

FILED APR 28 1995

SENATE FILE 486  
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 371)

Passed Senate, Date 4/28/95 (p. 1515) Passed House, Date 5/3/95  
Vote: Ayes 49 Nays 0 Vote: Ayes 92 Nays 3  
Approved May 16, 1995 (p. 227)

A BILL FOR

1 An Act relating to and making standing and other appropriations,  
2 corrective amendments, and other financial and regulatory  
3 matters and providing effective and applicability date  
4 provisions.

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

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SENATE FILE 486

S-3635

- 1 Amend Senate File 486 as follows:
  - 2 1. Page 4, by striking lines 24 through 29.
- By BRAD BANKS

S-3635 FILED APRIL 28, 1995  
ADOPTED (p. 1514)

S.F. 486

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DIVISION I

STANDING AND OTHER APPROPRIATIONS

Section 1. For the fiscal year beginning July 1, 1995, and ending June 30, 1996, the appropriation made to the department of education for the educational excellence program pursuant to section 294A.25, subsection 1, shall be increased by \$5,000.

Sec. 2. Section 294A.25, subsection 1, Code 1995, is amended to read as follows:

1. For the fiscal year beginning July 1, 1990, there is appropriated from the general fund of the state to the department of education the amount of ninety-two million one hundred thousand eighty-five dollars to be used to improve teacher salaries. For each fiscal year in the fiscal period commencing July 1, 1991, and ending June 30, 1993, there is appropriated an amount equal to the amount appropriated for the fiscal year beginning July 1, 1990, plus an amount sufficient to pay the costs of the additional funding provided for school districts and area education agencies under sections 294A.9 and 294A.14. For each fiscal year beginning on or after July 1, ~~1993~~ 1995, there is appropriated the sum which was appropriated for the previous fiscal year ~~commencing July 1, 1992~~, including supplemental payments. The moneys shall be distributed as provided in this section.

Sec. 3. OKLAHOMA VICTIM ASSISTANCE. There is appropriated from the victim compensation fund established under section 912.14 to the department of justice for the fiscal year beginning July 1, 1994, and ending June 30, 1995, the amount of \$100,000 to be transferred to the state of Oklahoma victim assistance fund to be used to provide compensation to the victims of the April 19, 1995, bombing of the Murrah federal building in Oklahoma City, Oklahoma.

Sec. 4. Section 421.31, subsection 11, if enacted by 1995 Iowa Acts, Senate File 475, is amended by adding the following new unnumbered paragraph:

1 NEW UNNUMBERED PARAGRAPH. There is annually appropriated  
2 from the general fund of the state to the department of  
3 revenue and finance an amount sufficient to pay interest costs  
4 that may be due the federal government as a result of  
5 implementation of the federal law. Nothing in this paragraph  
6 authorizes the payment of interest from the general fund of  
7 the state for any departmental revolving, trust, or special  
8 fund where monthly interest earnings accrue to the credit of  
9 the departmental revolving, trust, or special fund. For any  
10 departmental revolving, trust, or special fund where monthly  
11 interest is accrued to the credit of the fund, the director  
12 may authorize a supplemental expenditure to pay interest costs  
13 from the individual fund which are due the federal government  
14 as a result of implementation of the federal law.

15 Sec. 5. Sections 3 and 4 of this division of this Act,  
16 being deemed of immediate importance, take effect upon  
17 enactment.

18 DIVISION II

19 EDUCATION FINANCES -- CONTINGENT PROVISION

20 Sec. 6. AT-RISK CHILDREN. For the fiscal year beginning  
21 July 1, 1995, and ending June 30, 1996, the appropriation made  
22 to the department of education pursuant to section 279.51,  
23 subsection 1, shall be increased by \$5,000,000 to be allocated  
24 as provided in section 279.51, subsection 1, paragraph "b",  
25 for four-year old at-risk children programs.

26 Sec. 7. CONTINGENT APPROPRIATION. If the actual taxable  
27 valuation of real property located in this state, based upon  
28 January 1, 1994, assessments, which is used in the computation  
29 of property taxes payable in the fiscal year beginning July 1,  
30 1995, increases from the estimate of such taxable valuation,  
31 the amount of the reduction in state foundation aid under  
32 section 257.1 as a result of such increase in taxable  
33 valuation shall be used to fund section 6 of this division of  
34 this Act. If the amount of the reduction in state foundation  
35 aid is insufficient to fully fund the increase set out in

1 section 6 of this division of this Act, section 6 shall be  
2 funded only to the extent of the reduction.

3 Sec. 8. CONTINGENT EFFECTIVE DATE. Section 6 of this  
4 division of this Act takes effect upon the enactment of  
5 section 7.

6 DIVISION III

7 MISCELLANEOUS PROVISIONS

8 Sec. 9. 1994 Iowa Acts, chapter 1193, sections 2, 4, and  
9 35, are repealed.

10 Sec. 10. SPECIAL FUNDS -- SPECIAL AUTHORIZATION FOR GAAP  
11 SALARY ACCRUAL. The department of management may authorize  
12 supplemental expenditures for the fiscal year beginning July  
13 1, 1994, in amounts necessary to accrue salaries in accordance  
14 with generally accepted accounting principles, for those  
15 departmental revolving, trust, or special funds which are not  
16 part of the general fund of the state and for which the  
17 general assembly has established an operating budget.

18 Sec. 11. Section 8.57, subsection 1, paragraph a, Code  
19 1995, is amended by striking the paragraph and inserting in  
20 lieu thereof the following:

21 a. The "cash reserve goal percentage" for fiscal years  
22 beginning on or after July 1, 1995, is five percent of the  
23 adjusted revenue estimate. For each fiscal year beginning on  
24 or after July 1, 1995, in which the appropriation of the  
25 surplus existing in the general fund of the state at the  
26 conclusion of the prior fiscal year pursuant to paragraph "b"  
27 was not sufficient for the cash reserve fund to reach the cash  
28 reserve goal percentage for the current fiscal year, there is  
29 appropriated from the general fund of the state an amount to  
30 be determined as follows:

31 (1) If the balance of the cash reserve fund in the current  
32 fiscal year is not more than four percent of the adjusted  
33 revenue estimate for the current fiscal year, the amount of  
34 the appropriation under this lettered paragraph is one percent  
35 of the adjusted revenue estimate for the current fiscal year.

1 (2) If the balance of the cash reserve fund in the current  
2 fiscal year is more than four percent but less than five  
3 percent of the adjusted revenue estimate for that fiscal year,  
4 the amount of the appropriation under this lettered paragraph  
5 is the amount necessary for the cash reserve fund to reach  
6 five percent of the adjusted revenue estimate for the current  
7 fiscal year.

8 (3) The moneys appropriated under this lettered paragraph  
9 shall be credited in equal and proportionate amounts in each  
10 quarter of the current fiscal year.

11 Sec. 12. Section 8.57, subsection 1, paragraph b, Code  
12 1995, is amended to read as follows:

13 b. ~~Commencing June 30, 1993, the~~ The surplus existing in  
14 the general fund of the state at the conclusion of the fiscal  
15 year is appropriated for distribution in the succeeding fiscal  
16 year as provided in this section subsections 2 and 3. Moneys  
17 credited to the cash reserve fund from the appropriation made  
18 in this paragraph shall not exceed the amount necessary for  
19 the cash reserve fund to reach the cash reserve goal  
20 percentage for the succeeding fiscal year. As used in this  
21 paragraph, "surplus" means the excess of revenues and other  
22 financing sources over expenditures and other financing uses  
23 for the general fund of the state in a fiscal year.

24 Sec. 13. Section 192.103, Code 1995, is amended by adding  
25 the following new unnumbered paragraph:

26 NEW UNNUMBERED PARAGRAPH. The department shall adopt rules  
27 to permit the sale of raw milk to final consumers who have  
28 medical conditions precluding their consumption of pasteurized  
29 milk.

30 Sec. 14. Section 257.11, subsection 2, unnumbered  
31 paragraph 1, Code 1995, is amended to read as follows:

32 If the school budget review committee certifies to the  
33 department of management that the shared classes or teachers  
34 would otherwise not be implemented without the assignment of  
35 additional weighting, pupils attending classes in another

1 school district or a community college, attending classes  
2 taught by a teacher who is employed jointly under section  
3 280.15, or attending classes taught by a teacher who is  
4 employed by another school district, are assigned a weighting  
5 of one plus an additional portion equal to one times the  
6 percent of the pupil's school day during which the pupil  
7 attends classes in another district or community college,  
8 attends classes taught by a teacher who is jointly employed  
9 under section 280.15, or attends classes taught by a teacher  
10 who is employed by another school district. A pupil attending  
11 a class in which students from one or more other school  
12 districts are enrolled and the class is taught via the Iowa  
13 communications network is not deemed to be attending a class  
14 in another school district for the purposes of this subsection  
15 and the school district is not eligible for additional  
16 weighting for that class under this subsection.

17 Sec. 15. Section 279.51, subsection 1, unnumbered  
18 paragraph 1, Code 1995, is amended to read as follows:

19 There is appropriated from the general fund of the state to  
20 the department of education for the fiscal year beginning July  
21 1, 1990, the sum of eight million seven hundred thousand  
22 dollars. For each fiscal year beginning on or after July 1,  
23 ~~1993~~ 1995, there is appropriated the sum which was  
24 appropriated for the fiscal year commencing July 1, ~~1992~~ 1994.

25 Sec. 16. Section 285.1, subsection 1, paragraph c, Code  
26 1995, is amended to read as follows:

27 c. Children attending prekindergarten programs offered or  
28 sponsored by the district or nonpublic school and approved by  
29 the department of education or department of human services  
30 may be provided transportation services. However,  
31 transportation services provided nonpublic school children are  
32 not eligible for reimbursement under this chapter.

33 Sec. 17. Sections 9 and 10 of this division of this Act,  
34 being deemed of immediate importance, take effect upon  
35 enactment.

