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FILED

SENATE FILE 2326  
BY COMMITTEE ON APPROPRIATIONS

Passed Senate, Date <sup>(p. 916)</sup> 4/2/02 Passed House, Date <sup>(p. 1277)</sup> 4/9/02  
Vote: Ayes 29 Nays 20 Vote: Ayes 54 Nays 43  
Approved May 10, 2002  
*Stump*  
*Neto*

A BILL FOR

1 An Act making, reducing, and transferring appropriations, and  
2 providing for other properly related matters and including  
3 effective dates.

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

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DIVISION I

ADMINISTRATION AND REGULATION

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2  
3 Section 1. AUDITOR OF STATE. There is appropriated from  
4 the general fund of the state to the office of the auditor of  
5 state for the fiscal year beginning July 1, 2002, and ending  
6 June 30, 2003, the following amount, or so much thereof as is  
7 necessary, to be used for the purposes designated:

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

11 .....	\$	1,103,243
12 .....	FTEs	105.47

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

24 Sec. 2. IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD. There  
25 is appropriated from the general fund of the state to the Iowa  
26 ethics and campaign disclosure board for the fiscal year  
27 beginning July 1, 2002, and ending June 30, 2003, the  
28 following amount, or so much thereof as is necessary, for the  
29 purposes designated:

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

33 .....	\$	420,000
34 .....	FTEs	6.00

35 Sec. 3. DEPARTMENT OF COMMERCE. There is appropriated

1 from the general fund of the state to the department of  
2 commerce for the fiscal year beginning July 1, 2002, and  
3 ending June 30, 2003, the following amounts, or so much  
4 thereof as is necessary, for the purposes designated:

5 1. ALCOHOLIC BEVERAGES DIVISION

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

9 ..... \$ 1,803,044  
10 ..... FTEs 33.00

11 2. BANKING DIVISION

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

15 ..... \$ 6,036,125  
16 ..... FTEs 72.00

17 3. CREDIT UNION DIVISION

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

21 ..... \$ 1,282,995  
22 ..... FTEs 19.00

23 4. INSURANCE DIVISION

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

27 ..... \$ 3,770,164  
28 ..... FTEs 93.50

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

1 expenditures are fully reimbursable and the division first  
2 does both of the following:

3 (1) Notify the department of management, the legislative  
4 fiscal bureau, and the legislative fiscal committee of the  
5 need for the expenditures.

6 (2) File with each of the entities named in subparagraph  
7 (1) the legislative and regulatory justification for the  
8 expenditures, along with an estimate of the expenditures.

9 5. PROFESSIONAL LICENSING AND REGULATION DIVISION

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

13 .....	\$	748,342
14 .....	FTEs	11.00

15 b. Notwithstanding the provisions of section 543B.14 to  
16 the contrary, all fees and charges collected by the real  
17 estate commission under chapter 543B shall be paid into the  
18 general fund of the state, except that for the fiscal year  
19 beginning July 1, 2002, and ending June 30, 2003, the  
20 equivalent of thirty dollars per year of the fees for each  
21 real estate salesperson's license, plus the equivalent of  
22 thirty dollars per year of the fees for each broker's license  
23 shall be paid into the Iowa real estate education fund created  
24 in section 543B.54.

25 6. UTILITIES DIVISION

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

29 .....	\$	6,104,810
30 .....	FTEs	79.00

31 b. The utilities division may expend additional funds,  
32 including funds for additional personnel, if those additional  
33 expenditures are actual expenses which exceed the funds  
34 budgeted for utility regulation and the expenditures are fully  
35 reimbursable. Before the division expends or encumbers an

1 amount in excess of the funds budgeted for regulation, the  
2 division shall first do both of the following:

3 (1) Notify the department of management, the legislative  
4 fiscal bureau, and the legislative fiscal committee of the  
5 need for the expenditures.

6 (2) File with each of the entities named in subparagraph  
7 (1) the legislative and regulatory justification for the  
8 expenditures, along with an estimate of the expenditures.

9 The utilities division shall assess the office of consumer  
10 advocate within the department of justice a pro rata share of  
11 the operating expenses of the utilities division. Each  
12 division and the office of consumer advocate shall include in  
13 its charges assessed or revenues generated, an amount  
14 sufficient to cover the amount stated in its appropriation,  
15 any state-assessed indirect costs determined by the department  
16 of revenue and finance. It is the intent of the general  
17 assembly that the director of the department of commerce shall  
18 review on a quarterly basis all out-of-state travel for the  
19 previous quarter for officers and employees of each division  
20 of the department if the travel is not already authorized by  
21 the executive council.

22 7. ACCOUNTABLE GOVERNMENT REPORT

23 Each division of the department of commerce shall submit a  
24 report to the cochairpersons and ranking members of the joint  
25 appropriations subcommittee on administration and regulation  
26 on or before January 13, 2003, which encompasses the reporting  
27 requirements provided in Code chapter 8E, including  
28 development of an agency strategic plan, performance measures,  
29 performance targets based on performance data, performance  
30 data, and data sources used to evaluate the agency  
31 performance, and explanations of the plan's provisions.

32 Sec. 4. DEPARTMENT OF COMMERCE -- PROFESSIONAL LICENSING  
33 AND REGULATION. There is appropriated from the housing  
34 improvement fund of the Iowa department of economic  
35 development to the division of professional licensing and

1 regulation of the department of commerce for the fiscal year  
2 beginning July 1, 2002, and ending June 30, 2003, the  
3 following amount, or so much thereof as is necessary, to be  
4 used for the purposes designated:

5 For salaries, support, maintenance, and miscellaneous  
6 purposes:  
7 ..... \$ 62,317

8 Sec. 5. DEPARTMENT OF GENERAL SERVICES. There is  
9 appropriated from the general fund of the state to the  
10 department of general services for the fiscal year beginning  
11 July 1, 2002, and ending June 30, 2003, the following amounts,  
12 or so much thereof as is necessary, to be used for the  
13 purposes designated:

14 1. ADMINISTRATION AND PROPERTY MANAGEMENT

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

18 ..... \$ 5,389,881  
19 ..... FTES 152.60

20 2. TERRACE HILL OPERATIONS

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

24 ..... \$ 241,347  
25 ..... FTES 5.00

26 3. RENTAL SPACE

27 For payment of lease or rental costs of buildings and  
28 office space as provided in section 18.12, subsection 9,  
29 notwithstanding section 18.16:

30 ..... \$ 865,818

31 The department shall prepare a summary of lease and rental  
32 agreements entered into by the department with information  
33 concerning the location of leased property, the funding source  
34 for each lease, and the cost of the lease. The summary shall  
35 be submitted to the general assembly by January 13, 2003.

1 4. UTILITY COSTS

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

4 .....	\$	1,857,970
5 .....	FTEs	1.00

6 Notwithstanding sections 8.33 and 18.12, subsection 11, any  
7 excess funds appropriated for utility costs in this subsection  
8 shall not revert to the general fund of the state at the end  
9 of the fiscal year but shall remain available for expenditure  
10 for the purposes of this subsection during the fiscal year  
11 beginning July 1, 2003.

12 5. The department of general services shall identify all  
13 positions throughout state government that have job  
14 responsibilities that are duplicative of the same or similar  
15 job functions that are performed by similar positions in the  
16 department of general services. The positions throughout  
17 state government that are duplicative of positions in the  
18 department of general services will be identified by  
19 department, position title, and position pay grade. The  
20 department of general services shall also determine if the  
21 department can perform the functions of the duplicated  
22 position. The department shall submit a report, with  
23 findings, conclusions, and supporting data, to the oversight  
24 committee of the general assembly by September 1, 2002.

25 Sec. 6. REVOLVING FUNDS. There is appropriated from the  
26 designated revolving funds to the department of general  
27 services for the fiscal year beginning July 1, 2002, and  
28 ending June 30, 2003, the following amounts, or so much  
29 thereof as is necessary, to be used for the purposes  
30 designated:

31 1. CENTRALIZED PURCHASING

32 From the centralized purchasing permanent revolving fund  
33 established by section 18.9 for salaries, support,  
34 maintenance, miscellaneous purposes, and for not more than the  
35 following full-time equivalent positions:

1 ..... \$ 1,118,960  
2 ..... FTEs 17.95

3 2. CENTRALIZED PURCHASING -- REMAINDER

4 The remainder of the centralized purchasing permanent  
5 revolving fund is appropriated for the payment of expenses  
6 incurred through purchases by various state departments and  
7 for contingencies arising during the fiscal year beginning  
8 July 1, 2002, and ending June 30, 2003, which are legally  
9 payable from this fund.

10 3. STATE FLEET ADMINISTRATOR

11 a. From the state fleet administrator revolving fund  
12 established by section 18.119 for salaries, support,  
13 maintenance, miscellaneous purposes, and for not more than the  
14 following full-time equivalent positions:

15 ..... \$ 881,501  
16 ..... FTEs 16.75

17 b. The state fleet administrator shall conduct a study  
18 concerning the utilization of state-owned vehicles by state  
19 government that are under the control of the administrator  
20 pursuant to section 18.114. As part of the study, the state  
21 fleet administrator shall investigate the cost and benefits of  
22 entering into an agreement with an entity that leases or rents  
23 vehicles for the purpose of providing vehicles from that  
24 source for use by state government. The study shall also  
25 examine what revenue may be generated as a result of the sale  
26 of state-owned vehicles. The state fleet administrator shall  
27 submit a report to the general assembly by January 13, 2003,  
28 concerning the progress of the administrator in meeting the  
29 goal of reducing the number of state-owned vehicles. The  
30 report shall include all relevant data concerning the study,  
31 any actions taken to reduce the number of state-owned  
32 vehicles, and any proposed legislative changes needed to  
33 implement the goal of reducing the number of state-owned  
34 vehicles.

35 4. STATE FLEET ADMINISTRATOR -- REMAINDER



1 The remainder of the state fleet administrator revolving  
2 fund is appropriated for the purchase of ethanol blended fuels  
3 and other fuels specified in section 18.115, subsection 5,  
4 oil, tires, repairs, and all other maintenance expenses  
5 incurred in the operation of state-owned motor vehicles and  
6 for contingencies arising during the fiscal year beginning  
7 July 1, 2002, and ending June 30, 2003, which are legally  
8 payable from this fund.

9 5. CENTRALIZED PRINTING

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

14 .....	\$	1,328,025
15 .....	FTEs	29.55

16 6. CENTRALIZED PRINTING -- REMAINDER

17 The remainder of the centralized printing permanent  
18 revolving fund is appropriated for the expense incurred in  
19 supplying paper stock, offset printing, copy preparation,  
20 binding, distribution costs, original payment of printing and  
21 binding claims and contingencies arising during the fiscal  
22 year beginning July 1, 2002, and ending June 30, 2003, which  
23 are legally payable from this fund.

24 Sec. 7. GOVERNOR AND LIEUTENANT GOVERNOR. There is  
25 appropriated from the general fund of the state to the offices  
26 of the governor and the lieutenant governor for the fiscal  
27 year beginning July 1, 2002, and ending June 30, 2003, the  
28 following amounts, or so much thereof as is necessary, to be  
29 used for the purposes designated:

30 1. GENERAL OFFICE

31 For salaries, support, maintenance, and miscellaneous  
32 purposes for the general office of the governor and the  
33 general office of the lieutenant governor, and for not more  
34 than the following full-time equivalent positions:

35 .....	\$	1,299,177
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1 ..... FTEs 17.25  
2 2. TERRACE HILL QUARTERS  
3 For salaries, support, maintenance, and miscellaneous  
4 purposes for the governor's quarters at Terrace Hill, and for  
5 not more than the following full-time equivalent positions:  
6 ..... \$ 102,780  
7 ..... FTEs 3.00  
8 3. ADMINISTRATIVE RULES COORDINATOR  
9 For salaries, support, maintenance, and miscellaneous  
10 purposes for the office of administrative rules coordinator,  
11 and for not more than the following full-time equivalent  
12 positions:  
13 ..... \$ 135,085  
14 ..... FTEs 3.00  
15 4. NATIONAL GOVERNORS ASSOCIATION  
16 For payment of Iowa's membership in the national governors  
17 association:  
18 ..... \$ 65,842  
19 5. STATE-FEDERAL RELATIONS  
20 For salaries, support, maintenance, miscellaneous purposes,  
21 and for not more than the following full-time equivalent  
22 positions:  
23 ..... \$ 213,604  
24 ..... FTEs 2.00  
25 Sec. 8. DEPARTMENT OF INSPECTIONS AND APPEALS.  
26 1. If Senate File 2325, or similar legislation providing  
27 for the reorganization of the duties of the department of  
28 inspections and appeals is enacted into law by the 2002  
29 session of the general assembly, there is appropriated from  
30 the general fund of the state to the department of inspections  
31 and appeals for the fiscal year beginning July 1, 2002, and  
32 ending June 30, 2003, the following amounts, or so much  
33 thereof as is necessary, for the purposes designated:  
34 a. Administration division  
35 For salaries, support, maintenance, miscellaneous purposes,

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

3 ..... \$ 730,165  
4 ..... FTEs 24.00

5 b. Administrative hearings division

6 For salaries, support, maintenance, miscellaneous purposes,

7 and for not more than the following full-time equivalent  
8 positions:

9 ..... \$ 482,863  
10 ..... FTEs 30.00

11 c. Investigations division

12 For salaries, support, maintenance, miscellaneous purposes,

13 and for not more than the following full-time equivalent  
14 positions:

15 ..... \$ 1,407,553  
16 ..... FTEs 46.00

17 d. Health facilities division

18 For salaries, support, maintenance, miscellaneous purposes,

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

21 ..... \$ 2,327,714  
22 ..... FTEs 108.00

23 e. Inspections division

24 For salaries, support, maintenance, miscellaneous purposes,

25 and for not more than the following full-time equivalent  
26 positions:

27 ..... \$ 776,141  
28 ..... FTEs 13.00

29 f. Employment appeal board

30 For salaries, support, maintenance, miscellaneous purposes,

31 and for not more than the following full-time equivalent  
32 positions:

33 ..... \$ 34,941  
34 ..... FTEs 15.00

35 The employment appeal board shall be reimbursed by the

1 labor services division of the department of workforce  
2 development for all costs associated with hearings conducted  
3 under chapter 91C, related to contractor registration. The  
4 board may expend, in addition to the amount appropriated under  
5 this paragraph, additional amounts as are directly billable to  
6 the labor services division under this paragraph "f" and to  
7 retain the additional full-time equivalent positions as needed  
8 to conduct hearings required pursuant to chapter 91C.

9 g. Child advocacy board

10 (1) For foster care review, including salaries, support,  
11 maintenance, miscellaneous purposes, and for not more than the  
12 following full-time equivalent positions:

13 .....	\$	789,523
14 .....	FTEs	19.00

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

20 (2) For the court appointed special advocate program,  
21 including salaries, support, maintenance, and for not more  
22 than the following full-time equivalent positions:

23 .....	\$	960,000
24 .....	FTEs	24.00

25 It is the intent of the general assembly that the court  
26 appointed special advocate program investigate and develop  
27 opportunities for expanding fund-raising for the program.

28 2. If Senate File 2325, or similar legislation providing  
29 for the reorganization of the duties of the department of  
30 inspections and appeals is not enacted into law by the 2002  
31 session of the general assembly, there is appropriated from  
32 the general fund of the state to the department of inspections  
33 and appeals for the fiscal year beginning July 1, 2002, and  
34 ending June 30, 2003, the following amounts, or so much  
35 thereof as is necessary, for the purposes designated:

1 a. Administration division

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

5 ..... \$ 533,734  
6 ..... FTEs 21.00

7 b. Audits division

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

11 ..... \$ 452,145  
12 ..... FTEs 10.00

13 c. Administrative hearings division

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

17 ..... \$ 482,863  
18 ..... FTEs 30.00

19 d. Investigations division

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

23 ..... \$ 1,030,813  
24 ..... FTEs 40.00

25 e. Health facilities division

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

29 ..... \$ 2,327,714  
30 ..... FTEs 108.00

31 f. Inspections division

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

35 ..... \$ 897,167

1 ..... FTEs 17.00

2 g. Employment appeal board

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

6 ..... \$ 34,941

7 ..... FTEs 15.00

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

17 h. State foster care review board

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

21 ..... \$ 789,523

22 ..... FTEs 19.00

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

29 Sec. 9. RACING AND GAMING COMMISSION.

30 1. RACETRACK REGULATION

31 There is appropriated from the general fund of the state to  
32 the racing and gaming commission of the department of  
33 inspections and appeals for the fiscal year beginning July 1,  
34 2002, and ending June 30, 2003, the following amount, or so  
35 much thereof as is necessary, to be used for the purposes

1 designated:

2 For salaries, support, maintenance, and miscellaneous  
3 purposes for the regulation of pari-mutuel racetracks, and for  
4 not more than the following full-time equivalent positions:  
5 ..... \$ 2,083,762  
6 ..... FTEs 24.78

7 Of the funds appropriated in this subsection, \$85,576 shall  
8 be used to conduct an extended harness racing season.

9 2. EXCURSION BOAT REGULATION

10 There is appropriated from the general fund of the state to  
11 the racing and gaming commission of the department of  
12 inspections and appeals for the fiscal year beginning July 1,  
13 2002, and ending June 30, 2003, the following amount, or so  
14 much thereof as is necessary, to be used for the purposes  
15 designated:

16 For salaries, support, maintenance, and miscellaneous  
17 purposes for administration and enforcement of the excursion  
18 boat gambling laws, and for not more than the following full-  
19 time equivalent positions:  
20 ..... \$ 1,602,611  
21 ..... FTEs 30.97

22 3. ACCOUNTABLE GOVERNMENT REPORT

23 The racing and gaming commission shall submit a report to  
24 the cochairpersons and ranking members of the joint  
25 appropriations subcommittee on administration and regulation  
26 on or before January 13, 2003, which encompasses the reporting  
27 requirements provided in Code chapter 8E, including  
28 development of an agency strategic plan, performance measures,  
29 performance targets based on performance data, performance  
30 data, and data sources used to evaluate the agency  
31 performance, and explanations of the plan's provisions.

32 Sec. 10. USE TAX APPROPRIATION. There is appropriated  
33 from the use tax receipts collected pursuant to sections 423.7  
34 and 423.7A prior to their deposit in the road use tax fund  
35 pursuant to section 423.24, to the appeals and fair hearings

1 division of the department of inspections and appeals for the  
2 fiscal year beginning July 1, 2002, and ending June 30, 2003,  
3 the following amount, or so much thereof as is necessary, for  
4 the purposes designated:

5 For salaries, support, maintenance, and miscellaneous  
6 purposes:  
7 ..... \$ 1,197,552

8 Sec. 11. DEPARTMENT OF MANAGEMENT. There is appropriated  
9 from the general fund of the state to the department of  
10 management for the fiscal year beginning July 1, 2002, and  
11 ending June 30, 2003, the following amounts, or so much  
12 thereof as is necessary, to be used for the purposes  
13 designated:

14 1. GENERAL OFFICE -- STATEWIDE PROPERTY TAX  
15 ADMINISTRATION

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

19 ..... \$ 2,147,276  
20 ..... FTEs 33.00

21 2. ENTERPRISE RESOURCE PLANNING

22 If funding is provided for the redesign of the enterprise  
23 resource planning budget system for the fiscal year beginning  
24 July 1, 2002, then there is appropriated from the general fund  
25 of the state to the department of management for the fiscal  
26 year beginning July 1, 2002, and ending June 30, 2003, the  
27 following amount, or so much thereof as is necessary, to be  
28 used for the purpose designated:

29 For salaries, support, maintenance, and miscellaneous  
30 purposes for administration of the enterprise resource  
31 planning system, and for not more than the following full-time  
32 equivalent position:

33 ..... \$ 60,000  
34 ..... FTEs 1.00

35 3. STATE GOVERNMENT ADMINISTRATIVE SERVICES REORGANIZATION



1 The department of management, in consultation with other  
2 administrative departments, shall continue to study and pursue  
3 the goal of providing for the reorganization of state  
4 government in order to facilitate the efficient and effective  
5 delivery of state government services. The reorganization  
6 study shall concentrate on establishing a new state  
7 organization that will increase the efficiency of managing the  
8 major resources of state government, including personnel,  
9 financial, physical, and information assets, in order to  
10 provide better service at less cost to all departments of  
11 state government and the citizens of Iowa. As part of this  
12 study, the department shall identify and examine areas where  
13 duplicative services are performed by state government which  
14 may be more efficiently accomplished by a reorganization and  
15 redesign of state government. In addition, as part of this  
16 reorganization study, support services provided to state  
17 agencies should be reoriented to continuously improve service  
18 and lower costs through a strong customer focus and  
19 entrepreneurial management. The department of management  
20 shall submit a report, including its findings, conclusions,  
21 and specific recommendations for legislative change, to the  
22 general assembly by December 2, 2002.

23 Sec. 12. ROAD USE TAX APPROPRIATION. There is  
24 appropriated from the road use tax fund to the department of  
25 management for the fiscal year beginning July 1, 2002, and  
26 ending June 30, 2003, the following amount, or so much thereof  
27 as is necessary, to be used for the purposes designated:

28 For salaries, support, maintenance, and miscellaneous  
29 purposes:  
30 ..... \$ 56,000

31 Sec. 13. DEPARTMENT OF PERSONNEL. There is appropriated  
32 from the general fund of the state to the department of  
33 personnel for the fiscal year beginning July 1, 2002, and  
34 ending June 30, 2003, the following amounts, or so much  
35 thereof as is necessary, to be used for the purposes

1 designated, including the filing of quarterly reports as  
2 required in this section:

3 1. For salaries, support, maintenance, and miscellaneous  
4 purposes for the director's staff, research, communications  
5 and workforce planning services, data processing, financial  
6 services, customer information and support services,  
7 employment law and labor relations, training and benefit  
8 programs, and for not more than the following full-time  
9 equivalent positions:

10 .....	\$	3,807,636
11 .....	FTEs	86.00

12 Any funds received by the department for workers'  
13 compensation purposes shall be used only for the payment of  
14 workers' compensation claims and administrative costs.

15 It is the intent of the general assembly that members of  
16 the general assembly serving as members of the deferred  
17 compensation advisory board shall be entitled to receive per  
18 diem and necessary travel and actual expenses pursuant to  
19 section 2.10, subsection 5, while carrying out their official  
20 duties as members of the board.

21 2. The department of personnel shall identify all  
22 positions throughout state government that have job  
23 responsibilities that are duplicative of the same or similar  
24 job functions that are performed by similar positions in the  
25 department of personnel. The positions throughout state  
26 government that are duplicative of positions in the department  
27 of personnel will be identified by department, position title,  
28 and position pay grade. The department of personnel shall  
29 also determine if the department can perform the functions of  
30 the duplicated position. The department shall submit a  
31 report, with findings, conclusions, and supporting data, to  
32 the oversight committee of the general assembly by September  
33 1, 2002.

34 Sec. 14. READY TO WORK PROGRAM COORDINATOR. There is  
35 appropriated from the surplus funds in the long-term

1 disability reserve fund and the workers' compensation trust  
2 fund to the department of personnel for the fiscal year  
3 beginning July 1, 2002, and ending June 30, 2003, the  
4 following amount, or so much thereof as is necessary, to be  
5 used for the purposes designated:

6 For the salary, support, and miscellaneous expenses for the  
7 ready to work program and coordinator:

8 ..... \$ 89,416

9 The moneys appropriated pursuant to this section shall be  
10 taken in equal proportions from the long-term disability  
11 reserve fund and the workers' compensation trust fund.

12 Sec. 15. IPERS. There is appropriated from the Iowa  
13 public employees' retirement system fund to the department of  
14 personnel for the fiscal year beginning July 1, 2002, and  
15 ending June 30, 2003, the following amount, or so much thereof  
16 as is necessary, to be used for the purposes designated:

17 1. GENERAL OFFICE

18 For salaries, support, maintenance, and other operational  
19 purposes to pay the costs of the Iowa public employees'  
20 retirement system division and for not more than the following  
21 full-time positions:

22 ..... \$ 8,062,203

23 ..... FTEs 88.04

24 2. INVESTMENT PROGRAM STAFFING

25 It is the intent of the general assembly that the Iowa  
26 public employees' retirement system division employ sufficient  
27 staff within the appropriation provided in this section to  
28 meet the developing requirements of the investment program.

29 Sec. 16. IPERS -- DEFERRED RETIREMENT OPTION PROGRAM AND  
30 TERMINATED VESTED MEMBER STUDIES. There is appropriated from  
31 the Iowa public employees' retirement system fund to the Iowa  
32 public employees' retirement system division for the fiscal  
33 year beginning July 1, 2002, and ending June 30, 2003, the  
34 following amounts, or so much thereof as is necessary, to be  
35 used for the purposes designated:

1 1. If 2002 Iowa Acts, House File 2532, is enacted and  
2 directs the IPERS division to study the implementation of a  
3 cost-neutral deferred retirement option plan, for expenses  
4 related to the study proposal:

5 ..... \$ 95,000

6 2. If 2002 Iowa Acts, House File 2532, is enacted and  
7 directs the IPERS division to study the implementation of a  
8 new option for terminated vested members, for expenses related  
9 to the study proposal:

10 ..... \$ 40,000

11 Sec. 17. PRIMARY ROAD FUND APPROPRIATION. There is  
12 appropriated from the primary road fund to the department of  
13 personnel for the fiscal year beginning July 1, 2002, and  
14 ending June 30, 2003, the following amount, or so much thereof  
15 as is necessary, to be used for the purposes designated:

16 For salaries, support, maintenance, and miscellaneous  
17 purposes to provide personnel services for the state  
18 department of transportation:

19 ..... \$ 423,539

20 Sec. 18. ROAD USE TAX FUND APPROPRIATION. There is  
21 appropriated from the road use tax fund to the department of  
22 personnel for the fiscal year beginning July 1, 2002, and  
23 ending June 30, 2003, the following amount, or so much thereof  
24 as is necessary, to be used for the purposes designated:

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

28 ..... \$ 69,237

29 Sec. 19. STATE WORKERS' COMPENSATION CLAIMS. The premiums  
30 collected by the department of personnel shall be segregated  
31 into a separate workers' compensation fund in the state  
32 treasury to be used for payment of state employees' workers'  
33 compensation claims. Notwithstanding section 8.33,  
34 unencumbered or unobligated moneys remaining in this workers'  
35 compensation fund at the end of the fiscal year shall not

1 revert but shall be available for expenditure for purposes of  
2 the fund for subsequent fiscal years.

