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HOUSE FILE 731
BY COMMITTEE ON APPROPRIATIONS

APPROPRIATIONS CALENDAR

Passed House, (P.1430) Date 4/22/97
Vote: Ayes 99 Nays 0
Approved _____

Passed Senate, (P.1532) Date 4/28/97
Vote: Ayes 38 Nays 10

A BILL FOR

1 An Act relating to public budgeting, regulatory, and
2 organizational matters, making fund transfers and
3 appropriations, and providing effective dates.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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DIVISION I

APPROPRIATION INFORMATION

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3 Section 1. NEW SECTION. 2.16A APPROPRIATION INFORMATION
4 REQUIRED.

5 If required by the joint rules of the general assembly, a
6 legislative bill or resolution which includes an appropriation
7 shall have attached to it a future obligations estimate
8 containing information required by section 2.49, subsection
9 5A, paragraph "a", subparagraphs (1) through (5).

10 Sec. 2. Section 2.49, subsection 4, Code 1997, is amended
11 to read as follows:

12 4. Assist standing committees and members of the general
13 assembly in attaching fiscal notes to legislative bills and
14 resolutions as provided by the rules of the general assembly.
15 A fiscal note shall also include the following information as
16 applicable:

17 a. If the cost of implementing the bill or resolution is
18 projected to increase or decrease in fiscal years subsequent
19 to the fiscal year of initial implementation, the fiscal note
20 shall include the projections for the subsequent fiscal years.

21 b. If the bill or resolution involves a capital or
22 technology project, the fiscal note shall include an estimate
23 of the ongoing operating or maintenance costs associated with
24 the project in future fiscal years.

25 Sec. 3. Section 2.49, Code 1997, is amended by adding the
26 following new subsection:

27 NEW SUBSECTION. 5A. If required by the joint rules of the
28 general assembly, provide the information enumerated in
29 paragraphs "a" and "b" to members of the general assembly.
30 The information shall be provided upon adjournment of a
31 regular or extraordinary session of the general assembly and
32 on a weekly basis beginning thirty calendar days prior to the
33 final date for which payment is authorized in accordance with
34 section 2.10, subsection 1, to members of the general assembly
35 for expenses of office during a regular legislative session.

1 a. An itemized listing of appropriations approved during
2 that session of the general assembly. The listing shall
3 include, but is not limited to, all of the following items:

4 (1) For a purpose funded by an appropriation for which it
5 is projected that continuance of the purpose will require an
6 increased appropriation in one or more subsequent fiscal
7 years, the amount of the projected increase.

8 (2) For a purpose funded by an appropriation for less than
9 a full fiscal year, the annualized amount required to fund the
10 purpose for a full fiscal year.

11 (3) For a purpose funded by an appropriation where the
12 funding source for the appropriation is only available for a
13 limited period of time, including, but not limited to, moneys
14 which would otherwise revert to the fund from which
15 appropriated, the projected amount to fully fund the purpose
16 in future fiscal years.

17 (4) For a purpose funded by redirecting an appropriation
18 made in a prior fiscal year, the projected amount to fully
19 fund the purpose in future fiscal years.

20 (5) For a purpose funded by an appropriation from a source
21 other than the general fund of the state in which an exception
22 is made to the law for the funding source in effect at the
23 time the appropriation is made or for a purpose which in order
24 to be funded by an appropriation from the same funding source
25 in a subsequent fiscal year would require an exception to law,
26 the amount projected to fully fund the purpose in the
27 subsequent fiscal year.

28 b. A statement of the estimated financial condition of the
29 state treasury for the fiscal year which commences during the
30 calendar year in which the next regular session of the general
31 assembly convenes. The statement shall incorporate the items
32 described in paragraph "a".

33 Sec. 4. Section 8.22, Code 1997, is amended by adding the
34 following new part:

35 NEW PART.

PART IV

1
2 FUTURE OBLIGATIONS. Part IV shall include the future
3 obligations estimates for all bills or resolutions which
4 include appropriations as follows:

5 1. For a purpose funded by an appropriation for which it
6 is projected that continuance of the purpose will require an
7 increased appropriation in one or more subsequent fiscal
8 years, the amount of the projected increase.

9 2. For a purpose funded by an appropriation for less than
10 a full fiscal year, the annualized amount required to fund the
11 purpose for a full fiscal year.

12 3. For a purpose funded by an appropriation where the
13 funding source for the appropriation is only available for a
14 limited period of time, including, but not limited to, moneys
15 which would otherwise revert to the fund from which
16 appropriated, the projected amount to fully fund the purpose
17 in future fiscal years.

18 4. For a purpose funded by redirecting an appropriation
19 made in a prior fiscal year, the projected amount to fully
20 fund the purpose in future fiscal years.

21 5. For a purpose funded by an appropriation from a source
22 other than the general fund of the state in which an exception
23 is made to the law for the funding source in effect at the
24 time the appropriation is made or for a purpose which in order
25 to be funded by an appropriation from the same funding source
26 in a subsequent fiscal year would require an exception to law,
27 the amount projected to fully fund the purpose in the
28 subsequent fiscal year.

29 6. For a purpose involving a capital or technology
30 project, the projected ongoing operating or maintenance costs
31 associated with the project for subsequent years.

32 DIVISION II

33 BUDGETING FOR RESULTS

34 Sec. 5. NEW SECTION. 8.35B BUDGETING FOR RESULTS.

35 1. For the purposes of this section, unless the context

1 otherwise requires, the term "budgeting for results" means the
2 budgeting process which includes steps for identifying and
3 measuring desired results by use of results-oriented
4 performance measures. Under budgeting for results the
5 performance measures are developed by a department or
6 establishment in collaboration with the department of
7 management and the legislative fiscal bureau for a program
8 administered by the department or establishment.

9 2. If a new program commences on or after July 1, 1997,
10 under a department or establishment or the source of funding
11 for a program administered by a department or establishment is
12 changed from the source of funding used in the previous fiscal
13 year, the program shall be included in budgeting for results.

14 3. Commencing with the fiscal year beginning July 1, 2000,
15 all programs administered by departments and establishments
16 shall be included in budgeting for results.

17 4. The departments and establishments utilizing budgeting
18 for results, shall collect data as determined by the
19 department of management in collaboration with the legislative
20 fiscal bureau, for use in evaluating the programs included in
21 budgeting for results. The data shall measure the
22 effectiveness of a program in achieving the stated desired
23 results. Analysis of the data and evaluations of the
24 effectiveness of a program in achieving the desired results
25 shall be submitted by the departments and establishments to
26 the governor and general assembly for use in making budgetary
27 and policy decisions.

28 DIVISION III

29 CLEAN FUND REPEAL -- LOTTERY TRANSFER

30 Sec. 6. Section 8.22A, subsection 5, paragraph a, Code
31 1997, is amended to read as follows:

32 a. The amount of lottery revenues for the following fiscal
33 year to be ~~available-for-disbursement~~ transferred from the
34 lottery fund to the general fund of the state following the
35 deductions made pursuant to section 99E.10, subsection 1.

1 Sec. 7. Section 99E.10, subsection 1, unnumbered paragraph
2 3, Code 1997, is amended to read as follows:

3 ~~The committing the lottery to environment, agriculture, and~~
4 ~~natural resources fund, also to be known as the CLEAN fund, is~~
5 ~~created in the office of the treasurer of state.~~ Lottery
6 revenue remaining after expenses are determined shall be
7 transferred to the CLEAN general fund of the state on a
8 monthly basis. Revenues generated during the last month of
9 the fiscal year which are transferred to the CLEAN general
10 fund of the state during the following fiscal year shall be
11 considered revenues transferred during the previous fiscal
12 ~~year for purposes of the allotments made to and appropriations~~
13 ~~made from the separate accounts in the CLEAN fund for that~~
14 ~~previous fiscal year.~~ However, upon the request of the
15 director and subject to approval by the treasurer of state, an
16 amount sufficient to cover the foreseeable administrative
17 expenses of the lottery for a period of twenty-one days may be
18 retained from the lottery revenue. Prior to the monthly
19 transfer to the CLEAN general fund of the state, the director
20 may direct that lottery revenue shall be deposited in the
21 lottery fund and in interest-bearing accounts designated by
22 the treasurer of state in the financial institutions of this
23 state or invested in the manner provided in section 12B.10.
24 Interest or earnings paid on the deposits or investments is
25 considered lottery revenue and shall be transferred to the
26 CLEAN general fund of the state in the same manner as other
27 lottery revenue. ~~Money in the CLEAN fund shall be deposited~~
28 ~~in interest-bearing accounts in financial institutions in this~~
29 ~~state or invested in the manner provided in section 12B.10.~~
30 ~~The interest or earnings on the deposits or investments shall~~
31 ~~be considered part of the CLEAN fund and shall be retained in~~
32 ~~the fund unless appropriated by the general assembly.~~

33 Sec. 8. Section 99E.10, subsection 2, Code 1997, is
34 amended to read as follows:

35 2. The director of management shall not include lottery

1 revenues in the director's fiscal year revenue estimates.
2 ~~Moneys-in-the-CBEAN-fund-shall-not-be-considered-a-part-of-the~~
3 ~~Iowa-economic-emergency-fund.~~

4 Sec. 9. Section 99E.20, subsection 2, Code 1997, is
5 amended to read as follows:

6 2. A lottery fund is created in the office of the
7 treasurer of state. The fund consists of all revenues
8 received from the sale of lottery tickets or shares and all
9 other moneys lawfully credited or transferred to the fund.
10 The commissioner shall certify monthly that portion of the
11 fund that is transferred to the CBEAN general fund of the
12 state under section 99E.10 and shall cause that portion to be
13 transferred to the CBEAN general fund of the state. The
14 commissioner shall certify before the twentieth of each month
15 that portion of the lottery fund resulting from the previous
16 month's sales to be transferred to the CBEAN general fund of
17 the state.

18 Sec. 10. Section 99E.34, Code 1997, is repealed.

19 DIVISION IV

20 EDUCATION -- AT-RISK CHILDREN

21 Sec. 11. Section 279.51, subsection 1, unnumbered
22 paragraph 1, Code 1997, is amended to read as follows:

23 There is appropriated from the general fund of the state to
24 the department of education for the fiscal year beginning July
25 1, ~~1996~~ 1997, and each succeeding fiscal year, the sum of
26 ~~fourteen~~ fifteen million ~~five~~ one hundred ~~twenty~~ seventy
27 thousand dollars.

28 Sec. 12. Section 279.51, subsection 1, paragraph b, Code
29 1997, is amended to read as follows:

30 b. For the fiscal year beginning July 1, ~~1996~~ 1997, and
31 for each succeeding fiscal year, ~~seven~~ eight million ~~six~~ three
32 hundred ~~seventy~~ twenty thousand dollars of the funds
33 appropriated shall be allocated to the child development
34 coordinating council established in chapter 256A for the
35 purposes set out in subsection 2 of this section and section

1 256A.3.

2

DIVISION V

3

STREAMLINING GOVERNMENT ACTIVITIES

4 Sec. 13. Section 2.50, subsection 3, Code 1997, is amended
5 by striking the subsection.

6 Sec. 14. Section 8.26, Code 1997, is amended to read as
7 follows:

8 8.26 HEARINGS.

9 ~~Immediately upon the receipt of the tentative budget~~
10 ~~provided for by section 8.25 the~~ The governor shall make
11 provision for public hearings ~~thereon~~ on the proposed budget,
12 at which the governor may require the attendance of the heads
13 and other officers of all departments, establishments and
14 other persons receiving or requesting the grant of state funds
15 and the giving by them of ~~such~~ explanations and suggestions as
16 they may be called upon to give or as they may desire to offer
17 in respect to items of requested appropriations in which they
18 are interested. The governor shall also extend invitations to
19 the ~~governor-elect~~ and the director of the department of
20 management to be present at ~~such~~ the hearings and to
21 participate in the hearings through the asking of questions or
22 the expression of opinion in regard to the items of the
23 ~~tentative~~ proposed budget.

24 Sec. 15. Section 18.18, subsection 1, paragraph d, Code
25 1997, is amended to read as follows:

26 d. The department shall report to the general assembly on
27 February 1 of each year the following:

28 (1) A listing of plastic products which are regularly
29 purchased by the department and other state agencies for which
30 recycled content product alternatives are available, ~~including~~
31 ~~the cost of the plastic products purchased and the cost of the~~
32 ~~recycled content product alternatives.~~

33 (2) Information relating to soybean-based inks and plastic
34 garbage can liners with recycled content regularly purchased
35 by the department and other state agencies, ~~including the cost~~

1 of-purchasing-soybean-based-inks-and-plastic-garbage-can
2 liners-with-recycled-content-and-the-percentages-of-soybean-
3 based-inks-and-plastic-garbage-can-liners-with-recycled
4 content-that-have-been-purchased.

5 Sec. 16. Section 18.75, subsection 8, Code 1997, is
6 amended to read as follows:

7 8. By November 1 of each year ~~supply~~ develop on electronic
8 medium only a report which contains the name, gender, county,
9 or city of residence when possible, official title, salary
10 received during the previous fiscal year, base salary as
11 computed on July 1 of the current fiscal year, and traveling
12 and subsistence expense of the personnel of each of the
13 departments, boards, and commissions of the state government
14 except personnel who receive an annual salary of less than one
15 thousand dollars. The number of the personnel and the total
16 amount received by them shall be shown for each department in
17 the report. All employees who have drawn salaries, fees, or
18 expense allowances from more than one department or
19 subdivision shall be listed separately under the proper
20 departmental heading. On the request of the superintendent,
21 the head of each department, board, or commission shall
22 furnish the data on electronic medium only covering that
23 agency. The report shall be distributed upon request without
24 charge to each caucus of the general assembly, the legislative
25 service bureau, the legislative fiscal bureau, the chief clerk
26 of the house of representatives, and the secretary of the
27 senate. Copies of the report shall be made available to other
28 persons in ~~both-print-or~~ electronic medium upon payment of a
29 fee, which shall not exceed the cost of providing the copy of
30 the report. Sections 22.2 through 22.6 apply to the report.
31 All funds from the sale of the report shall be deposited in
32 the general fund. Requests for publications shall be handled
33 only upon receipt of postage by the superintendent.

34 Sec. 17. Section 19A.1, subsection 3, paragraph a, Code
35 1997, is amended by striking the paragraph.

1 Sec. 18. Section 19A.2, subsection 2, Code 1997, is
2 amended by striking the subsection.

3 Sec. 19. Section 19A.9, unnumbered paragraph 1, and
4 subsections 1, 2, and 23, Code 1997, are amended to read as
5 follows:

6 The ~~personnel-commission~~ director shall adopt and may amend
7 rules for the administration and implementation of this
8 chapter in accordance with chapter 17A. ~~The-director-shall~~
9 ~~prepare-and-submit-proposed-rules-to-the-commission.~~

10 Rulemaking shall be carried out with due regard to the terms
11 of collective bargaining agreements. A rule shall not
12 supersede a provision of a collective bargaining agreement
13 negotiated under chapter 20. The rules shall provide:

14 1. For the preparation, maintenance, and revision of a
15 position classification plan from a schedule by separate
16 department for each position and type of employment not
17 otherwise provided for by law in state government for all
18 positions in the executive branch, excluding positions under
19 the state board of regents, based upon duties performed and
20 responsibilities assumed, so that the same qualifications may
21 reasonably be required for and the same schedule of pay may be
22 equitably applied to all positions in the same class, in the
23 same geographical area. ~~After-the-classification-has-been~~
24 ~~approved-by-the-commission,~~ The director shall allocate
25 the position of every employee in the executive branch,
26 excluding employees of the state board of regents, to one of
27 the classes in the plan. Any employee or agency officials
28 affected by the allocation of a position to a class shall,
29 after filing with the director a written request for
30 reconsideration in the manner and form the director
31 prescribes, be given a reasonable opportunity to be heard by
32 the director. ~~An-appeal-may-be-made-to-the-commission-or-to-a~~
33 ~~qualified-classification-committee-appointed-by-the~~
34 ~~commission.~~ An allocation or reallocation of a position by
35 the director to a different classification shall not become

1 effective if the allocation or reallocation may result in the
2 expenditure of funds in excess of the total amount budgeted
3 for the department of the appointing authority until approval
4 has been obtained from the director of the department of
5 management.

6 When the public interest requires a diminution or increase
7 of employees in any position or type of employment not
8 otherwise provided by law, or the creation or abolishment of
9 any position or type of employment, the governor, acting in
10 good faith, shall ~~so~~ notify the commission director.

11 Thereafter the position or type of employment shall stand
12 abolished or created and the number of employees therein
13 reduced or increased. Schedules of positions and types of
14 employment not otherwise provided for by law shall be reviewed
15 at least once each year by the governor.

16 2. For pay plans within the purview of an appropriation
17 made by the general assembly and not otherwise provided by law
18 for all employees in the executive branch of state government,
19 excluding employees of the state board of regents, after
20 consultation with the governor and appointing authorities with
21 due regard to the terms of collective bargaining agreements
22 negotiated under chapter 20 ~~and-after-a-public-hearing-held-by~~
23 ~~the-commission~~. Review of the pay plan for revisions shall be
24 made in the same manner at the discretion of the director, but
25 not less than annually. The annual review by the director
26 shall be made available to the governor a sufficient time in
27 advance of collective bargaining negotiations to permit its
28 recommendations to be considered during the negotiations.
29 Each employee in the executive branch, excluding employees of
30 the state board of regents, shall be paid at one of the rates
31 set forth in the pay plan for the class of position in which
32 employed and, unless otherwise designated by the commission
33 director, shall begin employment at the first step of the
34 established range for the employee's class.

35 23. For the establishment of work test appointments for

1 ~~positions-of-unskilled-labor~~ to job classifications such as
2 laborers, attendants, aides, janitors, food service workers,
3 laundry workers, porters, elevator operators, or custodial
4 workers, or similar types of employment when where the
5 character of the work makes it impracticable to effectively
6 supply the needs of the service-effectively departments by
7 written or other type of competitive examination. If this
8 subsection conflicts with any other provisions of this
9 chapter, the provisions of this subsection govern the
10 positions to which it applies. All persons appointed to the
11 positions specified in this subsection shall serve a
12 probationary period in accordance with this chapter, may
13 acquire permanent status, and are subject to the same rules as
14 other classified employees. Such persons shall be required to
15 pass promotional examinations as prescribed by this chapter
16 and the rules adopted by the personnel-commission director
17 before they may be promoted to a higher classification.

18 Sec. 20. Section 19A.16, Code 1997, is amended to read as
19 follows:

20 19A.16 SERVICES TO POLITICAL SUBDIVISIONS.

