

REPRINTED

FILED APR 15 1997

SENATE FILE 542
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 268)

Passed Senate, Date 4/22/97 (p.134) Passed House, Date 4/28/97 (p.1635)
Vote: Ayes 45 Nays 2 Vote: Ayes 91 Nays 7
Approved May 23, 1997

A BILL FOR

1 An Act relating to and making supplemental appropriations for the
2 fiscal year beginning July 1, 1996, and providing an effective
3 date.

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

- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23

S.F. 542

UNLIMITED

1 DIVISION I

2 Section 1. IOWA-BRED ECLIPSE AWARD. There is appropriated
3 from the general fund of the state to the department of
4 agriculture and land stewardship for the fiscal year beginning
5 July 1, 1996, and ending June 30, 1997, the following amount,
6 or so much thereof as is necessary, to be used for the purpose
7 designated:

8 For support of an Iowa-bred eclipse award for the
9 outstanding thoroughbred:

10 \$ 1,000

11 Notwithstanding section 8.33, moneys appropriated in this
12 section which remain unobligated or unexpended at the close of
13 the fiscal year shall not revert but shall remain available
14 for the purpose designated in the succeeding fiscal year.

15 Sec. 2. DEPARTMENT OF GENERAL SERVICES. There is
16 appropriated from the general fund of the state to the
17 department of general services for the fiscal year beginning
18 July 1, 1996, and ending June 30, 1997, to supplement the
19 appropriations made in 1996 Iowa Acts, chapter 1211, section
20 5, subsection 6, the following amount, or so much thereof as
21 is necessary, to be used for the purpose designated:

22 For utility costs:

23 \$ 234,591

24 Sec. 3. DEPARTMENT OF GENERAL SERVICES -- CENTURY DATE
25 CHANGE. There is appropriated from the general fund of the
26 state to the department of general services for the fiscal
27 year beginning July 1, 1996, and ending June 30, 1997, the
28 following amounts, or so much thereof as is necessary, to be
29 used for the purposes designated:

30 1. For state acquisition in accordance with the
31 competitive bidding requirements of this section and as a
32 condition of the appropriation made in this subsection of new
33 information technology hardware and software which already
34 includes the century date change programming and which
35 achieves additional purposes in replacing state hardware and

1 software for which the century date change programming is
2 required:

3 \$ 2,500,000

4 Moneys appropriated in this subsection shall be used for
5 the purpose designated and notwithstanding section 8.39 are
6 not subject to transfer or use for any other purpose.

7 2. For the costs of century date change programming in
8 existing state information technology software when state
9 acquisition of new information technology hardware and
10 software which already includes the century date change
11 programming and which achieves additional purposes to
12 incorporate the century date change, is not cost effective,
13 provided the programming is acquired in accordance with the
14 competitive bidding requirements of this section and as a
15 condition of the appropriation made in this subsection:

16 \$ 2,500,000

17 Moneys appropriated in this subsection shall be used for
18 the purpose designated and notwithstanding section 8.39 are
19 not subject to transfer or use except for the purposes of
20 additional acquisitions under subsection 1.

21 The department shall not enter into a contract or any other
22 obligation for the purpose of addressing the need for century
23 date programming which would require the need for funding in
24 excess of the amount appropriated in this section. The
25 department shall utilize, to the greatest extent possible,
26 students and other knowledgeable persons connected with Iowa's
27 colleges and universities in developing or acquiring hardware,
28 software, and programming funded under this section.
29 Otherwise, any acquisition for the purposes described in this
30 section is subject to competitive bidding requirements in rule
31 adopted under law and in accordance with the requirements of
32 this section. In order to maintain maximum open and free
33 competition among bidders, an eligible bidder shall have been
34 organized or doing business prior to January 1, 1997. In
35 addition, an eligible bidder shall not have a relationship

1 with the state for assessment of bids or for preparation of a
2 request for proposals under this section. A bidder with an
3 actual or organizational conflict of interest shall be
4 disqualified. A bidder shall be considered to have a conflict
5 of interest if the organization, or a parent, subsidiary, or
6 affiliated organization, of which the bidder is a shareholder,
7 partner, limited partner, or member, has a conflict of
8 interest. A bidder shall provide assurances of compliance
9 with the requirements of this paragraph at the time of
10 submitting a bid or proposal for any acquisition for the
11 purposes described in this section.

12 Notwithstanding section 8.33, moneys appropriated in this
13 section which remain unexpended or unencumbered at the close
14 of the fiscal year shall not revert to the general fund of the
15 state but shall remain available to be used for the purposes
16 designated until the close of the fiscal year beginning July
17 1, 1999.

18 Sec. 4. SOCIAL SERVICES BLOCK GRANT -- APPROPRIATION.

19 There is appropriated from the general fund of the state to
20 the department of human services for the fiscal year beginning
21 July 1, 1996, and ending June 30, 1997, to supplement the
22 appropriation and allocation made in 1996 Iowa Acts, chapter
23 1210, section 10, subsection 3, paragraph "g", the following
24 amount, or so much thereof as is necessary, to be used for the
25 purpose designated:

26 For MH/MR/DD/BI community service (local purchase) to be
27 distributed and used in accordance with 1996 Iowa Acts,
28 chapter 1213, section 19, subsection 6:
29 \$ 194,057

30 Sec. 5. SOCIAL SERVICES BLOCK GRANT -- TRANSFER. It is

31 the intent of the general assembly that the department of
32 human services transfer not more than \$2,186,995 from the
33 appropriation to the department in 1996 Iowa Acts, chapter
34 1213, section 3, for the fiscal year beginning July 1, 1996,
35 and ending June 30, 1997, to supplement the federal social

1 services block grant appropriation in 1996 Iowa Acts, chapter
2 1210, section 10, for distribution among the allocations in
3 that block grant appropriation as follows:

- 4 a. General administration:
- 5 \$ 309,399
- 6 b. Field operations:
- 7 \$ 1,617,370
- 8 c. Child and family services:
- 9 \$ 214,578
- 10 d. Child care assistance:
- 11 \$ 41,736
- 12 e. Volunteers:
- 13 \$ 3,912

14 For purposes of section 8.62, moneys transferred under this
15 section shall not be considered transferred pursuant to
16 section 8.39 and the transferred moneys which remain
17 unexpended or unencumbered at the close of the fiscal year may
18 be encumbered and used by the department of human services as
19 provided in section 8.62.

20 Sec. 6. DEPARTMENT OF INSPECTIONS AND APPEALS. There is
21 appropriated from the general fund of the state to the
22 department of inspections and appeals for the fiscal year
23 beginning July 1, 1996, and ending June 30, 1997, to
24 supplement the appropriations made in 1996 Iowa Acts, chapter
25 1211, section 9, the following amount, or so much thereof as
26 is necessary, to be used for the purpose designated:

- 27 For regulation of pari-mutuel racetrack operations:
- 28 \$ 98,695

29 Sec. 7. DEPARTMENT OF NATURAL RESOURCES -- BROWNFIELDS.
30 There is appropriated from the general fund of the state to
31 the department of natural resources for the fiscal year
32 beginning July 1, 1996, and ending June 30, 1997, the
33 following amount, or so much thereof as is necessary, to be
34 used for the purpose designated:

35 For support of the land recycling program and the technical

1 advisory committee established in 1997 Iowa Acts, Senate File
2 528, if enacted by the Seventy-seventh General Assembly, 1997
3 Session:

4 \$ 65,000

5 Moneys appropriated in this section which remain unexpended
6 or unencumbered at the close of the fiscal year shall not
7 revert to the general fund of the state but shall remain
8 available for expenditure in the succeeding fiscal year.

9 Sec. 8. DEPARTMENT OF PUBLIC SAFETY. There is
10 appropriated from the general fund of the state to the
11 department of public safety for the fiscal year beginning July
12 1, 1996, and ending June 30, 1997, to supplement the
13 appropriations made in 1996 Iowa Acts, chapter 1216, section
14 21, the following amount, or so much thereof as is necessary,
15 to be used for the purpose designated:

16 For riverboat enforcement due to expanded operational
17 hours:

18 \$ 71,114

19 Sec. 9. STATE BOARD OF REGENTS. There is appropriated
20 from the general fund of the state to the state board of
21 regents for the fiscal year beginning July 1, 1996, and ending
22 June 30, 1997, to supplement the appropriations made in 1996
23 Iowa Acts, chapter 1215, section 12, the following amount, or
24 so much thereof as is necessary, to be used for the purpose
25 designated:

26 For salaries:

27 \$ 2,325,940

28 DIVISION II

29 Sec. 10. EXCESS LOTTERY REVENUES -- FY 1994-1995. Of the
30 lottery revenues received during the fiscal year beginning
31 July 1, 1994, which remain in the lottery fund following
32 transfers made pursuant to 1995 Iowa Acts, chapter 220,
33 section 16, and 1996 Iowa Acts, chapter 1219, section 14, the
34 following amounts are appropriated, on the condition that each
35 appropriation made in this section is contingent on all other

1 appropriations made in this section and that any veto of a
2 single appropriation in this section shall constitute a veto
3 of all appropriations in this section, for use during the
4 fiscal year beginning July 1, 1996, and ending June 30, 1997,
5 to be used for the purposes designated:

6 1. To the state board of regents for Iowa state university
7 of science and technology for support of Iowa's participation
8 in the funding of the world food prize:

9 \$ 300,000

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

14 \$ 50,000

15 3. To the department of general services for construction
16 of a world war II veterans memorial:

17 \$ 50,000

18 4. To the state board of regents for Iowa state university
19 of science and technology for support of an agriculture 2000
20 conference:

21 \$ 100,000

22 5. To the department of education for purposes of the
23 educational excellence commission:

24 \$ 250,000

25 6. To the department of commerce for the insurance
26 division for the community health management information
27 system:

28 \$ 300,000

29 7. To the department of human rights for the division of
30 criminal and juvenile justice planning, to be used for a grant
31 to a nonprofit agency located in the largest city in the state
32 for a juvenile crime and gang prevention pilot project to
33 develop, in part, evaluative criteria to gauge the success and
34 performance of programs and policies for preventing juvenile
35 crime or gang membership:

1 \$ 75,000

2 8. To the commission of veterans affairs to be used for
3 CD-ROM conversion:

4 \$ 252,000

5 Notwithstanding section 8.33, moneys appropriated in this
6 subsection shall not revert at the close of the fiscal year
7 but shall remain available for the purpose designated until
8 the close of the fiscal year beginning July 1, 1999.

9 Notwithstanding section 8.33, unless otherwise provided in
10 this section, moneys appropriated in this section which remain
11 unobligated or unexpended for the purpose designated shall
12 revert at the close of the fiscal year beginning July 1, 1997,
13 and ending June 30, 1998.

14 DIVISION III

15 Sec. 11. Section 99D.22, Code 1997, is amended by adding
16 the following new subsection:

17 NEW SUBSECTION. 5. For each fiscal year beginning July 1,
18 1997, there is appropriated from the general fund of the state
19 to the department of agriculture and land stewardship the
20 amount of one thousand dollars to support an Iowa-bred eclipse
21 award for the outstanding thoroughbred for the year.

22 Sec. 12. EFFECTIVE DATE. This Act, being deemed of
23 immediate importance, takes effect upon enactment.

24 EXPLANATION

25 The bill makes supplemental appropriations for the 1996-
26 1997 fiscal year from the state general fund to the
27 departments of agriculture and land stewardship, general
28 services, human services, inspections and appeals, natural
29 resources, and public safety, and to the state board of
30 regents. The appropriation to the department of general
31 services includes language applying contract and bidding
32 requirements. The bill also makes supplemental appropriations
33 for the 1996-1997 fiscal year from remaining lottery revenues
34 from the 1994-1995 fiscal year to the departments of cultural
35 affairs, general services, human rights, commerce, and

1 education, to the state board of regents and to the commission
2 on veterans affairs. The bill includes language stating that
3 the appropriations of the lottery revenues are contingent on
4 each other and that a veto of any provision of that section
5 constitutes a veto of the entire section. The bill includes a
6 \$1,000 standing appropriation to the department of agriculture
7 and land stewardship for an award to an outstanding
8 thoroughbred.

9 The bill takes effect upon enactment.

- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29
- 30
- 31
- 32
- 33
- 34
- 35

SENATE FILE 542

S-3532

1 Amend Senate File 542 as follows:

2 1. Page 5, by inserting after line 8 the
3 following:

4 "Sec. ____ . SNOW DISASTER EMERGENCY GRANTS TO
5 COUNTIES. There is appropriated from the general fund
6 of the state to the department of public defense for
7 the fiscal year beginning July 1, 1996, and ending
8 June 30, 1997, the following amount, or so much
9 thereof as is necessary, to be used for the purpose
10 designated:

11 For distribution by the emergency management
12 division to assist those counties proclaimed by the
13 governor to be in a state of disaster emergency as the
14 result of a severe winter storm:

15 \$ 100,000

16 Funding distributed to a county eligible for
17 assistance under this section shall not exceed the
18 amount the county expended in excess of the county's
19 approved budget amount for snow removal. If the total
20 amount of excess expenditures by all counties eligible
21 for assistance exceeds the amount appropriated, the
22 amounts distributed shall be prorated based upon a
23 county's share of the total amount of excess
24 expenditures by all counties. If the total amount of
25 excess expenditures is less than the amount
26 appropriated, the remainder of the appropriation shall
27 revert to the general fund of the state."

