sec. 2. IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD.
39 There is appropriated from the general fund of the
40 state to the Iowa ethics and campaign disclosure board
41 for the fiscal year beginning July 1, 1995, and ending
42 June 30, 1996, the following amount, or so much
43 thereof as is necessary, for the purposes designated:

44 For salaries, support, maintenance, miscellaneous
45 purposes, and for not more than the following full-
46 time equivalent positions:

47	\$	375,786
48	FTEs	8.00

49 Sec. 3. DEPARTMENT OF COMMERCE. There is
50 appropriated from the general fund of the state to the
S-3690

S-3690

Page 2

1 department of commerce for the fiscal year beginning
2 July 1, 1995, and ending June 30, 1996, the following
3 amounts, or so much thereof as is necessary, for the
4 purposes designated:

5 1. PROFESSIONAL LICENSING AND REGULATION DIVISION

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

9	\$	897,802
10	FTEs	14.00

11 It is the intent of the general assembly that each
12 examining and licensing board or commission created
13 under chapters 542B, 542C, 543B, 543D, 544A, and 544B
14 shall provide that the fees assessed for licensing do
15 not exceed the operating costs of services provided by
16 each board or commission.

17 2. ADMINISTRATIVE SERVICES DIVISION

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

21	\$	211,586
22	FTEs	2.00

23 It is the intent of the general assembly that the
24 two positions authorized in this subsection for the
25 division shall coordinate the administrative services
26 to be provided to the divisions in the department.
27 These two positions are under the direct supervision
28 of, and shall report to, the director of the
29 department.

30 The division of administrative services shall
31 assess each division within the department of commerce
32 and the office of consumer advocate within the
33 department of justice a pro rata share of the
34 operating expenses of the division of administrative
35 services. The pro rata share shall be determined
36 pursuant to a cost allocation plan established by the
37 division of administrative services and agreed to by
38 the administrators of the divisions and the consumer
39 advocate. To the extent practicable, the cost
40 allocation plan shall be based on the proportion of
41 the administrative expenses incurred on behalf of each
42 division and the office of consumer advocate. Each
43 division and the office of consumer advocate shall
44 include in its charges assessed or revenues generated,
45 an amount sufficient to cover the amount stated in its
46 appropriation, any state assessed indirect costs
47 determined by the department of revenue and finance,
48 and the cost of services provided by the division of
49 administrative services.

50 3. ALCOHOLIC BEVERAGES DIVISION

S-3690

-2-

S-3690

Page 3

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

4 \$ 1,861,105
5 FTEs 33.50

6 4. BANKING DIVISION

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

10 \$ 5,375,058
11 FTEs 84.00

12 5. CREDIT UNION DIVISION

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

16 \$ 1,047,066
17 FTEs 20.00

18 6. INSURANCE DIVISION

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

22 \$ 2,924,482
23 FTEs 91.50

24 Of the amounts appropriated in this section to the
25 insurance division, not more than \$100,000 shall be
26 used for the regulation of health insurance purchasing
27 cooperatives.

28 The insurance division shall monitor public
29 utilization of the coverages identified in chapter
30 514C under managed care plans in this state.

31 The insurance division may reallocate authorized
32 full-time equivalent positions as necessary to respond
33 to accreditation recommendations or requirements. The
34 insurance division expenditures for examination
35 purposes may exceed the projected receipts, refunds
36 and reimbursements, estimated pursuant to section
37 505.7, subsection 7, including the expenditures for
38 retention of additional personnel, if the expenditures
39 are fully reimburseable and the division first does
40 both of the following:

41 a. Notifies the department of management,
42 legislative fiscal bureau, and the legislative fiscal
43 committee of the need for the expenditures.

44 b. Files with each of the entities named in
45 paragraph "a" the legislative and regulatory
46 justification for the expenditures, along with an
47 estimate of the expenditures.

48 c. (1) Of the amounts appropriated to the
49 insurance division in this subsection not more than
50 \$100,000 shall be used for continuing the division's

S-3690

S-3690

Page 4

1 senior health insurance information program and not
2 more than \$100,000 shall be used for the purpose of
3 establishing a pilot consumer health education and
4 assistance program.

5 (2) The purpose of the consumer health education
6 and assistance program is to educate and assist health
7 care consumers to make more informed health insurance
8 and care choices in the marketplace. Both oral and
9 written educational assistance relating to health care
10 insurance, delivery systems, provider services and
11 coverage, billing procedures, and sources of
12 information shall be provided by the division. The
13 division of insurance may request, and other state
14 agencies shall provide, assistance in implementing and
15 administering the health care education and assistance
16 program.

17 (3) The commissioner of insurance shall appoint an
18 advisory committee consisting of knowledgeable and
19 interested citizens and state and local public
20 officials to provide advice and review the program. A
21 majority of the members of the advisory committee
22 shall be bona fide representatives of consumers.

23 (4) The commissioner of insurance shall prepare a
24 progress report relating to the activities of the
25 program, the report to be submitted to the governor
26 and the members of the general assembly not later than
27 March 1, 1996. The governor and the legislative
28 council may request progress reports from the
29 commissioner of insurance as deemed appropriate.

30 7. UTILITIES DIVISION

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

34 \$ 4,911,871
35 FTES 79.00

36 The utilities division may expend additional funds,
37 including funds for additional personnel, if those
38 additional expenditures are actual expenses which
39 exceed the funds budgeted for utility regulation.
40 Before the division expends or encumbers an amount in
41 excess of the funds budgeted for regulation, the
42 director of the department of management shall approve
43 the expenditure or encumbrance. Before approval is
44 given, the director of the department of management
45 shall determine that the regulation expenses exceed
46 the funds budgeted by the general assembly to the
47 division and that the division does not have other
48 funds from which regulation expenses can be paid.
49 Upon approval of the director of the department of
50 management the division may expend and encumber funds

S-3690

-4-

S-3690

Page 5

1 for excess regulation expenses. The amounts necessary
2 to fund the excess regulation expenses shall be
3 collected from those utility companies being regulated
4 which caused the excess expenditures, and the
5 collections shall be treated as repayment receipts as
6 defined in section 8.2.

7 Sec. 4. There is appropriated from the general
8 fund of the state to the following named agencies for
9 the fiscal year beginning July 1, 1995, and ending
10 June 30, 1996, the following amounts, or so much
11 thereof as is necessary, to be used for the purposes
12 designated:

13 1. COMMISSION ON UNIFORM STATE LAWS

14 For support of the commission and expenses of the
15 members:

16 \$ 20,803

17 2. NATIONAL CONFERENCE OF STATE LEGISLATURES

18 For support of the membership assessment:

19 \$ 87,719

20 Sec. 5. There is appropriated from the general
21 fund of the state to the department of general
22 services for the fiscal year beginning July 1, 1995,
23 and ending June 30, 1996, the following amounts, or so
24 much thereof as is necessary, to be used for the
25 purposes designated:

26 1. ADMINISTRATION DIVISION

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

30 \$ 1,169,975

31 FTEs 31.35

32 2. INFORMATION SERVICES DIVISION

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

36 \$ 5,497,002

37 FTEs 141.60

38 3. PROPERTY MANAGEMENT DIVISION

39 For salaries, support, maintenance, miscellaneous
40 purposes, and for not more than the following full-
41 time equivalent positions:

42 \$ 3,903,103

43 FTEs 112.00

44 The department of general services shall not change
45 the appropriations for the purposes designated in
46 subsections 1 through 3 from the amounts appropriated
47 under those subsections unless notice of the revisions
48 is given prior to their effective date to the
49 legislative fiscal bureau. The notice shall include
50 information on the department's rationale for making

S-3690

-5-

S-3690

Page 6

1 the changes.

2 Savings achieved in providing telephone services
3 shall be used by the department of general services to
4 increase efficiencies in the provision of those
5 services. The department of general services shall
6 report not later than August 31, 1996, on the projects
7 undertaken to the chairpersons and the ranking members
8 of the joint appropriations subcommittee on
9 administration and regulation and to the legislative
10 fiscal bureau. The report shall include a listing of
11 the projects and efficiencies undertaken during the
12 fiscal year, the cost of each project, and the
13 benefits, including the projected savings on an annual
14 basis and for the life of the efficiency improvement.

15 4. CAPITOL PLANNING COMMISSION

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

18 \$ 2,000

19 5. RENTAL SPACE

20 For payment of lease or rental costs of buildings
21 and office space at the seat of government as provided
22 in section 18.12, subsection 9, notwithstanding
23 section 18.16:

24 \$ 607,955

25 6. UTILITY COSTS

26 For payment of utility costs and for not more than
27 the following full-time equivalent positions:

28 \$ 2,059,178

29 FTEs 1.00

30 The department of general services may use funds
31 appropriated in this subsection for utility costs to
32 fund energy conservation projects in the state capitol
33 complex which will have a 100 percent payback within a
34 24-month period. In addition, notwithstanding
35 sections 8.33 and 18.12, subsection 11, any excess
36 funds appropriated for utility costs in this
37 subsection shall not revert to the general fund of the
38 state on June 30, 1996, and these funds shall be used
39 for implementation of energy conservation projects
40 having a payback of 100 percent within a two-year to
41 six-year period. The department of general services
42 shall report not later than August 31, 1996, on the
43 projects having 100 percent payback within a six-year
44 period to the chairpersons and ranking members of the
45 joint appropriations subcommittee on administration
46 and regulation and to the legislative fiscal bureau.
47 The report shall include a listing of the projects
48 undertaken, the cost of each project, and the
49 projected savings on an annual basis and for the life
50 of the project.

S-3690

-6-

S-3690

Page 7

1 7. TERRACE HILL OPERATIONS

2 For salaries, support, maintenance, and
3 miscellaneous purposes necessary for the operation of
4 Terrace Hill and for not more than the following full-
5 time equivalent positions:

6 \$ 164,637

7 FTEs 4.00

8 Sec. 6. There is appropriated from the designated
9 revolving funds to the department of general services
10 for the fiscal year beginning July 1, 1995, and ending
11 June 30, 1996, the following amounts, or so much
12 thereof as is necessary, to be used for the purposes
13 designated:

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

19 \$ 912,217

20 FTEs 26.05

21 2. The remainder of the centralized printing
22 permanent revolving fund is appropriated for the
23 expense incurred in supplying paper stock, offset
24 printing, copy preparation, binding, distribution
25 costs, original payment of printing and binding claims
26 and contingencies arising during the fiscal year
27 beginning July 1, 1995, and ending June 30, 1996,
28 which are legally payable from this fund.

29 3. From the centralized purchasing permanent
30 revolving fund established by section 18.9 for
31 salaries, support, maintenance, miscellaneous
32 purposes, and for not more than the following full-
33 time equivalent positions:

34 \$ 734,140

35 FTEs 16.05

36 4. The remainder of the centralized purchasing
37 permanent revolving fund is appropriated for the
38 payment of expenses incurred through purchases by
39 various state departments and for contingencies
40 arising during the fiscal year beginning July 1, 1995,
41 and ending June 30, 1996, which are legally payable
42 from this fund.

43 5. From the vehicle dispatcher revolving fund
44 established by section 18.119 for salaries, support,
45 maintenance, miscellaneous purposes, and for not more
46 than the following full-time equivalent positions:

47 \$ 625,075

48 FTEs 15.00

49 The vehicle dispatcher shall determine the
50 difference between the projected cost of motor vehicle

S-3690

-7-

S-3690

Page 8

1 fuel and the actual cost of the motor vehicle fuel
2 purchased for the use of each state agency for the
3 fiscal year beginning July 1, 1995, and ending June
4 30, 1996. If the actual cost of the fuel is less than
5 the projected cost, the vehicle dispatcher shall bill
6 the amount of the difference to each state agency at
7 the end of each calendar quarter. Upon receipt, the
8 director or head of each state agency shall pay the
9 amount of the claim submitted by the vehicle
10 dispatcher.

11 6. The remainder of the vehicle dispatcher
12 revolving fund is appropriated for the purchase of
13 gasoline, gasohol, oil, tires, repairs, and all other
14 maintenance expenses incurred in the operation of
15 state-owned motor vehicles and for contingencies
16 arising during the fiscal year beginning July 1, 1995,
17 and ending June 30, 1996, which are legally payable
18 from this fund.

19 The vehicle dispatcher shall report, not later than
20 February 15, 1996, to the chairpersons and the ranking
21 members of the joint appropriations subcommittee on
22 administration and regulation and to the legislative
23 fiscal bureau regarding the efficiencies of the
24 vehicle fleet and the changes in the efficiencies.
25 The report shall include the cost per mile, fuel
26 efficiencies, maintenance costs, useful life, the
27 costs of extending the useful life, and other measures
28 which the vehicle dispatcher or the legislative fiscal
29 bureau finds appropriate. The information shall be
30 reported for each general type of vehicle. The
31 overhead costs shall also be reported with the total
32 costs of the vehicle dispatcher operations.

33 The department of general services shall report to
34 the chairpersons and ranking members of the joint
35 appropriations subcommittee on administration and
36 regulation and the legislative fiscal bureau not later
37 than February 15, 1996, a comparison of the
38 performance of vehicles burning an 85 percent ethanol
39 mixture and those burning a 10 percent ethanol
40 mixture. The report shall include, but is not limited
41 to, average mileage, vehicle life, and problems
42 encountered.

43 Sec. 7. CHILD DAY CARE PROGRAM.

44 1. The general assembly considers child day care
45 to be an important service for employers, employees,
46 and their children. Employer-supported child care can
47 have a positive impact upon employee morale and
48 retention and can positively affect the children who
49 are receiving child care services. High quality child
50 care is of significant value to employers. It is

S-3690

-8-

S-3690

Page 9

1 believed that a quality, on-site child care program
2 available to the children of state employees will
3 provide a model for other employers in this state to
4 emulate.

5 2. a. The director of general services shall
6 develop a plan for establishing and operating a fee-
7 based child day care program available to public
8 employees officed at or near the capitol complex. The
9 plan shall include all of the information contained in
10 the steering committee description contained in this
11 paragraph and shall be submitted to the general
12 assembly on or before March 1, 1996. The legislative
13 council is requested to appoint a capitol complex
14 child day care program steering committee to provide
15 direction to the department of general services in
16 developing facility plans, establishing the
17 facilities, developing operation policies, contracting
18 with a vendor to operate the program, and other
19 decisions involving establishment and operation of the
20 program. The steering committee shall utilize the
21 March 1990 consultant report to the capitol complex ad
22 hoc committee on child care, particularly the
23 intermediate quality recommendations, in its decision
24 making.

25 b. The steering committee membership shall include
26 members of the general assembly; representatives of
27 the departments of general services, personnel, human
28 services, and education; employees officed at the
29 capitol complex who purchase child day care services;
30 a representative of the state board of regents center
31 for early childhood education; a representative of the
32 Iowa state university of science and technology early
33 childhood education programs; and other persons
34 knowledgeable concerning child day care programs.

35 3. In consultation with the steering committee,
36 the director of the department of general services
37 shall develop a child day care program plan giving
38 consideration to the recommendations of the March 1990
39 consultant report.

40 4. The program shall be designed to operate with a
41 capacity of 150 children and to regularly serve
42 infants, toddlers, preschool, school age, and mildly
43 ill children.

44 Sec. 8. GOVERNOR AND LIEUTENANT GOVERNOR. There
45 is appropriated from the general fund of the state to
46 the offices of the governor and the lieutenant
47 governor for the fiscal year beginning July 1, 1995,
48 and ending June 30, 1996, the following amounts, or so
49 much thereof as is necessary, to be used for the
50 purposes designated:

S-3690

-9-

S-3690

Page 10

1 1. For salaries, support, maintenance, and
2 miscellaneous purposes for the general office of the
3 governor and the general office of the lieutenant
4 governor, and for not more than the following full-
5 time equivalent positions:
6 \$ 1,088,936
7 FTEs 17.25
8 2. For the governor's expenses and the lieutenant
9 governor's expenses connected with office:
10 \$ 2,416
11 3. For salaries, support, maintenance, and
12 miscellaneous purposes for the governor's quarters at
13 Terrace Hill, and for not more than the following
14 full-time equivalent positions:
15 \$ 51,746
16 FTEs 1.50
17 4. For the payment of expenses of ad hoc
18 committees, councils, and task forces appointed by the
19 governor to research and analyze a particular subject
20 area relevant to the problems and responsibilities of
21 state and local government, including the employment
22 of professional, technical, and administrative staff
23 and the payment of per diem and actual expenses of
24 committee, council, or task force members as specified
25 pursuant to section 7E.6:
26 \$ 1,610
27 The ad hoc committees, councils, and task forces
28 appointed by the governor are subject to chapters 21
29 and 22 and the members and the staff shall be informed
30 of these requirements. A member shall not receive a
31 per diem if the member is receiving a salary as a
32 full-time public employee, but members shall be
33 reimbursed for actual and necessary expenses.
34 5. For salaries, support, maintenance, and
35 miscellaneous purposes for the office of
36 administrative rules coordinator, and for not more
37 than the following full-time equivalent positions:
38 \$ 108,336
39 FTEs 2.00
40 6. For payment of Iowa's membership in the
41 national governors' conference:
42 \$ 74,435
43 Sec. 9. DEPARTMENT OF INSPECTIONS AND APPEALS.
44 There is appropriated from the general fund of the
45 state to the department of inspections and appeals for
46 the fiscal year beginning July 1, 1995, and ending
47 June 30, 1996, the following amounts, or so much
48 thereof as is necessary, for the purposes designated:
49 1. FINANCE AND SERVICES DIVISION
50 For salaries, support, maintenance, miscellaneous

S-3690

-10-

S-3690

Page 11

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

3 \$ 467,275
4 FTEs 21.00

5 2. AUDITS DIVISION

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

9 \$ 352,092
10 FTEs 11.00

11 3. APPEALS AND FAIR HEARINGS DIVISION

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

15 \$ 223,048
16 FTEs 24.00

17 If Senate File 358 is enacted by the Seventy-sixth
18 General Assembly, 1995 Regular Session, there is
19 appropriated from the general fund of the state to the
20 appeals and fair hearings division for the fiscal year
21 beginning July 1, 1995, and ending December 31, 1995,
22 an additional sum of \$45,000, or so much thereof as is
23 necessary, and 1.50 FTEs to carry out the
24 responsibilities of the division as specified in
25 Senate File 358.

26 4. INVESTIGATIONS DIVISION

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

30 \$ 729,111
31 FTEs 35.00

32 5. HEALTH FACILITIES DIVISION

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

36 \$ 1,663,070
37 FTEs 99.00

38 6. INSPECTIONS DIVISION

39 For salaries, support, maintenance, miscellaneous
40 purposes, and for not more than the following full-
41 time equivalent positions:

42 \$ 577,869
43 FTEs 13.00

44 7. EMPLOYMENT APPEAL BOARD

45 For salaries, support, maintenance, miscellaneous
46 purposes, and for not more than the following full-
47 time equivalent positions:

48 \$ 33,067
49 FTEs 15.00

50 The employment appeal board shall be reimbursed by

S-3690

-11-

S-3690

Page 12

1 the labor services division of the department of
2 employment services for all costs associated with
3 hearings conducted under chapter 91C, related to
4 contractor registration. The board may expend, in
5 addition to the amount appropriated under this
6 subsection, additional amounts as are directly
7 billable to the labor services division under this
8 subsection and to retain the additional full-time
9 equivalent positions as needed to conduct hearings
10 required pursuant to chapter 91C.

11 8. STATE FOSTER CARE REVIEW BOARD

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

15	\$	527,041
16	FTEs	10.00

17 The department of human services, in coordination
18 with the state foster care review board and the
19 department of inspections and appeals, shall submit an
20 application for funding available pursuant to Title
21 IV-E of the federal Social Security Act for claims for
22 state foster care review board administrative review
23 costs.

24 9. The department of inspections and appeals shall
25 provide an accounting of all costs associated with
26 negotiating agreements and compacts pursuant to
27 section 10A.104, subsection 10, and all costs
28 associated with monitoring such agreements and
29 compacts. Information in the accounting shall include
30 the dates and destinations of all travel related to
31 the negotiations and monitoring, and all costs
32 associated with the personnel involved, including
33 salary, travel, and support costs.

34 Sec. 10. RACETRACK REGULATION. There is
35 appropriated from the general fund of the state to the
36 racing and gaming commission of the department of
37 inspections and appeals for the fiscal year beginning
38 July 1, 1995, and ending June 30, 1996, the following
39 amount, or so much thereof as is necessary, to be used
40 for the purposes designated:

41 For salaries, support, maintenance, miscellaneous
42 purposes, for the regulation of pari-mutuel
43 racetracks, and for not more than the following full-
44 time equivalent positions:

45	\$	1,760,378
46	FTEs	23.85

47 Sec. 11. EXCURSION BOAT REGULATION. There is
48 appropriated from the general fund of the state to the
49 racing and gaming commission of the department of
50 inspections and appeals for the fiscal year beginning

S-3690

-12-

S-3690

Page 13

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

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

9	\$	860,651
10	FTEs	17.11

11 It is the intent of the general assembly that the
12 racing and gaming commission shall only employ
13 additional full-time equivalent positions for
14 riverboat gambling enforcement as authorized by the
15 department of management as needed for enforcement on
16 new riverboats. If more than six riverboats are
17 operating during the fiscal year beginning July 1,
18 1995, and ending June 30, 1996, the commission may
19 expend no more than \$84,917 for no more than 2.00 FTEs
20 for each additional riverboat in excess of six. The
21 additional expense associated with the positions shall
22 be paid from fees assessed by the commission as
23 provided in chapter 99F.

24 Notwithstanding section 8.39, funds shall not be
25 transferred to the department of inspections and
26 appeals which would be used for monitoring Indian
27 gaming.

28 Sec. 12. DEPARTMENT OF INSPECTIONS AND APPEALS --
29 SERVICE CHARGES. The department of inspections and
30 appeals may charge state departments, agencies, and
31 commissions for services rendered and the payment
32 received shall be considered repayment receipts as
33 defined in section 8.2.

34 Sec. 13. USE TAX APPROPRIATION. There is
35 appropriated from the use tax receipts collected
36 pursuant to section 423.7 prior to their deposit in
37 the road use tax fund pursuant to section 423.24,
38 subsection 1, to the appeals and fair hearings
39 division of the department of inspections and appeals
40 for the fiscal year beginning July 1, 1995, and ending
41 June 30, 1996, the following amount, or so much
42 thereof as is necessary, for the purposes designated:

43 For salaries, support, maintenance, and 44 miscellaneous purposes:		
45	\$	924,090

46 Sec. 14. DEPARTMENT OF MANAGEMENT. There is
47 appropriated from the general fund of the state to the
48 department of management for the fiscal year beginning
49 July 1, 1995, and ending June 30, 1996, the following
50 amounts, or so much thereof as is necessary, to be

S-3690

-13-

S-3690

Page 14

1 used for the purposes designated:

2 1. GENERAL OFFICE

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

6 \$ 1,959,287

7 FTEs 29.00

8 2. LAW ENFORCEMENT TRAINING REIMBURSEMENTS

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

12 \$ 47,500

13 3. COUNCIL OF STATE GOVERNMENTS

14 For support of the membership assessment:

15 \$ 75,500

16 The department of management shall conduct a study
17 of the positions of deputy director throughout the
18 executive branch of state government. The study shall
19 include the responsibilities of each deputy director,
20 the salaries of the deputy directors, the number of
21 deputy director positions, and the variation of
22 responsibilities among the deputy director positions.
23 The department shall report its findings to the
24 chairpersons and ranking members of the joint
25 subcommittees on oversight, audit and government
26 reform, and to the legislative fiscal bureau by
27 September 1, 1995.

28 Sec. 15. There is appropriated from the road use
29 tax fund to the department of management for the
30 fiscal year beginning July 1, 1995, and ending June
31 30, 1996, the following amount, or so much thereof as
32 is necessary, to be used for the purposes designated:

33 For salaries, support, maintenance, and
34 miscellaneous purposes:

35 \$ 56,000

36 The department of management shall report to the
37 chairpersons and ranking members of the senate and
38 house committees on appropriations, the chairpersons
39 and ranking members of the joint appropriations
40 subcommittee on administration and regulation, and the
41 legislative fiscal bureau, the number of furloughs and
42 the number of layoffs that occur in each state agency,
43 the savings associated with those furloughs and
44 layoffs, the effect of the furloughs and layoffs on
45 services provided by the state agency, and other
46 relevant information. The department shall provide a
47 year-end report summarizing the information for the
48 fiscal year beginning July 1, 1995, which will be due
49 by September 1, 1996.

50 When addressing staffing targets for state

S-3690

-14-

S-3690

Page 15

1 agencies, the department of management shall state the
2 number of staff authorized for a state agency in terms
3 of full-time equivalent positions.

4 Sec. 16. There is appropriated from the general
5 fund of the state to the department of personnel for
6 the fiscal year beginning July 1, 1995, and ending
7 June 30, 1996, the following amounts, or so much
8 thereof as is necessary, to be used for the purposes
9 designated including the filing of quarterly reports
10 as required in this section:

11 1. OPERATIONS

12 For salaries, support, maintenance, and
13 miscellaneous purposes for the director's staff,
14 information services, data processing, and financial
15 services, and for not more than the following full-
16 time equivalent positions:

17	\$	1,041,716
18	FTEs	18.58

19 2. PROGRAM DELIVERY

20 For salaries for personnel services, employment law
21 and labor relations and training for not more than the
22 following full-time equivalent positions:

23	\$	1,213,964
24	FTEs	33.20

25 3. PROGRAM ADMINISTRATION AND DEVELOPMENT

26 For salaries for employment, compensation, and
27 benefits and workers' compensation and for not more
28 than the following full-time equivalent positions:

29	\$	1,386,933
30	FTEs	32.80

31 Any funds received by the department for workers'
32 compensation purposes other than the funds
33 appropriated in subsection 3 shall be used only for
34 the payment of workers' compensation claims.

35 The funds for support, maintenance, and
36 miscellaneous purposes for personnel assigned to
37 program delivery under subsection 2 and program
38 administration and development under subsection 3 are
39 payable from the appropriation made in subsection 1.

40 The department of personnel shall report semi-
41 annually to the chairpersons and ranking members of
42 the joint appropriations subcommittee on
43 administration and regulation concerning the number of
44 vacancies in existing full-time equivalent positions
45 and the average time taken to fill the vacancies. The
46 reports shall include quarterly and annual averages
47 organized according to state agency and general
48 occupational category as established by the federal
49 equal employment opportunity commission. All
50 departments and agencies of the state shall cooperate

S-3690

-15-

S-3690

Page 16

1 with the department in the preparation of the reports.
2 Sec. 17. IPERS. There is appropriated from the
3 Iowa public employees' retirement system fund to the
4 department of personnel for the fiscal year beginning
5 July 1, 1995, and ending June 30, 1996, the following
6 amount, or so much thereof as is necessary, to be used
7 for the purposes designated:

8 1. For salaries, support, maintenance, and other
9 operational purposes to pay the costs of the Iowa
10 public employees' retirement system:

11 \$ 3,749,983

12 2. It is the intent of the general assembly that
13 the Iowa public employees' retirement system employ
14 sufficient staff within the appropriation provided in
15 this section to meet the developing requirements of
16 the investment program.