21 ~~Subject-to-the-rules-approved-by-the-commission,-the~~ The
22 director may enter into agreements with any municipality or
23 political subdivision of the state to furnish services and
24 facilities of the agency to ~~such~~ the municipality or political
25 subdivision ~~in-the-administration-of-its-personnel-on-merit~~
26 principles. ~~Any-such~~ The agreement shall provide for the
27 reimbursement to the state of the reasonable cost of the
28 services and facilities furnished. All municipalities and
29 political subdivisions of the state are authorized to enter
30 into such agreements.

31 Nothing in this chapter shall affect any municipal civil
32 service programs presently established under and pursuant to
33 ~~the-provisions-of~~ chapter 400.

34 Sec. 21. Section 19A.18, unnumbered paragraphs 6 and 7,
35 Code 1997, are amended to read as follows:

1 Any officer or employee ~~in-the-merit-system~~ who violates
2 any of the provisions of this section shall be subject to
3 suspension, dismissal, or demotion subject to the right of
4 appeal herein.

5 The ~~commission~~ director shall adopt ~~any~~ rules necessary for
6 further restricting political activities of ~~persons-holding~~
7 ~~positions-in-the-classified-service~~ employees in the executive
8 branch, but only to the extent necessary to comply with
9 federal standards. Employees retain the right to vote as they
10 please and to express their opinions on all subjects.

11 Sec. 22. Section 70A.1, unnumbered paragraph 7, Code 1997,
12 is amended to read as follows:

13 State employees, excluding state board of regents' faculty
14 members with nine-month appointments, and employees covered
15 under a collective bargaining agreement negotiated with the
16 public safety bargaining unit who are eligible for accrued
17 vacation benefits and accrued sick leave benefits, who have
18 accumulated thirty days of sick leave, and who do not use sick
19 leave during a full month of employment may elect to accrue up
20 to one-half day of additional vacation. The accrual of
21 additional vacation time by an employee for not using sick
22 leave during a month is in lieu of the accrual of up to one
23 and one-half days of sick leave for that month. The ~~personnel~~
24 ~~commission~~ director of the department of personnel may adopt
25 the necessary rules and procedures for the implementation of
26 this program for all state employees except employees of the
27 state board of regents. The state board of regents may adopt
28 necessary rules for the implementation of this program for its
29 employees.

30 Sec. 23. Section 70A.16, subsection 2, unnumbered
31 paragraph 1, Code 1997, is amended to read as follows:

32 A state employee who is reassigned shall be reimbursed for
33 moving expenses incurred in accordance with rules and policies
34 adopted by the ~~personnel-commission~~ director of the department
35 of personnel when all of the following circumstances exist:

1 Sec. 24. Section 137.6, subsection 4, Code 1997, is
2 amended to read as follows:

3 4. Employ persons as necessary for the efficient discharge
4 of its duties. Employment practices shall meet the
5 requirements of ~~the-personnel-commission~~ chapter 19A or any
6 civil service provision adopted under chapter 400.

7 Sec. 25. Section 159.5, subsection 15, Code 1997, is
8 amended by striking the subsection.

9 Sec. 26. Section 198.9, subsection 3, unnumbered paragraph
10 3, Code 1997, is amended to read as follows:

11 The secretary shall publish a report not later than January
12 1 of each year. The report shall provide a detailed
13 accounting of all sources of revenue deposited under and all
14 dispositions of funds expended under this section. The report
15 shall detail full-time equivalent positions used in fulfilling
16 the requirements of this chapter. The report shall also
17 indicate to what extent any full-time equivalent positions are
18 shared with other programs. ~~Copies of the report issued by~~
19 ~~the secretary pursuant to this subsection shall be delivered~~
20 ~~each year to the members of the house of representatives and~~
21 ~~senate standing committees on agriculture.~~

22 Sec. 27. Section 216B.3, subsection 12, paragraph d, Code
23 1997, is amended to read as follows:

24 d. The commission shall report to the general assembly on
25 February 1 of each year, the following:

26 (1) A listing of plastic products which are regularly
27 purchased by the commission for which recycled content product
28 alternatives are available, ~~including the cost of the plastic~~
29 ~~products purchased and the cost of the recycled content~~
30 ~~product alternatives.~~

31 (2) Information relating to soybean-based inks and plastic
32 garbage can liners with recycled content regularly purchased
33 by the commission, ~~including the cost of purchasing soybean-~~
34 ~~based inks and plastic garbage can liners with recycled~~
35 ~~content and the percentages of soybean-based inks and plastic~~

1 ~~garbage-can-liners-with-recycled-content-that-have-been~~
2 ~~purchased.~~

3 Sec. 28. Section 261.20, subsection 4, Code 1997, is
4 amended by striking the subsection.

5 Sec. 29. Section 261.25, subsection 5, Code 1997, is
6 amended to read as follows:

7 5. For the fiscal year beginning July 1, 1989, and in
8 succeeding years, the institutions of higher education that
9 enroll recipients of Iowa tuition grants shall transmit to the
10 Iowa college student aid commission information about the
11 numbers of minority students enrolled and minority faculty
12 members employed at the institution, and existing or proposed
13 plans for the recruitment and retention of minority students
14 and faculty as well as existing or proposed plans to serve
15 nontraditional students. ~~The-Iowa-college-student-aid~~
16 ~~commission-shall-compile-and-report-the-enrollment-and~~
17 ~~employment-information-and-plans-to-the-chairpersons-and~~
18 ~~ranking-members-of-the-house-and-senate-education-committees,~~
19 ~~members-of-the-joint-education-appropriations-subcommittee,~~
20 ~~the-governor,-and-the-legislative-fiscal-bureau-by-December-15~~
21 ~~of-each-year.~~

22 Sec. 30. Section 307.21, subsection 4, paragraph c, Code
23 1997, is amended to read as follows:

24 c. The department shall report to the general assembly by
25 February 1 of each year, the following:

26 (1) A listing of plastic products which are regularly
27 purchased by the board for which recycled content product
28 alternatives are available, ~~-including-the-cost-of-the-plastic~~
29 ~~products-purchased-and-the-cost-of-the-recycled-content~~
30 ~~product-alternatives.~~

31 (2) Information relating to soybean-based inks and plastic
32 garbage can liners with recycled content regularly purchased
33 by the department, ~~-including-the-cost-of-purchasing-soybean-~~
34 ~~based-inks-and-plastic-garbage-can-liners-with-recycled~~
35 ~~content-and-the-percentages-of-soybean-based-inks-and-plastic~~

1 ~~garbage-can-liners-with-recycled-content-that-have-been~~
2 ~~purchased.~~

3 Sec. 31. Section 307.47, subsection 4, Code 1997, is
4 amended by striking the subsection.

5 Sec. 32. Section 310.35, Code 1997, is amended to read as
6 follows:

7 310.35 USE OF FUND.

8 The secondary road research fund shall be used by the
9 department solely for the purpose of financing engineering
10 studies and research projects which have as their objective
11 the more efficient use of funds and materials that are
12 available for the construction and maintenance of secondary
13 roads, including bridges and culverts located thereon on the
14 roads. The research projects and engineering studies shall be
15 conducted in cooperation with the county engineers.

16 Sec. 33. Section 312.3A, Code 1997, is amended to read as
17 follows:

18 312.3A STREET RESEARCH FUND.

19 Prior to the allocation to the cities under section 312.3,
20 subsection 2, the department is authorized to set aside each
21 year two hundred thousand dollars from the street construction
22 fund of the cities in a fund to be known as the street
23 research fund. The street research fund shall be used by the
24 department solely for the purpose of financing engineering
25 studies and research projects which have as their objective
26 the more efficient use of funds and materials that are
27 available for the construction and maintenance of city
28 streets, including city street bridges and culverts. The
29 research projects and engineering studies authorized shall be
30 conducted in cooperation with the city engineers. ~~On or~~
31 ~~before January 31 each year the department shall file a report~~
32 ~~with the governor, state transportation commission, city~~
33 ~~engineers, chief clerk of the house of representatives, and~~
34 ~~secretary of the senate showing the work accomplished and~~
35 ~~projects undertaken under this section.~~

1 Sec. 34. Section 324A.4, subsection 2, unnumbered
2 paragraph 1, Code 1997, is amended to read as follows:

3 Upon request, the department shall provide assistance to
4 political subdivisions, state agencies, and organizations
5 affected by this chapter for federal aid applications for
6 urban and rural transit system program aid. The department,
7 in co-operation with the regional planning agencies, shall
8 maintain current information reflecting the amount of federal,
9 state, and local aid received by the public and private
10 nonprofit organizations providing public transit services and
11 the purpose for which the aid is received. ~~The department~~
12 ~~shall annually prepare a report to be submitted to the general~~
13 ~~assembly, the department of management, and to the governor,~~
14 ~~prior to February 1 of each year, stating the receipts and~~
15 ~~disbursements made during the preceding fiscal year and the~~
16 ~~adequacy of programs financed by federal, state, local, and~~
17 ~~private aid in the state.~~ The department shall analyze the
18 programs financed and recommend methods of avoiding
19 duplication and increasing the efficacy of programs financed.
20 The department shall receive comments from the department of
21 human services, department of elder affairs, and the officers
22 and agents of the other affected state and local government
23 units relative to the department's analysis. The department
24 shall use the following criteria to adopt rules to determine
25 compliance with and exceptions to subsection 1:

26 Sec. 35. Section 455B.262, subsection 1, Code 1997, is
27 amended to read as follows:

28 1. It is recognized that the protection of life and
29 property from floods, the prevention of damage to lands from
30 floods, and the orderly development, wise use, protection, and
31 conservation of the water resources of the state by their
32 considered and proper use is of paramount importance to the
33 welfare and prosperity of the people of the state, and to
34 realize these objectives, it is the policy of the state to
35 correlate and vest the powers of the state in a single agency,

1 the department, with the duty and authority to assess the
2 water needs of all water users ~~at five-year intervals for the~~
3 ~~twenty years beginning January 1, 1985, and ending December~~
4 ~~31, 2004,~~ utilizing a data-base database developed and managed
5 by the Iowa geological survey, and to prepare a general plan
6 of water allocation in this state considering the quantity and
7 quality of water resources available in this state designed to
8 meet the specific needs of the water users. The department
9 shall also develop and the department shall adopt no later
10 than June 30, 1986, a plan for delineation of flood plain and
11 floodway boundaries for selected stream reaches in the various
12 river basins of the state. Selection of the stream reaches
13 and assignment of priorities for mapping of the selected
14 reaches shall be based on consideration of flooding
15 characteristics, the type and extent of existing and
16 anticipated flood plain development in particular stream
17 reaches, and the needs of local governmental bodies for
18 assistance in delineating flood plain and floodway boundaries.
19 The plan of flood plain mapping shall be for the period from
20 June 30, 1986, to December 31, 2004. ~~After the department~~
21 ~~adopts a plan of flood plain mapping, the department shall~~
22 ~~submit a progress report and proposed implementation schedule~~
23 ~~to the general assembly biennially.~~ The department may modify
24 the flood plain mapping plan as needed in response to changing
25 circumstances.

26 Sec. 36. Section 455F.7, subsection 1, Code 1997, is
27 amended to read as follows:

28 1. A retailer offering for sale or selling a household
29 hazardous material shall have a valid permit for each place of
30 business owned or operated by the retailer for this activity.
31 All permits provided for in this division shall expire on June
32 30 of each year. Every retailer shall submit an annual
33 application by July 1 of each year and a fee of twenty-five
34 dollars to the department of revenue and finance natural
35 resources for a permit upon a form prescribed by the director

1 of ~~revenue-and-finance~~ the department of natural resources.
2 Permits are nonrefundable, are based upon an annual operating
3 period, and are not prorated. A person in violation of this
4 section shall be subject to permit revocation upon notice and
5 hearing. The department shall remit the fees collected to the
6 household hazardous waste account of the groundwater
7 protection fund. A person distributing general use pesticides
8 labeled for agricultural or lawn and garden use with gross
9 annual pesticide sales of less than ten thousand dollars is
10 subject to the requirements and fee payment prescribed by this
11 section.

12 Sec. 37. Section 625.29, subsection 7, Code 1997, is
13 amended by striking the subsection.

14 Sec. 38. 1992 Iowa Acts, chapter 1239, section 16, is
15 amended to read as follows:

16 SEC. 16. The department of revenue and finance ~~in~~
17 ~~cooperation-with-the-department-of-agriculture-and-land~~
18 ~~stewardship-and-the-department-of-natural-resources~~ shall
19 track receipts to the general fund which have traditionally
20 been deposited into the following funds:

21 1. The fertilizer fund created in section 200.9.

22 2. The pesticide fund created in section 206.12.

23 3. The dairy trade practices trust fund pursuant to
24 section 192A.30.

25 4. The milk fund created in section 192.111.

26 5. The commercial feed fund created in section 198.9.

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

28 7. The energy research and development fund provided in
29 section 93.11.

30 The ~~departments-designated-in-this-section~~ department shall
31 prepare reports detailing revenue from receipts traditionally
32 deposited into each of the funds. A report shall be submitted
33 to the legislative fiscal bureau at least once for each three-
34 month period as designated by the legislative fiscal bureau.

35 Sec. 39. Sections 8.24, 8.25, 19A.4, 19A.6, 19A.7, 307.40,

1 and 310.36, Code 1997, are repealed.

2

DIVISION VI

3

ECONOMIC DEVELOPMENT CORPORATION

4 Sec. 40. Section 15E.153, Code 1997, is amended to read as
5 follows:

6 15E.153 AUTHORIZED CORPORATION.

7 ~~A-Wallace-technology-transfer-foundation-of-Iowa-shall-be~~
8 ~~incorporated~~ The department of economic development may
9 organize a corporation under chapter 504A as a successor to
10 the entity incorporated under this section prior to the
11 effective date of this Act. The foundation corporation shall
12 not be regarded as a state agency, except for purposes of
13 chapter ~~17A~~ 8D. A member of the board of directors is not
14 considered a state employee, except for purposes of chapter
15 669. A natural person employed by the foundation corporation
16 is a state employee for purposes of the Iowa public employees'
17 retirement system, state health and dental plans, and other
18 state employee benefits plans and chapter 669. Chapters 8,
19 18, 19A, and 20, and other provisions of law that relate to
20 requirements or restrictions dealing with state personnel or
21 state funds, do not apply to the foundation corporation and
22 any employees of the ~~board-or-the-foundation~~ corporation
23 except to the extent provided in this division of this
24 chapter.

25 Sec. 41. Section 15E.154, Code 1997, is amended by
26 striking the section and inserting in lieu thereof the
27 following:

28 15E.154 ORGANIZATIONAL STRUCTURE.

29 The membership of the board of directors and other matters
30 relating to organization shall be established according to the
31 articles of incorporation and bylaws of the corporation.

32 Sec. 42. Sections 15E.152, 15E.155, 15E.157, 15E.158,
33 15E.159, 15E.160, 15E.161, 15E.165, and 15E.166, Code 1997,
34 are repealed.

35 Sec. 43. It is the intent of the general assembly to

1 support the continued existence of a quasi-public, nonprofit
2 corporation similar in structure to the Wallace technology
3 transfer foundation so that such a corporation structure may
4 be used for future economic development purposes by the
5 department of economic development. The Wallace technology
6 transfer foundation board of directors shall consult with the
7 department of economic development to determine and implement
8 the appropriate modifications to the articles of incorporation
9 and bylaws to carry out the intent and provisions of this
10 division of this Act.

11 Sec. 44. EFFECTIVE DATE. This division of this Act, being
12 deemed of immediate importance, takes effect upon enactment.

13 DIVISION VII

14 CRIMINAL HISTORY DATA FUND

15 Sec. 45. NEW SECTION. 692.2A CRIMINAL HISTORY DATA CHECK
16 PREPAYMENT FUND.

17 1. A criminal history data check prepayment fund is
18 created in the state treasury under the control of the
19 department for the purpose of allowing any nonlaw enforcement
20 agency or person to deposit moneys as an advance on fees
21 required to conduct criminal history data checks as provided
22 in section 692.2.

23 2. The department shall adopt rules governing the fund,
24 including the crediting of deposits made to the fund. Prepaid
25 fees deposited in the fund are appropriated to the department
26 for use as provided in section 692.2.

27 3. Interest or earnings on moneys deposited in the fund
28 shall not be credited to the fund or to the agency or person
29 who deposited the money but shall be deposited in the general
30 fund of the state as provided in section 12C.7.
31 Notwithstanding section 8.33, moneys remaining in the criminal
32 history data check prepayment fund at the end of a fiscal year
33 shall not revert to the general fund of the state.

34 DIVISION VIII

35 MISCELLANEOUS PROVISIONS

1 included, are for a purpose which initially does not encompass
2 an entire fiscal year, are projected to require additional
3 funding in future fiscal years, or are a redirection of funds
4 from an enacted appropriation. The new subsection also
5 requires, incorporating with the fiscal information provided
6 and in the same time frame as required for the above
7 information, a statement of the financial condition of the
8 state treasury for the fiscal year commencing in the calendar
9 year in which the next succeeding regular session of the
10 general assembly convenes. The division also provides that
11 this information also be provided as part of the governor's
12 budget.

13 Division II relates to a new budgeting practice for
14 executive branch agencies.

15 New Code section 8.35B requires the departments under the
16 executive branch of government to implement "budgeting for
17 results", a term defined in the section.

18 The process involves a department, in collaboration with
19 the department of management and the legislative fiscal
20 bureau, developing results-oriented performance measures for
21 the programs administered by the department. If a program is
22 created on or after July 1, 1997, or if the source of funding
23 for the program is changed from that used in the previous
24 fiscal year, the program is to be included in "budgeting for
25 results". Commencing with fiscal year 2000-2001, all programs
26 under the departments of the executive branch are to utilize
27 "budgeting for results".

28 Division III repeals provisions relating to the committing
29 the lottery to environment, agriculture, and natural resources
30 (CLEAN) fund and deposit of lottery proceeds into that fund.
31 The bill instead provides for deposit of the lottery proceeds
32 into the general fund of the state.

33 Division IV increases the standing appropriation in Code
34 section 279.51 for at-risk children by \$650,000 annually
35 beginning with the fiscal year 1997-1998.

1 Division V eliminates the requirement of filing certain
2 reports including, but not limited to, the following: report
3 of commercial feed trust fund; report method and manner in
4 which college student aid commission makes determination of
5 grant awards; report of number of minority students and
6 faculty at institutions receiving state grants; reports on
7 cost of plastic products, starch-based products, and soybean-
8 based inks purchase; report on contracts for road construction
9 of \$5 million or more; report on equipment and vehicles
10 purchased through highway materials and equipment revolving
11 fund; report on property paid out of secondary road research
12 fund and the street research fund; report on the result of
13 judicial review of agency action under the administrative
14 procedures Act; and report on revenues and expenses of public
15 transit programs, public, or private aid.

16 The division also eliminates the requirement for the
17 following: submitting a tentative budget and an estimate of
18 income by the department of management; bottled water
19 regulation and inspection; the salary book in printed form;
20 and the requirement to update the state water plan every five
21 years.