28 2. By renumbering as necessary.

By TOM VILSACK
MARY LOU FREEMAN
PATTY JUDGE

S-3532 FILED APRIL 16, 1997

Adopted 4/22/97 (p. 1337)

SENATE FILE 542

S-3564

1 Amend Senate File 542 as follows:

2 1. Page 7, by inserting after line 21 the
3 following:

4 "Sec. ____ . Section 422.73, Code 1997, is amended
5 by adding the following new subsection:

6 NEW SUBSECTION. 3. Notwithstanding subsection 2,
7 a claim for refund of individual income tax paid for
8 any tax year beginning on or after January 1, 1985,
9 and before January 1, 1989, is considered timely if
10 filed with the department on or before June 30, 1997,
11 if the taxpayer's claim is the result of the
12 unconstitutional taxation of federal pension benefits
13 based upon the decision in Davis v. Michigan
14 Department of Treasury, 489 U.S. 803, 109 S. Ct. 1500
15 (1989).

16 A taxpayer entitled to a refund of tax paid under
17 this subsection shall receive an amount equal to one
18 hundred percent of the refund without interest. The
19 claim for refund shall be filed separate from any
20 income tax return and shall not be allowed as a credit
21 for income taxes owed. A claim shall be filed between
22 the effective date of this Act and October 31, 1997.
23 An extension for filing shall not be allowed and
24 claims disallowed on the basis of timeliness shall not
25 be allowed upon appeal to any other state agency
26 notwithstanding any other provision of law.

27 The claim for refund shall be made on claim forms
28 to be made available by the department. In order for
29 a taxpayer to have a valid refund claim, the taxpayer
30 must supply legible copies of documents the director
31 deems necessary to show entitlement to the refund,
32 including but not limited to income tax forms and W-2P
33 forms, which will establish the state income tax that
34 was paid on the federal pension benefits for the tax
35 years in question. The burden of proof is on the
36 taxpayer to show that the claim for refund is valid.
37 Estates are not entitled to file a claim for refund
38 under this subsection, except a spouse of a deceased
39 taxpayer who was the spouse of the taxpayer when the
40 unconstitutional tax was imposed may file a claim for
41 refund without reopening the deceased taxpayer's
42 estate. If a taxpayer has filed a claim under this
43 subsection and subsequently dies before receipt of the
44 refund, the taxpayer's estate is entitled to receipt
45 of any valid refund claim.

46 The department shall make a reasonable attempt to
47 notify individuals who are entitled to a refund under
48 this subsection."

49 2. By renumbering as necessary.

By STEVEN D. HANSEN

S-3564 FILED APRIL 17, 1997

Lost 4/22/97 (p. 1339)

SENATE FILE 542

S-3580

1 Amend Senate File 542 as follows:
2 1. Page 7, by inserting after line 13 the
3 following:

4 "DIVISION

5 Sec. ____ . Section 8.59, Code 1997, is amended to
6 read as follows:

7 8.59 APPROPRIATIONS FREEZE.

8 Notwithstanding contrary provisions of the Code,
9 the amounts appropriated under the applicable sections
10 of the Code for fiscal years commencing on or after
11 July 1, 1993, are limited to those amounts expended
12 under those sections for the fiscal year commencing
13 July 1, 1992. If an applicable section appropriates
14 moneys to be distributed to different recipients and
15 the operation of this section reduces the total amount
16 to be distributed under the applicable section, the
17 moneys shall be prorated among the recipients. As
18 used in this section, "applicable sections" means the
19 following sections: 53.50, 229.35, 230.8, 230.11,
20 405A.8, 411.20, ~~425.17, 425.39, 426A.17~~ 663.44, and
21 822.5.

22 Sec. ____ . Section 425.23, subsection 1, paragraph
23 a, Code 1997, is amended to read as follows:

24 a. The tentative credit or reimbursement for a
25 claimant described in section 425.17, subsection 2,
26 paragraph "a", ~~and paragraph "b" if no appropriation~~
27 ~~is made to the fund created in section 425.40~~ shall be
28 determined in accordance with the following schedule:

29		Percent of property taxes
30		due or rent constituting
31		property taxes paid
32	If the household	allowed as a credit or
33	income is:	reimbursement:
34	\$ 0 -- 5,999.99.....	100%
35	6,000 -- 6,999.99.....	85
36	7,000 -- 7,999.99.....	70
37	8,000 -- 9,999.99.....	50
38	10,000 -- 11,999.99.....	35
39	12,000 -- 13,999.99.....	25

40 Sec. ____ . Section 425.23, subsection 1, paragraph b, Code 1997,
41 is amended by striking the paragraph and inserting in lieu
42 thereof the following:

43 b. The tentative credit or
44 reimbursement for a claimant described in section 425.17,
45 subsection 2, paragraph "b", shall
46 be determined in accordance with the
47 following schedule:

48		Percent of property taxes
49		due or rent constituting
50		property taxes paid

S-3580

S-3580

Page 2

1	If the household	allowed as a credit or
2	income is:	reimbursement:
3	\$ 0 -- 5,999.99.....	100%
4	6,000 -- 6,999.99.....	85
5	7,000 -- 7,999.99.....	70
6	8,000 -- 9,999.99.....	50
7	10,000 -- 11,999.99.....	35
8	12,000 -- 13,999.99.....	25

9 Sec. ____ . Section 425.23, subsection 3, paragraph
10 a, Code 1997, is amended to read as follows:

11 a. A person who is eligible to file a claim for
12 credit for property taxes due and who has a household
13 income of six thousand dollars or less and who has an
14 unpaid special assessment levied against the homestead
15 may file a claim for a special assessment credit with
16 the county treasurer. The department shall provide to
17 the respective treasurers the forms necessary for the
18 administration of this subsection. The claim shall be
19 filed not later than September 30 of each year. Upon
20 the filing of the claim, interest for late payment
21 shall not accrue against the amount of the unpaid
22 special assessment due and payable. The claim filed
23 by the claimant constitutes a claim for credit of an
24 amount equal to the actual amount due upon the unpaid
25 special assessment, plus interest, payable during the
26 fiscal year for which the claim is filed against the
27 homestead of the claimant. ~~However, where the~~
28 ~~claimant is an individual described in section 425.17~~
29 ~~subsection 2, paragraph "b", and the tentative credit~~
30 ~~is determined according to the schedule in section~~
31 ~~425.23, subsection 1, paragraph "b", subparagraph (2),~~
32 ~~the claim filed constitutes a claim for credit of an~~
33 ~~amount equal to one-half of the actual amount due and~~
34 ~~payable during the fiscal year.~~ The treasurer shall
35 certify to the director of revenue and finance not
36 later than October 15 of each year the total amount of
37 dollars due for claims allowed. The amount of
38 reimbursement due each county shall be paid by the
39 director of revenue and finance by November 15 of each
40 year, drawn upon warrants payable to the respective
41 treasurer. There is appropriated annually from the
42 general fund of the state to the department of revenue
43 and finance an amount sufficient to carry out the
44 provisions of this subsection. The treasurer shall
45 credit any moneys received from the department against
46 the amount of the unpaid special assessment due and
47 payable on the homestead of the claimant.

48 Sec. ____ . Section 425.39, subsection 1, Code 1997,
49 is amended to read as follows:

50 ~~1.~~ The extraordinary property tax credit and

S-3580

S-3580

Page 3

1 reimbursement fund is created. There is appropriated
2 annually from the general fund of the state to the
3 department of revenue and finance to be credited to
4 the extraordinary property tax credit and
5 reimbursement fund, from funds not otherwise
6 appropriated, an amount sufficient to implement this
7 division for claimants described in section 425.17,
8 subsection 2, paragraph "a".

9 Sec. _____. Section 425.39, subsection 2, Code 1997,
10 is amended by striking the subsection.

11 Sec. _____. Section 425.40, subsection 1, Code 1997,
12 is amended to read as follows:

13 ~~1.~~ A low-income tax credit and reimbursement fund
14 is created. There is appropriated annually from the
15 general fund of the state to the department of revenue
16 and finance to be credited to the low-income tax
17 credit and reimbursement fund, from funds not
18 otherwise appropriated, an amount sufficient to
19 implement this division for claimants described in
20 section 425.17, subsection 2, paragraph "b".

21 Sec. _____. Section 425.40, subsection 2, Code 1997,
22 is amended by striking the subsection.

23 Sec. _____. This division of this Act applies to
24 reimbursements made for property tax credits and to
25 reimbursements for rent constituting property taxes
26 payable on or after July 1, 1997."

By TOM FLYNN

DON GETTINGS

ROBERT E. DVORSKY

PATRICK J. DELUHERY

MIKE CONNOLLY

MARY NEUHAUSER

ROD HALVORSON

EUGENE S. FRAISE

MATT McCOY

TOM VILSACK

PATRICIA HARPER

DENNIS H. BLACK

PATTY JUDGE

STEVEN D. HANSEN

BILL FINK

WALLY E. HORN

JOHNIE HAMMOND

S-3580 FILED APRIL 17, 1997

Ruled % 4/22/97 (p. 1338)

SENATE FILE 542

S-3672

1 Amend Senate File 542 as follows:
2 1. Page 1, line 2, by striking the word "ECLIPSE"
3 and inserting the following: "CLASSIC HORSE".
4 2. Page 1, by striking lines 8 through 10 and
5 inserting the following:
6 "For purchase of a trophy for each outstanding
7 Iowa-bred thoroughbred horse, quarter horse, and
8 standardbred horse, to be known as the Iowa classic
9 award, as determined by the department of agriculture
10 and land stewardship:
11 \$ 1,500
12 The Iowa classic award for the outstanding Iowa-
13 bred thoroughbred horse, quarter horse, and
14 standardbred horse shall be presented by the governor
15 or the governor's designee during the Iowa classic day
16 at Prairie Meadows racetrack."
17 3. Page 7, by striking lines 17 through 21 and
18 inserting the following:
19 "NEW SUBSECTION. 5. For each fiscal year
20 beginning July 1, 1998, there is appropriated from the
21 general fund of the state to the department of
22 agriculture and land stewardship the amount of one
23 thousand five hundred dollars to be used for purchase
24 of a trophy for each outstanding Iowa-bred
25 thoroughbred horse, quarter horse, and standardbred
26 horse, to be known as the Iowa classic award, as
27 determined by the department of agriculture and land
28 stewardship. The presentation of the Iowa classic
29 award shall be made by the governor or the governor's
30 designee during the Iowa classic day at Prairie
31 Meadows racetrack."

By DENNIS H. BLACK
ALLEN BORLAUG
JACK RIFE

S-3672 FILED APRIL 21, 1997

Adopted 4/22/97 (p. 1337)

SENATE FILE 542

S-3675

1 Amend Senate File 542 as follows:

2 1. Page 7, by striking lines 22 and 23 and
3 inserting the following:

4 "Sec. ____ . EFFECTIVE DATES. Division I, relating
5 to supplemental appropriations from the general fund
6 of the state, division II, relating to lottery fund
7 appropriations, and this division of this Act, being
8 deemed of immediate importance, take effect upon
9 enactment.

10

DIVISION ____

11 Sec. ____ . Section 8.22A, subsection 5, paragraph
12 a, Code 1997, is amended to read as follows:

13 a. The amount of lottery revenues for the
14 following fiscal year to be ~~available-for-disbursement~~
15 transferred from the lottery fund to the general fund
16 of the state following the deductions made pursuant to
17 section 99E.10, subsection 1.

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

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

S-3675

-1-

S-3675

Page 2

~~1 section-12B-10---The-interest-or-earnings-on-the
2 deposits-or-investments-shall-be-considered-part-of
3 the-CLEAN-fund-and-shall-be-retained-in-the-fund
4 unless-appropriated-by-the-general-assembly.~~

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

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

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

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

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

27 2. By renumbering as necessary.

By DERRYL McLAREN

S-3675 FILED APRIL 22, 1997

WITHDRAWN (p. 1340)

SENATE FILE 542

S-3676

1 Amend Senate File 542 as follows:

2 1. Page 7, line 4, by striking the figure
3 "252,000" and inserting the following: "229,317".