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

26 Sec. 18. There is appropriated from the primary
27 road fund to the department of personnel for the
28 fiscal year beginning July 1, 1995, and ending June
29 30, 1996, the following amount, or so much thereof as
30 is necessary, to be used for the purposes designated:

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

34 \$ 331,694

35 Sec. 19. There is appropriated from the road use
36 tax fund to the department of personnel for the fiscal
37 year beginning July 1, 1995, and ending June 30, 1996,
38 the following amount, or so much thereof as is
39 necessary, to be used for the purposes designated:

40 For salaries, support, maintenance, and
41 miscellaneous purposes to provide personnel services
42 for the state department of transportation:

43 \$ 53,996

44 Sec. 20. There is appropriated from the general
45 fund of the state to the department of revenue and
46 finance for the fiscal year beginning July 1, 1995,
47 and ending June 30, 1996, the following amounts, or so
48 much thereof as is necessary, to be used for the
49 purposes designated, and for not more than the
50 following full-time equivalent positions used for the

S-3690

-16-

S-3690

Page 17

1 purposes designated in subsections 1 through 3:
2 FTEs 577.43
3 1. AUDIT AND COMPLIANCE
4 For salaries, support, maintenance, and
5 miscellaneous purposes:
6 \$ 10,563,293
7 2. STATE FINANCIAL MANAGEMENT
8 For salaries, support, maintenance, and
9 miscellaneous purposes:
10 \$ 9,376,548
11 3. INTERNAL RESOURCES MANAGEMENT
12 For salaries, support, maintenance, and
13 miscellaneous purposes:
14 \$ 5,910,111
15 4. COLLECTION COSTS AND FEES
16 For payment of collection costs and fees pursuant
17 to section 422.26:
18 \$ 45,000
19 5. a. The department of revenue and finance shall
20 not change the appropriations for the purposes
21 designated in subsections 1 through 3 from the amounts
22 appropriated in those subsections unless notice of the
23 revisions is given prior to their effective date to
24 the legislative fiscal bureau. The notice shall
25 include information on the department's rationale for
26 making the changes.
27 b. The department of revenue and finance shall
28 report quarterly to the legislative fiscal bureau
29 concerning progress in the implementation of generally
30 accepted accounting principles, including
31 determination of reporting entities, fund
32 classifications, modification of the Iowa financial
33 accounting system, progress on preparing a
34 comprehensive annual financial report, and the most
35 current estimate of the general fund balance based on
36 current generally accepted accounting principles.
37 c. The director of revenue and finance shall
38 report annually to the chairpersons and ranking
39 members of the joint appropriations subcommittee on
40 administration and regulation and the legislative
41 fiscal bureau on the implementation and financial
42 status of the integrated revenue information system.
43 The report shall include any changes from the
44 scheduled progress including expenditures or estimated
45 revenue.
46 d. The director of revenue and finance shall
47 prepare and issue a state appraisal manual and the
48 revisions to the state appraisal manual as provided in
49 section 421.17, subsection 18, without cost to a city
50 or county.

S-3690

-17-

S-3690

Page 18

1 Sec. 21. There is appropriated from the lottery
2 fund to the department of revenue and finance for the
3 fiscal year beginning July 1, 1995, and ending June
4 30, 1996, the following amount, or so much thereof as
5 is necessary, to be used for the purposes designated:

6 For salaries, support, maintenance, miscellaneous
7 purposes for the administration and operation of
8 lottery games, and for not more than the following
9 full-time equivalent positions:

10 \$ 7,408,016
11 FTEs 120.00

12 Sec. 22. There is appropriated from the motor
13 vehicle fuel tax fund created by section 452A.77 to
14 the department of revenue and finance for the fiscal
15 year beginning July 1, 1995, and ending June 30, 1996,
16 the following amount, or so much thereof as is
17 necessary, to be used for the purposes designated:

18 For salaries, support, maintenance, and
19 miscellaneous purposes for administration and
20 enforcement of the provisions of chapter 452A and the
21 motor vehicle use tax program:

22 \$ 1,008,025

23 Sec. 23. There is appropriated from the general
24 fund of the state to the office of the secretary of
25 state for the fiscal year beginning July 1, 1995, and
26 ending June 30, 1996, the following amounts, or so
27 much thereof as is necessary, to be used for the
28 purposes designated:

29 1. ADMINISTRATION AND ELECTIONS

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

33 \$ 520,514
34 FTEs 9.00

35 2. BUSINESS SERVICES

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

39 \$ 1,565,021
40 FTEs 28.00

41 3. For costs incurred in the printing of the
42 official register:

43 \$ 60,000

44 Sec. 24. STATE-FEDERAL RELATIONS. There is
45 appropriated from the general fund of the state to the
46 office of state-federal relations for the fiscal year
47 beginning July 1, 1995, and ending June 30, 1996, the
48 following amount, or so much thereof as is necessary,
49 to be used for the purposes designated:

50 For salaries, support, maintenance, miscellaneous

S-3690

-18-

S-3690

Page 19

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

3 \$ 235,521
4 FTEs 3.00

5 Sec. 25. TREASURER. There is appropriated from
6 the general fund of the state to the office of
7 treasurer of state for the fiscal year beginning July
8 1, 1995, and ending June 30, 1996, the following
9 amount, or so much thereof as is necessary, to be used
10 for the purposes designated:

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

14 \$ 855,694
15 FTEs 27.80

16 The office of treasurer of state shall supply
17 clerical and secretarial support for the executive
18 council.

19 Sec. 26. SECOND INJURY FUND. The administrative
20 costs and expenses incurred by the treasurer of state,
21 the attorney general, the second injury fund, or the
22 department of revenue and finance, in connection with
23 the second injury fund, may be paid from the second
24 injury fund. However, the payment of administrative
25 costs and expenses incurred by the treasurer of state,
26 the attorney general, the second injury fund, and the
27 department of revenue and finance, as authorized in
28 this section, shall only be permitted for
29 administrative costs and expenses incurred in the
30 fiscal year commencing July 1, 1995, and ending June
31 30, 1996, shall not exceed \$170,000.

32 Sec. 27. STATE WORKERS' COMPENSATION CLAIMS.

33 There is appropriated from the general fund of the
34 state to the department of personnel for the fiscal
35 year beginning July 1, 1995, and ending June 30, 1996,
36 the following amount, or so much thereof as is
37 necessary, to be used for the purpose designated:

38 For distribution, subject to approval of the
39 department of management, to various state departments
40 to fund the premiums for paying workers' compensation
41 claims which are assessed to and collected from the
42 state department by the department of personnel based
43 upon a rating formula established by the department of
44 personnel:

45 \$ 5,884,740

46 The premiums collected by the department of
47 personnel shall be segregated into a separate workers'
48 compensation fund in the state treasury to be used for
49 payment of state employees' workers' compensation
50 claims. Notwithstanding section 8.33, unencumbered or

S-3690

-19-

S-3690

Page 20

1 unobligated moneys remaining in this workers'
2 compensation fund at the end of the fiscal year shall
3 not revert but shall be available for expenditure for
4 purposes of the fund for subsequent fiscal years.

5 Sec. 28. Notwithstanding section 509A.5, there is
6 appropriated from the employer share of the health
7 insurance premium reserve fund the following amount
8 for the purpose designated:

9 For the health data commission:

10 \$ 100,000

11 Sec. 29. RURAL FIRE PROTECTION.

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

17 For supporting a rural fire protection
18 demonstration project:

19 \$ 6,000

20 2. The department shall award moneys to one or
21 more resource conservation and development councils
22 which apply for such moneys for the installation of
23 permanent dry fire hydrants. Moneys awarded under
24 this section shall not be used to pay for salaries or
25 support administration. The purpose of a project
26 shall be to demonstrate how dry hydrants may be used
27 to preserve life and protect property from dangers
28 associated with fire, and to support rural
29 infrastructure in order to encourage investment in
30 rural communities.

31 3. A resource conservation and development council
32 which receives an award under this section shall
33 appoint a dry hydrant project coordinator who shall be
34 responsible for administering the award as provided in
35 this section. In applying for and administering an
36 award, a council shall cooperate with relevant county
37 boards of supervisors, county engineers, soil and
38 water conservation districts, local fire departments,
39 township trustees, rural water associations, and
40 landowners. The council shall also seek cooperation
41 from the natural resources and conservation service of
42 the United States department of agriculture, and, if
43 appropriate, the United States army corps of
44 engineers.

45 4. Applications shall be judged based on criteria
46 established by the department. The fire service
47 institute advisory committee established pursuant to
48 section 266.46 may assist the department in
49 establishing criteria and judging applications.
50 Applicants shall submit a plan that demonstrates the

S-3690

-20-

S-3690

Page 21

1 practical advantages of using a dry hydrant, which
2 relies upon natural roadside water impoundments and
3 man-made impoundments fed by rural water mains, to
4 provide viable and economical sources of water
5 required to extinguish fires in rural areas. The plan
6 shall provide for instructing fire departments
7 regarding the installation and operation of dry
8 hydrants, including methods to utilize labor and
9 equipment. In implementing the plan, the dry hydrant
10 project coordinator shall cooperate with the Iowa fire
11 service institute at Iowa state university as provided
12 in section 266.41, the fire service institute advisory
13 committee, and any association which provides for the
14 training of fire fighters, including the Iowa
15 firemen's association and the Iowa society of fire
16 service instructors.

17 5. The fire marshal shall prepare a report which
18 shall include findings submitted by each dry hydrant
19 project coordinator who administers an award and
20 recommendations submitted by the fire service
21 institute advisory committee. The committee may
22 provide a plan or model for the installation of dry
23 hydrants throughout the state. The report shall be
24 delivered to the general assembly by January 10, 1996.

25 Sec. 30. CENTRALIZED PURCHASING REVOLVING FUND
26 TRANSFER. Notwithstanding section 18.9, there is
27 transferred from the centralized purchasing revolving
28 fund created under section 18.9 to the general fund of
29 the state on June 30, 1995, the sum of \$250,000.

30 Sec. 31. SECRETARY OF STATE OPTICAL IMAGING
31 ACCOUNT TRANSFER. The secretary of state shall pay to
32 the general fund of the state on June 30, 1995, the
33 sum of \$75,000, or so much thereof as remains of funds
34 appropriated for an optical imaging project. If
35 insufficient unencumbered or unobligated funds remain
36 in the optical imaging account as of June 30, 1995, to
37 pay \$75,000 to the general fund of the state, the
38 deficiency shall be paid from other moneys
39 appropriated to the office of secretary of state
40 pursuant to this Act.

41 Sec. 32. IMPLEMENTATION OF FUNDING REDUCTIONS --
42 INTENT OF GENERAL ASSEMBLY. It is the intent of the
43 general assembly that the departments, agencies, and
44 offices of the executive department of state
45 government shall implement funding reductions through
46 organizational changes which reduce supervisory
47 positions, vertically and horizontally, and increase
48 the span of control of the remaining supervisors as
49 recommended by the governor's committee on government
50 spending reform.

S-3690

-21-

S-3690

Page 22

1 Sec. 33. ELIMINATION OF VACANT UNFUNDED JOBS. The
2 state departments, agencies, or offices receiving
3 appropriations under this Act shall eliminate, within
4 thirty days after the beginning of a fiscal year, all
5 vacant unfunded positions on the table of organization
6 of the state department, agency, or office.

7 Sec. 34. STATE COMMUNICATIONS NETWORK -- REDUCTION
8 OF TRAVEL AND RELATED EXPENSES. The offices of the
9 governor and lieutenant governor, the office of
10 secretary of state, the office of treasurer of state,
11 the auditor of state, the department of commerce, the
12 department of inspections and appeals, the Iowa ethics
13 and campaign disclosure board, the department of
14 general services, the department of management, the
15 department of revenue and finance, and the department
16 of personnel shall use the services of the state
17 communications network as much as possible for
18 interagency communication, meetings, and conferences
19 to reduce travel and related expenses for the
20 respective offices or departments.

21 Sec. 35. REPORT OF ADDITIONAL INCOME AND
22 EXPENDITURES. The state departments, agencies, and
23 offices receiving appropriations under this Act shall
24 report all expenses in excess of the funds
25 appropriated from any statutory revolving funds during
26 the fiscal year beginning July 1, 1994, and ending
27 June 30, 1995. The report shall also include the
28 beginning and ending balances of the revolving funds.

29 The report required pursuant to this section shall
30 be submitted not later than September 30, 1995, for
31 expenditures made during the fiscal year beginning
32 July 1, 1994, and ending June 30, 1995, to the
33 chairpersons and ranking members of the joint
34 appropriations subcommittee on administration and
35 regulations and the legislative fiscal bureau.

36 Sec. 36. FEDERAL GRANTS. All federal grants to
37 and the federal receipts of agencies appropriated
38 funds under this Act, not otherwise appropriated, are
39 appropriated for the purposes set forth in the federal
40 grants or receipts unless otherwise provided by the
41 general assembly.

42 Sec. 37. Section 12.21, Code 1995, is amended to
43 read as follows:

44 12.21 ACCEPTING CREDIT CARD PAYMENTS.

45 The treasurer of state may enter into an agreement
46 with a financial institution to provide credit card
47 receipt processing for state departments which are
48 authorized by the treasurer of state to accept payment
49 by credit card. A department which accepts credit
50 card payments ~~shall~~ may adjust its fees to reflect the

S-3690

-22-

S-3690

Page 23

1 cost of processing as determined by the treasurer of
2 state. A fee may be charged by a department for using
3 the credit card payment method notwithstanding any
4 other provision of the Code setting specific fees.
5 The treasurer of state shall adopt rules to implement
6 this section.

7 Sec. 38. Section 17A.8, subsection 9, Code 1995,
8 is amended to read as follows:

9 9. Upon a vote of ~~two-thirds~~ six of its members,
10 the administrative rules review committee may delay
11 the effective date of a rule until the adjournment of
12 the next regular session of the general assembly. The
13 committee shall refer a rule whose effective date has
14 been delayed to the speaker of the house of
15 representatives and the president of the senate who
16 shall refer the rule to the appropriate standing
17 committees of the general assembly. If the general
18 assembly has not disapproved of the rule by a joint
19 resolution, the rule shall become effective. The
20 speaker of the house of representatives and the
21 president of the senate shall notify the
22 administrative code editor of the final disposition of
23 any rule delayed pursuant to this subsection. If a
24 rule is disapproved, it shall not become effective and
25 the agency shall withdraw the rule. This section
26 shall not apply to rules made effective under section
27 17A.5, subsection 2, paragraph "b".

28 Sec. 39. Section 25.2, Code 1995, is amended to
29 read as follows:

30 25.2 EXAMINATION OF REPORT -- APPROVAL OR
31 REJECTION -- PAYMENT.

32 The state appeal board with the recommendation of
33 the special assistant attorney general for claims may
34 approve or reject claims against the state of less
35 than ten years covering the following: Outdated
36 warrants; outdated sales and use tax refunds; license
37 refunds; additional agricultural land tax credits;
38 outdated invoices; fuel and gas tax refunds; outdated
39 homestead and veterans' exemptions; outdated funeral
40 service claims; tractor fees; registration permits;
41 outdated bills for merchandise; services furnished to
42 the state; claims by any county or county official
43 relating to the personal property tax credit; and
44 refunds of fees collected by the state. Payments
45 authorized by the state appeal board shall be paid
46 from the appropriation or fund of original
47 certification of the claim. However, if that
48 appropriation or fund has since reverted under section
49 8.33 then such payment authorized by the state appeal
50 board shall be out of any money in the state treasury

S-3690

-23-

S-3690

Page 24

1 not otherwise appropriated. Notwithstanding the
2 provisions of this section, the director of revenue
3 and finance may reissue outdated warrants. On or
4 before November 1 of each year, the director of
5 revenue and finance shall provide the treasurer of
6 state with a report of all unpaid warrants which have
7 been outdated for two years or more. The treasurer
8 shall include information regarding outdated warrants
9 in the notice published pursuant to section 556.12.
10 The provisions of section 556.11 regarding agreements
11 to pay compensation for recovery or assistance in
12 recovery of unclaimed property are applicable to
13 agreements to pay compensation to recover or assist in
14 the recovery of outdated warrants.

15 Sec. 40. NEW SECTION. 70A.1A SALARY LIMITATIONS
16 -- CERTAIN DEPARTMENT HEADS AND SUBORDINATE OFFICERS
17 AND EMPLOYEES.

18 1. The directors, principal assistants, and
19 employees of the following departments, boards, and
20 offices shall not receive an annual salary which
21 exceeds eighty percent of the annual salary of the
22 governor:

- 23 a. Iowa ethics and campaign disclosure board.
- 24 b. Department of commerce.
- 25 c. Department of general services.
- 26 d. Office of the governor.
- 27 e. Department of inspections and appeals.
- 28 f. Department of management.
- 29 g. Department of personnel.
- 30 h. Department of revenue and finance.
- 31 i. Office of state-federal relations.

32 2. The annual salaries of the deputy officers and
33 employees of the following state agencies shall not
34 exceed eighty percent of annual salary of the state
35 agency's elected principal officer:

- 36 a. Office of auditor of state.
- 37 b. Office of secretary of state.
- 38 c. Office of treasurer of state.

39 Sec. 41. SALARIES EXCEEDING LIMITS -- TRANSITION.

40 On the effective date of this Act, if the salary of
41 an officer or employee of the state departments and
42 offices listed in section 43 of this Act exceeds the
43 80 percent limitation, the salary of the officer or
44 employee shall be frozen at that pay rate until the
45 officer's or employee's salary is less than 80 percent
46 of the applicable principal officer's salary. When
47 the officer's or employee's salary is less than an
48 amount which equals the 80 percent limitation, the
49 officer or employee may receive salary adjustments as
50 otherwise provided by law, but total annual salary

S-3690

-24-

S-3690

Page 25

1 shall not exceed the 80 percent limitation.

2 Sec. 42. Section 411.36, subsection 1, unnumbered
3 paragraph 1, Code 1995, as amended by 1995 Iowa Acts,
4 Senate File 45, section 5, is amended to read as
5 follows:

6 A board of trustees for the statewide fire and
7 police retirement system is created. The board shall
8 consist of ~~thirteen~~ fourteen members, including nine
9 voting members and ~~four~~ five nonvoting members.

10 Section 69.16A applies to the appointment of the
11 voting members of the board. The voting members of
12 the board shall be as follows:

13 Sec. 43. Section 411.36, subsection 1, unnumbered
14 paragraph 2, Code 1995, as amended by 1995 Iowa Acts,
15 Senate File 45, section 5, is amended to read as
16 follows:

17 The treasurer of state, or the treasurer's
18 designee, shall serve as an ex officio, nonvoting
19 member. The other nonvoting members of the board
20 shall be two state representatives, one appointed by
21 the speaker of the house of representatives and one by
22 the minority leader of the house, and two state
23 senators, one appointed by the majority leader of the
24 senate and one by the minority leader of the senate.

25 Sec. 44. Section 411.36, subsection 2, Code 1995,
26 is amended to read as follows:

27 2. ~~Except-as-otherwise-provided-for-the-initial~~
28 ~~appointments,-the~~ The voting members shall be
29 appointed for four-year terms, and the nonvoting
30 members who are members of the senate and the house of
31 representatives shall be appointed for two-year terms.
32 Terms begin on May 1 in the year of appointment and
33 expire on April 30 in the year of expiration.

34 Sec. 45. Section 411.36, subsection 5, paragraph
35 a, Code 1995, is amended to read as follows:

36 a. Members of the board, except the treasurer of
37 state or the treasurer's designee, shall be paid their
38 actual and necessary expenses incurred in the
39 performance of their duties and shall receive a per
40 diem as specified in section 7E.6 for each day of
41 service. Per diem and expenses shall be paid to
42 voting members from the fire and police retirement
43 fund created in section 411.8.

44 Sec. 46. Section 462A.78, subsection 5, Code 1995,
45 is amended to read as follows:

46 5. The funds collected under subsection 1,
47 paragraph "a", shall be placed in the general fund of
48 the county and used for the expenses of the county
49 conservation board if one exists in that county. Of
50 each surcharge collected as required under subsection

S-3690

-25-

S-3690

Page 26

1 1, paragraph "b", the county recorder shall remit five
2 dollars to the ~~office-of-treasurer-of-state~~ department
3 of revenue and finance for deposit in the general fund
4 of the state.

5 Sec. 47. NEW SECTION. 514C.11 PATIENT ACCESS TO
6 TYPES OF PHYSICIANS UNDER MANAGED CARE HEALTH PLAN OR
7 INDEMNITY PLAN WITH LIMITED PROVIDER NETWORK.

8 Notwithstanding section 514C.6, a managed care
9 health plan or indemnity plan with a limited provider
10 network shall provide patients direct access to each
11 type of physician, as defined in section 135.1 and
12 licensed under chapter 148, 150A, or 151, and shall
13 not condition that access upon a referral by a
14 physician licensed under another chapter. Access to a
15 specialist may be conditioned upon a referral by a
16 primary care provider licensed under the same chapter.
17 Any copayment, deductible, cost containment mechanism,
18 or premium rate shall not discriminate directly or
19 indirectly upon the basis of the license held by the
20 physician. Access to a specialist may be subject to a
21 different copayment or deductible than access to a
22 primary care provider. Access to a nonparticipating
23 physician may be restricted or may be subject to
24 different copayments, deductibles, or premium rates,
25 or may be excluded, provided that a plan shall not
26 differentiate or exclude a physician directly or
27 indirectly upon the basis of the license held by the
28 physician.

29 Each plan must demonstrate that it is capable of
30 serving appropriately the needs of the subscriber
31 population in the service area of the plan with regard
32 to patient access to each type of physician.

33 For purposes of this section, "managed care health
34 plan or indemnity plan with a limited provider
35 network" means a health maintenance organization,
36 organized delivery system, accountable health plan,
37 health care insurance plan which limits the number of
38 licensed physicians who can provide services under the
39 plan, preferred provider organization, exclusive
40 provider organization, restricted access network, or
41 similar health-care plan. For purposes of this
42 section, "physician" means as defined in section 135.1
43 and licensed under chapter 148, 150A, or 151.

44 Sec. 48. Section 533.4, subsections 1, 4, 5, and
45 19, Code 1995, are amended to read as follows:

46 1. ~~Receive the-savings-of~~ from its members either,
47 nonmembers as prescribed by rule where the credit
48 union is serving predominantly low-income members,
49 other credit unions, and federal, state, county, and
50 city governments, as payment payments on shares or as

S-3690

-26-

S-3690

Page 27

1 ~~deposits, including the right to conduct Christmas~~
2 ~~clubs, vacation clubs, and other such thrift~~
3 ~~organizations within the membership subject to the~~
4 ~~terms, rates, and conditions established by the board~~
5 ~~of directors, subject to the limitations established~~
6 ~~by rule by the superintendent.~~
7 4. ~~Deposit~~ Make deposits in state and national
8 banks, state and federal savings banks or savings and
9 loan associations, and state and federal credit
10 unions, the accounts of which are insured by the
11 federal deposit insurance corporation or the national
12 credit union share insurance fund.
13 5. Make investments in:
14 a. Time deposits in state and national banks and
15 ~~in-state banks, state and federal savings banks or~~
16 ~~savings and loan associations, and state and federal~~
17 ~~credit unions, the deposits of which are insured by~~
18 ~~the federal deposit insurance corporation or the~~
19 ~~national credit union share insurance fund.~~
20 b. Obligations, participations, or other
21 instruments of or issued by, or fully guaranteed as to
22 principal and interest by the United States government
23 or any agency thereof; or any trust or trusts
24 established for investing directly or collectively in
25 the same.
26 c. General obligations of the state of Iowa and
27 any subdivision thereof of the state.
28 ~~d. Paid-up deposits of savings and loan~~
29 ~~associations, the deposits of which are insured by the~~
30 ~~federal savings and loan insurance corporation.~~
31 e. d. Purchase of notes of liquidating credit
32 unions with the approval of the superintendent.
33 f. e. Shares and deposits in other credit unions.
34 g. f. Shares, stocks, loans, and other obligations
35 or a combination thereof of an organization,
36 corporation, or association, provided the membership
37 or ownership, as the case may be, of the organization,
38 corporation, or association is primarily confined or
39 restricted to credit unions or organizations of credit
40 unions and provided that the purpose of the
41 organization, corporation, or association is primarily
42 designed to provide services to credit unions,
43 organizations of credit unions, or credit union
44 members. However, the aggregate amount invested
45 pursuant to this subsection shall not exceed five
46 percent of the assets of the credit union.
47 h. g. Obligations issued by federal land banks,
48 federal intermediate credit banks, banks for
49 cooperatives, or any or all of the federal farm credit
50 banks.

S-3690

-27-

S-3690

Page 28

1 i- h. Commercial paper issued by United States
2 corporations as defined by rule.

3 j- i. Corporate bonds as defined by and subject to
4 terms and conditions imposed by the administrator,
5 provided that the administrator shall not approve
6 investment in corporate bonds unless the bonds are
7 rated in the two highest grades of corporate bonds by
8 a nationally accepted rating agency, including but not
9 limited to a rating of AAA or AA from Standard and
10 Poors.

11 19. Establish one or more offices other than its
12 main office, subject to the approval and regulation of
13 the superintendent, if such offices ~~shall be~~ are
14 reasonably necessary to furnish service to its
15 membership. A credit union office may furnish all
16 credit union services ordinarily furnished to the
17 membership at the principal place of business of the
18 credit union which operates the office. All
19 transactions of a credit union office shall be
20 transmitted daily to the principal place of business
21 of the credit union which operates the office, and ~~no~~
22 current recordkeeping functions shall not be
23 maintained at a credit union office except to the
24 extent the credit union which operates the office
25 deems it desirable to keep at the office duplicates of
26 the records kept at the principal place of business of
27 the credit union. The central executive and official
28 business functions of a credit union shall be
29 exercised only at the principal place of business.

30 A credit union office shall not be opened without
31 the prior written approval of the superintendent.
32 Upon application by a credit union in the form
33 prescribed by the superintendent, the superintendent
34 shall determine, after notice and hearing, if the
35 establishment of the credit union office is reasonably
36 necessary for service to, and is in the best interests
37 of, the members of the credit union.

38 Notwithstanding the provisions of this section,
39 data processing services and loan documentation
40 recordkeeping functions may be performed or located at
41 an authorized credit union office or at some other
42 location, subject to the approval of the
43 superintendent.

44 Sec. 49. Section 533.16, subsection 3, Code 1995,
45 is amended to read as follows:

46 3. A director of a credit union may borrow from
47 that credit union under the provisions of this
48 chapter, but the rates, terms, and conditions of a
49 loan or line of credit either made to or endorsed or
50 guaranteed by the director shall not be made-on-terms

S-3690

-28-

S-3690

Page 29

1 more favorable than ~~those extended~~ the rates, terms,
2 or conditions of comparable loans or lines of credit
3 provided to other members. A director of a credit
4 union may borrow from that credit union to the extent
5 and in the amount of such director's holdings in the
6 credit union in shares and deposits. A director
7 desiring to borrow from the credit union an amount in
8 excess of the director's holdings in shares and
9 deposits shall first submit application for approval
10 by the board of directors at a regular or special
11 meeting. The director making application for the loan
12 shall not be in attendance at the time the board of
13 directors considers the application and shall not take
14 part in the consideration. Prior to consideration of
15 such loan, the director must have submitted to the
16 board a detailed current financial statement. The
17 aggregate amount of all director loans and lines of
18 credit shall not exceed twenty twenty-five percent of
19 the assets of the credit union.

20 Sec. 50. Section 533.16, subsection 4, paragraph
21 c, Code 1995, is amended by striking the paragraph and
22 inserting in lieu thereof the following:

23 c. A credit union which obtains a report or
24 opinion by an attorney or from another mortgage lender
25 relating to defects in or liens or encumbrances on the
26 title to real property, the unmarketability of the
27 title to real property, or the invalidity or
28 unenforceability of liens or encumbrances on real
29 property, shall provide a copy of the report or
30 opinion to the mortgagor and the mortgagor's attorney.