22 The division eliminates the personnel commission and
23 transfers its responsibilities and duties to the director of
24 the department of personnel.

25 The division also provides that the department of natural
26 resources, and not the department of revenue and finance, is
27 responsible for issuing permits for a retailer selling
28 household hazardous materials. The division also eliminates
29 the requirement that the department of natural resources
30 assess the water needs of all water users at five-year
31 intervals ending December 2004; however, the division does not
32 eliminate the duty to assess the water needs of users.

33 Division VI amends Code sections 15E.153 and 15E.154
34 relating to the Wallace technology transfer foundation. The
35 division provides that the department of economic development

1 is authorized to organize a corporation as a successor to the
2 foundation. The successor corporation will have a board of
3 directors and organization which shall be established
4 according to the articles of incorporation and bylaws. The
5 division provides that it is the intent of the general
6 assembly to sustain a corporate structure similar to the
7 Wallace technology transfer foundation so that such a
8 corporate structure may be used for future economic
9 development purposes. The division also repeals all of
10 division XIV of Code chapter 15E relating to the Wallace
11 technology transfer foundation except for the Code sections
12 amended in division VI of the bill relating to the board of
13 directors and authorized corporation.

14 Division VII creates a criminal history data check
15 prepayment fund for the purpose of allowing any nonlaw
16 enforcement agency or person to deposit moneys as an advance
17 on fees required to conduct criminal history data checks for
18 that person.

19 Division VIII creates a tobacco settlement fund for the
20 deposit of moneys, after litigation costs, received from the
21 settlement of the state's lawsuit against the tobacco
22 companies for recovery of public expenditures associated with
23 tobacco use. The fund would be used to reduce the amounts
24 appropriated for the medical assistance program and for
25 programs to reduce teenage smoking.

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HOUSE FILE 731

H-1837

- 1 Amend House File 731 as follows:
 2 1. Page 6, by striking line 26 and inserting the
 3 following: "fourteen seventeen million five-hundred
 4 twenty".
 5 2. Page 6, line 31, by striking the words "eight
 6 million six three" and inserting the following: "ten
 7 million six one".
 8 3. Page 6, line 32, by striking the words
 9 "seventy twenty" and inserting the following:
 10 "seventy".

By MURPHY of Dubuque
 WISE of Lee

H-1837 FILED APRIL 22, 1997
 LOST

(p. 1426)

HOUSE FILE 731

H-1838

- 1 Amend House File 731 as follows:
 2 1. Page 21, by inserting after line 11 the
 3 following:
 4 "Sec. ____ . Section 441.37, subsection 1, Code
 5 1997, is amended by adding the following new
 6 paragraph:
 7 NEW PARAGRAPH. f. That an animal feeding
 8 operation, other than a small animal feeding
 9 operation, as defined in section 455B.161, is
 10 established within one mile from the assessed
 11 property."
 12 3. Title page, line 3, by inserting after the
 13 word "appropriations," the following: "providing for
 14 protests of property tax assessments,".

By WEIGEL of Chickasaw

H-1838 FILED APRIL 22, 1997
 NOT GERMANE

P. 1429

HOUSE FILE 731

H-1841

- 1 Amend House File 731 as follows:
 2 1. Page 21, by inserting after line 11 the
 3 following:
 4 "Sec. ____ . Section 441.37, subsection 1, Code
 5 1997, is amended by adding the following new
 6 paragraph:
 7 NEW PARAGRAPH. f. That an animal feeding
 8 operation, other than a small animal feeding
 9 operation, as defined in section 455B.161, is
 10 established within one mile from the assessed
 11 property."

By WEIGEL of Chickasaw

H-1841 FILED APRIL 22, 1997
 OUT OF ORDER

(p. 1429)

HOUSE FILE 731

H-1834

1 Amend House File 731 as follows:

2 1. Page 15, by striking lines 3 and 4.

3 2. Page 17, line 5, by striking the word "survey"
4 and inserting the following: "survey bureau".

5 3. Page 17, line 8, by striking the words "The
6 department" and inserting the following: "The
7 department".

8 4. Page 17, by striking lines 9 through 25 and
9 inserting the following: "~~shall-also-develop-and-the~~
10 ~~department-shall-adopt-no-later-than-June-30,-1986,-a~~
11 ~~plan-for-delineation-of-flood-plain-and-floodway~~
12 ~~boundaries-for-selected-stream-reaches-in-the-various~~
13 ~~river-basins-of-the-state.--Selection-of-the-stream~~
14 ~~reaches-and-assignment-of-priorities-for-mapping-of~~
15 ~~the-selected-reaches-shall-be-based-on-consideration~~
16 ~~of-flooding-characteristics,-the-type-and-extent-of~~
17 ~~existing-and-anticipated-flood-plain-development-in~~
18 ~~particular-stream-reaches,-and-the-needs-of-local~~
19 ~~governmental-bodies-for-assistance-in-delineating~~
20 ~~flood-plain-and-floodway,-boundaries.--The-plan-of~~
21 ~~flood-plain-mapping-shall-be-for-the-period-from-June~~
22 ~~30,-1986,-to-December-31,-2004.--After-the-department~~
23 ~~adopts-a-plan-of-flood-plain-mapping,-the-department~~
24 ~~shall-submit-a-progress-report-and-proposed~~
25 ~~implementation-schedule-to-the-general-assembly~~
26 ~~biennially.--The-department-may-modify-the-flood-plain~~
27 ~~mapping-plan-as-needed-in-response-to-changing~~
28 ~~circumstances.-"~~

29 5. Page 18, line 35, by striking the figure
30 "307.40,".

31 6. Page 21, by inserting after line 11 the
32 following:

33 "DIVISION

34 TECHNICAL AMENDMENTS

35 Sec. _____. 1997 Iowa Acts, House File 655, section
36 29, is amended to read as follows:

37 SEC. 29. On or before June 30, 1998, the board of
38 directors of the Iowa seed capital corporation shall
39 wind up the affairs of the corporation, including
40 termination of staff, dissolution of the corporation,
41 and transfer of remaining assets and liabilities to
42 the Iowa capital investment board pursuant to H.F. 652
43 722, if enacted. In the event that the remaining
44 assets and liabilities cannot be transferred to the
45 Iowa capital investment board, the board of directors
46 of the Iowa seed capital corporation shall provide for
47 the orderly liquidation of all assets, settle existing
48 liabilities, and transfer remaining moneys to the
49 general fund of the state. The joint appropriations
50 subcommittee on economic development supports the

H-1834

-1-

H-1834

Page 2

1 implementation of H.F. 652 722 relating to the
 2 increasing of venture capital in Iowa.
 3 Sec. _____. 1997 Iowa Acts, House File 715, section
 4 9, subsection 3, unnumbered paragraph 1, if enacted,
 5 is amended to read as follows:
 6 For the purposes of this subsection, the term
 7 "poverty level" means the poverty level defined by the
 8 poverty income guidelines published by the United
 9 States department of health and human services.
 10 Effective ~~October~~ July 1, 1997, the department shall
 11 increase to 125 percent the maximum federal poverty
 12 level used to determine eligibility for state child
 13 care assistance. Based upon the availability of the
 14 funding provided in subsection 2 the department shall
 15 establish waiting lists for state child care
 16 assistance in descending order of prioritization as
 17 follows:
 18 Sec. _____. 1997 Iowa Acts, Senate File 131, section
 19 1, amending section 239.14, if enacted, is repealed.
 20 Sec. _____. 1997 Iowa Acts, Senate File 131, section
 21 2, amending section 239.17, if enacted, is repealed."
 22 7. Title page, line 3, by inserting after the
 23 word "appropriations," the following: "and providing
 24 technical provisions,".

By MILLAGE of Scott

H-1834 FILED APRIL 22, 1997

ADOPTED

(P. 1429)

HOUSE FILE 731

H-1836

1 Amend House File 731 as follows:
 2 1. Page 4, by inserting after line 29 the
 3 following:
 4 "Sec. _____. EXCESS LOTTERY REVENUES -- FY 1994-
 5 1995. The lottery revenues received during the fiscal
 6 year beginning July 1, 1994, which remain in the
 7 lottery fund following transfers made pursuant to 1995
 8 Iowa Acts, chapter 220, section 16, and 1996 Iowa
 9 Acts, chapter 1219, section 14, and following the
 10 amounts appropriated and enacted under any Act of the
 11 Seventy-seventh General Assembly, 1997 Session, shall
 12 be transferred and credited to the general fund of the
 13 state."

By BRUNKHORST of Bremer
 CHURCHILL of Polk
 VAN FOSSEN of Scott

H-1836 FILED APRIL 22, 1997

ADOPTED

(R 1124)

HOUSE FILE 731

H-1851

1 Amend House File 731 as follows:

2 1. Page 19, by striking lines 4 through 31.

3 2. Page 19, line 32, by inserting after the

4 figure "15E.152," the following: "152E.153,

5 15E.154,".

6 3. By striking page 19, line 35, through page 20,

7 line 10.

By WEIGEL of Chickasaw

H-1851 FILED APRIL 22, 1997

LOST

(p. 1429)

HOUSE FILE 731

H-1842

1 Amend House File 731 as follows:

2 1. By striking page 4, line 29, through page 6,
3 line 18, and inserting the following:

4 "LOTTERY TRANSFER

5 Sec. _____. Notwithstanding the requirement in
6 section 99E.10, subsection 1, to transfer lottery
7 revenue remaining after expenses are deducted,
8 notwithstanding the requirement under section 99E.20,
9 subsection 2, for the commissioner to certify and
10 transfer a portion of the lottery fund to the CLEAN
11 fund, and notwithstanding the appropriations and
12 allocations in section 99E.34, all lottery revenues
13 received during the fiscal year beginning July 1,
14 1997, and ending June 30, 1998, after deductions as
15 provided in section 99E.10, subsection 1, and as
16 appropriated under any Act of the Seventy-seventh
17 General Assembly, 1997 Session, shall not be
18 transferred to and deposited into the CLEAN fund but
19 shall be transferred and credited to the general fund
20 of the state."

By WITT of Black Hawk

H-1842 FILED APRIL 22, 1997

LOST

(P. 1425)

HOUSE FILE 731

H-1848

1 Amend the amendment, H-1834, to House File 731 as
2 follows:

3 1. Page 2, by inserting after line 17 the
4 following:

5 "Sec. _____. Section 441.37, subsection 1, Code
6 1997, is amended by adding the following new
7 paragraph:

8 NEW PARAGRAPH. f. That an animal feeding
9 operation, other than a small animal feeding
10 operation, as defined in section 455B.161, is
11 established within one mile from the assessed
12 property."

By WEIGEL of Chickasaw

H-1848 FILED APRIL 22, 1997

NOT GERMANE

(P. 1428)

HOUSE FILE 731

H-1849

1 Amend House File 731 as follows:

2 1. By striking page 19, line 2, through page 20,
3 line 12.

By WEIGEL of Chickasaw

H-1849 FILED APRIL 22, 1997

WITHDRAWN

(P. 1429)

2-11-97
S-4/24/97 Amend/Do Pass
w/ S 2770

HOUSE FILE 731
BY COMMITTEE ON APPROPRIATIONS

(As Amended and Passed by the House, April 22, 1997)

Passed House, Date _____ Passed Senate, Date (p.1532) 4/28/97
Vote: Ayes _____ Nays _____ Vote: Ayes 38 Nays 10
Approved _____

A BILL FOR

1 An Act relating to public budgeting, regulatory, and
2 organizational matters, making fund transfers and
3 appropriations, and providing technical provisions, and
4 providing effective dates.

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

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House Amendments _____

Deleted Language *

DIVISION I

APPROPRIATION INFORMATION

1
2
3 Section 1. NEW SECTION. 2.16A APPROPRIATION INFORMATION
4 REQUIRED.

5 If required by the joint rules of the general assembly, a
6 legislative bill or resolution which includes an appropriation
7 shall have attached to it a future obligations estimate
8 containing information required by section 2.49, subsection
9 5A, paragraph "a", subparagraphs (1) through (5).

10 Sec. 2. Section 2.49, subsection 4, Code 1997, is amended
11 to read as follows:

12 4. Assist standing committees and members of the general
13 assembly in attaching fiscal notes to legislative bills and
14 resolutions as provided by the rules of the general assembly.
15 A fiscal note shall also include the following information as
16 applicable:

17 a. If the cost of implementing the bill or resolution is
18 projected to increase or decrease in fiscal years subsequent
19 to the fiscal year of initial implementation, the fiscal note
20 shall include the projections for the subsequent fiscal years.

21 b. If the bill or resolution involves a capital or
22 technology project, the fiscal note shall include an estimate
23 of the ongoing operating or maintenance costs associated with
24 the project in future fiscal years.

25 Sec. 3. Section 2.49, Code 1997, is amended by adding the
26 following new subsection:

27 NEW SUBSECTION. 5A. If required by the joint rules of the
28 general assembly, provide the information enumerated in
29 paragraphs "a" and "b" to members of the general assembly.
30 The information shall be provided upon adjournment of a
31 regular or extraordinary session of the general assembly and
32 on a weekly basis beginning thirty calendar days prior to the
33 final date for which payment is authorized in accordance with
34 section 2.10, subsection 1, to members of the general assembly
35 for expenses of office during a regular legislative session.

1 a. An itemized listing of appropriations approved during
2 that session of the general assembly. The listing shall
3 include, but is not limited to, all of the following items:

4 (1) For a purpose funded by an appropriation for which it
5 is projected that continuance of the purpose will require an
6 increased appropriation in one or more subsequent fiscal
7 years, the amount of the projected increase.

8 (2) For a purpose funded by an appropriation for less than
9 a full fiscal year, the annualized amount required to fund the
10 purpose for a full fiscal year.

11 (3) For a purpose funded by an appropriation where the
12 funding source for the appropriation is only available for a
13 limited period of time, including, but not limited to, moneys
14 which would otherwise revert to the fund from which
15 appropriated, the projected amount to fully fund the purpose
16 in future fiscal years.

17 (4) For a purpose funded by redirecting an appropriation
18 made in a prior fiscal year, the projected amount to fully
19 fund the purpose in future fiscal years.

20 (5) For a purpose funded by an appropriation from a source
21 other than the general fund of the state in which an exception
22 is made to the law for the funding source in effect at the
23 time the appropriation is made or for a purpose which in order
24 to be funded by an appropriation from the same funding source
25 in a subsequent fiscal year would require an exception to law,
26 the amount projected to fully fund the purpose in the
27 subsequent fiscal year.

28 b. A statement of the estimated financial condition of the
29 state treasury for the fiscal year which commences during the
30 calendar year in which the next regular session of the general
31 assembly convenes. The statement shall incorporate the items
32 described in paragraph "a".

33 Sec. 4. Section 8.22, Code 1997, is amended by adding the
34 following new part:

35 NEW PART.

PART IV

1
2 FUTURE OBLIGATIONS. Part IV shall include the future
3 obligations estimates for all bills or resolutions which
4 include appropriations as follows:

5 1. For a purpose funded by an appropriation for which it
6 is projected that continuance of the purpose will require an
7 increased appropriation in one or more subsequent fiscal
8 years, the amount of the projected increase.

9 2. For a purpose funded by an appropriation for less than
10 a full fiscal year, the annualized amount required to fund the
11 purpose for a full fiscal year.

12 3. For a purpose funded by an appropriation where the
13 funding source for the appropriation is only available for a
14 limited period of time, including, but not limited to, moneys
15 which would otherwise revert to the fund from which
16 appropriated, the projected amount to fully fund the purpose
17 in future fiscal years.

18 4. For a purpose funded by redirecting an appropriation
19 made in a prior fiscal year, the projected amount to fully
20 fund the purpose in future fiscal years.

21 5. For a purpose funded by an appropriation from a source
22 other than the general fund of the state in which an exception
23 is made to the law for the funding source in effect at the
24 time the appropriation is made or for a purpose which in order
25 to be funded by an appropriation from the same funding source
26 in a subsequent fiscal year would require an exception to law,
27 the amount projected to fully fund the purpose in the
28 subsequent fiscal year.

29 6. For a purpose involving a capital or technology
30 project, the projected ongoing operating or maintenance costs
31 associated with the project for subsequent years.

32 DIVISION II

33 BUDGETING FOR RESULTS

34 Sec. 5. NEW SECTION. 8.35B BUDGETING FOR RESULTS.

35 1. For the purposes of this section, unless the context

1 otherwise requires, the term "budgeting for results" means the
2 budgeting process which includes steps for identifying and
3 measuring desired results by use of results-oriented
4 performance measures. Under budgeting for results the
5 performance measures are developed by a department or
6 establishment in collaboration with the department of
7 management and the legislative fiscal bureau for a program
8 administered by the department or establishment.

9 2. If a new program commences on or after July 1, 1997,
10 under a department or establishment or the source of funding
11 for a program administered by a department or establishment is
12 changed from the source of funding used in the previous fiscal
13 year, the program shall be included in budgeting for results.

14 3. Commencing with the fiscal year beginning July 1, 2000,
15 all programs administered by departments and establishments
16 shall be included in budgeting for results.

17 4. The departments and establishments utilizing budgeting
18 for results, shall collect data as determined by the
19 department of management in collaboration with the legislative
20 fiscal bureau, for use in evaluating the programs included in
21 budgeting for results. The data shall measure the
22 effectiveness of a program in achieving the stated desired
23 results. Analysis of the data and evaluations of the
24 effectiveness of a program in achieving the desired results
25 shall be submitted by the departments and establishments to
26 the governor and general assembly for use in making budgetary
27 and policy decisions.

28

DIVISION III

29

CLEAN FUND REPEAL -- LOTTERY TRANSFER

30

Sec. 6. EXCESS LOTTERY REVENUES -- FY 1994-1995. The
31 lottery revenues received during the fiscal year beginning
32 July 1, 1994, which remain in the lottery fund following
33 transfers made pursuant to 1995 Iowa Acts, chapter 220,
34 section 16, and 1996 Iowa Acts, chapter 1219, section 14, and
35 following the amounts appropriated and enacted under any Act

1 of the Seventy-seventh General Assembly, 1997 Session, shall
2 be transferred and credited to the general fund of the state.

3 Sec. 7. Section 8.22A, subsection 5, paragraph a, Code
4 1997, is amended to read as follows:

5 a. The amount of lottery revenues for the following fiscal
6 year to be ~~available-for-disbursement~~ transferred from the
7 lottery fund to the general fund of the state following the
8 deductions made pursuant to section 99E.10, subsection 1.