By DERRYL McLAREN
TOM FLYNN

S-3676 FILED APRIL 22, 1997

ADOPTED (p. 1338)

SENATE FILE 542

S-3690

1 Amend Senate File 542 as follows:
2 1. Page 7, by inserting before line 22 the
3 following:
4 "Sec. ____ . Section 99F.6, subsection 4, paragraph
5 a, Code 1997, is amended to read as follows:
6 a. Before a license is granted, the division of
7 criminal investigation of the department of public
8 safety shall conduct a thorough background
9 investigation of the applicant for a license to
10 operate a gambling game operation on an excursion
11 gambling boat. The applicant shall provide
12 information on a form as required by the division of
13 criminal investigation. A qualified sponsoring
14 organization licensed to operate gambling games under
15 this chapter shall distribute the receipts of all
16 gambling games, less reasonable expenses, charges,
17 taxes, fees, and deductions allowed under this
18 chapter, as winnings to players or participants or
19 shall distribute the receipts for educational, civic,
20 public, charitable, patriotic, or religious uses as
21 defined in section 99B.7, subsection 3, paragraph "b".
22 However, if a licensee who is also licensed to conduct
23 pari-mutuel wagering at a horse racetrack has unpaid
24 debt from the pari-mutuel racetrack operations, the
25 first receipts of the gambling games operated within
26 the racetrack enclosure less reasonable operating
27 expenses, taxes, and fees allowed under this chapter
28 shall be first used to pay the annual indebtedness.
29 The commission shall authorize, subject to the debt
30 payments for horse racetracks and the provisions of
31 paragraph "b" for dog racetracks, a licensee who is
32 also licensed to conduct pari-mutuel dog or horse
33 racing to use receipts from gambling games within the
34 racetrack enclosure to supplement purses for races
35 particularly for Iowa-bred horses pursuant to an
36 agreement which shall be negotiated between the
37 licensee and representatives of the dog or horse
38 owners. For a licensee who is also licensed to
39 conduct pari-mutuel horse racing, the supplement to
40 the horse race purses shall be an amount equal to
41 fifteen percent of the annual adjusted gross receipts
42 received from gambling games and, of the total sum
43 allocated to supplement horse race purses, twenty
44 percent shall be used to supplement the purses of
45 Iowa-bred horses. A qualified sponsoring organization
46 shall not make a contribution to a candidate,
47 political committee, candidate's committee, state
48 statutory political committee, county statutory
49 political committee, national political party, or
50 fund-raising event as these terms are defined in

S-3690

-1-

S-3690

Page 2

1 section 56.2. The membership of the board of
2 directors of a qualified sponsoring organization shall
3 represent a broad interest of the communities."
4 2. By renumbering as necessary.

By JACK RIFE

S-3690 FILED APRIL 22, 1997

RULED OUT OF ORDER (p. 1339)

SENATE FILE 542

S-3691

1 Amend Senate File 542 as follows:

2 1. Page 7, by inserting before line 24 the
3 following:

4 "DIVISION

5 Sec. 100. NEW SECTION. 236.15B INCOME TAX
6 CHECKOFF FOR DOMESTIC ABUSE SERVICES.

7 A person who files an individual or a joint income
8 tax return with the department of revenue and finance
9 under section 422.13 may designate any amount to be
10 paid to the general fund of the state and used for the
11 purposes of providing emergency shelter services,
12 support services, and other services to victims of
13 domestic abuse or sexual assault. If the refund due
14 on the return or the payment remitted with the return
15 is insufficient to pay the additional amount
16 designated by the taxpayer to be used for the purposes
17 of providing services to victims of domestic abuse or
18 sexual assault, the amount designated shall be reduced
19 to the remaining amount of refund or the remaining
20 amount remitted with the return.

21 It is the intent of the general assembly that the
22 funds generated from the checkoff be appropriated and
23 used for the purposes of providing services to victims
24 of domestic abuse or sexual assault.

25 The director of revenue and finance shall draft the
26 income tax form to allow the designation of
27 contributions to be used for the purposes of providing
28 services to victims of domestic abuse or sexual
29 assault on the tax return.

30 The department of revenue and finance on or before
31 January 31 of the calendar year following the calendar
32 year in which the tax returns were filed shall certify
33 the total amount designated on the tax return forms
34 due in the preceding calendar year and shall report
35 the amount to the treasurer of state.

36 The department of revenue and finance shall consult
37 the crime victim assistance board concerning the
38 adoption of rules to implement this section. However,
39 before a checkoff pursuant to this section shall be
40 permitted, all liabilities on the books of the
41 department of revenue and finance and accounts
42 identified as owing under section 421.17 and the
43 political contribution allowed under section 56.18
44 shall be satisfied.

45 Sec. 200. Section 236.15A, Code 1997, is repealed.

46 Sec. ____ . APPROPRIATION. There is appropriated
47 from the general fund of the state to the department
48 of justice for the fiscal year beginning July 1, 1996,
49 and ending June 30, 1997, the following amount, or so
50 much thereof as is necessary, to be used for the

S-3691

S-3691

Page 2

1 purpose designated:

2 To fund domestic abuse and sexual assault grants
3 administered by the crime victim assistance division
4 of the department of justice for the purposes of
5 providing emergency shelter services, support
6 services, and other services to victims of domestic
7 abuse or sexual assault:

8 \$ 75,000

9 Notwithstanding section 8.33, moneys appropriated
10 in this section shall not revert but shall remain
11 available for the purposes designated until the close
12 of the fiscal year ending June 30, 1999.

13 Sec. ____ . RETROACTIVE APPLICABILITY. Section 100
14 of this division of this Act applies retroactively to
15 January 1, 1997, for tax years beginning on or after
16 that date. Section 200 of this division of this Act
17 applies retroactively to January 1, 1996, for tax
18 years beginning on or after that date."

By ROBERT E. DVORSKY

S-3691 FILED APRIL 22, 1997

ADOPTED (p. 1340)

SENATE FILE 542

S-3693

1 Amend Senate File 542 as follows:

2 1. Page 6, by striking line 31 and inserting the
3 following: "to a nonprofit agency headquartered in a
4 city of this state with a population of less than
5 190,000,".

By JACK RIFE

S-3693 FILED APRIL 22, 1997

ADOPTED (p. 1340)

SENATE FILE 542

S-3694

1 Amend Senate File 542 as follows:

2 1. Page 7, by striking lines 22 and 23 and
3 inserting the following:

4 "Sec. ____ . EFFECTIVE DATES. Division I, relating
5 to supplemental appropriations from the general fund
6 of the state, division II, relating to lottery fund
7 appropriations, and this division of this Act, being
8 deemed of immediate importance, take effect upon
9 enactment.

10

DIVISION ____

11 Sec. ____ . Section 8.22A, subsection 5, paragraph
12 a, Code 1997, is amended to read as follows:

13 a. The amount of lottery revenues for the
14 following fiscal year to be ~~available-for-disbursement~~
15 transferred from the lottery fund to the general fund
16 of the state following the deductions made pursuant to
17 section 99E.10, subsection 1.

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

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

S-3694

-1-

S-3694

Page 2

~~1 section 12B.10.--The interest or earnings on the
2 deposits or investments shall be considered part of
3 the CLEAN fund and shall be retained in the fund
4 unless appropriated by the general assembly.~~

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

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

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

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

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

27 2. By renumbering as necessary.

By DERRYL McLAREN

S-3694 FILED APRIL 22, 1997

WITHDRAWN (p. 1341)

DIVISION I

1
2 Section 1. IOWA-BRED CLASSIC HORSE AWARD. There is
3 appropriated from the general fund of the state to the
4 department of agriculture and land stewardship for the fiscal
5 year beginning July 1, 1996, and ending June 30, 1997, the
6 following amount, or so much thereof as is necessary, to be
7 used for the purpose designated:

8 For purchase of a trophy for each outstanding Iowa-bred
9 thoroughbred horse, quarter horse, and standardbred horse, to
10 be known as the Iowa classic award, as determined by the
11 department of agriculture and land stewardship:

12 \$ 1,500

13 The Iowa classic award for the outstanding Iowa-bred
14 thoroughbred horse, quarter horse, and standardbred horse
15 shall be presented by the governor or the governor's designee
16 during the Iowa classic day at Prairie Meadows racetrack.

17 Notwithstanding section 8.33, moneys appropriated in this
18 section which remain unobligated or unexpended at the close of
19 the fiscal year shall not revert but shall remain available
20 for the purpose designated in the succeeding fiscal year.

21 Sec. 2. DEPARTMENT OF GENERAL SERVICES. There is
22 appropriated from the general fund of the state to the
23 department of general services for the fiscal year beginning
24 July 1, 1996, and ending June 30, 1997, to supplement the
25 appropriations made in 1996 Iowa Acts, chapter 1211, section
26 5, subsection 6, the following amount, or so much thereof as
27 is necessary, to be used for the purpose designated:

28 For utility costs:
29 \$ 234,591

30 Sec. 3. DEPARTMENT OF GENERAL SERVICES -- CENTURY DATE
31 CHANGE. There is appropriated from the general fund of the
32 state to the department of general services for the fiscal
33 year beginning July 1, 1996, and ending June 30, 1997, the
34 following amounts, or so much thereof as is necessary, to be
35 used for the purposes designated:

1 1. For state acquisition in accordance with the
2 competitive bidding requirements of this section and as a
3 condition of the appropriation made in this subsection of new
4 information technology hardware and software which already
5 includes the century date change programming and which
6 achieves additional purposes in replacing state hardware and
7 software for which the century date change programming is
8 required:

9 \$ 2,500,000

10 Moneys appropriated in this subsection shall be used for
11 the purpose designated and notwithstanding section 8.39 are
12 not subject to transfer or use for any other purpose.

13 2. For the costs of century date change programming in
14 existing state information technology software when state
15 acquisition of new information technology hardware and
16 software which already includes the century date change
17 programming and which achieves additional purposes to
18 incorporate the century date change, is not cost effective,
19 provided the programming is acquired in accordance with the
20 competitive bidding requirements of this section and as a
21 condition of the appropriation made in this subsection:

22 \$ 2,500,000

23 Moneys appropriated in this subsection shall be used for
24 the purpose designated and notwithstanding section 8.39 are
25 not subject to transfer or use except for the purposes of
26 additional acquisitions under subsection 1.

27 The department shall not enter into a contract or any other
28 obligation for the purpose of addressing the need for century
29 date programming which would require the need for funding in
30 excess of the amount appropriated in this section. The
31 department shall utilize, to the greatest extent possible,
32 students and other knowledgeable persons connected with Iowa's
33 colleges and universities in developing or acquiring hardware,
34 software, and programming funded under this section.

35 Otherwise, any acquisition for the purposes described in this

1 section is subject to competitive bidding requirements in rule
2 adopted under law and in accordance with the requirements of
3 this section. In order to maintain maximum open and free
4 competition among bidders, an eligible bidder shall have been
5 organized or doing business prior to January 1, 1997. In
6 addition, an eligible bidder shall not have a relationship
7 with the state for assessment of bids or for preparation of a
8 request for proposals under this section. A bidder with an
9 actual or organizational conflict of interest shall be
10 disqualified. A bidder shall be considered to have a conflict
11 of interest if the organization, or a parent, subsidiary, or
12 affiliated organization, of which the bidder is a shareholder,
13 partner, limited partner, or member, has a conflict of
14 interest. A bidder shall provide assurances of compliance
15 with the requirements of this paragraph at the time of
16 submitting a bid or proposal for any acquisition for the
17 purposes described in this section.

18 Notwithstanding section 8.33, moneys appropriated in this
19 section which remain unexpended or unencumbered at the close
20 of the fiscal year shall not revert to the general fund of the
21 state but shall remain available to be used for the purposes
22 designated until the close of the fiscal year beginning July
23 1, 1999.

24 Sec. 4. SOCIAL SERVICES BLOCK GRANT -- APPROPRIATION.

25 There is appropriated from the general fund of the state to
26 the department of human services for the fiscal year beginning
27 July 1, 1996, and ending June 30, 1997, to supplement the
28 appropriation and allocation made in 1996 Iowa Acts, chapter
29 1210, section 10, subsection 3, paragraph "g", the following
30 amount, or so much thereof as is necessary, to be used for the
31 purpose designated:

32 For MH/MR/DD/BI community service (local purchase) to be
33 distributed and used in accordance with 1996 Iowa Acts,
34 chapter 1213, section 19, subsection 6:
35 \$ 194,057

1 Sec. 5. SOCIAL SERVICES BLOCK GRANT -- TRANSFER. It is
 2 the intent of the general assembly that the department of
 3 human services transfer not more than \$2,186,995 from the
 4 appropriation to the department in 1996 Iowa Acts, chapter
 5 1213, section 3, for the fiscal year beginning July 1, 1996,
 6 and ending June 30, 1997, to supplement the federal social
 7 services block grant appropriation in 1996 Iowa Acts, chapter
 8 1210, section 10, for distribution among the allocations in
 9 that block grant appropriation as follows:

10	a. General administration:	
11	.....	\$ 309,399
12	b. Field operations:	
13	.....	\$ 1,617,370
14	c. Child and family services:	
15	.....	\$ 214,578
16	d. Child care assistance:	
17	.....	\$ 41,736
18	e. Volunteers:	
19	.....	\$ 3,912

20 For purposes of section 8.62, moneys transferred under this
 21 section shall not be considered transferred pursuant to
 22 section 8.39 and the transferred moneys which remain
 23 unexpended or unencumbered at the close of the fiscal year may
 24 be encumbered and used by the department of human services as
 25 provided in section 8.62.