31 Sec. 51. Section 533.17, subsection 1, unnumbered
32 paragraph 1, Code 1995, is amended to read as follows:

33 ~~Immediately before the payment of a dividend~~ At the
34 end of each dividend period, but no less than
35 quarterly, the gross income of the credit union shall
36 determine its gross earnings be determined. A legal
37 reserve for contingencies against losses on loans and
38 against such other losses as may be specified by rule
39 shall be set aside from the gross earnings income in
40 accordance with the following schedule:

41 Sec. 52. Section 533.17, subsection 2, Code 1995,
42 is amended to read as follows:

43 2. For the purpose of establishing legal reserves,
44 the following shall not be considered risk assets:

45 a. Cash on hand.

46 b. Deposits and shares in federal or state
47 federally insured banks, savings and loan
48 associations, and credit unions.

49 c. Assets which are insured by, fully guaranteed
50 as to principal and interest by, or due from the

S-3690

-29-

S-3690

Page 30

1 United States government, its agencies, and
2 instrumentalities.

3 d. Loans to other credit unions.

4 e. Student loans insured under the provisions of
5 Title XX, United States Code, section 1071 to section
6 1087 or similar state programs.

7 f. Loans insured by the federal housing
8 administration under Title XII, United States Code,
9 section 1703.

10 g. Loans fully insured or guaranteed by the
11 federal government, a state government, or any agency
12 of either.

13 g- h. Common trust investments which deal in
14 investments authorized in section 533.4.

15 h- i. Prepaid expenses.

16 i- j. Accrued interest on nonrisk investments.

17 j- k. Furniture and equipment.

18 k- l. Land and buildings.

19 m. Loans fully secured by a pledge of shares
20 within the credit union.

21 n. Deposits in the national credit union share
22 insurance fund.

23 o. Real estate loans in transit to the secondary
24 market as specified by rule.

25 Sec. 53. Section 533.18, Code 1995, is amended to
26 read as follows:

27 533.18 DIVIDENDS.

28 i- At such intervals and for such periods as the
29 board of directors may authorize, and after ~~transfers~~
30 ~~to the provision for required reserves pursuant to~~
31 section 533.17, the board of directors may declare
32 dividends at such rates and upon such classes of
33 shares as are determined by the board. Such dividends
34 shall be paid on all paid-up shares outstanding at the
35 close of the period for which the dividend is
36 declared.

37 ~~2---Shares-which-become-fully-paid-up-during-such~~
38 ~~dividend-period-and-are-outstanding-at-the-close-of~~
39 ~~period-shall-be-entitled-to-a-proportional-share-of~~
40 ~~such-dividend-~~

41 ~~---3---Dividend-credit-for-a-month-may-be-accrued-on~~
42 ~~shares-which-are-or-become-fully-paid-up-during-the~~
43 ~~first-fifteen-days-of-that-month-~~

44 ---Sec. 54. NEW SECTION. 533.49 AUTHORITY TO LEASE
45 SAFE DEPOSIT BOXES.

46 1. A credit union may lease safe deposit boxes for
47 the storage of property on terms and conditions
48 prescribed by it. Such terms and conditions shall not
49 bind any person to whom the credit union does not give
50 notice of the terms and conditions by delivery of a

S-3690

-30-

S-3690

Page 31

1 lease and agreement in writing containing the terms
2 and conditions. A credit union may limit its
3 liability provided such limitations are set forth in
4 the lease and agreement in at least the same size and
5 type as the other substantive provisions of the
6 contract.

7 2. The lease and agreement of a safe deposit box
8 may provide that evidence tending to prove that
9 property was left in a safe deposit box upon the last
10 entry by the member or the member's authorized agent,
11 and that the property or any part of the property was
12 found missing upon subsequent entry, is not sufficient
13 to raise a presumption that the property was lost by
14 any negligence or wrongdoing for which the credit
15 union is responsible, or put upon the credit union the
16 burden of proof that the alleged loss was not the
17 fault of the credit union.

18 3. A credit union may lease a safe deposit box to
19 a minor. A credit union may deal with a minor with
20 respect to a safe deposit box lease and agreement
21 without the consent of a parent, guardian, or
22 conservator and with the same effect as though the
23 minor were an adult. Any action of the minor with
24 respect to such safe deposit box lease and agreement
25 is binding on the minor with the same effect as though
26 the minor were an adult.

27 4. A credit union which has on file a power of
28 attorney of a member covering a safe deposit box lease
29 and agreement, which has not been revoked by the
30 member, shall incur no liability as a result of
31 continuing to honor the provisions of the power of
32 attorney in the event of the death or incompetence of
33 the donor of the power of attorney until the credit
34 union receives written notice of the death, or written
35 notice of adjudication by a court of the incompetence
36 of the member and the appointment of a guardian or
37 conservator.

38 Sec. 55. NEW SECTION. 533.49A SEARCH PROCEDURE
39 ON DEATH.

40 A credit union shall permit the person named in a
41 court order or, if no order has been served upon the
42 credit union, the spouse, a parent, an adult
43 descendant, or a person named as executor in a copy of
44 a purported will produced by the person, to open and
45 examine the contents of a safe deposit box leased by a
46 decedent, or to examine any property delivered by a
47 decedent for safekeeping, in the presence of an
48 officer of the credit union. The credit union, if
49 requested by such person, and upon the credit union's
50 receipt of the request, shall deliver:

S-3690

-31-

S-3690

Page 32

1 1. Any writing purported to be a will of the
2 decedent to the court having jurisdiction of the
3 decedent's estate.

4 2. Any writing purported to be a deed to a burial
5 plot, or to give burial instructions, to the person
6 making the request for a search.

7 3. Any document purported to be an insurance
8 policy on the life of the decedent to the beneficiary
9 named in the policy. A credit union shall prepare and
10 keep a list of any contents delivered pursuant to this
11 section describing the nature of the property and the
12 individual to whom delivered, and place a copy of the
13 list in the safe deposit box from which the contents
14 were removed.

15 Sec. 56. NEW SECTION. 533.49B ADVERSE CLAIMS TO
16 PROPERTY IN SAFE DEPOSIT AND SAFEKEEPING.

17 1. A credit union shall not be required, in the
18 absence of a court order or indemnity required by this
19 section, to recognize any claim to, or claim of
20 authority to exercise control over, property held in
21 safe deposit or property held for safekeeping pursuant
22 to section 533.49D made by a person or persons other
23 than the following:

24 a. The member in whose name the property is held
25 by the credit union.

26 b. An individual or group of individuals who are
27 authorized to have access to the safe deposit box, or
28 to the property held for safekeeping, pursuant to a
29 certified corporate resolution or other written
30 arrangement with the member, currently on file with
31 the credit union, which has not been revoked by valid
32 corporate action in the case of a corporation, or by a
33 valid agreement or other valid action appropriate for
34 the form of legal organization of any other member, of
35 which the credit union has received notice and which
36 is not the subject of a dispute known to the credit
37 union as to its original validity. The safe deposit
38 and safekeeping account records of a credit union
39 shall be presumptive evidence as to the identity of
40 the member on whose behalf the property is held.

41 2. To require a credit union to recognize an
42 adverse claim to, or adverse claim of authority to
43 control, property held in safe deposit or for
44 safekeeping, whoever makes the claim must do either of
45 the following:

46 a. Obtain and serve on the credit union an
47 appropriate court order or judicial process directed
48 to the credit union, restraining any action with
49 respect to the property until further order of the
50 court or instructing the credit union to deliver the

S-3690

-32-

S-3690

Page 33

1 property, in whole or in part, as indicated in the
2 order or process.

3 b. Deliver to the credit union a bond, in form and
4 amount with sureties satisfactory to the credit union,
5 indemnifying the credit union against any liability,
6 loss, or expense which the credit union might incur
7 because of its refusal to deliver the property to any
8 person described in subsection 1, paragraph "a" or
9 "b".

10 Sec. 57. NEW SECTION. 533.49C REMEDIES AND
11 PROCEEDINGS FOR NONPAYMENT OF RENT ON SAFE DEPOSIT
12 BOX.

13 1. A credit union has a lien upon the contents of
14 a safe deposit box for past due rentals and any
15 expense incurred in opening the safe deposit box,
16 replacement of the locks on the safe deposit box, and
17 of a sale made pursuant to this section. If the
18 rental of a safe deposit box is not paid within six
19 months from the day the rental is due, at any time
20 after the six months and while the rental remains
21 unpaid, the credit union shall mail a notice by
22 restricted certified mail to the member at the
23 member's last known address as shown upon the records
24 of the credit union, stating that if the amount due
25 for the rental is not paid on or before a specified
26 day, which shall be at least thirty days after the
27 date of mailing such notice, the credit union will
28 remove the contents of the safe deposit box and hold
29 the contents for the account of the member.

30 2. If the rental for the safe deposit box has not
31 been paid after the expiration of the period specified
32 in a notice mailed pursuant to subsection 1, the
33 credit union, in the presence of two of its officers,
34 may cause the box to be opened and the contents
35 removed. An inventory of the contents of the safe
36 deposit box shall be made by the two officers present
37 and the contents held by the credit union for the
38 account of the member.

39 3. If the contents are not claimed within two
40 years after their removal from the safe deposit box,
41 the credit union may proceed to sell so much of the
42 contents as is necessary to pay the past due rentals
43 and expense incurred in opening the safe deposit box,
44 replacement of the locks on the safe deposit box, and
45 the sale of the contents. The sale shall be held at
46 the time and place specified in a notice published
47 prior to the sale once each week for two successive
48 weeks in a newspaper of general circulation published
49 in the city or unincorporated area in which the credit
50 union has its principal place of business, or if there

S-3690

-33-

S-3690

Page 34

1 is none, a newspaper of general circulation published
2 in the county, or in a county adjoining the county, in
3 which the credit union has its principal place of
4 business. A copy of the published notice shall be
5 mailed to the member at the member's last known
6 address as shown upon the records of the credit union.
7 The notice shall contain the name of the member and
8 need only describe the contents of the safe deposit
9 box in general terms. The contents of any number of
10 safe deposit boxes may be sold under one notice of
11 sale and the cost of the sale apportioned ratably
12 among the several safe deposit box members involved.
13 At the time and place designated in the notice the
14 contents taken from each respective safe deposit box
15 shall be sold separately to the highest bidder for
16 cash and the proceeds of each sale applied to the
17 rentals and expenses due to the credit union and the
18 residue from any such sale shall be held by the credit
19 union for the account of the member or members. An
20 amount held as proceeds from such sale shall be
21 credited with interest at the customary annual rate
22 for savings accounts at the credit union, or in lieu
23 thereof, at the customary rate of interest in the
24 community where such proceeds are held. The crediting
25 of interest does not activate the account to avoid an
26 abandonment as unclaimed property under chapter 556.

27 4. Notwithstanding the provisions of this section,
28 shares, bonds, or other securities which, at the time
29 of a sale pursuant to subsection 3, are listed on an
30 established stock exchange in the United States, shall
31 not be sold at public sale but may be sold through an
32 established stock exchange. Upon making a sale of any
33 such securities, an officer of the credit union shall
34 execute and attach to the securities so sold an
35 affidavit reciting facts showing that the securities
36 were sold pursuant to this section and that the credit
37 union has complied with the provisions of this
38 section. The affidavit constitutes sufficient
39 authority to any corporation whose shares are sold or
40 to any registrar or transfer agent of such corporation
41 to cancel the certificates representing the shares to
42 the purchaser of the shares, and to any registrar,
43 trustee, or transfer agent of registered bonds or
44 other securities, to register any such bonds or other
45 securities in the name of the purchaser of the bonds
46 or other securities.

47 5. The proceeds of any sale made pursuant to this
48 section, after the payment of any amounts with respect
49 to which the credit union has a lien, any property
50 which was not offered for sale and property which,

S-3690

-34-

S-3690

Page 35

1 although offered for sale, was not sold, shall be
2 retained by the credit union until such time as the
3 property is presumed abandoned according to section
4 556.2, and shall be handled pursuant to chapter 556.

5 Sec. 58. NEW SECTION. 533.49D AUTHORITY TO
6 RECEIVE PROPERTY FOR SAFEKEEPING.

7 1. A credit union may accept property for
8 safekeeping if, except in the case of night
9 depositories, the credit union issues a receipt for
10 the property. A credit union accepting property for
11 safekeeping shall purchase and maintain reasonable
12 insurance coverage to ensure against loss incurred in
13 connection with the acceptance of property for
14 safekeeping. Property held for safekeeping shall not
15 be commingled with the property of the credit union or
16 the property of others.

17 2. A credit union has a lien upon any property
18 held for safekeeping and for expenses incurred in any
19 sale made pursuant to this subsection. If the charge
20 for safekeeping of property is not paid within six
21 months from the day the charge is due, at any time
22 after the six months and while the charge remains
23 unpaid, the credit union may mail a notice to the
24 member at the member's last known address as shown
25 upon the records of the credit union, stating that if
26 the amount due is not paid on or before a specified
27 day, which shall be at least thirty days after the
28 date of mailing the notice, the credit union will
29 remove the property from safekeeping and hold the
30 property for the account of the member. After the
31 expiration of the period specified in the notice, if
32 the charge for safekeeping has not been paid, the
33 credit union may remove the property from safekeeping,
34 cause the property to be inventoried, and hold the
35 property for the account of the member. If the
36 property is not claimed within two years after its
37 removal from safekeeping the credit union may proceed
38 to sell so much of the property as is necessary to pay
39 the charge which remains unpaid and the expense
40 incurred in making the sale in the manner provided for
41 in section 533.49C, subsections 3 and 4. The proceeds
42 of any sale made pursuant to this section, after
43 payment of any amounts with respect to which the
44 credit union has a lien, any property which was not
45 offered for sale, and property which, although offered
46 for sale, was not sold, shall be retained by the
47 credit union until such time as the property is
48 presumed abandoned according to section 556.2, and
49 shall be handled pursuant to chapter 556.

50 Sec. 59. Section 533.62, subsection 4, Code 1995,

S-3690

-35-

S-3690

Page 36

1 is amended by striking the subsection and inserting in
2 lieu thereof the following:

3 4. a. A loan of money or property shall not be
4 made directly or indirectly by a state-chartered
5 credit union, or by its officers, directors, or
6 employees, to the superintendent, deputy, or employee
7 of the credit union division. The superintendent,
8 deputy, or employee of the credit union division shall
9 not accept from a state-chartered credit union, or its
10 officers, directors, or employees, a loan of money or
11 property, either directly or indirectly.

12 b. The superintendent, deputy, or employee of the
13 credit union division shall not perform any services
14 for or be an officer, director, or employee of a
15 state-chartered credit union.

16 c. A person who willfully undertakes to establish
17 a business dealing contrary to this section commits a
18 serious misdemeanor, and shall be permanently
19 disqualified from acting as an officer, director, or
20 employee of a state-chartered credit union and
21 permanently disqualified from acting as
22 superintendent, deputy, or employee of the credit
23 union division.

24 d. The superintendent, deputy, or employee of the
25 credit union division who is convicted of theft,
26 burglary, robbery, larceny, or embezzlement as a
27 result of a violation of the laws of any state or of
28 the United States while holding such position shall be
29 immediately disqualified from employment and shall be
30 forever disqualified from holding any position in the
31 credit union division.

32 Sec. 60. Section 554.9401, subsection 6, Code
33 1995, is amended to read as follows:

34 6. Of each fee collected by the county recorder
35 under sections 570A.4, 554.9403, 554.9405, and
36 554.9406, the county recorder shall remit five
37 dollars, if filed on a standard form or six dollars
38 otherwise, to the ~~office of the treasurer of state~~
39 department of revenue and finance for deposit in the
40 general fund of the state.

41 Sec. 61. Section 99D.5, subsection 1, Code 1995,
42 is amended to read as follows:

43 1. A state racing and gaming commission is created
44 within the department of inspections and appeals
45 consisting of five members who shall be appointed by
46 the governor subject to confirmation by the senate,
47 and who shall serve not to exceed a three-year term at
48 the pleasure of the governor. The term of each member
49 shall begin and end as provided in section 69.19.
50 Before a person is appointed to the commission, the

S-3690

-36-

S-3690

Page 37

1 division of criminal investigation of the department
2 of public safety shall conduct a thorough background
3 investigation of the proposed appointee. The proposed
4 appointee shall provide information on a form as
5 required by the division of criminal investigation.
6 The background investigation shall be the same as
7 conducted for an applicant for a license to conduct
8 pari-mutuel wagering. The information shall be made
9 available to the members of the senate standing
10 committee assigned to investigate and recommend
11 confirmation of an appointee.

12 Sec. 62. Section 515A.15, Code 1995, as amended by
13 1995 Iowa Acts, House File 247, section 24, is amended
14 to read as follows:

15 515A.15 ASSIGNED RISKS.

16 Agreements shall be made among insurers with
17 respect to the equitable apportionment among them of
18 insurance which may be afforded applicants who are in
19 good faith entitled to but who are unable to procure
20 such insurance through ordinary methods and such
21 insurers may agree among themselves on the use of
22 reasonable rate modifications for such insurance, the
23 agreements and rate modifications to be subject to the
24 approval of the commissioner.

25 For purposes of this section, "insurer" includes,
26 in addition to insurers defined pursuant to section
27 515A.2, an entity which has submitted a plan of self-
28 insurance for approval pursuant to section 87.4 on or
29 before May 1, 1995, and a self-insurance association
30 formed on or after July 1, 1995, pursuant to section
31 87.4 except for an association comprised of cities or
32 counties, or both, or an association comprised of
33 community colleges as defined in section 260C.2, which
34 have entered into an agreement pursuant to chapter 28E
35 for the purpose of establishing a self-insured program
36 for the payment of workers' compensation benefits.

37 Sec. 63. REPEAL. Sections 12.9, 12.12, and 12.13,
38 Code 1995, are repealed.

39 Sec. 64. EFFECTIVE DATE. This section and
40 sections 40, 41, 42, 43, 44, and 45, being deemed of
41 immediate importance, take effect upon enactment.
42 Sections 30 and 31 of this Act take effect on June 30,
43 1995. The remainder of this Act takes effect on July
44 1, 1995. ""

By PATTY JUDGE

S-3690 FILED MAY 3, 1995

ADOPTED

(P. 16/15)

REPORT OF THE CONFERENCE COMMITTEE
ON SENATE FILE 484

To the President of the Senate and Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and the House of Representatives on Senate File 484, a bill for An Act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority and other properly related matters, providing an effective date, and providing penalties, respectfully make the following report:

1. The the Senate recedes from its amendment, H-4225.

2. That the House amendment, S-3684, to Senate File 484, as amended, passed, and reprinted by the Senate, is amended as follows:

1. By striking page 1, line 5, through page 19, line 2, and inserting the following:

"Section 1. AUDITOR OF STATE. There is appropriated from the general fund of the state to the office of the auditor of state 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 purposes designated:

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

.....	\$	1,310,549
.....	FTEs	112.50

The auditor of state may retain additional full-time equivalent positions as is reasonable and necessary to perform

CCS-484

Page 2

governmental subdivision audits which are reimbursable pursuant to section 11.20 or 11.21, to perform audits which are requested by and reimbursable from the federal government, and to perform work requested by and reimbursable from departments or agencies pursuant to section 11.5A or 11.5B. The auditor of state shall notify the department of management, the legislative fiscal committee, and the legislative fiscal bureau of the additional full-time equivalent positions retained.

Sec. 2. IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD. There is appropriated from the general fund of the state to the Iowa ethics and campaign disclosure board for the fiscal year beginning July 1, 1995, and ending June 30, 1996, 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:

.....	\$	375,786
.....	FTEs	8.00

Sec. 3. DEPARTMENT OF COMMERCE. There is appropriated from the general fund of the state to the department of commerce for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amounts, or so much thereof as is necessary, for the purposes designated:

1. PROFESSIONAL LICENSING AND REGULATION DIVISION

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

.....	\$	897,802
.....	FTEs	14.00

2. ADMINISTRATIVE SERVICES DIVISION

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

CCS-484

Page 3

..... \$ 211,586
..... FTEs 2.00

It is the intent of the general assembly that the two positions authorized in this subsection for the division shall coordinate the administrative services to be provided to the divisions in the department. These two positions are under the direct supervision of, and shall report to, the director of the department.

The division of administrative services shall assess each division within the department of commerce and the office of consumer advocate within the department of justice a pro rata share of the operating expenses of the division of administrative services. The pro rata share shall be determined pursuant to a cost allocation plan established by the division of administrative services and agreed to by the administrators of the divisions and the consumer advocate. To the extent practicable, the cost allocation plan shall be based on the proportion of the administrative expenses incurred on behalf of each division and the office of consumer advocate. Each division and the office of consumer advocate shall include in its charges assessed or revenues generated, an amount sufficient to cover the amount stated in its appropriation, any state assessed indirect costs determined by the department of revenue and finance, and the cost of services provided by the division of administrative services.

3. ALCOHOLIC BEVERAGES DIVISION

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

..... \$ 1,861,105
..... FTEs 33.50

4. BANKING DIVISION

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

.....	\$	5,375,058
.....	FTEs	84.00

5. CREDIT UNION DIVISION

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

.....	\$	1,047,066
.....	FTEs	20.00

6. INSURANCE DIVISION

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

.....	\$	2,924,482
.....	FTEs	91.50

Of the amounts appropriated in this section to the insurance division, not more than \$100,000 shall be used for the regulation of health insurance purchasing cooperatives.

The insurance division shall monitor public utilization of the coverages identified in chapter 514C under managed care plans in this state.

The insurance division may reallocate authorized full-time equivalent positions as necessary to respond to accreditation recommendations or requirements. The insurance division expenditures for examination purposes may exceed the projected receipts, refunds and reimbursements, estimated pursuant to section 505.7, subsection 7, including the expenditures for retention of additional personnel, if the expenditures are fully reimburseable and the division first does both of the following:

a. Notifies the department of management, legislative fiscal bureau, and the legislative fiscal committee of the need for the expenditures.

b. Files with each of the entities named in paragraph "a" the legislative and regulatory justification for the expenditures, along with an estimate of the expenditures.

CCS-484

Page 5

c. (1) Of the amounts appropriated to the insurance division in this subsection not more than \$100,000 shall be used for continuing the division's senior health insurance information program and not more than \$100,000 shall be used for the purpose of establishing a pilot consumer health education and assistance program.

(2) The purpose of the consumer health education and assistance program is to educate and assist health care consumers to make more informed health insurance and care choices in the marketplace. Both oral and written educational assistance relating to health care insurance, delivery systems, provider services and coverage, billing procedures, and sources of information shall be provided by the division. The division of insurance may request, and other state agencies shall provide, assistance in implementing and administering the health care education and assistance program.

(3) The commissioner of insurance shall appoint an advisory committee consisting of knowledgeable and interested citizens and state and local public officials to provide advice and review the program. A majority of the members of the advisory committee shall be bona fide representatives of consumers.

(4) The commissioner of insurance shall prepare a progress report relating to the activities of the program, the report to be submitted to the governor and the members of the general assembly not later than March 1, 1996. The governor and the legislative council may request progress reports from the commissioner of insurance as deemed appropriate.

7. UTILITIES DIVISION

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

.....	\$	4,911,871
.....	FTEs	79.00

CCS-484

Page 6

The utilities division may expend additional funds, including funds for additional personnel, if those additional expenditures are actual expenses which exceed the funds budgeted for utility regulation. Before the division expends or encumbers an amount in excess of the funds budgeted for regulation, the director of the department of management shall approve the expenditure or encumbrance. Before approval is given, the director of the department of management shall determine that the regulation expenses exceed the funds budgeted by the general assembly to the division and that the division does not have other funds from which regulation expenses can be paid. Upon approval of the director of the department of management the division may expend and encumber funds for excess regulation expenses. The amounts necessary to fund the excess regulation expenses shall be collected from those utility companies being regulated which caused the excess expenditures, and the collections shall be treated as repayment receipts as defined in section 8.2.

Sec. 4. There is appropriated from the general fund of the state to the following named agencies for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. COMMISSION ON UNIFORM STATE LAWS

For support of the commission and expenses of the members:

..... \$ 20,803

2. NATIONAL CONFERENCE OF STATE LEGISLATURES

For support of the membership assessment:

..... \$ 87,719

Sec. 5. 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 amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. ADMINISTRATION DIVISION

CCS-484

Page 7

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

..... \$ 1,169,975
..... FTEs 31.35

2. INFORMATION SERVICES DIVISION

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

..... \$ 5,497,002
..... FTEs 141.60

3. PROPERTY MANAGEMENT DIVISION

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

..... \$ 3,935,381
..... FTEs 113.00

The department of general services shall not change the
appropriations for the purposes designated in subsections 1
through 3 from the amounts appropriated under those
subsections unless notice of the revisions is given prior to
their effective date to the legislative fiscal bureau. The
notice shall include information on the department's rationale
for making the changes.

Savings achieved in providing telephone services shall be
used by the department of general services to increase
efficiencies in the provision of those services. The
department of general services shall report not later than
August 31, 1996, on the projects undertaken to the
chairpersons and the ranking members of the joint
appropriations subcommittee on administration and regulation
and to the legislative fiscal bureau. The report shall
include a listing of the projects and efficiencies undertaken
during the fiscal year, the cost of each project, and the
benefits, including the projected savings on an annual basis

CCS-484

Page 8

and for the life of the efficiency improvement.

4. CAPITOL PLANNING COMMISSION

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

..... \$ 2,000

5. RENTAL SPACE

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

..... \$ 607,955

6. UTILITY COSTS

For payment of utility costs and for not more than the following full-time equivalent positions:

..... \$ 2,059,178

..... FTEs 1.00

The department of general services may use funds appropriated in this subsection for utility costs to fund energy conservation projects in the state capitol complex which will have a 100 percent payback within a 24-month period. In addition, notwithstanding sections 8.33 and 18.12, subsection 11, any excess funds appropriated for utility costs in this subsection shall not revert to the general fund of the state on June 30, 1996, and these funds shall be used for implementation of energy conservation projects having a payback of 100 percent within a two-year to six-year period. The department of general services shall report not later than August 31, 1996, on the projects having 100 percent payback within a six-year period to the chairpersons and ranking members of the joint appropriations subcommittee on administration and regulation and to the legislative fiscal bureau. The report shall include a listing of the projects undertaken, the cost of each project, and the projected savings on an annual basis and for the life of the project.

7. TERRACE HILL OPERATIONS

For salaries, support, maintenance, and miscellaneous

CCS-484

Page 9

purposes necessary for the operation of Terrace Hill and for not more than the following full-time equivalent positions:

.....	\$	164,637
.....	FTEs	4.00

Sec. 6. There is appropriated from the designated revolving funds to the department of general services for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

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

.....	\$	912,217
.....	FTEs	26.05

2. The remainder of the centralized printing permanent revolving fund is appropriated for the expense incurred in supplying paper stock, offset printing, copy preparation, binding, distribution costs, original payment of printing and binding claims and contingencies arising during the fiscal year beginning July 1, 1995, and ending June 30, 1996, which are legally payable from this fund.

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

.....	\$	734,140
.....	FTEs	16.05

4. The remainder of the centralized purchasing permanent revolving fund is appropriated for the payment of expenses incurred through purchases by various state departments and for contingencies arising during the fiscal year beginning July 1, 1995, and ending June 30, 1996, which are legally payable from this fund.