3 Any funds received by the department of personnel for  
4 workers' compensation purposes other than funds appropriated  
5 in this section shall be used for the payment of workers'  
6 compensation claims and administrative costs.

7 Sec. 20. DEPARTMENT OF REVENUE AND FINANCE. There is  
8 appropriated from the general fund of the state to the  
9 department of revenue and finance for the fiscal year  
10 beginning July 1, 2002, and ending June 30, 2003, the  
11 following amounts, or so much thereof as is necessary, to be  
12 used for the purposes designated, and for not more than the  
13 following full-time equivalent positions used for the purposes  
14 designated in subsection 1:

15 ..... FTEs 443.01

16 1. COMPLIANCE -- INTERNAL RESOURCES MANAGEMENT -- STATE  
17 FINANCIAL MANAGEMENT -- STATEWIDE PROPERTY TAX ADMINISTRATION

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

20 ..... \$ 25,338,458

21 Of the funds appropriated pursuant to this subsection,  
22 \$400,000 shall be used to pay the direct costs of compliance  
23 related to the collection and distribution of local sales and  
24 services taxes imposed pursuant to chapters 422B and 422E.

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

29 2. COLLECTION COSTS AND FEES

30 For payment of collection costs and fees pursuant to  
31 section 422.26:

32 ..... \$ 28,800

33 Sec. 21. LOTTERY.

34 1. APPROPRIATION. There is appropriated from the lottery  
35 fund to the department of revenue and finance for the fiscal

1 year beginning July 1, 2002, and ending June 30, 2003, the  
2 following amount, or so much thereof as is necessary, to be  
3 used for the purposes designated:

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

7 ..... \$ 8,688,714

8 ..... FTEs 117.00

9 2. ACCOUNTABLE GOVERNMENT REPORT. The lottery shall  
10 submit a report to the cochairpersons and ranking members of  
11 the joint appropriations subcommittee on administration and  
12 regulation on or before January 13, 2003, which encompasses  
13 the reporting requirements provided in Code chapter 8E,  
14 including development of an agency strategic plan, performance  
15 measures, performance targets based on performance data,  
16 performance data, and data sources used to evaluate the agency  
17 performance, and explanations of the plan's provisions. In  
18 submitting the report required by this subsection, the lottery  
19 is not required to disclose any proprietary or otherwise  
20 confidential information which is considered a confidential  
21 record pursuant to section 22.7.

22 3. VIDEO LOTTERY. It is the intent of the general  
23 assembly that the lottery should investigate whether the  
24 deployment of vending machines with video screens would  
25 enhance the lottery's ability to perform its statutory duties  
26 and if, in the business judgment of the lottery commissioner  
27 and the lottery board, it would do so, that the lottery is  
28 authorized to establish a plan to implement the deployment of  
29 pull-tab vending machines with video monitors consistent with  
30 the requirements of this subsection. At a minimum, the  
31 deployment plan shall include provisions for restricting  
32 access to these machines by minors, including but not limited  
33 to requirements relating to the location of these machines.  
34 Prior to implementing the deployment plan as described in this  
35 subsection, the lottery shall notify the legislative oversight

1 committee and shall submit a report to the committee  
2 describing the deployment plan, including measures the lottery  
3 will implement to restrict access to the machines by minors.

4 Sec. 22. MOTOR VEHICLE FUEL TAX APPROPRIATION. There is  
5 appropriated from the motor fuel tax fund created by section  
6 452A.77 to the department of revenue and finance for the  
7 fiscal year beginning July 1, 2002, and ending June 30, 2003,  
8 the following amount, or so much thereof as is necessary, to  
9 be used for the purposes designated:

10 For salaries, support, maintenance, and miscellaneous  
11 purposes for administration and enforcement of the provisions  
12 of chapter 452A and the motor vehicle use tax program:

13 ..... \$ 1,084,112

14 Sec. 23. SECRETARY OF STATE. There is appropriated from  
15 the general fund of the state to the office of the secretary  
16 of state for the fiscal year beginning July 1, 2002, and  
17 ending June 30, 2003, the following amounts, or so much  
18 thereof as is necessary, to be used for the purposes  
19 designated:

20 1. ADMINISTRATION AND ELECTIONS

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

24 ..... \$ 696,029

25 ..... FTES 10.00

26 It is the intent of the general assembly that the state  
27 department or state agency which provides data processing  
28 services to support voter registration file maintenance and  
29 storage shall provide those services without charge.

30 2. BUSINESS SERVICES

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

34 ..... \$ 1,433,235

35 ..... FTES 32.00

1     Sec. 24.   SECRETARY OF STATE FILING FEES REFUND.

2 Notwithstanding the obligation to collect fees pursuant to the  
3 provisions of section 490.122, subsection 1, paragraphs "a"  
4 and "s", and section 504A.85, subsections 1 and 9, for the  
5 fiscal year beginning July 1, 2002, and ending June 30, 2003,  
6 the secretary of state may refund these fees to the filer  
7 pursuant to rules established by the secretary of state. The  
8 decision of the secretary of state not to issue a refund under  
9 rules established by the secretary of state is final and not  
10 subject to review pursuant to the provisions of the Iowa  
11 administrative procedure Act.

12     Sec. 25.   TREASURER. There is appropriated from the  
13 general fund of the state to the office of treasurer of state  
14 for the fiscal year beginning July 1, 2002, and ending June  
15 30, 2003, the following amount, or so much thereof as is  
16 necessary, to be used for the purposes designated:

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

20 .....	\$	803,221
21 .....	FTEs	25.80

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

24     If 2002 Iowa Acts, House File 681, is enacted and provides  
25 for the pledging of collateral in relation to the deposit of  
26 uninsured public funds, then the treasurer of state is  
27 authorized not more than the following additional full-time  
28 equivalent positions for the purposes provided for in that  
29 Act:

30 .....	FTEs	2.00
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31     The treasurer of state may expend additional funds for the  
32 purposes as provided in this subsection if those additional  
33 expenditures are actual expenses as provided in 2002 Iowa  
34 Acts, House File 681, and the expenses are fully reimbursable.

35     Sec. 26.   INFORMATION TECHNOLOGY DEPARTMENT. There is



1 appropriated from the general fund of the state to the  
2 information technology department for the fiscal year  
3 beginning July 1, 2002, and ending June 30, 2003, the  
4 following amount, or so much thereof as is necessary, to be  
5 used for the purpose designated:

6 For the purpose of providing information technology  
7 services to state agencies and for the following full-time  
8 equivalent positions:

9 .....	\$	3,049,845
10 .....	FTEs	125.00

11 1. The information technology department shall not  
12 increase any fees or charges to other state agencies for  
13 services provided to such state agencies by the department,  
14 unless such increase in fees or charges is first reported to  
15 the department of management. The department of management  
16 shall submit a report notifying the legislative fiscal bureau  
17 regarding any fee increase as the increase occurs.

18 2. The department of information technology shall identify  
19 all positions throughout state government that have job  
20 responsibilities that are duplicative of the same or similar  
21 job functions that are performed by similar positions in the  
22 department of information technology. The positions  
23 throughout state government that are duplicative of positions  
24 in the department of information technology will be identified  
25 by department, position title, and position pay grade. The  
26 department of information technology shall also determine if  
27 the department can perform the functions of the duplicated  
28 position. The department shall submit a report, with  
29 findings, conclusions, and supporting data, to the oversight  
30 committee of the general assembly by September 1, 2002.

31 3. The information technology department shall submit a  
32 report to the general assembly by January 13, 2003, providing  
33 information concerning the funding of the operation of the  
34 department, to include information concerning the receipt and  
35 use of fees and other revenues by the department, the method

1 of determining fees to be charged, and information comparing  
2 fees charged by the department with comparable private sector  
3 rates.

4 4. It is the intent of the general assembly that all  
5 agencies comply with the requirements established in section  
6 304.13A relating to utilization of the electronic repository  
7 developed for the purpose of providing public access to agency  
8 publications. To ensure compliance with the requirements, the  
9 department of management, the information technology  
10 department, and the state librarian shall coordinate the  
11 development of a process to maximize and monitor the extent to  
12 which the number of printed copies of agency publications is  
13 reduced, and to realize monetary savings through the  
14 reduction. The process shall include a policy for  
15 distribution of written copies of publications to members of  
16 the general assembly on a request-only basis and weekly  
17 notification of a new publication posting on the repository by  
18 the state librarian to the secretary of state, secretary of  
19 the senate, and chief clerk of the house of representatives,  
20 who in turn shall notify members of the general assembly of  
21 publication availability. The process shall also include the  
22 electronic submission of a report by November 1, annually, to  
23 the legislative fiscal bureau and legislative fiscal committee  
24 detailing the number of written copies of agency publications  
25 produced in the preceding two fiscal years, and indicating the  
26 extent to which a reduction may be observed.

27 Sec. 27. FUNDING FOR IOWACCESS.

28 1. Notwithstanding section 321A.3, subsection 1, for the  
29 fiscal year beginning July 1, 2002, and ending June 30, 2003,  
30 the first \$1,000,000 collected and transferred by the  
31 department of transportation to the treasurer of state with  
32 respect to the fees for transactions involving the furnishing  
33 of a certified abstract of a vehicle operating record under  
34 section 321A.3, subsection 1, shall be transferred to the  
35 IowAccess revolving fund created in section 14B.206 and

1 administered by the information technology department for the  
2 purposes of developing, implementing, maintaining, and  
3 expanding electronic access to government records in  
4 accordance with the requirements set forth in chapter 14B.

5 2. It is the intent of the general assembly that all fees  
6 collected with respect to transactions involving IowAccess  
7 shall be deposited in the IowAccess revolving fund created in  
8 section 14B.206 and shall be used only for the support of  
9 IowAccess projects.

10 Sec. 28. Section 7D.33, subsection 2, Code 2001, is  
11 amended by adding the following new paragraph:

12 NEW PARAGRAPH. e. The method of promoting the suggestion  
13 program in the broadest possible manner to state employees.

14 Sec. 29. Section 7D.33, subsection 3, paragraph a, Code  
15 2001, is amended to read as follows:

16 a. When a suggestion is implemented and results in a  
17 direct cost reduction within state government, the suggester  
18 shall be awarded ten percent of the first year's net savings,  
19 not exceeding two-thousand-five-hundred twenty-five thousand  
20 dollars or, and a certificate. A cash award shall not be  
21 awarded for a suggestion which saves less than one hundred  
22 dollars during the first year of implementation. The  
23 department head shall approve all awards and determine the  
24 amount to be awarded. Appeals of award amounts shall be  
25 submitted to the director of the department of management  
26 whose decision is final.

27 Sec. 30. Section 476.53, Code Supplement 2001, is amended  
28 by adding the following new subsection:

29 NEW SUBSECTION. 4. The utilities board and the consumer  
30 advocate may employ additional temporary staff, or may  
31 contract for professional services with persons who are not  
32 state employees, as the board and the consumer advocate deem  
33 necessary to perform required functions as provided in this  
34 section, including but not limited to, review of power  
35 purchase contracts, review of emission plans and budgets, and

1 review of ratemaking principles proposed for construction or  
2 lease of a new generating facility. Beginning July 1, 2002,  
3 there is appropriated out of any funds in the state treasury  
4 not otherwise appropriated, such sums as may be necessary to  
5 enable the board and the consumer advocate to hire additional  
6 staff and contract for services under this section. The costs  
7 of the additional staff and services shall be assessed to the  
8 utilities pursuant to the procedure in section 476.10 and  
9 section 475A.6.

10 Sec. 31. Section 505.7, subsection 4, Code 2001, is  
11 amended by striking the subsection and inserting in lieu  
12 thereof the following:

13 4. Except as otherwise provided in subsection 6, the  
14 insurance division may expend additional funds if those  
15 additional expenditures are actual expenses which exceed the  
16 funds budgeted for statutory duties of the division and  
17 directly result from the statutory duties of the division.  
18 The amounts necessary to fund the excess division expenses  
19 shall be collected from additional fees and other moneys  
20 collected by the division. The division shall notify in  
21 writing the legislative fiscal bureau and the department of  
22 management when hiring additional personnel. The written  
23 notification shall include documentation that any additional  
24 expenditure related to such hiring will be totally reimbursed  
25 to the general fund, and shall also include the division's  
26 justification for hiring such personnel. The division must  
27 obtain the approval of the department of management only if  
28 the number of additional personnel to be hired exceeds the  
29 number of full-time equivalent positions authorized by the  
30 general assembly.

31 Sec. 32. Section 546.10, subsection 3, Code Supplement  
32 2001, is amended by adding the following new unnumbered  
33 paragraph:

34 NEW UNNUMBERED PARAGRAPH. Notwithstanding subsection 5,  
35 eighty-five percent of the funds received annually resulting

1 from an increase in licensing fees approved and implemented on  
2 or after July 1, 2002, by a licensing board or commission  
3 listed in subsection 1, is appropriated to the professional  
4 licensing and regulation division to be allocated to the board  
5 or commission for the fiscal year beginning July 1, 2002, and  
6 succeeding fiscal years, for purposes related to the duties of  
7 the board or commission, including but not limited to  
8 additional full-time equivalent positions. The director of  
9 revenue and finance shall draw warrants upon the treasurer of  
10 state from the funds appropriated as provided in this section  
11 and shall make the funds available to the professional  
12 licensing division on a monthly basis during each fiscal year.

13 Sec. 33. 2001 Iowa Acts, First Extraordinary Session,  
14 chapter 5, section 1, is repealed.

15 DIVISION II

16 AGRICULTURE AND NATURAL RESOURCES

17 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

18 Sec. 34. GENERAL DEPARTMENT APPROPRIATION. There is  
19 appropriated from the general fund of the state to the  
20 department of agriculture and land stewardship for the fiscal  
21 year beginning July 1, 2002, and ending June 30, 2003, the  
22 following amount, or so much thereof as is necessary, to be  
23 used for the purposes designated:

24 For purposes of supporting the department, including its  
25 divisions, for administration, regulations, and programs, for  
26 salaries, support, maintenance, miscellaneous purposes, and  
27 for not more than the following full-time equivalent  
28 positions:

29 .....	\$ 16,840,123
30 .....	FTEs 440.13

31 SPECIAL APPROPRIATIONS

32 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

33 Sec. 35. RIVER AUTHORITIES. There is appropriated from  
34 the general fund of the state to the department of agriculture  
35 and land stewardship for the fiscal year beginning July 1,

1 2002, and ending June 30, 2003, the following amount, or so  
2 much thereof as is necessary, to be used for the purposes  
3 designated:

4 For purposes of supporting the department for membership in  
5 the state interagency Missouri river authority, created in  
6 2002 Iowa Acts, Senate File 2051, in the Missouri river basin  
7 association:

8 ..... \$ 10,000

9 Sec. 36. FEED GRAIN PROJECT. There is appropriated from  
10 the general fund of the state to the department of agriculture  
11 and land stewardship for the fiscal year beginning July 1,  
12 2002, and ending June 30, 2003, the following amount, or so  
13 much thereof as is necessary, to be used for the purposes  
14 designated:

15 For purposes of administering a pilot process verification  
16 program for feed grains. The program shall be administered in  
17 conjunction with the Iowa corn growers association:

18 ..... \$ 20,000

19 SPECIAL APPROPRIATIONS

20 ANIMAL HEALTH AND INDUSTRY

21 Sec. 37. HORSE AND DOG RACING. There is appropriated from  
22 the moneys available under section 99D.13 to the  
23 administrative division of the department of agriculture and  
24 land stewardship for the fiscal year beginning July 1, 2002,  
25 and ending June 30, 2003, the following amount, or so much  
26 thereof as is necessary, to be used for the purposes  
27 designated:

28 For salaries, support, maintenance, and miscellaneous  
29 purposes for the administration of section 99D.22:

30 ..... \$ 293,441

31 Sec. 38. REGULATORY DIVISION DAIRY PRODUCTS CONTROL  
32 BUREAU.

33 1. There is appropriated from the general fund of the  
34 state to the department of agriculture and land stewardship  
35 for the fiscal year beginning July 1, 2002, and ending June

1 30, 2003, the following amount, or so much thereof as is  
2 necessary, to be used for the purposes designated:

3 For purposes of supporting the operations of the dairy  
4 products control bureau within the department's regulatory  
5 division, including salaries, support, maintenance, and  
6 miscellaneous purposes:

7 ..... \$ 626,646

8 2. If House File 2524 is enacted by the Seventy-ninth  
9 General Assembly, 2002 Session, the amount appropriated in  
10 subsection 1 shall be increased by \$38,000. The increased  
11 amount shall be used to fill a vacant position in the dairy  
12 products control bureau.

13 DEPARTMENT OF NATURAL RESOURCES

14 GENERAL APPROPRIATIONS

15 Sec. 39. GENERAL DEPARTMENT APPROPRIATION.

16 1. There is appropriated from the general fund of the  
17 state to the department of natural resources for the fiscal  
18 year beginning July 1, 2002, and ending June 30, 2003, the  
19 following amount, or so much thereof as is necessary, to be  
20 used for the purposes designated:

21 For purposes of supporting the department, including its  
22 divisions, for administration, regulations, and programs, for  
23 salaries, support, maintenance, miscellaneous purposes, and  
24 for not more than the following full-time equivalent  
25 positions:

26 ..... \$ 15,905,231  
27 ..... FTEs 1,063.12

28 2. The air quality bureau may expend up to five thousand  
29 dollars for purposes of supporting public education programs  
30 for controlled burning of demolition sites and the proper  
31 disposal of waste materials from demolition sites.

32 3. If Senate File 2293 or House File 2468 is enacted by  
33 the Seventy-ninth General Assembly, 2002 Session, the number  
34 of full-time equivalent positions allocated under this section  
35 shall be increased by 12.00 full-time equivalent positions.

1 4. Of the amount appropriated in this subsection,  
2 \$6,083,599 shall be used for the parks and preserves division  
3 for salaries, support, maintenance, and miscellaneous  
4 purposes.

5 Sec. 40. STATE FISH AND GAME PROTECTION FUND --  
6 APPROPRIATION TO THE DIVISION OF FISH AND WILDLIFE.

7 1. a. There is appropriated from the state fish and game  
8 protection fund to the division of fish and wildlife of the  
9 department of natural resources for the fiscal year beginning  
10 July 1, 2002, and ending June 30, 2003, the following amount,  
11 or so much thereof as is necessary, to be used for the  
12 purposes designated:

13 For administrative support, and for salaries, support,  
14 maintenance, equipment, and miscellaneous purposes:  
15 ..... \$ 28,044,786

16 b. The department may use moneys appropriated in paragraph  
17 "a", as is necessary to provide compensation to conservation  
18 peace officers employed in a protection occupation who retire,  
19 pursuant to section 97B.49B.

20 2. The department shall not expend more moneys from the  
21 fish and game protection fund than provided in this section,  
22 unless the expenditure derives from contributions made by a  
23 private entity, or a grant or moneys received from the federal  
24 government, and is approved by the natural resource  
25 commission. The department of natural resources shall  
26 promptly notify the legislative fiscal bureau and the  
27 chairpersons and ranking members of the joint appropriations  
28 subcommittee on agriculture and natural resources concerning  
29 the commission's approval.

30 RELATED TRANSFERS AND APPROPRIATIONS

31 DEPARTMENT OF NATURAL RESOURCES

32 Sec. 41. SNOWMOBILE FEES -- TRANSFER FOR ENFORCEMENT  
33 PURPOSES. There is transferred on July 1, 2002, from the fees  
34 deposited under section 321G.7 to the fish and game protection  
35 fund and appropriated to the department of natural resources



1 for the fiscal year beginning July 1, 2002, and ending June  
2 30, 2003, the following amount, or so much thereof as is  
3 necessary, to be used for the purpose designated:

4 For enforcing snowmobile laws as part of the state  
5 snowmobile program administered by the department of natural  
6 resources:

7 ..... \$ 100,000

8 Sec. 42. VESSEL FEES -- TRANSFER FOR ENFORCEMENT PURPOSES.

9 There is transferred on July 1, 2002, from the fees deposited  
10 under section 462A.52 to the fish and game protection fund and  
11 appropriated to the natural resource commission for the fiscal  
12 year beginning July 1, 2002, and ending June 30, 2003, the  
13 following amount, or so much thereof as is necessary, to be  
14 used for the purpose designated:

15 For the administration and enforcement of navigation laws  
16 and water safety:

17 ..... \$ 1,400,000

18 Notwithstanding section 8.33, moneys transferred and  
19 appropriated in this section that remain unencumbered or  
20 unobligated at the close of the fiscal year shall not revert  
21 to the credit of the fish and game protection fund but shall  
22 be credited to the special conservation fund established by  
23 section 462A.52 to be used as provided in that section.

24 SPECIAL APPROPRIATIONS

25 DEPARTMENT OF NATURAL RESOURCES

26 Sec. 43. REVENUE ADMINISTERED BY THE IOWA COMPREHENSIVE  
27 UNDERGROUND STORAGE TANK FUND BOARD. There is appropriated  
28 from the unassigned revenue fund administered by the Iowa  
29 comprehensive underground storage tank fund board, to the  
30 department of natural resources for the fiscal year beginning  
31 July 1, 2002, and ending June 30, 2003, the following amount,  
32 or so much thereof as is necessary, to be used for the purpose  
33 designated:

34 For administration expenses of the underground storage tank  
35 section of the department of natural resources:

1 ..... \$ 75,000

2 Sec. 44. FLOODPLAIN PERMIT BACKLOG. Notwithstanding any  
3 contrary provision of state law, for the fiscal year beginning  
4 July 1, 2002, and ending June 30, 2003, the department of  
5 natural resources may use additional funds available to the  
6 department from stormwater discharge permit fees for the  
7 staffing of the following additional full-time staff members  
8 to reduce the department's floodplain permit backlog:

9 ..... FTEs 2.00

10 Sec. 45. IMPLEMENTATION OF THE FEDERAL TOTAL MAXIMUM DAILY  
11 LOAD PROGRAM. Notwithstanding any contrary provision of state  
12 law, for the fiscal year beginning July 1, 2002, and ending  
13 June 30, 2003, the department of natural resources may use  
14 additional funds available to the department from stormwater  
15 discharge permit fees for the staffing of the following  
16 additional full-time equivalent positions for implementation  
17 of the federal total maximum daily load program:

18 ..... FTEs 2.00

19 DIVISION III

20 ECONOMIC DEVELOPMENT

21 Sec. 46. GOALS AND ACCOUNTABILITY.

22 1. The goals for the department of economic development  
23 shall be to expand and stimulate the state economy, increase  
24 the wealth of Iowans, and increase the population of the  
25 state.

26 2. To achieve the goals in subsection 1, the department of  
27 economic development shall do all of the following:

28 a. Concentrate its efforts on programs and activities that  
29 result in commercially viable products and services.

30 b. Adopt practices and services consistent with free  
31 market, private sector philosophies.

32 c. Ensure economic growth and development throughout the  
33 state.

34 3. The department of economic development shall  
35 demonstrate accountability by using performance measures

1 appropriate to show the attainment of the goals in subsection  
2 1 for the state and by measuring the effectiveness and results  
3 of the department's programs and activities. The performance  
4 measures and associated benchmarks shall be developed or  
5 identified in cooperation with the legislative fiscal bureau  
6 and approved by the joint appropriations subcommittee on  
7 economic development. The data demonstrating accountability  
8 collected by the department shall be made readily available  
9 and maintained in computer-readable format.

10 Sec. 47. DEPARTMENT OF ECONOMIC DEVELOPMENT. There is  
11 appropriated from the general fund of the state to the  
12 department of economic development for the fiscal year  
13 beginning July 1, 2002, and ending June 30, 2003, the  
14 following amounts, or so much thereof as is necessary, to be  
15 used for the purposes designated:

16 1. ADMINISTRATIVE SERVICES DIVISION

17 a. General administration

18 For salaries, support, maintenance, miscellaneous purposes,  
19 programs, for the transfer to the Iowa state commission grant  
20 program, and for not more than the following full-time  
21 equivalent positions:

22 .....	\$	1,509,134
23 .....	FTEs	28.75

24 b. The department shall work with businesses and  
25 communities to continually improve the economic development  
26 climate along with the economic well-being and quality of life  
27 for Iowans. The administrative services division shall  
28 coordinate with other state agencies ensuring that all state  
29 departments are attentive to the needs of an entrepreneurial  
30 culture.