1 DIVISION IV  
2 AMENDMENTS TO 1995 IOWA ACTS

3 Sec. 18. REPEALS. 1995 Iowa Acts, Senate File 278,  
4 sections 8 and 9, are repealed.

5 Sec. 19. If enacted, 1995 Iowa Acts, House File 203,  
6 section 5, subsection 2, is amended to read as follows:

7 2. Study the costs of training provided to executive  
8 directors of county commissions of veteran affairs under  
9 section 35A.3, subsection 12. The commission shall submit a  
10 report of its findings and recommendations to the general  
11 assembly by January 1, 1996.

12 Sec. 20. EFFECTIVE DATE. This division of this Act, being  
13 deemed of immediate importance, takes effect upon enactment.

14 DIVISION V  
15 AMENDMENTS TO 1995 IOWA ACTS

16 Sec. 21. Section 142C.13, as enacted by 1995 Iowa Acts,  
17 Senate File 117, section 13, is amended to read as follows:

18 142C.13 TRANSITIONAL PROVISIONS.

19 This chapter applies to a document of gift, revocation, or  
20 refusal to make an anatomical gift signed by the donor or a  
21 person authorized to make or object to the making of an  
22 anatomical gift on or after July 1, 1995. A document of gift,  
23 revocation, or refusal to make an anatomical gift pursuant to  
24 the law in effect prior to July 1, 1995, shall not be affected  
25 by the provisions of this chapter.

26 Sec. 22. Section 147A.28, as enacted by 1995 Iowa Acts,  
27 Senate File 118, section 9, is amended to read as follows:

28 147A.28 PROHIBITED ACTS.

29 A hospital or emergency care facility that imparts or  
30 conveys, or causes to be imparted or conveyed, that it is a  
31 trauma care facility, or that uses any other term to indicate  
32 or imply that the hospital or emergency care facility is a  
33 trauma care facility without having obtained a certificate of  
34 verification under this division is subject to a civil penalty  
35 not to exceed one hundred dollars per day for each offense.

1 In addition, the director may apply to the district court for  
2 a writ of injunction to restrain the use of the term "trauma  
3 health care facility". However, nothing in this division  
4 shall be construed to restrict a hospital or emergency  
5 facility from providing any services for which it is duly  
6 authorized.

7 Sec. 23. Section 196A.17, Code 1995, is amended to read as  
8 follows:

9 196A.17 ADMINISTRATION OF MONEYS.

10 Subject to the provisions of section 196A.15, the tax  
11 assessment imposed by this chapter shall be remitted by the  
12 purchaser to the Iowa-egg council not later than thirty days  
13 following each calendar quarter during which the tax  
14 assessment was collected. Amounts collected from the tax  
15 assessment shall be deposited in the office of the treasurer  
16 of state in a separate fund to be known as the Iowa egg fund.  
17 The department of revenue and finance shall transfer moneys  
18 from the fund to the council for deposit into an account  
19 established by the council in a qualified financial  
20 institution. The department shall transfer the moneys as  
21 provided in a resolution adopted by the council. However, the  
22 department is only required to transfer moneys once during  
23 each day and only during hours when the offices of the state  
24 are open.

25 Sec. 24. Section 252J.4, subsection 4, paragraph b, if  
26 enacted by 1995 Iowa Acts, Senate File 431, section 4, is  
27 amended to read as follows:

28 b. The unit finds a mistake in determining that the amount  
29 of delinquent support is equal to or greater than one-month  
30 ninety days.

31 Sec. 25. Section 252J.6, subsection 3, paragraph b, if  
32 enacted by 1995 Iowa Acts, Senate File 431, section 6, is  
33 amended to read as follows:

34 b. The unit or the court finds a mistake in determining  
35 that the amount of delinquent support due is equal to or

1 greater than one-month ninety days.

2 Sec. 26. Section 455D.3, subsection 3, paragraph c, Code  
3 1995, as amended by 1995 Iowa Acts, House File 289, section 2,  
4 and relettered as paragraph "b" is amended to read as follows:

5 If at any time the department determines that a planning  
6 area has met or exceeded the fifty percent goal, the planning  
7 area shall subtract fifty cents from the total amount of the  
8 tonnage fee imposed pursuant to section 455B.310, subsection  
9 2. This amount shall be in addition to any ~~amounts~~ amount  
10 subtracted pursuant to ~~paragraphs~~ paragraph "a" and "~~b~~" of  
11 this subsection. The reduction in tonnage fees pursuant to  
12 this paragraph shall be taken from that portion of the tonnage  
13 fees which would have been allocated to funding alternatives  
14 to landfills pursuant to section 455E.11, subsection 2,  
15 paragraph "a", subparagraph (1).

16 Sec. 27. Section 514C.3A, subsection 1, unnumbered  
17 paragraph 1, as enacted by 1995 Iowa Acts, House File 139,  
18 section 1, is amended to read as follows:

19 An individual or group policy of accident or health  
20 insurance or individual or group hospital or health care  
21 service contract issued pursuant to chapter 509, 514, or 514A,  
22 and delivered, amended, or renewed on or after July 1, ~~1996~~  
23 1995, that provides dental care benefits with a base payment  
24 for those benefits determined upon a usual and customary fee  
25 charged by licensed dentists, shall disclose all of the  
26 following:

27 Sec. 28. Section 537.1302, Code 1995, as amended by 1995  
28 Iowa Acts, Senate File 175, is amended to read as follows:

29 537.1302 DEFINITION -- TRUTH IN LENDING ACT.

30 As used in this chapter, "Truth in Lending Act" means title  
31 1 of the Consumer Credit Protection Act, in subchapter 1 of ~~4~~  
32 15 U.S.C. ~~title-15~~ chapter 41, as amended to and including  
33 January 1, 1995, and includes regulations issued pursuant to  
34 that Act prior to January 1, 1995.

35 Sec. 29. Section 709C.12, if enacted by 1995 Iowa Acts,

1 Senate File 432, is amended to read as follows:

2 709C.12 EFFECTIVE DATE.

3 This chapter takes effect July 1, ~~1996~~ 1997, and applies to  
4 persons convicted of a sexually violent offense on or after  
5 July 1, 1997.

6 Sec. 30. If enacted, 1995 Iowa Acts, Senate File 462,  
7 section 3, subsection 13, is amended to read as follows:

8 13. The department shall amend the department's current  
9 home and community-based waivers under medical assistance to  
10 include "consumer directed attendant care" as allowed by  
11 federal regulation. The department shall also develop and  
12 implement a new home and community-based waiver for persons  
13 with physical disabilities as a means to further develop the  
14 personal assistance services program under section 225C.46.  
15 The waiver shall not be implemented in a manner which would  
16 require additional county or state costs for assistance  
17 provided to an individual served under the waiver. A waiver  
18 amended, developed, or implemented pursuant to this subsection  
19 shall be consistent with the provisions of the appropriation  
20 in this Act for a personal assistance services pilot project  
21 and the provisions of chapter ~~255E~~ 225C relating to personal  
22 assistance services.

23 Sec. 31. If enacted, 1995 Iowa Acts, Senate File 69,  
24 section 35, is amended to read as follows:

25 SEC. 35. FISCAL YEAR 1996 RELIEF FUND PAYMENT.

26 Notwithstanding 1995 Iowa Acts, House File 132, section 13,  
27 the appropriation in that section shall not be made from the  
28 general fund of the state but shall be made from the property  
29 tax relief fund created in section 426B.1, as enacted by this  
30 Act. Notwithstanding section 426B.2, subsection ~~2~~ 1, as  
31 enacted by this Act, for the fiscal year beginning July 1,  
32 1995, the amount of moneys distributed under that subsection  
33 shall be \$54.4 million.

34 Sec. 32. REPEAL. 1995 Iowa Acts, Senate File 439, section  
35 2, is repealed.

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## EXPLANATION

2 DIVISION I: Increases the standing appropriation for the  
3 educational excellence program for Phase II to keep the per  
4 pupil allocation constant, sets the standing appropriation for  
5 the educational excellence program at the sum appropriated for  
6 the previous year, including supplemental payments;  
7 appropriates \$100,000 from the victim compensation fund to be  
8 transferred to the state of Oklahoma's victim compensation  
9 fund for purposes of assisting victims of the Oklahoma City  
10 bombing; and provides a standing unlimited appropriation to  
11 pay interest costs due the federal government pursuant to the  
12 federal Cash Management Improvement Act.

13 DIVISION II: Appropriates up to \$5,000,000 for four-year  
14 old at-risk children programs contingent upon the state paying  
15 less in school aid because of the increase in taxable property  
16 valuations over estimates.

17 DIVISION III: Repeals appropriations made during the 1994  
18 Session for the fiscal year beginning July 1, 1995, to  
19 community colleges for the late personal property tax  
20 replacement payments and to school districts for the late  
21 vocational education aid payments because these are scheduled  
22 to be funded from the GAAP deficit reduction account. The  
23 division allows the department of management to authorize  
24 supplemental expenditures for the 1994-1995 fiscal year which  
25 are necessary to accrue salaries under GAAP; sets the cash  
26 reserve percentage at 5 percent for the 1995-1996 fiscal year  
27 and succeeding fiscal years; requires department of  
28 agriculture and land stewardship to adopt rules to permit the  
29 sale of raw milk to people who medically cannot consume  
30 pasteurized milk; provides that students from two or more  
31 districts that attend class taught via ICN are not sharing  
32 classes for purposes of supplemental weighting under the state  
33 school foundation aid program; increases the standing limited  
34 appropriation to the school-based youth services education  
35 program at the 1994-1995 fiscal year level and allows school

1 districts to provide prekindergarten nonpublic school children  
2 transportation services but will not be reimbursed for doing  
3 so.

4 DIVISION IV: Makes corrective amendments to 1995 Iowa Acts  
5 that are effective upon enactment. These include repealing  
6 two sections in Senate File 278, relating to ostriches, rheas,  
7 and emus, and adding the complete reference relating to the  
8 study of costs of training executive directors of county  
9 commissions of veteran affairs.