5. From the vehicle dispatcher revolving fund established

by section 18.119 for salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	625,075
.....	FTEs	15.00

6. The remainder of the vehicle dispatcher revolving fund is appropriated for the purchase of gasoline, gasohol, oil, tires, repairs, and all other maintenance expenses incurred in the operation of state-owned motor vehicles and for contingencies arising during the fiscal year beginning July 1, 1995, and ending June 30, 1996, which are legally payable from this fund.

The vehicle dispatcher shall report, not later than February 15, 1996, to the chairpersons and the ranking members of the joint appropriations subcommittee on administration and regulation and to the legislative fiscal bureau regarding the efficiencies of the vehicle fleet and the changes in the efficiencies. The report shall include the cost per mile, fuel efficiencies, maintenance costs, useful life, the costs of extending the useful life, and other measures which the vehicle dispatcher or the legislative fiscal bureau finds appropriate. The information shall be reported for each general type of vehicle. The overhead costs shall also be reported with the total costs of the vehicle dispatcher operations.

The department of general services shall report to the chairpersons and ranking members of the joint appropriations subcommittee on administration and regulation and the legislative fiscal bureau not later than February 15, 1996, a comparison of the performance of vehicles burning an 85 percent ethanol mixture and those burning a 10 percent ethanol mixture. The report shall include, but is not limited to, average mileage, vehicle life, and problems encountered.

Sec. 7. GOVERNOR AND LIEUTENANT GOVERNOR. There is appropriated from the general fund of the state to the offices

CCS-484

Page 11

of the governor and the lieutenant governor for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

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

.....	\$	1,088,936
.....	FTEs	17.25

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

.....	\$	2,416

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

.....	\$	64,648
.....	FTEs	2.00

4. For the payment of expenses of ad hoc committees, councils, and task forces appointed by the governor to research and analyze a particular subject area relevant to the problems and responsibilities of state and local government, including the employment of professional, technical, and administrative staff and the payment of per diem and actual expenses of committee, council, or task force members as specified pursuant to section 7E.6:

.....	\$	1,610

The ad hoc committees, councils, and task forces appointed by the governor are subject to chapters 21 and 22 and the members and the staff shall be informed of these requirements. A member shall not receive a per diem if the member is receiving a salary as a full-time public employee, but members shall be reimbursed for actual and necessary expenses.

5. For salaries, support, maintenance, and miscellaneous purposes for the office of administrative rules coordinator,

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

.....	\$	108,336
.....	FTEs	2.00

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

.....	\$	74,435

Sec. 8. DEPARTMENT OF INSPECTIONS AND APPEALS. There is appropriated from the general fund of the state to the department of inspections and appeals for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amounts, or so much thereof as is necessary, for the purposes designated:

1. FINANCE AND SERVICES DIVISION

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

.....	\$	467,275
.....	FTEs	21.00

2. AUDITS DIVISION

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

.....	\$	352,092
.....	FTEs	11.00

3. APPEALS AND FAIR HEARINGS DIVISION

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

.....	\$	223,048
.....	FTEs	24.00

If Senate File 358 is enacted by the Seventy-sixth General Assembly, 1995 Regular Session, there is appropriated from the general fund of the state to the appeals and fair hearings division for the fiscal period beginning July 1, 1995, and

CCS-484

Page 13

ending December 31, 1995, an additional sum of \$45,000, or so much thereof as is necessary, and 1.50 FTEs to carry out the responsibilities of the division as specified in Senate File 358.

4. INVESTIGATIONS DIVISION

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

.....	\$	729,111
.....	FTEs	35.00

5. HEALTH FACILITIES DIVISION

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

.....	\$	1,663,070
.....	FTEs	101.00

6. INSPECTIONS DIVISION

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

.....	\$	577,869
.....	FTEs	13.00

7. EMPLOYMENT APPEAL BOARD

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

.....	\$	33,067
.....	FTEs	15.00

The employment appeal board shall be reimbursed by the labor services division of the department of employment services for all costs associated with hearings conducted under chapter 91C, related to contractor registration. The board may expend, in addition to the amount appropriated under this subsection, additional amounts as are directly billable to the labor services division under this subsection and to

CCS-484

Page 14

retain the additional full-time equivalent positions as needed to conduct hearings required pursuant to chapter 91C.

8. STATE FOSTER CARE REVIEW BOARD

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

.....	\$	527,041
.....	FTEs	10.00

The department of human services, in coordination with the state foster care review board and the department of inspections and appeals, shall submit an application for funding available pursuant to Title IV-E of the federal Social Security Act for claims for state foster care review board administrative review costs.

9. The department of inspections and appeals shall provide an accounting of all costs associated with negotiating agreements and compacts pursuant to section 10A.104, subsection 10, and all costs associated with monitoring such agreements and compacts. Information in the accounting shall include the dates and destinations of all travel related to the negotiations and monitoring, and all costs associated with the personnel involved, including salary, travel, and support costs.

Sec. 9. RACETRACK REGULATION. 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, 1995, and ending June 30, 1996, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, miscellaneous purposes, for the regulation of pari-mutuel racetracks, and for not more than the following full-time equivalent positions:

.....	\$	1,760,378
.....	FTEs	23.85

Sec. 10. EXCURSION BOAT REGULATION. There is appropriated

CCS-484

Page 15

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, 1995, and ending June 30, 1996, 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 positions:

.....	\$	860,651
.....	FTEs	17.11

It is the intent of the general assembly that the racing and gaming commission shall only employ additional full-time equivalent positions for riverboat gambling enforcement as authorized by the department of management as needed for enforcement on new riverboats. If more than six riverboats are operating during the fiscal year beginning July 1, 1995, and ending June 30, 1996, the commission may expend no more than \$84,917 for no more than 2.00 FTEs for each additional riverboat in excess of six. The additional expense associated with the positions shall be paid from fees assessed by the commission as provided in chapter 99F.

Notwithstanding section 8.39, funds shall not be transferred to the department of inspections and appeals which would be used for monitoring Indian gaming.

Sec. 11. DEPARTMENT OF INSPECTIONS AND APPEALS -- SERVICE CHARGES. The department of inspections and appeals may charge state departments, agencies, and commissions for services rendered and the payment received shall be considered repayment receipts as defined in section 8.2.

Sec. 12. USE TAX APPROPRIATION. There is appropriated from the use tax receipts collected pursuant to section 423.7 prior to their deposit in the road use tax fund pursuant to section 423.24, subsection 1, to the appeals and fair hearings division of the department of inspections and appeals for the

CCS-484

Page 16

fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amount, or so much thereof as is necessary, for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes:

..... \$ 924,090

Sec. 13. DEPARTMENT OF MANAGEMENT. There is appropriated from the general fund of the state to the department of management for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. GENERAL OFFICE

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

..... \$ 2,032,287

..... FTEs 30.00

2. LAW ENFORCEMENT TRAINING REIMBURSEMENTS

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

..... \$ 47,500

3. COUNCIL OF STATE GOVERNMENTS

For support of the membership assessment:

..... \$ 75,500

The department of management shall conduct a study of the positions of deputy director throughout the executive branch of state government. The study shall include the responsibilities of each deputy director, the salaries of the deputy directors, the number of deputy director positions, and the variation of responsibilities among the deputy director positions. The department shall report its findings to the chairpersons and ranking members of the joint subcommittees on oversight, audit and government reform, and to the legislative

CCS-484

Page 17

fiscal bureau by January 1, 1996.

Sec. 14. There is appropriated from the road use tax fund to the department of management 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 purposes designated:

For salaries, support, maintenance, and miscellaneous purposes:

..... \$ 56,000

The department of management shall report to the chairpersons and ranking members of the senate and house committees on appropriations, the chairpersons and ranking members of the joint appropriations subcommittee on administration and regulation, and the legislative fiscal bureau, the number of furloughs and the number of layoffs that occur in each state agency, the savings associated with those furloughs and layoffs, the effect of the furloughs and layoffs on services provided by the state agency, and other relevant information. The department shall provide a year-end report summarizing the information for the fiscal year beginning July 1, 1995, which will be due by September 1, 1996.

When addressing staffing targets for state agencies, the department of management shall state the number of staff authorized for a state agency in terms of full-time equivalent positions.

Sec. 15. There is appropriated from the general fund of the state to the department of personnel for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amounts, or so much thereof as is necessary, to be used for the purposes designated including the filing of quarterly reports as required in this section:

1. OPERATIONS

For salaries, support, maintenance, and miscellaneous purposes for the director's staff, information services, data processing, and financial services, and for not more than the

CCS-484

Page 18

following full-time equivalent positions:

.....	\$	1,041,716
.....	FTEs	18.58

2. PROGRAM DELIVERY

For salaries for personnel services, employment law and labor relations and training for not more than the following full-time equivalent positions:

.....	\$	1,213,964
.....	FTEs	33.20

3. PROGRAM ADMINISTRATION AND DEVELOPMENT

For salaries for employment, compensation, and benefits and workers' compensation and for not more than the following full-time equivalent positions:

.....	\$	1,386,933
.....	FTEs	32.80

Any funds received by the department for workers' compensation purposes other than the funds appropriated in subsection 3 shall be used only for the payment of workers' compensation claims.

The funds for support, maintenance, and miscellaneous purposes for personnel assigned to program delivery under subsection 2 and program administration and development under subsection 3 are payable from the appropriation made in subsection 1.

The department of personnel shall report semi-annually to the chairpersons and ranking members of the joint appropriations subcommittee on administration and regulation concerning the number of vacancies in existing full-time equivalent positions and the average time taken to fill the vacancies. The reports shall include quarterly and annual averages organized according to state agency and general occupational category as established by the federal equal employment opportunity commission. All departments and agencies of the state shall cooperate with the department in the preparation of the reports.

CCS-484

Page 19

Sec. 16. IPERS. There is appropriated from the Iowa public employees' retirement system fund to the department of personnel 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 purposes designated:

1. For salaries, support, maintenance, and other operational purposes to pay the costs of the Iowa public employees' retirement system:

..... \$ 3,749,983

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

3. The department of personnel shall submit, annually, a report to the chairpersons and ranking members of the joint appropriations subcommittee on administration and regulation and to the legislative fiscal bureau regarding the results of the state's top achievement recognition program. The reports submitted shall include, but are not limited to, identification of the recipients, a description of the meritorious achievements, and the awards conferred.

Sec. 17. There is appropriated from the primary road fund to the department of personnel 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 purposes designated:

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

..... \$ 331,694

Sec. 18. There is appropriated from the road use tax fund to the department of personnel 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 purposes designated:

CCS-484

Page 20

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

..... \$ 53,996

Sec. 19. There is appropriated from the general fund of the state to the department of revenue and finance for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amounts, or so much thereof as is necessary, to be used for the purposes designated, and for not more than the following full-time equivalent positions used for the purposes designated in subsections 1 through 3:

..... FTEs 577.43

1. AUDIT AND COMPLIANCE

For salaries, support, maintenance, and miscellaneous purposes:

..... \$ 10,563,293

2. STATE FINANCIAL MANAGEMENT

For salaries, support, maintenance, and miscellaneous purposes:

..... \$ 9,376,548

3. INTERNAL RESOURCES MANAGEMENT

For salaries, support, maintenance, and miscellaneous purposes:

..... \$ 5,910,111

4. COLLECTION COSTS AND FEES

For payment of collection costs and fees pursuant to section 422.26:

..... \$ 45,000

5. a. The department of revenue and finance shall not change the appropriations for the purposes designated in subsections 1 through 3 from the amounts appropriated in those subsections unless notice of the revisions is given prior to their effective date to the legislative fiscal bureau. The notice shall include information on the department's rationale for making the changes.

CCS-484

Page 21

b. The department of revenue and finance shall report quarterly to the legislative fiscal bureau concerning progress in the implementation of generally accepted accounting principles, including determination of reporting entities, fund classifications, modification of the Iowa financial accounting system, progress on preparing a comprehensive annual financial report, and the most current estimate of the general fund balance based on current generally accepted accounting principles.

c. The director of revenue and finance shall report annually to the chairpersons and ranking members of the joint appropriations subcommittee on administration and regulation and the legislative fiscal bureau on the implementation and financial status of the integrated revenue information system. The report shall include any changes from the scheduled progress including expenditures or estimated revenue.

d. The director of revenue and finance shall prepare and issue a state appraisal manual and the revisions to the state appraisal manual as provided in section 421.17, subsection 18, without cost to a city or county.

Sec. 20. There is appropriated from the lottery fund to the department of revenue and finance 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 purposes designated:

For salaries, support, maintenance, miscellaneous purposes
for the administration and operation of lottery games, and for
not more than the following full-time equivalent positions:
..... \$ 7,408,016
..... FTEs 120.00

Sec. 21. There is appropriated from the motor vehicle fuel tax fund created by section 452A.77 to the department of revenue and finance 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 purposes

CCS-484

Page 22

designated:

For salaries, support, maintenance, and miscellaneous purposes for administration and enforcement of the provisions of chapter 452A and the motor vehicle use tax program:

..... \$ 1,008,025

Sec. 22. There is appropriated from the general fund of the state to the office of the secretary of state for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. ADMINISTRATION AND ELECTIONS

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

..... \$ 520,514

..... FTEs 9.00

2. BUSINESS SERVICES

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

..... \$ 1,565,021

..... FTEs 28.00

3. For costs incurred in the printing of the official register:

..... \$ 60,000

Sec. 23. STATE-FEDERAL RELATIONS. There is appropriated from the general fund of the state to the office of state-federal relations 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 purposes designated:

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

..... \$ 235,521

CCS-484

Page 23

..... FTEs 3.00

Sec. 24. TREASURER. There is appropriated from the general fund of the state to the office of treasurer of state 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 purposes designated:

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

..... \$ 855,694
..... FTEs 27.80

The office of treasurer of state shall supply clerical and secretarial support for the executive council.

Sec. 25. SECOND INJURY FUND. The administrative costs and expenses incurred by the treasurer of state, the attorney general, the second injury fund, or the department of revenue and finance, in connection with the second injury fund, may be paid from the second injury fund. However, the payment of administrative costs and expenses incurred by the treasurer of state, the attorney general, the second injury fund, and the department of revenue and finance, as authorized in this section, shall only be permitted for administrative costs and expenses incurred in the fiscal year commencing July 1, 1995, and ending June 30, 1996, shall not exceed \$170,000.

Sec. 26. STATE WORKERS' COMPENSATION CLAIMS. There is appropriated from the general fund of the state to the department of personnel 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 distribution, subject to approval of the department of management, to various state departments to fund the premiums for paying workers' compensation claims which are assessed to and collected from the state department by the department of personnel based upon a rating formula established by the

CCS-484

Page 24

department of personnel:

..... \$ 5,884,740

The premiums collected by the department of personnel shall be segregated into a separate workers' compensation fund in the state treasury to be used for payment of state employees' workers' compensation claims. Notwithstanding section 8.33, unencumbered or unobligated moneys remaining in this workers' compensation fund at the end of the fiscal year shall not revert but shall be available for expenditure for purposes of the fund for subsequent fiscal years.

Sec. 27. Notwithstanding section 509A.5, there is appropriated from the employer share of the health insurance premium reserve fund the following amount for the purpose designated:

For the health data commission:

..... \$ 100,000

Sec. 28. RURAL FIRE PROTECTION.

1. There is appropriated from the general fund of the state to the fire marshal 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 supporting a rural fire protection demonstration project:

..... \$ 6,000

2. The department shall award moneys to one or more resource conservation and development councils which apply for such moneys for the installation of permanent dry fire hydrants. Moneys awarded under this section shall not be used to pay for salaries or support administration. The purpose of a project shall be to demonstrate how dry hydrants may be used to preserve life and protect property from dangers associated with fire, and to support rural infrastructure in order to encourage investment in rural communities.

3. A resource conservation and development council which

CCS-484

Page 25

receives an award under this section shall appoint a dry hydrant project coordinator who shall be responsible for administering the award as provided in this section. In applying for and administering an award, a council shall cooperate with relevant county boards of supervisors, county engineers, soil and water conservation districts, local fire departments, township trustees, rural water associations, and landowners. The council shall also seek cooperation from the natural resources and conservation service of the United States department of agriculture, and, if appropriate, the United States army corps of engineers.

4. Applications shall be judged based on criteria established by the department. The fire service institute advisory committee established pursuant to section 266.46 may assist the department in establishing criteria and judging applications. Applicants shall submit a plan that demonstrates the practical advantages of using a dry hydrant, which relies upon natural roadside water impoundments and man-made impoundments fed by rural water mains, to provide viable and economical sources of water required to extinguish fires in rural areas. The plan shall provide for instructing fire departments regarding the installation and operation of dry hydrants, including methods to utilize labor and equipment. In implementing the plan, the dry hydrant project coordinator shall cooperate with the Iowa fire service institute at Iowa state university as provided in section 266.41, the fire service institute advisory committee, and any association which provides for the training of fire fighters, including the Iowa firemen's association and the Iowa society of fire service instructors.

5. The fire marshal shall prepare a report which shall include findings submitted by each dry hydrant project coordinator who administers an award and recommendations submitted by the fire service institute advisory committee. The committee may provide a plan or model for the installation

CCS-484

Page 26

of dry hydrants throughout the state. The report shall be delivered to the general assembly by January 10, 1996.

Sec. 29. CENTRALIZED PURCHASING REVOLVING FUND TRANSFER. Notwithstanding section 18.9, there is transferred from the centralized purchasing revolving fund created under section 18.9 to the general fund of the state on June 30, 1995, the sum of \$200,000.

Sec. 30. SECRETARY OF STATE OPTICAL IMAGING ACCOUNT TRANSFER. The secretary of state shall pay to the general fund of the state on June 30, 1995, the sum of \$75,000, or so much thereof as remains of funds appropriated for an optical imaging project. If insufficient unencumbered or unobligated funds remain in the optical imaging account as of June 30, 1995, to pay \$75,000 to the general fund of the state, the deficiency shall be paid from other moneys appropriated to the office of secretary of state pursuant to this Act.

Sec. 31. IMPLEMENTATION OF FUNDING REDUCTIONS -- INTENT OF GENERAL ASSEMBLY. It is the intent of the general assembly that the departments, agencies, and offices of the executive department of state government shall implement funding reductions through organizational changes which reduce supervisory positions, vertically and horizontally, and increase the span of control of the remaining supervisors as recommended by the governor's committee on government spending reform.

Sec. 32. ELIMINATION OF VACANT UNFUNDED JOBS. The state departments, agencies, or offices receiving appropriations under this Act shall eliminate, within thirty days after the beginning of a fiscal year, all vacant unfunded positions on the table of organization of the state department, agency, or office.

Sec. 33. STATE COMMUNICATIONS NETWORK -- REDUCTION OF TRAVEL AND RELATED EXPENSES. The offices of the governor and lieutenant governor, the office of secretary of state, the office of treasurer of state, the auditor of state, the

CCS-484

Page 27

department of commerce, the department of inspections and appeals, the Iowa ethics and campaign disclosure board, the department of general services, the department of management, the department of revenue and finance, and the department of personnel shall use the services of the state communications network as much as possible for interagency communication, meetings, and conferences to reduce travel and related expenses for the respective offices or departments.

Sec. 34. REPORT OF ADDITIONAL INCOME AND EXPENDITURES.

The state departments, agencies, and offices receiving appropriations under this Act shall report all expenses in excess of the funds appropriated from any statutory revolving funds during the fiscal year beginning July 1, 1994, and ending June 30, 1995. The report shall also include the beginning and ending balances of the revolving funds.

The report required pursuant to this section shall be submitted not later than September 30, 1995, for expenditures made during the fiscal year beginning July 1, 1994, and ending June 30, 1995, to the chairpersons and ranking members of the joint appropriations subcommittee on administration and regulations and the legislative fiscal bureau.

Sec. 35. 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.

Sec. 36. Section 12.21, Code 1995, is amended to read as follows:

12.21 ACCEPTING CREDIT CARD PAYMENTS.

The treasurer of state may enter into an agreement with a financial institution to provide credit card receipt processing for state departments which are authorized by the treasurer of state to accept payment by credit card. A department which accepts credit card payments shall may adjust its fees to reflect the cost of processing as determined by

CCS-484

Page 28

the treasurer of state. A fee may be charged by a department for using the credit card payment method notwithstanding any other provision of the Code setting specific fees. The treasurer of state shall adopt rules to implement this section.

Sec. 37. Section 25.2, Code 1995, is amended to read as follows:

25.2 EXAMINATION OF REPORT -- APPROVAL OR REJECTION -- PAYMENT.

The state appeal board with the recommendation of the special assistant attorney general for claims may approve or reject claims against the state of less than ten years covering the following: Outdated warrants; outdated sales and use tax refunds; license refunds; additional agricultural land tax credits; outdated invoices; fuel and gas tax refunds; outdated homestead and veterans' exemptions; outdated funeral service claims; tractor fees; registration permits; outdated bills for merchandise; services furnished to the state; claims by any county or county official relating to the personal property tax credit; and refunds of fees collected by the state. Payments authorized by the state appeal board shall be paid from the appropriation or fund of original certification of the claim. However, if that appropriation or fund has since reverted under section 8.33 then such payment authorized by the state appeal board shall be out of any money in the state treasury not otherwise appropriated. Notwithstanding the provisions of this section, the director of revenue and finance may reissue outdated warrants. On or before November 1 of each year, the director of revenue and finance shall provide the treasurer of state with a report of all unpaid warrants which have been outdated for two years or more. The treasurer shall include information regarding outdated warrants in the notice published pursuant to section 556.12. The provisions of section 556.11 regarding agreements to pay compensation for recovery or assistance in recovery of

CCS-484

Page 29

unclaimed property are applicable to agreements to pay compensation to recover or assist in the recovery of outdated warrants.

Sec. 38. Section 411.36, subsection 1, unnumbered paragraph 1, Code 1995, as amended by 1995 Iowa Acts, Senate File 45, section 5, is amended to read as follows:

A board of trustees for the statewide fire and police retirement system is created. The board shall consist of thirteen fourteen members, including nine voting members and four five nonvoting members. Section 69.16A applies to the appointment of the voting members of the board. The voting members of the board shall be as follows:

Sec. 39. Section 411.36, subsection 1, unnumbered paragraph 2, Code 1995, as amended by 1995 Iowa Acts, Senate File 45, section 5, is amended to read as follows:

The treasurer of state, or the treasurer's designee, shall serve as an ex officio, nonvoting member. The other nonvoting members of the board shall be two state representatives, one appointed by the speaker of the house of representatives and one by the minority leader of the house, and two state senators, one appointed by the majority leader of the senate and one by the minority leader of the senate.

Sec. 40. Section 411.36, subsection 2, Code 1995, is amended to read as follows:

2. ~~Except as otherwise provided for the initial appointments, the~~ The voting members shall be appointed for four-year terms, and the nonvoting members who are members of the senate and the house of representatives shall be appointed for two-year terms. Terms begin on May 1 in the year of appointment and expire on April 30 in the year of expiration.

Sec. 41. Section 411.36, subsection 5, paragraph a, Code 1995, is amended to read as follows:

a. Members of the board, except the treasurer of state or the treasurer's designee, shall be paid their actual and necessary expenses incurred in the performance of their duties

CCS-484

Page 30

and shall receive a per diem as specified in section 7E.6 for each day of service. Per diem and expenses shall be paid to voting members from the fire and police retirement fund created in section 411.8.

Sec. 42. Section 462A.78, subsection 5, Code 1995, is amended to read as follows:

5. The funds collected under subsection 1, paragraph "a", shall be placed in the general fund of the county and used for the expenses of the county conservation board if one exists in that county. Of each surcharge collected as required under subsection 1, paragraph "b", the county recorder shall remit five dollars to the office-of-treasurer-of-state department of revenue and finance for deposit in the general fund of the state.

Sec. 43. Section 554.9401, subsection 6, Code 1995, is amended to read as follows:

6. Of each fee collected by the county recorder under sections 570A.4, 554.9403, 554.9405, and 554.9406, the county recorder shall remit five dollars, if filed on a standard form or six dollars otherwise, to the office-of-the-treasurer-of state department of revenue and finance for deposit in the general fund of the state.

Sec. 44. Section 99D.5, subsection 1, Code 1995, is amended to read as follows:

1. A state racing and gaming commission is created within the department of inspections and appeals consisting of five members who shall be appointed by the governor subject to confirmation by the senate, and who shall serve not to exceed a three-year term at the pleasure of the governor. The term of each member shall begin and end as provided in section 69.19. Before a person is appointed to the commission, the division of criminal investigation of the department of public safety shall conduct a thorough background investigation of the proposed appointee. The proposed appointee shall provide information on a form as required by the division of criminal

CCS-484

Page 31

investigation. The background investigation shall be the same as conducted for an applicant for a license to conduct pari-mutuel wagering. The information shall be made available to the members of the senate standing committee assigned to investigate and recommend confirmation of an appointee.

Sec. 45. Section 515A.15, Code 1995, as amended by 1995 Iowa Acts, House File 247, section 24, is amended to read as follows:

515A.15 ASSIGNED RISKS.

Agreements shall be made among insurers with respect to the equitable apportionment among them of insurance which may be afforded applicants who are in good faith entitled to but who are unable to procure such insurance through ordinary methods and such insurers may agree among themselves on the use of reasonable rate modifications for such insurance, the agreements and rate modifications to be subject to the approval of the commissioner.

For purposes of this section, "insurer" includes, in addition to insurers defined pursuant to section 515A.2, an entity which has submitted a plan of self-insurance for approval pursuant to section 87.4 on or before May 1, 1995, and a self-insurance association formed on or after July 1, 1995, pursuant to section 87.4 except for an association comprised of cities or counties, or both, or an association comprised of community colleges as defined in section 260C.2, which have entered into an agreement pursuant to chapter 28E for the purpose of establishing a self-insured program for the payment of workers' compensation benefits.

Sec. 46. REPEAL. Sections 12.9, 12.12, and 12.13, Code 1995, are repealed.

Sec. 47. EFFECTIVE DATE. This section and sections 38, 39, 40, and 41, being deemed of immediate importance, take effect upon enactment. Sections 29 and 30 of this Act take effect on June 30, 1995. The remainder of this Act takes effect on July 1, 1995."

CCS-484

Page 32

____. Title page, line 4, by striking the words ", and providing penalties".

ON THE PART OF THE SENATE:

PATTY JUDGE, Chairperson
MERLIN E. BARTZ
LARRY MURPHY

ON THE PART OF THE HOUSE:

DONALD E. HANSON, Chairperson
MICHAEL CATALDO
CHUCK GIPP
DAVID MILLAGE
PAT MURPHY

CCS-484

FILED MAY 4, 1995

ADOPTED

(P. 1625)

Adopted
4-5-95
(P. 2375)

Judge
Murphy
Bartz

SSB 365

Succeeded By
SF/HF 484 Appropriations

SENATE FILE _____

BY (PROPOSED COMMITTEE ON
APPROPRIATIONS BILL BY
CHAIRPERSON MURPHY)

Passed Senate, Date _____

Passed House, Date _____

Vote: Ayes _____ Nays _____

Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to and making appropriations to certain state
2 departments, agencies, funds, and certain other entities,
3 providing for regulatory authority and other properly related
4 matters, providing an effective date, and providing penalties.

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

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37 VHF
37 VHF

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

11 The auditor of state may retain additional full-time
12 equivalent positions as is reasonable and necessary to perform
13 governmental subdivision audits which are reimbursable
14 pursuant to section 11.20 or 11.21, to perform audits which
15 are requested by and reimbursable from the federal government,
16 and to perform work requested by and reimbursable from
17 departments or agencies pursuant to section 11.5A or 11.5B.
18 The auditor of state shall notify the department of
19 management, the legislative fiscal committee, and the
20 legislative fiscal bureau of the additional full-time
21 equivalent positions retained.