9 Sec. 8. Section 99E.10, subsection 1, unnumbered paragraph
10 3, Code 1997, is amended to read as follows:

11 ~~The-committing-the-lottery-to-environment,-agriculture,-and~~
12 ~~natural-resources-fund,-also-to-be-known-as-the-CLEAN-fund,-is~~
13 ~~created-in-the-office-of-the-treasurer-of-state.~~ Lottery
14 revenue remaining after expenses are determined shall be
15 transferred to the CLEAN general fund of the state on a
16 monthly basis. Revenues generated during the last month of
17 the fiscal year which are transferred to the CLEAN general
18 fund of the state during the following fiscal year shall be
19 considered revenues transferred during the previous fiscal
20 year ~~for-purposes-of-the-allotments-made-to-and-appropriations~~
21 ~~made-from-the-separate-accounts-in-the-CLEAN-fund-for-that~~
22 ~~previous-fiscal-year.~~ However, upon the request of the
23 director and subject to approval by the treasurer of state, an
24 amount sufficient to cover the foreseeable administrative
25 expenses of the lottery for a period of twenty-one days may be
26 retained from the lottery revenue. Prior to the monthly
27 transfer to the CLEAN general fund of the state, the director
28 may direct that lottery revenue shall be deposited in the
29 lottery fund and in interest-bearing accounts designated by
30 the treasurer of state in the financial institutions of this
31 state or invested in the manner provided in section 12B.10.
32 Interest or earnings paid on the deposits or investments is
33 considered lottery revenue and shall be transferred to the
34 CLEAN general fund of the state in the same manner as other
35 lottery revenue. ~~Money-in-the-CLEAN-fund-shall-be-deposited~~

~~1 in-interest-bearing-accounts-in-financial-institutions-in-this
2 state-or-invested-in-the-manner-provided-in-section-12B-10.
3 The-interest-or-earnings-on-the-deposits-or-investments-shall
4 be-considered-part-of-the-CLEAN-fund-and-shall-be-retained-in
5 the-fund-unless-appropriated-by-the-general-assembly.~~

6 Sec. 9. Section 99E.10, subsection 2, Code 1997, is
7 amended to read as follows:

8 2. The director of management shall not include lottery
9 revenues in the director's fiscal year revenue estimates.
10 ~~Moneys-in-the-CLEAN-fund-shall-not-be-considered-a-part-of-the
11 Iowa-economic-emergency-fund.~~

12 Sec. 10. Section 99E.20, subsection 2, Code 1997, is
13 amended to read as follows:

14 2. A lottery fund is created in the office of the
15 treasurer of state. The fund consists of all revenues
16 received from the sale of lottery tickets or shares and all
17 other moneys lawfully credited or transferred to the fund.
18 The commissioner shall certify monthly that portion of the
19 fund that is transferred to the CLEAN general fund of the
20 state under section 99E.10 and shall cause that portion to be
21 transferred to the CLEAN general fund of the state. The
22 commissioner shall certify before the twentieth of each month
23 that portion of the lottery fund resulting from the previous
24 month's sales to be transferred to the CLEAN general fund of
25 the state.

26 Sec. 11. Section 99E.34, Code 1997, is repealed.

27 DIVISION IV

28 EDUCATION -- AT-RISK CHILDREN

29 Sec. 12. Section 279.51, subsection 1, unnumbered
30 paragraph 1, Code 1997, is amended to read as follows:

31 There is appropriated from the general fund of the state to
32 the department of education for the fiscal year beginning July
33 1, ~~1996~~ 1997, and each succeeding fiscal year, the sum of
34 fourteen fifteen million five one hundred twenty seventy
35 thousand dollars.

1 Sec. 13. Section 279.51, subsection 1, paragraph b, Code
2 1997, is amended to read as follows:

3 b. For the fiscal year beginning July 1, ~~1996~~ 1997, and
4 for each succeeding fiscal year, ~~seven~~ eight million ~~six~~ three
5 hundred ~~seventy~~ twenty thousand dollars of the funds
6 appropriated shall be allocated to the child development
7 coordinating council established in chapter 256A for the
8 purposes set out in subsection 2 of this section and section
9 256A.3.

10

DIVISION V

11

STREAMLINING GOVERNMENT ACTIVITIES

12 Sec. 14. Section 2.50, subsection 3, Code 1997, is amended
13 by striking the subsection.

14 Sec. 15. Section 8.26, Code 1997, is amended to read as
15 follows:

16 8.26 HEARINGS.

17 ~~Immediately-upon-the-receipt-of-the-tentative-budget~~
18 ~~provided-for-by-section-8-25-the~~ The governor shall make
19 provision for public hearings ~~thereon~~ on the proposed budget,
20 at which the governor may require the attendance of the heads
21 and other officers of all departments, establishments and
22 other persons receiving or requesting the grant of state funds
23 and the giving by them of ~~such~~ explanations and suggestions as
24 they may be called upon to give or as they may desire to offer
25 in respect to items of requested appropriations in which they
26 are interested. The governor shall also extend invitations to
27 the governor-elect and the director of the department of
28 management to be present at ~~such~~ the hearings and to
29 participate in the hearings through the asking of questions or
30 the expression of opinion in regard to the items of the
31 ~~tentative~~ proposed budget.

32 Sec. 16. Section 18.18, subsection 1, paragraph d, Code
33 1997, is amended to read as follows:

34 d. The department shall report to the general assembly on
35 February 1 of each year the following:

1 (1) A listing of plastic products which are regularly
2 purchased by the department and other state agencies for which
3 recycled content product alternatives are available, ~~including~~
4 ~~the cost of the plastic products purchased and the cost of the~~
5 ~~recycled content product alternatives.~~

6 (2) Information relating to soybean-based inks and plastic
7 garbage can liners with recycled content regularly purchased
8 by the department and other state agencies, ~~including the cost~~
9 ~~of purchasing soybean-based inks and plastic garbage can~~
10 ~~liners with recycled content and the percentages of soybean-~~
11 ~~based inks and plastic garbage can liners with recycled~~
12 ~~content that have been purchased.~~

13 Sec. 17. Section 18.75, subsection 8, Code 1997, is
14 amended to read as follows:

15 8. By November 1 of each year supply develop on electronic
16 medium only a report which contains the name, gender, county,
17 or city of residence when possible, official title, salary
18 received during the previous fiscal year, base salary as
19 computed on July 1 of the current fiscal year, and traveling
20 and subsistence expense of the personnel of each of the
21 departments, boards, and commissions of the state government
22 except personnel who receive an annual salary of less than one
23 thousand dollars. The number of the personnel and the total
24 amount received by them shall be shown for each department in
25 the report. All employees who have drawn salaries, fees, or
26 expense allowances from more than one department or
27 subdivision shall be listed separately under the proper
28 departmental heading. On the request of the superintendent,
29 the head of each department, board, or commission shall
30 furnish the data on electronic medium only covering that
31 agency. The report shall be distributed upon request without
32 charge to each caucus of the general assembly, the legislative
33 service bureau, the legislative fiscal bureau, the chief clerk
34 of the house of representatives, and the secretary of the
35 senate. Copies of the report shall be made available to other

1 persons in ~~both-print-or~~ electronic medium upon payment of a
2 fee, which shall not exceed the cost of providing the copy of
3 the report. Sections 22.2 through 22.6 apply to the report.
4 All funds from the sale of the report shall be deposited in
5 the general fund. Requests for publications shall be handled
6 only upon receipt of postage by the superintendent.

7 Sec. 18. Section 19A.1, subsection 3, paragraph a, Code
8 1997, is amended by striking the paragraph.

9 Sec. 19. Section 19A.2, subsection 2, Code 1997, is
10 amended by striking the subsection.

11 Sec. 20. Section 19A.9, unnumbered paragraph 1, and
12 subsections 1, 2, and 23, Code 1997, are amended to read as
13 follows:

14 The ~~personnel-commission~~ director shall adopt and may amend
15 rules for the administration and implementation of this
16 chapter in accordance with chapter 17A. ~~The-director-shall~~
17 ~~prepare-and-submit-proposed-rules-to-the-commission.~~

18 Rulemaking shall be carried out with due regard to the terms
19 of collective bargaining agreements. A rule shall not
20 supersede a provision of a collective bargaining agreement
21 negotiated under chapter 20. The rules shall provide:

22 1. For the preparation, maintenance, and revision of a
23 position classification plan from a schedule by separate
24 department for each position and type of employment not
25 otherwise provided for by law in state government for all
26 positions in the executive branch, excluding positions under
27 the state board of regents, based upon duties performed and
28 responsibilities assumed, so that the same qualifications may
29 reasonably be required for and the same schedule of pay may be
30 equitably applied to all positions in the same class, in the
31 same geographical area. ~~After-the-classification-has-been~~
32 ~~approved-by-the-commission,-the~~ The director shall allocate
33 the position of every employee in the executive branch,
34 excluding employees of the state board of regents, to one of
35 the classes in the plan. Any employee or agency officials

1 affected by the allocation of a position to a class shall,
2 after filing with the director a written request for
3 reconsideration in the manner and form the director
4 prescribes, be given a reasonable opportunity to be heard by
5 the director. ~~An appeal may be made to the commission or to a~~
6 ~~qualified classification committee appointed by the~~
7 ~~commission.~~ An allocation or reallocation of a position by
8 the director to a different classification shall not become
9 effective if the allocation or reallocation may result in the
10 expenditure of funds in excess of the total amount budgeted
11 for the department of the appointing authority until approval
12 has been obtained from the director of the department of
13 management.

14 When the public interest requires a diminution or increase
15 of employees in any position or type of employment not
16 otherwise provided by law, or the creation or abolishment of
17 any position or type of employment, the governor, acting in
18 good faith, shall ~~so~~ notify the ~~commission~~ director.
19 Thereafter the position or type of employment shall stand
20 abolished or created and the number of employees therein
21 reduced or increased. Schedules of positions and types of
22 employment not otherwise provided for by law shall be reviewed
23 at least once each year by the governor.

24 2. For pay plans within the purview of an appropriation
25 made by the general assembly and not otherwise provided by law
26 for all employees in the executive branch of state government,
27 excluding employees of the state board of regents, after
28 consultation with the governor and appointing authorities with
29 due regard to the terms of collective bargaining agreements
30 negotiated under chapter 20 ~~and after a public hearing held by~~
31 ~~the commission.~~ Review of the pay plan for revisions shall be
32 made in the same manner at the discretion of the director, but
33 not less than annually. The annual review by the director
34 shall be made available to the governor a sufficient time in
35 advance of collective bargaining negotiations to permit its

1 recommendations to be considered during the negotiations.
2 Each employee in the executive branch, excluding employees of
3 the state board of regents, shall be paid at one of the rates
4 set forth in the pay plan for the class of position in which
5 employed and, unless otherwise designated by the ~~commission~~
6 director, shall begin employment at the first step of the
7 established range for the employee's class.

8 23. For the establishment of work test appointments for
9 ~~positions-of-unskilled-labor~~ to job classifications such as
10 laborers, attendants, aides, janitors, food service workers,
11 laundry workers, ~~porters, elevator operators, or~~ custodial
12 workers, or similar types of employment when where the
13 character of the work makes it impracticable to effectively
14 supply the needs of the ~~service-effectively~~ departments by
15 written or other type of competitive examination. If this
16 subsection conflicts with any other provisions of this
17 chapter, the provisions of this subsection govern the
18 positions to which it applies. All persons appointed to the
19 positions specified in this subsection shall serve a
20 probationary period in accordance with this chapter, may
21 acquire permanent status, and are subject to the same rules as
22 other ~~classified~~ employees. Such persons shall be required to
23 pass promotional examinations as prescribed by this chapter
24 and the rules adopted by the ~~personnel-commission~~ director
25 before they may be promoted to a higher classification.

26 Sec. 21. Section 19A.16, Code 1997, is amended to read as
27 follows:

28 19A.16 SERVICES TO POLITICAL SUBDIVISIONS.

29 ~~Subject-to-the-rules-approved-by-the-commission, the~~ The
30 director may enter into agreements with any municipality or
31 political subdivision of the state to furnish services and
32 facilities of the agency to ~~such~~ the municipality or political
33 subdivision ~~in-the-administration-of-its-personnel-on-merit~~
34 principles. ~~Any-such~~ The agreement shall provide for the
35 reimbursement to the state of the reasonable cost of the

1 services and facilities furnished. All municipalities and
2 political subdivisions of the state are authorized to enter
3 into such agreements.

4 Nothing in this chapter shall affect any municipal civil
5 service programs presently established under and pursuant to
6 ~~the provisions of~~ chapter 400.

7 Sec. 22. Section 19A.18, unnumbered paragraphs 6 and 7,
8 Code 1997, are amended to read as follows:

9 Any officer or employee ~~in the merit system~~ who violates
10 any of the provisions of this section shall be subject to
11 suspension, dismissal, or demotion subject to the right of
12 appeal herein.

13 The ~~commission~~ director shall adopt any rules necessary for
14 further restricting political activities of ~~persons holding~~
15 ~~positions in the classified service~~ employees in the executive
16 branch, but only to the extent necessary to comply with
17 federal standards. Employees retain the right to vote as they
18 please and to express their opinions on all subjects.

19 Sec. 23. Section 70A.1, unnumbered paragraph 7, Code 1997,
20 is amended to read as follows:

21 State employees, excluding state board of regents' faculty
22 members with nine-month appointments, and employees covered
23 under a collective bargaining agreement negotiated with the
24 public safety bargaining unit who are eligible for accrued
25 vacation benefits and accrued sick leave benefits, who have
26 accumulated thirty days of sick leave, and who do not use sick
27 leave during a full month of employment may elect to accrue up
28 to one-half day of additional vacation. The accrual of
29 additional vacation time by an employee for not using sick
30 leave during a month is in lieu of the accrual of up to one
31 and one-half days of sick leave for that month. The ~~personnel~~
32 ~~commission~~ director of the department of personnel may adopt
33 the necessary rules and procedures for the implementation of
34 this program for all state employees except employees of the
35 state board of regents. The state board of regents may adopt

1 necessary rules for the implementation of this program for its
2 employees.

3 Sec. 24. Section 70A.16, subsection 2, unnumbered
4 paragraph 1, Code 1997, is amended to read as follows:

5 A state employee who is reassigned shall be reimbursed for
6 moving expenses incurred in accordance with rules and policies
7 adopted by the ~~personnel-commission~~ director of the department
8 of personnel when all of the following circumstances exist:

9 Sec. 25. Section 137.6, subsection 4, Code 1997, is
10 amended to read as follows:

11 4. Employ persons as necessary for the efficient discharge
12 of its duties. Employment practices shall meet the
13 requirements of ~~the-personnel-commission~~ chapter 19A or any
14 civil service provision adopted under chapter 400.

15 Sec. 26. Section 159.5, subsection 15, Code 1997, is
16 amended by striking the subsection.

17 Sec. 27. Section 198.9, subsection 3, unnumbered paragraph
18 3, Code 1997, is amended to read as follows:

19 The secretary shall publish a report not later than January
20 1 of each year. The report shall provide a detailed
21 accounting of all sources of revenue deposited under and all
22 dispositions of funds expended under this section. The report
23 shall detail full-time equivalent positions used in fulfilling
24 the requirements of this chapter. The report shall also
25 indicate to what extent any full-time equivalent positions are
26 shared with other programs. ~~Copies-of-the-report-issued-by~~
27 ~~the-secretary-pursuant-to-this-subsection-shall-be-delivered~~
28 ~~each-year-to-the-members-of-the-house-of-representatives-and~~
29 ~~senate-standing-committees-on-agriculture.~~

30 Sec. 28. Section 216B.3, subsection 12, paragraph d, Code
31 1997, is amended to read as follows:

32 d. The commission shall report to the general assembly on
33 February 1 of each year, the following:

34 (1) A listing of plastic products which are regularly
35 purchased by the commission for which recycled content product

1 alternatives are available~~7-including-the-cost-of-the-plastic~~
2 ~~products-purchased-and-the-cost-of-the-recycled-content~~
3 ~~product-alternatives.~~

4 (2) Information relating to soybean-based inks and plastic
5 garbage can liners with recycled content regularly purchased
6 by the commission~~7-including-the-cost-of-purchasing-soybean-~~
7 ~~based-inks-and-plastic-garbage-can-liners-with-recycled~~
8 ~~content-and-the-percentages-of-soybean-based-inks-and-plastic~~
9 ~~garbage-can-liners-with-recycled-content-that-have-been~~
10 purchased.

11 Sec. 29. Section 261.20, subsection 4, Code 1997, is
12 amended by striking the subsection.

13 Sec. 30. Section 261.25, subsection 5, Code 1997, is
14 amended to read as follows:

15 5. For the fiscal year beginning July 1, 1989, and in
16 succeeding years, the institutions of higher education that
17 enroll recipients of Iowa tuition grants shall transmit to the
18 Iowa college student aid commission information about the
19 numbers of minority students enrolled and minority faculty
20 members employed at the institution, and existing or proposed
21 plans for the recruitment and retention of minority students
22 and faculty as well as existing or proposed plans to serve
23 nontraditional students. ~~The-Iowa-college-student-aid~~
24 ~~commission-shall-compile-and-report-the-enrollment-and~~
25 ~~employment-information-and-plans-to-the-chairpersons-and~~
26 ~~ranking-members-of-the-house-and-senate-education-committees,~~
27 ~~members-of-the-joint-education-appropriations-subcommittee,~~
28 ~~the-governor,-and-the-legislative-fiscal-bureau-by-December-15~~
29 ~~of-each-year.~~

30 Sec. 31. Section 307.21, subsection 4, paragraph c, Code
31 1997, is amended to read as follows:

32 c. The department shall report to the general assembly by
33 February 1 of each year, the following:

34 (1) A listing of plastic products which are regularly
35 purchased by the board for which recycled content product

1 alternatives are available, including the cost of the plastic
2 products purchased and the cost of the recycled content
3 product alternatives.

4 (2) Information relating to soybean-based inks and plastic
5 garbage can liners with recycled content regularly purchased
6 by the department, including the cost of purchasing soybean-
7 based inks and plastic garbage can liners with recycled
8 content and the percentages of soybean-based inks and plastic
9 garbage can liners with recycled content that have been
10 purchased.

* 11 Sec. 32. Section 310.35, Code 1997, is amended to read as
12 follows:

13 310.35 USE OF FUND.

14 The secondary road research fund shall be used by the
15 department solely for the purpose of financing engineering
16 studies and research projects which have as their objective
17 the more efficient use of funds and materials that are
18 available for the construction and maintenance of secondary
19 roads, including bridges and culverts located thereon on the
20 roads. The research projects and engineering studies shall be
21 conducted in cooperation with the county engineers.

22 Sec. 33. Section 312.3A, Code 1997, is amended to read as
23 follows:

24 312.3A STREET RESEARCH FUND.