10 DIVISION V: Makes corrective amendments to 1995 Iowa Acts  
11 which are not effective upon enactment. These include  
12 specifying that documents of gift in effect prior to the  
13 effective date of the anatomical gift Act enacted in Senate  
14 File 117 are not affected by the provisions of the Act;  
15 changes the reference in section 147A.28 from "trauma health  
16 facility" to "trauma care facility" to conform with other  
17 references in Senate File 118; makes conforming amendments to  
18 sections 252J.4 and 252J.6 as enacted in Senate File 431  
19 relating to delinquent child support obligors; changing the  
20 reference in section 196A.17 to the excise tax which is  
21 imposed by the egg council to call it an assessment; amends  
22 section 455D.3, relating to tonnage fees to correct an  
23 internal reference; revises a date in section 514C.3A if  
24 enacted in House File 139 to July 1, 1995, after which  
25 insurance companies and nonprofit health service corporations  
26 are required to disclose methods used to determine usual fees  
27 for dental care coverage in the state; corrects a cite to the  
28 federal Truth in Lending Act in the Iowa consumer credit code;  
29 makes the effective date in section 709C.12, relating to  
30 sexually violent predators to July 1, 1997, since the Act  
31 applies to persons convicted of a sexually violent offense on  
32 or after that date; repeals the section of the Act relating to  
33 penalties for false emergency 911 calls that conditions the  
34 effectiveness of the Act to an appropriation to fund any state  
35 mandate which might be in the bill, and corrects a wrong

1 reference in Senate File 69 relating to property tax relief  
2 distributions.

3 The bill includes effective and applicability date  
4 provisions.

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H-5/2/95 Amend + Do Pass  
(p. 2210)

SENATE FILE 486  
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 371)

(AS AMENDED AND PASSED BY THE SENATE APRIL 28, 1995)

\* - Language Stricken by the Senate

Passed Senate, Date 4/28/95 (p. 155) Passed House, Date 5/3/95  
Vote: Ayes 49 Nays 0 Vote: Ayes 92 Nays 3  
Approved May 16, 1995

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S.F. 486

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Sec. 3. OKLAHOMA VICTIM ASSISTANCE. There is appropriated from the victim compensation fund established under section 912.14 to the department of justice for the fiscal year beginning July 1, 1994, and ending June 30, 1995, the amount of \$100,000 to be transferred to the state of Oklahoma victim assistance fund to be used to provide compensation to the victims of the April 19, 1995, bombing of the Murrah federal building in Oklahoma City, Oklahoma.

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1 NEW UNNUMBERED PARAGRAPH. There is annually appropriated  
2 from the general fund of the state to the department of  
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4 that may be due the federal government as a result of  
5 implementation of the federal law. Nothing in this paragraph  
6 authorizes the payment of interest from the general fund of  
7 the state for any departmental revolving, trust, or special  
8 fund where monthly interest earnings accrue to the credit of  
9 the departmental revolving, trust, or special fund. For any  
10 departmental revolving, trust, or special fund where monthly  
11 interest is accrued to the credit of the fund, the director  
12 may authorize a supplemental expenditure to pay interest costs  
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27 valuation of real property located in this state, based upon  
28 January 1, 1994, assessments, which is used in the computation  
29 of property taxes payable in the fiscal year beginning July 1,  
30 1995, increases from the estimate of such taxable valuation,  
31 the amount of the reduction in state foundation aid under  
32 section 257.1 as a result of such increase in taxable  
33 valuation shall be used to fund section 6 of this division of  
34 this Act. If the amount of the reduction in state foundation  
35 aid is insufficient to fully fund the increase set out in

1 section 6 of this division of this Act, section 6 shall be  
2 funded only to the extent of the reduction.

3 Sec. 8. CONTINGENT EFFECTIVE DATE. Section 6 of this  
4 division of this Act takes effect upon the enactment of  
5 section 7.

6 DIVISION III

7 MISCELLANEOUS PROVISIONS

8 Sec. 9. 1994 Iowa Acts, chapter 1193, sections 2, 4, and  
9 35, are repealed.

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11 SALARY ACCRUAL. The department of management may authorize  
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22 beginning on or after July 1, 1995, is five percent of the  
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24 or after July 1, 1995, in which the appropriation of the  
25 surplus existing in the general fund of the state at the  
26 conclusion of the prior fiscal year pursuant to paragraph "b"  
27 was not sufficient for the cash reserve fund to reach the cash  
28 reserve goal percentage for the current fiscal year, there is  
29 appropriated from the general fund of the state an amount to  
30 be determined as follows:

31 (1) If the balance of the cash reserve fund in the current  
32 fiscal year is not more than four percent of the adjusted  
33 revenue estimate for the current fiscal year, the amount of  
34 the appropriation under this lettered paragraph is one percent  
35 of the adjusted revenue estimate for the current fiscal year.

1 (2) If the balance of the cash reserve fund in the current  
2 fiscal year is more than four percent but less than five  
3 percent of the adjusted revenue estimate for that fiscal year,  
4 the amount of the appropriation under this lettered paragraph  
5 is the amount necessary for the cash reserve fund to reach  
6 five percent of the adjusted revenue estimate for the current  
7 fiscal year.

8 (3) The moneys appropriated under this lettered paragraph  
9 shall be credited in equal and proportionate amounts in each  
10 quarter of the current fiscal year.

11 Sec. 12. Section 8.57, subsection 1, paragraph b, Code  
12 1995, is amended to read as follows:

13 b. ~~Commencing June 30, 1993, the~~ The surplus existing in  
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15 year is appropriated for distribution in the succeeding fiscal  
16 year as provided in this section subsections 2 and 3. Moneys  
17 credited to the cash reserve fund from the appropriation made  
18 in this paragraph shall not exceed the amount necessary for  
19 the cash reserve fund to reach the cash reserve goal  
20 percentage for the succeeding fiscal year. As used in this  
21 paragraph, "surplus" means the excess of revenues and other  
22 financing sources over expenditures and other financing uses  
23 for the general fund of the state in a fiscal year.

\*24 Sec. 13. Section 257.11, subsection 2, unnumbered  
25 paragraph 1, Code 1995, is amended to read as follows:

26 If the school budget review committee certifies to the  
27 department of management that the shared classes or teachers  
28 would otherwise not be implemented without the assignment of  
29 additional weighting, pupils attending classes in another  
30 school district or a community college, attending classes  
31 taught by a teacher who is employed jointly under section  
32 280.15, or attending classes taught by a teacher who is  
33 employed by another school district, are assigned a weighting  
34 of one plus an additional portion equal to one times the  
35 percent of the pupil's school day during which the pupil

1 attends classes in another district or community college,  
2 attends classes taught by a teacher who is jointly employed  
3 under section 280.15, or attends classes taught by a teacher  
4 who is employed by another school district. A pupil attending  
5 a class in which students from one or more other school  
6 districts are enrolled and the class is taught via the Iowa  
7 communications network is not deemed to be attending a class  
8 in another school district for the purposes of this subsection  
9 and the school district is not eligible for additional  
10 weighting for that class under this subsection.

11 Sec. 14. Section 279.51, subsection 1, unnumbered  
12 paragraph 1, Code 1995, is amended to read as follows:

13 There is appropriated from the general fund of the state to  
14 the department of education for the fiscal year beginning July  
15 1, 1990, the sum of eight million seven hundred thousand  
16 dollars. For each fiscal year beginning on or after July 1,  
17 ~~1993~~ 1995, there is appropriated the sum which was  
18 appropriated for the fiscal year commencing July 1, ~~1992~~ 1994.

19 Sec. 15. Section 285.1, subsection 1, paragraph c, Code  
20 1995, is amended to read as follows:

21 c. Children attending prekindergarten programs offered or  
22 sponsored by the district or nonpublic school and approved by  
23 the department of education or department of human services  
24 may be provided transportation services. However,  
25 transportation services provided nonpublic school children are  
26 not eligible for reimbursement under this chapter.

27 Sec. 16. Sections 9 and 10 of this division of this Act,  
28 being deemed of immediate importance, take effect upon  
29 enactment.

30 DIVISION IV  
31 AMENDMENTS TO 1995 IOWA ACTS

32 Sec. 17. REPEALS. 1995 Iowa Acts, Senate File 278,  
33 sections 8 and 9, are repealed.

34 Sec. 18. If enacted, 1995 Iowa Acts, House File 203,  
35 section 5, subsection 2, is amended to read as follows:

1 2. Study the costs of training provided to executive  
2 directors of county commissions of veteran affairs under  
3 section 35A.3, subsection 12. The commission shall submit a  
4 report of its findings and recommendations to the general  
5 assembly by January 1, 1996.

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

8 DIVISION V  
9 AMENDMENTS TO 1995 IOWA ACTS

10 Sec. 20. Section 142C.13, as enacted by 1995 Iowa Acts,  
11 Senate File 117, section 13, is amended to read as follows:

12 142C.13 TRANSITIONAL PROVISIONS.

13 This chapter applies to a document of gift, revocation, or  
14 refusal to make an anatomical gift signed by the donor or a  
15 person authorized to make or object to the making of an  
16 anatomical gift on or after July 1, 1995. A document of gift,  
17 revocation, or refusal to make an anatomical gift pursuant to  
18 the law in effect prior to July 1, 1995, shall not be affected  
19 by the provisions of this chapter.

20 Sec. 21. Section 147A.28, as enacted by 1995 Iowa Acts,  
21 Senate File 118, section 9, is amended to read as follows:

22 147A.28 PROHIBITED ACTS.

23 A hospital or emergency care facility that imparts or  
24 conveys, or causes to be imparted or conveyed, that it is a  
25 trauma care facility, or that uses any other term to indicate  
26 or imply that the hospital or emergency care facility is a  
27 trauma care facility without having obtained a certificate of  
28 verification under this division is subject to a civil penalty  
29 not to exceed one hundred dollars per day for each offense.  
30 In addition, the director may apply to the district court for  
31 a writ of injunction to restrain the use of the term "trauma  
32 health care facility". However, nothing in this division  
33 shall be construed to restrict a hospital or emergency  
34 facility from providing any services for which it is duly  
35 authorized.

1 Sec. 22. Section 196A.17, Code 1995, is amended to read as  
2 follows:

3 196A.17 ADMINISTRATION OF MONEYS.