22 Sec. 2. IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD. There
23 is appropriated from the general fund of the state to the Iowa
24 ethics and campaign disclosure board for the fiscal year
25 beginning July 1, 1995, and ending June 30, 1996, the
26 following amount, or so much thereof as is necessary, for the
27 purposes designated:

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

33 Sec. 3. DEPARTMENT OF COMMERCE. There is appropriated
34 from the general fund of the state to the department of
35 commerce for the fiscal year beginning July 1, 1995, and

1 ending June 30, 1996, the following amounts, or so much
2 thereof as is necessary, for the purposes designated:

3 1. PROFESSIONAL LICENSING AND REGULATION DIVISION

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

7 \$ 897,802

8 FTEs 14.00

9 b. There is appropriated from the title guaranty fund
10 created in section 16.91 to the professional licensing and
11 regulation division, an amount up to \$25,000, to be used to
12 pay half the cost of employing an auditor for real estate
13 broker trust accounts. In addition to the amount appropriated
14 in this paragraph, the commission may increase the license
15 fees provided for in section 543B.27 in an amount sufficient
16 to pay half the cost of employing an auditor for real estate
17 broker trust accounts.

18 2. ADMINISTRATIVE SERVICES DIVISION

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

22 \$ 211,586

23 FTEs 2.00

24 It is the intent of the general assembly that the two
25 positions authorized in this subsection for the division shall
26 coordinate the administrative services to be provided to the
27 divisions in the department. These two positions are under
28 the direct supervision of, and shall report to, the director
29 of the department.

30 The division of administrative services shall assess each
31 division within the department of commerce and the office of
32 consumer advocate within the department of justice a pro rata
33 share of the operating expenses of the division of
34 administrative services. The pro rata share shall be
35 determined pursuant to a cost allocation plan established by

1 the division of administrative services and agreed to by the
 2 administrators of the divisions and the consumer advocate. To
 3 the extent practicable, the cost allocation plan shall be
 4 based on the proportion of the administrative expenses
 5 incurred on behalf of each division and the office of consumer
 6 advocate. Each division and the office of consumer advocate
 7 shall include in its charges assessed or revenues generated,
 8 an amount sufficient to cover the amount stated in its
 9 appropriation, any state-assessed indirect costs determined by
 10 the department of revenue and finance, and the cost of
 11 services provided by the division of administrative services.

12 3. ALCOHOLIC BEVERAGES DIVISION

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

16	\$ 1,773,619
17	FTEs 33.50

18 The Iowa telecommunications and technology commission shall
 19 transfer to the alcoholic beverages division of the department
 20 of commerce for the fiscal year beginning July 1, 1995, and
 21 ending June 30, 1996, the sum of \$67,000 or so much thereof as
 22 is necessary to fully reimburse the licensing and regulatory
 23 bureau for an employee classified as a public service
 24 executive 3.

25 4. BANKING DIVISION

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

29	\$ 5,375,058
30	FTEs 84.00

31 5. CREDIT UNION DIVISION

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

35	\$ 1,047,066

1 FTEs 20.00

2 6. INSURANCE DIVISION

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

6 \$ 2,777,339

7 FTEs 90.50

8 Of the amounts appropriated in this section to the
9 insurance division, not more than \$100,000 shall be used for
10 the regulation of health insurance purchasing cooperatives.

11 The insurance division shall monitor public utilization of
12 the coverages identified in chapter 514C under managed care
13 plans in this state.

14 The insurance division may reallocate authorized full-time
15 equivalent positions as necessary to respond to accreditation
16 recommendations or requirements. The insurance division
17 expenditures for examination purposes may exceed the projected
18 receipts, refunds and reimbursements, estimated pursuant to
19 section 505.7, subsection 7, including the expenditures for
20 retention of additional personnel, if the expenditures are
21 fully reimburseable and the division first does both of the
22 following:

23 a. Notifies the department of management, legislative
24 fiscal bureau, and the legislative fiscal committee of the
25 need for the expenditures.

26 b. Files with each of the entities named in paragraph "a"
27 the legislative and regulatory justification for the
28 expenditures, along with an estimate of the expenditures.

29 7. UTILITIES DIVISION

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

33 \$ 4,911,871

34 FTEs 79.00

35 The utilities division may expend additional funds,

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

18 Sec. 4. There is appropriated from the general fund of the
 19 state to the following named agencies for the fiscal year
 20 beginning July 1, 1995, and ending June 30, 1996, the
 21 following amounts, or so much thereof as is necessary, to be
 22 used for the purposes designated:

23 1. COMMISSION ON UNIFORM STATE LAWS

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

25 \$ 20,127

26 2. NATIONAL CONFERENCE OF STATE LEGISLATURES

27 For support of the membership assessment:

28 \$ 87,719

29 Sec. 5. There is appropriated from the general fund of the
 30 state to the department of general services for the fiscal
 31 year beginning July 1, 1995, and ending June 30, 1996, the
 32 following amounts, or so much thereof as is necessary, to be
 33 used for the purposes designated:

34 1. ADMINISTRATION DIVISION

35 For salaries, support, maintenance, miscellaneous purposes,

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

3 \$ 1,131,951
4 FTEs 31.35

5 2. INFORMATION SERVICES DIVISION

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

9 \$ 5,294,162
10 FTEs 141.60

11 3. PROPERTY MANAGEMENT DIVISION

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

15 \$ 3,776,252
16 FTEs 112.00

17 The department of general services shall not change the
18 appropriations for the purposes designated in subsections 1
19 through 3 from the amounts appropriated under those
20 subsections unless notice of the revisions is given prior to
21 their effective date to the legislative fiscal bureau. The
22 notice shall include information on the department's rationale
23 for making the changes.

24 Savings achieved in providing telephone services shall be
25 used by the department of general services to increase
26 efficiencies in the provision of those services. The
27 department of general services shall report not later than
28 August 31, 1996, on the projects undertaken to the
29 chairpersons and the ranking members of the joint
30 appropriations subcommittee on administration and regulation
31 and to the legislative fiscal bureau. The report shall
32 include a listing of the projects and efficiencies undertaken
33 during the fiscal year, the cost of each project, and the
34 benefits, including the projected savings on an annual basis
35 and for the life of the efficiency improvement.

1 4. RENTAL SPACE

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

5 \$ 588,196

6 5. UTILITY COSTS

7 For payment of utility costs and for not more than the
8 following full-time equivalent positions:

9 \$ 1,992,255

10 FTEs 1.00

11 The department of general services may use funds
12 appropriated in this subsection for utility costs to fund
13 energy conservation projects in the state capitol complex
14 which will have a 100 percent payback within a 24-month
15 period. In addition, notwithstanding sections 8.33 and 18.12,
16 subsection 11, any excess funds appropriated for utility costs
17 in this subsection shall not revert to the general fund of the
18 state on June 30, 1996, and these funds shall be used for
19 implementation of energy conservation projects having a
20 payback of 100 percent within a two-year to six-year period.
21 The department of general services shall report not later than
22 August 31, 1996, on the projects having 100 percent payback
23 within a six-year period to the chairpersons and ranking
24 members of the joint appropriations subcommittee on
25 administration and regulation and to the legislative fiscal
26 bureau. The report shall include a listing of the projects
27 undertaken, the cost of each project, and the projected
28 savings on an annual basis and for the life of the project.

29 6. TERRACE HILL OPERATIONS

30 For salaries, support, maintenance, and miscellaneous
31 purposes necessary for the operation of Terrace Hill and for
32 not more than the following full-time equivalent positions:

33 \$ 158,326

34 FTEs 4.00

35 Sec. 6. There is appropriated from the designated

1 revolving funds to the department of general services for the
 2 fiscal year beginning July 1, 1995, and ending June 30, 1996,
 3 the following amounts, or so much thereof as is necessary, to
 4 be used for the purposes designated:

5 1.- From the centralized printing permanent revolving fund
 6 established by section 18.57 for salaries, support,
 7 maintenance, miscellaneous purposes, and for not more than the
 8 following full-time equivalent positions:

9	\$	912,217
10	FTEs	26.05

11 2. The remainder of the centralized printing permanent
 12 revolving fund is appropriated for the expense incurred in
 13 supplying paper stock, offset printing, copy preparation,
 14 binding, distribution costs, original payment of printing and
 15 binding claims and contingencies arising during the fiscal
 16 year beginning July 1, 1995, and ending June 30, 1996, which
 17 are legally payable from this fund.

18 3. From the centralized purchasing permanent revolving
 19 fund established by section 18.9 for salaries, support,
 20 maintenance, miscellaneous purposes, and for not more than the
 21 following full-time equivalent positions:

22	\$	734,140
23	FTEs	16.05

24 4. The remainder of the centralized purchasing permanent
 25 revolving fund is appropriated for the payment of expenses
 26 incurred through purchases by various state departments and
 27 for contingencies arising during the fiscal year beginning
 28 July 1, 1995, and ending June 30, 1996, which are legally
 29 payable from this fund.

30 5. From the vehicle dispatcher revolving fund established
 31 by section 18.119 for salaries, support, maintenance,
 32 miscellaneous purposes, and for not more than the following
 33 full-time equivalent positions:

34	\$	625,075
35	FTEs	15.00

1 6. The remainder of the vehicle dispatcher revolving fund
2 is appropriated for the purchase of gasoline, gasohol, oil,
3 tires, repairs, and all other maintenance expenses incurred in
4 the operation of state-owned motor vehicles and for
5 contingencies arising during the fiscal year beginning July 1,
6 1995, and ending June 30, 1996, which are legally payable from
7 this fund.

8 The vehicle dispatcher shall report, not later than
9 February 15, 1996, to the chairpersons and the ranking members
10 of the joint appropriations subcommittee on administration and
11 regulation and to the legislative fiscal bureau regarding the
12 efficiencies of the vehicle fleet and the changes in the
13 efficiencies. The report shall include the cost per mile,
14 fuel efficiencies, maintenance costs, useful life, the costs
15 of extending the useful life, and other measures which the
16 vehicle dispatcher or the legislative fiscal bureau finds
17 appropriate. The information shall be reported for each
18 general type of vehicle. The overhead costs shall also be
19 reported with the total costs of the vehicle dispatcher
20 operations.

21 The department of general services shall report to the
22 chairpersons and ranking members of the joint appropriations
23 subcommittee on administration and regulation and the
24 legislative fiscal bureau not later than February 15, 1996, a
25 comparison of the performance of vehicles burning an 85
26 percent ethanol mixture and those burning a 10 percent ethanol
27 mixture. The report shall include, but is not limited to,
28 average mileage, vehicle life, and problems encountered.

29 Sec. 7. GOVERNOR AND LIEUTENANT GOVERNOR. There is
30 appropriated from the general fund of the state to the offices
31 of the governor and the lieutenant governor for the fiscal
32 year beginning July 1, 1995, and ending June 30, 1996, the
33 following amounts, or so much thereof as is necessary, to be
34 used for the purposes designated:

35 1. For salaries, support, maintenance, and miscellaneous

1 purposes for the general office of the governor and the
 2 general office of the lieutenant governor, and for not more
 3 than the following full-time equivalent positions:

4 \$ 1,005,171
 5 FTEs 16.25

6 2. For salaries, support, maintenance, and miscellaneous
 7 purposes for the governor's quarters at Terrace Hill, and for
 8 not more than the following full-time equivalent positions:

9 \$ 50,064
 10 FTEs 1.50

11 3. For salaries, support, maintenance, and miscellaneous
 12 purposes for the office of administrative rules coordinator,
 13 and for not more than the following full-time equivalent
 14 positions:

15 \$ 104,815
 16 FTEs 2.00

17 4. For payment of Iowa's membership in the national
 18 governors' conference:

19 \$ 74,435

20 Sec. 8. DEPARTMENT OF INSPECTIONS AND APPEALS. There is
 21 appropriated from the general fund of the state to the
 22 department of inspections and appeals for the fiscal year
 23 beginning July 1, 1995, and ending June 30, 1996, the
 24 following amounts, or so much thereof as is necessary, for the
 25 purposes designated:

26 1. FINANCE AND SERVICES DIVISION

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

30 \$ 452,089
 31 FTEs 21.00

32 2. AUDITS DIVISION

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

S.F. _____ H.F. _____

1 \$ 340,649

2 FTEs 11.00

3 3. APPEALS AND FAIR HEARINGS DIVISION

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

7 \$ 215,799

8 FTEs 24.00

9 4. INVESTIGATIONS DIVISION

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

13 \$ 705,415

14 FTEs 35.00

15 5. HEALTH FACILITIES DIVISION

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

19 \$ 1,496,288

20 FTEs 99.00

21 6. INSPECTIONS DIVISION

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

25 \$ 559,088

26 FTEs 13.00

27 7. EMPLOYMENT APPEAL BOARD

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

31 \$ 31,992

32 FTEs 15.00

33 The employment appeal board shall be reimbursed by the
34 labor services division of the department of employment
35 services for all costs associated with hearings conducted

1 under chapter 91C, related to contractor registration. The
 2 board may expend, in addition to the amount appropriated under
 3 this subsection, additional amounts as are directly billable
 4 to the labor services division under this subsection and to
 5 retain the additional full-time equivalent positions as needed
 6 to conduct hearings required pursuant to chapter 91C.

7 8. STATE FOSTER CARE REVIEW BOARD

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

11	\$	509,912
12	FTEs	8.00

13 The department of human services, in coordination with the
 14 state foster care review board and the department of
 15 inspections and appeals, shall submit an application for
 16 funding available pursuant to Title IV-E of the federal Social
 17 Security Act for claims for state foster care review board
 18 administrative review costs.

19 9. NATIVE AMERICAN GAMING. The department of inspections
 20 and appeals shall provide an accounting of all costs
 21 associated with negotiating agreements and compacts pursuant
 22 to section 10A.104, subsection 10, and all costs associated
 23 with monitoring such agreements and compacts. Information in
 24 the accounting shall include the dates and destinations of all
 25 travel related to the negotiations and monitoring, and all
 26 costs associated with the personnel involved, including
 27 salary, travel, and support costs.

28 Sec. 9. RACETRACK REGULATION. There is appropriated from
 29 the general fund of the state to the racing and gaming
 30 commission of the department of inspections and appeals for
 31 the fiscal year beginning July 1, 1995, and ending June 30,
 32 1996, the following amount, or so much thereof as is
 33 necessary, to be used for the purposes designated:

34 For salaries, support, maintenance, miscellaneous purposes,
 35 for the regulation of pari-mutuel racetracks, and for not more

1 than the following full-time equivalent positions:

2 \$ 1,703,166

3 FTEs 23.85

4 Sec. 10. EXCURSION BOAT REGULATION. There is appropriated
5 from the general fund of the state to the racing and gaming
6 commission of the department of inspections and appeals for
7 the fiscal year beginning July 1, 1995, and ending June 30,
8 1996, the following amount, or so much thereof as is
9 necessary, to be used for the purposes designated:

10 For salaries, support, maintenance, and miscellaneous
11 purposes for administration and enforcement of the excursion
12 boat gambling laws, and for not more than the following full-
13 time equivalent positions:

14 \$ 860,651

15 FTEs 17.11

16 It is the intent of the general assembly that the racing
17 and gaming commission shall only employ additional full-time
18 equivalent positions for riverboat gambling enforcement as
19 authorized by the department of management as needed for
20 enforcement on new riverboats. If more than six riverboats
21 are operating during the fiscal year beginning July 1, 1995,
22 and ending June 30, 1996, the commission may expend no more
23 than \$84,917 for no more than 2.00 FTEs for each additional
24 riverboat in excess of six. The additional expense associated
25 with the positions shall be paid from fees assessed by the
26 commission as provided in chapter 99F.

27 Notwithstanding section 8.39, funds shall not be
28 transferred to the department of inspections and appeals which
29 would be used for monitoring Indian gaming.

30 Sec. 11. DEPARTMENT OF INSPECTIONS AND APPEALS -- SERVICE
31 CHARGES. The department of inspections and appeals may charge
32 state departments, agencies, and commissions for services
33 rendered and the payment received shall be considered
34 repayment receipts as defined in section 8.2.

35 Sec. 12. USE TAX APPROPRIATION. There is appropriated

1 from the use tax receipts collected pursuant to section 423.7
 2 prior to their deposit in the road use tax fund pursuant to
 3 section 423.24, subsection 1, to the appeals and fair hearings
 4 division of the department of inspections and appeals for the
 5 fiscal year beginning July 1, 1995, and ending June 30, 1996,
 6 the following amount, or so much thereof as is necessary, for
 7 the purposes designated:

8 For salaries, support, maintenance, and miscellaneous
 9 purposes:

10 \$ 924,090

11 Sec. 13. DEPARTMENT OF MANAGEMENT. There is appropriated
 12 from the general fund of the state to the department of
 13 management for the fiscal year beginning July 1, 1995, and
 14 ending June 30, 1996, the following amounts, or so much
 15 thereof as is necessary, to be used for the purposes
 16 designated:

17 1. GENERAL OFFICE

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

21 \$ 1,558,399

22 FTEs 25.00

23 2. LAW ENFORCEMENT TRAINING REIMBURSEMENTS

24 For reimbursement to local law enforcement agencies for the
 25 training of officers who resign pursuant to section 384.15,
 26 subsection 7:

27 \$ 45,956

28 3. COUNCIL OF STATE GOVERNMENTS

29 For support of the membership assessment:

30 \$ 63,971

31 Sec. 14. There is appropriated from the road use tax fund
 32 to the department of management for the fiscal year beginning
 33 July 1, 1995, and ending June 30, 1996, the following amount,
 34 or so much thereof as is necessary, to be used for the
 35 purposes designated:

1 For salaries, support, maintenance, and miscellaneous
2 purposes:

3 \$ 56,000

4 The department of management shall report to the
5 chairpersons and ranking members of the senate and house
6 committees on appropriations, the chairpersons and ranking
7 members of the joint appropriations subcommittee on
8 administration and regulation, and the legislative fiscal
9 bureau, the number of furloughs and the number of layoffs that
10 occur in each state agency, the savings associated with those
11 furloughs and layoffs, the effect of the furloughs and layoffs
12 on services provided by the state agency, and other relevant
13 information. The department shall provide a year-end report
14 summarizing the information for the fiscal year beginning July
15 1, 1995, which will be due by September 1, 1996.

16 When addressing staffing targets for state agencies, the
17 department of management shall state the number of staff
18 authorized for a state agency in terms of full-time equivalent
19 positions.

20 Sec. 15. There is appropriated from the general fund of
21 the state to the department of personnel for the fiscal year
22 beginning July 1, 1995, and ending June 30, 1996, the
23 following amounts, or so much thereof as is necessary, to be
24 used for the purposes designated including the filing of
25 quarterly reports as required in this section:

26 1. OPERATIONS

27 For salaries, support, maintenance, and miscellaneous
28 purposes for the director's staff, information services, data
29 processing, and financial services, and for not more than the
30 following full-time equivalent positions:

31 \$ 1,007,860

32 FTEs 18.58

33 2. PROGRAM DELIVERY

34 For salaries for personnel services, employment law and
35 labor relations and training for not more than the following

1 full-time equivalent positions:

2 \$ 1,174,510

3 FTEs 33.20

4 3. PROGRAM ADMINISTRATION AND DEVELOPMENT

5 For salaries for employment, compensation, and benefits and
6 workers' compensation and for not more than the following
7 full-time equivalent positions:

8 \$ 1,341,858

9 FTEs 32.80

10 Any funds received by the department for workers'
11 compensation purposes other than the funds appropriated in
12 subsection 3 shall be used only for the payment of workers'
13 compensation claims.

14 The funds for support, maintenance, and miscellaneous
15 purposes for personnel assigned to program delivery under
16 subsection 2 and program administration and development under
17 subsection 3 are payable from the appropriation made in
18 subsection 1.

19 The department of personnel shall report semi-annually to
20 the chairpersons and ranking members of the joint
21 appropriations subcommittee on administration and regulation
22 concerning the number of vacancies in existing full-time
23 equivalent positions and the average time taken to fill the
24 vacancies. The reports shall include quarterly and annual
25 averages organized according to state agency and general
26 occupational category as established by the federal equal
27 employment opportunity commission. All departments and
28 agencies of the state shall cooperate with the department in
29 the preparation of the reports.

30 Sec. 16. IPERS. There is appropriated from the Iowa
31 public employees' retirement system fund to the department of
32 personnel for the fiscal year beginning July 1, 1995, and
33 ending June 30, 1996, the following amount, or so much thereof
34 as is necessary, to be used for the purposes designated:

35 1. For salaries, support, maintenance, and other

1 operational purposes to pay the costs of the Iowa public
2 employees' retirement system:

3 \$ 3,749,983

4 2. It is the intent of the general assembly that the Iowa
5 public-employees' retirement system employ sufficient staff
6 within the appropriation provided in this section to meet the
7 developing requirements of the investment program.

8 3. The department of personnel shall submit, annually, a
9 report to the chairpersons and ranking members of the joint
10 appropriations subcommittee on administration and regulation
11 and to the legislative fiscal bureau regarding the results of
12 the state's top achievement recognition program. The reports
13 submitted shall include, but are not limited to,
14 identification of the recipients, a description of the
15 meritorious achievements, and the awards conferred.

16 Sec. 17. There is appropriated from the primary road fund
17 to the department of personnel for the fiscal year beginning
18 July 1, 1995, and ending June 30, 1996, the following amount,
19 or so much thereof as is necessary, to be used for the
20 purposes designated:

21 For salaries, support, maintenance, and miscellaneous
22 purposes to provide personnel services for the state
23 department of transportation:

24 \$ 331,694

25 Sec. 18. There is appropriated from the road use tax fund
26 to the department of personnel for the fiscal year beginning
27 July 1, 1995, and ending June 30, 1996, the following amount,
28 or so much thereof as is necessary, to be used for the
29 purposes designated:

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

33 \$ 53,996

34 Sec. 19. There is appropriated from the general fund of
35 the state to the department of revenue and finance for the

1 fiscal year beginning July 1, 1995, and ending June 30, 1996,
 2 the following amounts, or so much thereof as is necessary, to
 3 be used for the purposes designated, and for not more than the
 4 following full-time equivalent positions used for the purposes
 5 designated in subsections 1 through 3:

6 FTEs 577.43

7 1. AUDIT AND COMPLIANCE

8 For salaries, support, maintenance, and miscellaneous
 9 purposes:

10 \$ 10,219,986

11 2. STATE FINANCIAL MANAGEMENT

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

14 \$ 9,071,810

15 3. INTERNAL RESOURCES MANAGEMENT

16 For salaries, support, maintenance, and miscellaneous
 17 purposes:

18 \$ 5,718,032

19 4. COLLECTION COSTS AND FEES

20 For payment of collection costs and fees pursuant to
 21 section 422.26:

22 \$ 43,538

23 5. a. The department of revenue and finance shall not
 24 change the appropriations for the purposes designated in
 25 subsections 1 through 3 from the amounts appropriated in those
 26 subsections unless notice of the revisions is given prior to
 27 their effective date to the legislative fiscal bureau. The
 28 notice shall include information on the department's rationale
 29 for making the changes.

30 b. The department of revenue and finance shall report
 31 quarterly to the legislative fiscal bureau concerning progress
 32 in the implementation of generally accepted accounting
 33 principles, including determination of reporting entities,
 34 fund classifications, modification of the Iowa financial
 35 accounting system, progress on preparing a comprehensive

1 annual financial report, and the most current estimate of the
2 general fund balance based on current generally accepted
3 accounting principles.

4 c. The director of revenue and finance shall report
5 annually to the chairpersons and ranking members of the joint
6 appropriations subcommittee on administration and regulation
7 and the legislative fiscal bureau on the implementation and
8 financial status of the integrated revenue information system.
9 The report shall include any changes from the scheduled
10 progress including expenditures or estimated revenue.

11 d. The director of revenue and finance shall prepare and
12 issue a state appraisal manual and the revisions to the state
13 appraisal manual as provided in section 421.17, subsection 18,
14 without cost to a city or county.

15 Sec. 20. There is appropriated from the lottery fund to
16 the department of revenue and finance for the fiscal year
17 beginning July 1, 1995, and ending June 30, 1996, the
18 following amount, or so much thereof as is necessary, to be
19 used for the purposes designated:

20 For salaries, support, maintenance, miscellaneous purposes
21 for the administration and operation of lottery games, and for
22 not more than the following full-time equivalent positions:
23 \$ 7,408,016
24 FTEs 120.00

25 Sec. 21. There is appropriated from the motor vehicle fuel
26 tax fund created by section 452A.77 to the department of
27 revenue and finance for the fiscal year beginning July 1,
28 1995, and ending June 30, 1996, the following amount, or so
29 much thereof as is necessary, to be used for the purposes
30 designated:

31 For salaries, support, maintenance, and miscellaneous
32 purposes for administration and enforcement of the provisions
33 of chapter 452A and the motor vehicle use tax program:
34 \$ 1,008,025

35 Sec. 22. There is appropriated from the general fund of

1 the state to the office of the secretary of state for the
 2 fiscal year beginning July 1, 1995, and ending June 30, 1996,
 3 the following amounts, or so much thereof as is necessary, to
 4 be used for the purposes designated:

5 1.—ADMINISTRATION AND ELECTIONS

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

9	\$	495,211
10	FTEs	8.00

11 2. BUSINESS SERVICES

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

15	\$	1,408,493
16	FTEs	28.00

17 3. For costs incurred in the printing of the official
 18 register:

19	\$	58,050

20 Sec. 23. TREASURER OF STATE. There is appropriated from
 21 the general fund of the state to the office of treasurer of
 22 state for the fiscal year beginning July 1, 1995, and ending
 23 June 30, 1996, the following amount, or so much thereof as is
 24 necessary, to be used for the purposes designated:

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

28	\$	784,366
29	FTEs	26.80

30 The office of treasurer of state shall supply clerical and
 31 secretarial support for the executive council.

32 Sec. 24. SECOND INJURY FUND. The administrative costs and
 33 expenses incurred by the treasurer of state, the attorney
 34 general, the second injury fund, or the department of revenue
 35 and finance, in connection with the second injury fund, may be

1 paid from the second injury fund. However, the payment of
2 administrative costs and expenses incurred by the treasurer of
3 state, the attorney general, the second injury fund, and the
4 department of revenue and finance, as authorized in this
5 section, shall only be permitted for administrative costs and
6 expenses incurred in the fiscal year commencing July 1, 1995,
7 and ending June 30, 1996, and shall not exceed \$170,000.

8 Sec. 25. STATE WORKERS' COMPENSATION CLAIMS. There is
9 appropriated from the general fund of the state to the
10 department of personnel for the fiscal year beginning July 1,
11 1995, and ending June 30, 1996, the following amount, or so
12 much thereof as is necessary, to be used for the purpose
13 designated:

14 For distribution, subject to approval of the department of
15 management, to various state departments to fund the premiums
16 for paying workers' compensation claims which are assessed to
17 and collected from the state department by the department of
18 personnel based upon a rating formula established by the
19 department of personnel:

20 \$ 5,693,486

21 The premiums collected by the department of personnel shall
22 be segregated into a separate workers' compensation fund in
23 the state treasury to be used for payment of state employees'
24 workers' compensation claims. Notwithstanding section 8.33,
25 unencumbered or unobligated moneys remaining in this workers'
26 compensation fund at the end of the fiscal year shall not
27 revert but shall be available for expenditure for purposes of
28 the fund for subsequent fiscal years.