31 2. BUSINESS DEVELOPMENT DIVISION

32 a. Business development operations

33 For business development operations and programs,  
34 international trade, export assistance, workforce recruitment,  
35 the partner state program, for transfer to the strategic

1 investment fund, for transfer to the value-added agricultural  
2 products and processes financial assistance fund, salaries,  
3 support, maintenance, miscellaneous purposes, and for not more  
4 than the following full-time equivalent positions:

5 .....	\$ 11,311,286
6 .....	FTEs 60.00

7 b. The department shall establish a strong and aggressive  
8 marketing image to showcase Iowa's workforce, existing  
9 industry, and potential. A priority shall be placed on  
10 recruiting new businesses, business expansion, and retaining  
11 existing Iowa businesses. Emphasis shall also be placed on  
12 entrepreneurial development through helping to secure capital  
13 for entrepreneurs, and developing networks and a business  
14 climate conducive to entrepreneurs and small business.

15 c. Notwithstanding section 8.33, moneys appropriated in  
16 this subsection that remain unencumbered or unobligated at the  
17 close of the fiscal year shall not revert but shall remain  
18 available for expenditure for the purposes designated until  
19 the close of the succeeding fiscal year.

20 d. The department shall create a position to cooperate and  
21 coordinate with the economic development activities at the  
22 institutions of higher learning under the control of the state  
23 board of regents. The individual shall serve as a facilitator  
24 between the institutions and businesses or prospective  
25 businesses; promote linkages among businesses, investors, and  
26 economic development programs; and assist in securing funding  
27 for businesses. The individual shall inventory, monitor, and  
28 evaluate the research, proposed projects, inventions, and  
29 other results of research at the institutions that are in the  
30 state's economic interest to promote and protect. The  
31 individual shall identify projects and ideas that the state  
32 should claim a proprietary interest in, including referrals  
33 for patents, licensing, and referrals to the department for  
34 further development. An emphasis shall be placed on  
35 developing Iowa-based businesses and locating businesses

1 within the state. The individual shall prepare an annual  
2 report that analyzes and evaluates the ideas, research, and  
3 projects reviewed and facilitated during the fiscal year. The  
4 report shall include quantitative information concerning jobs  
5 created and retained, business start-up activities, retention  
6 of new businesses, and royalties, licenses, and fees generated  
7 by these businesses and activities.

8 3. COMMUNITY AND RURAL DEVELOPMENT DIVISION

9 a. Community development programs

10 For salaries, support, maintenance, miscellaneous purposes,  
11 community economic development programs, tourism operations,  
12 community assistance, the film office, the mainstreet and  
13 rural mainstreet programs, the school-to-career program, the  
14 community development block grant, and housing and shelter-  
15 related programs and for not more than the following full-time  
16 equivalent positions:

17 .....	\$	5,091,404
18 .....	FTEs	65.00

19 b. The department shall encourage development of  
20 communities and quality of life to foster economic growth.  
21 The department shall prepare communities for future growth and  
22 development through development, expansion, and modernization  
23 of infrastructure.

24 c. The department shall develop public-private  
25 partnerships with Iowa businesses in the tourism industry,  
26 Iowa tour groups, Iowa tourism organizations, and political  
27 subdivisions in this state to assist in the development of  
28 advertising efforts. The department shall, to the fullest  
29 extent possible, develop cooperative efforts for advertising  
30 with contributions from other sources.

31 d. Notwithstanding section 8.33, moneys that remain  
32 unexpended at the end of the fiscal year shall not revert to  
33 any fund but shall remain available for expenditure for the  
34 designated purposes during the succeeding fiscal year.

35 4. For a study conducted by a person, as defined in

1 section 4.1, contracting with the department to inventory  
2 economic development programs on a statewide basis:

3 ..... \$ 30,000

4 5. For allocating moneys for the world food prize:

5 ..... \$ 285,000

6 Sec. 48. VISION IOWA PROGRAM -- FTE AUTHORIZATION. For  
7 purposes of administrative duties associated with the vision  
8 Iowa program, the department of economic development is  
9 authorized an additional 3.00 full-time equivalent positions  
10 above those otherwise authorized in this division of this Act.

11 Sec. 49. RURAL COMMUNITY 2000 PROGRAM. There is  
12 appropriated from loan repayments on loans under the former  
13 rural community 2000 program, sections 15.281 through 15.288,  
14 Code 2001, to the department of economic development for the  
15 fiscal year beginning July 1, 2002, and ending June 30, 2003,  
16 the following amounts, or so much thereof as is necessary, to  
17 be used for the purposes designated:

18 1. For providing financial assistance to Iowa's councils  
19 of governments that provide technical and planning assistance  
20 to local governments:

21 ..... \$ 150,000

22 2. For the rural development program for the purposes of  
23 the program including the rural enterprise fund and  
24 collaborative skills development training:

25 ..... \$ 370,000

26 Sec. 50. INSURANCE ECONOMIC DEVELOPMENT. There is  
27 appropriated from moneys collected by the division of  
28 insurance in excess of the anticipated gross revenues under  
29 section 505.7, subsection 3, to the department of economic  
30 development for the fiscal year beginning July 1, 2002, and  
31 ending June 30, 2003, the following amount, or so much thereof  
32 as is necessary, for insurance economic development and  
33 international insurance economic development:

34 ..... \$ 100,000

35 Sec. 51. TOURISM OPERATIONS. There is appropriated from

1 the community attraction and tourism fund created in section  
2 15F.204 to the department of economic development for the  
3 fiscal year beginning July 1, 2002, and ending June 30, 2003,  
4 the following amount, or so much thereof as is necessary, to  
5 be used for the purposes designated:

6 For tourism operations, including salaries, support,  
7 maintenance, and miscellaneous purposes:  
8 ..... \$ 1,200,000

9 Sec. 52. COMMUNITY DEVELOPMENT LOAN FUND. Notwithstanding  
10 section 15E.120, subsections 5 and 6, there is appropriated  
11 from the Iowa community development loan fund all the moneys  
12 available during the fiscal year beginning July 1, 2002, and  
13 ending June 30, 2003, to the department of economic  
14 development for the community development program to be used  
15 by the department for the purposes of the program.

16 Sec. 53. WORKFORCE DEVELOPMENT FUND. There is  
17 appropriated from the workforce development fund account  
18 created in section 15.342A, to the workforce development fund  
19 created in section 15.343, for the fiscal year beginning July  
20 1, 2002, and ending June 30, 2003, the following amount, for  
21 the purposes of the workforce development fund, and for not  
22 more than the following full-time equivalent positions:  
23 ..... \$ 4,000,000  
24 ..... FTEs 4.00

25 Sec. 54. WORKFORCE DEVELOPMENT ADMINISTRATION. From funds  
26 appropriated or transferred to or receipts credited to the  
27 workforce development fund created in section 15.343, up to  
28 \$400,000 for the fiscal year beginning July 1, 2002, and  
29 ending June 30, 2003, may be used for the administration of  
30 workforce development activities including salaries, support,  
31 maintenance, and miscellaneous purposes and for not more than  
32 4.00 full-time equivalent positions.

33 Sec. 55. JOB TRAINING FUND. Notwithstanding section  
34 15.251, all remaining moneys in the job training fund on July  
35 1, 2002, and any moneys appropriated or credited to the fund

1 during the fiscal year beginning July 1, 2002, shall be  
2 transferred to the workforce development fund established  
3 pursuant to section 15.343.

4 Sec. 56. IOWA STATE UNIVERSITY.

5 1. There is appropriated from the general fund of the  
6 state to the Iowa state university of science and technology  
7 for the fiscal year beginning July 1, 2002, and ending June  
8 30, 2003, the following amount, or so much thereof as is  
9 necessary, to be used for small business development centers,  
10 the science and technology research park, the institute for  
11 physical research, and for not more than the following full-  
12 time equivalent positions:

13 .....	\$	4,734,063
14 .....	FTEs	56.53

15 2. Iowa state university of science and technology shall  
16 do all of the following:

17 a. Direct expenditures for research toward projects that  
18 will provide economic stimulus for Iowa.

19 b. Emphasize that a business and an individual that  
20 creates a business and receives benefits from a program  
21 funded, in part, through moneys appropriated in this section  
22 have a commercially viable product or service.

23 c. Provide emphasis to providing services to Iowa-based  
24 companies.

25 3. It is the intent of the general assembly that the  
26 industrial incentive program focus on Iowa industrial sectors  
27 and seek contributions and in-kind donations from businesses,  
28 industrial foundations, and trade associations and that moneys  
29 for the institute for physical research and technology  
30 industrial incentive program shall only be allocated for  
31 projects which are matched by private sector moneys for  
32 directed contract research or for nondirected research. The  
33 match required of small businesses as defined in section  
34 15.102, subsection 4, for directed contract research or for  
35 nondirected research shall be \$1 for each \$3 of state funds.



1 The match required for other businesses for directed contract  
2 research or for nondirected research shall be \$1 for each \$1  
3 of state funds. The match required of industrial foundations  
4 or trade associations shall be \$1 for each \$1 of state funds.

5 Iowa state university of science and technology shall  
6 report annually to the joint appropriations subcommittee on  
7 economic development and the legislative fiscal bureau the  
8 total amount of private contributions, the proportion of  
9 contributions from small businesses and other businesses, and  
10 the proportion for directed contract research and nondirected  
11 research of benefit to Iowa businesses and industrial sectors.

12 Notwithstanding section 8.33, moneys appropriated in this  
13 section that remain unencumbered or unobligated at the close  
14 of the fiscal year shall not revert but shall remain available  
15 for expenditure for the purposes designated until the close of  
16 the succeeding fiscal year.

17 Sec. 57. UNIVERSITY OF IOWA.

18 1. There is appropriated from the general fund of the  
19 state to the state university of Iowa for the fiscal year  
20 beginning July 1, 2002, and ending June 30, 2003, the  
21 following amount, or so much thereof as is necessary, to be  
22 used for the university of Iowa research park and for the  
23 advanced drug development program at the Oakdale research  
24 park, including salaries, support, maintenance, equipment,  
25 miscellaneous purposes, and for not more than the following  
26 full-time equivalent positions:

27 .....	\$	485,463
28 .....	FTEs	6.00

29 2. The university of Iowa shall do all of the following:

30 a. Direct expenditures for research toward projects that  
31 will provide economic stimulus for Iowa.

32 b. Emphasize that a business and an individual that  
33 creates a business and receives benefits from a program  
34 funded, in part, through moneys appropriated in this section  
35 have a commercially viable product or service.

1 c. Provide emphasis to providing services to Iowa-based  
2 companies.

3 3. The board of regents shall submit a report on the  
4 progress of regents institutions in meeting the strategic plan  
5 for technology transfer and economic development to the  
6 secretary of the senate, the chief clerk of the house of  
7 representatives, and the legislative fiscal bureau by January  
8 15, 2003.

9 4. Notwithstanding section 8.33, moneys appropriated in  
10 this section that remain unencumbered or unobligated at the  
11 close of the fiscal year shall not revert but shall remain  
12 available for expenditure for the purposes designated until  
13 the close of the succeeding fiscal year.

14 Sec. 58. UNIVERSITY OF NORTHERN IOWA.

15 1. There is appropriated from the general fund of the  
16 state to the university of northern Iowa for the fiscal year  
17 beginning July 1, 2002, and ending June 30, 2003, the  
18 following amount, or so much thereof as is necessary, to be  
19 used for the metal casting institute, and for the institute of  
20 decision making, including salaries, support, maintenance,  
21 miscellaneous purposes, and for not more than the following  
22 full-time equivalent positions:

23 .....	\$	702,889
24 .....	FTEs	11.15

25 2. The university of northern Iowa shall do all of the  
26 following:

27 a. Direct expenditures for research toward projects that  
28 will provide economic stimulus for Iowa.

29 b. Emphasize that a business and an individual that  
30 creates a business and receives benefits from a program  
31 funded, in part, through moneys appropriated in this section  
32 have a commercially viable product or service.

33 c. Provide emphasis to providing services to Iowa-based  
34 companies.

35 3. Notwithstanding section 8.33, moneys appropriated in

1 this section that remain unencumbered or unobligated at the  
2 close of the fiscal year shall not revert but shall remain  
3 available for expenditure for the purposes designated until  
4 the close of the succeeding fiscal year.

5 Sec. 59. DEPARTMENT OF WORKFORCE DEVELOPMENT.

6 1. There is appropriated from the general fund of the  
7 state, to the department of workforce development for the  
8 fiscal year beginning July 1, 2002, and ending June 30, 2003,  
9 the following amount, or so much thereof as is necessary, for  
10 the division of labor services, the division of workers'  
11 compensation, the workforce development state and regional  
12 boards, the new employment opportunity fund, salaries,  
13 support, maintenance, miscellaneous purposes, and for not more  
14 than the following full-time equivalent positions:

15 .....	\$	4,988,053
16 .....	FTEs	113.30

17 2. From the contractor registration fees, the division of  
18 labor services shall reimburse the department of inspections  
19 and appeals for all costs associated with hearings under  
20 chapter 91C, relating to contractor registration.

21 3. The division of workers' compensation shall continue  
22 charging a \$65 filing fee for workers' compensation cases.  
23 The filing fee shall be paid by the petitioner of a claim.  
24 However, the fee can be taxed as a cost and paid by the losing  
25 party, except in cases where it would impose an undue hardship  
26 or be unjust under the circumstances.

27 4. Notwithstanding section 8.33, moneys appropriated in  
28 this section that remain unencumbered or unobligated at the  
29 close of the fiscal year shall not revert but shall remain  
30 available for expenditure for the purposes designated until  
31 the close of the succeeding fiscal year.

32 Sec. 60. ADMINISTRATIVE CONTRIBUTION SURCHARGE FUND.

33 Notwithstanding section 96.7, subsection 12, paragraph "c",  
34 there is appropriated from the administrative contribution  
35 surcharge fund of the state to the department of workforce

1 development for the fiscal year beginning July 1, 2002, and  
2 ending June 30, 2003, any moneys remaining in the  
3 administrative contribution surcharge fund on June 30, 2002,  
4 and the entire amount collected during the fiscal year  
5 beginning July 1, 2002, and ending June 30, 2003, or so much  
6 thereof as is necessary, for salaries, support, maintenance,  
7 conducting labor market surveys, miscellaneous purposes, and  
8 for workforce development regional advisory board member  
9 expenses.

10 Sec. 61. EMPLOYMENT SECURITY CONTINGENCY FUND. There is  
11 appropriated from the special employment security contingency  
12 fund to the department of workforce development for the fiscal  
13 year beginning July 1, 2002, and ending June 30, 2003, the  
14 following amounts, or so much thereof as is necessary, for the  
15 purposes designated:

16 1. DIVISION OF WORKERS' COMPENSATION

17 For salaries, support, maintenance, and miscellaneous  
18 purposes:

19 ..... \$ 471,000

20 2. IMMIGRATION SERVICE CENTERS

21 For salaries, support, maintenance, and miscellaneous  
22 purposes for the pilot immigration service centers:

23 ..... \$ 160,000

24 The department of workforce development shall maintain  
25 pilot immigration service centers that offer one-stop services  
26 to deal with the multiple issues related to immigration and  
27 employment. The pilot centers shall be designed to support  
28 workers, businesses, and communities with information,  
29 referrals, job placement assistance, translation, language  
30 training, resettlement, as well as technical and legal  
31 assistance on such issues as forms and documentation. Through  
32 the coordination of local, state, and federal service  
33 providers, and through the development of partnerships with  
34 public, private, and nonprofit entities with established  
35 records of international service, these pilot centers shall

1 seek to provide a seamless service delivery system for new  
2 Iowans.

3 3. LABOR MARKET INFORMATION

4 For salaries, support, maintenance, miscellaneous purposes  
5 for collection of labor market information, and for not more  
6 than the following full-time equivalent position:

7 .....	\$	67,078
8 .....	FTEs	1.00

9 Any additional penalty and interest revenue may be used to  
10 accomplish the mission of the department upon notification of  
11 the use to the chairpersons and ranking members of the joint  
12 appropriations subcommittee on economic development, the  
13 department of management, and the legislative fiscal bureau.  
14 However, the department shall not allocate any additional  
15 penalty and interest revenue prior to January 30, 2003.

16 Sec. 62. PUBLIC EMPLOYMENT RELATIONS BOARD. There is  
17 appropriated from the general fund of the state to the public  
18 employment relations board for the fiscal year beginning July  
19 1, 2002, and ending June 30, 2003, the following amount, or so  
20 much thereof as is necessary, for the purposes designated:

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

24 .....	\$	834,210
25 .....	FTEs	12.00

26 Sec. 63. Section 15E.112, subsection 5, Code 2001, is  
27 amended by striking the subsection.

28 Sec. 64. Section 159A.7, subsection 6, Code 2001, is  
29 amended by striking the subsection.

30 Sec. 65. 2000 Iowa Acts, chapter 1230, section 11,  
31 unnumbered paragraph 3, as amended by 2001 Iowa Acts, chapter  
32 188, section 19, is amended to read as follows:

33 In addition to moneys appropriated by this section,  
34 notwithstanding section 96.7, subsection 12, paragraph "c",  
35 for the fiscal year beginning July 1, 2000, there is

1 appropriated from the administrative contribution surcharge  
2 fund of the state to the department of workforce development  
3 \$700,000, or so much thereof as is necessary, for matching  
4 funds for welfare-to-work grants authorized through the United  
5 States department of labor. Notwithstanding section 8.33,  
6 moneys appropriated in this unnumbered paragraph that remain  
7 unencumbered or unobligated on June 30, 2001, shall not revert  
8 but shall remain available for expenditure for the purposes  
9 designated for the fiscal ~~year~~ years beginning July 1, 2001,  
10 and July 1, 2002.

11 Sec. 66. VALUE-ADDED AGRICULTURAL PRODUCTS AND PROCESSES  
12 FINANCIAL ASSISTANCE FUND MONEYS. The office of renewable  
13 fuels and coproducts may apply to the department of economic  
14 development for moneys in value-added agricultural products  
15 and processes financial assistance fund for deposit in the  
16 renewable fuels and coproducts fund created in section 159A.7.

17 Sec. 67. IOWA FINANCE AUTHORITY AUDIT. The auditor of  
18 state is requested to review the audit of the Iowa finance  
19 authority performed by the auditor hired by the authority.  
20 The auditor of state is also requested to conduct a  
21 performance audit of the authority to determine the  
22 effectiveness of the authority and the programs of the  
23 authority.

24 Sec. 68. APPLICATION FOR DEPARTMENT OF ECONOMIC  
25 DEVELOPMENT MONEYS. For the fiscal year beginning July 1,  
26 2002, any entity that was specifically identified in 2001 Iowa  
27 Acts, chapter 188, to receive funding from the department of  
28 economic development, excluding any entity identified to  
29 receive a direct appropriation beginning July 1, 2002, may  
30 apply to the department for assistance through the appropriate  
31 program. The department shall provide application criteria  
32 necessary to implement this section.

33 Sec. 69. EXPENDITURE AND ALLOCATION REPORTS. The  
34 department of economic development, the department of  
35 workforce development, and the regents institutions receiving

1 an appropriation pursuant to this division of this Act shall  
2 file a written report on a quarterly basis with the  
3 chairpersons and ranking members of the joint appropriations  
4 subcommittee on economic development and the legislative  
5 fiscal bureau regarding all expenditures of moneys  
6 appropriated pursuant to this division of this Act during the  
7 quarter, allocations of moneys appropriated pursuant to this  
8 division of this Act during the quarter, and full-time  
9 equivalent positions allocated during the quarter.

10 Sec. 70. EMPLOYER'S CONTRIBUTION AND PAYROLL REPORT FORM.  
11 Notwithstanding Iowa administrative code 871, chapter 22, an  
12 entity filing the employer's contribution and payroll report  
13 form and any other unemployment insurance forms on behalf of  
14 multiple accounts shall be allowed to submit one check for  
15 these accounts. A listing of applicable account numbers shall  
16 be submitted with the payment.

17 Sec. 71. SHELTER ASSISTANCE FUND. In providing moneys  
18 from the shelter assistance fund to homeless shelter programs  
19 in the fiscal year beginning July 1, 2002, and ending June 30,  
20 2003, the department of economic development shall explore the  
21 potential of allocating moneys to homeless shelter programs  
22 based in part on their ability to move their clients toward  
23 self-sufficiency.

24 Sec. 72. ISCC REPORT. By December 31, 2002, the  
25 department of economic development shall submit a written  
26 report to the chairpersons and the ranking members of the  
27 joint appropriations subcommittee on economic development and  
28 the legislative fiscal bureau. The report shall identify any  
29 moneys received from the ISCC liquidation corporation.

30 Sec. 73. FEDERAL GRANTS. All federal grants to and the  
31 federal receipts of agencies appropriated funds under this  
32 division of this Act, not otherwise appropriated, are  
33 appropriated for the purposes set forth in the federal grants  
34 or receipts unless otherwise provided by the general assembly.

35 Sec. 74. UNEMPLOYMENT COMPENSATION PROGRAM.

1 Notwithstanding section 96.9, subsection 4, paragraph "a",  
2 moneys credited to the state by the secretary of the treasury  
3 of the United States pursuant to section 903 of the Social  
4 Security Act shall be appropriated to the department of  
5 workforce development and shall be used by the department for  
6 the administration of the unemployment compensation program  
7 only. This appropriation shall not apply to any fiscal year  
8 after December 31, 2002.

9 Sec. 75. PAYROLL EXPENDITURE REFUNDS. In lieu of the  
10 appropriation made in section 15.365, subsection 3, there is  
11 appropriated for the fiscal year beginning July 1, 2002, and  
12 ending June 30, 2003, \$28,498, or so much thereof as is  
13 necessary, from the general fund of the state to the  
14 department of economic development to pay refunds as provided  
15 under section 15.365.

16 DIVISION IV

17 EDUCATION

18 COLLEGE STUDENT AID COMMISSION

19 Sec. 76. There is appropriated from the general fund of  
20 the state to the college student aid commission for the fiscal  
21 year beginning July 1, 2002, and ending June 30, 2003, the  
22 following amounts, or so much thereof as may be necessary, to  
23 be used for the purposes designated:

24 1. GENERAL ADMINISTRATION

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

28 .....	\$	293,138
29 .....	FTEs	5.20

30 2. STUDENT AID PROGRAMS

31 For payments to students for the Iowa grant program:

32 .....	\$	1,029,884
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33 3. DES MOINES UNIVERSITY -- OSTEOPATHIC MEDICAL CENTER

34 a. For forgivable loans to Iowa students attending the Des  
35 Moines university -- osteopathic medical center under the



1 forgivable loan program pursuant to section 261.19:  
2 ..... \$ 95,700

3 b. For the Des Moines university -- osteopathic medical  
4 center for an initiative in primary health care to direct  
5 primary care physicians to shortage areas in the state:  
6 ..... \$ 355,334

7 4. ACCELERATED CAREER EDUCATION GRANT PROGRAM  
8 For the accelerated career education grant program  
9 established in section 261.22:  
10 ..... \$ 224,895

11 5. CHIROPRACTIC GRADUATE STUDENT FORGIVABLE LOAN PROGRAM  
12 For purposes of providing forgivable loans under the  
13 program established in section 261.71:  
14 ..... \$ 89,958

15 6. NATIONAL GUARD EDUCATIONAL ASSISTANCE PROGRAM  
16 For purposes of providing national guard educational  
17 assistance under the program established in section 261.86:  
18 ..... \$ 1,175,000

19 7. TEACHER SHORTAGE FORGIVABLE LOAN PROGRAM  
20 For the teacher shortage forgivable loan program  
21 established in section 261.111:  
22 ..... \$ 472,279

23 Sec. 77. WORK-STUDY APPROPRIATION NULLIFICATION FOR FY  
24 2002-2003. Notwithstanding section 261.85, for the fiscal  
25 year beginning July 1, 2002, and ending June 30, 2003, the  
26 amount appropriated for the work-study program under section  
27 261.85 shall be zero.

28 DEPARTMENT OF CULTURAL AFFAIRS

29 Sec. 78. There is appropriated from the general fund of  
30 the state to the department of cultural affairs for the fiscal  
31 year beginning July 1, 2002, and ending June 30, 2003, the  
32 following amounts, or so much thereof as is necessary, to be  
33 used for the purposes designated:

34 1. ADMINISTRATION  
35 For salaries, support, maintenance, miscellaneous purposes,

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

3 ..... \$ 231,707  
4 ..... FTEs 4.30

5 The department of cultural affairs shall coordinate  
6 activities with the tourism division of the department of  
7 economic development to promote attendance at the state  
8 historical building and at this state's historic sites.

9 2. COMMUNITY CULTURAL GRANTS

10 For planning and programming for the community cultural  
11 grants program established under section 303.3, and for not  
12 more than the following full-time equivalent position:

13 ..... \$ 598,450  
14 ..... FTEs 0.70

15 3. HISTORICAL DIVISION

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

19 ..... \$ 3,025,891  
20 ..... FTEs 66.70

21 4. HISTORIC SITES

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

25 ..... \$ 536,146  
26 ..... FTEs 8.00

27 5. ARTS DIVISION

28 For salaries, support, maintenance, miscellaneous purposes,  
29 including funds to match federal grants and for not more than  
30 the following full-time equivalent positions:

31 ..... \$ 1,254,679  
32 ..... FTEs 11.00

33 DEPARTMENT OF EDUCATION

34 Sec. 79. There is appropriated from the general fund of  
35 the state to the department of education for the fiscal year

1 beginning July 1, 2002, and ending June 30, 2003, the  
2 following amounts, or so much thereof as may be necessary, to  
3 be used for the purposes designated:

4 1. GENERAL ADMINISTRATION

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

8 .....	\$	5,165,531
9 .....	FTEs	104.45

10 The director of the department of education shall ensure  
11 that all school districts are aware of the state education  
12 resources available on the state website for listing teacher  
13 job openings and shall make every reasonable effort to enable  
14 qualified practitioners to post their resumes on the state  
15 website. The department shall administer the posting of job  
16 vacancies for school districts, accredited nonpublic schools,  
17 and area education agencies on the state website. The  
18 department may coordinate this activity with the Iowa school  
19 board association or other interested education associations  
20 in the state.