4 Subject to the provisions of section 196A.15, the ~~tax~~  
5 assessment imposed by this chapter shall be remitted by the  
6 purchaser to the ~~Iowa-egg~~ council not later than thirty days  
7 following each calendar quarter during which the ~~tax~~  
8 assessment was collected. Amounts collected from the ~~tax~~  
9 assessment shall be deposited in the office of the treasurer  
10 of state in a separate fund to be known as the Iowa egg fund.  
11 The department of revenue and finance shall transfer moneys  
12 from the fund to the council for deposit into an account  
13 established by the council in a qualified financial  
14 institution. The department shall transfer the moneys as  
15 provided in a resolution adopted by the council. However, the  
16 department is only required to transfer moneys once during  
17 each day and only during hours when the offices of the state  
18 are open.

19 Sec. 23. Section 252J.4, subsection 4, paragraph b, if  
20 enacted by 1995 Iowa Acts, Senate File 431, section 4, is  
21 amended to read as follows:

22 b. The unit finds a mistake in determining that the amount  
23 of delinquent support is equal to or greater than ~~one-month~~  
24 ninety days.

25 Sec. 24. Section 252J.6, subsection 3, paragraph b, if  
26 enacted by 1995 Iowa Acts, Senate File 431, section 6, is  
27 amended to read as follows:

28 b. The unit or the court finds a mistake in determining  
29 that the amount of delinquent support due is equal to or  
30 greater than ~~one-month~~ ninety days.

31 Sec. 25. Section 455D.3, subsection 3, paragraph c, Code  
32 1995, as amended by 1995 Iowa Acts, House File 289, section 2,  
33 and relettered as paragraph "b" is amended to read as follows:

34 If at any time the department determines that a planning  
35 area has met or exceeded the fifty percent goal, the planning

1 area shall subtract fifty cents from the total amount of the  
2 tonnage fee imposed pursuant to section 455B.310, subsection  
3 2. This amount shall be in addition to any ~~amounts~~ amount  
4 subtracted pursuant to ~~paragraphs~~ paragraph "a" and ~~"b"~~ of  
5 this subsection. The reduction in tonnage fees pursuant to  
6 this paragraph shall be taken from that portion of the tonnage  
7 fees which would have been allocated to funding alternatives  
8 to landfills pursuant to section 455E.11, subsection 2,  
9 paragraph "a", subparagraph (1).

10 Sec. 26. Section 514C.3A, subsection 1, unnumbered  
11 paragraph 1, as enacted by 1995 Iowa Acts, House File 139,  
12 section 1, is amended to read as follows:

13 An individual or group policy of accident or health  
14 insurance or individual or group hospital or health care  
15 service contract issued pursuant to chapter 509, 514, or 514A,  
16 and delivered, amended, or renewed on or after July 1, ~~1996~~  
17 1995, that provides dental care benefits with a base payment  
18 for those benefits determined upon a usual and customary fee  
19 charged by licensed dentists, shall disclose all of the  
20 following:

21 Sec. 27. Section 537.1302, Code 1995, as amended by 1995  
22 Iowa Acts, Senate File 175, is amended to read as follows:

23 537.1302 DEFINITION -- TRUTH IN LENDING ACT.

24 As used in this chapter, "Truth in Lending Act" means title  
25 1 of the Consumer Credit Protection Act, in subchapter 1 of ~~4~~  
26 15 U.S.C. ~~title-15~~ chapter 41, as amended to and including  
27 January 1, 1995, and includes regulations issued pursuant to  
28 that Act prior to January 1, 1995.

29 Sec. 28. Section 709C.12, if enacted by 1995 Iowa Acts,  
30 Senate File 432, is amended to read as follows:

31 709C.12 EFFECTIVE DATE.

32 This chapter takes effect July 1, ~~1996~~ 1997, and applies to  
33 persons convicted of a sexually violent offense on or after  
34 July 1, 1997.

35 Sec. 29. If enacted, 1995 Iowa Acts, Senate File 462,

1 section 3, subsection 13, is amended to read as follows:

2 13. The department shall amend the department's current  
3 home and community-based waivers under medical assistance to  
4 include "consumer directed attendant care" as allowed by  
5 federal regulation. The department shall also develop and  
6 implement a new home and community-based waiver for persons  
7 with physical disabilities as a means to further develop the  
8 personal assistance services program under section 225C.46.  
9 The waiver shall not be implemented in a manner which would  
10 require additional county or state costs for assistance  
11 provided to an individual served under the waiver. A waiver  
12 amended, developed, or implemented pursuant to this subsection  
13 shall be consistent with the provisions of the appropriation  
14 in this Act for a personal assistance services pilot project  
15 and the provisions of chapter ~~255E~~ 225C relating to personal  
16 assistance services.

17 Sec. 30. If enacted, 1995 Iowa Acts, Senate File 69,  
18 section 35, is amended to read as follows:

19 SEC. 35. FISCAL YEAR 1996 RELIEF FUND PAYMENT.  
20 Notwithstanding 1995 Iowa Acts, House File 132, section 13,  
21 the appropriation in that section shall not be made from the  
22 general fund of the state but shall be made from the property  
23 tax relief fund created in section 426B.1, as enacted by this  
24 Act. Notwithstanding section 426B.2, subsection ~~2~~ 1, as  
25 enacted by this Act, for the fiscal year beginning July 1,  
26 1995, the amount of moneys distributed under that subsection  
27 shall be \$54.4 million.

28 Sec. 31. REPEAL. 1995 Iowa Acts, Senate File 439, section  
29 2, is repealed.

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## SENATE FILE 486

H-4220

1 Amend Senate File 486, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 1, by inserting after line 24 the  
4 following:

5 "Sec. 801. AT-RISK FUNDING FOR TUTORING SERVICES.

6 1. Notwithstanding section 8.33 and section  
7 279.51, subsection 1, paragraph "b", for the fiscal  
8 year ending June 30, 1995, from the funds allocated to  
9 the child development coordinating council that would  
10 otherwise revert to the general fund, up to \$60,000  
11 shall be transferred to the department of education  
12 during either the fiscal year beginning July 1, 1994,  
13 or the fiscal year beginning July 1, 1995, for the  
14 public purpose of contracting with a statewide  
15 nonprofit organization, within the meaning of section  
16 501(c)(3) of the Internal Revenue Code, pursuant to  
17 subsection 3, to provide educational tutoring services  
18 to at-risk students who are not meeting the academic  
19 requirements of their schools.

20 2. Notwithstanding section 279.51, subsection 1,  
21 paragraph "b", for the fiscal year beginning July 1,  
22 1995, \$60,000 shall be transferred to the department  
23 of education for the public purpose of contracting  
24 with a statewide nonprofit organization, within the  
25 meaning of section 501(c)(3) of the Internal Revenue  
26 Code, pursuant to subsection 3, to provide educational  
27 tutoring services to at-risk students who are not  
28 meeting the academic requirements of their schools.

29 3. To qualify for a contract under this section, a  
30 statewide nonprofit organization shall have provided  
31 educational tutoring services to not less than 1,000  
32 students per year since calendar year 1993, at no cost  
33 to the students; shall demonstrate accountability for  
34 academic progress; be characterized by partnerships  
35 with other agencies that provide services to at-risk  
36 youth; and provide tutoring sites in rural and urban  
37 sites."

38 2. Page 2, line 15, by inserting after the word  
39 "Sections" the following: "801,".

40 3. By renumbering and correcting internal  
41 references as necessary.

By BAKER of Polk

H-4220 FILED MAY 3, 1995

WITHDRAWN

5/3/95

## SENATE FILE 486

H-4211

1 Amend Senate File 486, as amended, passed, and  
2 reprinted by the Senate as follows:

3 1. Page 4, by inserting after line 23 the  
4 following:

5 "Sec. \_\_\_\_ . Section 175.3, subsection 7, Code 1995,  
6 is amended to read as follows:

7 7. The appointed members shall elect a chairperson  
8 and vice chairperson annually, and other officers as  
9 they determine, ~~but the~~. The executive director,  
10 appointed pursuant to section 175.7, shall serve as  
11 secretary to the authority.

12 Sec. \_\_\_\_ . Section 175.7, subsection 1, Code 1995,  
13 is amended to read as follows:

14 1. The ~~secretary-of-agriculture~~ authority shall  
15 appoint an executive director ~~of-the-authority~~, who  
16 shall serve at the pleasure of the ~~secretary~~  
17 authority. The executive director shall be selected  
18 primarily for administrative ability and knowledge in  
19 the field, without regard to political affiliation.  
20 The executive director shall not, directly or  
21 indirectly, exert influence to induce any other  
22 officers or employees of the state to adopt a  
23 political view, or to favor a political candidate for  
24 office."

25 2. By renumbering as necessary.

By HAHN of Muscatine

H-4211 FILED MAY 3, 1995

WITHDRAWN

5/3/95

SENATE FILE 486

H-4194

1 Amend Senate File 486, as amended, passed, and  
2 reprinted by the Senate, as follows:

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

5 "Sec. 100. Section 260E.3, subsection 6, as  
6 enacted by 1995 Iowa Acts, House File 519, is amended  
7 by striking the subsection."

8 2. Page 4, by inserting after line 23 the  
9 following:

10 "Sec. \_\_\_\_\_. Section 25.1, Code 1995, is amended to  
11 read as follows:

12 25.1 RECEIPT, INVESTIGATION, AND REPORT.

13 When a claim is filed or made against the state, on  
14 which in the judgment of the director of management  
15 the state would be liable except for the fact of its  
16 sovereignty or which has no appropriation available  
17 for its payment, the director of management shall  
18 deliver that claim to the state appeal board. The  
19 state appeal board shall make a record of the receipt  
20 of that claim ~~and forthwith deliver it,~~ notify the  
21 special assistant attorney general for claims, and  
22 deliver a copy to the state official or agency against  
23 whom the claim is made, if any. The official or  
24 agency shall report concerning the claim to the  
25 special assistant attorney general for claims who  
26 shall, with a view to determining the merits and  
27 legality of it the claim, fully shall investigate the  
28 claim, including the facts upon which it is based and  
29 report in duplicate the findings and conclusions of  
30 law the investigation to the state appeal board. To  
31 help defray the initial costs of processing a claim  
32 and the costs of investigating a claim, the department  
33 of management may assess a processing fee and a fee to  
34 reimburse the office of the attorney general for the  
35 costs of the claim investigation against the state  
36 agency which incurred the liability of the claim.