29 Sec. 26. CENTRALIZED PURCHASING REVOLVING FUND TRANSFER.
30 Notwithstanding section 18.9, there is transferred from the
31 centralized purchasing revolving fund created under section
32 18.9 to the general fund of the state on June 30, 1995, the
33 sum of \$500,000.

34 Sec. 27. AUDITOR OF STATE FILING FEE TRANSFER. Not-
35 withstanding a contrary provision of section 11.6, there is

1 transferred from the filing fee account of the auditor of
2 state to the general fund of the state on June 30, 1995, the
3 sum of \$99,833.

4 Sec. 28. SECRETARY OF STATE OPTICAL IMAGING ACCOUNT
5 TRANSFER. The secretary of state shall pay to the general
6 fund of the state on June 30, 1995, the sum of \$75,000, or so
7 much thereof as remains of funds appropriated for an optical
8 imaging project. If insufficient unencumbered or unobligated
9 funds remain in the optical imaging account as of June 30,
10 1995, to pay \$75,000 to the general fund of the state, the
11 deficiency shall be paid from other moneys appropriated to the
12 office of secretary of state pursuant to this Act.

13 Sec. 29. IMPLEMENTATION OF FUNDING REDUCTIONS -- INTENT OF
14 GENERAL ASSEMBLY. It is the intent of the general assembly
15 that the departments, agencies, and offices of the executive
16 department of state government shall implement funding
17 reductions through organizational changes which reduce
18 supervisory positions, vertically and horizontally, and
19 increase the span of control of the remaining supervisors as
20 recommended by the governor's committee on government spending
21 reform.

22 Sec. 30. ELIMINATION OF VACANT UNFUNDED JOBS. The state
23 departments, agencies, or offices receiving appropriations
24 under this Act shall eliminate, within thirty days after the
25 beginning of a fiscal year, all vacant unfunded positions on
26 the table of organization of the state department, agency, or
27 office.

28 Sec. 31. STATE COMMUNICATIONS NETWORK -- REDUCTION OF
29 TRAVEL AND RELATED EXPENSES. The offices of the governor and
30 lieutenant governor, the office of secretary of state, the
31 office of treasurer of state, the auditor of state, the
32 department of commerce, the department of inspections and
33 appeals, the Iowa ethics and campaign disclosure board, the
34 department of general services, the department of management,
35 the department of revenue and finance, the department of

1 personnel shall use the services of the state communications
2 network as much as possible for interagency communication,
3 meetings, and conferences to reduce travel and related
4 expenses for the respective offices or departments.

5 Sec. 32. REPORT OF ADDITIONAL INCOME AND EXPENDITURES.

6 The state departments, agencies, and offices receiving
7 appropriations under this Act shall report all expenses in
8 excess of the funds appropriated from any statutory revolving
9 funds during the fiscal year beginning July 1, 1994, and
10 ending June 30, 1995. The report shall also include the
11 beginning and ending balances of the revolving funds.

12 The report required pursuant to this section shall be
13 submitted not later than September 30, 1995, for expenditures
14 made during the fiscal year beginning July 1, 1994, and ending
15 June 30, 1995, to the chairpersons and ranking members of the
16 joint appropriations subcommittee on administration and
17 regulation and the legislative fiscal bureau.

18 Sec. 33. FEDERAL GRANTS. All federal grants to and the
19 federal receipts of agencies appropriated funds under this
20 Act, not otherwise appropriated, are appropriated for the
21 purposes set forth in the federal grants or receipts unless
22 otherwise provided by the general assembly.

23 CORRESPONDING AMENDMENTS

24 Sec. 34. Section 12.21, Code 1995, is amended to read as
25 follows:

26 12.21 ACCEPTING CREDIT CARD PAYMENTS.

27 The treasurer of state may enter into an agreement with a
28 financial institution to provide credit card receipt
29 processing for state departments which are authorized by the
30 treasurer of state to accept payment by credit card. A
31 department which accepts credit card payments ~~shall~~ may adjust
32 its fees to reflect the cost of processing as determined by
33 the treasurer of state. A fee may be charged by a department
34 for using the credit card payment method notwithstanding any
35 other provision of the Code setting specific fees. The

1 treasurer of state shall adopt rules to implement this
2 section.

3 Sec. 35. Section 12.32, subsection 1, Code 1995, is
4 amended to read as follows:

5 1. "Eligible borrower" means any person who is in the
6 business or is entering the business of producing, processing,
7 or marketing horticultural crops, or nontraditional crops, or
8 nontraditional livestock in this state, including but not
9 limited to the breeding or training of horses and dogs which
10 are involved in racing at a facility licensed pursuant to
11 chapter 99D.

12 Sec. 36. Section 12.33, subsection 1, Code 1995, is
13 amended by adding the following new paragraph:

14 NEW PARAGRAPH. c. That there is an increasing expansion
15 of nontraditional livestock production which promises new
16 opportunities for agricultural animal producers, creates new
17 value-added products, and ensures greater diversity in
18 agricultural production.

19 Sec. 37. Section 12.33, subsections 2 and 3, Code 1995,
20 are amended to read as follows:

21 2. The linked investments for tomorrow program provided
22 for in this division is intended to provide statewide
23 availability of lower cost funds for lending purposes that
24 will stimulate existing or encourage new businesses in the
25 area of producing, processing, or marketing horticultural ~~or~~
26 crops, nontraditional crops, or nontraditional livestock,
27 including but not limited to the breeding or training of
28 horses and dogs which are involved in racing at a facility
29 licensed pursuant to chapter 99D.

30 3. It is the public policy of the state through the linked
31 investments for tomorrow program to create an availability of
32 lower cost funds to inject needed capital into the business of
33 producing, processing, or marketing horticultural crops, ~~or~~
34 nontraditional crops, or nontraditional livestock, including
35 but not limited to the breeding or training of horses and dogs

1 which are involved in racing at a facility licensed pursuant
2 to chapter 99D.

3 Sec. 38. Section 12.34, subsection 2, Code 1995, is
4 amended to read as follows:

5 2.— The treasurer shall adopt rules pursuant to chapter 17A
6 to implement this division including, but not limited to,
7 rules identifying horticultural crops, and nontraditional
8 crops, and nontraditional livestock, including but not limited
9 to the breeding or training of horses and dogs which are
10 involved in racing at a facility licensed pursuant to chapter
11 99D, for which the linked investments may be loaned.

12 Sec. 39. Section 12.35, subsection 1, Code 1995, is
13 amended to read as follows:

14 1. An eligible lending institution that desires to receive
15 a linked investment shall accept and review applications for
16 loans from eligible borrowers. The lending institution shall
17 apply all usual lending standards to determine the credit
18 worthiness of each eligible borrower. Loan applications shall
19 be for the purchase or lease of land, machinery, equipment,
20 seed, fertilizer, direct marketing facilities, or new or
21 expanding production, processing, or marketing facilities for
22 horticultural crops, or nontraditional crops, or
23 nontraditional livestock, including but not limited to the
24 breeding or training of horses and dogs which are involved in
25 racing at a facility licensed pursuant to chapter 99D. The
26 maximum size of a loan is two hundred thousand dollars per
27 borrower for a production loan and five hundred thousand
28 dollars for processing or marketing facilities.

29 Sec. 40. Section 17A.8, subsection 9, Code 1995, is
30 amended to read as follows:

31 9. Upon a vote of two-thirds of its members, the
32 administrative rules review committee may delay the effective
33 date of a rule until the adjournment of the next regular
34 session of the general assembly. The committee shall refer a
35 rule whose effective date has been delayed to the speaker of

1 the house of representatives and the president of the senate
2 who shall refer the rule to the appropriate standing
3 committees of the general assembly. If the general assembly
4 has not disapproved of the rule by a joint resolution, the
5 rule shall become effective. The speaker of the house of
6 representatives and the president of the senate shall notify
7 the administrative code editor of the final disposition of any
8 rule delayed pursuant to this subsection. If a rule is
9 disapproved, it shall not become effective and the agency
10 shall withdraw the rule. This section shall not apply to
11 rules made effective under section 17A.5, subsection 2,
12 paragraph "b".

13 Sec. 41. Section 25.2, Code 1995, is amended to read as
14 follows:

15 25.2 EXAMINATION OF REPORT -- APPROVAL OR REJECTION --
16 PAYMENT.

17 The state appeal board with the recommendation of the
18 special assistant attorney general for claims may approve or
19 reject claims against the state of less than ten years
20 covering the following: Outdated warrants; outdated sales and
21 use tax refunds; license refunds; additional agricultural land
22 tax credits; outdated invoices; fuel and gas tax refunds;
23 outdated homestead and veterans' exemptions; outdated funeral
24 service claims; tractor fees; registration permits; outdated
25 bills for merchandise; services furnished to the state; claims
26 by any county or county official relating to the personal
27 property tax credit; and refunds of fees collected by the
28 state. Payments authorized by the state appeal board shall be
29 paid from the appropriation or fund of original certification
30 of the claim. However, if that appropriation or fund has
31 since reverted under section 8.33 then such payment authorized
32 by the state appeal board shall be out of any money in the
33 state treasury not otherwise appropriated. Notwithstanding
34 the provisions of this section, the director of revenue and
35 finance may reissue outdated warrants. On or before November

1 1 of each year, the director of revenue and finance shall
2 provide the treasurer of state with a report of all unpaid
3 warrants which have been outdated for two years or more. The
4 treasurer shall include information regarding outdated
5 warrants in the notice published pursuant to section 556.12.
6 The provisions of section 556.11 regarding agreements to pay
7 compensation for recovery or assistance in recovery of
8 unclaimed property are applicable to agreements to pay
9 compensation to recover or assist in the recovery of outdated
10 warrants.

11 Sec. 42. NEW SECTION. 70A.1A SALARY LIMITATIONS --
12 CERTAIN DEPARTMENT HEADS AND SUBORDINATE OFFICERS AND
13 EMPLOYEES.

14 1. The directors, principal assistants, and employees of
15 the following departments, boards, and offices shall not
16 receive an annual salary which exceeds eighty percent of the
17 annual salary of the governor:

- 18 a. Iowa ethics and campaign disclosure board.
- 19 b. Department of commerce.
- 20 c. Department of general services.
- 21 d. Office of the governor.
- 22 e. Department of inspections and appeals.
- 23 f. Department of management.
- 24 g. Department of personnel.
- 25 h. Department of revenue and finance.
- 26 i. Office of state-federal relations.

27 2. The annual salaries of the deputy officers and
28 employees of the following state agencies shall not exceed
29 eighty percent of annual salary of the state agency's elected
30 principal officer:

- 31 a. Office of auditor of state.
- 32 b. Office of secretary of state.
- 33 c. Office of treasurer of state.

34 Sec. 43. SALARIES EXCEEDING LIMITS -- TRANSITION.

35 1. On the effective date of this Act, if the salary of an

1 officer or employee of the state departments and offices
2 listed in section 42 of this Act exceeds the 80 percent
3 limitation, the salary of the officer or employee shall be
4 frozen at that pay rate until the officer's or employee's
5 salary is less than 80 percent of the applicable principal
6 officer's salary. When the officer's or employee's salary is
7 less than an amount which equals the 80 percent limitation,
8 the officer or employee may receive salary adjustments as
9 otherwise provided by law, but total annual salary shall not
10 exceed the 80 percent limitation.

11 2. This Act supersedes any contrary law or any collective
12 bargaining agreement which is not in effect before the
13 effective date of this Act.

14 Sec. 44. Section 411.36, subsection 1, unnumbered
15 paragraph 1, Code 1995, as amended by 1995 Iowa Acts, Senate
16 File 45, section 5, is amended to read as follows:

17 A board of trustees for the statewide fire and police
18 retirement system is created. The board shall consist of
19 ~~thirteen~~ fourteen members, including nine voting members and
20 ~~four~~ five nonvoting members. Section 69.16A applies to the
21 appointment of the voting members of the board. The voting
22 members of the board shall be as follows:

23 Sec. 45. Section 411.36, subsection 1, unnumbered
24 paragraph 2, Code 1995, as amended by 1995 Iowa Acts, Senate
25 File 45, section 5, is amended to read as follows:

26 The treasurer of state, or the treasurer's designee, shall
27 serve as an ex officio, nonvoting member. The other nonvoting
28 members of the board shall be two state representatives, one
29 appointed by the speaker of the house of representatives and
30 one by the minority leader of the house, and two state
31 senators, one appointed by the majority leader of the senate
32 and one by the minority leader of the senate.

33 Sec. 46. Section 411.36, subsection 2, Code 1995, is
34 amended to read as follows:

35 2. ~~Except as otherwise provided for the initial~~

1 ~~appointments, -the~~ The voting members shall be appointed for
2 four-year terms, and the nonvoting members who are members of
3 the senate and the house of representatives shall be appointed
4 for two-year terms. Terms begin on May 1 in the year of
5 appointment and expire on April 30 in the year of expiration.

6 Sec. 47. Section 411.36, subsection 5, paragraph a, Code
7 1995, is amended to read as follows:

8 a. Members of the board, except the treasurer of state or
9 the treasurer's designee, shall be paid their actual and
10 necessary expenses incurred in the performance of their duties
11 and shall receive a per diem as specified in section 7E.6 for
12 each day of service. Per diem and expenses shall be paid to
13 voting members from the fire and police retirement fund
14 created in section 411.8.

15 Sec. 48. MEMBERSHIP OF TREASURER OF STATE. The treasurer
16 of state, or the treasurer's designee, shall become a member
17 of the board on May 1, 1995.

18 Sec. 49. Section 462A.78, subsection 5, Code 1995, is
19 amended to read as follows:

20 5. The funds collected under subsection 1, paragraph "a",
21 shall be placed in the general fund of the county and used for
22 the expenses of the county conservation board if one exists in
23 that county. Of each surcharge collected as required under
24 subsection 1, paragraph "b", the county recorder shall remit
25 five dollars to the ~~office-of-treasurer-of-state~~ department of
26 revenue and finance for deposit in the general fund of the
27 state.

28 Sec. 50. Section 476.6, Code 1995, is amended by adding
29 the following new subsection:

30 NEW SUBSECTION. 22. If a rate-regulated public utility
31 acquires all or part of another rate-regulated utility, the
32 acquired public utility service area shall be considered a
33 separate service area of the public utility for the purpose of
34 determining customer rates, charges, and schedules. The board
35 shall approve rate adjustments, charges, and schedules only

1 which reflect the differences between the customer rates,
2 charges, and schedules of the separate service areas at the
3 time of acquisition.

4 Sec. 51. NEW SECTION. 514I.1 HEALTH EDUCATION AND
5 ADVOCACY PROGRAM ESTABLISHED.

6 1. A health education and advocacy program is established
7 in the insurance division in the department of commerce which
8 shall do all of the following:

9 a. Assist health care consumers to make more informed
10 choices in the health care marketplace, and to be able to
11 participate in decisions concerning the consumers' health
12 care.

13 b. Promote the interest of health care consumers in this
14 state in the health care marketplace.

15 2. a. The program shall provide assistance to health care
16 consumers for all of the following:

17 (1) Understanding their health care bills and third-party
18 coverage.

19 (2) Identifying improper billing or coverage
20 determinations.

21 (3) Reporting billing or coverage problems to appropriate
22 entities.

23 b. If a billing or coverage issue concerns the adequacy or
24 propriety of a service or treatment, the program shall refer
25 the matter to an appropriate professional, licensing, or
26 disciplinary body, as applicable. The program shall monitor
27 the progress of the concerns raised by health care consumers
28 through the referrals.

29 c. The program shall work with the appropriate state
30 agency to assist with the resolution of billing or coverage
31 questions as necessary.

32 3. a. The program shall recommend to the attorney
33 general, the governor, the general assembly, or any other
34 appropriate state agency, any measure that will promote the
35 interests of health care consumers in the health marketplace.

1 b. The program shall make an annual report to the general
2 assembly concerning the program's activities. The legislative
3 council shall appoint an advisory committee to monitor the
4 activities and progress of the program in satisfying the
5 objectives established in this section. The advisory
6 committee shall consist of seven members of which one member
7 shall represent a small employer providing health care
8 coverage to its employees; two members shall represent
9 employees, at least one of whom shall be a member of a
10 statewide labor organization; and four members shall represent
11 consumers, at least one of whom shall be a member of a
12 statewide consumer organization. The committee shall meet
13 with program staff on a regular basis to receive reports on
14 the activities of the program.

15 Sec. 52. Section 533.4, subsections 1, 4, 5, and 19, Code
16 1995, are amended to read as follows:

17 1. ~~Receive the savings of~~ from its members either,
18 nonmembers as prescribed by rule where the credit union is
19 serving predominantly low-income members, other credit unions,
20 and federal, state, county, and city governments, as payment
21 payments on shares or as deposits, including the right to
22 conduct Christmas clubs, vacation clubs, and other such thrift
23 organizations within the membership subject to the terms,
24 rates, and conditions established by the board of directors,
25 subject to the limitations established by rule by the
26 superintendent.

27 4. ~~Deposit~~ Make deposits in state and national banks,
28 state and federal savings banks or savings and loan
29 associations, and state and federal credit unions, the
30 accounts of which are insured by the federal deposit insurance
31 corporation or the national credit union share insurance fund.

32 5. Make investments in:

33 a. Time deposits in state and national banks ~~and in state~~
34 banks, state and federal savings banks or savings and loan
35 associations, and state and federal credit unions, the

1 deposits of which are insured by the federal deposit insurance
2 corporation or the national credit union share insurance fund.

3 b. Obligations, participations, or other instruments of or
4 issued by, or fully guaranteed as to principal and interest by
5 the United States government or any agency thereof; or any
6 trust or trusts established for investing directly or
7 collectively in the same.

8 c. General obligations of the state of Iowa and any
9 subdivision thereof of the state.

10 ~~d. --Paid-up-deposits-of-savings-and-loan-associations,--the~~
11 ~~deposits-of-which-are-insured-by-the-federal-savings-and-loan~~
12 ~~insurance-corporation.~~

13 e. d. Purchase of notes of liquidating credit unions with
14 the approval of the superintendent.

15 ~~f.~~ e. Shares and deposits in other credit unions.

16 ~~g.~~ f. Shares, stocks, loans, and other obligations or a
17 combination thereof of an organization, corporation, or
18 association, provided the membership or ownership, as the case
19 may be, of the organization, corporation, or association is
20 primarily confined or restricted to credit unions or
21 organizations of credit unions and provided that the purpose
22 of the organization, corporation, or association is primarily
23 designed to provide services to credit unions, organizations
24 of credit unions, or credit union members. However, the
25 aggregate amount invested pursuant to this subsection shall
26 not exceed five percent of the assets of the credit union.

27 ~~h.~~ g. Obligations issued by federal land banks, federal
28 intermediate credit banks, banks for cooperatives, or any or
29 all of the federal farm credit banks.

30 ~~i.~~ h. Commercial paper issued by United States
31 corporations as defined by rule.

32 ~~j.~~ i. Corporate bonds as defined by and subject to terms
33 and conditions imposed by the administrator, provided that the
34 administrator shall not approve investment in corporate bonds
35 unless the bonds are rated in the two highest grades of

1 corporate bonds by a nationally accepted rating agency,
2 including but not limited to a rating of AAA or AA from
3 Standard and Poors.

4 19. Establish one or more offices other than its main
5 office, subject to the approval and regulation of the
6 superintendent, if such offices ~~shall be~~ are reasonably
7 necessary to furnish service to its membership. A credit
8 union office may furnish all credit union services ordinarily
9 furnished to the membership at the principal place of business
10 of the credit union which operates the office. All
11 transactions of a credit union office shall be transmitted
12 daily to the principal place of business of the credit union
13 which operates the office, and ~~no~~ current recordkeeping
14 functions shall not be maintained at a credit union office
15 except to the extent the credit union which operates the
16 office deems it desirable to keep at the office duplicates of
17 the records kept at the principal place of business of the
18 credit union. The central executive and official business
19 functions of a credit union shall be exercised only at the
20 principal place of business.

21 A credit union office shall not be opened without the prior
22 written approval of the superintendent. Upon application by a
23 credit union in the form prescribed by the superintendent, the
24 superintendent shall determine, after notice and hearing, if
25 the establishment of the credit union office is reasonably
26 necessary for service to, and is in the best interests of, the
27 members of the credit union.

28 Notwithstanding the provisions of this section, data
29 processing services and loan documentation recordkeeping
30 functions may be performed or located at an authorized credit
31 union office or at some other location, subject to the
32 approval of the superintendent.

33 Sec. 53. Section 533.16, subsection 3, Code 1995, is
34 amended to read as follows:

35 3. A director of a credit union may borrow from that

1 credit union under the provisions of this chapter, but the
2 rates, terms, and conditions of a loan or line of credit
3 either made to or endorsed or guaranteed by the director shall
4 not be ~~made-on-terms~~ more favorable than ~~these-extended~~ the
5 rates, terms, or conditions of comparable loans or lines of
6 credit provided to other members. ~~A-director-of-a-credit~~
7 ~~union-may-borrow-from-that-credit-union-to-the-extent-and-in~~
8 ~~the-amount-of-such-director's-holdings-in-the-credit-union-in~~
9 ~~shares-and-deposits.--A-director-desiring-to-borrow-from-the~~
10 ~~credit-union-an-amount-in-excess-of-the-director's-holdings-in~~
11 ~~shares-and-deposits-shall-first-submit-application-for~~
12 ~~approval-by-the-board-of-directors-at-a-regular-or-special~~
13 ~~meeting.--The-director-making-application-for-the-loan-shall~~
14 ~~not-be-in-attendance-at-the-time-the-board-of-directors~~
15 ~~considers-the-application-and-shall-not-take-part-in-the~~
16 ~~consideration.--Prior-to-consideration-of-such-loan,-the~~
17 ~~director-must-have-submitted-to-the-board-a-detailed-current~~
18 ~~financial-statement.~~ The aggregate amount of all director
19 loans and lines of credit shall not exceed twenty twenty-five
20 percent of the assets of the credit union.

21 Sec. 54. Section 533.16, subsection 4, paragraph c, Code
22 1995, is amended by striking the paragraph and inserting in
23 lieu thereof the following:

24 c. A credit union which obtains a report or opinion by an
25 attorney or from another mortgage lender relating to defects
26 in or liens or encumbrances on the title to real property, the
27 unmarketability of the title to real property, or the in-
28 validity or unenforceability of liens or encumbrances on real
29 property, shall provide a copy of the report or opinion to the
30 mortgagor and the mortgagor's attorney.

31 Sec. 55. Section 533.17, subsection 1, unnumbered
32 paragraph 1, Code 1995, is amended to read as follows:

33 ~~Immediately-before-the-payment-of-a-dividend~~ At the end of
34 each dividend period, but no less than quarterly, the gross
35 income of the credit union shall ~~determine-its-gross-earnings~~

1 be determined. A legal reserve ~~for contingencies~~ against
2 losses on loans and against such other losses as may be
3 specified by rule shall be set aside from the gross earnings
4 income in accordance with the following schedule:

5 Sec. 56. Section 533.17, subsection 2, Code 1995, is
6 amended to read as follows:

7 2. For the purpose of establishing legal reserves, the
8 following shall not be considered risk assets:

9 a. Cash on hand.

10 b. Deposits and shares in ~~federal or state~~ federally
11 insured banks, savings and loan associations, and credit
12 unions.

13 c. Assets which are insured by, fully guaranteed as to
14 principal and interest by, or due from the United States
15 government, its agencies, and instrumentalities.

16 d. Loans to other credit unions.

17 e. Student loans insured under the provisions of Title XX,
18 United States Code, section 1071 to section 1087 or similar
19 state programs.

20 f. Loans insured by the federal housing administration
21 under Title XII, United States Code, section 1703.

22 g. Loans fully insured or guaranteed by the federal
23 government, a state government, or any agency of either.

24 ~~g-~~ h. Common trust investments which deal in investments
25 authorized in section 533.4.

26 ~~h-~~ i. Prepaid expenses.

27 ~~i-~~ j. Accrued interest on nonrisk investments.

28 ~~j-~~ k. Furniture and equipment.

29 ~~k-~~ l. Land and buildings.

30 m. Loans fully secured by a pledge of shares within the
31 credit union.

32 n. Deposits in the national credit union share insurance
33 fund.

34 o. Real estate loans in transit to the secondary market as
35 specified by rule.

1 Sec. 57. Section 533.18, Code 1995, is amended to read as
2 follows:

3 533.18 DIVIDENDS.

4 ~~1-~~ At such intervals and for such periods as the board of
5 directors may authorize, and after ~~transfers-to-the~~ provision
6 for required reserves pursuant to section 533.17, the board of
7 directors may declare dividends at such rates and upon such
8 classes of shares as are determined by the board. Such
9 dividends shall be paid on all paid-up shares outstanding at
10 the close of the period for which the dividend is declared.

11 ~~2--Shares-which-become-fully-paid-up-during-such-dividend~~
12 ~~period-and-are-outstanding-at-the-close-of-period-shall-be~~
13 ~~entitled-to-a-proportional-share-of-such-dividend.~~

14 ~~3--Dividend-credit-for-a-month-may-be-accrued-on-shares~~
15 ~~which-are-or-become-fully-paid-up-during-the-first-fifteen~~
16 ~~days-of-that-month.~~

17 Sec. 58. NEW SECTION. 533.49 AUTHORITY TO LEASE SAFE
18 DEPOSIT BOXES.

19 1. A credit union may lease safe deposit boxes for the
20 storage of property on terms and conditions prescribed by it.
21 Such terms and conditions shall not bind any person to whom
22 the credit union does not give notice of the terms and condi-
23 tions by delivery of a lease and agreement in writing contain-
24 ing the terms and conditions. A credit union may limit its
25 liability provided such limitations are set forth in the lease
26 and agreement in at least the same size and type as the other
27 substantive provisions of the contract.

28 2. The lease and agreement of a safe deposit box may
29 provide that evidence tending to prove that property was left
30 in a safe deposit box upon the last entry by the member or the
31 member's authorized agent, and that the property or any part
32 of the property was found missing upon subsequent entry, is
33 not sufficient to raise a presumption that the property was
34 lost by any negligence or wrongdoing for which the credit
35 union is responsible, or put upon the credit union the burden

1 of proof that the alleged loss was not the fault of the credit
2 union.

3 3. A credit union may lease a safe deposit box to a minor.
4 A credit union may deal with a minor with respect to a safe
5 deposit box lease and agreement without the consent of a
6 parent, guardian, or conservator and with the same effect as
7 though the minor were an adult. Any action of the minor with
8 respect to such safe deposit box lease and agreement is
9 binding on the minor with the same effect as though the minor
10 were an adult.

11 4. A credit union which has on file a power of attorney of
12 a member covering a safe deposit box lease and agreement,
13 which has not been revoked by the member, shall incur no
14 liability as a result of continuing to honor the provisions of
15 the power of attorney in the event of the death or
16 incompetence of the donor of the power of attorney until the
17 credit union receives written notice of the death, or written
18 notice of adjudication by a court of the incompetence of the
19 member and the appointment of a guardian or conservator.

20 Sec. 59. NEW SECTION. 533.49A SEARCH PROCEDURE ON DEATH.

21 A credit union shall permit the person named in a court
22 order or, if no order has been served upon the credit union,
23 the spouse, a parent, an adult descendant, or a person named
24 as executor in a copy of a purported will produced by the
25 person, to open and examine the contents of a safe deposit box
26 leased by a decedent, or to examine any property delivered by
27 a decedent for safekeeping, in the presence of an officer of
28 the credit union. The credit union, if requested by such
29 person, and upon the credit union's receipt of the request,
30 shall deliver:

31 1. Any writing purported to be a will of the decedent to
32 the court having jurisdiction of the decedent's estate.