21 2. VOCATIONAL EDUCATION ADMINISTRATION

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

25 .....	\$	500,111
26 .....	FTEs	15.60

27 3. BOARD OF EDUCATIONAL EXAMINERS

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

31 .....	\$	43,695
32 .....	FTEs	9.00

33 4. VOCATIONAL REHABILITATION SERVICES DIVISION

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

1 equivalent positions:

2 .....	\$	4,386,854
3 .....	FTEs	290.50

4 The division of vocational rehabilitation services shall  
5 seek funding from other sources, such as local funds, for  
6 purposes of matching the state's federal vocational  
7 rehabilitation allocation, as well as for matching other  
8 federal vocational rehabilitation funding that may become  
9 available.

10 Except where prohibited under federal law, the division of  
11 vocational rehabilitation services of the department of  
12 education shall accept client assessments, or assessments of  
13 potential clients, performed by other agencies in order to  
14 reduce duplication of effort.

15 Notwithstanding the full-time equivalent position limit  
16 established in this lettered paragraph, for the fiscal year  
17 ending June 30, 2003, if federal funding is received to pay  
18 the costs of additional employees for the vocational  
19 rehabilitation services division who would have duties  
20 relating to vocational rehabilitation services paid for  
21 through federal funding, authorization to hire not more than  
22 4.00 additional full-time equivalent employees shall be  
23 provided, the full-time equivalent position limit shall be  
24 exceeded, and the additional employees shall be hired by the  
25 division.

26 b. For matching funds for programs to enable persons with  
27 severe physical or mental disabilities to function more  
28 independently, including salaries and support, and for not  
29 more than the following full-time equivalent position:

30 .....	\$	57,158
31 .....	FTEs	1.00

32 The highest priority use for the moneys appropriated under  
33 this lettered paragraph shall be for programs that emphasize  
34 employment and assist persons with severe physical or mental  
35 disabilities to find and maintain employment to enable them to

1 function more independently.

2 5. STATE LIBRARY

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

6 ..... \$ 1,500,000

7 ..... FTEs 20.00

8 b. For the enrich Iowa program:

9 ..... \$ 1,781,168

10 (1) Funds allocated for purposes of the enrich Iowa  
11 program as provided in this lettered paragraph shall be  
12 distributed by the division of libraries and information  
13 services to provide support for Iowa's libraries. The  
14 commission of libraries shall develop rules governing the  
15 allocation of funds provided by the general assembly for the  
16 enrich Iowa program to provide direct state assistance to  
17 public libraries and to fund the open access and access plus  
18 programs. Direct state assistance to eligible public  
19 libraries is provided as an incentive to improve library  
20 services and to reduce inequities among communities in the  
21 delivery of library services based on recognized and adopted  
22 performance measures. Funds distributed as direct state  
23 assistance shall be distributed to eligible public libraries  
24 that are in compliance with performance measures adopted by  
25 rule by the commission of libraries. The funds allocated as  
26 provided in this lettered paragraph shall not be used for the  
27 costs of administration by the division. The amount of direct  
28 state assistance distributed under the enrich Iowa program for  
29 the fiscal year beginning July 1, 2002, shall not be lower  
30 than the amount distributed under the enrich Iowa program for  
31 the fiscal year commencing July 1, 2001. The amount of direct  
32 state assistance distributed to each eligible public library  
33 shall be based upon the following:

34 (a) The level of compliance by the eligible public library  
35 with the performance measures adopted by the commission as

1 provided in this subparagraph.

2 (b) The number of people residing within an eligible  
3 library's geographic service area for whom the library  
4 provides services.

5 (c) The amount of other funding the eligible public  
6 library received in the previous fiscal year for providing  
7 services to rural residents and to contracting communities.

8 (2) Moneys received by a public library under this  
9 lettered paragraph shall supplement, not supplant, any other  
10 funding received by the library.

11 (3) For purposes of this section, "eligible public  
12 library" means a public library that meets all of the  
13 following requirements:

14 (a) Submits to the division all of the following:

15 (i) The report provided for under section 256.51,  
16 subsection 1, paragraph "h".

17 (ii) An application and accreditation report, in a format  
18 approved by the commission, that provides evidence of the  
19 library's compliance with at least one level of the standards  
20 established in accordance with section 256.51, subsection 1,  
21 paragraph "k".

22 (iii) Any other application or report the division deems  
23 necessary for the implementation of the enrich Iowa program.

24 (b) Participates in the library resource and information  
25 sharing programs established by the state library.

26 (c) Is a public library established by city ordinance or a  
27 library district as provided in chapter 336.

28 (4) Each eligible public library shall maintain a separate  
29 listing within its budget for payments received and  
30 expenditures made pursuant to this lettered paragraph, and  
31 shall annually submit this listing to the division.

32 (5) By January 15, 2003, the division shall submit a  
33 program evaluation report to the general assembly and the  
34 governor detailing the uses and the impacts of funds allocated  
35 under this lettered paragraph.

1 (6) A public library that receives funds in accordance  
2 with this lettered paragraph shall have an internet use policy  
3 in place, which may or may not include internet filtering.  
4 The library shall submit a report describing the library's  
5 internet use efforts to the division.

6 (7) A public library that receives funds in accordance  
7 with this lettered paragraph shall provide open access, the  
8 reciprocal borrowing program, as a service to its patrons, at  
9 a reimbursement rate determined by the state library.

10 6. LIBRARY SERVICE AREA SYSTEM

11 For state aid:

12 ..... \$ 1,443,613

13 7. PUBLIC BROADCASTING DIVISION

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

17 ..... \$ 6,856,407

18 ..... FTEs 89.00

19 8. REGIONAL TELECOMMUNICATIONS COUNCIL

20 For state aid and for not more than the following full-time  
21 equivalent positions:

22 ..... \$ 1,612,500

23 ..... FTEs 8.00

24 a. Of the amount appropriated in this section, \$340,215  
25 shall be allocated to the public broadcasting division for  
26 purposes of providing support for functions related to the  
27 Iowa communications network, including but not limited to the  
28 following functions: development of distance learning  
29 applications; development of a central information source on  
30 the internet relating to educational uses of the network;  
31 second-line technical support for network sites; testing and  
32 initializing sites onto the network; and coordinating the work  
33 of the education telecommunications council.

34 b. Of the amount appropriated in this section, \$1,272,285  
35 shall be allocated to the regional telecommunications councils

1 established in section 8D.5. The regional telecommunications  
2 councils shall use the funds to provide technical assistance  
3 for network classrooms, planning and troubleshooting for local  
4 area networks, scheduling of video sites, and other related  
5 support activities.

6 9. VOCATIONAL EDUCATION TO SECONDARY SCHOOLS

7 For reimbursement for vocational education expenditures  
8 made by secondary schools:

9 ..... \$ 3,012,209

10 Funds appropriated in this subsection shall be used for  
11 expenditures made by school districts to meet the standards  
12 set in sections 256.11, 258.4, and 260C.14 as a result of the  
13 enactment of 1989 Iowa Acts, chapter 278. Funds shall be used  
14 as reimbursement for vocational education expenditures made by  
15 secondary schools in the manner provided by the department of  
16 education for implementation of the standards set in 1989 Iowa  
17 Acts, chapter 278.

18 10. SCHOOL FOOD SERVICE

19 For use as state matching funds for federal programs that  
20 shall be disbursed according to federal regulations, including  
21 salaries, support, maintenance, and miscellaneous purposes:

22 ..... \$ 2,574,034

23 11. IOWA EMPOWERMENT FUND

24 For deposit in the school ready children grants account of  
25 the Iowa empowerment fund created in section 28.9:

26 ..... \$ 14,033,448

27 a. From the moneys deposited in the school ready children  
28 grants account for the fiscal year beginning July 1, 2002, and  
29 ending June 30, 2003, not more than \$200,000 is allocated for  
30 the community empowerment office and other technical  
31 assistance activities. It is the intent of the general  
32 assembly that regional technical assistance teams will be  
33 established and will include staff from various agencies, as  
34 appropriate, including the area education agencies, community  
35 colleges, and the Iowa state university of science and



1 technology cooperative extension service in agriculture and  
2 home economics. The Iowa empowerment board shall direct staff  
3 to work with the advisory council to inventory technical  
4 assistance needs. Funds allocated under this lettered  
5 paragraph may be used by the Iowa empowerment board for the  
6 purpose of skills development and support for ongoing training  
7 of the regional technical assistance teams. However, funds  
8 shall not be used for additional staff or for the  
9 reimbursement of staff.

10 b. Notwithstanding any other provision of law to the  
11 contrary, for the fiscal year beginning July 1, 2002, the  
12 total amount available for distribution for that fiscal year  
13 from the school ready children grants account from the  
14 appropriation made in this subsection and in any other  
15 appropriation made to the account for the fiscal year  
16 beginning July 1, 2002, shall be distributed as follows:

17 (1) If the total amount deposited in the school ready  
18 children grants account for fiscal year 2002-2003 is reduced  
19 from the total amount deposited in the account for fiscal year  
20 2001-2002, the school ready children grants for those  
21 designated community empowerment areas that first received a  
22 school ready children grant in a fiscal year prior to fiscal  
23 year 2000-2001 shall be subject to an adjustment factor. The  
24 adjustment factor shall be determined by calculating the  
25 amount of reduction in the deposits between the two fiscal  
26 years as a percentage of the combined amount actually  
27 distributed in fiscal year 2001-2002 to those designated  
28 community empowerment areas that first received a school ready  
29 children grant in a fiscal year prior to fiscal year 2000-  
30 2001. Each designated community empowerment area that first  
31 received a school ready children grant in a fiscal year prior  
32 to fiscal year 2000-2001 shall receive an amount for fiscal  
33 year 2002-2003 equivalent to the amount received by the area  
34 in fiscal year 2001-2002 as decreased by applying the  
35 adjustment factor.

1 (2) The designated community empowerment areas that first  
2 received a school ready children grant in fiscal year 2000-  
3 2001 shall receive for fiscal year 2002-2003 an amount  
4 equivalent to the amount distributed to each of those areas  
5 for fiscal year 2001-2002.

6 c. As a condition of receiving funding appropriated in  
7 this subsection, each community empowerment area board shall  
8 report to the Iowa empowerment board progress on each of the  
9 state indicators approved by the state board, as well as  
10 progress on local indicators. The community empowerment area  
11 board must also submit a written plan amendment extending by  
12 one year the area's comprehensive school ready children grant  
13 plan developed for providing services for children from birth  
14 through five years of age and provide other information  
15 specified by the Iowa empowerment board. The amendment may  
16 also provide for changes in the programs and services provided  
17 under the plan. The Iowa empowerment board shall establish a  
18 submission deadline for the plan amendment that allows a  
19 reasonable period of time for preparation of the plan  
20 amendment and for review and approval or request for  
21 modification of the plan amendment by the Iowa empowerment  
22 board. In addition, the community empowerment board must  
23 continue to comply with reporting provisions and other  
24 requirements adopted by the Iowa empowerment board in  
25 implementing section 28.8.

26 12. TEXTBOOKS OF NONPUBLIC SCHOOL PUPILS

27 To provide funds for costs of providing textbooks to each  
28 resident pupil who attends a nonpublic school as authorized by  
29 section 301.1. The funding is limited to \$20 per pupil and  
30 shall not exceed the comparable services offered to resident  
31 public school pupils:

32 ..... \$ 578,880

33 13. VOCATIONAL EDUCATION YOUTH ORGANIZATION

34 To assist a vocational education youth organization  
35 sponsored by the schools to support the foundation established

1 by that vocational education youth organization and for other  
2 youth activities:

3 ..... \$ 81,630

4 14. CONNECTING EDUCATION AND WORKFORCE DEVELOPMENT

5 For purposes of providing support to statewide school-to-  
6 work implementation through professional development  
7 opportunities, employability skill revalidation, partnership  
8 capacity building, connecting to the department of workforce  
9 development's making connections system implementation, and  
10 the integration of academic and vocational education, and for  
11 not more than the following full-time equivalent positions:

12 ..... \$ 185,212

13 ..... FTEs 2.50

14 15. JOBS FOR AMERICA'S GRADUATES

15 For school districts to provide direct services to the most  
16 at-risk senior high school students enrolled in school  
17 districts through direct intervention by a "jobs for America's  
18 graduates" specialist:

19 ..... \$ 136,552

20 It is the intent of the general assembly to cease providing  
21 state assistance for purposes of the jobs for America's  
22 graduates program beyond the fiscal year ending June 30, 2003.

23 16. AMERICORPS AFTER-SCHOOL INITIATIVE

24 For purposes of the americorps after-school initiative:

25 ..... \$ 136,552

26 It is the intent of the general assembly to cease providing  
27 state assistance for purposes of the americorps after-school  
28 initiative beyond the fiscal year ending June 30, 2003.

29 17. STUDENT ACHIEVEMENT AND TEACHER QUALITY PROGRAM

30 For purposes, as provided in law, of the student  
31 achievement and teacher quality program established pursuant  
32 to chapter 284:

33 ..... \$ 7,750,000

34 Notwithstanding section 8.33, any moneys remaining  
35 unencumbered or unobligated from the moneys allocated as

1 provided in this subsection shall not revert but shall remain  
2 available in the succeeding fiscal year for expenditure for  
3 the purposes designated. The provisions of section 8.39 shall  
4 not apply to the funds appropriated pursuant to this  
5 subsection.

6 18. COMMUNITY COLLEGES

7 For general state financial aid, including general  
8 financial aid to merged areas in lieu of personal property tax  
9 replacement payments, to merged areas as defined in section  
10 260C.2, for vocational education programs in accordance with  
11 chapters 258 and 260C:

12 ..... \$137,585,680

13 The funds appropriated in this subsection shall be  
14 allocated as follows:

15	a. Merged Area I .....	\$ 6,602,820
16	b. Merged Area II .....	\$ 7,755,900
17	c. Merged Area III .....	\$ 7,205,055
18	d. Merged Area IV .....	\$ 3,521,678
19	e. Merged Area V .....	\$ 7,367,785
20	f. Merged Area VI .....	\$ 6,826,113
21	g. Merged Area VII .....	\$ 9,849,174
22	h. Merged Area IX .....	\$ 12,113,770
23	i. Merged Area X .....	\$ 19,011,042
24	j. Merged Area XI .....	\$ 20,177,551
25	k. Merged Area XII .....	\$ 7,949,367
26	l. Merged Area XIII .....	\$ 8,174,348
27	m. Merged Area XIV .....	\$ 3,563,670
28	n. Merged Area XV .....	\$ 11,213,616
29	o. Merged Area XVI .....	\$ 6,253,791

30 Sec. 80. BOARD OF EDUCATIONAL EXAMINERS LICENSING FEES.

31 Notwithstanding section 272.10, up to 85 percent of any funds  
32 received annually resulting from an increase in fees approved  
33 and implemented for licensing by the state board of  
34 educational examiners after July 1, 1997, shall be available  
35 for the fiscal year beginning July 1, 2002, to the state board

1 for purposes related to the state board's duties, including,  
2 but not limited to, additional full-time equivalent positions.  
3 The director of revenue and finance shall draw warrants upon  
4 the treasurer of state from the funds appropriated as provided  
5 in this section and shall make the funds resulting from the  
6 increase in fees available during the fiscal year to the state  
7 board on a monthly basis.

8 STATE BOARD OF REGENTS

9 Sec. 81. There is appropriated from the general fund of  
10 the state to the state board of regents for the fiscal year  
11 beginning July 1, 2002, and ending June 30, 2003, the  
12 following amounts, or so much thereof as may be necessary, to  
13 be used for the purposes designated:

14 1. OFFICE OF STATE BOARD OF REGENTS

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

18 .....	\$	1,177,051
19 .....	FTEs	16.00

20 The state board of regents, the department of management,  
21 and the legislative fiscal bureau shall cooperate to determine  
22 and agree upon, by November 15, 2002, the amount that needs to  
23 be appropriated for tuition replacement for the fiscal year  
24 beginning July 1, 2003.

25 The state board of regents shall submit a monthly financial  
26 report in a format agreed upon by the state board of regents  
27 office and the legislative fiscal bureau.

28 b. For funds to be allocated to the southwest Iowa  
29 graduate studies center:

30 .....	\$	108,644
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31 c. For funds to be allocated to the siouxland interstate  
32 metropolitan planning council for the tristate graduate center  
33 under section 262.9, subsection 21:

34 .....	\$	80,024
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35 d. For funds to be allocated to the quad-cities graduate

1 studies center:

2 ..... \$ 161,758

3 2. STATE UNIVERSITY OF IOWA

4 a. General university, including lakeside laboratory

5 For salaries, support, maintenance, equipment,

6 miscellaneous purposes, and for not more than the following

7 full-time equivalent positions:

8 ..... \$229,802,807

9 ..... FTEs 4,055.62

10 It is the intent of the general assembly that the  
11 university continue progress on the school of public health  
12 and the public health initiative for the purposes of  
13 establishing an accredited school of public health and for  
14 funding an initiative for the health and independence of  
15 elderly Iowans. From the funds appropriated in this lettered  
16 paragraph, the university may use up to \$2,100,000 for the  
17 school of public health and the public health initiative.

18 Funds appropriated in this lettered paragraph shall not be  
19 available for expenditure for medically induced termination of  
20 a pregnancy, including but not limited to usage of  
21 mifepristone or RU-486, offered or administered by the student  
22 health center.

23 b. University hospitals

24 For salaries, support, maintenance, equipment, and  
25 miscellaneous purposes and for medical and surgical treatment  
26 of indigent patients as provided in chapter 255, for medical  
27 education, and for not more than the following full-time  
28 equivalent positions:

29 ..... \$ 29,114,188

30 ..... FTEs 5,471.01

31 The university of Iowa hospitals and clinics shall, within  
32 the context of chapter 255 and when medically appropriate,  
33 make reasonable efforts to extend the university of Iowa  
34 hospitals and clinics' use of home telemedicine and other  
35 technologies to reduce the frequency of visits to the hospital

1 required by indigent patients. The university of Iowa  
2 hospitals and clinics shall submit a report to the general  
3 assembly and the legislative fiscal bureau by January 15,  
4 2003, describing its use of these technologies to accomplish  
5 this purpose.

6 The university of Iowa hospitals and clinics shall submit  
7 quarterly a report regarding the portion of the appropriation  
8 in this lettered paragraph expended on medical education. The  
9 report shall be submitted in a format jointly developed by the  
10 university of Iowa hospitals and clinics, the legislative  
11 fiscal bureau, and the department of management, and shall  
12 delineate the expenditures and purposes of the funds.

13 Funds appropriated in this lettered paragraph shall not be  
14 used to perform abortions except medically necessary  
15 abortions, and shall not be used to operate the early  
16 termination of pregnancy clinic except for the performance of  
17 medically necessary abortions. For the purpose of this  
18 lettered paragraph, an abortion is the purposeful interruption  
19 of pregnancy with the intention other than to produce a live-  
20 born infant or to remove a dead fetus, and a medically  
21 necessary abortion is one performed under one of the following  
22 conditions:

23 (1) The attending physician certifies that continuing the  
24 pregnancy would endanger the life of the pregnant woman.

25 (2) The attending physician certifies that the fetus is  
26 physically deformed, mentally deficient, or afflicted with a  
27 congenital illness.

28 (3) The pregnancy is the result of a rape which is  
29 reported within 45 days of the incident to a law enforcement  
30 agency or public or private health agency which may include a  
31 family physician.

32 (4) The pregnancy is the result of incest which is  
33 reported within 150 days of the incident to a law enforcement  
34 agency or public or private health agency which may include a  
35 family physician.

1 (5) The abortion is a spontaneous abortion, commonly known  
2 as a miscarriage, wherein not all of the products of  
3 conception are expelled.

4 The total quota allocated to the counties for indigent  
5 patients for the fiscal year beginning July 1, 2002, shall not  
6 be lower than the total quota allocated to the counties for  
7 the fiscal year commencing July 1, 1998. The total quota  
8 shall be allocated among the counties on the basis of the 2000  
9 census pursuant to section 255.16.

10 c. Psychiatric hospital

11 For salaries, support, maintenance, equipment,  
12 miscellaneous purposes, for the care, treatment, and  
13 maintenance of committed and voluntary public patients, and  
14 for not more than the following full-time equivalent  
15 positions:

16 .....	\$	7,446,268
17 .....	FTEs	272.11

18 d. Center for disabilities and development

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

22 .....	\$	6,678,843
23 .....	FTEs	143.34

24 From the funds appropriated in this lettered paragraph,  
25 \$200,000 shall be allocated for purposes of the creative  
26 employment options program.

27 e. Oakdale campus

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

31 .....	\$	2,820,522
32 .....	FTEs	43.25

33 f. State hygienic laboratory

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



1 positions:

2 ..... \$ 3,948,752

3 ..... FTEs 102.49

4 g. Family practice program

5 For allocation by the dean of the college of medicine, with  
6 approval of the advisory board, to qualified participants, to  
7 carry out chapter 148D for the family practice program,  
8 including salaries and support, and for not more than the  
9 following full-time equivalent positions:

10 ..... \$ 2,195,031

11 ..... FTEs 192.40

12 h. Child health care services

13 For specialized child health care services, including  
14 childhood cancer diagnostic and treatment network programs,  
15 rural comprehensive care for hemophilia patients, and the Iowa  
16 high-risk infant follow-up program, including salaries and  
17 support, and for not more than the following full-time  
18 equivalent positions:

19 ..... \$ 649,877

20 ..... FTEs 53.46

21 i. Statewide cancer registry

22 For the statewide cancer registry, and for not more than  
23 the following full-time equivalent positions:

24 ..... \$ 190,934

25 ..... FTEs 2.40

26 j. Substance abuse consortium

27 For funds to be allocated to the Iowa consortium for  
28 substance abuse research and evaluation, and for not more than  
29 the following full-time equivalent positions:

30 ..... \$ 68,675

31 ..... FTEs 1.50

32 k. Center for biocatalysis

33 For the center for biocatalysis, and for not more than the  
34 following full-time equivalent positions:

35 ..... \$ 948,854

1 ..... FTEs 5.20

2 1. Primary health care initiative

3 For the primary health care initiative in the college of  
4 medicine and for not more than the following full-time  
5 equivalent positions:

6 ..... \$ 810,484

7 ..... FTEs 7.75

8 From the funds appropriated in this lettered paragraph,  
9 \$330,000 shall be allocated to the department of family  
10 practice at the state university of Iowa college of medicine  
11 for family practice faculty and support staff.

12 m. Birth defects registry

13 For the birth defects registry and for not more than the  
14 following full-time equivalent positions:

15 ..... \$ 47,365

16 ..... FTEs 1.30

17 3. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY

18 a. General university

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

22 ..... \$181,487,906

23 ..... FTEs 3,647.42

24 It is the intent of the general assembly that the  
25 university continue progress on the center for excellence in  
26 fundamental plant sciences. From the funds appropriated in  
27 this lettered paragraph, the university may use up to  
28 \$4,670,000 for the center for excellence in fundamental plant  
29 sciences.

30 The general assembly declares that it is possible that a  
31 few large companies may be able to control all levels of the  
32 food chain, including production, because these companies own  
33 the genetics needed to participate in the food system of the  
34 future, and finds this possibility to be a major threat to the  
35 independence and profitability of Iowa's agricultural

1 producers. To ensure public ownership of plant genetic  
2 material, all rights to the research products developed by the  
3 Iowa state university of science and technology's botany  
4 institute using state-appropriated funds will be made  
5 available to the extent practicable for commercialization, for  
6 the benefit of all Iowans, including Iowa's agricultural  
7 producers, through a public process which normally involves  
8 nonexclusive licensing of genes and germplasm.

9 Funds appropriated in this lettered paragraph shall not be  
10 available for expenditure for medically induced termination of  
11 a pregnancy, including but not limited to usage of  
12 mifepristone or RU-486, offered or administered by the student  
13 health center.

14 b. Agricultural experiment station

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

18 .....	\$ 32,954,175
19 .....	FTEs 546.98

20 c. Cooperative extension service in agriculture and home  
21 economics

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

25 .....	\$ 20,822,682
26 .....	FTEs 383.34

27 d. Leopold center

28 For agricultural research grants at Iowa state university  
29 under section 266.39B, and for not more than the following  
30 full-time equivalent positions:

31 .....	\$ 504,357
32 .....	FTEs 11.25

33 e. Livestock disease research

34 For deposit in and the use of the livestock disease  
35 research fund under section 267.8, and for not more than the

1 following full-time equivalent positions:

2 ..... \$ 240,636  
3 ..... FTEs 3.17

4 4. UNIVERSITY OF NORTHERN IOWA

5 a. General university

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

9 ..... \$ 81,226,925  
10 ..... FTEs 1,428.79

11 It is the intent of the general assembly that the  
12 university continue progress on the implementation of a  
13 masters in social work program. From the funds appropriated  
14 in this lettered paragraph, the university may use up to  
15 \$450,000 for the implementation of the masters in social work  
16 program, up to \$100,000 for the roadside vegetation project,  
17 and up to \$200,000 for the Iowa office for staff development.

18 Funds appropriated in this lettered paragraph shall not be  
19 available for expenditure for medically induced termination of  
20 a pregnancy, including but not limited to usage of  
21 mifepristone or RU-486, offered or administered by the student  
22 health center.