37 Sec. \_\_\_\_\_. Section 25.2, Code 1995, is amended to  
38 read as follows:

39 25.2 EXAMINATION OF REPORT -- APPROVAL OR  
40 REJECTION -- PAYMENT.

41 The state appeal board with the recommendation of  
42 the special assistant attorney general for claims may  
43 approve or reject claims against the state of less  
44 than ten years covering the following: ~~Outdated~~  
45 outdated warrants; outdated sales and use tax refunds;  
46 license refunds; additional agricultural land tax  
47 credits; outdated invoices; fuel and gas tax refunds;  
48 outdated homestead and veterans' exemptions; outdated  
49 funeral service claims; tractor fees; registration  
50 permits; outdated bills for merchandise; services

H-4194

V. STEWART

H-4194

Page 2

1 furnished to the state; claims by any county or county  
2 official relating to the personal property tax credit;  
3 and refunds of fees collected by the state. Payments  
4 authorized by the state appeal board shall be paid  
5 from the appropriation or fund of original  
6 certification of the claim. However, if that  
7 appropriation or fund has since reverted under section  
8 8.33 ~~then-such~~ payment authorized by the state appeal  
9 board shall be out of any money in the state treasury  
10 not otherwise appropriated. Notwithstanding the  
11 provisions of this section and section 25.1, the state  
12 appeal board may promulgate rules pursuant to chapter  
13 17A which delegate the authority of the board to  
14 approve certain claims as defined in this section to  
15 the agency against whom the claim is made or the  
16 director of revenue and finance may reissue outdated  
17 warrants."

18 3. Page 5, by inserting after line 26 the  
19 following:

20 "Sec. \_\_\_\_ . Section 421.38, subsection 1, Code  
21 1995, is amended to read as follows:

22 1. THREE MONTHS LIMIT. A claim shall not be  
23 allowed by the department of revenue and finance if  
24 the claim is presented after the lapse of three months  
25 from its accrual or after the appropriation or fund of  
26 certification has been exhausted or proves  
27 insufficient, whichever is later. However, this time  
28 limit is subject to the following exceptions:

29 a. Claims by state employees for benefits pursuant  
30 to chapters 85, 85A, and 86 are subject to limitations  
31 provided in those chapters.

32 b. Claims for medical assistance payments  
33 authorized under chapter 249A are subject to the time  
34 limits imposed by rule adopted by the department.

35 c. Claims defined in section 25.2 as delegated by  
36 the state appeal board pursuant to rule."

37 4. Page 5, by inserting after line 29 the  
38 following:

39 "Sec. \_\_\_\_ . EFFECTIVE DATE. Section 100, being  
40 deemed of immediate importance, takes effect upon  
41 enactment."

42 5. By renumbering, relettering, or redesignating  
43 and correcting internal references as necessary.

By COMMITTEE ON APPROPRIATIONS  
MILLAGE of Scott, Chairperson

H-4194 FILED MAY 2, 1995

WITHDRAWN

5/3/95

## SENATE FILE 486

H-4178

- 1 Amend Senate File 486, as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 5, by inserting after line 10 the  
4 following:  
5 "Sec. \_\_\_\_\_. Section 257.11, Code 1995, is amended  
6 by adding the following new subsection:  
7 NEW SUBSECTION. 2A. ALTERNATIVE SCHOOL. If the  
8 school budget review committee certifies to the  
9 department of management that an alternative school  
10 serving two or more school districts would otherwise  
11 not be implemented without the assignment of  
12 additional weighting, students attending classes in  
13 the alternative school are assigned a weighting of one  
14 and forty-eight hundredths."  
15 2. By renumbering as necessary.

By DAGGETT of Union

H-4178 FILED MAY 1, 1995

WITHDRAWN

5/3/95

## SENATE FILE 486

H-4197

- 1 Amend Senate File 486, as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 5, by inserting after line 26 the  
4 following:  
5 "Sec. \_\_\_\_\_. NEW SECTION. 602.6112 HEARINGS --  
6 SECURITY.  
7 Upon the request of a party to a civil action  
8 including, but not limited to, a domestic abuse  
9 proceeding, a juvenile adjudication, a dissolution of  
10 marriage, or child custody proceeding, the court shall  
11 provide enhanced security in the courtroom during any  
12 hearing or proceeding held in the action if the court  
13 finds evidence of violence, threats, or domestic abuse  
14 between the parties and finds that this enhanced  
15 security is necessary.  
16 Sec. \_\_\_\_\_. 1995 Iowa Acts, Senate File 150, section  
17 21, if enacted, which amends section 598.8, is  
18 repealed."

By MILLAGE of Scott

H-4197 FILED MAY 2, 1995

WITHDRAWN

5/3/95

Murphy  
Boswell  
Lind

SSB-371

Appropriations

Succeeded By  
SENATE FILE 486

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 standing and other appropriations,  
2 corrective amendments, and other financial and regulatory  
3 matters and providing effective and applicability date  
4 provisions.

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

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186-10-2  
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DIVISION I

STANDING AND OTHER APPROPRIATIONS

1  
2  
3 Section 1. For the fiscal year beginning July 1, 1995, and  
4 ending June 30, 1996, the appropriation made to the department  
5 of education for the educational excellence program pursuant  
6 to section 294A.25, subsection 1, shall be increased by  
7 \$5,000.

8 Sec. 2. Section 294A.25, subsection 1, Code 1995, is  
9 amended to read as follows:

10 1. For the fiscal year beginning July 1, 1990, there is  
11 appropriated from the general fund of the state to the  
12 department of education the amount of ninety-two million one  
13 hundred thousand eighty-five dollars to be used to improve  
14 teacher salaries. For each fiscal year in the fiscal period  
15 commencing July 1, 1991, and ending June 30, 1993, there is  
16 appropriated an amount equal to the amount appropriated for  
17 the fiscal year beginning July 1, 1990, plus an amount  
18 sufficient to pay the costs of the additional funding provided  
19 for school districts and area education agencies under  
20 sections 294A.9 and 294A.14. For each fiscal year beginning  
21 on or after July 1, ~~1993~~ 1995, there is appropriated the sum  
22 which was appropriated for the previous fiscal year commencing  
23 ~~July 1, 1992~~, including supplemental payments. The moneys  
24 shall be distributed as provided in this section.

25 Sec. 3. OKLAHOMA VICTIM ASSISTANCE. There is appropriated  
26 from the victim compensation fund established under section  
27 912.14 to the department of justice for the fiscal year  
28 beginning July 1, 1994, and ending June 30, 1995, the amount  
29 of \$100,000 to be transferred to the state of Oklahoma victim  
30 assistance fund to be used to provide compensation to the  
31 victims of the April 19, 1995, bombing of the Murrah federal  
32 building in Oklahoma City, Oklahoma.

33 Sec. 4. Section 421.31, subsection 11, if enacted by 1995  
34 Iowa Acts, Senate File 475, is amended by adding the following  
35 new unnumbered paragraph:

1     NEW UNNUMBERED PARAGRAPH. There is annually appropriated  
2 from the general fund of the state to the department of  
3 revenue and finance an amount sufficient to pay interest costs  
4 that may be due the federal government as a result of  
5 implementation of the federal law. Nothing in this paragraph  
6 authorizes the payment of interest from the general fund of  
7 the state for any departmental revolving, trust, or special  
8 fund where monthly interest earnings accrue to the credit of  
9 the departmental revolving, trust, or special fund. For any  
10 departmental revolving, trust, or special fund where monthly  
11 interest is accrued to the credit of the fund, the director  
12 may authorize a supplemental expenditure to pay interest costs  
13 from the individual fund which are due the federal government  
14 as a result of implementation of the federal law.

15     Sec. 5. Sections 3 and 4 of this division of this Act,  
16 being deemed of immediate importance, take effect upon  
17 enactment.

18                                   DIVISION II

19                   EDUCATION FINANCES -- CONTINGENT PROVISION

20     Sec. 6. AT-RISK CHILDREN. For the fiscal year beginning  
21 July 1, 1995, and ending June 30, 1996, the appropriation made  
22 to the department of education pursuant to section 279.51,  
23 subsection 1, shall be increased by \$5,000,000 to be allocated  
24 as provided in section 279.51, subsection 1, paragraph "b",  
25 for four-year old at-risk children programs.

26     Sec. 7. CONTINGENT APPROPRIATION. If the actual taxable  
27 valuation of real property located in this state, based upon  
28 January 1, 1994, assessments, which is used in the computation  
29 of property taxes payable in the fiscal year beginning July 1,  
30 1995, increases from the estimate of such taxable valuation,  
31 the amount of the reduction in state foundation aid under  
32 section 257.1 as a result of such increase in taxable  
33 valuation shall be used to fund section 6 of this division of  
34 this Act. If the amount of the reduction in state foundation  
35 aid is insufficient to fully fund the increase set out in

1 section 6 of this division of this Act, section 6 shall be  
2 funded only to the extent of the reduction.

3 Sec. 8. CONTINGENT EFFECTIVE DATE. Section 6 of this  
4 division of this Act takes effect upon the enactment of  
5 section 7.

6 DIVISION III

7 MISCELLANEOUS PROVISIONS

8 Sec. 9. 1994 Iowa Acts, chapter 1193, sections 2, 4, and  
9 35, are repealed.

10 Sec. 10. SPECIAL FUNDS -- SPECIAL AUTHORIZATION FOR GAAP  
11 SALARY ACCRUAL. The department of management may authorize  
12 supplemental expenditures for the fiscal year beginning July  
13 1, 1994, in amounts necessary to accrue salaries in accordance  
14 with generally accepted accounting principles, for those  
15 departmental revolving, trust, or special funds which are not  
16 part of the general fund of the state and for which the  
17 general assembly has established an operating budget.