33 2. Any writing purported to be a deed to a burial plot, or
34 to give burial instructions, to the person making the request
35 for a search.

1 3. Any document purported to be an insurance policy on the
2 life of the decedent to the beneficiary named in the policy.
3 A credit union shall prepare and keep a list of any contents
4 delivered pursuant to this section describing the nature of
5 the property and the individual to whom delivered, and place a
6 copy of the list in the safe deposit box from which the con-
7 tents were removed.

8 Sec. 60. NEW SECTION. 533.49B ADVERSE CLAIMS TO PROPERTY
9 IN SAFE DEPOSIT AND SAFEKEEPING.

10 1. A credit union shall not be required, in the absence of
11 a court order or indemnity required by this section, to
12 recognize any claim to, or claim of authority to exercise
13 control over, property held in safe deposit or property held
14 for safekeeping pursuant to section 533.49D made by a person
15 or persons other than the following:

16 a. The member in whose name the property is held by the
17 credit union.

18 b. An individual or group of individuals who are
19 authorized to have access to the safe deposit box, or to the
20 property held for safekeeping, pursuant to a certified
21 corporate resolution or other written arrangement with the
22 member, currently on file with the credit union, which has not
23 been revoked by valid corporate action in the case of a
24 corporation, or by a valid agreement or other valid action
25 appropriate for the form of legal organization of any other
26 member, of which the credit union has received notice and
27 which is not the subject of a dispute known to the credit
28 union as to its original validity. The safe deposit and
29 safekeeping account records of a credit union shall be
30 presumptive evidence as to the identity of the member on whose
31 behalf the property is held.

32 2. To require a credit union to recognize an adverse claim
33 to, or adverse claim of authority to control, property held in
34 safe deposit or for safekeeping, whoever makes the claim must
35 do either of the following:

1 a. Obtain and serve on the credit union an appropriate
2 court order or judicial process directed to the credit union,
3 restraining any action with respect to the property until
4 further order of the court or instructing the credit union to
5 deliver the property, in whole or in part, as indicated in the
6 order or process.

7 b. Deliver to the credit union a bond, in form and amount
8 with sureties satisfactory to the credit union, indemnifying
9 the credit union against any liability, loss, or expense which
10 the credit union might incur because of its refusal to deliver
11 the property to any person described in subsection 1,
12 paragraph "a" or "b".

13 Sec. 61. NEW SECTION. 533.49C REMEDIES AND PROCEEDINGS
14 FOR NONPAYMENT OF RENT ON SAFE DEPOSIT BOX.

15 1. A credit union has a lien upon the contents of a safe
16 deposit box for past due rentals and any expense incurred in
17 opening the safe deposit box, replacement of the locks on the
18 safe deposit box, and of a sale made pursuant to this section.
19 If the rental of a safe deposit box is not paid within six
20 months from the day the rental is due, at any time after the
21 six months and while the rental remains unpaid, the credit
22 union shall mail a notice by restricted certified mail to the
23 member at the member's last known address as shown upon the
24 records of the credit union, stating that if the amount due
25 for the rental is not paid on or before a specified day, which
26 shall be at least thirty days after the date of mailing such
27 notice, the credit union will remove the contents of the safe
28 deposit box and hold the contents for the account of the
29 member.

30 2. If the rental for the safe deposit box has not been
31 paid after the expiration of the period specified in a notice
32 mailed pursuant to subsection 1, the credit union, in the
33 presence of two of its officers, may cause the box to be
34 opened and the contents removed. An inventory of the contents
35 of the safe deposit box shall be made by the two officers

1 present and the contents held by the credit union for the
2 account of the member.

3 3. If the contents are not claimed within two years after
4 their removal from the safe deposit box, the credit union may
5 proceed to sell so much of the contents as is necessary to pay
6 the past due rentals and expense incurred in opening the safe
7 deposit box, replacement of the locks on the safe deposit box,
8 and the sale of the contents. The sale shall be held at the
9 time and place specified in a notice published prior to the
10 sale once each week for two successive weeks in a newspaper of
11 general circulation published in the city or unincorporated
12 area in which the credit union has its principal place of
13 business, or if there is none, a newspaper of general circu-
14 lation published in the county, or in a county adjoining the
15 county, in which the credit union has its principal place of
16 business. A copy of the published notice shall be mailed to
17 the member at the member's last known address as shown upon
18 the records of the credit union. The notice shall contain the
19 name of the member and need only describe the contents of the
20 safe deposit box in general terms. The contents of any number
21 of safe deposit boxes may be sold under one notice of sale and
22 the cost of the sale apportioned ratably among the several
23 safe deposit box members involved. At the time and place
24 designated in the notice the contents taken from each
25 respective safe deposit box shall be sold separately to the
26 highest bidder for cash and the proceeds of each sale applied
27 to the rentals and expenses due to the credit union and the
28 residue from any such sale shall be held by the credit union
29 for the account of the member or members. An amount held as
30 proceeds from such sale shall be credited with interest at the
31 customary annual rate for savings accounts at the credit
32 union, or in lieu thereof, at the customary rate of interest
33 in the community where such proceeds are held. The crediting
34 of interest does not activate the account to avoid an
35 abandonment as unclaimed property under chapter 556.

1 4. Notwithstanding the provisions of this section, shares,
2 bonds, or other securities which, at the time of a sale pur-
3 suant to subsection 3, are listed on an established stock ex-
4 change in the United States, shall not be sold at public sale
5 but may be sold through an established stock exchange. Upon
6 making a sale of any such securities, an officer of the credit
7 union shall execute and attach to the securities so sold an
8 affidavit reciting facts showing that the securities were sold
9 pursuant to this section and that the credit union has
10 complied with the provisions of this section. The affidavit
11 constitutes sufficient authority to any corporation whose
12 shares are sold or to any registrar or transfer agent of such
13 corporation to cancel the certificates representing the shares
14 to the purchaser of the shares, and to any registrar, trustee,
15 or transfer agent of registered bonds or other securities, to
16 register any such bonds or other securities in the name of the
17 purchaser of the bonds or other securities.

18 5. The proceeds of any sale made pursuant to this section,
19 after the payment of any amounts with respect to which the
20 credit union has a lien, any property which was not offered
21 for sale and property which, although offered for sale, was
22 not sold, shall be retained by the credit union until such
23 time as the property is presumed abandoned according to
24 section 556.2, and shall be handled pursuant to chapter 556.

25 Sec. 62. NEW SECTION. 533.49D AUTHORITY TO RECEIVE
26 PROPERTY FOR SAFEKEEPING.

27 1. A credit union may accept property for safekeeping if,
28 except in the case of night depositories, the credit union
29 issues a receipt for the property. A credit union accepting
30 property for safekeeping shall purchase and maintain
31 reasonable insurance coverage to ensure against loss incurred
32 in connection with the acceptance of property for safekeeping.
33 Property held for safekeeping shall not be commingled with the
34 property of the credit union or the property of others.

35 2. A credit union has a lien upon any property held for

1 safekeeping and for expenses incurred in any sale made
2 pursuant to this subsection. If the charge for safekeeping of
3 property is not paid within six months from the day the charge
4 is due, at any time after the six months and while the charge
5 remains unpaid, the credit union may mail a notice to the
6 member at the member's last known address as shown upon the
7 records of the credit union, stating that if the amount due is
8 not paid on or before a specified day, which shall be at least
9 thirty days after the date of mailing the notice, the credit
10 union will remove the property from safekeeping and hold the
11 property for the account of the member. After the expiration
12 of the period specified in the notice, if the charge for
13 safekeeping has not been paid, the credit union may remove the
14 property from safekeeping, cause the property to be
15 inventoried, and hold the property for the account of the
16 member. If the property is not claimed within two years after
17 its removal from safekeeping the credit union may proceed to
18 sell so much of the property as is necessary to pay the charge
19 which remains unpaid and the expense incurred in making the
20 sale in the manner provided for in section 533.49C,
21 subsections 3 and 4. The proceeds of any sale made pursuant
22 to this section, after payment of any amounts with respect to
23 which the credit union has a lien, any property which was not
24 offered for sale, and property which, although offered for
25 sale, was not sold, shall be retained by the credit union
26 until such time as the property is presumed abandoned
27 according to section 556.2, and shall be handled pursuant to
28 chapter 556.

29 Sec. 63. Section 533.62, subsection 4, Code 1995, is
30 amended by striking the subsection and inserting in lieu
31 thereof the following:

32 4. a. A loan of money or property shall not be made
33 directly or indirectly by a state-chartered credit union, or
34 by its officers, directors, or employees, to the
35 superintendent, deputy, or employee of the credit union

1 division. The superintendent, deputy, or employee of the
2 credit union division shall not accept from a state-chartered
3 credit union, or its officers, directors, or employees, a loan
4 of money or property, either directly or indirectly.

5 b.—The superintendent, deputy, or employee of the credit
6 union division shall not perform any services for or be an
7 officer, director, or employee of a state-chartered credit
8 union.

9 c. A person who willfully undertakes to establish a
10 business dealing contrary to this section commits a serious
11 misdemeanor, and shall be permanently disqualified from acting
12 as an officer, director, or employee of a state-chartered
13 credit union and permanently disqualified from acting as
14 superintendent, deputy, or employee of the credit union
15 division.

16 d. The superintendent, deputy, or employee of the credit
17 union division who is convicted of theft, burglary, robbery,
18 larceny, or embezzlement as a result of a violation of the
19 laws of any state or of the United States while holding such
20 position shall be immediately disqualified from employment and
21 shall be forever disqualified from holding any position in the
22 credit union division.

23 Sec. 64. Section 554.9401, subsection 6, Code 1995, is
24 amended to read as follows:

25 6. Of each fee collected by the county recorder under
26 sections 570A.4, 554.9403, 554.9405, and 554.9406, the county
27 recorder shall remit five dollars, if filed on a standard form
28 or six dollars otherwise, to the ~~office-of-the-treasurer-of~~
29 state department of revenue and finance for deposit in the
30 general fund of the state.

31 Sec. 65. Section 99D.5, subsection 1, Code 1995, is
32 amended to read as follows:

33 1. A state racing and gaming commission is created within
34 the department of inspections and appeals consisting of five
35 members who shall be appointed by the governor subject to

1 confirmation by the senate, and who shall serve not to exceed
2 a three-year term at the pleasure of the governor. The term
3 of each member shall begin and end as provided in section
4 69.19. Before a person is appointed to the commission, the
5 division of criminal investigation of the department of public
6 safety shall conduct a thorough background investigation of
7 the proposed appointee. The proposed appointee shall provide
8 information on a form as required by the division of criminal
9 investigation. The background investigation shall be the same
10 as conducted for an applicant for a license to conduct pari-
11 mutuel wagering. The information shall be made available to
12 the members of the senate standing committee assigned to
13 investigate and recommend confirmation of an appointee.

14 Sec. 66. Section 51 of this Act shall take effect only if
15 the general assembly appropriates \$200,000 for 4 FTEs in the
16 insurance division of the department of commerce to be used to
17 staff the program established pursuant to section 51 of this
18 Act.

19 Sec. 67. REPEAL. Chapter 7F and sections 12.9, 12.12, and
20 12.13, Code 1995, are repealed.

21 Sec. 68. EFFECTIVE DATE. This section and sections 42,
22 43, 44, 45, 46, 47, 48, and 50, being deemed of immediate
23 importance, take effect upon enactment. Section 50 of this
24 Act is retroactive to April 1, 1995. Sections 26, 27, and 28
25 of this Act take effect on June 30, 1995. The remainder of
26 this Act takes effect on July 1, 1995.

27 EXPLANATION

28 This bill relates to and appropriates moneys to various
29 state departments, agencies, funds, and certain other
30 interstate and national entities for the fiscal year beginning
31 July 1, 1995, and ending June 30, 1996.

32 The state departments and agencies include the auditor of
33 state, Iowa ethics and campaign disclosure board, department
34 of commerce, department of general services, office of
35 governor including the lieutenant governor and Terrace Hill

1 quarters, department of inspections and appeals, department of
2 management, department of personnel, Iowa public employees'
3 retirement system, department of revenue and finance,
4 secretary of state, and treasurer of state.

5 The bill also appropriates funding for the state's
6 membership on the commission on uniform state laws, the
7 national conference of state legislatures, the council of
8 state governments, the national governors' conference, and law
9 enforcement training reimbursements.

10 The bill also repeals chapter 7F which establishes the
11 office for state-federal relations and prescribes its duties.

12 The bill also transfers funds from the centralized
13 purchasing revolving fund, auditor of state filing fee
14 account, and secretary of state optical imagining account to
15 the general fund of the state on June 30, 1995. This
16 procedure requires an early effective date for those sections.

17 The bill provides for salary limitations for certain state
18 officers and employees in the executive departments. The
19 limitation is 80 percent of the salary of the governor or
20 principal department officer.

21 The bill requires the state agencies receiving
22 appropriations under the bill to report all expenses in excess
23 of the funds appropriated from any statutory revolving fund
24 during the fiscal year beginning July 1, 1994, and ending June
25 30, 1995. The report is due by September 30, 1995, and shall
26 be submitted to the chairpersons and ranking members of the
27 joint appropriations subcommittee on administration and
28 regulation and the legislative fiscal bureau.

29 An amendment to section 12.21 allows departments to
30 determine if payment by credit card is cost-effective when a
31 department is required to pay the discount without passing the
32 cost to the consumer.

33 The bill provides for linked investments for nontraditional
34 livestock.

35 Section 462A.78, subsection 5, and section 554.9401,

1 subsection 6, are amended to have certain fees collected by
2 the county recorder remitted directly to the department of
3 revenue and finance for deposit in the general fund of the
4 state rather than through the office of the treasurer of
5 state.

6 The bill provides that the speaker of the house of
7 representatives and the president of the senate shall notify
8 the administrative code editor of the final disposition of any
9 rule delayed by the administrative rules review committee.

10 The bill establishes a health education and advisory
11 program in the insurance division of the department of
12 commerce to assist health care consumers.

13 This bill also provides that the treasurer of state shall,
14 upon receipt of a report on unpaid warrants which have been
15 outdated for two years or more from the director of revenue
16 and finance, publish notice of these warrants. The
17 publication of the notice shall be pursuant to section 556.12.
18 The provisions of section 556.11 regarding agreements to pay
19 compensation for recovery or assistance in recovery of
20 unclaimed property shall apply.

21 The bill adds the treasurer of state, or the treasurer's
22 designee, as an ex officio, nonvoting member of the board of
23 trustees of the statewide fire and police retirement system
24 effective May 1, 1995. The bill requires the membership of
25 the voting members to be gender-balanced. The provisions
26 pertaining to the treasurer of state and the gender balance
27 requirement take effect upon enactment.

28 This bill also amends provisions of chapter 533 relating to
29 the regulation of credit unions.

30 Sections 12.9, 12.12, and 12.13 are repealed. The
31 treasurer of state will no longer need to report annual fees
32 received from the judicial department. The fees are currently
33 remitted to the judicial department in lieu of the treasurer
34 of state. Statements and payments related to unclaimed fees
35 are also repealed because the section related to unclaimed

1 fees was repealed in 1990.

2 Section 533.4 is amended to permit a credit union to
3 receive payments on shares and deposits from nonmembers as
4 prescribed by rule of the superintendent where the credit
5 union is serving predominately low-income members, other
6 credit unions, and federal, state, county, and city
7 governments, in addition to payments from its members. The
8 bill authorizes credit unions to make deposits in state and
9 federal savings banks and savings and loan associations, and
10 state and federal credit unions which are insured by the
11 federal deposit insurance corporation or the national credit
12 union share insurance fund. The bill provides that data
13 processing services and loan documentation recordkeeping
14 functions may be performed at an authorized office or other
15 location, subject to the approval of the superintendent.

16 Section 533.16 is amended to provide that the rates, terms,
17 and conditions of a loan or line of credit to a director of a
18 credit union shall not be more favorable than the rates,
19 terms, or conditions of comparable loans or lines of credit to
20 the other members of the credit union. The bill increases the
21 limit on the aggregate amount of all loans and lines of credit
22 to directors from 20 to 25 percent of the assets of the credit
23 union. The section is also amended to provide that a credit
24 union which obtains a report or opinion by an attorney of
25 another mortgage lender relating to defects in the title to
26 real property is to provide a copy of the report or opinion to
27 the mortgagor and the mortgagor's attorney.

28 Section 533.17 is amended to provide that at the end of
29 each dividend period, but no less than quarterly, the gross
30 income of a credit union is to be determined and an amount set
31 aside as a legal reserve against losses on loans and other
32 losses as specified by rule. The section is also amended to
33 list certain other assets of the credit union which are not to
34 be considered risk assets for purposes of determining the
35 amount of the required reserves.

1 Section 533.18 is amended to strike language which provides
2 that shares which become fully payable during a dividend
3 period and are outstanding at the close of the period are
4 entitled to a proportional share of the dividend, and that
5 dividend credit for a month may be accrued on shares which are
6 or become fully paid up during the first fifteen days of that
7 month.

8 New section 533.49 authorizes the credit union to lease
9 safe deposit boxes similar to the authority of banks.

10 New section 533.49A establishes a procedure for searching a
11 safe deposit box of a person who has died similar to the
12 procedure established for banks.

13 New section 533.49B establishes a procedure for recognizing
14 an adverse claim to property held in a safe deposit box or
15 property held for safekeeping which is similar to the
16 procedure established for banks.

17 New section 533.49C establishes the remedies available to a
18 credit union for nonpayment of rent on a safe deposit box.
19 These remedies are similar to those provided for banks.

20 New section 533.49D authorizes a credit union to accept
21 property for safekeeping which is similar to the authority
22 granted to state banks.

23 Section 533.62 is amended to define the business
24 relationship which can exist between a state-chartered credit
25 union and the superintendent, deputy, or other employee of the
26 credit union division. This language is similar to that
27 applicable to the banking division.

28 This bill provides that members of the state racing and
29 gaming commission must have background investigations
30 conducted by the bureau of criminal investigation.

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35



OFFICE OF THE GOVERNOR

STATE CAPITOL
DES MOINES, IOWA 50319

515 281-5211

TERRY E. BRANSTAD
GOVERNOR

May 31, 1995

The Honorable Paul Pate
Secretary of State
State Capitol Building
L O C A L

Dear Mr. Secretary:

I hereby transmit Senate File 484, an act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority and other properly related matters, providing an effective date.

Senate File 484 is, therefore, approved on this date with the following exceptions which I hereby disapprove.

I am unable to approve the designated portion of Section 3, subsection 6, paragraph c, subparagraph (1), and Section 3, subsection 6, paragraph c, subparagraphs (2), (3) and (4), in their entirety. These items would create a new program within the Division of Insurance, however, no funding for the program is provided in the bill.

I am unable to approve the item designated as of Section 14, unnumbered and unlettered paragraph 3, in its entirety. This item would require the Department of Management to set staffing targets for agencies in terms of full-time equivalents rather than in terms of head counts. The executive branch should maintain flexibility to use reporting formats that best meet its management needs.

I am unable to approve the item designated as Section 30, in its entirety. This item would require the Secretary of State to pay the general fund \$75,000 from the optical imaging account. The Secretary of State's office has already spent \$22,000 of this amount, and the remaining funds are needed to complete the imaging system.

The Honorable Paul Pate
May 31, 1995
Page 2

I am unable to approve the items designated as Section 38, Section 39, Section 40 and Section 41, in their entirety. These items would add the Treasurer of State to the board of trustees for the statewide fire and police retirement system. This retirement system is a local government responsibility. Any interest the state may have in the board is already adequately represented by its four legislative members.

I am unable to approve the item designated as Section 44, in its entirety. This item would require the Division of Criminal Investigation to conduct background investigations of appointees to the Racing and Gaming Commission and to make the information available to a legislative committee. It would be inappropriate to require that legislators routinely receive information otherwise considered confidential.

I am unable to approve the item designated as Section 45, in its entirety. This section is technically incorrect and therefore does not fulfill the purpose for which it was intended.

For the above reasons, I hereby respectfully disapprove these items in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in Senate File 484 are hereby approved as of this date.

Sincerely,


Terry E. Branstad
Governor

TEB/ps

cc: Secretary of the Senate
Chief Clerk of the House

Item Voted

SENATE FILE 484

AN ACT

RELATING TO AND MAKING APPROPRIATIONS TO CERTAIN STATE DEPARTMENTS, AGENCIES, FUNDS, AND CERTAIN OTHER ENTITIES, PROVIDING FOR REGULATORY AUTHORITY AND OTHER PROPERLY RELATED MATTERS, PROVIDING AN EFFECTIVE DATE.

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

Section 1. AUDITOR OF STATE. There is appropriated from the general fund of the state to the office of the auditor of state 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 purposes designated:

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

.....	\$	1,310,549
.....	FTEs	112.50

The auditor of state may retain additional full-time equivalent positions as is reasonable and necessary to perform governmental subdivision audits which are reimbursable pursuant to section 11.20 or 11.21, to perform audits which are requested by and reimbursable from the federal government,

and to perform work requested by and reimbursable from departments or agencies pursuant to section 11.5A or 11.5B. The auditor of state shall notify the department of management, the legislative fiscal committee, and the legislative fiscal bureau of the additional full-time equivalent positions retained.

Sec. 2. IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD. There is appropriated from the general fund of the state to the Iowa ethics and campaign disclosure board for the fiscal year beginning July 1, 1995, and ending June 30, 1996, 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:

.....	\$	375,786
.....	FTEs	8.00

Sec. 3. DEPARTMENT OF COMMERCE. There is appropriated from the general fund of the state to the department of commerce for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amounts, or so much thereof as is necessary, for the purposes designated:

1. PROFESSIONAL LICENSING AND REGULATION DIVISION

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

.....	\$	897,802
.....	FTEs	14.00

2. ADMINISTRATIVE SERVICES DIVISION

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

.....	\$	211,586
.....	FTEs	2.00

It is the intent of the general assembly that the two positions authorized in this subsection for the division shall

coordinate the administrative services to be provided to the divisions in the department. These two positions are under the direct supervision of, and shall report to, the director of the department.

The division of administrative services shall assess each division within the department of commerce and the office of consumer advocate within the department of justice a pro rata share of the operating expenses of the division of administrative services. The pro rata share shall be determined pursuant to a cost allocation plan established by the division of administrative services and agreed to by the administrators of the divisions and the consumer advocate. To the extent practicable, the cost allocation plan shall be based on the proportion of the administrative expenses incurred on behalf of each division and the office of consumer advocate. Each division and the office of consumer advocate shall include in its charges assessed or revenues generated, an amount sufficient to cover the amount stated in its appropriation, any state assessed indirect costs determined by the department of revenue and finance, and the cost of services provided by the division of administrative services.

3. ALCOHOLIC BEVERAGES DIVISION

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

..... \$ 1,861,105
..... FTEs 33.50

4. BANKING DIVISION

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

..... \$ 5,375,058
..... FTEs 84.00

5. CREDIT UNION DIVISION

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

..... \$ 1,047,066
..... FTEs 20.00

6. INSURANCE DIVISION

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

..... \$ 2,924,482
..... FTEs 91.50

Of the amounts appropriated in this section to the insurance division, not more than \$100,000 shall be used for the regulation of health insurance purchasing cooperatives.

The insurance division shall monitor public utilization of the coverages identified in chapter 514C under managed care plans in this state.

The insurance division may reallocate authorized full-time equivalent positions as necessary to respond to accreditation recommendations or requirements. The insurance division expenditures for examination purposes may exceed the projected receipts, refunds and reimbursements, estimated pursuant to section 505.7, subsection 7, including the expenditures for retention of additional personnel, if the expenditures are fully reimbursable and the division first does both of the following:

a. Notifies the department of management, legislative fiscal bureau, and the legislative fiscal committee of the need for the expenditures.

b. Files with each of the entities named in paragraph "a" the legislative and regulatory justification for the expenditures, along with an estimate of the expenditures.

c. (1) Of the amounts appropriated to the insurance division in this subsection not more than \$100,000 shall be used for continuing the division's senior health insurance information program and not more than \$100,000 shall be used for the purpose of establishing a pilot consumer health education and assistance program.

Vetred

(2) The purpose of the consumer health education and assistance program is to educate and assist health care consumers to make more informed health insurance and care choices in the marketplace. Both oral and written educational assistance relating to health care insurance, delivery systems, provider services and coverage, billing procedures, and sources of information shall be provided by the division. The division of insurance may request, and other state agencies shall provide, assistance in implementing and administering the health care education and assistance program.

Vetoed

(3) The commissioner of insurance shall appoint an advisory committee consisting of knowledgeable and interested citizens and state and local public officials to provide advice and review the program. A majority of the members of the advisory committee shall be bona fide representatives of consumers.

Vetoed

(4) The commissioner of insurance shall prepare a progress report relating to the activities of the program, the report to be submitted to the governor and the members of the general assembly not later than March 1, 1996. The governor and the legislative council may request progress reports from the commissioner of insurance as deemed appropriate.

Vetoed

7. UTILITIES DIVISION

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

.....	\$	4,911,871
.....	FTEs	79.00

The utilities division may expend additional funds, including funds for additional personnel, if those additional expenditures are actual expenses which exceed the funds budgeted for utility regulation. Before the division expends or encumbers an amount in excess of the funds budgeted for regulation, the director of the department of management shall approve the expenditure or encumbrance. Before approval is

given, the director of the department of management shall determine that the regulation expenses exceed the funds budgeted by the general assembly to the division and that the division does not have other funds from which regulation expenses can be paid. Upon approval of the director of the department of management the division may expend and encumber funds for excess regulation expenses. The amounts necessary to fund the excess regulation expenses shall be collected from those utility companies being regulated which caused the excess expenditures, and the collections shall be treated as repayment receipts as defined in section 8.2.

Sec. 4. There is appropriated from the general fund of the state to the following named agencies for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. COMMISSION ON UNIFORM STATE LAWS

For support of the commission and expenses of the members:

.....	\$	20,803

2. NATIONAL CONFERENCE OF STATE LEGISLATURES

For support of the membership assessment:

.....	\$	87,719

Sec. 5. 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 amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. ADMINISTRATION DIVISION

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

.....	\$	1,169,975
.....	FTEs	31.35

2. INFORMATION SERVICES DIVISION

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

..... \$ 5,497,002
 FTEs 141.60

3. PROPERTY MANAGEMENT DIVISION

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

..... \$ 3,935,381
 FTEs 113.00

The department of general services shall not change the appropriations for the purposes designated in subsections 1 through 3 from the amounts appropriated under those subsections unless notice of the revisions is given prior to their effective date to the legislative fiscal bureau. The notice shall include information on the department's rationale for making the changes.

Savings achieved in providing telephone services shall be used by the department of general services to increase efficiencies in the provision of those services. The department of general services shall report not later than August 31, 1996, on the projects undertaken to the chairpersons and the ranking members of the joint appropriations subcommittee on administration and regulation and to the legislative fiscal bureau. The report shall include a listing of the projects and efficiencies undertaken during the fiscal year, the cost of each project, and the benefits, including the projected savings on an annual basis and for the life of the efficiency improvement.