23 b. Recycling and reuse center

24 For purposes of the recycling and reuse center, and for not  
25 more than the following full-time equivalent position:

26 ..... \$ 221,447  
27 ..... FTEs 0.89

28 5. STATE SCHOOL FOR THE DEAF

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

32 ..... \$ 7,891,351  
33 ..... FTEs 117.29

34 6. IOWA BRAILLE AND SIGHT SAVING SCHOOL

35 For salaries, support, maintenance, miscellaneous purposes,

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

3 ..... \$ 4,422,904  
4 ..... FTES 81.00

5 7. TUITION AND TRANSPORTATION COSTS

6 For payment to local school boards for the tuition and  
7 transportation costs of students residing in the Iowa braille  
8 and sight saving school and the state school for the deaf  
9 pursuant to section 262.43 and for payment of certain clothing  
10 and transportation costs for students at these schools  
11 pursuant to section 270.5:

12 ..... \$ 15,103

13 Sec. 82. MEDICAL ASSISTANCE -- SUPPLEMENTAL AMOUNTS. For  
14 the fiscal year beginning July 1, 2002, and ending June 30,  
15 2003, the department of human services shall continue the  
16 supplemental disproportionate share and a supplemental  
17 indirect medical education adjustment applicable to state-  
18 owned acute care hospitals with more than 500 beds and shall  
19 reimburse qualifying hospitals pursuant to that adjustment  
20 with a supplemental amount for services provided medical  
21 assistance recipients. The adjustment shall generate  
22 supplemental payments intended to equal the state  
23 appropriation made to a qualifying hospital for treatment of  
24 indigent patients as provided in chapter 255. To the extent  
25 of the supplemental payments, a qualifying hospital shall,  
26 after receipt of the funds, transfer to the department of  
27 human services an amount equal to the actual supplemental  
28 payments that were made in that month. The aggregate amounts  
29 for the fiscal year shall not exceed the state appropriation  
30 made to the qualifying hospital for treatment of indigent  
31 patients as provided in chapter 255. The department of human  
32 services shall deposit these funds in the department's medical  
33 assistance account. To the extent that state funds  
34 appropriated to a qualifying hospital for the treatment of  
35 indigent patients as provided in chapter 255 have been

1 transferred to the department of human services as a result of  
2 these supplemental payments made to the qualifying hospital,  
3 the department shall not, directly or indirectly, recoup the  
4 supplemental payments made to a qualifying hospital for any  
5 reason, unless an equivalent amount of the funds transferred  
6 to the department of human services by a qualifying hospital  
7 pursuant to this provision is transferred to the qualifying  
8 hospital by the department.

9 If the state supplemental amount allotted to the state of  
10 Iowa for the federal fiscal year beginning October 1, 2002,  
11 and ending September 30, 2003, pursuant to section 1923(f)(3)  
12 of the federal Social Security Act, as amended, or pursuant to  
13 federal payments for indirect medical education is greater  
14 than the amount necessary to fund the federal share of the  
15 supplemental payments specified in the preceding paragraph,  
16 the department of human services shall increase the  
17 supplemental disproportionate share or supplemental indirect  
18 medical education adjustment by the lesser of the amount  
19 necessary to utilize fully the state supplemental amount or  
20 the amount of state funds appropriated to the state university  
21 of Iowa general education fund and allocated to the university  
22 for the college of medicine. The state university of Iowa  
23 shall transfer from the allocation for the college of medicine  
24 to the department of human services, on a monthly basis, an  
25 amount equal to the additional supplemental payments made  
26 during the previous month pursuant to this paragraph. A  
27 qualifying hospital receiving supplemental payments pursuant  
28 to this paragraph that are greater than the state  
29 appropriation made to the qualifying hospital for treatment of  
30 indigent patients as provided in chapter 255 shall be  
31 obligated as a condition of its participation in the medical  
32 assistance program to transfer to the state university of Iowa  
33 general education fund on a monthly basis an amount equal to  
34 the funds transferred by the state university of Iowa to the  
35 department of human services. To the extent that state funds

1 appropriated to the state university of Iowa and allocated to  
2 the college of medicine have been transferred to the  
3 department of human services as a result of these supplemental  
4 payments made to the qualifying hospital, the department shall  
5 not, directly or indirectly, recoup these supplemental  
6 payments made to a qualifying hospital for any reason, unless  
7 an equivalent amount of the funds transferred to the  
8 department of human services by the state university of Iowa  
9 pursuant to this paragraph is transferred to the qualifying  
10 hospital by the department.

11 Continuation of the supplemental disproportionate share and  
12 supplemental indirect medical education adjustment shall  
13 preserve the funds available to the university hospital for  
14 medical and surgical treatment of indigent patients as  
15 provided in chapter 255 and to the state university of Iowa  
16 for educational purposes at the same level as provided by the  
17 state funds initially appropriated for that purpose.

18 The department of human services shall, in any compilation  
19 of data or other report distributed to the public concerning  
20 payments to providers under the medical assistance program,  
21 set forth reimbursements to a qualifying hospital through the  
22 supplemental disproportionate share and supplemental indirect  
23 medical education adjustment as a separate item and shall not  
24 include such payments in the amounts otherwise reported as the  
25 reimbursement to a qualifying hospital for services to medical  
26 assistance recipients.

27 For purposes of this section, "supplemental payment" means  
28 a supplemental payment amount paid for medical assistance to a  
29 hospital qualifying for that payment under this section.

30 Sec. 83. For the fiscal year beginning July 1, 2002, and  
31 ending June 30, 2003, the state board of regents may use  
32 notes, bonds, or other evidences of indebtedness issued under  
33 section 262.48 to finance projects that will result in energy  
34 cost savings in an amount that will cause the state board to  
35 recover the cost of the projects within an average of six

1 years.

2 Sec. 84. Notwithstanding section 270.7, the department of  
3 revenue and finance shall pay the state school for the deaf  
4 and the Iowa braille and sight saving school the moneys  
5 collected from the counties during the fiscal year beginning  
6 July 1, 2002, for expenses relating to prescription drug costs  
7 for students attending the state school for the deaf and the  
8 Iowa braille and sight saving school.

9 Sec. 85. Section 261.25, subsections 1 through 3, Code  
10 2001, are amended to read as follows:

11 1. There is appropriated from the general fund of the  
12 state to the commission for each fiscal year the sum of ~~forty-~~  
13 ~~eight~~ forty-seven million ~~eight~~ one hundred ~~thirty~~ fifty-five  
14 thousand ~~seventy-five~~ three hundred eighty-two dollars for  
15 tuition grants.

16 2. There is appropriated from the general fund of the  
17 state to the commission for each fiscal year the sum of four  
18 hundred ~~ninety-eight~~ seventy-seven thousand ~~five~~ one hundred  
19 ~~forty~~ three dollars for scholarships.

20 3. There is appropriated from the general fund of the  
21 state to the commission for each fiscal year the sum of two  
22 million ~~four~~ three hundred ~~eighty-two~~ seventy-five thousand  
23 ~~four~~ six hundred fifty-seven dollars for vocational-technical  
24 tuition grants.

25 Sec. 86. NEW SECTION. 262.100 INNOVATIVE SCHOOL CALENDAR  
26 PILOT PROGRAM -- SCHOOL FOR THE DEAF.

27 The state board of regents may establish a three-year pilot  
28 program to evaluate the benefits of establishing an innovative  
29 school calendar for the school for the deaf. If the board  
30 establishes a pilot program in accordance with this section,  
31 the board shall provide for the administration of valid and  
32 reliable standardized assessments to demonstrate the program's  
33 effect on student achievement. Any findings and  
34 recommendations resulting from a pilot program established in  
35 accordance with this section shall be submitted to the



1 chairpersons and ranking members of the senate and house  
2 standing committees on education and the joint appropriations  
3 subcommittee on education by December 15, 2005. The report  
4 shall include a listing of the savings, goals and outcomes,  
5 and the effect of the innovative school calendar on student  
6 achievement and the school's educational program. This  
7 section is repealed effective June 30, 2006.

8 DIVISION V

9 HEALTH AND HUMAN RIGHTS

10 Sec. 87. DEPARTMENT FOR THE BLIND. There is appropriated  
11 from the general fund of the state to the department for the  
12 blind for the fiscal year beginning July 1, 2002, and ending  
13 June 30, 2003, the following amount, or so much thereof as is  
14 necessary, to be used for the purposes designated:

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

18 .....	\$	1,601,864
19 .....	FTEs	106.50

20 Sec. 88. CIVIL RIGHTS COMMISSION. There is appropriated  
21 from the general fund of the state to the Iowa state civil  
22 rights commission for the fiscal year beginning July 1, 2002,  
23 and ending June 30, 2003, the following amount, or so much  
24 thereof as is necessary, to be used for the purposes  
25 designated:

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

29 .....	\$	951,050
30 .....	FTEs	35.75

31 If the anticipated amount of federal funding from the  
32 federal equal employment opportunity commission and the  
33 federal department of housing and urban development exceeds  
34 \$1,144,875 during the fiscal year beginning July 1, 2002, the  
35 Iowa state civil rights commission may exceed the staffing

1 level authorized in this section to hire additional staff to  
2 process or to support the processing of employment and housing  
3 complaints during that fiscal year.

4 Sec. 89. DEPARTMENT OF ELDER AFFAIRS. There is  
5 appropriated from the general fund of the state to the  
6 department of elder affairs for the fiscal year beginning July  
7 1, 2002, and ending June 30, 2003, the following amount, or so  
8 much thereof as is necessary, to be used for the purposes  
9 designated:

10 1. For aging programs for the department of elder affairs  
11 and area agencies on aging to provide citizens of Iowa who are  
12 60 years of age and older with case management for the frail  
13 elderly, Alzheimer's support, the retired and senior volunteer  
14 program, resident advocate committee coordination, employment,  
15 and other services which may include, but are not limited to,  
16 adult day services, respite care, chore services, telephone  
17 reassurance, information and assistance, and home repair  
18 services, including the winterizing of homes, and for the  
19 construction of entrance ramps which make residences  
20 accessible to the physically handicapped, and for salaries,  
21 support, administration, maintenance, miscellaneous purposes,  
22 and for not more than the following full-time equivalent  
23 positions with the department of elder affairs:

24 .....	\$	4,113,252
25 .....	FTEs	28.00

26 a. Funds appropriated in this subsection may be used to  
27 supplement federal funds under federal regulations. To  
28 receive funds appropriated in this subsection, a local area  
29 agency on aging shall match the funds with moneys from other  
30 sources according to rules adopted by the department. Funds  
31 appropriated in this subsection may be used for elderly  
32 services not specifically enumerated in this subsection only  
33 if approved by an area agency on aging for provision of the  
34 service within the area.

35 b. It is the intent of the general assembly that the Iowa

1 chapters of the Alzheimer's association and the case  
2 management program for the frail elderly shall collaborate and  
3 cooperate fully to assist families in maintaining family  
4 members with Alzheimer's disease in the community for the  
5 longest period of time possible.

6 c. The department shall maintain policies and procedures  
7 regarding Alzheimer's support and the retired and senior  
8 volunteer program.

9 2. The department may grant an exception for a limited  
10 period of time, determined by the department to be reasonable,  
11 to allow for compliance by persons regulated by the department  
12 or applicants for assisted living certification with any part  
13 of chapter 104A relative to buildings in existence on July 1,  
14 1998. The determination of the period of time allowed for  
15 compliance shall be commensurate with the anticipated  
16 magnitude of expenditure, disruption of services, and the  
17 degree of hazard presented. The department shall also be  
18 authorized to modify the accessibility requirements otherwise  
19 applicable to such applicants for buildings in existence on  
20 July 1, 1998, if the department determines that compliance  
21 with the requirements would be unreasonable, but only if it is  
22 determined that noncompliance with the requirements would not  
23 present an unreasonable degree of danger.

24 Sec. 90. GOVERNOR'S OFFICE OF DRUG CONTROL POLICY.

25 1. There is appropriated from the general fund of the  
26 state to the governor's office of drug control policy for the  
27 fiscal year beginning July 1, 2002, and ending June 30, 2003,  
28 the following amount, or so much thereof as is necessary, to  
29 be used for the purposes designated:

30 For salaries, support, maintenance, miscellaneous purposes  
31 including statewide coordination of the drug abuse resistance  
32 education (D.A.R.E.) programs or similar programs, and for not  
33 more than the following full-time equivalent positions:

34	.....	\$	411,504
35	.....	FTEs	11.00

1 2. The governor's office of drug control policy, in  
2 consultation with the Iowa department of public health, and  
3 after discussion and collaboration with all interested  
4 agencies, shall coordinate substance abuse treatment and  
5 prevention efforts in order to avoid duplication of services.

6 Sec. 91. DEPARTMENT OF PUBLIC HEALTH. There is  
7 appropriated from the general fund of the state to the Iowa  
8 department of public health for the fiscal year beginning July  
9 1, 2002, and ending June 30, 2003, the following amounts, or  
10 so much thereof as is necessary, to be used for the purposes  
11 designated:

12 1. ADDICTIVE DISORDERS

13 For reducing the prevalence of use of tobacco, alcohol, and  
14 other drugs, and treating individuals affected by addictive  
15 behaviors, including gambling, and for not more than the  
16 following full-time equivalent positions:

17 .....	\$	1,238,722
18 .....	FTEs	15.51

19 a. The department shall continue to coordinate with  
20 substance abuse treatment and prevention providers regardless  
21 of funding source to assure the delivery of substance abuse  
22 treatment and prevention programs.

23 b. The commission on substance abuse, in conjunction with  
24 the department, shall continue to coordinate the delivery of  
25 substance abuse services involving prevention, social and  
26 medical detoxification, and other treatment by medical and  
27 nonmedical providers to uninsured and court-ordered substance  
28 abuse patients in all counties of the state.

29 c. The department and any grantee or subgrantee of the  
30 department shall not discriminate against a nongovernmental  
31 organization that provides substance abuse treatment and  
32 prevention services or applies for funding to provide those  
33 services on the basis that the organization has a religious  
34 character. The department shall report to the governor and  
35 the general assembly on or before February 1, 2003, regarding

1 the number of religious or other nongovernmental organizations  
2 that applied for funds in the preceding fiscal year, the  
3 amounts awarded to those organizations, and the basis for any  
4 refusal by the department or grantee or subgrantee of the  
5 department to award funds to any of those organizations that  
6 applied.

7 2. ADULT WELLNESS

8 For maintaining or improving the health status of adults,  
9 with target populations between the ages of 18 through 60, and  
10 for not more than the following full-time equivalent  
11 positions:

12 .....	\$	521,096
13 .....	FTEs	24.27

14 3. CHILD AND ADOLESCENT WELLNESS

15 For promoting the optimum health status for children and  
16 adolescents from birth through 21 years of age, and for not  
17 more than the following full-time equivalent positions:

18 .....	\$	1,144,177
19 .....	FTEs	47.07

20 4. CHRONIC CONDITIONS

21 For serving individuals identified as having chronic  
22 conditions or special health care needs, and for not more than  
23 the following full-time equivalent positions:

24 .....	\$	1,226,652
25 .....	FTEs	10.30

26 5. COMMUNITY CAPACITY

27 For strengthening the health care delivery system at the  
28 local level, and for not more than the following full-time  
29 equivalent positions:

30 .....	\$	1,283,473
31 .....	FTEs	26.12

32 6. ELDERLY WELLNESS

33 For optimizing the health of persons 60 years of age and  
34 older, and for not more than the following full-time  
35 equivalent positions:

1 ..... \$ 9,900,801  
2 ..... FTEs 4.05

3 7. ENVIRONMENTAL HAZARDS

4 For reducing the public's exposure to hazards in the  
5 environment, primarily chemical hazards, and for not more than  
6 the following full-time equivalent positions:

7 ..... \$ 165,715  
8 ..... FTEs 9.20

9 Of the full-time equivalent positions authorized in this  
10 subsection, 1.00 full-time equivalent position is contingent  
11 upon enactment of a statute transferring the abandoned wells  
12 program from the department of natural resources to the Iowa  
13 department of public health.

14 8. INFECTIOUS DISEASES

15 For reducing the incidence and prevalence of communicable  
16 diseases, and for not more than the following full-time  
17 equivalent positions:

18 ..... \$ 1,147,036  
19 ..... FTEs 36.40

20 9. INJURIES

21 For providing support and protection to victims of abuse or  
22 injury, or programs that are designed to prevent abuse or  
23 injury, and for not more than the following full-time  
24 equivalent positions:

25 ..... \$ 1,536,236  
26 ..... FTEs 8.55

27 Of the funds appropriated in this subsection, \$660,000  
28 shall be credited to the emergency medical services fund  
29 created in section 135.25.

30 10. PUBLIC PROTECTION

31 For protecting the health and safety of the public through  
32 establishing standards and enforcing regulations, and for not  
33 more than the following full-time equivalent positions:

34 ..... \$ 6,564,644  
35 ..... FTEs 129.77

1 a. The department may expend funds received from licensing  
2 fees in addition to amounts appropriated in this subsection,  
3 if those additional expenditures are directly the result of a  
4 scope of practice review committee or unanticipated litigation  
5 costs arising from the discharge of an examining board's  
6 regulatory duties. Before the department expends or encumbers  
7 funds for a scope of practice review committee or an amount in  
8 excess of the funds budgeted for an examining board, the  
9 director of the department of management shall approve the  
10 expenditure or encumbrance. The amounts necessary to fund any  
11 unanticipated litigation or scope of practice review committee  
12 expense in the fiscal year beginning July 1, 2002, shall not  
13 exceed 5 percent of the average annual fees generated by the  
14 boards for the previous two fiscal years.

15 b. For the fiscal year beginning July 1, 2002, the  
16 department shall retain fees collected from the certification  
17 of lead inspectors and lead abaters pursuant to section  
18 135.105A to support the certification program; and shall  
19 retain fees collected from the licensing, registration,  
20 authorization, accreditation, and inspection of x-ray machines  
21 used for mammographically guided breast biopsy, screening, and  
22 diagnostic mammography, pursuant to section 136C.10 to support  
23 the administration of the chapter. The department may also  
24 retain fees collected pursuant to section 136C.10 on all  
25 shippers of radioactive material waste containers transported  
26 across Iowa if the department does not obtain funding to  
27 support the oversight and regulation of this activity, and for  
28 x-ray radiology examination fees collected by the department  
29 and reimbursed to a private organization conducting the  
30 examination.

31 c. The department may retain and expend not more than  
32 \$279,056 for lease and maintenance expenses from fees  
33 collected pursuant to section 147.80 by the board of dental  
34 examiners, the board of pharmacy examiners, the board of  
35 medical examiners, and the board of nursing in the fiscal year

1 beginning July 1, 2002, and ending June 30, 2003. Fees  
2 retained by the department pursuant to this lettered paragraph  
3 are appropriated to the department for the purposes described  
4 in this lettered paragraph.

5 d. The department may retain and expend not more than  
6 \$100,000 for reduction of the number of days necessary to  
7 process medical license requests and for reduction of the  
8 number of days needed for consideration of malpractice cases  
9 from fees collected pursuant to section 147.80 by the board of  
10 medical examiners in the fiscal year beginning July 1, 2002,  
11 and ending June 30, 2003. Fees retained by the department  
12 pursuant to this lettered paragraph are appropriated to the  
13 department for the purposes described in this lettered  
14 paragraph.

15 e. If a person in the course of responding to an emergency  
16 renders aid to an injured person and becomes exposed to bodily  
17 fluids of the injured person, that emergency responder shall  
18 be entitled to hepatitis testing and immunization in  
19 accordance with the latest available medical technology to  
20 determine if infection with hepatitis has occurred. The  
21 person shall be entitled to reimbursement from the funds  
22 appropriated in this subsection only if the reimbursement is  
23 not available through any employer or third-party payor.

24 f. The board of dental examiners may retain and expend not  
25 more than \$148,060 from revenues generated pursuant to section  
26 147.80. Fees retained by the board pursuant to this lettered  
27 paragraph are appropriated to the department to be used for  
28 the purposes of regulating dental assistants.

29 g. The board of medical examiners, the board of pharmacy  
30 examiners, the board of dental examiners, and the board of  
31 nursing shall prepare estimates of projected receipts to be  
32 generated by the licensing, certification, and examination  
33 fees of each board as well as a projection of the fairly  
34 apportioned administrative costs and rental expenses  
35 attributable to each board. Each board shall annually review



1 and adjust its schedule of fees so that, as nearly as  
2 possible, projected receipts equal projected costs.

3 h. The board of medical examiners, the board of pharmacy  
4 examiners, the board of dental examiners, and the board of  
5 nursing shall retain their individual executive officers, but  
6 are strongly encouraged to share administrative, clerical, and  
7 investigative staffs to the greatest extent possible.

8 i. The licensing boards funded under this section shall  
9 submit a report by February 1, 2003, to the chairpersons and  
10 ranking members of the joint appropriations subcommittee on  
11 health and human rights providing management to staff ratios  
12 of all funded positions as of January 13, 2003.

13 11. RESOURCE MANAGEMENT

14 For establishing and sustaining the overall ability of the  
15 department to deliver services to the public, and for not more  
16 than the following full-time equivalent positions:

17 .....	\$	1,152,902
18 .....	FTEs	53.76

19 12. The state university of Iowa hospitals and clinics  
20 under the control of the state board of regents shall not  
21 receive indirect costs from the funds appropriated in this  
22 section.

23 13. A local health care provider or nonprofit health care  
24 organization seeking grant moneys administered by the Iowa  
25 department of public health shall provide documentation that  
26 the provider or organization has coordinated its services with  
27 other local entities providing similar services.

28 14. a. The department shall apply for available federal  
29 funds for sexual abstinence education programs.

30 b. It is the intent of the general assembly to comply with  
31 the United States Congress' intent to provide education that  
32 promotes abstinence from sexual activity outside of marriage  
33 and reduces pregnancies, by focusing efforts on those persons  
34 most likely to father and bear children out of wedlock.

35 c. Any sexual abstinence education program awarded moneys

1 under the grant program shall meet the definition of  
2 abstinence education in the federal law. Grantees shall be  
3 evaluated based upon the extent to which the abstinence  
4 program successfully communicates the goals set forth in the  
5 federal law.

6 d. It is the intent of the general assembly that the Iowa  
7 department of public health and the department of human  
8 services shall discuss the feasibility of combining adolescent  
9 pregnancy prevention programs under one department and shall  
10 submit a written report regarding such discussions to the  
11 chairpersons and ranking members of the joint appropriations  
12 subcommittee on health and human rights by November 1, 2002.

13 Sec. 92. DEPARTMENT OF HUMAN RIGHTS. There is  
14 appropriated from the general fund of the state to the  
15 department of human rights for the fiscal year beginning July  
16 1, 2002, and ending June 30, 2003, the following amounts, or  
17 so much thereof as is necessary, to be used for the purposes  
18 designated:

19 1. CENTRAL ADMINISTRATION DIVISION

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

23 .....	\$	267,669
24 .....	FTEs	7.00

25 2. DEAF SERVICES DIVISION

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

29 .....	\$	328,616
30 .....	FTEs	7.00

31 The fees collected by the division for provision of  
32 interpretation services by the division to obligated agencies  
33 shall be disbursed pursuant to the provisions of section 8.32,  
34 and shall be dedicated and used by the division for continued  
35 and expanded interpretation services.

1 3. PERSONS WITH DISABILITIES DIVISION

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

5 .....	\$	181,294
6 .....	FTEs	3.50

7 4. LATINO AFFAIRS DIVISION

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

11 .....	\$	162,434
12 .....	FTEs	3.00

13 5. STATUS OF WOMEN DIVISION

14 For salaries, support, maintenance, miscellaneous purposes,  
15 including the Iowans in transition program, and the domestic  
16 violence and sexual assault-related grants, and for not more  
17 than the following full-time equivalent positions:

18 .....	\$	349,126
19 .....	FTEs	3.00

20 6. STATUS OF AFRICAN-AMERICANS DIVISION

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

24 .....	\$	130,234
25 .....	FTEs	2.00

26 7. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION

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

30 .....	\$	385,973
31 .....	FTEs	9.15

32 The criminal and juvenile justice planning advisory council  
33 and the juvenile justice advisory council shall coordinate  
34 their efforts in carrying out their respective duties relative  
35 to juvenile justice.

1 8. COMMUNITY GRANT FUND

2 For the community grant fund established in section  
3 232.190, to be used for the purposes of the community grant  
4 fund and for not more than the following full-time equivalent  
5 position:

6 .....	\$	593,109
7 .....	FTEs	0.75

8 9. SHARED STAFF. The divisions of the department of human  
9 rights shall retain their individual administrators, but shall  
10 share staff to the greatest extent possible.

11 Sec. 93. COMMISSION OF VETERANS AFFAIRS. There is  
12 appropriated from the general fund of the state to the  
13 commission of veterans affairs for the fiscal year beginning  
14 July 1, 2002, and ending June 30, 2003, the following amounts,  
15 or so much thereof as is necessary, to be used for the  
16 purposes designated:

17 1. COMMISSION OF VETERANS AFFAIRS ADMINISTRATION

18 For salaries, support, maintenance, miscellaneous purposes,  
19 including the war orphan educational fund established pursuant  
20 to chapter 35, and for not more than the following full-time  
21 equivalent positions:

22 .....	\$	196,727
23 .....	FTEs	3.00

24 The commission of veterans affairs may use the gifts  
25 accepted by the chairperson of the commission of veterans  
26 affairs, or designee, and other resources available to the  
27 commission for use at its Camp Dodge office. The commission  
28 shall report annually to the governor and the general assembly  
29 on monetary gifts received by the commission for the Camp  
30 Dodge office.