26 Sec. 6. DEPARTMENT OF INSPECTIONS AND APPEALS. There is
 27 appropriated from the general fund of the state to the
 28 department of inspections and appeals for the fiscal year
 29 beginning July 1, 1996, and ending June 30, 1997, to
 30 supplement the appropriations made in 1996 Iowa Acts, chapter
 31 1211, section 9, the following amount, or so much thereof as
 32 is necessary, to be used for the purpose designated:

33	For regulation of pari-mutuel racetrack operations:	
34	.....	\$ 98,695

35 Sec. 7. DEPARTMENT OF NATURAL RESOURCES -- BROWNFIELDS.

1 There is appropriated from the general fund of the state to
2 the department of natural resources for the fiscal year
3 beginning July 1, 1996, and ending June 30, 1997, the
4 following amount, or so much thereof as is necessary, to be
5 used for the purpose designated:

6 For support of the land recycling program and the technical
7 advisory committee established in 1997 Iowa Acts, Senate File
8 528, if enacted by the Seventy-seventh General Assembly, 1997
9 Session:

10 \$ 65,000

11 Moneys appropriated in this section which remain unexpended
12 or unencumbered at the close of the fiscal year shall not
13 revert to the general fund of the state but shall remain
14 available for expenditure in the succeeding fiscal year.

15 Sec. 8. SNOW DISASTER EMERGENCY GRANTS TO COUNTIES. There
16 is appropriated from the general fund of the state to the
17 department of public defense for the fiscal year beginning
18 July 1, 1996, and ending June 30, 1997, the following amount,
19 or so much thereof as is necessary, to be used for the purpose
20 designated:

21 For distribution by the emergency management division to
22 assist those counties proclaimed by the governor to be in a
23 state of disaster emergency as the result of a severe winter
24 storm:

25 \$ 100,000

26 Funding distributed to a county eligible for assistance
27 under this section shall not exceed the amount the county
28 expended in excess of the county's approved budget amount for
29 snow removal. If the total amount of excess expenditures by
30 all counties eligible for assistance exceeds the amount
31 appropriated, the amounts distributed shall be prorated based
32 upon a county's share of the total amount of excess
33 expenditures by all counties. If the total amount of excess
34 expenditures is less than the amount appropriated, the
35 remainder of the appropriation shall revert to the general

1 fund of the state.

2 Sec. 9. DEPARTMENT OF PUBLIC SAFETY. There is
3 appropriated from the general fund of the state to the
4 department of public safety for the fiscal year beginning July
5 1, 1996, and ending June 30, 1997, to supplement the
6 appropriations made in 1996 Iowa Acts, chapter 1216, section
7 21, the following amount, or so much thereof as is necessary,
8 to be used for the purpose designated:

9 For riverboat enforcement due to expanded operational
10 hours:
11 \$ 71,114

12 Sec. 10. STATE BOARD OF REGENTS. There is appropriated
13 from the general fund of the state to the state board of
14 regents for the fiscal year beginning July 1, 1996, and ending
15 June 30, 1997, to supplement the appropriations made in 1996
16 Iowa Acts, chapter 1215, section 12, the following amount, or
17 so much thereof as is necessary, to be used for the purpose
18 designated:

19 For salaries:
20 \$ 2,325,940

21 DIVISION II

22 Sec. 11. EXCESS LOTTERY REVENUES -- FY 1994-1995. Of the
23 lottery revenues received during the fiscal year beginning
24 July 1, 1994, which remain in the lottery fund following
25 transfers made pursuant to 1995 Iowa Acts, chapter 220,
26 section 16, and 1996 Iowa Acts, chapter 1219, section 14, the
27 following amounts are appropriated, on the condition that each
28 appropriation made in this section is contingent on all other
29 appropriations made in this section and that any veto of a
30 single appropriation in this section shall constitute a veto
31 of all appropriations in this section, for use during the
32 fiscal year beginning July 1, 1996, and ending June 30, 1997,
33 to be used for the purposes designated:

34 1. To the state board of regents for Iowa state university
35 of science and technology for support of Iowa's participation

1 in the funding of the world food prize:

2 \$ 300,000

3 2. To the department of cultural affairs for a grant to be
4 combined with local match funding of two dollars for every one
5 state dollar to be used for costs associated with
6 establishment of the Iowa fire fighters memorial:

7 \$ 50,000

8 3. To the department of general services for construction
9 of a world war II veterans memorial:

10 \$ 50,000

11 4. To the state board of regents for Iowa state university
12 of science and technology for support of an agriculture 2000
13 conference:

14 \$ 100,000

15 5. To the department of education for purposes of the
16 educational excellence commission:

17 \$ 250,000

18 6. To the department of commerce for the insurance
19 division for the community health management information
20 system:

21 \$ 300,000

22 7. To the department of human rights for the division of
23 criminal and juvenile justice planning, to be used for a grant
24 to a nonprofit agency headquartered in a city of this state
25 with a population of less than 190,000, for a juvenile crime
26 and gang prevention pilot project to develop, in part,
27 evaluative criteria to gauge the success and performance of
28 programs and policies for preventing juvenile crime or gang
29 membership:

30 \$ 75,000

31 8. To the commission of veterans affairs to be used for
32 CD-ROM conversion:

33 \$ 229,317

34 Notwithstanding section 8.33, moneys appropriated in this
35 subsection shall not revert at the close of the fiscal year

1 but shall remain available for the purpose designated until
2 the close of the fiscal year beginning July 1, 1999.

3 Notwithstanding section 8.33, unless otherwise provided in
4 this section, moneys appropriated in this section which remain
5 unobligated or unexpended for the purpose designated shall
6 revert at the close of the fiscal year beginning July 1, 1997,
7 and ending June 30, 1998.

8 DIVISION III

9 Sec. 12. Section 99D.22, Code 1997, is amended by adding
10 the following new subsection:

11 NEW SUBSECTION. 5. For each fiscal year beginning July 1,
12 1998, there is appropriated from the general fund of the state
13 to the department of agriculture and land stewardship the
14 amount of one thousand five hundred dollars to be used for
15 purchase of a trophy for each outstanding Iowa-bred
16 thoroughbred horse, quarter horse, and standardbred horse, to
17 be known as the Iowa classic award, as determined by the
18 department of agriculture and land stewardship. The
19 presentation of the Iowa classic award shall be made by the
20 governor or the governor's designee during the Iowa classic
21 day at Prairie Meadows racetrack.

22 DIVISION IV

23 Sec. 13. NEW SECTION. 236.15B INCOME TAX CHECKOFF FOR
24 DOMESTIC ABUSE SERVICES.

25 A person who files an individual or a joint income tax
26 return with the department of revenue and finance under
27 section 422.13 may designate any amount to be paid to the
28 general fund of the state and used for the purposes of
29 providing emergency shelter services, support services, and
30 other services to victims of domestic abuse or sexual assault.
31 If the refund due on the return or the payment remitted with
32 the return is insufficient to pay the additional amount
33 designated by the taxpayer to be used for the purposes of
34 providing services to victims of domestic abuse or sexual
35 assault, the amount designated shall be reduced to the

1 remaining amount of refund or the remaining amount remitted
2 with the return.

3 It is the intent of the general assembly that the funds
4 generated from the checkoff be appropriated and used for the
5 purposes of providing services to victims of domestic abuse or
6 sexual assault.

7 The director of revenue and finance shall draft the income
8 tax form to allow the designation of contributions to be used
9 for the purposes of providing services to victims of domestic
10 abuse or sexual assault on the tax return.

11 The department of revenue and finance on or before January
12 31 of the calendar year following the calendar year in which
13 the tax returns were filed shall certify the total amount
14 designated on the tax return forms due in the preceding
15 calendar year and shall report the amount to the treasurer of
16 state.

17 The department of revenue and finance shall consult the
18 crime victim assistance board concerning the adoption of rules
19 to implement this section. However, before a checkoff
20 pursuant to this section shall be permitted, all liabilities
21 on the books of the department of revenue and finance and
22 accounts identified as owing under section 421.17 and the
23 political contribution allowed under section 56.18 shall be
24 satisfied.

25 Sec. 14. Section 236.15A, Code 1997, is repealed.

26 Sec. 15. APPROPRIATION. There is appropriated from the
27 general fund of the state to the department of justice for the
28 fiscal year beginning July 1, 1996, and ending June 30, 1997,
29 the following amount, or so much thereof as is necessary, to
30 be used for the purpose designated:

31 To fund domestic abuse and sexual assault grants
32 administered by the crime victim assistance division of the
33 department of justice for the purposes of providing emergency
34 shelter services, support services, and other services to
35 victims of domestic abuse or sexual assault:

1 \$ 75,000

2 Notwithstanding section 8.33, moneys appropriated in this
3 section shall not revert but shall remain available for the
4 purposes designated until the close of the fiscal year ending
5 June 30, 1999.

6 Sec. 16. RETROACTIVE APPLICABILITY. Section 13 of this
7 division of this Act applies retroactively to January 1, 1997,
8 for tax years beginning on or after that date. Section 14 of
9 this division of this Act applies retroactively to January 1,
10 1996, for tax years beginning on or after that date.

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

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

HOUSE AMENDMENT TO
SENATE FILE 542

S-3858

1 Amend Senate File 542, as amended, passed, and
2 reprinted by the Senate, as follows:

- 3 1. Page 1, by striking lines 2 through 20.
- 4 2. Page 2, line 9, by striking the figure
- 5 "2,500,000" and inserting the following: "2,000,000".
- 6 3. Page 2, line 22, by striking the figure
- 7 "2,500,000" and inserting the following: "3,000,000".
- 8 4. Page 7, by striking lines 11 through 14.
- 9 5. Page 7, line 21, by striking the figure
- 10 "300,000" and inserting the following: "200,000".

11 Notwithstanding section 144C.8, subsection 1, the
12 implementation of phase I of the system may be delayed
13 until July 1, 1998. The funds appropriated in this
14 subsection shall be distributed to the system for the
15 collection of data necessary to implement section
16 144C.8, subsection 1, and the data collected shall be
17 verified for accuracy. It is the intent of the
18 general assembly that no additional appropriation will
19 be made for purposes of the community health
20 management information system.

21 . To the department of human services for
22 administration of a telemedicine services pilot
23 project under the medical assistance program:

24 \$ 60,000

25 The department shall utilize the moneys
26 appropriated in this subsection for administration of
27 a telemedicine pilot project and for medical
28 assistance payment for teleconsultive services to
29 eligible providers who are participating in a
30 federally funded telemedicine program. The department
31 shall evaluate the pilot project and report on savings
32 realized through the use of teleconsultive services
33 under the medical assistance program. The department
34 shall adopt emergency rules under section 17A.4,
35 subsection 2, and section 17A.5, subsection 2,
36 paragraph "b", to implement the provisions of this
37 subsection and the rules shall become effective
38 immediately upon filing unless the effective date is
39 delayed by the administrative rules review committee,
40 notwithstanding section 17A.4, subsection 5, and
41 section 17A.8, subsection 9, or a later date is
42 specified in the rules. Any rules adopted in
43 accordance with this subsection shall not take effect
44 before the rules are reviewed by the administrative
45 rules review committee. Any rules adopted in
46 accordance with this section shall also be published
47 as a notice of intended action as provided in section
48 17A.4.

49 . To the Iowa department of public health for
50 implementation of the provisions of 1997 Iowa Acts,

S-3858

S-3858

Page 2

1 Senate File 128:

2 \$ 40,000

3 _____. To the department of human services to be
4 used for implementation of child support enforcement
5 changes necessitated by federal welfare reform
6 legislation, provided that none of the moneys shall be
7 used to fill new full-time equivalent positions:

8 \$ 300,000"

9 6. Page 7, by striking lines 22 through 30.