25 Prior to the allocation to the cities under section 312.3,
26 subsection 2, the department is authorized to set aside each
27 year two hundred thousand dollars from the street construction
28 fund of the cities in a fund to be known as the street
29 research fund. The street research fund shall be used by the
30 department solely for the purpose of financing engineering
31 studies and research projects which have as their objective
32 the more efficient use of funds and materials that are
33 available for the construction and maintenance of city
34 streets, including city street bridges and culverts. The
35 research projects and engineering studies authorized shall be

1 conducted in cooperation with the city engineers. On or
2 before January 31 each year the department shall file a report
3 with the governor, state transportation commission, city
4 engineers, chief clerk of the house of representatives, and
5 secretary of the senate showing the work accomplished and
6 projects undertaken under this section.

7 Sec. 34. Section 324A.4, subsection 2, unnumbered
8 paragraph 1, Code 1997, is amended to read as follows:

9 Upon request, the department shall provide assistance to
10 political subdivisions, state agencies, and organizations
11 affected by this chapter for federal aid applications for
12 urban and rural transit system program aid. The department,
13 in co-operation with the regional planning agencies, shall
14 maintain current information reflecting the amount of federal,
15 state, and local aid received by the public and private
16 nonprofit organizations providing public transit services and
17 the purpose for which the aid is received. The department
18 shall annually prepare a report to be submitted to the general
19 assembly, the department of management, and to the governor,
20 prior to February 1 of each year, stating the receipts and
21 disbursements made during the preceding fiscal year and the
22 adequacy of programs financed by federal, state, local, and
23 private aid in the state. The department shall analyze the
24 programs financed and recommend methods of avoiding
25 duplication and increasing the efficacy of programs financed.
26 The department shall receive comments from the department of
27 human services, department of elder affairs, and the officers
28 and agents of the other affected state and local government
29 units relative to the department's analysis. The department
30 shall use the following criteria to adopt rules to determine
31 compliance with and exceptions to subsection 1:

32 Sec. 35. Section 455B.262, subsection 1, Code 1997, is
33 amended to read as follows:

34 1. It is recognized that the protection of life and
35 property from floods, the prevention of damage to lands from

1 floods, and the orderly development, wise use, protection, and
2 conservation of the water resources of the state by their
3 considered and proper use is of paramount importance to the
4 welfare and prosperity of the people of the state, and to
5 realize these objectives, it is the policy of the state to
6 correlate and vest the powers of the state in a single agency,
7 the department, with the duty and authority to assess the
8 water needs of all water users ~~at five-year intervals for the~~
9 ~~twenty years beginning January 1, 1985, and ending December~~
10 ~~31, 2004,~~ utilizing a data-base database developed and managed
11 by the Iowa geological survey bureau, and to prepare a general
12 plan of water allocation in this state considering the
13 quantity and quality of water resources available in this
14 state designed to meet the specific needs of the water users.
15 ~~The department shall also develop and the department shall~~
16 ~~adopt no later than June 30, 1986, a plan for delineation of~~
17 ~~flood plain and floodway boundaries for selected stream~~
18 ~~reaches in the various river basins of the state.-- Selection~~
19 ~~of the stream reaches and assignment of priorities for mapping~~
20 ~~of the selected reaches shall be based on consideration of~~
21 ~~flooding characteristics, the type and extent of existing and~~
22 ~~anticipated flood plain development in particular stream~~
23 ~~reaches, and the needs of local governmental bodies for~~
24 ~~assistance in delineating flood plain and floodway boundaries.~~
25 ~~The plan of flood plain mapping shall be for the period from~~
26 ~~June 30, 1986, to December 31, 2004.-- After the department~~
27 ~~adopts a plan of flood plain mapping, the department shall~~
28 ~~submit a progress report and proposed implementation schedule~~
29 ~~to the general assembly biennially.-- The department may modify~~
30 ~~the flood plain mapping plan as needed in response to changing~~
31 ~~circumstances.~~

32 Sec. 36. Section 455F.7, subsection 1, Code 1997, is
33 amended to read as follows:

34 1. A retailer offering for sale or selling a household
35 hazardous material shall have a valid permit for each place of

1 business owned or operated by the retailer for this activity.
2 All permits provided for in this division shall expire on June
3 30 of each year. Every retailer shall submit an annual
4 application by July 1 of each year and a fee of twenty-five
5 dollars to the department of ~~revenue-and-finance~~ natural
6 resources for a permit upon a form prescribed by the director
7 of ~~revenue-and-finance~~ the department of natural resources.
8 Permits are nonrefundable, are based upon an annual operating
9 period, and are not prorated. A person in violation of this
10 section shall be subject to permit revocation upon notice and
11 hearing. The department shall remit the fees collected to the
12 household hazardous waste account of the groundwater
13 protection fund. A person distributing general use pesticides
14 labeled for agricultural or lawn and garden use with gross
15 annual pesticide sales of less than ten thousand dollars is
16 subject to the requirements and fee payment prescribed by this
17 section.

18 Sec. 37. Section 625.29, subsection 7, Code 1997, is
19 amended by striking the subsection.

20 Sec. 38. 1992 Iowa Acts, chapter 1239, section 16, is
21 amended to read as follows:

22 SEC. 16. The department of revenue and finance in
23 ~~cooperation-with-the-department-of-agriculture-and-land~~
24 ~~stewardship-and-the-department-of-natural-resources~~ shall
25 track receipts to the general fund which have traditionally
26 been deposited into the following funds:

- 27 1. The fertilizer fund created in section 200.9.
- 28 2. The pesticide fund created in section 206.12.
- 29 3. The dairy trade practices trust fund pursuant to
30 section 192A.30.
- 31 4. The milk fund created in section 192.111.
- 32 5. The commercial feed fund created in section 198.9.
- 33 6. The marine fuel tax fund created in section 324.79.
- 34 7. The energy research and development fund provided in
35 section 93.11.

1 relating to organization shall be established according to the
2 articles of incorporation and bylaws of the corporation.

3 Sec. 42. Sections 15E.152, 15E.155, 15E.157, 15E.158,
4 15E.159, 15E.160, 15E.161, 15E.165, and 15E.166, Code 1997,
5 are repealed.

6 Sec. 43. It is the intent of the general assembly to
7 support the continued existence of a quasi-public, nonprofit
8 corporation similar in structure to the Wallace technology
9 transfer foundation so that such a corporation structure may
10 be used for future economic development purposes by the
11 department of economic development. The Wallace technology
12 transfer foundation board of directors shall consult with the
13 department of economic development to determine and implement
14 the appropriate modifications to the articles of incorporation
15 and bylaws to carry out the intent and provisions of this
16 division of this Act.

17 Sec. 44. EFFECTIVE DATE. This division of this Act, being
18 deemed of immediate importance, takes effect upon enactment.

19 DIVISION VII

20 CRIMINAL HISTORY DATA FUND

21 Sec. 45. NEW SECTION. 692.2A CRIMINAL HISTORY DATA CHECK
22 PREPAYMENT FUND.

23 1. A criminal history data check prepayment fund is
24 created in the state treasury under the control of the
25 department for the purpose of allowing any nonlaw enforcement
26 agency or person to deposit moneys as an advance on fees
27 required to conduct criminal history data checks as provided
28 in section 692.2.

29 2. The department shall adopt rules governing the fund,
30 including the crediting of deposits made to the fund. Prepaid
31 fees deposited in the fund are appropriated to the department
32 for use as provided in section 692.2.

33 3. Interest or earnings on moneys deposited in the fund
34 shall not be credited to the fund or to the agency or person
35 who deposited the money but shall be deposited in the general

1 fund of the state as provided in section 12C.7.
2 Notwithstanding section 8.33, moneys remaining in the criminal
3 history data check prepayment fund at the end of a fiscal year
4 shall not revert to the general fund of the state.

5 DIVISION VIII

6 MISCELLANEOUS PROVISIONS

7 Sec. 46. NEW SECTION. 217.45 TOBACCO SETTLEMENT FUND.

8 A tobacco settlement fund is created in the state treasury
9 under the control of the department of human services. After
10 payment of litigation costs, the state portion of any moneys
11 paid to the state by tobacco companies in settlement of the
12 state's lawsuit for recovery of public expenditures associated
13 with tobacco use shall be deposited in the fund. Moneys
14 deposited in the fund shall be used only as provided by law in
15 appropriations made from the fund for the purposes of reducing
16 the amount of state taxes appropriated for the medical
17 assistance program and for programs to reduce teenage smoking.

18 DIVISION IX

19 TECHNICAL AMENDMENTS

20 Sec. 47. 1997 Iowa Acts, House File 655, section 29, is
21 amended to read as follows:

22 SEC. 29. On or before June 30, 1998, the board of
23 directors of the Iowa seed capital corporation shall wind up
24 the affairs of the corporation, including termination of
25 staff, dissolution of the corporation, and transfer of
26 remaining assets and liabilities to the Iowa capital
27 investment board pursuant to H.F. 652 722, if enacted. In the
28 event that the remaining assets and liabilities cannot be
29 transferred to the Iowa capital investment board, the board of
30 directors of the Iowa seed capital corporation shall provide
31 for the orderly liquidation of all assets, settle existing
32 liabilities, and transfer remaining moneys to the general fund
33 of the state. The joint appropriations subcommittee on
34 economic development supports the implementation of H.F. 652
35 722 relating to the increasing of venture capital in Iowa.

1 Sec. 48. 1997 Iowa Acts, House File 715, section 9,
2 subsection 3, unnumbered paragraph 1, if enacted, is amended
3 to read as follows:

4 For the purposes of this subsection, the term "poverty
5 level" means the poverty level defined by the poverty income
6 guidelines published by the United States department of health
7 and human services. Effective October July 1, 1997, the
8 department shall increase to 125 percent the maximum federal
9 poverty level used to determine eligibility for state child
10 care assistance. Based upon the availability of the funding
11 provided in subsection 2 the department shall establish
12 waiting lists for state child care assistance in descending
13 order of prioritization as follows:

14 Sec. 49. 1997 Iowa Acts, Senate File 131, section 1,
15 amending section 239.14, if enacted, is repealed.

16 Sec. 50. 1997 Iowa Acts, Senate File 131, section 2,
17 amending section 239.17, if enacted, is repealed.

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HOUSE FILE 731

S-3770

1 Amend House File 731, as amended, passed, and
2 reprinted by the House, as follows:

3 1. By striking page 1, line 1, through page 4,
4 line 27.

5 2. Page 7, by striking lines 12 through 31.

6 3. By striking page 8, line 13, through page 13,
7 line 14.

8 4. Page 14, by striking lines 11 and 12.

9 5. By striking page 15, line 22, through page 16,
10 line 31.

11 6. Page 18, by striking lines 18 and 19.

12 7. Page 19, line 6, by striking the figures
13 "8.24, 8.25,".

14 8. Page 21, by inserting after line 6 the
15 following:

16 "Sec. ____ . Section 99F.6, subsection 4, paragraph
17 a, Code 1997, is amended to read as follows:

18 a. Before a license is granted, the division of
19 criminal investigation of the department of public
20 safety shall conduct a thorough background
21 investigation of the applicant for a license to
22 operate a gambling game operation on an excursion
23 gambling boat. The applicant shall provide
24 information on a form as required by the division of
25 criminal investigation. A qualified sponsoring
26 organization licensed to operate gambling games under
27 this chapter shall distribute the receipts of all
28 gambling games, less reasonable expenses, charges,
29 taxes, fees, and deductions allowed under this
30 chapter, as winnings to players or participants or
31 shall distribute the receipts for educational, civic,
32 public, charitable, patriotic, or religious uses as
33 defined in section 99B.7, subsection 3, paragraph "b".
34 However, if a licensee who is also licensed to conduct
35 pari-mutuel wagering at a horse racetrack has unpaid
36 debt from the pari-mutuel racetrack operations, the
37 first receipts of the gambling games operated within
38 the racetrack enclosure less reasonable operating
39 expenses, taxes, and fees allowed under this chapter
40 shall be first used to pay the annual indebtedness.
41 The commission shall authorize, subject to the debt
42 payments for horse racetracks and the provisions of
43 paragraph "b" for dog racetracks, a licensee who is
44 also licensed to conduct pari-mutuel dog or horse
45 racing to use receipts from gambling games within the
46 racetrack enclosure to supplement purses for races
47 particularly for Iowa-bred horses pursuant to an
48 agreement which shall be negotiated between the
49 licensee and representatives of the dog or horse
50 owners. For a licensee who is also licensed to

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1 conduct pari-mutuel horse racing, the supplement to
2 the horse race purses shall be an amount equal to
3 fifteen percent of the annual adjusted gross receipts
4 received from gambling games and, of the total sum
5 allocated to supplement horse race purses, twenty
6 percent shall be used to supplement the purses of
7 Iowa-bred horses. A qualified sponsoring organization
8 shall not make a contribution to a candidate,
9 political committee, candidate's committee, state
10 statutory political committee, county statutory
11 political committee, national political party, or
12 fund-raising event as these terms are defined in
13 section 56.2. The membership of the board of
14 directors of a qualified sponsoring organization shall
15 represent a broad interest of the communities."

16 9. Page 21, by inserting after line 6 the
17 following:

18 "Sec. _____. Notwithstanding section 546.2,
19 subsection 2, the governor may reappoint the
20 commissioner of insurance to be the director of the
21 department of commerce for a second year beginning
22 July 1, 1997."

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

25 "Sec. 100. FEDERAL WELFARE REFORM COMPLIANCE --
26 CHILD SUPPORT ENFORCEMENT. For the fiscal year
27 beginning July 1, 1996, and ending June 30, 1997,
28 after \$36,370,000 of child support revenue has been
29 collected by the department of human services and
30 deposited in the family investment program account
31 established in section 239B.11, notwithstanding
32 section 8.33, not more than \$1,000,000 of the
33 remaining child support revenue collected and
34 deposited in the account which remains unobligated or
35 unexpended at the close of the fiscal year ending June
36 30, 1996, shall not revert to the general fund of the
37 state, but shall remain available and is appropriated
38 to the department for use in the succeeding fiscal
39 year for the purpose of implementing child support
40 enforcement changes necessitated by federal welfare
41 reform legislation."

42 11. Page 21, by striking lines 7 through 17 and
43 inserting the following:

44 "Sec. _____. NEW SECTION. 12C.26 TOBACCO
45 SETTLEMENT MONEYS.

46 After payment of litigation costs, the state
47 portion of any moneys paid to the state by tobacco
48 companies in settlement of the state's lawsuit for
49 recovery of public expenditures associated with
50 tobacco use shall be deposited in the general fund of

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1 the state."
 2 12. Page 21, by inserting before line 18 the
 3 following:
 4 "Sec. ____ . Section 144.32, unnumbered paragraph 1,
 5 Code 1997, as amended by 1997 Iowa Acts, House File
 6 335, if enacted, is amended by striking the unnumbered
 7 paragraph and inserting in lieu thereof the following:
 8 If a person other than a funeral director, medical
 9 examiner, emergency medical service, or an employee of
 10 a funeral establishment under the guidance of a
 11 funeral director assumed custody of a dead body or
 12 fetus, the person shall secure a burial-transit
 13 permit. To be valid, the burial-transit permit must
 14 be issued by the county medical examiner, a funeral
 15 director, or the county registrar of the county where
 16 the certificate of death or fetal death was filed.
 17 The permit shall be obtained prior to the removal of
 18 the body or fetus from the place of death and the
 19 permit shall accompany the body or fetus to the place
 20 of final disposition."

B

21 13. Page 21, by inserting before line 18 the
 22 following:
 23 "Sec. ____ . EFFECTIVE DATE. Section 100 of this
 24 division of this Act, relating to federal welfare
 25 reform compliance, being deemed of immediate
 26 importance, takes effect upon enactment."

27 14. Page 21, by striking lines 20 through 35.
 28 15. By renumbering as necessary.

A. per Harmon 4/28/97
B. Order Adopted 4/28/97
1P.1523

By COMMITTEE ON APPROPRIATIONS
 DERRYL McLAREN, Chairperson

S-3770 FILED APRIL 24, 1997

HOUSE FILE 731

S-3795

1 Amend the committee amendment, S-3770, to House
 2 File 731, as amended, passed, and reprinted by the
 3 House, as follows:
 4 1. Page 2, line 5, by striking the word "twenty"
 5 and inserting the following: "twenty-five".

Order 4/28/97 (p. 1475)

By DENNIS H. BLACK
 JoANN DOUGLAS

S-3795 FILED APRIL 25, 1997

HOUSE FILE 731

S-3715

- 1 Amend House File 731, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. By striking page 9, line 7, through page 13,
- 4 line 14.

By JERRY BEHN

S-3715 FILED APRIL 23, 1997

w/d 4/28/97

HOUSE FILE 731

S-3707

- 1 Amend House File 731, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 22, by inserting after line 17 the
- 4 following:
- 5 "Sec. ____ . EFFECTIVE DATE. 1997 Iowa Acts, House
- 6 File 453, if enacted, being deemed of immediate
- 7 importance, takes effect upon enactment of this Act."
- 8 2. By renumbering as necessary.

By PATRICIA HARPER

S-3707 FILED APRIL 23, 1997

*Adopted
4/28/97
(p. 1331)*

HOUSE FILE 731

S-3819

1 Amend House File 731, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 21, by inserting after line 19 the
4 following:

5 "Sec. ____ . NEW SECTION. 257.13 ADVANCE FOR
6 INCREASING ENROLLMENT.

7 1. If a district's actual enrollment for the
8 budget year, determined under section 257.6, is
9 greater than its budget enrollment for the budget
10 year, the district is granted an advance from the
11 state equal to its regular program district cost per
12 pupil for the budget year multiplied by the difference
13 between the actual enrollment for the budget year and
14 the budget enrollment for the budget year. The
15 advance is miscellaneous income to the district.

16 2. If a district receives an advance under this
17 section for a budget year, the department of
18 management shall determine the amount of the advance
19 which would have been generated by local property tax
20 revenues if the actual enrollment for the budget year
21 had been used in determining district cost for that
22 budget year. The department of management shall
23 reduce, but not by more than the amount of the
24 advance, the district's total state school aids
25 otherwise available under this chapter for the next
26 following budget year by the amount so determined, and
27 shall increase the district's additional property tax
28 levy for the next following budget year by the amount
29 necessary to compensate for the reduction in state
30 aid, so that the local property tax for the next
31 following year will be increased only by the amount
32 which it would have been increased in the budget year
33 if the enrollment calculated in this section could
34 have been used to establish the levy.

35 3. There is appropriated each fiscal year from the
36 general fund of the state to the department of
37 education the amount required to pay advances
38 authorized under this section, which shall be paid to
39 school districts in monthly installments beginning on
40 December 15 and ending on June 15 of a budget year."

41 2. By renumbering as necessary.