18 Sec. 11. Section 8.57, subsection 1, paragraph a, Code  
19 1995, is amended by striking the paragraph and inserting in  
20 lieu thereof the following:

21 a. The "cash reserve goal percentage" for fiscal years  
22 beginning on or after July 1, 1995, is five percent of the  
23 adjusted revenue estimate. For each fiscal year beginning on  
24 or after July 1, 1995, in which the appropriation of the  
25 surplus existing in the general fund of the state at the  
26 conclusion of the prior fiscal year pursuant to paragraph "b"  
27 was not sufficient for the cash reserve fund to reach the cash  
28 reserve goal percentage for the current fiscal year, there is  
29 appropriated from the general fund of the state an amount to  
30 be determined as follows:

31 (1) If the balance of the cash reserve fund in the current  
32 fiscal year is not more than four percent of the adjusted  
33 revenue estimate for the current fiscal year, the amount of  
34 the appropriation under this lettered paragraph is one percent  
35 of the adjusted revenue estimate for the current fiscal year.

1 (2) If the balance of the cash reserve fund in the current  
2 fiscal year is more than four percent but less than five  
3 percent of the adjusted revenue estimate for that fiscal year,  
4 the amount of the appropriation under this lettered paragraph  
5 is the amount necessary for the cash reserve fund to reach  
6 five percent of the adjusted revenue estimate for the current  
7 fiscal year.

8 (3) The moneys appropriated under this lettered paragraph  
9 shall be credited in equal and proportionate amounts in each  
10 quarter of the current fiscal year.

11 Sec. 12. Section 8.57, subsection 1, paragraph b, Code  
12 1995, is amended to read as follows:

13 b. ~~Commencing June 30, 1993, the~~ The surplus existing in  
14 the general fund of the state at the conclusion of the fiscal  
15 year is appropriated for distribution in the succeeding fiscal  
16 year as provided in this section subsections 2 and 3. Moneys  
17 credited to the cash reserve fund from the appropriation made  
18 in this paragraph shall not exceed the amount necessary for  
19 the cash reserve fund to reach the cash reserve goal  
20 percentage for the succeeding fiscal year. As used in this  
21 paragraph, "surplus" means the excess of revenues and other  
22 financing sources over expenditures and other financing uses  
23 for the general fund of the state in a fiscal year.

24 Sec. 13. Section 257.11, subsection 2, unnumbered  
25 paragraph 1, Code 1995, is amended to read as follows:

26 If the school budget review committee certifies to the  
27 department of management that the shared classes or teachers  
28 would otherwise not be implemented without the assignment of  
29 additional weighting, pupils attending classes in another  
30 school district or a community college, attending classes  
31 taught by a teacher who is employed jointly under section  
32 280.15, or attending classes taught by a teacher who is  
33 employed by another school district, are assigned a weighting  
34 of one plus an additional portion equal to one times the  
35 percent of the pupil's school day during which the pupil

1 attends classes in another district or community college,  
2 attends classes taught by a teacher who is jointly employed  
3 under section 280.15, or attends classes taught by a teacher  
4 who is employed by another school district. A pupil attending  
5 a class in which students from one or more other school  
6 districts are enrolled and the class is taught via the Iowa  
7 communications network is not deemed to be attending a class  
8 in another school district for the purposes of this subsection  
9 and the school district is not eligible for additional  
10 weighting for that class under this subsection.

11 Sec. 14. Section 279.51, subsection 1, unnumbered  
12 paragraph 1, Code 1995, is amended to read as follows:

13 There is appropriated from the general fund of the state to  
14 the department of education for the fiscal year beginning July  
15 1, 1990, the sum of eight million seven hundred thousand  
16 dollars. For each fiscal year beginning on or after July 1,  
17 ~~1993~~ 1995, there is appropriated the sum which was  
18 appropriated for the fiscal year commencing July 1, ~~1992~~ 1994.

19 Sec. 15. Section 285.1, subsection 1, paragraph c, Code  
20 1995, is amended to read as follows:

21 c. Children attending prekindergarten programs offered or  
22 sponsored by the district or nonpublic school and approved by  
23 the department of education or department of human services  
24 may be provided transportation services. However,  
25 transportation services provided nonpublic school children are  
26 not eligible for reimbursement under this chapter.

27 Sec. 16. Sections 9 and 10 of this division of this Act,  
28 being deemed of immediate importance, take effect upon  
29 enactment.

30 DIVISION IV

31 AMENDMENTS TO 1995 IOWA ACTS

32 Sec. 17. REPEALS. 1995 Iowa Acts, Senate File 278,  
33 sections 8 and 9, are repealed.

34 Sec. 18. If enacted, 1995 Iowa Acts, House File 203,  
35 section 5, subsection 2, is amended to read as follows:

1 2. Study the costs of training provided to executive  
2 directors of county commissions of veteran affairs under  
3 section 35A.3, subsection 12. The commission shall submit a  
4 report of its findings and recommendations to the general  
5 assembly by January 1, 1996.

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

8 DIVISION V

9 AMENDMENTS TO 1995 IOWA ACTS

10 Sec. 20. Section 142C.13, as enacted by 1995 Iowa Acts,  
11 Senate File 117, section 13, is amended to read as follows:

12 142C.13 TRANSITIONAL PROVISIONS.

13 This chapter applies to a document of gift, revocation, or  
14 refusal to make an anatomical gift signed by the donor or a  
15 person authorized to make or object to the making of an  
16 anatomical gift on or after July 1, 1995. A document of gift,  
17 revocation, or refusal to make an anatomical gift pursuant to  
18 the law in effect prior to July 1, 1995, shall not be affected  
19 by the provisions of this chapter.

20 Sec. 21. Section 147A.28, as enacted by 1995 Iowa Acts,  
21 Senate File 118, section 9, is amended to read as follows:

22 147A.28 PROHIBITED ACTS.

23 A hospital or emergency care facility that imparts or  
24 conveys, or causes to be imparted or conveyed, that it is a  
25 trauma care facility, or that uses any other term to indicate  
26 or imply that the hospital or emergency care facility is a  
27 trauma care facility without having obtained a certificate of  
28 verification under this division is subject to a civil penalty  
29 not to exceed one hundred dollars per day for each offense.  
30 In addition, the director may apply to the district court for  
31 a writ of injunction to restrain the use of the term "trauma  
32 health care facility". However, nothing in this division  
33 shall be construed to restrict a hospital or emergency  
34 facility from providing any services for which it is duly  
35 authorized.

1     Sec. 22. Section 196A.17, Code 1995, is amended to read as  
2 follows:

3     196A.17 ADMINISTRATION OF MONEYS.

4     Subject to the provisions of section 196A.15, the tax  
5 assessment imposed by this chapter shall be remitted by the  
6 purchaser to the Iowa-egg council not later than thirty days  
7 following each calendar quarter during which the tax  
8 assessment was collected. Amounts collected from the tax  
9 assessment shall be deposited in the office of the treasurer  
10 of state in a separate fund to be known as the Iowa egg fund.  
11 The department of revenue and finance shall transfer moneys  
12 from the fund to the council for deposit into an account  
13 established by the council in a qualified financial  
14 institution. The department shall transfer the moneys as  
15 provided in a resolution adopted by the council. However, the  
16 department is only required to transfer moneys once during  
17 each day and only during hours when the offices of the state  
18 are open.

19     Sec. 23. Section 252J.4, subsection 4, paragraph b, if  
20 enacted by 1995 Iowa Acts, Senate File 431, section 4, is  
21 amended to read as follows:

22     b. The unit finds a mistake in determining that the amount  
23 of delinquent support is equal to or greater than one-month  
24 ninety days.

25     Sec. 24. Section 252J.6, subsection 3, paragraph b, if  
26 enacted by 1995 Iowa Acts, Senate File 431, section 6, is  
27 amended to read as follows:

28     b. The unit or the court finds a mistake in determining  
29 that the amount of delinquent support due is equal to or  
30 greater than one-month ninety days.

31     Sec. 25. Section 455D.3, subsection 3, paragraph c, Code  
32 1995, as amended by 1995 Iowa Acts, House File 289, section 2,  
33 and relettered as paragraph "b" is amended to read as follows:

34     If at any time the department determines that a planning  
35 area has met or exceeded the fifty percent goal, the planning

1 area shall subtract fifty cents from the total amount of the  
2 tonnage fee imposed pursuant to section 455B.310, subsection  
3 2. This amount shall be in addition to any ~~amounts~~ amount  
4 subtracted pursuant to paragraphs paragraph "a" and "b" of  
5 this subsection. The reduction in tonnage fees pursuant to  
6 this paragraph shall be taken from that portion of the tonnage  
7 fees which would have been allocated to funding alternatives  
8 to landfills pursuant to section 455E.11, subsection 2,  
9 paragraph "a", subparagraph (1).

10 Sec. 26. Section 514C.3A, subsection 1, unnumbered  
11 paragraph 1, as enacted by 1995 Iowa Acts, House File 139,  
12 section 1, is amended to read as follows:

13 An individual or group policy of accident or health  
14 insurance or individual or group hospital or health care  
15 service contract issued pursuant to chapter 509, 514, or 514A,  
16 and delivered, amended, or renewed on or after ~~July 1, 1996~~  
17 1995, that provides dental care benefits with a base payment  
18 for those benefits determined upon a usual and customary fee  
19 charged by licensed dentists, shall disclose all of the  
20 following:

21 Sec. 27. Section 537.1302, Code 1995, as amended by 1995  
22 Iowa Acts, Senate File 175, is amended to read as follows:

23 537.1302 DEFINITION -- TRUTH IN LENDING ACT.

24 As used in this chapter, "Truth in Lending Act" means title  
25 1 of the Consumer Credit Protection Act, in subchapter 1 of ~~4~~  
26 15 U.S.C. ~~title-15~~ chapter 41, as amended to and including  
27 January 1, 1995, and includes regulations issued pursuant to  
28 that Act prior to January 1, 1995.