10 7. Page 8, by inserting after line 2 the
11 following:

12 "_____. To the department of natural resources for
13 allocation to the United States department of
14 agriculture, animal and plant health inspection
15 service, to be used for animal damage control in this
16 state:

17 \$ 50,000"

18 8. Page 8, by inserting before line 3 the
19 following:

20 "_____. To the department of education to develop an
21 initiative to improve access to education through
22 distance learning in postsecondary institutions:

23 \$ 50,000"

24 9. Page 8, by inserting after line 7 the
25 following:

26 "Sec. _____. FISCAL YEAR 1997-1998 LOTTERY TRANSFER.
27 Notwithstanding the requirement in section 99E.10,
28 subsection 1, to transfer lottery revenue remaining
29 after expenses are deducted, notwithstanding the
30 requirement under section 99E.20, subsection 2, for
31 the commissioner to certify and transfer a portion of
32 the lottery fund to the CLEAN fund, and
33 notwithstanding the appropriations and allocations in
34 section 99E.34, all lottery revenues received during
35 the fiscal year beginning July 1, 1997, and ending
36 June 30, 1998, after deductions as provided in section
37 99E.10, subsection 1, and as appropriated under any
38 Act of the Seventy-seventh General Assembly, 1997
39 Session, shall not be transferred to and deposited
40 into the CLEAN fund but shall be transferred and
41 credited to the general fund of the state."

42 10. Page 8, by striking lines 8 through 21.

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

"DIVISION

46 Sec. _____. VALUE-ADDED PRODUCTION ASSISTANCE.

47 1. It is the intent of the general assembly to
48 support the creation of an ag-initiative 2000
49 subaccount in the community economic betterment
50 program account as provided in and for the purposes

S-3858

S-3858

Page 3

1 stated in the Senate amendment, H-1975, to House File
2 731. As evidence of this support, the general
3 assembly directs the department of economic
4 development to use resources under existing financial
5 assistance programs to support the organization of
6 innovative ownership and management entities involving
7 valued-added agricultural processes. The department
8 shall explore all capital assistance opportunities and
9 may consider proposals from and negotiate with
10 potential entities.

11 2. The legislative council shall create a four-
12 member task force consisting of one senator of each
13 party and one representative of each party designated
14 by their respective leadership which shall assist the
15 department of economic development and the office of
16 the governor in any negotiations.

17 3. Proposals developed in conjunction with the
18 department, the governor, and the task force for
19 providing capital incentives or capital assistance
20 presently not available shall be presented to the
21 general assembly for its approval.

22 4. The department of economic development shall
23 report to the task force and the office of the
24 governor on its activities pursuant to this section."

25 12. Page 10, by inserting after line 10 the
26 following:

27 "DIVISION
28 Sec. _____. Section 279.51, subsection 1, unnumbered
29 paragraph 1, Code 1997, is amended to read as follows:

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

35 Sec. _____. Section 279.51, subsection 1, paragraph
36 b, Code 1997, is amended to read as follows:

37 b. For the fiscal year beginning July 1, ~~1996~~
38 1997, and for each succeeding fiscal year, ~~seven~~ eight
39 million six three hundred seventy twenty thousand
40 dollars of the funds appropriated shall be allocated
41 to the child development coordinating council
42 established in chapter 256A for the purposes set out
43 in subsection 2 of this section and section 256A.3.

44 DIVISION
45 Sec. _____. NEW SECTION. 12C.26 TOBACCO SETTLEMENT
46 FUND.

47 A tobacco settlement fund is created in the office
48 of the treasurer of state. After payment of
49 litigation costs, the state portion of any moneys paid
50 to the state by tobacco companies in settlement of the

S-3858

-3-

S-3858

Page 4

1 state's lawsuit for recovery of public expenditures
2 associated with tobacco use shall be deposited in the
3 tobacco settlement fund. Moneys deposited in the fund
4 shall be used only as provided in appropriations from
5 the fund to the department of human services for the
6 medical assistance program and to the Iowa department
7 of public health for programs to reduce smoking by
8 teenage youth. For purposes of this section,
9 "litigation costs" are those costs itemized by the
10 attorney general and submitted to and approved by the
11 general assembly.

12 Sec. _____. 1997 Iowa Acts, House File 715, section
13 9, subsection 3, unnumbered paragraph 1, if enacted,
14 is amended to read as follows:

15 For the purposes of this subsection, the term
16 "poverty level" means the poverty level defined by the
17 poverty income guidelines published by the United
18 States department of health and human services.
19 Effective ~~October~~ July 1, 1997, the department shall
20 increase to 125 percent the maximum federal poverty
21 level used to determine eligibility for state child
22 care assistance. Based upon the availability of the
23 funding provided in subsection 2 the department shall
24 establish waiting lists for state child care
25 assistance in descending order of prioritization as
26 follows:

27 Sec. _____. 1997 Iowa Acts, Senate File 131, section
28 1, amending section 239.14, if enacted, is repealed.

29 Sec. _____. 1997 Iowa Acts, Senate File 131, section
30 2, amending section 239.17, if enacted, is repealed.

DIVISION

31
32 Sec. _____. BUDGETING FOR RESULTS.

33 1. For the purposes of this section, unless the
34 context otherwise requires, the term "budgeting for
35 results" for a department or establishment as defined
36 in chapter 8 means the budgeting process which
37 includes steps for identifying and measuring desired
38 results by use of results-oriented performance
39 measures. Under budgeting for results the performance
40 measures are developed by a department or
41 establishment in collaboration with the department of
42 management and the legislative fiscal bureau for a
43 program administered by the department or
44 establishment.

45 2. If a new program commences on or after July 1,
46 1997, under a department or establishment or the
47 source of funding for a program administered by a
48 department or establishment is changed by law from the
49 source of funding used in the previous fiscal year,
50 the program may be included in budgeting for results

S-3858

S-3858

Page 5

1 for the fiscal years beginning July 1, 1997, and July
2 1, 1998.

3 3. It is the intent of the general assembly to
4 consider requiring that all programs administered by
5 departments and establishments will be included in
6 budgeting for results.

7 4. The departments and establishments utilizing
8 budgeting for results, shall collect data as
9 determined by the department of management in
10 collaboration with the legislative fiscal bureau, for
11 use in evaluating the programs included in budgeting
12 for results. The data shall measure the effectiveness
13 of a program in achieving the stated desired results.
14 Analysis of the data and evaluations of the
15 effectiveness of a program in achieving the desired
16 results shall be submitted by the departments and
17 establishments to the governor and general assembly
18 for use in making budgetary and policy decisions.

19 DIVISION

20 Sec. ____ . NEW SECTION. 692.2A CRIMINAL HISTORY
21 DATA CHECK PREPAYMENT FUND.

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

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

33 3. Interest or earnings on moneys deposited in the
34 fund shall not be credited to the fund or to the
35 agency or person who deposited the money but shall be
36 deposited in the general fund of the state as provided
37 in section 12C.7. Notwithstanding section 8.33, moneys
38 remaining in the criminal history data check
39 prepayment fund at the end of a fiscal year shall not
40 revert to the general fund of the state.

41 Sec. ____ . DIRECTOR OF DEPARTMENT OF COMMERCE.
42 Notwithstanding section 546.2, subsection 2, the
43 governor may reappoint the commissioner of insurance
44 to be the director of the department of commerce for a
45 second year beginning July 1, 1997.

46 Sec. ____ . 1996 Iowa Acts, chapter 1218, section
47 10, unnumbered paragraph 3, is amended to read as
48 follows:

49 Of the appropriation in this section, \$50,000 shall
50 be used for costs associated with the renovation and

S-3858

-5-

S-3858

Page 6

1 repair of the Allison monument located on the state
2 capitol complex. ~~An effort shall be made by the~~
3 ~~department of education to match this appropriation~~
4 ~~from the citizens and the school children of Iowa as~~
5 ~~occurred when the monument was initially built.~~
6 Sec. _____. HOUSE FILE 453 -- EFFECTIVE DATE. 1997
7 Iowa Acts, House File 453, if enacted, being deemed of
8 immediate importance, takes effect upon enactment of
9 this Act.

10 Sec. 100. FEDERAL WELFARE REFORM COMPLIANCE --
11 CHILD SUPPORT ENFORCEMENT. For the fiscal year
12 beginning July 1, 1996, and ending June 30, 1997,
13 after \$36,370,000 of child support revenue has been
14 collected by the department of human services and
15 deposited in the family investment program account
16 established in section 239B.11, notwithstanding
17 section 8.33, not more than \$1,000,000 of the
18 remaining child support revenue collected and
19 deposited in the account which remains unobligated or
20 unexpended at the close of the fiscal year ending June
21 30, 1996, shall not revert to the general fund of the
22 state, but shall remain available and is appropriated
23 to the department for use in the succeeding fiscal
24 year for the purpose of implementing child support
25 enforcement changes necessitated by federal welfare
26 reform legislation.

27 Sec. _____. EFFECTIVE DATE. Section 100 of this
28 division of this Act, relating to federal welfare
29 reform compliance, being deemed of immediate
30 importance, takes effect upon enactment.

31 DIVISION _____ "

32 13. Title page, line 1, by inserting before the
33 word "appropriations" the following: "and other".

34 14. Title page, by striking lines 2 and 3, and
35 inserting the following: "fiscal year beginning July
36 1, 1996, and subsequent fiscal years, reestablishing a
37 domestic abuse services income tax checkoff, including
38 retroactive applicability provisions, and providing
39 effective dates."

40 15. By renumbering, relettering, or redesignating
41 and correcting internal references as necessary.

RECEIVED FROM THE HOUSE

S-3858 FILED APRIL 29, 1997

CONCURRED

SENATE FILE 542

H-1893

1 Amend Senate File 542, as amended, passed, and
2 reprinted by the Senate, as follows:

- 3 1. Page 1, by striking lines 2 through 20.
- 4 2. Page 2, line 9, by striking the figure
- 5 "2,500,000" and inserting the following: "3,000,000".
- 6 3. Page 2, line 22, by striking the figure
- 7 "2,500,000" and inserting the following: "2,000,000".
- 8 4. Page 7, line 2, by striking the figure
- 9 "300,000" and inserting the following: "250,000".
- 10 5. Page 7, by striking lines 11 through 14.
- 11 6. Page 7, line 21, by striking the figure
- 12 "300,000" and inserting the following: "240,000".
- 13 7. Page 7, by inserting after line 21 the
- 14 following:

15 "_____. To the department of human services to be
16 used for a telemedicine pilot project:

17 \$ 60,000"

18 8. Page 7, by striking lines 22 through 30.

19 9. Page 8, by inserting after line 2 the
20 following:

21 "_____. To the department of natural resources for
22 allocation to the United States department of
23 agriculture, animal and plant health inspection
24 service, to be used for animal damage control in this
25 state:

26 \$ 50,000"

27 10. Page 8, by striking lines 8 through 21.

28 11. By renumbering as necessary.

By COMMITTEE ON APPROPRIATIONS
MILLAGE of Scott, Chairperson

H-1893 FILED APRIL 23, 1997

A- Adopted as amended
B- Adopted

SENATE FILE 542

H-1930

1 Amend Senate File 542, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 8, by inserting after line 7 the
4 following:

"DIVISION III

CLEAN FUND REPEAL -- LOTTERY TRANSFER

7 Sec. _____. EXCESS LOTTERY REVENUES -- FY 1994-1995.

8 The lottery revenues received during the fiscal year
9 beginning July 1, 1994, which remain in the lottery
10 fund following transfers made pursuant to 1995 Iowa
11 Acts, chapter 220, section 16, and 1996 Iowa Acts,
12 chapter 1219, section 14, and following the amounts
13 appropriated and enacted in this division of this Act
14 or in any other Act of the Seventy-seventh General
15 Assembly, 1997 Session, shall be transferred and
16 credited to the general fund of the state."

17 2. By renumbering as necessary.

By BRUNKHORST of Bremer

H-1930 FILED APRIL 24, 1997

Adopted as amended 4/28/97 (p. 1635)

motion to R/C
Motion w/ R/C
Now withdrawn
H-1930

SENATE FILE 542

H-1937

1 Amend the amendment, H-1893, to Senate File 542, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, by striking lines 12 through 17 and
5 inserting the following: ""300,000" and inserting the
6 following: "200,000".

7 Notwithstanding section 144C.8, subsection 1, the
8 implementation of phase I of the system may be delayed
9 until July 1, 1998. The funds appropriated in this
10 subsection shall be distributed to the system for the
11 collection of data necessary to implement section
12 144C.8, subsection 1, and the data collected shall be
13 verified for accuracy. It is the intent of the
14 general assembly that no additional appropriation will
15 be made for purposes of the community health
16 management information system.

17 _____. To the department of human services for
18 administration of a telemedicine services pilot
19 project under the medical assistance program:

20 \$ 60,000

21 The department shall utilize the moneys
22 appropriated in this subsection for administration of
23 a telemedicine pilot project and for medical
24 assistance payment for teleconsultive services to
25 eligible providers who are participating in a
26 federally funded telemedicine program. The department
27 shall evaluate the pilot project and report on savings
28 realized through the use of teleconsultive services
29 under the medical assistance program. The department
30 shall adopt emergency rules under section 17A.4,
31 subsection 2, and section 17A.5, subsection 2,
32 paragraph "b", to implement the provisions of this
33 subsection and the rules shall become effective
34 immediately upon filing unless the effective date is
35 delayed by the administrative rules review committee,
36 notwithstanding section 17A.4, subsection 5, and
37 section 17A.8, subsection 9, or a later date is
38 specified in the rules. Any rules adopted in
39 accordance with this subsection shall not take effect
40 before the rules are reviewed by the administrative
41 rules review committee. Any rules adopted in
42 accordance with this section shall also be published
43 as a notice of intended action as provided in section
44 17A.4.