By MARY NEUHAUSER
ROBERT E. DVORSKY
BILL FINK

WALLY E. HORN
MIKE CONNOLLY

S-3819 FILED APRIL 28, 1997
RULED OUT OF ORDER

(P 1531)

HOUSE FILE 731

S-3808

1 Amend House File 731, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 21, by inserting after line 17, the
 4 following:
 5 "Sec. ____ . 1996 Iowa Acts, chapter 1218, section
 6 10, unnumbered paragraph 3, is amended to read as
 7 follows:
 8 Of the appropriation in this section, \$50,000 shall
 9 be used for costs associated with the renovation and
 10 repair of the Allison monument located on the state
 11 capitol complex. An effort shall be made by the
 12 department of education to match this appropriation
 13 from the citizens and the school children of Iowa as
 14 occurred when the monument was initially built."

By MIKE CONNOLLY
 JOHN W. JENSEN

S-3808 FILED APRIL 28, 1997

ADOPTED

HOUSE FILE 731

S-3812

1 Amend the Committee amendment, S-3770, to House
 2 File 731, as amended, passed, and reprinted by the
 3 House, as follows:
 4 1. Page 3, line 9, by striking the word "or".
 5 2. Page 3, line 11, by inserting after the word
 6 "director" the following: ", or an employee of a
 7 cremation establishment under the guidance of the
 8 establishment director".
 9 3. Page 3, line 20, by inserting after the word
 10 "disposition." the following: "The board shall
 11 establish by rule the type and amount of training
 12 required for an employee of a funeral or cremation
 13 establishment to assume custody of a dead body or
 14 fetus."

By ROD HALVORSON

S-3812 FILED APRIL 28, 1997

RULED OUT OF ORDER

HOUSE FILE 731

S-3805

1 Amend the committee amendment, S-3770, to House
 2 File 731, as amended, passed, and reprinted by the
 3 House, as follows:
 4 1. Page 3, line 1, by inserting after the word
 5 "state." the following: "For purposes of this
 6 section, "litigation costs" are those costs itemized
 7 by the attorney general and submitted to and approved
 8 by the general assembly."

By MARY A. LUNDBY

S-3805 FILED APRIL 28, 1997

ADOPTED

HOUSE FILE 731

S-3823

1 Amend House File 731, as amended, passed, and
2 reprinted by the House, as follows:

3 1. By striking page 5, line 3, through page 6,
4 line 25, and inserting the following:

5 "Sec. _____. Section 8.22A, subsection 5, paragraph
6 a, Code 1997, is amended to read as follows:

7 a. The amount of lottery revenues for the
8 following fiscal year to be ~~available-for-disbursement~~
9 transferred from the lottery fund to the rebuild Iowa
10 infrastructure fund following the deductions made
11 pursuant to section 99E.10, subsection 1.

12 Sec. _____. Section 99E.10, subsection 1, unnumbered
13 paragraph 3, Code 1997, is amended to read as follows:

14 ~~The-committing-the-lottery-to-environment,~~
15 ~~agriculture,-and-natural-resources-fund,-also-to-be~~
16 ~~known-as-the-CBEAN-fund,-is-created-in-the-office-of~~
17 ~~the-treasurer-of-state.~~ Lottery revenue remaining
18 after expenses are determined shall be transferred to
19 the CBEAN rebuild Iowa infrastructure fund on a
20 monthly basis. Revenues generated during the last
21 month of the fiscal year which are transferred to the
22 CBEAN rebuild Iowa infrastructure fund during the
23 following fiscal year shall be considered revenues
24 transferred during the previous fiscal year for
25 ~~purposes-of-the-allotments-made-to-and-appropriations~~
26 ~~made-from-the-separate-accounts-in-the-CBEAN-fund-for~~
27 ~~that-previous-fiscal-year.~~ However, upon the request
28 of the director and subject to approval by the
29 treasurer of state, an amount sufficient to cover the
30 foreseeable administrative expenses of the lottery for
31 a period of twenty-one days may be retained from the
32 lottery revenue. Prior to the monthly transfer to the
33 CBEAN rebuild Iowa infrastructure fund, the director
34 may direct that lottery revenue shall be deposited in
35 the lottery fund and in interest-bearing accounts
36 designated by the treasurer of state in the financial
37 institutions of this state or invested in the manner
38 provided in section 12B.10. Interest or earnings paid
39 on the deposits or investments is considered lottery
40 revenue and shall be transferred to the CBEAN rebuild
41 Iowa infrastructure fund in the same manner as other
42 lottery revenue. ~~Money-in-the-CBEAN-fund-shall-be~~
43 ~~deposited-in-interest-bearing-accounts-in-financial~~
44 ~~institutions-in-this-state-or-invested-in-the-manner~~
45 ~~provided-in-section-12B.10.--The-interest-or-earnings~~
46 ~~on-the-deposits-or-investments-shall-be-considered~~
47 ~~part-of-the-CBEAN-fund-and-shall-be-retained-in-the~~
48 ~~fund-unless-appropriated-by-the-general-assembly.~~

49 Sec. _____. Section 99E.10, subsection 2, Code 1997,
50 is amended to read as follows:

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1 2. The director of management shall not include
2 lottery revenues in the director's fiscal year revenue
3 estimates. ~~Moneys-in-the-CBEAN-fund-shall-not-be~~
4 ~~considered-a-part-of-the-Iowa-economic-emergency-fund-~~
5 Sec. _____. Section 99E.20, subsection 2, Code 1997,
6 is amended to read as follows:

7 2. A lottery fund is created in the office of the
8 treasurer of state. The fund consists of all revenues
9 received from the sale of lottery tickets or shares
10 and all other moneys lawfully credited or transferred
11 to the fund. The commissioner shall certify monthly
12 that portion of the fund that is transferred to the
13 CBEAN rebuild Iowa infrastructure fund under section
14 99E.10 and shall cause that portion to be transferred
15 to the CBEAN rebuild Iowa infrastructure fund ~~of-the~~
16 ~~state~~. The commissioner shall certify before the
17 twentieth of each month that portion of the lottery
18 fund resulting from the previous month's sales to be
19 transferred to the CBEAN rebuild Iowa infrastructure
20 fund.

21 Sec. _____. NEW SECTION. 257D.1 TITLE.

22 This chapter may be cited as the "Support
23 Construction and Habilitation of Our Local Schools
24 Act".

25 Sec. _____. NEW SECTION. 257D.2 SUPPORT
26 CONSTRUCTION AND HABILITATION OF OUR LOCAL SCHOOLS
27 FUND.

28 1. a. A support construction and habilitation of
29 our local schools (SCHOOLS) fund is created within the
30 state treasury under the control of the department of
31 education. For the fiscal year beginning July 1,
32 1997, and each subsequent fiscal year there shall be
33 appropriated from the rebuild Iowa infrastructure fund
34 to the SCHOOLS fund all moneys transferred to the
35 rebuild Iowa infrastructure fund pursuant to sections
36 99E.10 and 99E.20. In addition to moneys appropriated
37 from the rebuild Iowa infrastructure fund, the SCHOOLS
38 fund shall include any other moneys available to and
39 obtained or accepted by the department from the
40 federal government or private sources for placement in
41 the SCHOOLS fund. The assets of the SCHOOLS fund
42 shall be used by the department as provided in
43 subsection 2.

44 b. Payments of interest, recaptures of grants, or
45 repayments of moneys granted shall be deposited in the
46 fund. Section 8.33 does not apply to any moneys in
47 the fund.

48 c. The fund is subject to an annual audit by the
49 auditor of state. Moneys in the fund, which may be
50 subject to warrants written by the director of revenue

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1 and finance, shall be drawn upon the written
2 requisition of the director of the department of
3 education or an authorized representative of the
4 director.

5 d. As used in this chapter, "vertical
6 infrastructure" has the same meaning as in section
7 8.57, subsection 5, except that "vertical
8 infrastructure" shall not include recreational trails.
9 A matching grant shall only be awarded for specific
10 vertical infrastructure projects certified to the
11 department in the application.

12 2. Moneys in the SCHOOLS fund shall be distributed
13 to school districts based on the actual enrollment of
14 students in the district as certified pursuant to
15 section 257.6."

16 2. By renumbering as necessary.

By TOM VILSACK

ROBERT E. DVORSKY

EUGENE S. FRAISE

MICHAEL E. GRONSTAL

PATTY JUDGE

PATRICK J. DELUHERY

JOHN P. KIBBIE

TOM FLYNN

ROD HALVORSON

BILL FINK

PATRICIA HARPER

JOHNIE HAMMOND

S-3823 FILED APRIL 28, 1997
RULED OUT OF ORDER

HOUSE FILE 731

S-3824

1 Amend the Committee amendment, S-3770, to House
2 File 731, as amended, passed, and reprinted by the
3 House, as follows:

4 1. Page 3, by striking lines 2 through 20.

5 2. By renumbering as necessary.

By NANCY BOETTGER

JOANN DOUGLAS

S-3824 FILED APRIL 28, 1997
ADOPTED (A 1523)

HOUSE FILE 731

S-3825

1 Amend the amendment, S-3770, to House File 731, as
2 amended, passed, and reprinted by the House, as
3 follows:

4 1. Page 1, by striking lines 12 and 13, and

5 inserting the following:

6 "____. Page 19, by striking lines 6 and 7, and

7 inserting the following:

8 "Sec. ____ . Section 310.36, Code 1997, is

9 repealed." "

10 2. By renumbering as necessary.

By MARY A. LUNDBY

S-3825 FILED APRIL 28, 1997
ADOPTED

(D. 1523)

HOUSE FILE 731

S-3822

1 Amend House File 731, as amended, passed, and
2 reprinted by the House, as follows:
3 1. By striking page 5, line 3, through page 6,
4 line 25, and inserting the following:
5 "Sec. _____. Section 8.22A, subsection 5, paragraph
6 a, Code 1997, is amended to read as follows:
7 a. The amount of lottery revenues for the
8 following fiscal year to be ~~available-for-disbursement~~
9 transferred from the lottery fund to the rebuild Iowa
10 infrastructure fund to be used for school district
11 vertical infrastructure projects following the
12 deductions made pursuant to section 99E.10, subsection
13 1.
14 Sec. _____. Section 99E.10, subsection 1, unnumbered
15 paragraph 3, Code 1997, is amended to read as follows:
16 ~~The-committing-the-lottery-to-environment,~~
17 ~~agriculture,-and-natural-resources-fund,-also-to-be~~
18 ~~known-as-the-CBEAN-fund,-is-created-in-the-office-of~~
19 ~~the-treasurer-of-state.~~ Lottery revenue remaining
20 after expenses are determined shall be transferred to
21 the CBEAN rebuild Iowa infrastructure fund on a
22 monthly basis. Revenues generated during the last
23 month of the fiscal year which are transferred to the
24 CBEAN rebuild Iowa infrastructure fund during the
25 following fiscal year shall be considered revenues
26 transferred during the previous fiscal year for
27 ~~purposes-of-the-allotments-made-to-and-appropriations~~
28 ~~made-from-the-separate-accounts-in-the-CBEAN-fund-for~~
29 ~~that-previous-fiscal-year.~~ However, upon the request
30 of the director and subject to approval by the
31 treasurer of state, an amount sufficient to cover the
32 foreseeable administrative expenses of the lottery for
33 a period of twenty-one days may be retained from the
34 lottery revenue. Prior to the monthly transfer to the
35 CBEAN rebuild Iowa infrastructure fund, the director
36 may direct that lottery revenue shall be deposited in
37 the lottery fund and in interest-bearing accounts
38 designated by the treasurer of state in the financial
39 institutions of this state or invested in the manner
40 provided in section 12B.10. Interest or earnings paid
41 on the deposits or investments is considered lottery
42 revenue and shall be transferred to the CBEAN rebuild
43 Iowa infrastructure fund in the same manner as other
44 ~~lottery revenue. Money-in-the-CBEAN-fund-shall-be~~
45 ~~deposited-in-interest-bearing-accounts-in-financial~~
46 ~~institutions-in-this-state-or-invested-in-the-manner~~
47 ~~provided-in-section-12B.10.--The-interest-or-earnings~~
48 ~~on-the-deposits-or-investments-shall-be-considered~~
49 ~~part-of-the-CBEAN-fund-and-shall-be-retained-in-the~~
50 ~~fund-unless-appropriated-by-the-general-assembly.~~

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Page 2

1 Moneys transferred under this section shall only be
2 used for school district vertical infrastructure
3 projects.

4 Sec. ____ . Section 99E.10, subsection 2, Code 1997,
5 is amended to read as follows:

6 2. The director of management shall not include
7 lottery revenues in the director's fiscal year revenue
8 estimates. ~~Moneys in the CEAN fund shall not be~~
9 ~~considered a part of the Iowa economic emergency fund.~~

10 Sec. ____ . Section 99E.20, subsection 2, Code 1997,
11 is amended to read as follows:

12 2. A lottery fund is created in the office of the
13 treasurer of state. The fund consists of all revenues
14 received from the sale of lottery tickets or shares
15 and all other moneys lawfully credited or transferred
16 to the fund. The commissioner shall certify monthly
17 that portion of the fund that is transferred to the
18 CEAN rebuild Iowa infrastructure fund under section
19 99E.10 and shall cause that portion to be transferred
20 to the CEAN rebuild Iowa infrastructure fund of the
21 state. The commissioner shall certify before the
22 twentieth of each month that portion of the lottery
23 fund resulting from the previous month's sales to be
24 transferred to the CEAN rebuild Iowa infrastructure
25 fund."

26 2. By renumbering as necessary.

By ROBERT E. DVORSKY
EUGENE S. FRAISE
MICHAEL E. GRONSTAL
PATTY JUDGE
PATRICK J. DELUHERY
JOHN P. KIBBIE
TOM FLYNN

BILL FINK
ROD HALVORSON
PATRICIA HARPER
JOHNIE HAMMOND
DENNIS H. BLACK
TOM VILSACK

S-3822 FILED APRIL 28, 1997
RULED OUT OF ORDER

(P 1527)

HOUSE FILE 731

S-3821

1 Amend House File 731, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 6, by inserting after line 28 the
4 following:
5 "Sec. ____ . Section 257.31, Code 1997, is amended
6 by adding the following new subsection:
7 NEW SUBSECTION. 18. a. The committee may grant
8 transportation assistance aid to a school district
9 from funds appropriated in this subsection for the
10 purpose of providing additional funds for a budget
11 year to school districts whose base year average
12 transportation cost per pupil exceeds the base year
13 state average transportation cost per pupil. A
14 district's average transportation cost per pupil for a
15 base year shall be determined by dividing the
16 district's actual cost for all children transported in
17 all school buses for the base year pursuant to section
18 285.1, subsection 12, less the amount received for
19 transporting nonpublic school pupils under section
20 285.1, by the district's actual enrollment for the
21 base year, less the shared-time enrollment for the
22 base year as defined in section 257.6. The state
23 average transportation cost per pupil shall be
24 determined by dividing the total actual cost for all
25 children transported in all districts for the base
26 year by the total of all districts' actual enrollments
27 for the base year. To be eligible for transportation
28 assistance aid, a school district shall annually
29 certify its actual cost for all children transported
30 in all school buses for the base year not later than
31 July 15 of the budget year on forms prescribed by the
32 committee. The committee shall prioritize the
33 requests of eligible school districts ranking the
34 districts by their average transportation cost per
35 pupil as calculated under this paragraph, with
36 consideration given to sparsity of population and
37 geographic size of the district. Within the limits of
38 the funds appropriated in this subsection,
39 transportation assistance aid shall be paid to
40 districts in the order of the priority ranking.
41 Transportation assistance aid for a budget year for a
42 district is equal to the amount by which the
43 district's average transportation cost per pupil for
44 the base year exceeds two hundred percent of the state
45 average transportation cost per pupil for the base
46 year multiplied by the district's actual enrollment
47 for the base year less the shared-time enrollment for
48 the base year as defined in section 257.6. The
49 committee shall adopt rules establishing a procedure
50 for prioritizing requests.

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Page 2

1 Payment for a school year shall be made by
2 September 1 of the budget year.

3 b. There is appropriated from the general fund of
4 the state to the department of education for the use
5 of the school budget review committee, for each fiscal
6 year, the amount of one million five hundred thousand
7 dollars, or as much thereof as may be necessary, to
8 pay the transportation assistance aid to school
9 districts ranked in the highest priority under this
10 subsection."

11 2. By renumbering as necessary.

By TOM FLYNN

JOHN P. KIBBIE

ROD HALVORSON

MIKE CONNOLLY

WALLY E. HORN

DON GETTINGS

ELAINE SZYMONIAK

BILL FINK

ROBERT E. DVORSKY

S-3821 FILED APRIL 28, 1997
RULED OUT OF ORDER

(p. 1527)

HOUSE FILE 731

S-3820

1 Amend House File 731, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 6, by striking line 34 and inserting the
4 following: "fourteen seventeen million five-hundred
5 twenty".

6 2. Page 7, by striking lines 4 and 5 and
7 inserting the following: "for each succeeding fiscal
8 year, seven ten million six one hundred seventy
9 thousand dollars of the funds".

By TOM VILSACK

ROBERT E. DVORSKY

EUGENE S. FRAISE

MICHAEL E. GRONSTAL

PATTY JUDGE

PATRICK J. DELUHERY

JOHN P. KIBBIE

TOM FLYNN

BILL FINK

PATRICIA HARPER

JOHNNIE HAMMOND

ROD HALVORSON

MIKE CONNOLLY

S-3820 FILED APRIL 28, 1997

LOST

(p. 1528)

HOUSE FILE 731

S-3826

1 Amend House File 731, as amended, passed, and
2 reprinted by the House, as follows:

3 1. By striking page 4, line 29, through page 6,
4 line 26, and inserting the following::

5 "VALUE-ADDED PRODUCTION ASSISTANCE -- LOTTERY TRANSFER

6 Sec. _____. NEW SECTION. 15.321 VALUE-ADDED

7 PRODUCTION ASSISTANCE.

8 There is created in the community economic
9 betterment program account an ag-initiative 2000
10 subaccount. The ag-initiative 2000 subaccount shall
11 only be used to assist Iowa's agriculture producers in
12 establishing an equity position or interest in value-
13 adding production processes. Prior to providing this
14 assistance, the department shall determine all of the
15 following:

16 1. That the assistance would enhance economic
17 growth on a regional or statewide basis.

18 2. That the assistance would create and retain in
19 Iowa a greater percentage of the wealth being
20 generated for Iowa's agricultural production.

21 3. That the agricultural producers lack sufficient
22 capital to establish their own equity position or
23 interest without state assistance.

24 4. That any other private or public, whether
25 local, state, or federal, programs for which the
26 requested assistance would be eligible, have been used
27 to the fullest practical extent and need remains.
28 In addition to the above requirements, any assistance
29 provided from the ag-initiative 2000 subaccount must
30 be fully secured by a loan guarantee, letter of
31 credit, contractual commitment, or other security
32 deemed acceptable by the department.