4. CAPITOL PLANNING COMMISSION

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

..... \$ 2,000

5. RENTAL SPACE

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

..... \$ 607,955

6. UTILITY COSTS

For payment of utility costs and for not more than the following full-time equivalent positions:

..... \$ 2,059,178
 FTEs 1.00

The department of general services may use funds appropriated in this subsection for utility costs to fund energy conservation projects in the state capitol complex which will have a 100 percent payback within a 24-month period. In addition, notwithstanding sections 8.33 and 18.12, subsection 11, any excess funds appropriated for utility costs in this subsection shall not revert to the general fund of the state on June 30, 1996, and these funds shall be used for implementation of energy conservation projects having a payback of 100 percent within a two-year to six-year period. The department of general services shall report not later than August 31, 1996, on the projects having 100 percent payback within a six-year period to the chairpersons and ranking members of the joint appropriations subcommittee on administration and regulation and to the legislative fiscal bureau. The report shall include a listing of the projects undertaken, the cost of each project, and the projected savings on an annual basis and for the life of the project.

7. TERRACE HILL OPERATIONS

For salaries, support, maintenance, and miscellaneous purposes necessary for the operation of Terrace Hill and for not more than the following full-time equivalent positions:

..... \$ 164,637
 FTEs 4.00

Sec. 6. There is appropriated from the designated revolving funds to the department of general services for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

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

..... \$ 912,217
 FTEs 26.05

2. The remainder of the centralized printing permanent revolving fund is appropriated for the expense incurred in supplying paper stock, offset printing, copy preparation, binding, distribution costs, original payment of printing and binding claims and contingencies arising during the fiscal year beginning July 1, 1995, and ending June 30, 1996, which are legally payable from this fund.

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

..... \$ 734,140
 FTEs 16.05

4. The remainder of the centralized purchasing permanent revolving fund is appropriated for the payment of expenses incurred through purchases by various state departments and for contingencies arising during the fiscal year beginning July 1, 1995, and ending June 30, 1996, which are legally payable from this fund.

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

..... \$ 625,075
 FTEs 15.00

6. The remainder of the vehicle dispatcher revolving fund is appropriated for the purchase of gasoline, gasohol, oil, tires, repairs, and all other maintenance expenses incurred in the operation of state-owned motor vehicles and for contingencies arising during the fiscal year beginning July 1, 1995, and ending June 30, 1996, which are legally payable from this fund.

The vehicle dispatcher shall report, not later than February 15, 1996, to the chairpersons and the ranking members

of the joint appropriations subcommittee on administration and regulation and to the legislative fiscal bureau regarding the efficiencies of the vehicle fleet and the changes in the efficiencies. The report shall include the cost per mile, fuel efficiencies, maintenance costs, useful life, the costs of extending the useful life, and other measures which the vehicle dispatcher or the legislative fiscal bureau finds appropriate. The information shall be reported for each general type of vehicle. The overhead costs shall also be reported with the total costs of the vehicle dispatcher operations.

The department of general services shall report to the chairpersons and ranking members of the joint appropriations subcommittee on administration and regulation and the legislative fiscal bureau not later than February 15, 1996, a comparison of the performance of vehicles burning an 85 percent ethanol mixture and those burning a 10 percent ethanol mixture. The report shall include, but is not limited to, average mileage, vehicle life, and problems encountered.

Sec. 7. GOVERNOR AND LIEUTENANT GOVERNOR. There is appropriated from the general fund of the state to the offices of the governor and the lieutenant governor for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

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

..... \$ 1,088,936
 FTEs 17.25

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

..... \$ 2,416

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

..... \$ 64,648
 FTEs 2.00

4. For the payment of expenses of ad hoc committees, councils, and task forces appointed by the governor to research and analyze a particular subject area relevant to the problems and responsibilities of state and local government, including the employment of professional, technical, and administrative staff and the payment of per diem and actual expenses of committee, council, or task force members as specified pursuant to section 7E.6:

..... \$ 1,610

The ad hoc committees, councils, and task forces appointed by the governor are subject to chapters 21 and 22 and the members and the staff shall be informed of these requirements. A member shall not receive a per diem if the member is receiving a salary as a full-time public employee, but members shall be reimbursed for actual and necessary expenses.

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

..... \$ 108,336
 FTEs 2.00

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

..... \$ 74,435

Sec. 8. DEPARTMENT OF INSPECTIONS AND APPEALS. There is appropriated from the general fund of the state to the department of inspections and appeals for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amounts, or so much thereof as is necessary, for the purposes designated:

1. FINANCE AND SERVICES DIVISION

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

..... \$ 467,275
 FTEs 21.00

2. AUDITS DIVISION

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

..... \$ 352,092
 FTEs 11.00

3. APPEALS AND FAIR HEARINGS DIVISION

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

..... \$ 223,048
 FTEs 24.00

If Senate File 358 is enacted by the Seventy-sixth General Assembly, 1995 Regular Session, there is appropriated from the general fund of the state to the appeals and fair hearings division for the fiscal period beginning July 1, 1995, and ending December 31, 1995, an additional sum of \$45,000, or so much thereof as is necessary, and 1.50 FTEs to carry out the responsibilities of the division as specified in Senate File 358.

4. INVESTIGATIONS DIVISION

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

..... \$ 729,111
 FTEs 35.00

5. HEALTH FACILITIES DIVISION

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

..... \$ 1,663,070
 FTEs 101.00

6. INSPECTIONS DIVISION

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

.....	\$	577,869
.....	FTEs	13.00

7. EMPLOYMENT APPEAL BOARD

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

.....	\$	33,067
.....	FTEs	15.00

The employment appeal board shall be reimbursed by the labor services division of the department of employment services for all costs associated with hearings conducted under chapter 91C, related to contractor registration. The board may expend, in addition to the amount appropriated under this subsection, additional amounts as are directly billable to the labor services division under this subsection and to retain the additional full-time equivalent positions as needed to conduct hearings required pursuant to chapter 91C.

8. STATE FOSTER CARE REVIEW BOARD

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

.....	\$	527,041
.....	FTEs	10.00

The department of human services, in coordination with the state foster care review board and the department of inspections and appeals, shall submit an application for funding available pursuant to Title IV-E of the federal Social Security Act for claims for state foster care review board administrative review costs.

9. The department of inspections and appeals shall provide an accounting of all costs associated with negotiating agreements and compacts pursuant to section 10A.104, subsection 10, and all costs associated with monitoring such

agreements and compacts. Information in the accounting shall include the dates and destinations of all travel related to the negotiations and monitoring, and all costs associated with the personnel involved, including salary, travel, and support costs.

Sec. 9. RACETRACK REGULATION. 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, 1995, and ending June 30, 1996, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, miscellaneous purposes, for the regulation of pari-mutuel racetracks, and for not more than the following full-time equivalent positions:

.....	\$	1,760,378
.....	FTEs	23.85

Sec. 10. EXCURSION BOAT REGULATION. 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, 1995, and ending June 30, 1996, 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 positions:

.....	\$	860,651
.....	FTEs	17.11

It is the intent of the general assembly that the racing and gaming commission shall only employ additional full-time equivalent positions for riverboat gambling enforcement as authorized by the department of management as needed for enforcement on new riverboats. If more than six riverboats are operating during the fiscal year beginning July 1, 1995, and ending June 30, 1996, the commission may expend no more than \$84,917 for no more than 2.00 FTEs for each additional

riverboat in excess of six. The additional expense associated with the positions shall be paid from fees assessed by the commission as provided in chapter 99F.

Notwithstanding section 8.39, funds shall not be transferred to the department of inspections and appeals which would be used for monitoring Indian gaming.

Sec. 11. DEPARTMENT OF INSPECTIONS AND APPEALS -- SERVICE CHARGES. The department of inspections and appeals may charge state departments, agencies, and commissions for services rendered and the payment received shall be considered repayment receipts as defined in section 8.2.

Sec. 12. USE TAX APPROPRIATION. There is appropriated from the use tax receipts collected pursuant to section 423.7 prior to their deposit in the road use tax fund pursuant to section 423.24, subsection 1, to the appeals and fair hearings division of the department of inspections and appeals for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amount, or so much thereof as is necessary, for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes:

..... \$ 924,090

Sec. 13. DEPARTMENT OF MANAGEMENT. There is appropriated from the general fund of the state to the department of management for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. GENERAL OFFICE

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

..... \$ 2,032,287

..... FTEs 30.00

2. LAW ENFORCEMENT TRAINING REIMBURSEMENTS

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

..... \$ 47,500

3. COUNCIL OF STATE GOVERNMENTS

For support of the membership assessment:

..... \$ 75,500

The department of management shall conduct a study of the positions of deputy director throughout the executive branch of state government. The study shall include the responsibilities of each deputy director, the salaries of the deputy directors, the number of deputy director positions, and the variation of responsibilities among the deputy director positions. The department shall report its findings to the chairpersons and ranking members of the joint subcommittees on oversight, audit and government reform, and to the legislative fiscal bureau by January 1, 1996.

Sec. 14. There is appropriated from the road use tax fund to the department of management 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 purposes designated:

For salaries, support, maintenance, and miscellaneous purposes:

..... \$ 56,000

The department of management shall report to the chairpersons and ranking members of the senate and house committees on appropriations, the chairpersons and ranking members of the joint appropriations subcommittee on administration and regulation, and the legislative fiscal bureau, the number of furloughs and the number of layoffs that occur in each state agency, the savings associated with those furloughs and layoffs, the effect of the furloughs and layoffs on services provided by the state agency, and other relevant information. The department shall provide a year-end report summarizing the information for the fiscal year beginning July 1, 1995, which will be due by September 1, 1996.

When addressing staffing targets for state agencies, the department of management shall state the number of staff authorized for a state agency in terms of full-time equivalent positions.

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Sec. 15. There is appropriated from the general fund of the state to the department of personnel for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amounts, or so much thereof as is necessary, to be used for the purposes designated including the filing of quarterly reports as required in this section:

1. OPERATIONS

For salaries, support, maintenance, and miscellaneous purposes for the director's staff, information services, data processing, and financial services, and for not more than the following full-time equivalent positions:

.....	\$	1,041,716
.....	FTEs	18.58

2. PROGRAM DELIVERY

For salaries for personnel services, employment law and labor relations and training for not more than the following full-time equivalent positions:

.....	\$	1,213,964
.....	FTEs	33.20

3. PROGRAM ADMINISTRATION AND DEVELOPMENT

For salaries for employment, compensation, and benefits and workers' compensation and for not more than the following full-time equivalent positions:

.....	\$	1,386,933
.....	FTEs	32.80

Any funds received by the department for workers' compensation purposes other than the funds appropriated in subsection 3 shall be used only for the payment of workers' compensation claims.

The funds for support, maintenance, and miscellaneous purposes for personnel assigned to program delivery under subsection 2 and program administration and development under

subsection 3 are payable from the appropriation made in subsection 1.

The department of personnel shall report semi-annually to the chairpersons and ranking members of the joint appropriations subcommittee on administration and regulation concerning the number of vacancies in existing full-time equivalent positions and the average time taken to fill the vacancies. The reports shall include quarterly and annual averages organized according to state agency and general occupational category as established by the federal equal employment opportunity commission. All departments and agencies of the state shall cooperate with the department in the preparation of the reports.

Sec. 16. IPERS. There is appropriated from the Iowa public employees' retirement system fund to the department of personnel 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 purposes designated:

1. For salaries, support, maintenance, and other operational purposes to pay the costs of the Iowa public employees' retirement system:

.....	\$	3,749,983

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

3. The department of personnel shall submit, annually, a report to the chairpersons and ranking members of the joint appropriations subcommittee on administration and regulation and to the legislative fiscal bureau regarding the results of the state's top achievement recognition program. The reports submitted shall include, but are not limited to, identification of the recipients, a description of the meritorious achievements, and the awards conferred.

Sec. 17. There is appropriated from the primary road fund to the department of personnel 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 purposes designated:

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

..... \$ 331,694

Sec. 18. There is appropriated from the road use tax fund to the department of personnel 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 purposes designated:

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

..... \$ 53,996

Sec. 19. There is appropriated from the general fund of the state to the department of revenue and finance for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amounts, or so much thereof as is necessary, to be used for the purposes designated, and for not more than the following full-time equivalent positions used for the purposes designated in subsections 1 through 3:

..... FTEs 577.43

1. AUDIT AND COMPLIANCE

For salaries, support, maintenance, and miscellaneous purposes:

..... \$ 10,563,293

2. STATE FINANCIAL MANAGEMENT

For salaries, support, maintenance, and miscellaneous purposes:

..... \$ 9,376,548

3. INTERNAL RESOURCES MANAGEMENT

For salaries, support, maintenance, and miscellaneous purposes:

..... \$ 5,910,111

4. COLLECTION COSTS AND FEES

For payment of collection costs and fees pursuant to section 422.26:

..... \$ 45,000

5. a. The department of revenue and finance shall not change the appropriations for the purposes designated in subsections 1 through 3 from the amounts appropriated in those subsections unless notice of the revisions is given prior to their effective date to the legislative fiscal bureau. The notice shall include information on the department's rationale for making the changes.

b. The department of revenue and finance shall report quarterly to the legislative fiscal bureau concerning progress in the implementation of generally accepted accounting principles, including determination of reporting entities, fund classifications, modification of the Iowa financial accounting system, progress on preparing a comprehensive annual financial report, and the most current estimate of the general fund balance based on current generally accepted accounting principles.

c. The director of revenue and finance shall report annually to the chairpersons and ranking members of the joint appropriations subcommittee on administration and regulation and the legislative fiscal bureau on the implementation and financial status of the integrated revenue information system. The report shall include any changes from the scheduled progress including expenditures or estimated revenue.

d. The director of revenue and finance shall prepare and issue a state appraisal manual and the revisions to the state appraisal manual as provided in section 421.17, subsection 18, without cost to a city or county.

Sec. 20. There is appropriated from the lottery fund to the department of revenue and finance 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 purposes designated:

For salaries, support, maintenance, miscellaneous purposes for the administration and operation of lottery games, and for not more than the following full-time equivalent positions:

..... \$ 7,408,016
 FTEs 120.00

Sec. 21. There is appropriated from the motor vehicle fuel tax fund created by section 452A.77 to the department of revenue and finance 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 purposes designated:

For salaries, support, maintenance, and miscellaneous purposes for administration and enforcement of the provisions of chapter 452A and the motor vehicle use tax program:

..... \$ 1,008,025

Sec. 22. There is appropriated from the general fund of the state to the office of the secretary of state for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. ADMINISTRATION AND ELECTIONS

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

..... \$ 520,514
 FTEs 9.00

2. BUSINESS SERVICES

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

..... \$ 1,565,021
 FTEs 28.00

3. For costs incurred in the printing of the official register:

..... \$ 60,000

Sec. 23. STATE-FEDERAL RELATIONS. There is appropriated from the general fund of the state to the office of state-federal relations 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 purposes designated:

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

..... \$ 235,521
 FTEs 3.00

Sec. 24. TREASURER. There is appropriated from the general fund of the state to the office of treasurer of state 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 purposes designated:

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

..... \$ 855,694
 FTEs 27.80

The office of treasurer of state shall supply clerical and secretarial support for the executive council.

Sec. 25. SECOND INJURY FUND. The administrative costs and expenses incurred by the treasurer of state, the attorney general, the second injury fund, or the department of revenue and finance, in connection with the second injury fund, may be paid from the second injury fund. However, the payment of administrative costs and expenses incurred by the treasurer of state, the attorney general, the second injury fund, and the department of revenue and finance, as authorized in this section, shall only be permitted for administrative costs and expenses incurred in the fiscal year commencing July 1, 1995, and ending June 30, 1996, shall not exceed \$170,000.

Sec. 26. STATE WORKERS' COMPENSATION CLAIMS. There is appropriated from the general fund of the state to the

department of personnel 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 distribution, subject to approval of the department of management, to various state departments to fund the premiums for paying workers' compensation claims which are assessed to and collected from the state department by the department of personnel based upon a rating formula established by the department of personnel:

..... \$ 5,884,740

The premiums collected by the department of personnel shall be segregated into a separate workers' compensation fund in the state treasury to be used for payment of state employees' workers' compensation claims. Notwithstanding section 8.33, unencumbered or unobligated moneys remaining in this workers' compensation fund at the end of the fiscal year shall not revert but shall be available for expenditure for purposes of the fund for subsequent fiscal years.

Sec. 27. Notwithstanding section 509A.5, there is appropriated from the employer share of the health insurance premium reserve fund the following amount for the purpose designated:

For the health data commission:

..... \$ 100,000

Sec. 28. RURAL FIRE PROTECTION.

1. There is appropriated from the general fund of the state to the fire marshal 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 supporting a rural fire protection demonstration project:

..... \$ 6,000

2. The department shall award moneys to one or more resource conservation and development councils which apply for

such moneys for the installation of permanent dry fire hydrants. Moneys awarded under this section shall not be used to pay for salaries or support administration. The purpose of a project shall be to demonstrate how dry hydrants may be used to preserve life and protect property from dangers associated with fire, and to support rural infrastructure in order to encourage investment in rural communities.

3. A resource conservation and development council which receives an award under this section shall appoint a dry hydrant project coordinator who shall be responsible for administering the award as provided in this section. In applying for and administering an award, a council shall cooperate with relevant county boards of supervisors, county engineers, soil and water conservation districts, local fire departments, township trustees, rural water associations, and landowners. The council shall also seek cooperation from the natural resources and conservation service of the United States department of agriculture, and, if appropriate, the United States army corps of engineers.

4. Applications shall be judged based on criteria established by the department. The fire service institute advisory committee established pursuant to section 266.46 may assist the department in establishing criteria and judging applications. Applicants shall submit a plan that demonstrates the practical advantages of using a dry hydrant, which relies upon natural roadside water impoundments and man-made impoundments fed by rural water mains, to provide viable and economical sources of water required to extinguish fires in rural areas. The plan shall provide for instructing fire departments regarding the installation and operation of dry hydrants, including methods to utilize labor and equipment. In implementing the plan, the dry hydrant project coordinator shall cooperate with the Iowa fire service institute at Iowa state university as provided in section 266.41, the fire service institute advisory committee, and any association which provides for the training of fire fighters, including

the Iowa firemen's association and the Iowa society of fire service instructors.

5. The fire marshal shall prepare a report which shall include findings submitted by each dry hydrant project coordinator who administers an award and recommendations submitted by the fire service institute advisory committee. The committee may provide a plan or model for the installation of dry hydrants throughout the state. The report shall be delivered to the general assembly by January 10, 1996.

Sec. 29. CENTRALIZED PURCHASING REVOLVING FUND TRANSFER. Notwithstanding section 18.9, there is transferred from the centralized purchasing revolving fund created under section 18.9 to the general fund of the state on June 30, 1995, the sum of \$200,000.

Sec. 30. SECRETARY OF STATE OPTICAL IMAGING ACCOUNT TRANSFER. The secretary of state shall pay to the general fund of the state on June 30, 1995, the sum of \$75,000, or so much thereof as remains of funds appropriated for an optical imaging project. If insufficient unencumbered or unobligated funds remain in the optical imaging account as of June 30, 1995, to pay \$75,000 to the general fund of the state, the deficiency shall be paid from other moneys appropriated to the office of secretary of state pursuant to this Act.

vetoed

Sec. 31. IMPLEMENTATION OF FUNDING REDUCTIONS -- INTENT OF GENERAL ASSEMBLY. It is the intent of the general assembly that the departments, agencies, and offices of the executive department of state government shall implement funding reductions through organizational changes which reduce supervisory positions, vertically and horizontally, and increase the span of control of the remaining supervisors as recommended by the governor's committee on government spending reform.

Sec. 32. ELIMINATION OF VACANT UNFUNDED JOBS. The state departments, agencies, or offices receiving appropriations under this Act shall eliminate, within thirty days after the beginning of a fiscal year, all vacant unfunded positions on

the table of organization of the state department, agency, or office.

Sec. 33. STATE COMMUNICATIONS NETWORK -- REDUCTION OF TRAVEL AND RELATED EXPENSES. The offices of the governor and lieutenant governor, the office of secretary of state, the office of treasurer of state, the auditor of state, the department of commerce, the department of inspections and appeals, the Iowa ethics and campaign disclosure board, the department of general services, the department of management, the department of revenue and finance, and the department of personnel shall use the services of the state communications network as much as possible for interagency communication, meetings, and conferences to reduce travel and related expenses for the respective offices or departments.

Sec. 34. REPORT OF ADDITIONAL INCOME AND EXPENDITURES. The state departments, agencies, and offices receiving appropriations under this Act shall report all expenses in excess of the funds appropriated from any statutory revolving funds during the fiscal year beginning July 1, 1994, and ending June 30, 1995. The report shall also include the beginning and ending balances of the revolving funds.

The report required pursuant to this section shall be submitted not later than September 30, 1995, for expenditures made during the fiscal year beginning July 1, 1994, and ending June 30, 1995, to the chairpersons and ranking members of the joint appropriations subcommittee on administration and regulations and the legislative fiscal bureau.

Sec. 35. 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.

Sec. 36. Section 12.21, Code 1995, is amended to read as follows:

12.21 ACCEPTING CREDIT CARD PAYMENTS.

The treasurer of state may enter into an agreement with a financial institution to provide credit card receipt processing for state departments which are authorized by the treasurer of state to accept payment by credit card. A department which accepts credit card payments shall ~~may~~ adjust its fees to reflect the cost of processing as determined by the treasurer of state. A fee may be charged by a department for using the credit card payment method notwithstanding any other provision of the Code setting specific fees. The treasurer of state shall adopt rules to implement this section.

Sec. 37. Section 25.2, Code 1995, is amended to read as follows:

25.2 EXAMINATION OF REPORT -- APPROVAL OR REJECTION -- PAYMENT.

The state appeal board with the recommendation of the special assistant attorney general for claims may approve or reject claims against the state of less than ten years covering the following: Outdated warrants; outdated sales and use tax refunds; license refunds; additional agricultural land tax credits; outdated invoices; fuel and gas tax refunds; outdated homestead and veterans' exemptions; outdated funeral service claims; tractor fees; registration permits; outdated bills for merchandise; services furnished to the state; claims by any county or county official relating to the personal property tax credit; and refunds of fees collected by the state. Payments authorized by the state appeal board shall be paid from the appropriation or fund of original certification of the claim. However, if that appropriation or fund has since reverted under section 8.33 then such payment authorized by the state appeal board shall be out of any money in the state treasury not otherwise appropriated. Notwithstanding the provisions of this section, the director of revenue and finance may reissue outdated warrants. On or before November 1 of each year, the director of revenue and finance shall provide the treasurer of state with a report of all unpaid

warrants which have been outdated for two years or more. The treasurer shall include information regarding outdated warrants in the notice published pursuant to section 556.12. The provisions of section 556.11 regarding agreements to pay compensation for recovery or assistance in recovery of unclaimed property are applicable to agreements to pay compensation to recover or assist in the recovery of outdated warrants.

Sec. 38. Section 411.36, subsection 1, unnumbered paragraph 1, Code 1995, as amended by 1995 Iowa Acts, Senate File 45, section 5, is amended to read as follows:

A board of trustees for the statewide fire and police retirement system is created. The board shall consist of thirteen ~~fourteen~~ members, including nine voting members and four ~~five~~ nonvoting members. Section 69.16A applies to the appointment of the voting members of the board. The voting members of the board shall be as follows:

Sec. 39. Section 411.36, subsection 1, unnumbered paragraph 2, Code 1995, as amended by 1995 Iowa Acts, Senate File 45, section 5, is amended to read as follows:

The treasurer of state, or the treasurer's designee, shall serve as an ex officio, nonvoting member. The ~~other~~ nonvoting members of the board shall be two state representatives, one appointed by the speaker of the house of representatives and one by the minority leader of the house, and two state senators, one appointed by the majority leader of the senate and one by the minority leader of the senate.

Sec. 40. Section 411.36, subsection 2, Code 1995, is amended to read as follows:

2. ~~Except as otherwise provided for the initial appointments, the~~ The voting members shall be appointed for four-year terms, and the nonvoting members who are members of the senate and the house of representatives shall be appointed for two-year terms. Terms begin on May 1 in the year of appointment and expire on April 30 in the year of expiration.

Retired

Sec. 41. Section 411.36, subsection 5, paragraph a, Code 1995, is amended to read as follows:

a. Members of the board, except the treasurer of state or the treasurer's designee, shall be paid their actual and necessary expenses incurred in the performance of their duties and shall receive a per diem as specified in section 7E.6 for each day of service. Per diem and expenses shall be paid to voting members from the fire and police retirement fund created in section 411.8.

Sec. 42. Section 462A.78, subsection 5, Code 1995, is amended to read as follows:

5. The funds collected under subsection 1, paragraph "a", shall be placed in the general fund of the county and used for the expenses of the county conservation board if one exists in that county. Of each surcharge collected as required under subsection 1, paragraph "b", the county recorder shall remit five dollars to the office-of-treasurer-of-state department of revenue and finance for deposit in the general fund of the state.

Sec. 43. Section 554.9401, subsection 6, Code 1995, is amended to read as follows:

6. Of each fee collected by the county recorder under sections 570A.4, 554.9403, 554.9405, and 554.9406, the county recorder shall remit five dollars, if filed on a standard form or six dollars otherwise, to the office-of-the-treasurer-of-state department of revenue and finance for deposit in the general fund of the state.

Sec. 44. Section 99D.5, subsection 1, Code 1995, is amended to read as follows:

1. A state racing and gaming commission is created within the department of inspections and appeals consisting of five members who shall be appointed by the governor subject to confirmation by the senate, and who shall serve not to exceed a three-year term at the pleasure of the governor. The term of each member shall begin and end as provided in section 69.19. Before a person is appointed to the commission, the

division of criminal investigation of the department of public safety shall conduct a thorough background investigation of the proposed appointee. The proposed appointee shall provide information on a form as required by the division of criminal investigation. The background investigation shall be the same as conducted for an applicant for a license to conduct pari-mutuel wagering. The information shall be made available to the members of the senate standing committee assigned to investigate and recommend confirmation of an appointee.

Sec. 45. Section 515A.15, Code 1995, as amended by 1995 Iowa Acts, House File 247, section 24, is amended to read as follows:

515A.15 ASSIGNED RISKS.

Agreements shall be made among insurers with respect to the equitable apportionment among them of insurance which may be afforded applicants who are in good faith entitled to but who are unable to procure such insurance through ordinary methods and such insurers may agree among themselves on the use of reasonable rate modifications for such insurance, the agreements and rate modifications to be subject to the approval of the commissioner.

For purposes of this section, "insurer" includes, in addition to insurers defined pursuant to section 515A.2, an entity which has submitted a plan of self-insurance for approval pursuant to section 87.4 on or before May 1, 1995, and a self-insurance association formed on or after July 1, 1995, pursuant to section 87.4 except for an association comprised of cities or counties, or both, or an association comprised of community colleges as defined in section 260C.2, which have entered into an agreement pursuant to chapter 28E for the purpose of establishing a self-insured program for the payment of workers' compensation benefits.

Sec. 46. REPEAL. Sections 12.9, 12.12, and 12.13, Code 1995, are repealed.

Sec. 47. EFFECTIVE DATE. This section and sections 38, 39, 40, and 41, being deemed of immediate importance, take

effect upon enactment. Sections 29 and 30 of this Act take effect on June 30, 1995. The remainder of this Act takes effect on July 1, 1995.

LEONARD L. BOSWELL
President of the Senate

RON J. CORBETT
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 484, Seventy-sixth General Assembly.

JOHN F. DWYER
Secretary of the Senate

Item returned
Approved May 31, 1995

TERRY E. BRANSTAD
Governor