45 _____. To the Iowa department of public health for
46 implementation of the provisions of 1997 Iowa Acts,
47 Senate File 128:

48 \$ 40,000""

49 2. By renumbering as necessary.

By BRUNKHORST of Bremer

H-1937 FILED APRIL 24, 1997

Adopted 4/28/97 (p. 1635)

SENATE FILE 542

H-1936

1 Amend the amendment, H-1893, to Senate File 542, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

- 4 1. Page 1, line 5, by striking the figure
- 5 "3,000,000" and inserting the following: "2,000,000".
- 6 2. Page 1, line 7, by striking the figure
- 7 "2,000,000" and inserting the following: "3,000,000".
- 8 3. Page 1, by striking lines 8 and 9.
- 9 4. Page 1, by inserting after line 17 the
- 10 following:

11 "_____. To the department of human services to be
12 used for implementation of child support enforcement
13 changes necessitated by federal welfare reform
14 legislation, provided that none of the moneys shall be
15 used to fill new full-time equivalent positions:
16 \$ 300,000
17 5. By renumbering as necessary.

By JACOBS of Polk
HOUSER of Pottawattamie
MILLAGE of Scott

H-1936 FILED APRIL 24, 1997 *Adopted 4/28/97 (p. 1631)*

SENATE FILE 542

H-1941

1 Amend the amendment, H-1930, to Senate File 542, as
2 amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 1, by striking lines 5 and 6.
5 2. Page 1, line 7, by striking the word "Sec."
6 "_____" and inserting the following: ""Sec. _____."

By BRUNKHORST of Bremer

H-1941 FILED APRIL 28, 1997
ADOPTED *(p. 1634)*

SENATE FILE 542

H-1943

1 Amend the amendment, H-1893, to Senate File 542, as
2 amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 1, by striking lines 8 and 9.
5 2. By renumbering as necessary.

By MURPHY of Dubuque

H-1943 FILED APRIL 28, 1997
OUT OF ORDER *(p. 1631)*

SENATE FILE 542

H-1944

1 Amend Senate File 542, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. By striking page 1, line 30, through page 3,
4 line 23.
5 2. By renumbering as necessary.

By MURPHY of Dubuque

H-1944 FILED APRIL 28, 1997
LOST *(p. 1635)*

SENATE FILE 542

H-1993

1 Amend Senate File 542, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 10, by inserting after line 10 the
4 following:

5 "DIVISION

6 Sec. ____ . VALUE-ADDED PRODUCTION ASSISTANCE.

7 1. It is the intent of the general assembly to
8 support the creation of an ag-initiative 2000
9 subaccount in the community economic betterment
10 program account as provided in and for the purposes
11 stated in the Senate amendment, H-1975, to House File
12 731. As evidence of this support, the general
13 assembly directs the department of economic
14 development to use resources under existing financial
15 assistance programs to support the organization of
16 innovative ownership and management entities involving
17 valued-added agricultural processes. The department
18 shall explore all capital assistance opportunities and
19 may consider proposals from and negotiate with
20 potential entities.

21 2. The legislative council shall create a four-
22 member task force consisting of one senator of each
23 party and one representative of each party designated
24 by their respective leadership which shall assist the
25 department of economic development and the office of
26 the governor in any negotiations.

27 3. Proposals developed in conjunction with the
28 department, the governor, and the task force for
29 providing capital incentives or capital assistance
30 presently not available shall be presented to the
31 general assembly for its approval.

32 4. The department of economic development shall
33 report to the task force and the office of the
34 governor on its activities pursuant to this section."

35 2. By renumbering as necessary.

By MILLAGE of Scott
JACOBS of Polk
GREIG of Emmet

H-1993 FILED APRIL 29, 1997

ADOPTED

(p. 1762)

SENATE FILE 542

H-1992

1 Amend Senate File 542, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 8, by inserting before line 3 the
4 following:

5 " _____. To the department of education to develop an
6 initiative to improve access to education through
7 distance learning in postsecondary institutions:

8 \$ 50,000"

9 2. Page 8, by inserting after line 7 the
10 following:

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

27 3. Page 10, by inserting after line 10 the
28 following:

29 "DIVISION _____

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

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

37 Sec. _____. Section 279.51, subsection 1, paragraph
38 b, Code 1997, is amended to read as follows:

39 b. For the fiscal year beginning July 1, ~~1996~~
40 1997, and for each succeeding fiscal year, ~~seven eight~~
41 million ~~six~~ three hundred ~~seventy~~ twenty thousand
42 dollars of the funds appropriated shall be allocated
43 to the child development coordinating council
44 established in chapter 256A for the purposes set out
45 in subsection 2 of this section and section 256A.3.

46 DIVISION _____

47 Sec. _____. NEW SECTION. 12C.26 TOBACCO SETTLEMENT
48 FUND.

49 A tobacco settlement fund is created in the office
50 of the treasurer of state. After payment of

H-1992

H-1992

Page 2

1 litigation costs, the state portion of any moneys paid
2 to the state by tobacco companies in settlement of the
3 state's lawsuit for recovery of public expenditures
4 associated with tobacco use shall be deposited in the
5 tobacco settlement fund. Moneys deposited in the fund
6 shall be used only as provided in appropriations from
7 the fund to the department of human services for the
8 medical assistance program and to the Iowa department
9 of public health for programs to reduce smoking by
10 teenage youth. For purposes of this section,
11 "litigation costs" are those costs itemized by the
12 attorney general and submitted to and approved by the
13 general assembly.

14 Sec. _____. 1997 Iowa Acts, House File 715, section
15 9, subsection 3, unnumbered paragraph 1, if enacted,
16 is amended to read as follows:

17 For the purposes of this subsection, the term
18 "poverty level" means the poverty level defined by the
19 poverty income guidelines published by the United
20 States department of health and human services.
21 Effective ~~October~~ July 1, 1997, the department shall
22 increase to 125 percent the maximum federal poverty
23 level used to determine eligibility for state child
24 care assistance. Based upon the availability of the
25 funding provided in subsection 2 the department shall
26 establish waiting lists for state child care
27 assistance in descending order of prioritization as
28 follows:

29 Sec. _____. 1997 Iowa Acts, Senate File 131, section
30 1, amending section 239.14, if enacted, is repealed.

31 Sec. _____. 1997 Iowa Acts, Senate File 131, section
32 2, amending section 239.17, if enacted, is repealed.

33 DIVISION

34 Sec. _____. BUDGETING FOR RESULTS.

35 1. For the purposes of this section, unless the
36 context otherwise requires, the term "budgeting for
37 results" for a department or establishment as defined
38 in chapter 8 means the budgeting process which
39 includes steps for identifying and measuring desired
40 results by use of results-oriented performance
41 measures. Under budgeting for results the performance
42 measures are developed by a department or
43 establishment in collaboration with the department of
44 management and the legislative fiscal bureau for a
45 program administered by the department or
46 establishment.

47 2. If a new program commences on or after July 1,
48 1997, under a department or establishment or the
49 source of funding for a program administered by a
50 department or establishment is changed by law from the

H-1992

H-1992

Page 3

1 source of funding used in the previous fiscal year,
2 the program may be included in budgeting for results
3 for the fiscal years beginning July 1, 1997, and July
4 1, 1998.

5 3. It is the intent of the general assembly to
6 consider requiring that all programs administered by
7 departments and establishments will be included in
8 budgeting for results.

9 4. The departments and establishments utilizing
10 budgeting for results, shall collect data as
11 determined by the department of management in
12 collaboration with the legislative fiscal bureau, for
13 use in evaluating the programs included in budgeting
14 for results. The data shall measure the effectiveness
15 of a program in achieving the stated desired results.
16 Analysis of the data and evaluations of the
17 effectiveness of a program in achieving the desired
18 results shall be submitted by the departments and
19 establishments to the governor and general assembly
20 for use in making budgetary and policy decisions.

DIVISION

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

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

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

35 3. Interest or earnings on moneys deposited in the
36 fund shall not be credited to the fund or to the
37 agency or person who deposited the money but shall be
38 deposited in the general fund of the state as provided
39 in section 12C.7. Notwithstanding section 8.33, moneys
40 remaining in the criminal history data check
41 prepayment fund at the end of a fiscal year shall not
42 revert to the general fund of the state.

43 Sec. ____ . DIRECTOR OF DEPARTMENT OF COMMERCE.
44 Notwithstanding section 546.2, subsection 2, the
45 governor may reappoint the commissioner of insurance
46 to be the director of the department of commerce for a
47 second year beginning July 1, 1997.

48 Sec. ____ . 1996 Iowa Acts, chapter 1218, section
49 10, unnumbered paragraph 3, is amended to read as
50 follows:

H-1992

H-1992

Page 4

1 Of the appropriation in this section, \$50,000 shall
 2 be used for costs associated with the renovation and
 3 repair of the Allison monument located on the state
 4 capitol complex. An effort shall be made by the
 5 department of education to match this appropriation
 6 from the citizens and the school children of Iowa as
 7 occurred when the monument was initially built.

8 Sec. _____. HOUSE FILE 453 -- EFFECTIVE DATE. 1997
 9 Iowa Acts, House File 453, if enacted, being deemed of
 10 immediate importance, takes effect upon enactment of
 11 this Act.

12 Sec. 100. FEDERAL WELFARE REFORM COMPLIANCE --
 13 CHILD SUPPORT ENFORCEMENT. For the fiscal year
 14 beginning July 1, 1996, and ending June 30, 1997,
 15 after \$36,370,000 of child support revenue has been
 16 collected by the department of human services and
 17 deposited in the family investment program account
 18 established in section 239B.11, notwithstanding
 19 section 8.33, not more than \$1,000,000 of the
 20 remaining child support revenue collected and
 21 deposited in the account which remains unobligated or
 22 unexpended at the close of the fiscal year ending June
 23 30, 1996, shall not revert to the general fund of the
 24 state, but shall remain available and is appropriated
 25 to the department for use in the succeeding fiscal
 26 year for the purpose of implementing child support
 27 enforcement changes necessitated by federal welfare
 28 reform legislation.

29 Sec. _____. EFFECTIVE DATE. Section 100 of this
 30 division of this Act, relating to federal welfare
 31 reform compliance, being deemed of immediate
 32 importance, takes effect upon enactment.

DIVISION "

34 4. Title page, line 1, by inserting before the
 35 word "appropriations" the following: "and other".

36 5. Title page, by striking lines 2 and 3, and
 37 inserting the following: "fiscal year beginning July
 38 1, 1996, and subsequent fiscal years, reestablishing a
 39 domestic abuse services income tax checkoff, including
 40 retroactive applicability provisions, and providing
 41 effective dates."

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

By MILLAGE of Scott

H-1992 FILED APRIL 29, 1997

ADOPTED

(P. # 1761)

McLaren, ch
Neuhauser
Rife

SSB-268
Appropriations

Introduced By
SENATE FILE SE 542
BY (PROPOSED COMMITTEE ON
APPROPRIATIONS BILL
BY CHAIRPERSON McLAREN)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to and making supplemental appropriations for the
2 fiscal year beginning July 1, 1996, and providing an effective
3 date.

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

- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23

DIVISION I

1
2 Section 1. DEPARTMENT OF GENERAL SERVICES. There is
3 appropriated from the general fund of the state to the
4 department of general services for the fiscal year beginning
5 July 1, 1996, and ending June 30, 1997, to supplement the
6 appropriations made in 1996 Iowa Acts, chapter 1211, section
7 5, subsections 6, the following amount, or so much thereof as
8 is necessary, to be used for the purpose designated:

9 For utility costs:

10 \$ 234,591

11 Sec. 2. DEPARTMENT OF GENERAL SERVICES -- CENTURY DATE
12 CHANGE. There is appropriated from the general fund of the
13 state to the department of general services for the fiscal
14 year beginning July 1, 1997, and ending June 30, 1998, the
15 following amounts, or so much thereof as is necessary, to be
16 used for the purposes designated:

17 1. For state acquisition of new information technology
18 hardware and software which already includes the century date
19 change programming and which achieves additional purposes in
20 replacing state hardware and software for which the century
21 date change programming is required:

22 \$ 2,500,000

23 Moneys appropriated in this subsection shall be used for
24 the purpose designated and notwithstanding section 8.39 are
25 not subject to transfer or use for any other purpose.