29 Sec. 28. Section 709C.12, if enacted by 1995 Iowa Acts,  
30 Senate File 432, is amended to read as follows:

31 709C.12 EFFECTIVE DATE.

32 This chapter takes effect July 1, ~~1996~~ 1997, and applies to  
33 persons convicted of a sexually violent offense on or after  
34 July 1, 1997.

35 Sec. 29. If enacted, 1995 Iowa Acts, Senate File 462,

1 section 3, subsection 13, is amended to read as follows:

2 13. The department shall amend the department's current  
3 home and community-based waivers under medical assistance to  
4 include "consumer directed attendant care" as allowed by  
5 federal regulation. The department shall also develop and  
6 implement a new home and community-based waiver for persons  
7 with physical disabilities as a means to further develop the  
8 personal assistance services program under section 225C.46.  
9 The waiver shall not be implemented in a manner which would  
10 require additional county or state costs for assistance  
11 provided to an individual served under the waiver. A waiver  
12 amended, developed, or implemented pursuant to this subsection  
13 shall be consistent with the provisions of the appropriation  
14 in this Act for a personal assistance services pilot project  
15 and the provisions of chapter ~~255E~~ 225C relating to personal  
16 assistance services.

17 Sec. 30. If enacted, 1995 Iowa Acts, Senate File 69,  
18 section 35, is amended to read as follows:

19 SEC. 35. FISCAL YEAR 1996 RELIEF FUND PAYMENT.  
20 Notwithstanding 1995 Iowa Acts, House File 132, section 13,  
21 the appropriation in that section shall not be made from the  
22 general fund of the state but shall be made from the property  
23 tax relief fund created in section 426B.1, as enacted by this  
24 Act. Notwithstanding section 426B.2, subsection 2 1, as  
25 enacted by this Act, for the fiscal year beginning July 1,  
26 1995, the amount of moneys distributed under that subsection  
27 shall be \$54.4 million.

28 Sec. 31. REPEAL. 1995 Iowa Acts, Senate File 439, section  
29 2, is repealed.

30 EXPLANATION

31 DIVISION I: Increases the standing appropriation for the  
32 educational excellence program for Phase II to keep the per  
33 pupil allocation constant, sets the standing appropriation for  
34 the educational excellence program at the sum appropriated for  
35 the previous year, including supplemental payments;

1 appropriates \$100,000 from the victim compensation fund to be  
2 transferred to the state of Oklahoma's victim compensation  
3 fund for purposes of assisting victims of the Oklahoma City  
4 bombing; and provides a standing unlimited appropriation to  
5 pay interest costs due the federal government pursuant to the  
6 federal Cash Management Improvement Act.

7 DIVISION II: Appropriates up to \$5,000,000 for four-year  
8 old at-risk children programs contingent upon the state paying  
9 less in school aid because of the increase in taxable property  
10 valuations over estimates.

11 DIVISION III: Repeals appropriations made during the 1994  
12 Session for the fiscal year beginning July 1, 1995, to  
13 community colleges for the late personal property tax  
14 replacement payments and to school districts for the late  
15 vocational education aid payments because these are scheduled  
16 to be funded from the GAAP deficit reduction account. The  
17 division allows the department of management to authorize  
18 supplemental expenditures for the 1994-1995 fiscal year which  
19 are necessary to accrue salaries under GAAP; sets the cash  
20 reserve percentage at 5 percent for the 1995-1996 fiscal year  
21 and succeeding fiscal years; provides that students from two  
22 or more districts that attend class taught via ICN are not  
23 sharing classes for purposes of supplemental weighting under  
24 the state school foundation aid program; increases the  
25 standing limited appropriation to the school-based youth  
26 services education program at the 1994-1995 fiscal year level  
27 and allows school districts to provide prekindergarten  
28 nonpublic school children transportation services but will not  
29 be reimbursed for doing so.

30 DIVISION IV: Makes corrective amendments to 1995 Iowa Acts  
31 that are effective upon enactment. These include repealing  
32 two sections in Senate File 278, relating to ostriches, rheas,  
33 and emus, and adding the complete reference relating to the  
34 study of costs of training executive directors of county  
35 commissions of veteran affairs.

1 DIVISION V: Makes corrective amendments to 1995 Iowa Acts  
2 which are not effective upon enactment. These include  
3 specifying that documents of gift in effect prior to the  
4 effective date of the anatomical gift Act enacted in Senate  
5 File 117 are not affected by the provisions of the Act;  
6 changes the reference in section 147A.28 from "trauma health  
7 facility" to "trauma care facility" to conform with other  
8 references in Senate File 118; makes conforming amendments to  
9 sections 252J.4 and 252J.6 as enacted in Senate File 431  
10 relating to delinquent child support obligors; changing the  
11 reference in section 196A.17 to the excise tax which is  
12 imposed by the egg council to call it an assessment; amends  
13 section 455D.3, relating to tonnage fees to correct an  
14 internal reference; revises a date in section 514C.3A if  
15 enacted in House File 139 to July 1, 1995, after which  
16 insurance companies and nonprofit health service corporations  
17 are required to disclose methods used to determine usual fees  
18 for dental care coverage in the state; corrects a cite to the  
19 federal Truth in Lending Act in the Iowa consumer credit code;  
20 makes the effective date in section 709C.12, relating to  
21 sexually violent predators to July 1, 1997, since the Act  
22 applies to persons convicted of a sexually violent offense on  
23 or after that date; repeals the section of the Act relating to  
24 penalties for false emergency 911 calls that conditions the  
25 effectiveness of the Act to an appropriation to fund any state  
26 mandate which might be in the bill, and corrects a wrong  
27 reference in Senate File 69 relating to property tax relief  
28 distributions.

29 The bill includes effective and applicability date  
30 provisions.

31  
32  
33  
34  
35

SENATE FILE 486

AN ACT

RELATING TO AND MAKING STANDING AND OTHER APPROPRIATIONS,  
CORRECTIVE AMENDMENTS, AND OTHER FINANCIAL AND REGULATORY  
MATTERS AND PROVIDING EFFECTIVE AND APPLICABILITY DATE  
PROVISIONS.

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

DIVISION I

STANDING AND OTHER APPROPRIATIONS

Section 1. For the fiscal year beginning July 1, 1995, and ending June 30, 1996, the appropriation made to the department of education for the educational excellence program pursuant to section 294A.25, subsection 1, shall be increased by \$5,000.

Sec. 2. Section 294A.25, subsection 1, Code 1995, is amended to read as follows:

1. For the fiscal year beginning July 1, 1990, there is appropriated from the general fund of the state to the department of education the amount of ninety-two million one hundred thousand eighty-five dollars to be used to improve teacher salaries. For each fiscal year in the fiscal period commencing July 1, 1991, and ending June 30, 1993, there is appropriated an amount equal to the amount appropriated for the fiscal year beginning July 1, 1990, plus an amount sufficient to pay the costs of the additional funding provided for school districts and area education agencies under sections 294A.9 and 294A.14. For each fiscal year beginning on or after July 1, 1993 1995, there is appropriated the sum which was appropriated for the previous fiscal year commencing ~~July 1, 1992~~, including supplemental payments. The moneys shall be distributed as provided in this section.

Sec. 3. OKLAHOMA VICTIM ASSISTANCE. There is appropriated from the victim compensation fund established under section 912.14 to the department of justice for the fiscal year beginning July 1, 1994, and ending June 30, 1995, the amount of \$100,000 to be transferred to the state of Oklahoma victim assistance fund to be used to provide compensation to the victims of the April 19, 1995, bombing of the Murrah federal building in Oklahoma City, Oklahoma.

Sec. 4. Section 421.31, subsection 11, if enacted by 1995 Iowa Acts, Senate File 475, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. There is annually appropriated from the general fund of the state to the department of revenue and finance an amount sufficient to pay interest costs that may be due the federal government as a result of implementation of the federal law. Nothing in this paragraph authorizes the payment of interest from the general fund of the state for any departmental revolving, trust, or special fund where monthly interest earnings accrue to the credit of the departmental revolving, trust, or special fund. For any departmental revolving, trust, or special fund where monthly interest is accrued to the credit of the fund, the director may authorize a supplemental expenditure to pay interest costs from the individual fund which are due the federal government as a result of implementation of the federal law.

Sec. 5. Sections 3 and 4 of this division of this Act, being deemed of immediate importance, take effect upon enactment.

DIVISION II

EDUCATION FINANCES -- CONTINGENT PROVISION

Sec. 6. AT-RISK CHILDREN. For the fiscal year beginning July 1, 1995, and ending June 30, 1996, the appropriation made to the department of education pursuant to section 279.51, subsection 1, shall be increased by \$5,000,000 to be allocated as provided in section 279.51, subsection 1, paragraph "b", for four-year old at-risk children programs.

Sec. 7. CONTINGENT APPROPRIATION. If the actual taxable valuation of real property located in this state, based upon January 1, 1994, assessments, which is used in the computation of property taxes payable in the fiscal year beginning July 1, 1995, increases from the estimate of such taxable valuation, the amount of the reduction in state foundation aid under section 257.1 as a result of such increase in taxable valuation shall be used to fund section 6 of this division of this Act. If the amount of the reduction in state foundation aid is insufficient to fully fund the increase set out in section 6 of this division of this Act, section 6 shall be funded only to the extent of the reduction.

Sec. 8. CONTINGENT EFFECTIVE DATE. Section 6 of this division of this Act takes effect upon the enactment of section 7.

DIVISION III  
MISCELLANEOUS PROVISIONS

Sec. 9. 1994 Iowa Acts, chapter 1193, sections 2, 4, and 35, are repealed.

Sec. 10. SPECIAL FUNDS -- SPECIAL AUTHORIZATION FOR GAAP SALARY ACCRUAL. The department of management may authorize supplemental expenditures for the fiscal year beginning July 1, 1994, in amounts necessary to accrue salaries in accordance with generally accepted accounting principles, for those departmental revolving, trust, or special funds which are not part of the general fund of the state and for which the general assembly has established an operating budget.