31 2. IOWA VETERANS HOME

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

35 .....	\$	14,445,694
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1 ..... FTEs 843.00

2 a. The Iowa veterans home may use the gifts accepted by  
3 the chairperson of the commission of veterans affairs and  
4 other resources available to the commission for use at the  
5 Iowa veterans home.

6 b. Any Iowa veterans home successor contractor shall not  
7 consider employees of a state institution or facility to be  
8 new employees for purposes of employee wages, health  
9 insurance, or retirement benefits.

10 c. The chairpersons and ranking members of the joint  
11 appropriations subcommittee on health and human rights shall  
12 be notified by January 15 of any calendar year during which a  
13 request for proposals is anticipated to be issued regarding  
14 any Iowa veterans home contract involving employment, for  
15 purposes of providing legislative review and oversight.

16 d. The Iowa veterans home shall operate with a net state  
17 general fund appropriation. The amount appropriated in this  
18 subsection is the net amount of state moneys projected to be  
19 needed for the Iowa veterans home. The purposes of operating  
20 with a net state general fund appropriation are to encourage  
21 the Iowa veterans home to operate with increased self-  
22 sufficiency, to improve quality and efficiency, and to support  
23 collaborative efforts among all funders of services available  
24 from the Iowa veterans home. Moneys appropriated in this  
25 subsection may be used throughout the fiscal year in the  
26 manner necessary for purposes of cash flow management, and for  
27 purposes of cash flow management the Iowa veterans home may  
28 temporarily draw more than the amount appropriated, provided  
29 the amount appropriated is not exceeded at the close of the  
30 fiscal year. Beginning September 1, 2002, the Iowa veterans  
31 home shall submit a report every other month to the  
32 chairpersons and ranking members of the joint appropriations  
33 subcommittee on health and human rights and to the legislative  
34 fiscal committee providing a financial analysis of revenues  
35 and expenses.

1 e. Revenues attributable to the Iowa veterans home for the  
2 fiscal year beginning July 1, 2002, shall be deposited into  
3 the Iowa veterans home account and shall be treated as  
4 repayment receipts, including but not limited to all of the  
5 following:

- 6 (1) Federal veterans administration payments.
- 7 (2) Medical assistance revenue received under chapter  
8 249A.
- 9 (3) Federal Medicare program payments.
- 10 (4) Moneys received from client financial participation.
- 11 (5) Other revenues generated from current, new, or  
12 expanded services which the Iowa veterans home is authorized  
13 to provide.

14 f. For the purposes of allocating the salary adjustment  
15 fund moneys appropriated in another Act, the Iowa veterans  
16 home shall be considered to be funded entirely with state  
17 moneys.

18 g. Notwithstanding section 8.33, up to \$500,000 of the  
19 Iowa veterans home revenues that remain unencumbered or  
20 unobligated at the close of the fiscal year shall not revert  
21 but shall remain available to be used in the succeeding fiscal  
22 year.

23 Sec. 94. GAMBLING TREATMENT FUND -- APPROPRIATION.

24 1. There is appropriated from funds available in the  
25 gambling treatment fund established in the office of the  
26 treasurer of state pursuant to section 99E.10 to the Iowa  
27 department of public health for the fiscal year beginning July  
28 1, 2002, and ending June 30, 2003, the following amount, or so  
29 much thereof as is necessary, to be used for the purpose  
30 designated:

- 31 a. Addictive disorders
- 32 To be utilized for the benefit of persons with addictions:
- 33 ..... \$ 1,690,000

34 b. It is the intent of the general assembly that from the  
35 moneys appropriated in this section, persons with a dual

1 diagnosis of substance abuse and gambling addictions shall be  
2 given priority in treatment services.

3 c. Gambling treatment program

4 The funds remaining in the gambling treatment fund after  
5 the appropriation in paragraph "a" is made shall be used for  
6 funding of administrative costs and to provide programs which  
7 may include, but are not limited to, outpatient and follow-up  
8 treatment for persons affected by problem gambling,  
9 rehabilitation and residential treatment programs, information  
10 and referral services, education and preventive services, and  
11 financial management services.

12 2. For the fiscal year beginning July 1, 2002, and ending  
13 June 30, 2003, from the tax revenue received by the state  
14 racing and gaming commission pursuant to section 99D.15,  
15 subsections 1, 3, and 4, an amount equal to three-tenths of  
16 one percent of the gross sum wagered by the pari-mutuel method  
17 is to be deposited into the gambling treatment fund.

18 Sec. 95. VITAL RECORDS. The vital records modernization  
19 project as enacted in 1993 Iowa Acts, chapter 55, section 1,  
20 as amended by 1994 Iowa Acts, chapter 1068, section 8, as  
21 amended by 1997 Iowa Acts, chapter 203, section 9, 1998 Iowa  
22 Acts, chapter 1221, section 9, and 1999 Iowa Acts, chapter  
23 201, section 17, and as continued by 2000 Iowa Acts, chapter  
24 1222, section 10, and 2001 Iowa Acts, chapter 182, section 13,  
25 shall be extended until June 30, 2003, and the increased fees  
26 to be collected pursuant to that project shall continue to be  
27 collected and are appropriated to the Iowa department of  
28 public health until June 30, 2003.

29 Sec. 96. SPAN OF CONTROL REPORTING. The department for  
30 the blind, the Iowa state civil rights commission, the  
31 department of elder affairs, the Iowa department of public  
32 health, the department of human rights, the governor's office  
33 of drug control policy, and the commission of veterans affairs  
34 shall submit a report by February 1, 2003, to the chairpersons  
35 and ranking members of the joint appropriations subcommittee

1 on health and human rights providing all management to staff  
2 ratios of all funded positions as of January 13, 2003.

3 Sec. 97. PROGRAM PERFORMANCE BUDGETS. It is the intent of  
4 the general assembly that the department for the blind, the  
5 Iowa state civil rights commission, the department of elder  
6 affairs, the Iowa department of public health, the department  
7 of human rights, the governor's office of drug control policy,  
8 and the commission of veterans affairs develop program  
9 performance budget measures to include, but not be limited to,  
10 the development and tracking of demand, workload,  
11 productivity, and effectiveness performance indicators for  
12 each program. The program performance measures shall include  
13 minority programs and grants received by minority programs.  
14 The program performance measures shall also include gender-  
15 based programs. The purpose of the program performance budget  
16 initiative is to emphasize the programs the agencies provide  
17 based upon citizen needs, the agencies' responses to those  
18 needs, and the resources the agencies require to respond to  
19 those needs. The agencies shall submit a report on the status  
20 of achieving the program performance measures to the  
21 chairpersons and ranking members of the joint appropriations  
22 subcommittee on health and human rights by December 16, 2002.

23 Sec. 98. SCOPE OF PRACTICE REVIEW PROJECT. The scope of  
24 practice review committee pilot project as enacted in 1997  
25 Iowa Acts, chapter 203, section 6, shall be extended until  
26 July 1, 2003. The Iowa department of public health shall  
27 submit an annual progress report to the governor and the  
28 general assembly by January 15 and shall include any  
29 recommendations for legislative action as a result of review  
30 committee activities. The department may contract with a  
31 school or college of public health in Iowa to assist in  
32 implementing the project.

33 DIVISION VI

34 HUMAN SERVICES

35 Sec. 99. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK



1 GRANT. There is appropriated from the fund created in section  
2 8.41 to the department of human services for the fiscal year  
3 beginning July 1, 2002, and ending June 30, 2003, from moneys  
4 received under the federal temporary assistance for needy  
5 families block grant pursuant to the federal Personal  
6 Responsibility and Work Opportunity Reconciliation Act of  
7 1996, Pub. L. No. 104-193 and successor legislation, which are  
8 federally appropriated for the federal fiscal years beginning  
9 October 1, 2001, and ending September 30, 2002, and beginning  
10 October 1, 2002, and ending September 30, 2003, the following  
11 amounts, or so much thereof as is necessary, to be used for  
12 the purposes designated:

13 If the federal government appropriation received for Iowa's  
14 portion of the federal temporary assistance for needy families  
15 block grant for the federal fiscal year beginning October 1,  
16 2002, and ending September 30, 2003, is less than  
17 \$131,524,959, it is the intent of the general assembly to act  
18 expeditiously during the 2003 legislative session to adjust  
19 appropriations or take other actions to address the reduced  
20 amount. Moneys appropriated in this section shall be used in  
21 accordance with the federal law making the funds available,  
22 applicable Iowa law, appropriations made from the general fund  
23 of the state in this Act for the purpose designated, and  
24 administrative rules adopted to implement the federal and Iowa  
25 law:

26 1. To be credited to the family investment program account  
27 and used for assistance under the family investment program  
28 under chapter 239B:

29 ..... \$ 45,618,447

30 2. To be credited to the family investment program account  
31 and used for the job opportunities and basic skills (JOBS)  
32 program, and implementing family investment agreements, in  
33 accordance with chapter 239B:

34 ..... \$ 13,412,794

35 3. For field operations:

1 ..... \$ 12,885,790  
2 4. For general administration:  
3 ..... \$ 3,238,614  
4 5. For local administrative costs:  
5 ..... \$ 2,122,982  
6 6. For state child care assistance:  
7 ..... \$ 28,638,329  
8 a. Of the funds appropriated in this subsection, \$200,000  
9 shall be used for provision of educational opportunities to  
10 registered child care home providers in order to improve  
11 services and programs offered by this category of providers  
12 and to increase the number of providers. The department may  
13 contract with institutions of higher education or child care  
14 resource and referral centers to provide the educational  
15 opportunities. Allowable administrative costs under the  
16 contracts shall not exceed 5 percent. The application for a  
17 grant shall not exceed two pages in length.  
18 b. Of the funds appropriated in this subsection, the  
19 maximum amount allowed under Pub. L. No. 104-193 shall be  
20 transferred to the child care and development block grant  
21 appropriation. Funds appropriated in this subsection that  
22 remain following the transfer shall be used to provide direct  
23 spending for the child care needs of working parents in  
24 families eligible for the family investment program.  
25 7. For emergency assistance:  
26 ..... \$ 1,000,000  
27 8. For mental health and developmental disabilities  
28 community services:  
29 ..... \$ 4,349,266  
30 9. For child and family services:  
31 ..... \$ 22,896,571  
32 10. For child abuse prevention grants:  
33 ..... \$ 250,000  
34 11. For pregnancy prevention grants on the condition that  
35 family planning services are funded:

1 GRANT. There is appropriated from the fund created in section  
2 8.41 to the department of human services for the fiscal year  
3 beginning July 1, 2002, and ending June 30, 2003, from moneys  
4 received under the federal temporary assistance for needy  
5 families block grant pursuant to the federal Personal  
6 Responsibility and Work Opportunity Reconciliation Act of  
7 1996, Pub. L. No. 104-193 and successor legislation, which are  
8 federally appropriated for the federal fiscal years beginning  
9 October 1, 2001, and ending September 30, 2002, and beginning  
10 October 1, 2002, and ending September 30, 2003, the following  
11 amounts, or so much thereof as is necessary, to be used for  
12 the purposes designated:

13 If the federal government appropriation received for Iowa's  
14 portion of the federal temporary assistance for needy families  
15 block grant for the federal fiscal year beginning October 1,  
16 2002, and ending September 30, 2003, is less than  
17 \$131,524,959, it is the intent of the general assembly to act  
18 expeditiously during the 2003 legislative session to adjust  
19 appropriations or take other actions to address the reduced  
20 amount. Moneys appropriated in this section shall be used in  
21 accordance with the federal law making the funds available,  
22 applicable Iowa law, appropriations made from the general fund  
23 of the state in this Act for the purpose designated, and  
24 administrative rules adopted to implement the federal and Iowa  
25 law:

26 1. To be credited to the family investment program account  
27 and used for assistance under the family investment program  
28 under chapter 239B:

29 ..... \$ 45,618,447

30 2. To be credited to the family investment program account  
31 and used for the job opportunities and basic skills (JOBS)  
32 program, and implementing family investment agreements, in  
33 accordance with chapter 239B:

34 ..... \$ 13,412,794

35 3. For field operations:

1 ..... \$ 12,885,790  
2 4. For general administration:  
3 ..... \$ 3,238,614  
4 5. For local administrative costs:  
5 ..... \$ 2,122,982  
6 6. For state child care assistance:  
7 ..... \$ 28,638,329  
8 a. Of the funds appropriated in this subsection, \$200,000  
9 shall be used for provision of educational opportunities to  
10 registered child care home providers in order to improve  
11 services and programs offered by this category of providers  
12 and to increase the number of providers. The department may  
13 contract with institutions of higher education or child care  
14 resource and referral centers to provide the educational  
15 opportunities. Allowable administrative costs under the  
16 contracts shall not exceed 5 percent. The application for a  
17 grant shall not exceed two pages in length.  
18 b. Of the funds appropriated in this subsection, the  
19 maximum amount allowed under Pub. L. No. 104-193 shall be  
20 transferred to the child care and development block grant  
21 appropriation. Funds appropriated in this subsection that  
22 remain following the transfer shall be used to provide direct  
23 spending for the child care needs of working parents in  
24 families eligible for the family investment program.  
25 7. For emergency assistance:  
26 ..... \$ 1,000,000  
27 8. For mental health and developmental disabilities  
28 community services:  
29 ..... \$ 4,349,266  
30 9. For child and family services:  
31 ..... \$ 22,896,571  
32 10. For child abuse prevention grants:  
33 ..... \$ 250,000  
34 11. For pregnancy prevention grants on the condition that  
35 family planning services are funded:

1 ..... \$ 2,514,413

2 Pregnancy prevention grants shall be awarded to programs in  
3 existence on or before July 1, 2002, if the programs are  
4 comprehensive in scope and have demonstrated positive  
5 outcomes. Grants shall be awarded to pregnancy prevention  
6 programs which are developed after July 1, 2002, if the  
7 programs are comprehensive in scope and are based on existing  
8 models that have demonstrated positive outcomes. Grants shall  
9 comply with the requirements provided in 1997 Iowa Acts,  
10 chapter 208, section 14, subsections 1 and 2, including the  
11 requirement that grant programs must emphasize sexual  
12 abstinence. Priority in the awarding of grants shall be given  
13 to programs that serve areas of the state which demonstrate  
14 the highest percentage of unplanned pregnancies of females age  
15 13 or older but younger than age 18 within the geographic area  
16 to be served by the grant.

17 12. For technology needs and other resources necessary to  
18 meet federal welfare reform reporting, tracking, and case  
19 management requirements:

20 ..... \$ 565,088

21 13. For volunteers:

22 ..... \$ 42,663

23 14. For individual development accounts under chapter  
24 541A:

25 ..... \$ 150,000

26 15. For the healthy opportunities for parents to  
27 experience success (HOPES) program administered by the Iowa  
28 department of public health to target child abuse prevention:

29 ..... \$ 200,000

30 16. To be credited to the state child care assistance  
31 appropriation made in this section to be used for funding of  
32 community-based early childhood programs targeted to children  
33 from birth through five years of age, developed by community  
34 empowerment areas as provided in this subsection:

35 ..... \$ 6,350,000

1 a. The department may transfer federal temporary  
2 assistance for needy families block grant funding appropriated  
3 and allocated in this subsection to the child care and  
4 development block grant appropriation in accordance with  
5 federal law as necessary to comply with the provisions of this  
6 subsection. The funding shall then be provided to community  
7 empowerment areas for the fiscal year beginning July 1, 2002,  
8 in accordance with all of the following:

9 (1) The area must be approved as a designated community  
10 empowerment area by the Iowa empowerment board.

11 (2) The maximum funding amount a community empowerment  
12 area is eligible to receive shall be determined by applying  
13 the area's percentage of the state's average monthly family  
14 investment program population in the preceding fiscal year to  
15 the total amount appropriated for fiscal year 2002-2003 from  
16 the TANF block grant to fund community-based programs targeted  
17 to children from birth through five years of age developed by  
18 community empowerment areas.

19 (3) A community empowerment area receiving funding shall  
20 comply with any federal reporting requirements associated with  
21 the use of that funding and other results and reporting  
22 requirements established by the Iowa empowerment board. The  
23 department shall provide technical assistance in identifying  
24 and meeting the federal requirements.

25 (4) The availability of funding provided under this  
26 subsection is subject to changes in federal requirements and  
27 amendments to Iowa law.

28 b. The moneys distributed in accordance with this  
29 subsection shall be used by communities for the purposes of  
30 enhancing quality child care capacity in support of parent  
31 capability to obtain or retain employment. The moneys shall  
32 be used with a primary emphasis on low-income families and  
33 children from birth to five years of age. Moneys shall be  
34 provided in a flexible manner to communities, and shall be  
35 used to implement strategies identified by the communities to

1 achieve such purposes. In addition to the full-time  
2 equivalent positions funded in this division of this Act, 1.00  
3 full-time equivalent position is authorized and the department  
4 may use funding appropriated in this subsection for provision  
5 of technical assistance and other support to communities  
6 developing and implementing strategies with moneys distributed  
7 in accordance with this subsection.

8 c. Moneys that are subject to this subsection which are  
9 not distributed to a community empowerment area or otherwise  
10 remain unobligated or unexpended at the end of the fiscal year  
11 shall revert to the fund created in section 8.41 to be  
12 available for appropriation by the general assembly in a  
13 subsequent fiscal year.

14 Of the amounts appropriated in this section, \$11,612,112  
15 for the fiscal year beginning July 1, 2002, shall be  
16 transferred to the appropriation of the federal social  
17 services block grant for that fiscal year.

18 Eligible funding available under the federal temporary  
19 assistance for needy families block grant that is not  
20 appropriated or not otherwise expended shall be considered  
21 reserved for economic downturns and welfare reform purposes  
22 and is subject to further state appropriation to support  
23 families in their movement toward self-sufficiency.

24 Federal funding received that is designated for activities  
25 supporting marriage or two-parent families is appropriated to  
26 the Iowa marriage initiative grant fund created in section  
27 234.45.

28 Sec. 100. FAMILY INVESTMENT PROGRAM ACCOUNT.

29 1. Moneys credited to the family investment program (FIP)  
30 account for the fiscal year beginning July 1, 2002, and ending  
31 June 30, 2003, shall be used in accordance with the following  
32 requirements:

33 a. The department shall provide assistance in accordance  
34 with chapter 239B.

35 b. The department shall continue the special needs program

1 under the family investment program.

2 c. The department shall continue to comply with federal  
3 welfare reform data requirements pursuant to the  
4 appropriations made for that purpose.

5 d. (1) The department shall continue expansion of the  
6 electronic benefit transfer program as necessary to comply  
7 with federal food stamp benefit requirements. The target date  
8 for statewide implementation of the program is October 1,  
9 2003.

10 (2) Notwithstanding section 234.12A, subsection 1, for the  
11 fiscal year beginning July 1, 2002, a retailer providing  
12 electronic equipment shall not be reimbursed a transaction  
13 fee.

14 2. The department may use a portion of the moneys credited  
15 to the family investment account under this section, as  
16 necessary for salaries, support, maintenance, and  
17 miscellaneous purposes for not more than the following full-  
18 time equivalent positions which are in addition to any other  
19 full-time equivalent positions authorized by this Act:

20 ..... FTEs 6.00

21 3. The department may transfer funds in accordance with  
22 section 8.39, either federal or state, to or from the child  
23 care appropriations made for the fiscal year beginning July 1,  
24 2002, if the department deems this would be a more effective  
25 method of paying for JOBS program child care, to maximize  
26 federal funding, or to meet federal maintenance of effort  
27 requirements.

28 4. Moneys appropriated in this division of this Act and  
29 credited to the family investment program account for the  
30 fiscal year beginning July 1, 2002, and ending June 30, 2003,  
31 are allocated as follows:

32 a. For the family development and self-sufficiency grant  
33 program as provided under section 217.12:

34 ..... \$ 5,133,042

35 (1) Of the funds allocated for the family development and



1 self-sufficiency grant program in this lettered paragraph, not  
2 more than 5 percent of the funds shall be used for the  
3 administration of the grant program.

4 (2) Based upon the annual evaluation report concerning  
5 each grantee funded by previously appropriated funds and  
6 through the solicitation of additional grant proposals, the  
7 family development and self-sufficiency council may use the  
8 allocated funds to renew or expand existing grants or award  
9 new grants. In utilizing the funding allocated in this  
10 lettered paragraph, the council shall give consideration, in  
11 addition to other criteria established by the council, to a  
12 grantee's intended use of local funds with a grant and to  
13 whether approval of a grant proposal would expand the  
14 availability of the program's services.

15 (3) The department may continue to implement the family  
16 development and self-sufficiency grant program statewide  
17 during FY 2002-2003.

18 b. For the diversion subaccount of the family investment  
19 program account:

20 ..... \$ 1,814,000

21 (1) Moneys allocated to the diversion subaccount shall be  
22 used to continue the pilot initiative of providing incentives  
23 to assist families who meet income eligibility requirements  
24 for the family investment program in obtaining or retaining  
25 employment, to assist participant families in overcoming  
26 barriers to obtaining employment, and to assist families in  
27 stabilizing employment and in reducing the likelihood of the  
28 family returning to the family investment program. The  
29 requirements established and position authorized under 2001  
30 Iowa Acts, chapter 191, section 3, subsection 5, paragraph  
31 "c", subparagraph (1), shall remain applicable to the  
32 initiative for fiscal year 2002-2003.

33 (2) Of the moneys allocated to the diversion subaccount,  
34 not more than \$250,000 shall be used to develop or continue  
35 community-level parental obligation pilot projects. The

1 requirements established under 2001 Iowa Acts, chapter 191,  
2 section 3, subsection 5, paragraph "c", subparagraph (3),  
3 shall remain applicable to the parental obligation pilot  
4 projects for fiscal year 2002-2003.

5 c. For the food stamp employment and training program:  
6 ..... \$ 63,000

7 5. Of the child support collections assigned under the  
8 family investment program, an amount equal to the federal  
9 share of support collections shall be credited to the child  
10 support recovery appropriation. Of the remainder of the  
11 assigned child support collections received by the child  
12 support recovery unit, a portion shall be credited to the  
13 family investment program account and a portion may be used to  
14 increase recoveries.

15 6. The department may adopt emergency administrative rules  
16 for the family investment, food stamp, and medical assistance  
17 programs, if necessary, to comply with federal requirements.  
18 Prior to adoption of the rules, the department shall consult  
19 with the welfare reform council and the chairpersons and  
20 ranking members of the joint appropriations subcommittee on  
21 human services.

22 7. The department may continue the initiative to  
23 streamline and simplify the employer verification process for  
24 applicants, participants, and employers in the administration  
25 of the department's programs. The department may contract  
26 with companies collecting data from employers when the  
27 information is needed in the administration of these programs.  
28 The department may limit the availability of the initiative on  
29 the basis of geographic area or number of individuals.

30 Sec. 101. FAMILY INVESTMENT PROGRAM GENERAL FUND. There  
31 is appropriated from the general fund of the state to the  
32 department of human services for the fiscal year beginning  
33 July 1, 2002, and ending June 30, 2003, the following amount,  
34 or so much thereof as is necessary, to be used for the purpose  
35 designated:

1 To be credited to the family investment program account and  
2 used for family investment program assistance under chapter  
3 239B:

4 ..... \$ 35,288,782

5 1. The department of workforce development, in  
6 consultation with the department of human services, shall  
7 continue to utilize recruitment and employment practices to  
8 include former and current family investment program  
9 recipients.

10 2. The department of human services shall continue to work  
11 with the department of workforce development and local  
12 community collaborative efforts to provide support services  
13 for family investment program participants. The support  
14 services shall be directed to those participant families who  
15 would benefit from the support services and are likely to have  
16 success in achieving economic independence.

17 3. Of the funds appropriated in this section, \$9,274,143  
18 is allocated for the JOBS program.

19 4. The department shall continue to work with religious  
20 organizations and other charitable institutions to increase  
21 the availability of host homes, referred to as second chance  
22 homes or other living arrangements under the federal Personal  
23 Responsibility and Work Opportunity Reconciliation Act of  
24 1996, Pub. L. No. 104-193, § 103. The purpose of the homes or  
25 arrangements is to provide a supportive and supervised living  
26 arrangement for minor parents receiving assistance under the  
27 family investment program who, under chapter 239B, may receive  
28 assistance while living in an alternative setting other than  
29 with their parent or legal guardian.

30 Sec. 102. EMERGENCY ASSISTANCE.

31 1. The emergency assistance funds received in accordance  
32 with this section and federal moneys appropriated for this  
33 purpose in this division of this Act shall be available  
34 beginning October 1, 2002, and shall be provided only if all  
35 other publicly funded resources have been exhausted.

1 Specifically, emergency assistance is the program of last  
2 resort and shall not supplant assistance provided by the low-  
3 income home energy assistance program (LIHEAP), county general  
4 relief, and veterans affairs programs. The department shall  
5 establish a \$500 maximum payment, per family, in a 12-month  
6 period. The emergency assistance includes, but is not limited  
7 to, assisting people who face eviction, potential eviction, or  
8 foreclosure, utility shutoff or fuel shortage, loss of heating  
9 energy supply or equipment, homelessness, utility or rental  
10 deposits, or other specified crisis which threatens family or  
11 living arrangements. The emergency assistance shall be  
12 available to migrant families who would otherwise meet  
13 eligibility criteria. The department may contract for the  
14 administration and delivery of the program. The program shall  
15 be terminated when funds are exhausted.