26 2. For the costs of century date change programming in
27 existing state information technology software when state
28 acquisition of new information technology hardware and
29 software which already includes the century date change
30 programming and which achieves additional purposes to
31 incorporate the century date change, is not cost effective:

32 \$ 2,500,000

33 Moneys appropriated in this subsection shall be used for
34 the purpose designated and notwithstanding section 8.39 are
35 not subject to transfer or use except for the purposes of

268

1 additional acquisitions under subsection 1.

2 Notwithstanding section 8.33, moneys appropriated in this
3 section which remain unexpended or unencumbered at the close
4 of the fiscal year shall not revert to the general fund of the
5 state but shall remain available to be used for the purposes
6 designated until the close of the fiscal year beginning July
7 1, 1999.

8 Sec. 3. SOCIAL SERVICES BLOCK GRANT -- APPROPRIATION.

9 There is appropriated from the general fund of the state to
10 the department of human services for the fiscal year beginning
11 July 1, 1996, and ending June 30, 1997, to supplement the
12 appropriation and allocation made in 1996 Iowa Acts, chapter
13 1210, section 10, subsection 3, paragraph "g", the following
14 amount, or so much thereof as is necessary, to be used for the
15 purpose designated:

16 For MH/MR/DD/BI community service (local purchase) to be
17 distributed and used in accordance with 1996 Iowa Acts,
18 chapter 1213, section 19, subsection 6:

19 \$ 194,057

20 Sec. 4. SOCIAL SERVICES BLOCK GRANT -- TRANSFER. It is

21 the intent of the general assembly that the department of
22 human services transfer not more than \$2,186,995 from the
23 appropriation to the department in 1996 Iowa Acts, chapter
24 1213, section 3, for the fiscal year beginning July 1, 1996,
25 and ending June 30, 1997, to supplement the federal social
26 services block grant appropriation in 1996 Iowa Acts, chapter
27 1210, section 10, for distribution among the allocations in
28 that block grant appropriation as follows:

29 a. General administration:

30 \$ 309,399

31 b. Field operations:

32 \$ 1,617,370

33 c. Child and family services:

34 \$ 214,578

35 d. Child care assistance:

1 \$ 41,736

2 e. Volunteers:

3 \$ 3,912

4 Sec. 5. DEPARTMENT OF INSPECTIONS AND APPEALS. There is
5 appropriated from the general fund of the state to the
6 department of inspections and appeals for the fiscal year
7 beginning July 1, 1996, and ending June 30, 1997, to
8 supplement the appropriations made in 1996 Iowa Acts, chapter
9 1211, section 9, the following amount, or so much thereof as
10 is necessary, to be used for the purpose designated:

11 For regulation of pari-mutuel racetrack operations:

12 \$ 98,695

13 Sec. 6. DEPARTMENT OF NATURAL RESOURCES -- BROWNFIELDS.

14 There is appropriated from the general fund of the state to
15 the department of natural resources for the fiscal year
16 beginning July 1, 1996, and ending June 30, 1997, the
17 following amount, or so much thereof as is necessary, to be
18 used for the purpose designated:

19 For support of the land recycling program and the technical
20 advisory committee established in 1997 Iowa Acts, Senate File
21 528, if enacted by the Seventy-seventh General Assembly, 1997
22 Session:

23 \$ 65,000

24 Moneys appropriated in this section which remain unexpended
25 or unencumbered at the close of the fiscal year shall not
26 revert to the general fund of the state but shall remain
27 available for expenditure in the succeeding fiscal year.

28 Sec. 7. DEPARTMENT OF PUBLIC SAFETY. There is
29 appropriated from the general fund of the state to the
30 department of public safety for the fiscal year beginning July
31 1, 1996, and ending June 30, 1997, to supplement the
32 appropriations made in 1996 Iowa Acts, chapter 1216, section
33 21, the following amount, or so much thereof as is necessary,
34 to be used for the purpose designated:

35 For riverboat enforcement due to expanded operational

268

1 hours:

2 \$ 71,114

3 Sec. 8. STATE BOARD OF REGENTS. There is appropriated
4 from the general fund of the state to the state board of
5 regents for the fiscal year beginning July 1, 1996, and ending
6 June 30, 1997, to supplement the appropriations made in 1996
7 Iowa Acts, chapter 1215, section 12, the following amount, or
8 so much thereof as is necessary, to be used for the purpose
9 designated:

10 For salaries:

11 \$ 2,325,940

12 DIVISION II

13 Sec. 9. EXCESS LOTTERY REVENUES -- FY 1994-1995. Of the
14 lottery revenues received during the fiscal year beginning
15 July 1, 1994, which remain in the lottery fund following
16 transfers made pursuant to 1995 Iowa Acts, chapter 220,
17 section 16, and 1996 Iowa Acts, chapter 1219, section 14, the
18 following amounts are appropriated, on the condition that each
19 appropriation made in this section is contingent on all other
20 appropriations made in this section and that any veto of a
21 single appropriation in this section shall constitute a veto
22 of all appropriations in this section, for use during the
23 fiscal year beginning July 1, 1996, and ending June 30, 1997,
24 to be used for the purposes designated:

25 1. To the state board of regents for Iowa state university
26 of science and technology for support of Iowa's participation
27 in the funding of the world food prize:

28 \$ 300,000

29 2. To the department of cultural affairs for a grant to be
30 combined with local match funding of two dollars for every one
31 state dollar to be used for costs associated with
32 establishment of the Iowa fire fighters memorial:

33 \$ 50,000

34 3. To the department of general services for construction
35 of a world war II veterans memorial:

1 \$ 50,000

2 4. To the state board of regents for Iowa state university
3 of science and technology for support of an agriculture 2000
4 conference:

5 \$ 100,000

6 5. To the department of education for purposes of the
7 educational excellence commission:

8 \$ 250,000

9 6. To the department of commerce for the insurance
10 division for the community health management information
11 system:

12 \$ 300,000

13 7. To the department of human rights for the division of
14 criminal and juvenile justice planning, to be used for a grant
15 to a nonprofit agency located in the largest city in the state
16 for a juvenile crime and gang prevention pilot project to
17 develop, in part, evaluative criteria to gauge the success and
18 performance of programs and policies for preventing juvenile
19 crime or gang membership:

20 \$ 75,000

21 Notwithstanding section 8.33, unless otherwise provided in
22 this section, moneys appropriated in this section which remain
23 unobligated or unexpended for the purpose designated shall
24 revert at the close of the fiscal year beginning July 1, 1997,
25 and ending June 30, 1998.

26 Sec. 10. EFFECTIVE DATE. This Act, being deemed of
27 immediate importance, takes effect upon enactment.

28 EXPLANATION

29 The bill makes supplemental appropriations for the 1996-
30 1997 fiscal year from the state general fund to the
31 departments of general services, human services, inspections
32 and appeals, natural resources, and public safety, and to the
33 state board of regents. The bill also makes supplemental
34 appropriations for the 1996-1997 fiscal year from remaining
35 lottery revenues from the 1994-1995 fiscal year to the

268

1 departments of cultural affairs, general services, human
2 rights, commerce, and education, and to the state board of
3 regents. The bill includes language stating that the
4 appropriations of the lottery revenues are contingent on each
5 other and that a veto of any provision of that section
6 constitutes a veto of the entire section.

7 The bill takes effect upon enactment.

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

SENATE FILE 542

AN ACT

RELATING TO AND MAKING SUPPLEMENTAL AND OTHER APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 1996, AND SUBSEQUENT FISCAL YEARS, REESTABLISHING A DOMESTIC ABUSE SERVICES INCOME TAX CHECKOFF, INCLUDING RETROACTIVE APPLICABILITY PROVISIONS, AND PROVIDING EFFECTIVE DATES.

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

DIVISION I

Section 1. DEPARTMENT OF GENERAL SERVICES. There is appropriated from the general fund of the state to the department of general services for the fiscal year beginning July 1, 1996, and ending June 30, 1997, to supplement the appropriations made in 1996 Iowa Acts, chapter 1211, section 5, subsection 6, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For utility costs:

..... \$ 234,591

Sec. 2. DEPARTMENT OF GENERAL SERVICES -- CENTURY DATE CHANGE. There is appropriated from the general fund of the state to the department of general services for the fiscal year beginning July 1, 1996, and ending June 30, 1997, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For state acquisition in accordance with the competitive bidding requirements of this section and as a condition of the appropriation made in this subsection of new information technology hardware and software which already includes the century date change programming and which achieves additional purposes in replacing state hardware and

software for which the century date change programming is required:

..... \$ 2,000,000

Moneys appropriated in this subsection shall be used for the purpose designated and notwithstanding section 8.39 are not subject to transfer or use for any other purpose.

2. For the costs of century date change programming in existing state information technology software when state acquisition of new information technology hardware and software which already includes the century date change programming and which achieves additional purposes to incorporate the century date change, is not cost effective, provided the programming is acquired in accordance with the competitive bidding requirements of this section and as a condition of the appropriation made in this subsection:

..... \$ 3,000,000

Moneys appropriated in this subsection shall be used for the purpose designated and notwithstanding section 8.39 are not subject to transfer or use except for the purposes of additional acquisitions under subsection 1.

The department shall not enter into a contract or any other obligation for the purpose of addressing the need for century date programming which would require the need for funding in excess of the amount appropriated in this section. The department shall utilize, to the greatest extent possible, students and other knowledgeable persons connected with Iowa's colleges and universities in developing or acquiring hardware, software, and programming funded under this section. Otherwise, any acquisition for the purposes described in this section is subject to competitive bidding requirements in rule adopted under law and in accordance with the requirements of this section. In order to maintain maximum open and free competition among bidders, an eligible bidder shall have been organized or doing business prior to January 1, 1997. In addition, an eligible bidder shall not have a relationship with the state for assessment of bids or for preparation of a request for proposals under this section. A bidder with an

actual or organizational conflict of interest shall be disqualified. A bidder shall be considered to have a conflict of interest if the organization, or a parent, subsidiary, or affiliated organization, of which the bidder is a shareholder, partner, limited partner, or member, has a conflict of interest. A bidder shall provide assurances of compliance with the requirements of this paragraph at the time of submitting a bid or proposal for any acquisition for the purposes described in this section.

Notwithstanding section 8.33, moneys appropriated in this section which remain unexpended or unencumbered at the close of the fiscal year shall not revert to the general fund of the state but shall remain available to be used for the purposes designated until the close of the fiscal year beginning July 1, 1999.

Sec. 3. SOCIAL SERVICES BLOCK GRANT -- APPROPRIATION. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1996, and ending June 30, 1997, to supplement the appropriation and allocation made in 1996 Iowa Acts, chapter 1210, section 10, subsection 3, paragraph "g", the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For MH/MR/DD/BI community service (local purchase) to be distributed and used in accordance with 1996 Iowa Acts, chapter 1213, section 19, subsection 6:
..... \$ 194,057

Sec. 4. SOCIAL SERVICES BLOCK GRANT -- TRANSFER. It is the intent of the general assembly that the department of human services transfer not more than \$2,186,995 from the appropriation to the department in 1996 Iowa Acts, chapter 1213, section 3, for the fiscal year beginning July 1, 1996, and ending June 30, 1997, to supplement the federal social services block grant appropriation in 1996 Iowa Acts, chapter 1210, section 10, for distribution among the allocations in that block grant appropriation as follows:

a. General administration:

..... \$ 309,399
b. Field operations:
..... \$ 1,617,370
c. Child and family services:
..... \$ 214,578
d. Child care assistance:
..... \$ 41,736
e. Volunteers:
..... \$ 3,912

For purposes of section 8.62, moneys transferred under this section shall not be considered transferred pursuant to section 8.39 and the transferred moneys which remain unexpended or unencumbered at the close of the fiscal year may be encumbered and used by the department of human services as provided in section 8.62.

Sec. 5. DEPARTMENT OF INSPECTIONS AND APPEALS. There is appropriated from the general fund of the state to the department of inspections and appeals for the fiscal year beginning July 1, 1996, and ending June 30, 1997, to supplement the appropriations made in 1996 Iowa Acts, chapter 1211, section 9, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For regulation of pari-mutuel racetrack operations:
..... \$ 98,695

Sec. 6. DEPARTMENT OF NATURAL RESOURCES -- BROWNFIELDS. There is appropriated from the general fund of the state to the department of natural resources for the fiscal year beginning July 1, 1996, and ending June 30, 1997, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For support of the land recycling program and the technical advisory committee established in 1997 Iowa Acts, Senate File 528, if enacted by the Seventy-seventh General Assembly, 1997 Session:

..... \$ 65,000
Moneys appropriated in this section which remain unexpended or unencumbered at the close of the fiscal year shall not

revert to the general fund of the state but shall remain available for expenditure in the succeeding fiscal year.