33 Sec. _____. NEW SECTION. 15.322 EXISTING PROGRAM
34 ASSISTANCE.

35 Notwithstanding other provisions to the contrary,
36 existing financial assistance programs available
37 through the department are authorized to provide
38 assistance which would enable Iowa's agricultural
39 production and value-adding workers to establish an
40 equity position or interest in the agricultural value-
41 adding processes of the state.

42 Sec. _____. Section 15E.111, subsection 1, Code
43 1997, is amended by adding the following new
44 paragraph:

45 NEW PARAGRAPH. c. To undertake feasibility
46 studies related to the development of value-adding
47 processing facilities for commodity crops and
48 livestock produced in Iowa, to assist in organization
49 of innovative ownership, and management entities
50 related to such facilities where such entities are to

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1 involve direct participation by producers or workers,
2 and to provide financial assistance for development of
3 such facilities in cases where the department finds
4 potential for significant benefit to be conferred upon
5 workers, producers, and rural regions of the state.

6 Sec. ____ . LOTTERY TRANSFER. Notwithstanding the
7 requirement in section 99E.10, subsection 1, to
8 transfer lottery revenue remaining after expenses are
9 deducted, notwithstanding the requirement under
10 section 99E.20, subsection 2, for the commissioner to
11 certify and transfer a portion of the lottery fund to
12 the CLEAN fund, and notwithstanding the appropriations
13 and allocations in section 99E.34, all lottery
14 revenues received during the fiscal year beginning
15 July 1, 1997, and ending June 30, 1998, after
16 deductions as provided in section 99E.10, subsection
17 1, and as appropriated under any Act of the Seventy-
18 seventh General Assembly, 1997 Session, shall not be
19 transferred to and deposited into the CLEAN fund but
20 the first \$25 million shall be transferred and
21 credited to the ag-initiative 2000 subaccount created
22 in section 15.321 and the remaining amount shall be
23 transferred and credited to the general fund of the
24 state."

25 2. By renumbering as necessary.

By STEWART IVERSON, Jr.

DERRYL McLAREN

WILMER RENSINK

KITTY REHBERG

JOHN W. JENSEN

MARY A. LUNDBY

EUGENE S. FRAISE

ROD HALVORSON

PATTY JUDGE

JOHN P. KIBBIE

MARY LOU FREEMAN

MERLIN E. BARTZ

JOANN DOUGLAS

NANCY BOETTGER

LARRY MCKIBBEN

JEFF ANGELO

S-3826 FILED APRIL 28, 1997

ADOPTED

(P.1527)

HOUSE FILE 731

S-3828

1 Amend House File 731, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 21, by inserting after line 6 the
4 following:

5 "Sec. _____. There is appropriated from the lottery
6 funds transferred to the general fund of the state
7 pursuant to section 6 of this Act to the department of
8 natural resources for the fiscal year beginning July
9 1, 1997, and ending June 30, 1998, the following
10 amount, or so much thereof as is necessary, to be used
11 for the purpose designated:

12 For the blufflands protection program:
13 \$ 500,000

14 Sec. _____. NEW SECTION. 161A.80 BLUFFLANDS
15 PROTECTION PROGRAM -- REVOLVING FUND.

16 1. As used in this section, unless the context
17 otherwise requires:

18 a. "Bluffland" means a cliff, headland, or hill
19 with a broad steep face along the channel or
20 floodplain of a river and its tributaries.

21 b. "Conservation organization" means a nonprofit
22 corporation incorporated in Iowa or an entity
23 organized and operated primarily to enhance and
24 protect natural resources in this state.

25 2. A blufflands protection revolving fund is
26 created in the state treasury. The proceeds of the
27 revolving fund are appropriated to make loans to
28 conservation organizations which agree to purchase
29 conservation easements on blufflands in this state or
30 to purchase blufflands in this state for resale with
31 restrictive covenants attached to the property. The
32 administrative director of the division of soil
33 conservation shall administer the revolving fund.
34 Notwithstanding section 12C.7, interest or earnings on
35 investments made pursuant to this section or as
36 provided in section 12B.10 shall be credited to the
37 blufflands protection revolving fund. Notwithstanding
38 section 8.33, unobligated or unencumbered funds
39 credited to the blufflands protection revolving fund
40 shall not revert at the close of a fiscal year.
41 However, the maximum balance in the blufflands
42 protection fund shall not exceed two million five
43 hundred thousand dollars. Any funds in excess of two
44 million five hundred thousand dollars shall be
45 credited to the general fund of the state.

46 3. The administrative director of the division
47 shall establish a blufflands protection program to
48 demonstrate creative land protection techniques and
49 encourage private landowners to protect the natural
50 beauty of the blufflands in this state. The

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1 commissioners of each soil and water conservation
2 district which includes blufflands shall cooperate
3 with and assist the director in administering the
4 blufflands protection program within their respective
5 districts. The director shall provide, by rule, for a
6 uniform application form, the content of the form,
7 provisions for a loan agreement model conservation
8 easement and restrictive covenant requirements for
9 blufflands, and minimum qualifications of conservation
10 organizations which are eligible to participate in the
11 blufflands protection program. The administrative
12 director shall specify the eligible purposes for which
13 a loan authorized under this section can be expended
14 including, but not limited to, the purchase of
15 blufflands, the acquisition of conservation easements
16 on blufflands, the establishment of landowner
17 associations, payment for loss of land value due to
18 restrictive covenants, and payment for legal costs.
19 The payment of administrative costs is not an eligible
20 purpose.

21 4. An applicant for a loan from the blufflands
22 protection revolving fund shall apply to the soil and
23 water conservation district of the county in which the
24 bluffland is located. The application shall be on
25 forms prepared by the division and shall include the
26 information required by rule of the division. Each
27 conservation organization which applies for a loan
28 under this section shall demonstrate its financial
29 capability to qualify for a loan to the commissioners
30 and its commitment to natural resource protection and
31 appropriate development. The application shall be
32 reviewed and feasibility of the proposed project shall
33 be investigated by the commissioners of the district
34 and its report and recommendation shall be sent to the
35 administrative director and the committee for
36 approval.

37 5. Except as otherwise provided in this
38 subsection, each loan made under this section shall be
39 for a period not to exceed five years, shall bear no
40 interest for the first year, and shall be repayable to
41 the blufflands protection revolving fund. After the
42 first year and for each subsequent year that the
43 principal remains unpaid, interest shall be charged
44 against any unpaid balance of the loan. The interest
45 rate shall be set at the prevailing market rate for
46 similar real estate in the county as determined by the
47 director. All interest payments shall be credited to
48 the blufflands protection revolving fund. Each loan
49 shall be repaid as provided in the loan agreement.
50 However, interest on the principal of a loan shall be

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1 due and payable thirty days after the conclusion of
2 the second year and each subsequent year that the
3 principal or a part of the principal remains unpaid.
4 A loan may be extended annually beyond the original
5 five years with the approval of the district
6 commissioners and the administrative director.
7 6. The administrative director may:
8 a. Contract, sue and be sued, and adopt
9 administrative rules pursuant to chapter 17A and
10 approved by the committee, necessary to carry out this
11 section, but the administrative director, the
12 committee, or the district commissioners shall not
13 directly or indirectly pledge the credit of the state
14 of Iowa.
15 b. Authorize payment from the blufflands
16 protection revolving fund from moneys appropriated to
17 the fund and from any income received by investments
18 of any money in the fund for costs, commissions,
19 attorney fees, and other reasonable expenses related
20 to and necessary for the making and protecting of
21 direct loans under this section, and for recovery of
22 moneys loaned or the management of property acquired
23 in connection with the loans."
24 2. By renumbering as necessary.

By MARY A. LUNDBY
DERRYL McLAREN
MIKE CONNOLLY

S-3828 FILED APRIL 28, 1997
ADOPTED

(P. 1530)

HOUSE FILE 731

S-3827

1 Amend House File 731, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 6, line 28, by striking the following:
4 "-- AT-RISK CHILDREN".
5 2. Page 6, by inserting after line 28 the
6 following:
7 "____. ADVANCE FUNDING FOR AID TO NON-ENGLISH
8 SPEAKING PUPILS. For any fiscal year beginning on or
9 after July 1, 1997, there is appropriated from the
10 general fund of the state to the department of
11 education for allocation by the school budget review
12 committee, an amount necessary to be distributed as
13 supplemental aid to a district that is located within
14 ten miles of a beef processing plant, if the district
15 applies to the school budget review committee and has
16 unusual need for advance funding to provide a program
17 or other special assistance to non-English speaking
18 pupils. The supplemental aid distributed under this
19 paragraph shall be miscellaneous income and shall not
20 be included in district cost."

By BILL FINK
WILLIAM D. PALMER
MATT McCOY

S-3827 FILED APRIL 28, 1997
WITHDRAWN

(p. 1528)

HOUSE FILE 731

S-3834

1 Amend the amendment, S-3828, to House File 731, as
2 amended, passed, and reprinted by the House, as
3 follows:
4 1. Page 2, line 31, by inserting after the word
5 "development." the following: "If there is a loss of
6 value of a blufflands protection project funded under
7 this section resulting from restrictive covenants, the
8 conservation organization shall be forgiven seventy-
9 five percent of the amount of the loss not exceeding
10 the amount of the loan. If a loan is used to purchase
11 a conservation easement on a blufflands protection
12 project, the conservation organization shall be
13 forgiven seventy-five percent of the loan."

By MIKE CONNOLLY

S-3834 FILED APRIL 28, 1997

ADOPTED

(P. 1529)

HOUSE FILE 731

S-3836

1 Amend the amendment, S-3826, to House File 731, as
2 amended, passed, and reprinted by the House, as
3 follows:
4 1. Page 1, by inserting after line 32 the
5 following:
6 "A member of the general assembly is prohibited
7 from having a financial interest in any packing plant
8 receiving assistance under the ag-initiative 2000
9 subaccount. A member in violation of this provision
10 is guilty of an aggravated misdemeanor."
11 2. By renumbering as necessary.

By MATT McCOY

S-3836 FILED APRIL 28, 1997

WITHDRAWN (P. 1524)

HOUSE FILE 731

S-3837

1 Amend the amendment, S-3826, to House File 731, as
2 amended, passed, and reprinted by the House, as
3 follows:
4 1. Page 1, by inserting after line 27 the
5 following:
6 "_____. That the recipient of assistance has or will
7 have met the requirements specified in section 15.329,
8 subsections 1 and 2."
9 2. By renumbering as necessary.

By MATT McCOY

S-3837 FILED APRIL 28, 1997

WITHDRAWN

(P. 1524)

HOUSE FILE 731

S-3829

1 Amend the amendment, S-3770, to House File 731, as
2 amended, passed, and reprinted by the House, as
3 follows:

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

6 " . By striking page 5, line 3, through page 6,
7 line 25, and inserting the following:

8 "Sec. . Section 8.22A, subsection 5, paragraph
9 a, Code 1997, is amended to read as follows:

10 a. The amount of lottery revenues for the
11 following fiscal year to be ~~available-for-disbursement~~
12 transferred from the lottery fund to the rebuild Iowa
13 infrastructure fund following the deductions made
14 pursuant to section 99E.10, subsection 1.

15 Sec. . Section 99E.10, subsection 1, unnumbered
16 paragraph 3, Code 1997, is amended to read as follows:

17 ~~The committing the lottery to environment,~~
18 ~~agriculture, and natural resources fund, also to be~~
19 ~~known as the CBEAN fund, is created in the office of~~
20 ~~the treasurer of state. Lottery revenue remaining~~
21 ~~after expenses are determined shall be transferred to~~
22 ~~the CBEAN rebuild Iowa infrastructure fund on a~~
23 ~~monthly basis. Revenues generated during the last~~
24 ~~month of the fiscal year which are transferred to the~~
25 ~~CBEAN rebuild Iowa infrastructure fund during the~~
26 ~~following fiscal year shall be considered revenues~~
27 ~~transferred during the previous fiscal year for~~
28 ~~purposes of the allotments made to and appropriations~~
29 ~~made from the separate accounts in the CBEAN fund for~~
30 ~~that previous fiscal year. However, upon the request~~
31 ~~of the director and subject to approval by the~~
32 ~~treasurer of state, an amount sufficient to cover the~~
33 ~~foreseeable administrative expenses of the lottery for~~
34 ~~a period of twenty-one days may be retained from the~~
35 ~~lottery revenue. Prior to the monthly transfer to the~~
36 ~~CBEAN rebuild Iowa infrastructure fund, the director~~
37 ~~may direct that lottery revenue shall be deposited in~~
38 ~~the lottery fund and in interest-bearing accounts~~
39 ~~designated by the treasurer of state in the financial~~
40 ~~institutions of this state or invested in the manner~~
41 ~~provided in section 12B.10. Interest or earnings paid~~
42 ~~on the deposits or investments is considered lottery~~
43 ~~revenue and shall be transferred to the CBEAN rebuild~~
44 ~~Iowa infrastructure fund in the same manner as other~~
45 ~~lottery revenue. Money in the CBEAN fund shall be~~
46 ~~deposited in interest-bearing accounts in financial~~
47 ~~institutions in this state or invested in the manner~~
48 ~~provided in section 12B.10. The interest or earnings~~
49 ~~on the deposits or investments shall be considered~~
50 ~~part of the CBEAN fund and shall be retained in the~~

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~~1 fund-unless-appropriated-by-the-general-assembly.~~

2 Sec. _____. Section 99E.10, subsection 2, Code 1997,
3 is amended to read as follows:

4 2. The director of management shall not include
5 lottery revenues in the director's fiscal year revenue
6 estimates. ~~Moneys-in-the-ELEAN-fund-shall-not-be~~
7 ~~considered-a-part-of-the-Iowa-economic-emergency-fund.~~

8 Sec. _____. Section 99E.20, subsection 2, Code 1997,
9 is amended to read as follows:

10 2. A lottery fund is created in the office of the
11 treasurer of state. The fund consists of all revenues
12 received from the sale of lottery tickets or shares
13 and all other moneys lawfully credited or transferred
14 to the fund. The commissioner shall certify monthly
15 that portion of the fund that is transferred to the
16 ELEAN rebuild Iowa infrastructure fund under section
17 99E.10 and shall cause that portion to be transferred
18 to the ELEAN rebuild Iowa infrastructure fund of the
19 state. The commissioner shall certify before the
20 twentieth of each month that portion of the lottery
21 fund resulting from the previous month's sales to be
22 transferred to the ELEAN rebuild Iowa infrastructure
23 fund.

24 Sec. _____. NEW SECTION. 257D.1 TITLE.

25 This chapter may be cited as the "Support
26 Construction and Habilitation of Our Local Schools
27 Act".

28 Sec. _____. NEW SECTION. 257D.2 SUPPORT

29 CONSTRUCTION AND HABILITATION OF OUR LOCAL SCHOOLS
30 FUND.

31 1. a. A support construction and habilitation of
32 our local schools (SCHOOLS) fund is created within the
33 state treasury under the control of the department of
34 education. For the fiscal year beginning July 1,
35 1997, and each subsequent fiscal year there shall be
36 appropriated from the rebuild Iowa infrastructure fund
37 to the SCHOOLS fund all moneys transferred to the
38 rebuild Iowa infrastructure fund pursuant to sections
39 99E.10 and 99E.20. In addition to moneys appropriated
40 from the rebuild Iowa infrastructure fund, the SCHOOLS
41 fund shall include any other moneys available to and
42 obtained or accepted by the department from the
43 federal government or private sources for placement in
44 the SCHOOLS fund. The assets of the SCHOOLS fund
45 shall be used by the department as provided in
46 subsection 2.

47 b. Payments of interest, recaptures of grants, or
48 repayments of moneys granted shall be deposited in the
49 fund. Section 8.33 does not apply to any moneys in
50 the fund.

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1 c. The fund is subject to an annual audit by the
2 auditor of state. Moneys in the fund, which may be
3 subject to warrants written by the director of revenue
4 and finance, shall be drawn upon the written
5 requisition of the director of the department of
6 education or an authorized representative of the
7 director.

8 d. As used in this chapter, "vertical
9 infrastructure" has the same meaning as in section
10 8.57, subsection 5, except that "vertical
11 infrastructure" shall not include recreational trails.
12 A matching grant shall only be awarded for specific
13 vertical infrastructure projects certified to the
14 department in the application.

15 2. Moneys in the SCHOOLS fund shall be distributed
16 to school districts based on the actual enrollment of
17 students in the district as certified pursuant to
18 section 257.6."

19 2. By renumbering as necessary.

By TOM VILSACK

ROBERT E. DVORSKY

EUGENE S. FRAISE

MICHAEL E. GRONSTAL

ROD HALVORSON

S-3829 FILED APRIL 28, 1997

LOST

(P. 1522)

HOUSE FILE 731

S-3833

1 Amend the amendment, S-3826, to House File 731, as
2 amended, passed, and reprinted by the House, as
3 follows:

4 1. Page 1, by inserting after line 27 the
5 following:

6 "_____. That prior to receipt of any assistance the
7 recipient shall establish a program to reduce the
8 incidence and severity of repetitive motion injuries."

9 2. By renumbering as necessary.

By TOM VILSACK

S-3833 FILED APRIL 28, 1997

LOST

(P. 1524)

HOUSE FILE 731

S-3846

1 Amend the amendment, S-3826, to House File 731, as
2 amended, passed, and reprinted by the House, as
3 follows:

4 1. Page 1, by inserting after line 32 the
5 following:

6 "If the assistance provided from the ag-initiative
7 2000 subaccount or any other fund for value-added
8 production assistance is in the form of a repayable
9 loan, payments on the loan shall be deposited into the
10 general fund of the state. If such loans are not
11 repaid, in whole or in part, those payments shall be
12 paid from the strategic investment fund to the general
13 fund of the state."

By MATT McCOY

S-3846 FILED APRIL 29, 1997

LOST (P. 1526)

HOUSE FILE 731

S-3847

1 Amend House File 731 as amended, passed, and
2 reprinted by the House as follows:

3 1. Page 21, by inserting after line 17 the
4 following:

5 "Sec. 901. Section 422.7, Code 1997, is amended by
6 adding the following new subsection:

7 NEW SUBSECTION. 35. Subtract, to the extent not
8 otherwise deducted in computing adjusted gross income,
9 the amounts paid by the taxpayer for the purchase of
10 health benefits coverage or insurance, including
11 coverage or insurance for long-term health and nursing
12 care, for the taxpayer, the taxpayer's spouse, or a
13 person who is related to the taxpayer or taxpayer's
14 spouse within the second degree of consanguinity.

15 Sec. 902. Section 422.9, subsection 2, paragraph
16 i, Code 1997, is amended to read as follows:

17 i. If the taxpayer has a deduction for medical
18 care expenses under section 213 of the Internal
19 Revenue Code, the taxpayer shall recompute for the
20 purposes of this subsection the amount of ~~the~~
21 deduction under section 213 by excluding from medical
22 care, as defined in section 213, the amount subtracted
23 under section 422.7, subsection 32 or 35, to the
24 extent it constitutes medical care as defined in
25 section 213.