Sec. 11. Section 8.57, subsection 1, paragraph a, Code 1995, is amended by striking the paragraph and inserting in lieu thereof the following:

a. The "cash reserve goal percentage" for fiscal years beginning on or after July 1, 1995, is five percent of the adjusted revenue estimate. For each fiscal year beginning on or after July 1, 1995, in which the appropriation of the surplus existing in the general fund of the state at the

conclusion of the prior fiscal year pursuant to paragraph "b" was not sufficient for the cash reserve fund to reach the cash reserve goal percentage for the current fiscal year, there is appropriated from the general fund of the state an amount to be determined as follows:

(1) If the balance of the cash reserve fund in the current fiscal year is not more than four percent of the adjusted revenue estimate for the current fiscal year, the amount of the appropriation under this lettered paragraph is one percent of the adjusted revenue estimate for the current fiscal year.

(2) If the balance of the cash reserve fund in the current fiscal year is more than four percent but less than five percent of the adjusted revenue estimate for that fiscal year, the amount of the appropriation under this lettered paragraph is the amount necessary for the cash reserve fund to reach five percent of the adjusted revenue estimate for the current fiscal year.

(3) The moneys appropriated under this lettered paragraph shall be credited in equal and proportionate amounts in each quarter of the current fiscal year.

Sec. 12. Section 8.57, subsection 1, paragraph b, Code 1995, is amended to read as follows:

b. ~~Commencing June 30, 1993, the~~ The surplus existing in the general fund of the state at the conclusion of the fiscal year is appropriated for distribution in the succeeding fiscal year as provided in this section subsections 2 and 3. Moneys credited to the cash reserve fund from the appropriation made in this paragraph shall not exceed the amount necessary for the cash reserve fund to reach the cash reserve goal percentage for the succeeding fiscal year. As used in this paragraph, "surplus" means the excess of revenues and other financing sources over expenditures and other financing uses for the general fund of the state in a fiscal year.

Sec. 13. Section 257.11, subsection 2, unnumbered paragraph 1, Code 1995, is amended to read as follows:

If the school budget review committee certifies to the department of management that the shared classes or teachers would otherwise not be implemented without the assignment of additional weighting, pupils attending classes in another school district or a community college, attending classes taught by a teacher who is employed jointly under section 280.15, or attending classes taught by a teacher who is employed by another school district, are assigned a weighting of one plus an additional portion equal to one times the percent of the pupil's school day during which the pupil attends classes in another district or community college, attends classes taught by a teacher who is jointly employed under section 280.15, or attends classes taught by a teacher who is employed by another school district. A pupil attending a class in which students from one or more other school districts are enrolled and the class is taught via the Iowa communications network is not deemed to be attending a class in another school district for the purposes of this subsection and the school district is not eligible for additional weighting for that class under this subsection.

Sec. 14. Section 279.51, subsection 1, unnumbered paragraph 1, Code 1995, is amended to read as follows:

There is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 1990, the sum of eight million seven hundred thousand dollars. For each fiscal year beginning on or after July 1, 1993 1995, there is appropriated the sum which was appropriated for the fiscal year commencing July 1, 1992 1994.

Sec. 15. Section 285.1, subsection 1, paragraph c, Code 1995, is amended to read as follows:

c. Children attending prekindergarten programs offered or sponsored by the district or nonpublic school and approved by the department of education or department of human services may be provided transportation services. However, transportation services provided nonpublic school children are not eligible for reimbursement under this chapter.

Sec. 16. Sections 9 and 10 of this division of this Act, being deemed of immediate importance, take effect upon enactment.

## DIVISION IV

## AMENDMENTS TO 1995 IOWA ACTS

Sec. 17. REPEALS. 1995 Iowa Acts, Senate File 278, sections 8 and 9, are repealed.

Sec. 18. If enacted, 1995 Iowa Acts, House File 203, section 5, subsection 2, is amended to read as follows:

2. Study the costs of training provided to executive directors of county commissions of veteran affairs under section 35A.3, subsection 12. The commission shall submit a report of its findings and recommendations to the general assembly by January 1, 1996.

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

## DIVISION V

## AMENDMENTS TO 1995 IOWA ACTS

Sec. 20. Section 142C.13, as enacted by 1995 Iowa Acts, Senate File 117, section 13, is amended to read as follows:

## 142C.13 TRANSITIONAL PROVISIONS.

This chapter applies to a document of gift, revocation, or refusal to make an anatomical gift signed by the donor or a person authorized to make or object to the making of an anatomical gift on or after July 1, 1995. A document of gift, revocation, or refusal to make an anatomical gift pursuant to the law in effect prior to July 1, 1995, shall not be affected by the provisions of this chapter.

Sec. 21. Section 147A.28, as enacted by 1995 Iowa Acts, Senate File 118, section 9, is amended to read as follows:

## 147A.28 PROHIBITED ACTS.

A hospital or emergency care facility that imparts or conveys, or causes to be imparted or conveyed, that it is a trauma care facility, or that uses any other term to indicate or imply that the hospital or emergency care facility is a

trauma care facility without having obtained a certificate of verification under this division is subject to a civil penalty not to exceed one hundred dollars per day for each offense. In addition, the director may apply to the district court for a writ of injunction to restrain the use of the term "trauma health care facility". However, nothing in this division shall be construed to restrict a hospital or emergency facility from providing any services for which it is duly authorized.

Sec. 22. Section 196A.17, Code 1995, is amended to read as follows:

196A.17 ADMINISTRATION OF MONEYS.

Subject to the provisions of section 196A.15, the tax assessment imposed by this chapter shall be remitted by the purchaser to the Iowa-egg council not later than thirty days following each calendar quarter during which the tax assessment was collected. Amounts collected from the tax assessment shall be deposited in the office of the treasurer of state in a separate fund to be known as the Iowa egg fund. The department of revenue and finance shall transfer moneys from the fund to the council for deposit into an account established by the council in a qualified financial institution. The department shall transfer the moneys as provided in a resolution adopted by the council. However, the department is only required to transfer moneys once during each day and only during hours when the offices of the state are open.

Sec. 23. Section 252J.4, subsection 4, paragraph b, if enacted by 1995 Iowa Acts, Senate File 431, section 4, is amended to read as follows:

b. The unit finds a mistake in determining that the amount of delinquent support is equal to or greater than one-month ninety days.

Sec. 24. Section 252J.6, subsection 3, paragraph b, if enacted by 1995 Iowa Acts, Senate File 431, section 6, is amended to read as follows:

b. The unit or the court finds a mistake in determining that the amount of delinquent support due is equal to or greater than one-month ninety days.

Sec. 25. Section 455D.3, subsection 3, paragraph c, Code 1995, as amended by 1995 Iowa Acts, House File 289, section 2, and relettered as paragraph "b" is amended to read as follows:

If at any time the department determines that a planning area has met or exceeded the fifty percent goal, the planning area shall subtract fifty cents from the total amount of the tonnage fee imposed pursuant to section 455B.310, subsection 2. This amount shall be in addition to any amounts amount subtracted pursuant to ~~paragraphs~~ paragraph "a" and "b" of this subsection. The reduction in tonnage fees pursuant to this paragraph shall be taken from that portion of the tonnage fees which would have been allocated to funding alternatives to landfills pursuant to section 455E.11, subsection 2, paragraph "a", subparagraph (1).

Sec. 26. Section 514C.3A, subsection 1, unnumbered paragraph 1, as enacted by 1995 Iowa Acts, House File 139, section 1, is amended to read as follows:

An individual or group policy of accident or health insurance or individual or group hospital or health care service contract issued pursuant to chapter 509, 514, or 514A, and delivered, amended, or renewed on or after July 1, 1996 1995, that provides dental care benefits with a base payment for those benefits determined upon a usual and customary fee charged by licensed dentists, shall disclose all of the following:

Sec. 27. Section 537.1302, Code 1995, as amended by 1995 Iowa Acts, Senate File 175, is amended to read as follows:  
537.1302 DEFINITION -- TRUTH IN LENDING ACT.

As used in this chapter, "Truth in Lending Act" means title 1 of the Consumer Credit Protection Act, in subchapter 1 of ~~41~~ 15 U.S.C. title-15 chapter 41, as amended to and including January 1, 1995, and includes regulations issued pursuant to that Act prior to January 1, 1995.

Sec. 28. Section 709C.12, if enacted by 1995 Iowa Acts, Senate File 432, is amended to read as follows:

709C.12 EFFECTIVE DATE.

This chapter takes effect July 1, ~~1996~~ 1997, and applies to persons convicted of a sexually violent offense on or after July 1, 1997.

Sec. 29. If enacted, 1995 Iowa Acts, Senate File 462, section 3, subsection 13, is amended to read as follows:

13. The department shall amend the department's current home and community-based waivers under medical assistance to include "consumer directed attendant care" as allowed by federal regulation. The department shall also develop and implement a new home and community-based waiver for persons with physical disabilities as a means to further develop the personal assistance services program under section 225C.46. The waiver shall not be implemented in a manner which would require additional county or state costs for assistance provided to an individual served under the waiver. A waiver amended, developed, or implemented pursuant to this subsection shall be consistent with the provisions of the appropriation in this Act for a personal assistance services pilot project and the provisions of chapter ~~255E~~ 225C relating to personal assistance services.

Sec. 30. If enacted, 1995 Iowa Acts, Senate File 69, section 35, is amended to read as follows:

SEC. 35. FISCAL YEAR 1996 RELIEF FUND PAYMENT.  
Notwithstanding 1995 Iowa Acts, House File 132, section 13, the appropriation in that section shall not be made from the general fund of the state but shall be made from the property tax relief fund created in section 426B.1, as enacted by this Act. Notwithstanding section 426B.2, subsection ~~2~~ 1, as enacted by this Act, for the fiscal year beginning July 1, 1995, the amount of moneys distributed under that subsection shall be \$54.4 million.

Sec. 31. REPEAL. 1995 Iowa Acts, Senate File 439, section 2, is repealed.

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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 486, Seventy-sixth General Assembly.

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JOHN F. DWYER  
Secretary of the Senate

Approved  , 1995

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TERRY E. BRANSTAD  
Governor