16 2. a. For the fiscal year beginning July 1, 2002, the  
17 department shall continue the process for the state to receive  
18 refunds of utility and rent deposits, including any accrued  
19 interest, for emergency assistance recipients which were paid  
20 by persons other than the state. The department shall also  
21 receive refunds, including any accrued interest, of assistance  
22 paid with funding available under this program. The refunds  
23 received by the department under this subsection shall be  
24 deposited with the moneys of the appropriation made in this  
25 Act and are appropriated to be used as additional funds for  
26 the emergency assistance program.

27 b. Notwithstanding section 8.33, moneys received by the  
28 department under this subsection which remain after the  
29 emergency assistance program is terminated and state or  
30 federal moneys in the emergency assistance account which  
31 remain unobligated or unexpended at the close of the fiscal  
32 year beginning July 1, 2002, shall not revert but shall remain  
33 available for expenditure when the program resumes operation  
34 on October 1 in the succeeding fiscal year.

35 Sec. 103. CHILD SUPPORT RECOVERY. There is appropriated

1 from the general fund of the state to the department of human  
2 services for the fiscal year beginning July 1, 2002, and  
3 ending June 30, 2003, the following amount, or so much thereof  
4 as is necessary, to be used for the purposes designated:

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

8 ..... \$ 6,027,801  
9 ..... FTEs 406.40

10 1. The director of human services, within the limitations  
11 of the moneys appropriated in this section, or moneys  
12 transferred from the family investment program account for  
13 this purpose, shall establish new positions and add employees  
14 to the child support recovery unit if the director determines  
15 that both the current and additional employees together can  
16 reasonably be expected to maintain or increase net state  
17 revenue at or beyond the budgeted level.

18 2. Nonpublic assistance application fees and other user  
19 fees received by the child support recovery unit are  
20 appropriated and shall be used for the purposes of the child  
21 support recovery program. The director of human services may  
22 add positions within the limitations of the amount  
23 appropriated for salaries and support for the positions.

24 3. The director of human services, in consultation with  
25 the department of management and the legislative fiscal  
26 committee, is authorized to receive and deposit state child  
27 support incentive earnings in the manner specified under  
28 applicable federal requirements.

29 4. a. The director of human services may establish new  
30 positions and add state employees to the child support  
31 recovery unit or contract for delivery of services if the  
32 director determines the employees are necessary to replace  
33 county-funded positions eliminated due to termination,  
34 reduction, or nonrenewal of a chapter 28E contract. However,  
35 the director must also determine that the resulting increase

1 in the state share of child support recovery incentives  
2 exceeds the cost of the positions or contract, the positions  
3 or contract are necessary to ensure continued federal funding  
4 of the program, or the new positions or contract can  
5 reasonably be expected to recover at least twice the amount of  
6 money necessary to pay the salaries and support for the new  
7 positions or the contract will generate at least 200 percent  
8 of the cost of the contract.

9 b. Employees in full-time positions that transition from  
10 county government to state government employment under this  
11 subsection are exempt from testing, selection, and appointment  
12 provisions of chapter 19A and from the provisions of  
13 collective bargaining agreements relating to the filling of  
14 vacant positions.

15 5. Surcharges paid by obligors and received by the unit as  
16 a result of the referral of support delinquency by the child  
17 support recovery unit to any private collection agency are  
18 appropriated to the department and shall be used to pay the  
19 costs of any contracts with the collection agencies.

20 6. The department shall expend up to \$51,000, including  
21 federal financial participation, for the fiscal year beginning  
22 July 1, 2002, for a child support public awareness campaign.  
23 The department and the office of the attorney general shall  
24 cooperate in continuation of the campaign. The public  
25 awareness campaign shall emphasize, through a variety of media  
26 activities, the importance of maximum involvement of both  
27 parents in the lives of their children as well as the  
28 importance of payment of child support obligations.

29 7. Federal access and visitation grant moneys shall be  
30 issued directly to private not-for-profit agencies that  
31 provide services designed to increase compliance with the  
32 child access provisions of court orders, including but not  
33 limited to neutral visitation site and mediation services.

34 Sec. 104. MEDICAL ASSISTANCE. There is appropriated from  
35 the general fund of the state to the department of human

1 services for the fiscal year beginning July 1, 2002, and  
2 ending June 30, 2003, the following amount, or so much thereof  
3 as is necessary, to be used for the purpose designated:

4 For medical assistance reimbursement and associated costs  
5 as specifically provided in the reimbursement methodologies in  
6 effect on June 30, 2002, except as otherwise expressly  
7 authorized by law, including reimbursement for abortion  
8 services, which shall be available under the medical  
9 assistance program only for those abortions which are  
10 medically necessary:

11 ..... \$416,607,073

12 1. Medically necessary abortions are those performed under  
13 any of the following conditions:

14 a. The attending physician certifies that continuing the  
15 pregnancy would endanger the life of the pregnant woman.

16 b. The attending physician certifies that the fetus is  
17 physically deformed, mentally deficient, or afflicted with a  
18 congenital illness.

19 c. The pregnancy is the result of a rape which is reported  
20 within 45 days of the incident to a law enforcement agency or  
21 public or private health agency which may include a family  
22 physician.

23 d. The pregnancy is the result of incest which is reported  
24 within 150 days of the incident to a law enforcement agency or  
25 public or private health agency which may include a family  
26 physician.

27 e. Any spontaneous abortion, commonly known as a  
28 miscarriage, if not all of the products of conception are  
29 expelled.

30 2. Notwithstanding section 8.39, the department may  
31 transfer funds appropriated in this section to a separate  
32 account established in the department's case management unit  
33 for expenditures required to provide case management services  
34 for mental health, mental retardation, and developmental  
35 disabilities services under medical assistance which are

1 jointly funded by the state and county, pending final  
2 settlement of the expenditures. Funds received by the case  
3 management unit in settlement of the expenditures shall be  
4 used to replace the transferred funds and are available for  
5 the purposes for which the funds were appropriated in this  
6 section.

7 3. a. The county of legal settlement shall be billed for  
8 50 percent of the nonfederal share of the cost of case  
9 management provided for adults, day treatment, and partial  
10 hospitalization in accordance with sections 249A.26 and  
11 249A.27, and 100 percent of the nonfederal share of the cost  
12 of care for adults which is reimbursed under a federally  
13 approved home and community-based waiver that would otherwise  
14 be approved for provision in an intermediate care facility for  
15 persons with mental retardation, provided under the medical  
16 assistance program. The state shall have responsibility for  
17 the remaining 50 percent of the nonfederal share of the cost  
18 of case management provided for adults, day treatment, and  
19 partial hospitalization. For persons without a county of  
20 legal settlement, the state shall have responsibility for 100  
21 percent of the nonfederal share of the costs of case  
22 management provided for adults, day treatment, partial  
23 hospitalization, and the home and community-based waiver  
24 services. The case management services specified in this  
25 subsection shall be billed to a county only if the services  
26 are provided outside of a managed care contract.

27 b. The state shall pay the entire nonfederal share of the  
28 costs for case management services provided to persons 17  
29 years of age and younger who are served in a medical  
30 assistance home and community-based waiver program for persons  
31 with mental retardation.

32 c. Medical assistance funding for case management services  
33 for eligible persons 17 years of age and younger shall also be  
34 provided to persons residing in counties with child welfare  
35 decategorization projects implemented in accordance with



1 section 232.188, provided these projects have included these  
2 persons in their service plan and the decategorization project  
3 county is willing to provide the nonfederal share of costs.

4 d. When paying the necessary and legal expenses of  
5 intermediate care facilities for persons with mental  
6 retardation (ICFMR), the cost payment requirements of section  
7 222.60 shall be considered fulfilled when payment is made in  
8 accordance with the medical assistance payment rates  
9 established for ICFMRs by the department and the state or a  
10 county of legal settlement is not obligated for any amount in  
11 excess of the rates.

12 e. Unless a county has paid or is paying for the  
13 nonfederal share of the cost of a person's home and community-  
14 based waiver services or ICFMR placement under the county's  
15 mental health, mental retardation, and developmental  
16 disabilities services fund, or unless a county of legal  
17 settlement would become liable for the costs of services at  
18 the ICFMR level of care for a person due to the person  
19 reaching the age of majority, the state shall pay the  
20 nonfederal share of the costs of an eligible person's services  
21 under the home and community-based waiver for persons with  
22 brain injury.

23 4. The department shall utilize not more than \$60,000 of  
24 the funds appropriated in this section to continue the  
25 AIDS/HIV health insurance premium payment program as  
26 established in 1992 Iowa Acts, Second Extraordinary Session,  
27 chapter 1001, section 409, subsection 6. Of the funds  
28 allocated in this subsection, not more than \$5,000 may be  
29 expended for administrative purposes.

30 5. Of the funds appropriated to the Iowa department of  
31 public health for substance abuse grants, \$950,000 for the  
32 fiscal year beginning July 1, 2002, shall be transferred to  
33 the department of human services for an integrated substance  
34 abuse managed care system.

35 6. In administering the medical assistance home and

1 community-based waivers, the total number of openings for  
2 persons with physical disabilities served at any one time  
3 shall be limited to the number approved for a waiver by the  
4 secretary of the United States department of health and human  
5 services. The openings shall be available on a first-come,  
6 first-served basis.

7 7. The department of human services, in consultation with  
8 the Iowa department of public health and the department of  
9 education, shall continue the program to utilize the early and  
10 periodic screening, diagnosis, and treatment (EPSDT) funding  
11 under medical assistance, to the extent possible, to implement  
12 the screening component of the EPSDT program through the  
13 school system. The department may enter into contracts to  
14 utilize maternal and child health centers, the public health  
15 nursing program, or school nurses in implementing this  
16 provision.

17 8. The department shall continue the medical assistance  
18 home and community-based services waiver to allow children  
19 with mental retardation, who would otherwise require ICF/MR  
20 care, to be served in out-of-home settings of up to eight beds  
21 which meet standards established by the department. Up to  
22 \$1,487,314 of the funds appropriated in this section may be  
23 used for the costs of the waiver.

24 9. The department shall continue working with county  
25 representatives in aggressively implementing the  
26 rehabilitation option for services to persons with chronic  
27 mental illness under the medical assistance program, and  
28 county funding shall be used to provide the match for the  
29 federal funding, except for individuals with state case  
30 status, for whom state funding shall provide the match.

31 10. If the federal centers for Medicare and Medicaid  
32 services approves a waiver request from the department, the  
33 department shall provide a period of 24 months of guaranteed  
34 eligibility for medical assistance family planning services,  
35 regardless of the change in circumstances of a woman who was a

1 medical assistance recipient when a pregnancy ended.

2 11. The department shall aggressively pursue options for  
3 providing medical assistance or other assistance to  
4 individuals with special needs who become ineligible to  
5 continue receiving services under the early and periodic,  
6 screening, diagnosis, and treatment program under the medical  
7 assistance program due to becoming 21 years of age, who have  
8 been approved for additional assistance through the  
9 department's exception to policy provisions, but who have  
10 health care needs in excess of the funding available through  
11 the exception to policy process.

12 12. If federal funding is received or if moneys are  
13 appropriated, the department may participate in a federal home  
14 telecare pilot program intended to manage health care needs of  
15 subpopulations of Iowans and specifically including  
16 subpopulations of Iowans who require high utilization of  
17 health care services and represent a disproportionate share of  
18 consumption of health care services. The program shall be  
19 administered by the Iowa telecare consortium, which is a  
20 collaboration of public, private, academic, and governmental  
21 participants. The program may direct telecare services to  
22 persons with diagnoses of specific nonacute chronic illnesses,  
23 which may include, but are not limited to, chronic obstructive  
24 pulmonary disease, congestive heart disease, diabetes, and  
25 asthma. The program guidelines shall be consistent with those  
26 specified under 2001 Iowa Acts, chapter 191, section 7,  
27 subsection 15.

28 13. The drug utilization review board shall submit copies  
29 of the board's annual review, including facts and findings, of  
30 the drugs on the department's prior authorization list to the  
31 department and to the members of the joint appropriations  
32 subcommittee on human services.

33 14. The department shall expend the anticipated savings  
34 for operation of the state maximum allowable cost program for  
35 pharmaceuticals as additional funding for the medical

1 assistance program.

2 Sec. 105. HEALTH INSURANCE PREMIUM PAYMENT PROGRAM. There  
3 is appropriated from the general fund of the state to the  
4 department of human services for the fiscal year beginning  
5 July 1, 2002, and ending June 30, 2003, the following amount,  
6 or so much thereof as is necessary, to be used for the purpose  
7 designated:

8 For administration of the health insurance premium payment  
9 program, including salaries, support, maintenance, and  
10 miscellaneous purposes, and for not more than the following  
11 full-time equivalent positions:

12 .....	\$	580,044
13 .....	FTEs	22.00

14 Sec. 106. CHILDREN'S HEALTH INSURANCE PROGRAM. There is  
15 appropriated from the general fund of the state to the  
16 department of human services for the fiscal year beginning  
17 July 1, 2002, and ending June 30, 2003, the following amount,  
18 or so much thereof as is necessary, to be used for the purpose  
19 designated:

20 For maintenance of the healthy and well kids in Iowa (hawk-  
21 i) program pursuant to chapter 514I for receipt of federal  
22 financial participation under Title XXI of the federal Social  
23 Security Act, which creates the state children's health  
24 insurance program:

25 .....	\$	9,958,412
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26 1. The department may transfer funds appropriated in this  
27 section to be used for the purpose of expanding health care  
28 coverage to children under the medical assistance program.  
29 The department shall provide periodic updates to the general  
30 assembly of expenditures of funds appropriated in this  
31 section.

32 2. Moneys in the hawk-i trust fund are appropriated to the  
33 department of human services and shall be used to offset any  
34 program costs for the fiscal year beginning July 1, 2002, and  
35 ending June 30, 2003.

1     Sec. 107. MEDICAL CONTRACTS. There is appropriated from  
2 the general fund of the state to the department of human  
3 services for the fiscal year beginning July 1, 2002, and  
4 ending June 30, 2003, the following amount, or so much thereof  
5 as is necessary, to be used for the purpose designated:

6     For medical contracts:  
7 ..... \$ 8,729,141

8     1. The department shall receive input and recommendations  
9 from the chairpersons and ranking members of the joint  
10 appropriations subcommittee on human services prior to  
11 entering into or extending any managed care contract for  
12 mental health or substance abuse services.

13     2. In any managed care contract for mental health or  
14 substance abuse services entered into or extended by the  
15 department on or after July 1, 2002, the request for proposals  
16 shall provide for coverage of dual diagnosis mental health and  
17 substance abuse treatment provided at the state mental health  
18 institute at Mount Pleasant. To the extent possible, the  
19 department shall also amend any such contract existing on July  
20 1, 2002, to provide for such coverage.

21     Sec. 108. STATE SUPPLEMENTARY ASSISTANCE. There is  
22 appropriated from the general fund of the state to the  
23 department of human services for the fiscal year beginning  
24 July 1, 2002, and ending June 30, 2003, the following amount,  
25 or so much thereof as is necessary, to be used for the  
26 purposes designated:

27     For state supplementary assistance and the medical  
28 assistance home and community-based services waiver rent  
29 subsidy program:  
30 ..... \$ 19,500,000

31     1. The department shall increase the personal needs  
32 allowance for residents of residential care facilities by the  
33 same percentage and at the same time as federal supplemental  
34 security income and federal social security benefits are  
35 increased due to a recognized increase in the cost of living.

1 The department may adopt emergency rules to implement this  
2 subsection.

3 2. If during the fiscal year beginning July 1, 2002, the  
4 department projects that state supplementary assistance  
5 expenditures for a calendar year will not meet the federal  
6 pass-along requirement specified in Title XVI of the federal  
7 Social Security Act, section 1618, as codified in 42 U.S.C. §  
8 1382g, the department may take actions including but not  
9 limited to increasing the personal needs allowance for  
10 residential care facility residents and making programmatic  
11 adjustments or upward adjustments of the residential care  
12 facility or in-home health-related care reimbursement rates  
13 prescribed in this division of this Act to ensure that federal  
14 requirements are met. The department may adopt emergency  
15 rules to implement the provisions of this subsection.

16 3. The department may use up to \$25,000 of the funds  
17 appropriated in this section for a rent subsidy program for  
18 adult persons. The requirements under 2001 Iowa Acts, chapter  
19 191, section 11, subsection 3, shall apply to the program and  
20 the participants in the program.

21 Sec. 109. CHILD CARE ASSISTANCE. There is appropriated  
22 from the general fund of the state to the department of human  
23 services for the fiscal year beginning July 1, 2002, and  
24 ending June 30, 2003, the following amount, or so much thereof  
25 as is necessary, to be used for the purpose designated:

26 For child care programs:  
27 ..... \$ 5,050,752

28 1. a. Of the funds appropriated in this section,  
29 \$4,414,111 shall be used for state child care assistance in  
30 accordance with section 237A.13.

31 b. During the 2002-2003 fiscal year, the moneys deposited  
32 in the child care credit fund created in section 237A.28 are  
33 appropriated to the department to be used for state child care  
34 assistance in accordance with section 237A.13, in addition to  
35 the moneys allocated for that purpose in paragraph "a".

1 2. Nothing in this section shall be construed or is  
2 intended as, or shall imply, a grant of entitlement for  
3 services to persons who are eligible for assistance due to an  
4 income level consistent with the waiting list requirements of  
5 section 237A.13. Any state obligation to provide services  
6 pursuant to this section is limited to the extent of the funds  
7 appropriated in this section.

8 3. Of the funds appropriated in this section, \$636,641 is  
9 allocated for the statewide program for child care resource  
10 and referral services under section 237A.26.

11 4. The department may use any of the funds appropriated in  
12 this section as a match to obtain federal funds for use in  
13 expanding child care assistance and related programs. For the  
14 purpose of expenditures of state and federal child care  
15 funding, funds shall be considered obligated at the time  
16 expenditures are projected or are allocated to the  
17 department's regions. Projections shall be based on current  
18 and projected caseload growth, current and projected provider  
19 rates, staffing requirements for eligibility determination and  
20 management of program requirements including data systems  
21 management, staffing requirements for administration of the  
22 program, contractual and grant obligations and any transfers  
23 to other state agencies, and obligations for decategorization  
24 or innovation projects.

25 5. If the federal government appropriates additional  
26 funding under the federal child care and development block  
27 grant than was anticipated would be received for the state  
28 fiscal year beginning July 1, 2002, in addition to the  
29 notification requirements for expenditure requirements for  
30 additional federal funds under 2002 Iowa Acts, House File  
31 2582, if enacted, the department shall consult with the  
32 chairpersons and ranking members of the joint appropriations  
33 subcommittee on human services at least thirty days in advance  
34 of committing to expenditure of the additional funding.

35 Sec. 110. JUVENILE INSTITUTIONS. There is appropriated

1 from the general fund of the state to the department of human  
2 services for the fiscal year beginning July 1, 2002, and  
3 ending June 30, 2003, the following amounts, or so much  
4 thereof as is necessary, to be used for the purposes  
5 designated:

6 1. For operation of the Iowa juvenile home at Toledo and  
7 for salaries, support, maintenance, and for not more than the  
8 following full-time equivalent positions:

9 .....	\$	6,414,788
10 .....	FTEs	134.54

11 It is the intent of the general assembly that beginning in  
12 the fiscal year commencing on July 1, 2003, the Iowa juvenile  
13 home at Toledo will serve only females.

14 2. For operation of the state training school at Eldora  
15 and for salaries, support, maintenance, and for not more than  
16 the following full-time equivalent positions:

17 .....	\$	10,669,447
18 .....	FTEs	218.53

19 3. During the fiscal year beginning July 1, 2002, the  
20 population levels at the state juvenile institutions shall not  
21 exceed the population guidelines established under 1990 Iowa  
22 Acts, chapter 1239, section 21, as adjusted for additional  
23 beds developed at the institutions.

24 4. A portion of the moneys appropriated in this section  
25 shall be used by the state training school and by the Iowa  
26 juvenile home for grants for adolescent pregnancy prevention  
27 activities at the institutions in the fiscal year beginning  
28 July 1, 2002.

29 5. Within the amounts appropriated in this section, the  
30 department may transfer funds as necessary to best fulfill the  
31 needs of the institutions provided for in the appropriation.

32 Sec. 111. CHILD AND FAMILY SERVICES. There is  
33 appropriated from the general fund of the state to the  
34 department of human services for the fiscal year beginning  
35 July 1, 2002, and ending June 30, 2003, the following amount,



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

3 For child and family services:

4 ..... \$100,351,905

5 1. The department may transfer funds appropriated in this  
6 section as necessary to pay the nonfederal costs of services  
7 reimbursed under medical assistance or the family investment  
8 program which are provided to children who would otherwise  
9 receive services paid under the appropriation in this section.  
10 The department may transfer funds appropriated in this section  
11 to the appropriations in this division of this Act for general  
12 administration and for field operations for resources  
13 necessary to implement and operate the services funded in this  
14 section.

15 2. a. Of the funds appropriated in this section, up to  
16 \$28,665,950 is allocated as the statewide expenditure target  
17 under section 232.143 for group foster care maintenance and  
18 services.

19 b. If at any time after September 30, 2002, annualization  
20 of a service area's current expenditures indicates a service  
21 area is at risk of exceeding its group foster care expenditure  
22 target under section 232.143 by more than five percent, the  
23 department and juvenile court services shall examine all group  
24 foster care placements in that service area in order to  
25 identify those which might be appropriate for termination. In  
26 addition, any aftercare services believed to be needed for the  
27 children whose placements may be terminated shall be  
28 identified. The department and juvenile court services shall  
29 initiate action to set dispositional review hearings for the  
30 placements identified. In such a dispositional review  
31 hearing, the juvenile court shall determine whether needed  
32 aftercare services are available and whether termination of  
33 the placement is in the best interest of the child and the  
34 community.

35 c. (1) Of the funds appropriated in this section, not

1 more than \$6,585,993 is allocated as the state match funding  
2 for psychiatric medical institutions for children.

3 (2) The department may transfer all or a portion of the  
4 amount allocated in this lettered paragraph for psychiatric  
5 medical institutions for children (PMICs) to the appropriation  
6 in this division of this Act for medical assistance.

7 d. Of the funds allocated in this subsection, \$1,370,127  
8 is allocated as the state match funding for 50 highly  
9 structured juvenile program beds. If the number of beds  
10 provided for in this lettered paragraph is not utilized, the  
11 remaining funds allocated may be used for group foster care.

12 e. For the fiscal year beginning July 1, 2002, the  
13 requirements of section 232.143 applicable to the juvenile  
14 court and to representatives of the juvenile court shall be  
15 applicable instead to juvenile court services and to  
16 representatives of juvenile court services. The  
17 representatives appointed by the department of human services  
18 and by juvenile court services to establish the plan to  
19 contain expenditures for children placed in group foster care  
20 ordered by the court within the budget target allocated to the  
21 service area shall establish the plan in a manner so as to  
22 ensure the moneys allocated to the service area under section  
23 232.143 shall last the entire fiscal year. Funds for a child  
24 placed in group foster care shall be considered encumbered for  
25 the duration of the child's projected or actual length of  
26 stay, whichever is applicable.

27 3. The department shall continue the goal that not more  
28 than 15 percent of the children placed in foster care funded  
29 under the federal Social Security Act, Title IV-E, may be  
30 placed in foster care for a period of more than 24 months.

31 4. In accordance with the provisions of section 232.188,  
32 the department shall continue the program to decategorize  
33 child welfare services funding in additional counties or  
34 clusters of counties.

35 5. A portion of the funding appropriated in this section

1 may be used for emergency family assistance to provide other  
2 resources required for a family participating in a family  
3 preservation or reunification project to stay together or to  
4 be reunified.

5 6. Notwithstanding section 234.35, subsection 1, for the  
6 fiscal year beginning July 1, 2002, state funding for shelter  
7 care paid pursuant to section 234.35, subsection 1, paragraph  
8 "h", shall be limited to \$7,120,382.

9 7. The department shall continue to make adoption  
10 presubsidy and adoption subsidy payments to adoptive parents  
11 at the beginning of the month for the current month.

12 8. Federal funds received by the state during the fiscal  
13 year beginning July 1, 2002, as the result of the expenditure  
14 of state funds appropriated during a previous state fiscal  
15 year for a service or activity funded under this section,  
16 shall be used as additional funding for services provided  
17 under this section.

18 9. The department and juvenile court services shall  
19 continue to develop criteria for the department service area  
20 administrator and chief juvenile court officer to grant  
21 exceptions to extend eligibility, within the funds allocated,  
22 for intensive tracking and supervision and for supervised  
23 community treatment to delinquent youth beyond age 18 who are  
24 subject to release from the state training school, a highly  
25 structured juvenile program, or group foster care.

26 10. Of the moneys appropriated in this section, not more  
27 than \$415,135 is allocated to provide clinical assessment  
28 services as necessary to continue funding of children's  
29 rehabilitation services under medical assistance in accordance  
30 with federal law and requirements. The funding allocated is  
31 the amount projected to be necessary for providing the  
32 clinical assessment services.

33 11. Of the funding appropriated in this section,  
34 \$3,696,285 shall be used for protective child care assistance.

35 12. Of the moneys appropriated in this section, up to

1 \$2,924,183 is allocated for the payment of the expenses of  
2 court-ordered services provided to juveniles which are a  
3 charge upon the state pursuant to section 232.141, subsection  
4 4.

5 a. Notwithstanding section 232.141 or any other provision  
6 of law, the amount allocated in this subsection shall be  
7 distributed to the judicial districts as determined by the  
8 state court administrator. The state court administrator  
9 shall make the determination of the distribution amounts on or  
10 before June 15, 2002.