26 Sec. _____. Sections 901 and 902 of this Act apply
27 retroactively to January 1, 1997, for tax years
28 beginning on or after that date."

By LYLE E. ZIEMAN

S-3847 FILED APRIL 29, 1997

WITHDRAWN

(P. 1531)

HOUSE FILE 731

S-3839

1 Amend the amendment, S-3826, to House File 731, as
2 amended, passed, and reprinted by the House, as
3 follows:

4 1. Page 1, by inserting after line 27 the
5 following:

6 " . That the packing plant which is an indirect
7 recipient of assistance has or will have met the
8 requirements specified in section 15.329, subsections
9 1 and 2."

10 2. By renumbering as necessary.

By MATT McCOY

S-3839 FILED APRIL 28, 1997

LOST (p. 1524)

HOUSE FILE 731

S-3844

1 Amend the amendment, S-3826, to House File 731, as
2 amended, passed, and reprinted by the House, as
3 follows:

4 1. Page 1, by inserting after line 32 the
5 following:

6 "A member of the Seventy-seventh General Assembly
7 is prohibited from receiving a loan from the ag-
8 initiative 2000 subaccount. A member in violation of
9 this provision is guilty of an aggravated
10 misdemeanor."

11 2. By renumbering as necessary.

By MARY NEUHAUSER

MATT McCOY

S-3844 FILED APRIL 28, 1997

LOST (p. 1525)

HOUSE FILE 731

S-3845

1 Amend the amendment, S-3826, to House File 731, as
2 amended, passed, and reprinted by the House, as
3 follows:

4 1. Page 1, line 29, by inserting after the word
5 "subaccount" the following: "shall be in the form of
6 repayable loans and".

By MATT McCOY

S-3845 FILED APRIL 29, 1997

ADOPTED

(p. 1526)

HOUSE FILE 731

H-1978

1 Amend the Senate amendment, H-1975, to House File
2 731, as amended, passed, and reprinted by the House,
3 as follows:

4 1. Page 1, line 44, by inserting after the word
5 "state" the following: "equal to at least fifteen
6 percent of the capital investment in the project".

By OSTERHAUS of Jackson

H-1978 FILED APRIL 29, 1997

HOUSE FILE 731

H-1979

1 Amend the Senate amendment, H-1975, to House File
2 731, as amended, passed, and reprinted by the House,
3 as follows:

4 1. Page 1, by inserting after line 35 the
5 following:

6 "If the assistance provided from the ag-initiative
7 2000 subaccount or any other fund for value-adding
8 production assistance is in the form of a repayable
9 loan, payments on the loan shall be deposited into the
10 general fund of the state. If such loans are not
11 repaid, in whole or in part, those payments shall be
12 paid from the strategic investment fund to the general
13 fund of the state."

By CHIODO of Polk

H-1979 FILED APRIL 29, 1997

HOUSE FILE 731

H-1980

1 Amend the Senate amendment, H-1975, to House File
2 731, as amended, passed, and reprinted by the House,
3 as follows:

4 1. Page 1, line 44, by inserting after the word
5 "state." the following: "As a condition of assistance
6 being provided pursuant to this section, Iowa's
7 agricultural production and value-adding workers shall
8 have a seat on the board of directors of the entity in
9 which such workers establish and equity position or
10 interest."

By OSTERHAUS of Jackson

H-1980 FILED APRIL 29, 1997

HOUSE FILE 731

H-1981

1 Amend the Senate amendment, H-1975, to House File
2 731, as amended, passed, and reprinted by the House,
3 as follows:

4 1. By striking page 1, line 5, through page 2,
5 line 27.

By CHIODO of Polk

H-1981 FILED APRIL 29, 1997

SENATE AMENDMENT TO HOUSE FILE 731

H-1975

1 Amend House File 731, as amended, passed, and
2 reprinted by the House, as follows:

3 1. By striking page 1, line 1, through page 4,
4 line 27.

5 2. By striking page 4, line 29, through page 6,
6 line 26, and inserting the following::

7 "VALUE-ADDED PRODUCTION ASSISTANCE -- LOTTERY TRANSFER
8 Sec. ____ . NEW SECTION. 15.321 VALUE-ADDED
9 PRODUCTION ASSISTANCE.

10 There is created in the community economic
11 betterment program account an ag-initiative 2000
12 subaccount. The ag-initiative 2000 subaccount shall
13 only be used to assist Iowa's agriculture producers in
14 establishing an equity position or interest in value-
15 adding production processes. Prior to providing this
16 assistance, the department shall determine all of the
17 following:

18 1. That the assistance would enhance economic
19 growth on a regional or statewide basis.

20 2. That the assistance would create and retain in
21 Iowa a greater percentage of the wealth being
22 generated for Iowa's agricultural production.

23 3. That the agricultural producers lack sufficient
24 capital to establish their own equity position or
25 interest without state assistance.

26 4. That any other private or public, whether
27 local, state, or federal, programs for which the
28 requested assistance would be eligible, have been used
29 to the fullest practical extent and need remains.

30 In addition to the above requirements, any assistance
31 provided from the ag-initiative 2000 subaccount shall
32 be in the form of repayable loans and must be fully
33 secured by a loan guarantee, letter of credit,
34 contractual commitment, or other security deemed
35 acceptable by the department.

36 Sec. ____ . NEW SECTION. 15.322 EXISTING PROGRAM
37 ASSISTANCE.

38 Notwithstanding other provisions to the contrary,
39 existing financial assistance programs available
40 through the department are authorized to provide
41 assistance which would enable Iowa's agricultural
42 production and value-adding workers to establish an
43 equity position or interest in the agricultural value-
44 adding processes of the state.

45 Sec. ____ . Section 15E.111, subsection 1, Code
46 1997, is amended by adding the following new
47 paragraph:

48 NEW PARAGRAPH. c. To undertake feasibility
49 studies related to the development of value-adding
50 processing facilities for commodity crops and

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1 livestock produced in Iowa, to assist in organization
2 of innovative ownership, and management entities
3 related to such facilities where such entities are to
4 involve direct participation by producers or workers,
5 and to provide financial assistance for development of
6 such facilities in cases where the department finds
7 potential for significant benefit to be conferred upon
8 workers, producers, and rural regions of the state.

9 Sec. _____. LOTTERY TRANSFER. Notwithstanding the
10 requirement in section 99E.10, subsection 1, to
11 transfer lottery revenue remaining after expenses are
12 deducted, notwithstanding the requirement under
13 section 99E.20, subsection 2, for the commissioner to
14 certify and transfer a portion of the lottery fund to
15 the CLEAN fund, and notwithstanding the appropriations
16 and allocations in section 99E.34, all lottery
17 revenues received during the fiscal year beginning
18 July 1, 1997, and ending June 30, 1998, after
19 deductions as provided in section 99E.10, subsection
20 1, and as appropriated under any Act of the Seventy-
21 seventh General Assembly, 1997 Session, shall not be
22 transferred to and deposited into the CLEAN fund but
23 the first \$25 million shall be transferred and
24 credited to the ag-initiative 2000 subaccount created
25 in section 15.321 and the remaining amount shall be
26 transferred and credited to the general fund of the
27 state."

28 3. Page 7, by striking lines 12 through 31.

29 4. By striking page 8, line 13, through page 13,
30 line 14.

31 5. Page 14, by striking lines 11 and 12.

32 6. By striking page 15, line 22, through page 16,
33 line 31.

34 7. Page 18, by striking lines 18 and 19.

35 8. Page 19, by striking lines 6 and 7, and
36 inserting the following:

37 "Sec. _____. Section 310.36, Code 1997, is
38 repealed."

39 9. Page 21, by inserting after line 6 the
40 following:

41 "Sec. 100. FEDERAL WELFARE REFORM COMPLIANCE --
42 CHILD SUPPORT ENFORCEMENT. For the fiscal year
43 beginning July 1, 1996, and ending June 30, 1997,
44 after \$36,370,000 of child support revenue has been
45 collected by the department of human services and
46 deposited in the family investment program account
47 established in section 239B.11, notwithstanding
48 section 8.33, not more than \$1,000,000 of the
49 remaining child support revenue collected and
50 deposited in the account which remains unobligated or

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1 unexpended at the close of the fiscal year ending June
2 30, 1996, shall not revert to the general fund of the
3 state, but shall remain available and is appropriated
4 to the department for use in the succeeding fiscal
5 year for the purpose of implementing child support
6 enforcement changes necessitated by federal welfare
7 reform legislation."

8 10. Page 21, by inserting after line 6 the
9 following:

10 "Sec. _____. There is appropriated from the lottery
11 funds transferred to the general fund of the state
12 pursuant to section 6 of this Act to the department of
13 natural resources for the fiscal year beginning July
14 1, 1997, and ending June 30, 1998, the following
15 amount, or so much thereof as is necessary, to be used
16 for the purpose designated:

17 For the blufflands protection program:

18 \$ 500,000

19 Sec. _____. NEW SECTION. 161A.80 BLUFFLANDS
20 PROTECTION PROGRAM -- REVOLVING FUND.

21 1. As used in this section, unless the context
22 otherwise requires:

23 a. "Bluffland" means a cliff, headland, or hill
24 with a broad steep face along the channel or
25 floodplain of a river and its tributaries.

26 b. "Conservation organization" means a nonprofit
27 corporation incorporated in Iowa or an entity
28 organized and operated primarily to enhance and
29 protect natural resources in this state.

30 2. A blufflands protection revolving fund is
31 created in the state treasury. The proceeds of the
32 revolving fund are appropriated to make loans to
33 conservation organizations which agree to purchase
34 conservation easements on blufflands in this state or
35 to purchase blufflands in this state for resale with
36 restrictive covenants attached to the property. The
37 administrative director of the division of soil
38 conservation shall administer the revolving fund.
39 Notwithstanding section 12C.7, interest or earnings on
40 investments made pursuant to this section or as
41 provided in section 12B.10 shall be credited to the
42 blufflands protection revolving fund. Notwithstanding
43 section 8.33, unobligated or unencumbered funds
44 credited to the blufflands protection revolving fund
45 shall not revert at the close of a fiscal year.
46 However, the maximum balance in the blufflands
47 protection fund shall not exceed two million five
48 hundred thousand dollars. Any funds in excess of two
49 million five hundred thousand dollars shall be
50 credited to the general fund of the state.

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1 3. The administrative director of the division
2 shall establish a blufflands protection program to
3 demonstrate creative land protection techniques and
4 encourage private landowners to protect the natural
5 beauty of the blufflands in this state. The
6 commissioners of each soil and water conservation
7 district which includes blufflands shall cooperate
8 with and assist the director in administering the
9 blufflands protection program within their respective
10 districts. The director shall provide, by rule, for a
11 uniform application form, the content of the form,
12 provisions for a loan agreement model conservation
13 easement and restrictive covenant requirements for
14 blufflands, and minimum qualifications of conservation
15 organizations which are eligible to participate in the
16 blufflands protection program. The administrative
17 director shall specify the eligible purposes for which
18 a loan authorized under this section can be expended
19 including, but not limited to, the purchase of
20 blufflands, the acquisition of conservation easements
21 on blufflands, the establishment of landowner
22 associations, payment for loss of land value due to
23 restrictive covenants, and payment for legal costs.
24 The payment of administrative costs is not an eligible
25 purpose.

26 4. An applicant for a loan from the blufflands
27 protection revolving fund shall apply to the soil and
28 water conservation district of the county in which the
29 bluffland is located. The application shall be on
30 forms prepared by the division and shall include the
31 information required by rule of the division. Each
32 conservation organization which applies for a loan
33 under this section shall demonstrate its financial
34 capability to qualify for a loan to the commissioners
35 and its commitment to natural resource protection and
36 appropriate development. If there is a loss of value
37 of a blufflands protection project funded under this
38 section resulting from restrictive covenants, the
39 conservation organization shall be forgiven seventy-
40 five percent of the amount of the loss not exceeding
41 the amount of the loan. If a loan is used to purchase
42 a conservation easement on a blufflands protection
43 project, the conservation organization shall be
44 forgiven seventy-five percent of the loan. The
45 application shall be reviewed and feasibility of the
46 proposed project shall be investigated by the
47 commissioners of the district and its report and
48 recommendation shall be sent to the administrative
49 director and the committee for approval.

50 5. Except as otherwise provided in this

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1 subsection, each loan made under this section shall be
2 for a period not to exceed five years, shall bear no
3 interest for the first year, and shall be repayable to
4 the blufflands protection revolving fund. After the
5 first year and for each subsequent year that the
6 principal remains unpaid, interest shall be charged
7 against any unpaid balance of the loan. The interest
8 rate shall be set at the prevailing market rate for
9 similar real estate in the county as determined by the
10 director. All interest payments shall be credited to
11 the blufflands protection revolving fund. Each loan
12 shall be repaid as provided in the loan agreement.
13 However, interest on the principal of a loan shall be
14 due and payable thirty days after the conclusion of
15 the second year and each subsequent year that the
16 principal or a part of the principal remains unpaid.
17 A loan may be extended annually beyond the original
18 five years with the approval of the district
19 commissioners and the administrative director.

20 6. The administrative director may:

21 a. Contract, sue and be sued, and adopt
22 administrative rules pursuant to chapter 17A and
23 approved by the committee, necessary to carry out this
24 section, but the administrative director, the
25 committee, or the district commissioners shall not
26 directly or indirectly pledge the credit of the state
27 of Iowa.

28 b. Authorize payment from the blufflands
29 protection revolving fund from moneys appropriated to
30 the fund and from any income received by investments
31 of any money in the fund for costs, commissions,
32 attorney fees, and other reasonable expenses related
33 to and necessary for the making and protecting of
34 direct loans under this section, and for recovery of
35 moneys loaned or the management of property acquired
36 in connection with the loans."

37 11. Page 21, by inserting after line 6 the
38 following:

39 "Sec. _____. Notwithstanding section 546.2,
40 subsection 2, the governor may reappoint the
41 commissioner of insurance to be the director of the
42 department of commerce for a second year beginning
43 July 1, 1997."

44 12. Page 21, by striking lines 7 through 17 and
45 inserting the following:

46 "Sec. _____. NEW SECTION. 12C.26 TOBACCO
47 SETTLEMENT MONEYS.

48 After payment of litigation costs, the state
49 portion of any moneys paid to the state by tobacco
50 companies in settlement of the state's lawsuit for

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1 recovery of public expenditures associated with
 2 tobacco use shall be deposited in the general fund of
 3 the state. For purposes of this section, "litigation
 4 costs" are those costs itemized by the attorney
 5 general and submitted to and approved by the general
 6 assembly."

7 13. Page 21, by inserting after line 17, the
 8 following:

9 "Sec. _____. 1996 Iowa Acts, chapter 1218, section
 10 10, unnumbered paragraph 3, is amended to read as
 11 follows:

12 Of the appropriation in this section, \$50,000 shall
 13 be used for costs associated with the renovation and
 14 repair of the Allison monument located on the state
 15 capitol complex. An effort shall be made by the
 16 department of education to match this appropriation
 17 from the citizens and the school children of Iowa as
 18 occurred when the monument was initially built."

19 14. Page 21, by inserting before line 18 the
 20 following:

21 "Sec. _____. EFFECTIVE DATE. Section 100 of this
 22 division of this Act, relating to federal welfare
 23 reform compliance, being deemed of immediate
 24 importance, takes effect upon enactment."

25 15. Page 21, by striking lines 20 through 35.

26 16. Page 22, by inserting after line 17 the
 27 following:

28 "Sec. _____. EFFECTIVE DATE. 1997 Iowa Acts, House
 29 File 453, if enacted, being deemed of immediate
 30 importance, takes effect upon enactment of this Act."

31 17. By renumbering, relettering, or redesignating
 32 and correcting internal references as necessary.

RECEIVED FROM THE SENATE

H-1975 FILED APRIL 29, 1997

HOUSE FILE 731

H-1977

1 Amend the Senate amendment, H-1975, to House File
 2 731, as amended, passed, and reprinted by the House,
 3 as follows:

4 1. By striking page 5, line 44, through page 6,
 5 line 6, and inserting the following:

6 "_____. Page 21, line 16, by inserting after the
 7 word "appropriated" the following: "to the department
 8 of human services".

9 _____. Page 21, line 17, by inserting after the
 10 word "and" the following: "appropriated to the Iowa
 11 department of public health"."

By RICHARDSON of Warren

H-1977 FILED APRIL 29, 1997

HOUSE FILE 731

H-1987

1 Amend the Senate amendment, H-1975, to House File
2 731, as amended, passed, and reprinted by the House,
3 as follows:

4 1. Page 1, line 32, by inserting after the word
5 "loans" the following: "at an interest rate of not
6 less than three percent".

By FALLON of Polk

H-1987 FILED APRIL 29, 1997

HOUSE FILE 731

H-1988

1 Amend the Senate amendment, H-1975, to House File
2 731, as amended, passed, and reprinted by the House,
3 as follows:

4 1. Page 2, line 27, by inserting after the word
5 "state." the following: "During the fiscal year
6 beginning July 1, 1997, and ending June 30, 1998, the
7 following statement shall be printed on each lottery
8 ticket "A portion of the proceeds from the sale of
9 this ticket will be used to subsidize location of a
10 meat packing plant in Iowa.""

By FALLON of Polk

H-1988 FILED APRIL 29, 1997

HOUSE FILE 731

H-1982

1 Amend the Senate amendment, H-1975, to House File
2 731, as amended, passed, and reprinted by the House,
3 as follows:

4 1. Page 1, by inserting after line 35 the
5 following:

6 "A member of the Seventy-seventh General Assembly
7 is prohibited from receiving a loan from the ag-
8 initiative 2000 subaccount. A member in violation of
9 this provision is guilty of an aggravated
10 misdemeanor."

By CHIODO of Polk

H-1982 FILED APRIL 29, 1997

HOUSE FILE 731

H-1985

1 Amend the Senate amendment, H-1975, to House File
2 731, as amended, passed, and reprinted by the House,
3 as follows:

4 1. Page 1, by inserting after line 29 the
5 following:

6 "_____. That prior to receipt of any assistance a
7 program shall be established to reduce the incidence
8 and severity of repetitive motion injuries."

9 2. By renumbering as necessary.

By CHIODO of Polk

H-1985 FILED APRIL 29, 1997

HOUSE FILE 731

H-1986

1 Amend the Senate amendment, H-1975, to House File
2 731, as amended, passed, and reprinted by the House,
3 as follows:

4 1. Page 1, by inserting after line 29 the
5 following:

6 "_____. That the packing plant which is an indirect
7 recipient of assistance shall not operate an outdoor
8 livestock holding pen and shall not keep any live
9 animal in a holding pen for longer than twenty-four
10 consecutive hours."

By CHIODO of Polk

H-1986 FILED APRIL 29, 1997