Sec. 7. SNOW DISASTER EMERGENCY GRANTS TO COUNTIES. There is appropriated from the general fund of the state to the department of public defense for the fiscal year beginning July 1, 1996, and ending June 30, 1997, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For distribution by the emergency management division to assist those counties proclaimed by the governor to be in a state of disaster emergency as the result of a severe winter storm:

..... \$ 100,000

Funding distributed to a county eligible for assistance under this section shall not exceed the amount the county expended in excess of the county's approved budget amount for snow removal. If the total amount of excess expenditures by all counties eligible for assistance exceeds the amount appropriated, the amounts distributed shall be prorated based upon a county's share of the total amount of excess expenditures by all counties. If the total amount of excess expenditures is less than the amount appropriated, the remainder of the appropriation shall revert to the general fund of the state.

Sec. 8. DEPARTMENT OF PUBLIC SAFETY. There is appropriated from the general fund of the state to the department of public safety for the fiscal year beginning July 1, 1996, and ending June 30, 1997, to supplement the appropriations made in 1996 Iowa Acts, chapter 1216, section 21, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For riverboat enforcement due to expanded operational hours:
..... \$ 71,114

Sec. 9. STATE BOARD OF REGENTS. There is appropriated from the general fund of the state to the state board of regents for the fiscal year beginning July 1, 1996, and ending

June 30, 1997, to supplement the appropriations made in 1996 Iowa Acts, chapter 1215, section 12, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For salaries:
..... \$ 2,325,940

DIVISION II

Sec. 10. EXCESS LOTTERY REVENUES -- FY 1994-1995. Of the lottery revenues received during the fiscal year beginning July 1, 1994, which remain in the lottery fund following transfers made pursuant to 1995 Iowa Acts, chapter 220, section 16, and 1996 Iowa Acts, chapter 1219, section 14, the following amounts are appropriated, on the condition that each appropriation made in this section is contingent on all other appropriations made in this section and that any veto of a single appropriation in this section shall constitute a veto of all appropriations in this section, for use during the fiscal year beginning July 1, 1996, and ending June 30, 1997, to be used for the purposes designated:

1. To the state board of regents for Iowa state university of science and technology for support of Iowa's participation in the funding of the world food prize:
..... \$ 300,000
2. To the department of cultural affairs for a grant to be combined with local match funding of two dollars for every one state dollar to be used for costs associated with establishment of the Iowa fire fighters memorial:
..... \$ 50,000
3. To the department of general services for construction of a World War II veterans memorial:
..... \$ 50,000
4. To the department of education for purposes of the educational excellence commission:
..... \$ 250,000
5. To the department of commerce for the insurance division for the community health management information system:

..... \$ 200,000

Notwithstanding section 144C.8, subsection 1, the implementation of phase I of the system may be delayed until July 1, 1998. The funds appropriated in this subsection shall be distributed to the system for the collection of data necessary to implement section 144C.8, subsection 1, and the data collected shall be verified for accuracy. It is the intent of the general assembly that no additional appropriation will be made for purposes of the community health management information system.

6. To the department of human services for administration of a telemedicine services pilot project under the medical assistance program:

..... \$ 60,000

The department shall utilize the moneys appropriated in this subsection for administration of a telemedicine pilot project and for medical assistance payment for teleconsultive services to eligible providers who are participating in a federally funded telemedicine program. The department shall evaluate the pilot project and report on savings realized through the use of teleconsultive services under the medical assistance program. The department shall adopt emergency rules under section 17A.4, subsection 2, and section 17A.5, subsection 2, paragraph "b", to implement the provisions of this subsection and the rules shall become effective immediately upon filing unless the effective date is delayed by the administrative rules review committee, notwithstanding section 17A.4, subsection 5, and section 17A.8, subsection 9, or a later date is specified in the rules. Any rules adopted in accordance with this subsection shall not take effect before the rules are reviewed by the administrative rules review committee. Any rules adopted in accordance with this section shall also be published as a notice of intended action as provided in section 17A.4.

7. To the Iowa department of public health for implementation of the provisions of 1997 Iowa Acts, Senate File 128:

..... \$ 40,000

8. To the department of human services to be used for implementation of child support enforcement changes necessitated by federal welfare reform legislation, provided that none of the moneys shall be used to fill new full-time equivalent positions:

..... \$ 300,000

9. To the commission of veterans affairs to be used for CD-ROM conversion:

..... \$ 229,317

Notwithstanding section 8.33, moneys appropriated in this subsection shall not revert at the close of the fiscal year but shall remain available for the purpose designated until the close of the fiscal year beginning July 1, 1999.

10. To the department of natural resources for allocation to the United States department of agriculture, animal and plant health inspection service, to be used for animal damage control in this state:

..... \$ 50,000

11. To the department of education to develop an initiative to improve access to education through distance learning in postsecondary institutions:

..... \$ 50,000

Notwithstanding section 8.33, unless otherwise provided in this section, moneys appropriated in this section which remain unobligated or unexpended for the purpose designated shall revert at the close of the fiscal year beginning July 1, 1997, and ending June 30, 1998.

Sec. 11. FISCAL YEAR 1997-1998 LOTTERY TRANSFER. Notwithstanding the requirement in section 99E.10, subsection 1, to transfer lottery revenue remaining after expenses are deducted, notwithstanding the requirement under section 99E.20, subsection 2, for the commissioner to certify and transfer a portion of the lottery fund to the CLEAN fund, and notwithstanding the appropriations and allocations in section 99E.34, all lottery revenues received during the fiscal year beginning July 1, 1997, and ending June 30, 1998, after

deductions as provided in section 99E.10, subsection 1, and as appropriated under any Act of the Seventy-seventh General Assembly, 1997 Session, shall not be transferred to and deposited into the CLEAN fund but shall be transferred and credited to the general fund of the state.

DIVISION III

Sec. 12. NEW SECTION. 236.15B INCOME TAX CHECKOFF FOR DOMESTIC ABUSE SERVICES.

A person who files an individual or a joint income tax return with the department of revenue and finance under section 422.13 may designate any amount to be paid to the general fund of the state and used for the purposes of providing emergency shelter services, support services, and other services to victims of domestic abuse or sexual assault. If the refund due on the return or the payment remitted with the return is insufficient to pay the additional amount designated by the taxpayer to be used for the purposes of providing services to victims of domestic abuse or sexual assault, the amount designated shall be reduced to the remaining amount of refund or the remaining amount remitted with the return.

It is the intent of the general assembly that the funds generated from the checkoff be appropriated and used for the purposes of providing services to victims of domestic abuse or sexual assault.

The director of revenue and finance shall draft the income tax form to allow the designation of contributions to be used for the purposes of providing services to victims of domestic abuse or sexual assault on the tax return.

The department of revenue and finance on or before January 31 of the calendar year following the calendar year in which the tax returns were filed shall certify the total amount designated on the tax return forms due in the preceding calendar year and shall report the amount to the treasurer of state.

The department of revenue and finance shall consult the crime victim assistance board concerning the adoption of rules

to implement this section. However, before a checkoff pursuant to this section shall be permitted, all liabilities on the books of the department of revenue and finance and accounts identified as owing under section 421.17 and the political contribution allowed under section 56.18 shall be satisfied.

Sec. 13. Section 236.15A, Code 1997, is repealed.

Sec. 14. APPROPRIATION. There is appropriated from the general fund of the state to the department of justice for the fiscal year beginning July 1, 1996, and ending June 30, 1997, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

To fund domestic abuse and sexual assault grants administered by the crime victim assistance division of the department of justice for the purposes of providing emergency shelter services, support services, and other services to victims of domestic abuse or sexual assault:
..... \$ 75,000

Notwithstanding section 8.33, moneys appropriated in this section shall not revert but shall remain available for the purposes designated until the close of the fiscal year ending June 30, 1999.

Sec. 15. RETROACTIVE APPLICABILITY. Section 12 of this division of this Act applies retroactively to January 1, 1997, for tax years beginning on or after that date. Section 13 of this division of this Act applies retroactively to January 1, 1996, for tax years beginning on or after that date.

DIVISION IV

Sec. 16. VALUE-ADDED PRODUCTION ASSISTANCE.

1. It is the intent of the general assembly to support the creation of an ag-initiative 2000 subaccount in the community economic betterment program account as provided in and for the purposes stated in the Senate amendment, H-1975, to House File 731. As evidence of this support, the general assembly directs the department of economic development to use resources under existing financial assistance programs to support the organization of innovative ownership and

management entities involving valued-added agricultural processes. The department shall explore all capital assistance opportunities and may consider proposals from and negotiate with potential entities.

2. The legislative council shall create a four-member task force consisting of one senator of each party and one representative of each party designated by their respective leadership which shall assist the department of economic development and the office of the governor in any negotiations.

3. Proposals developed in conjunction with the department, the governor, and the task force for providing capital incentives or capital assistance presently not available shall be presented to the general assembly for its approval.

4. The department of economic development shall report to the task force and the office of the governor on its activities pursuant to this section.

DIVISION V

Sec. 17. Section 279.51, subsection 1, unnumbered paragraph 1, Code 1997, is amended to read as follows:

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

Sec. 18. Section 279.51, subsection 1, paragraph b, Code 1997, is amended to read as follows:

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

DIVISION VI

Sec. 19. NEW SECTION. 12C.26 TOBACCO SETTLEMENT FUND.

A tobacco settlement fund is created in the office of the treasurer of state. After payment of litigation costs, the state portion of any moneys paid to the state by tobacco companies in settlement of the state's lawsuit for recovery of public expenditures associated with tobacco use shall be deposited in the tobacco settlement fund. Moneys deposited in the fund shall be used only as provided in appropriations from the fund to the department of human services for the medical assistance program and to the Iowa department of public health for programs to reduce smoking by teenage youth. For purposes of this section, "litigation costs" are those costs itemized by the attorney general and submitted to and approved by the general assembly.

Sec. 20. 1997 Iowa Acts, House File 715, section 9, subsection 3, unnumbered paragraph 1, if enacted, is amended to read as follows:

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

Sec. 21. 1997 Iowa Acts, Senate File 131, section 1, amending section 239.14, if enacted, is repealed.

Sec. 22. 1997 Iowa Acts, Senate File 131, section 2, amending section 239.17, if enacted, is repealed.

DIVISION VII

Sec. 23. BUDGETING FOR RESULTS.

1. For the purposes of this section, unless the context otherwise requires, the term "budgeting for results" for a department or establishment as defined in chapter 8 means the budgeting process which includes steps for identifying and measuring desired results by use of results-oriented

performance measures. Under budgeting for results the performance measures are developed by a department or establishment in collaboration with the department of management and the legislative fiscal bureau for a program administered by the department or establishment.

2. If a new program commences on or after July 1, 1997, under a department or establishment or the source of funding for a program administered by a department or establishment is changed by law from the source of funding used in the previous fiscal year, the program may be included in budgeting for results for the fiscal years beginning July 1, 1997, and July 1, 1998.

3. It is the intent of the general assembly to consider requiring that all programs administered by departments and establishments will be included in budgeting for results.

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

DIVISION VIII

Sec. 24. NEW SECTION. 692.2A CRIMINAL HISTORY DATA CHECK PREPAYMENT FUND.

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

2. The department shall adopt rules governing the fund, including the crediting of deposits made to the fund. Prepaid

fees deposited in the fund are appropriated to the department for use as provided in section 692.2.

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

Sec. 25. DIRECTOR OF DEPARTMENT OF COMMERCE. Notwithstanding section 546.2, subsection 2, the governor may reappoint the commissioner of insurance to be the director of the department of commerce for a second year beginning July 1, 1997.

Sec. 26. 1996 Iowa Acts, chapter 1218, section 10, unnumbered paragraph 3, is amended to read as follows:

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

Sec. 27. HOUSE FILE 453 -- EFFECTIVE DATE. 1997 Iowa Acts, House File 453, if enacted, being deemed of immediate importance, takes effect upon enactment of this Act.

Sec. 28. FEDERAL WELFARE REFORM COMPLIANCE -- CHILD SUPPORT ENFORCEMENT. For the fiscal year beginning July 1, 1996, and ending June 30, 1997, after \$36,370,000 of child support revenue has been collected by the department of human services and deposited in the family investment program account established in section 239B.11, notwithstanding section 8.33, not more than \$1,000,000 of the remaining child support revenue collected and deposited in the account which remains unobligated or unexpended at the close of the fiscal year ending June 30, 1996, shall not revert to the general fund of the state, but shall remain available and is appropriated to the department for use in the succeeding

fiscal year for the purpose of implementing child support enforcement changes necessitated by federal welfare reform legislation.

Sec. 29. EFFECTIVE DATE. Section 28 of this division of this Act, relating to federal welfare reform compliance, being deemed of immediate importance, takes effect upon enactment.

DIVISION IX

Sec. 30. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

MARY E. KRAMER
President of the Senate

RON J. CORBETT
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 542, Seventy-seventh General Assembly.

MARY PAT GUNDERSON
Secretary of the Senate

Approved May 23, 1997

TERRY E. BRANSTAD
Governor