11 b. Notwithstanding chapter 232 or any other provision of  
12 law, a district or juvenile court shall not order any service  
13 which is a charge upon the state pursuant to section 232.141  
14 if there are insufficient court-ordered services funds  
15 available in the district court distribution amount to pay for  
16 the service. The chief juvenile court officer shall encourage  
17 use of the funds allocated in this subsection such that there  
18 are sufficient funds to pay for all court-related services  
19 during the entire year. The chief juvenile court officers  
20 shall attempt to anticipate potential surpluses and shortfalls  
21 in the distribution amounts and shall cooperatively request  
22 the state court administrator to transfer funds between the  
23 districts' distribution amounts as prudent.

24 c. Notwithstanding any provision of law to the contrary, a  
25 district or juvenile court shall not order a county to pay for  
26 any service provided to a juvenile pursuant to an order  
27 entered under chapter 232 which is a charge upon the state  
28 under section 232.141, subsection 4.

29 d. Of the funding allocated in this subsection, not more  
30 than \$100,000 may be used by the judicial branch for  
31 administration of the requirements under this subsection and  
32 for travel associated with court-ordered placements which are  
33 a charge upon the state pursuant to section 232.141,  
34 subsection 4.

35 13. a. Of the funding appropriated in this section,

1 \$2,927,602 is allocated to provide school-based supervision of  
2 children adjudicated under chapter 232, including not more  
3 than \$1,463,801 from the allocation in this section for court-  
4 ordered services. Not more than \$15,000 of the funding  
5 allocated in this subsection may be used for the purpose of  
6 training.

7 b. A portion of the cost of each school-based liaison  
8 officer shall be paid by the school district or other funding  
9 source as approved by the chief juvenile court officer.

10 14. The department shall maximize the capacity to draw  
11 federal funding under Title IV-E of the federal Social  
12 Security Act.

13 15. Any unanticipated federal funding that is received  
14 during the fiscal year due to improvements in the hours  
15 counted by the judicial branch under the claiming process for  
16 federal Title IV-E funding are appropriated to the department  
17 to be used for additional or expanded services and support for  
18 court-ordered services pursuant to section 232.141.

19 Notwithstanding section 8.33, moneys appropriated in this  
20 subsection that remain unencumbered or unobligated at the  
21 close of the fiscal year shall not revert but shall remain  
22 available for expenditure for the purposes designated until  
23 the close of the succeeding fiscal year.

24 16. Notwithstanding section 234.39, subsection 5, and 2000  
25 Iowa Acts, chapter 1228, section 43, the department may  
26 operate a subsidized guardianship program if the United States  
27 department of health and human services approves a waiver  
28 under Title IV-E of the federal Social Security Act and the  
29 subsidized guardianship program can be operated without loss  
30 of Title IV-E funds.

31 17. It is the intent of the general assembly that the  
32 department continue its practice of providing strong support  
33 for Iowa's nationally recognized initiative of  
34 decategorization of child welfare funding.

35 18. It is the intent of the general assembly that

1 administration of the foster care and adoption programs be  
2 privatized.

3       Sec. 112. JUVENILE DETENTION HOME FUND. Moneys deposited  
4 in the juvenile detention home fund created in section 232.142  
5 during the fiscal year beginning July 1, 2002, and ending June  
6 30, 2003, are appropriated to the department of human services  
7 for the fiscal year beginning July 1, 2002, and ending June  
8 30, 2003, for distribution as follows:

9       1. An amount equal to ten percent of the costs of the  
10 establishment, improvement, operation, and maintenance of  
11 county or multicounty juvenile detention homes in the fiscal  
12 year beginning July 1, 2001. Moneys appropriated for  
13 distribution in accordance with this paragraph shall be  
14 allocated among eligible detention homes, prorated on the  
15 basis of an eligible detention home's proportion of the costs  
16 of all eligible detention homes in the fiscal year beginning  
17 July 1, 2001. Notwithstanding section 232.142, subsection 3,  
18 the financial aid payable by the state under that provision  
19 for the fiscal year beginning July 1, 2002, shall be limited  
20 to the amount appropriated for the purposes of this  
21 subsection.

22       2. For renewal of a grant to a county with a population  
23 between 168,000 and 175,000 for implementation of the county's  
24 runaway treatment plan under section 232.195:

25 ..... \$           80,000

26       3. For grants to counties implementing a runaway treatment  
27 plan under section 232.195.

28       4. The remainder for additional allocations to county or  
29 multicounty juvenile detention homes, in accordance with the  
30 distribution requirements of subsection 1.

31       Sec. 113. FAMILY SUPPORT SUBSIDY PROGRAM. There is  
32 appropriated from the general fund of the state to the  
33 department of human services for the fiscal year beginning  
34 July 1, 2002, and ending June 30, 2003, the following amount,  
35 or so much thereof as is necessary, to be used for the purpose

1 designated:

2 For the family support subsidy program:

3 ..... \$ 1,979,994

4 1. The department may use up to \$333,312 of the moneys  
5 appropriated in this section to continue the children-at-home  
6 program in current counties, of which not more than \$20,000  
7 shall be used for administrative costs.

8 2. Notwithstanding section 225C.38, subsection 1, the  
9 monthly family support payment amount for the fiscal year  
10 beginning July 1, 2002, shall remain the same as the payment  
11 amount in effect on June 30, 2002.

12 Sec. 114. CONNER DECREE. There is appropriated from the  
13 general fund of the state to the department of human services  
14 for the fiscal year beginning July 1, 2002, and ending June  
15 30, 2003, the following amount, or so much thereof as is  
16 necessary, to be used for the purpose designated:

17 For building community capacity through the coordination  
18 and provision of training opportunities in accordance with the  
19 consent decree of Conner v. Branstad, No. 4-86-CV-30871(S.D.  
20 Iowa, July 14, 1994):

21 ..... \$ 43,582

22 Sec. 115. MENTAL HEALTH INSTITUTES. There is appropriated  
23 from the general fund of the state to the department of human  
24 services for the fiscal year beginning July 1, 2002, and  
25 ending June 30, 2003, the following amounts, or so much  
26 thereof as is necessary, to be used for the purposes  
27 designated:

28 1. For the state mental health institute at Cherokee for  
29 salaries, support, maintenance, and miscellaneous purposes and  
30 for not more than the following full-time equivalent  
31 positions:

32 ..... \$ 13,034,755

33 ..... FTEs 227.65

34 2. For the state mental health institute at Clarinda for  
35 salaries, support, maintenance, and miscellaneous purposes and

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

3 ..... \$ 7,407,087  
4 ..... FTEs 126.15

5 3. For the state mental health institute at Independence  
6 for salaries, support, maintenance, and miscellaneous purposes  
7 and for not more than the following full-time equivalent  
8 positions:

9 ..... \$ 16,924,466  
10 ..... FTEs 333.80

11 The state mental health institute at Independence shall  
12 continue the 30 psychiatric medical institution for children  
13 (PMIC) beds authorized in section 135H.6, in a manner which  
14 results in no net state expenditure amount in excess of the  
15 amount appropriated in this subsection. Counties are not  
16 responsible for the costs of PMIC services described in this  
17 subsection. Subject to the approval of the department, with  
18 the exception of revenues required under section 249A.11 to be  
19 credited to the appropriation in this division of this Act for  
20 medical assistance, revenues attributable to the PMIC beds  
21 described in this subsection for the fiscal year beginning  
22 July 1, 2002, and ending June 30, 2003, shall be deposited in  
23 the institute's account, including but not limited to any of  
24 the following revenues:

- 25 a. The federal share of medical assistance revenue
- 26 received under chapter 249A.
- 27 b. Moneys received through client participation.
- 28 c. Any other revenues directly attributable to the PMIC
- 29 beds.

30 4. For the state mental health institute at Mount Pleasant  
31 for salaries, support, maintenance, and miscellaneous purposes  
32 and for not more than the following full-time equivalent  
33 positions:

34 ..... \$ 5,464,038  
35 ..... FTEs 100.07



1 a. Funding is provided in this subsection for the state  
2 mental health institute at Mount Pleasant to continue the dual  
3 diagnosis mental health and substance abuse program on a net  
4 budgeting basis in which 50 percent of the actual per diem and  
5 ancillary services costs are chargeable to the patient's  
6 county of legal settlement or as a state case, as appropriate.  
7 Subject to the approval of the department, revenues  
8 attributable to the dual diagnosis program for the fiscal year  
9 beginning July 1, 2002, and ending June 30, 2003, shall be  
10 deposited in the institute's account, including but not  
11 limited to all of the following revenues:

12 (1) Moneys received by the state from billings to counties  
13 under section 230.20.

14 (2) Moneys received from billings to the Medicare program.

15 (3) Moneys received from a managed care contractor  
16 providing services under contract with the department or any  
17 private third-party payor.

18 (4) Moneys received through client participation.

19 (5) Any other revenues directly attributable to the dual  
20 diagnosis program.

21 b. The following additional provisions are applicable in  
22 regard to the dual diagnosis program:

23 (1) A county may split the charges between the county's  
24 mental health, mental retardation, and developmental  
25 disabilities services fund and the county's budget for  
26 substance abuse expenditures.

27 (2) If an individual is committed to the custody of the  
28 department of corrections at the time the individual is  
29 referred for dual diagnosis treatment, the department of  
30 corrections shall be charged for the costs of treatment.

31 (3) Prior to an individual's admission for dual diagnosis  
32 treatment, the individual shall have been screened through a  
33 county's single entry point process to determine the  
34 appropriateness of the treatment.

35 (4) A county shall not be chargeable for the costs of

1 treatment for an individual enrolled in and authorized by or  
2 decertified by a managed behavioral care plan under the  
3 medical assistance program.

4 (5) Notwithstanding section 8.33, state mental health  
5 institute revenues related to the dual diagnosis program that  
6 remain unencumbered or unobligated at the close of the fiscal  
7 year shall not revert but shall remain available up to the  
8 amount which would allow the state mental health institute to  
9 meet credit obligations owed to counties as a result of year-  
10 end per diem adjustments for the dual diagnosis program.

11 5. Within the funds appropriated in this section, the  
12 department may transfer funds as necessary to best fulfill the  
13 needs of the institutes provided for in the appropriation.

14 6. As part of the discharge planning process at the state  
15 mental health institutes, the department shall provide  
16 assistance in obtaining eligibility for federal supplemental  
17 security income (SSI) to those individuals whose care at a  
18 state mental health institute is the financial responsibility  
19 of the state or a county.

20 Sec. 116. STATE RESOURCE CENTERS. There is appropriated  
21 from the general fund of the state to the department of human  
22 services for the fiscal year beginning July 1, 2002, and  
23 ending June 30, 2003, the following amounts, or so much  
24 thereof as is necessary, to be used for the purposes  
25 designated:

26 1. For the state resource center at Glenwood for salaries,  
27 support, maintenance, and miscellaneous purposes:  
28 ..... \$ 2,218,967

29 2. For the state resource center at Woodward for salaries,  
30 support, maintenance, and miscellaneous purposes:  
31 ..... \$ 1,495,985

32 3. a. The department shall continue operating the state  
33 resource centers at Glenwood and Woodward with a net general  
34 fund appropriation. The amounts allocated in this section are  
35 the net amounts of state moneys projected to be needed for the

1 state resource centers. The purposes of operating with a net  
2 general fund appropriation are to encourage the state resource  
3 centers to operate with increased self-sufficiency, to improve  
4 quality and efficiency, and to support collaborative efforts  
5 between the state resource centers and counties and other  
6 funders of services available from the state resource centers.  
7 The state resource centers shall not be operated under the net  
8 appropriation in a manner which results in a cost increase to  
9 the state or cost shifting between the state, the medical  
10 assistance program, counties, or other sources of funding for  
11 the state resource centers. Moneys appropriated in this  
12 section may be used throughout the fiscal year in the manner  
13 necessary for purposes of cash flow management, and for  
14 purposes of cash flow management the state resource centers  
15 may temporarily draw more than the amounts appropriated,  
16 provided the amounts appropriated are not exceeded at the  
17 close of the fiscal year.

18 b. Subject to the approval of the department, except for  
19 revenues under section 249A.11, revenues attributable to the  
20 state resource centers for the fiscal year beginning July 1,  
21 2002, shall be deposited into each state resource center's  
22 account, including but not limited to all of the following:

23 (1) Moneys received by the state from billings to counties  
24 under section 222.73.

25 (2) The federal share of medical assistance revenue  
26 received under chapter 249A.

27 (3) Federal Medicare program payments.

28 (4) Moneys received from client financial participation.

29 (5) Other revenues generated from current, new, or  
30 expanded services which the state resource center is  
31 authorized to provide.

32 c. For the purposes of allocating the salary adjustment  
33 fund moneys appropriated in another Act, the state resource  
34 centers shall be considered to be funded entirely with state  
35 moneys.

1 d. Notwithstanding section 8.33, up to \$500,000 of a state  
2 resource center's revenues that remain unencumbered or  
3 unobligated at the close of the fiscal year shall not revert  
4 but shall remain available to be used in the succeeding fiscal  
5 year.

6 4. Within the funds appropriated in this section, the  
7 department may transfer funds as necessary to best fulfill the  
8 needs of the institutions provided for in the appropriation.

9 5. The department may continue to bill for state resource  
10 center services utilizing a scope of services approach used  
11 for private providers of ICFMR services, in a manner which  
12 does not shift costs between the medical assistance program,  
13 counties, or other sources of funding for the state resource  
14 centers.

15 6. The state resource centers may expand the time limited  
16 assessment and respite services during the fiscal year.

17 7. If the department's administration and the department  
18 of management concur with a finding by a state resource  
19 center's superintendent that projected revenues can reasonably  
20 be expected to pay the salary and support costs for a new  
21 employee position, or that such costs for adding a particular  
22 number of new positions for the fiscal year would be less than  
23 the overtime costs if new positions would not be added, the  
24 superintendent may add the new position or positions. If the  
25 vacant positions available to a resource center do not include  
26 the position classification desired to be filled, the state  
27 resource center's superintendent may reclassify any vacant  
28 position as necessary to fill the desired position. The  
29 superintendents of the state resource centers may, by mutual  
30 agreement, pool vacant positions and position classifications  
31 during the course of the fiscal year in order to assist one  
32 another in filling necessary positions.

33 8. If existing capacity limitations are reached in  
34 operating units, a waiting list is in effect for a service for  
35 which funding is available to provide the service, and

1 facilities for the service can be provided within the  
2 available funding, a state resource center may open facilities  
3 and begin implementing the service during fiscal year 2002-  
4 2003.

5 Sec. 117. SPECIAL NEEDS GRANTS. There is appropriated  
6 from the general fund of the state to the department of human  
7 services for the fiscal year beginning July 1, 2002, and  
8 ending June 30, 2003, the following amount, or so much thereof  
9 as is necessary, to be used for the purpose designated:

10 To provide special needs grants to families with a family  
11 member at home who has a developmental disability or to a  
12 person with a developmental disability:

13 ..... \$ 48,903

14 Grants must be used by a family to defray special costs of  
15 caring for the family member to prevent out-of-home placement  
16 of the family member or to provide for independent living  
17 costs. The grants may be administered by a private nonprofit  
18 agency which serves people statewide provided that no  
19 administrative costs are received by the agency.

20 Sec. 118. MI/MR/DD STATE CASES. There is appropriated  
21 from the general fund of the state to the department of human  
22 services for the fiscal year beginning July 1, 2002, and  
23 ending June 30, 2003, the following amount, or so much thereof  
24 as is necessary, to be used for the purpose designated:

25 For purchase of local services for persons with mental  
26 illness, mental retardation, and developmental disabilities  
27 where the client has no established county of legal  
28 settlement:

29 ..... \$ 11,671,390

30 The general assembly encourages the department to continue  
31 discussions with the Iowa state association of counties and  
32 administrators of county central point of coordination offices  
33 regarding proposals for moving state cases to county budgets.

34 Sec. 119. MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES --  
35 COMMUNITY SERVICES FUND. There is appropriated from the

1 general fund of the state to the mental health and  
2 developmental disabilities community services fund created in  
3 section 225C.7 for the fiscal year beginning July 1, 2002, and  
4 ending June 30, 2003, the following amount, or so much thereof  
5 as is necessary, to be used for the purpose designated:

6 For mental health and developmental disabilities community  
7 services in accordance with this division of this Act:

8 ..... \$ 18,157,352

9 1. Of the funds appropriated in this section, \$18,127,352  
10 shall be allocated to counties for funding of community-based  
11 mental health and developmental disabilities services. The  
12 moneys shall be allocated to a county as follows:

13 a. Fifty percent based upon the county's proportion of the  
14 state's population of persons with an annual income which is  
15 equal to or less than the poverty guideline established by the  
16 federal office of management and budget.

17 b. Fifty percent based upon the county's proportion of the  
18 state's general population.

19 2. a. A county shall utilize the funding the county  
20 receives pursuant to subsection 1 for services provided to  
21 persons with a disability, as defined in section 225C.2.  
22 However, no more than 50 percent of the funding shall be used  
23 for services provided to any one of the service populations.

24 b. A county shall use at least 50 percent of the funding  
25 the county receives under subsection 1 for contemporary  
26 services provided to persons with a disability, as described  
27 in rules adopted by the department.

28 3. Of the funds appropriated in this section, \$30,000  
29 shall be used to support the Iowa compass program providing  
30 computerized information and referral services for Iowans with  
31 disabilities and their families.

32 4. a. Funding appropriated for purposes of the federal  
33 social services block grant is allocated for distribution to  
34 counties for local purchase of services for persons with  
35 mental illness or mental retardation or other developmental

1 disability.

2 b. The funds allocated in this subsection shall be  
3 expended by counties in accordance with the county's approved  
4 county management plan. A county without an approved county  
5 management plan shall not receive allocated funds until the  
6 county's management plan is approved.

7 c. The funds provided by this subsection shall be  
8 allocated to each county as follows:

9 (1) Fifty percent based upon the county's proportion of  
10 the state's population of persons with an annual income which  
11 is equal to or less than the poverty guideline established by  
12 the federal office of management and budget.

13 (2) Fifty percent based upon the amount provided to the  
14 county for local purchase of services in the preceding fiscal  
15 year.

16 5. A county is eligible for funds under this section if  
17 the county qualifies for a state payment as described in  
18 section 331.439.

19 Sec. 120. PERSONAL ASSISTANCE. There is appropriated from  
20 the general fund of the state to the department of human  
21 services for the fiscal year beginning July 1, 2002, and  
22 ending June 30, 2003, the following amount, or so much thereof  
23 as is necessary, to be used for the purpose designated:

24 For continuation of a pilot project for the personal  
25 assistance services program in accordance with this section:

26 ..... \$ 161,473

27 1. The funds appropriated in this section shall be used to  
28 continue the pilot project for the personal assistance  
29 services program under section 225C.46 in an urban and a rural  
30 area. Not more than 10 percent of the amount appropriated  
31 shall be used for administrative costs. The pilot project  
32 shall not be implemented in a manner which would require  
33 additional county or state costs for assistance provided to an  
34 individual served under the pilot project.

35 2. In accordance with 2001 Iowa Acts, chapter 191, section

1 25, subsection 2, new applicants shall not be accepted into  
2 the pilot project. An individual receiving services under the  
3 pilot project as of June 30, 2002, shall continue receiving  
4 services until the individual voluntarily leaves the project  
5 or until another program with similar services exists.

6 Sec. 121. SEXUALLY VIOLENT PREDATORS. There is  
7 appropriated from the general fund of the state to the  
8 department of human services for the fiscal year beginning  
9 July 1, 2002, and ending June 30, 2003, the following amount,  
10 or so much thereof as is necessary, to be used for the purpose  
11 designated:

12 For costs associated with the commitment and treatment of  
13 sexually violent predators in the unit located at the state  
14 mental health institute at Cherokee, including costs of legal  
15 services and other associated costs, including salaries,  
16 support, maintenance, and miscellaneous purposes and for not  
17 more than the following full-time equivalent positions:

18 .....	\$	3,459,855
19 .....	FTEs	44.00

20 Sec. 122. FIELD OPERATIONS. There is appropriated from  
21 the general fund of the state to the department of human  
22 services for the fiscal year beginning July 1, 2002, and  
23 ending June 30, 2003, the following amount, or so much thereof  
24 as is necessary, to be used for the purposes designated:

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

28 .....	\$	52,356,098
29 .....	FTEs	1,920.00

30 Priority in filling full-time equivalent positions shall be  
31 given to those positions related to child protection services.

32 2. In implementing the transition from a regional system  
33 to the service area system established pursuant to 2001 Iowa  
34 Acts, Second Extraordinary Session, chapter 4, for the fiscal  
35 year beginning July 1, 2002, and ending June 30, 2003, the



1 department shall utilize the service areas and service area  
2 administrators in lieu of regions and regional administrators,  
3 notwithstanding the references to department regions or  
4 regional administrators in sections 232.2, 232.52, 232.68,  
5 232.72, 232.102, 232.117, 232.127, 232.143, 232.188, 234.35,  
6 and 237A.3A, or other provision in law. The department shall  
7 submit proposed legislation under section 2.16 for  
8 consideration by the Eightieth General Assembly, 2003 Session,  
9 to correct the references in the necessary Code sections.

10 Sec. 123. ADDITIONAL FEDERAL FUNDING -- FISCAL YEAR 2002-  
11 2003.

12 1. The provisions of this section are applicable for the  
13 fiscal year beginning July 1, 2002.

14 2. It is the intent of the general assembly that the  
15 director of human services work to secure federal financial  
16 participation through Titles IV-E and XIX of the federal  
17 Social Security Act for services and activities that are  
18 currently funded with state, county, or community moneys. It  
19 is further intended that the director initially focus on  
20 securing targeted case management funding under medical  
21 assistance for state child protection staff and for services  
22 and activities currently funded with juvenile court services,  
23 county, or community moneys and state moneys used in  
24 combination with such moneys.

25 3. Additional federal financial participation secured for  
26 the fiscal year beginning July 1, 2002, and ending June 30,  
27 2003, is appropriated to the department of human services for  
28 use as provided in this section. All of the following are  
29 applicable to the additional federal financial participation  
30 and efforts made to secure the federal financial  
31 participation:

32 a. The department may pursue federal approval of a state  
33 plan amendment to use medical assistance funding for targeted  
34 case management services. The population to be served through  
35 targeted case management services is children who are at risk

1 of maltreatment or who are in need of protective services.  
2 The funding shall be based on the federal and state moneys  
3 available under the medical assistance program. For the  
4 additional federal financial participation received under the  
5 reimbursement methodology established for the services, a  
6 distribution plan shall attribute revenue to the cost sources  
7 upon which the reimbursement rates are based. In addition, of  
8 the additional federal funds received, a 5 percent set-aside  
9 shall be used for funding the revenue enhancement activities  
10 and for service delivery and results improvement efforts.

11 b. The director may use part or all of the additional  
12 federal financial participation received from medical  
13 assistance claims for child protection staff for full-time  
14 equivalent state child protection staff positions, including  
15 child abuse assessment positions, social workers, and support  
16 positions performing related functions. Positions added in  
17 accordance with this paragraph "b" are in addition to those  
18 authorized in the appropriation made in this Act for field  
19 operations.

20 c. The director may also use a portion of the additional  
21 federal financial participation received from medical  
22 assistance claims for child protection staff for providing  
23 grants to communities to support the community partnership  
24 approach to child protection. Potential grantees may include  
25 child welfare funding decategorization projects, community  
26 empowerment area boards, or other community-based entities  
27 who, in partnership with the local departmental  
28 administrators, agree to implement the four community  
29 partnership components.

30 4. The department may adopt emergency rules to implement  
31 the provisions of this section.

32 Sec. 124. ADDITIONAL FEDERAL FINANCIAL PARTICIPATION --  
33 FISCAL 2001-2002 AND FISCAL 2002-2003. The first \$10 million  
34 of federal financial participation received under the section  
35 of this division of this Act providing for the department of

1 human services' efforts to secure additional federal funding  
2 for FY 2002-2003 through Titles IV-E and XIX of the federal  
3 Social Security Act or from other efforts by the department of  
4 human services to draw additional federal financial  
5 participation associated with funds appropriated for child and  
6 family services in fiscal years 2001-2002 and 2002-2003 shall  
7 be used in those two fiscal years to offset reductions in  
8 federal financial participation for child welfare services due  
9 to changes in federal regulations or interpretations of  
10 federal regulations, changes in federal cost allocations or  
11 federal match provisions, or federal sanctions. The  
12 department may adopt emergency rules to implement the  
13 provisions of this section.

14 Sec. 125. GENERAL ADMINISTRATION. There is appropriated  
15 from the general fund of the state to the department of human  
16 services for the fiscal year beginning July 1, 2002, and  
17 ending June 30, 2003, the following amount, or so much thereof  
18 as is necessary, to be used for the purpose designated:

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

22 .....	\$ 11,848,605
23 .....	FTEs 356.00

24 1. Of the funds appropriated in this section, \$57,000 is  
25 allocated for the prevention of disabilities policy council  
26 established in section 225B.3.

27 2. The department shall report to the governor, the  
28 general assembly, the legislative fiscal bureau, and the  
29 legislative service bureau, within thirty days of notice from  
30 the source of payment of the future receipt of any bonus,  
31 incentive, or other payments received from the federal  
32 government, court settlement payments, and any other payments  
33 received by the state that may be used to supplement state  
34 funds appropriated to the department.

35 3. If the department proposes an amendment to a state plan

1 for a program that is subject to federal approval and the  
2 amendment would have an effect on state appropriations, unless  
3 the amendment is adopted as a rule that has been reviewed and  
4 approved by the administrative rules review committee, the  
5 amendment shall not be submitted to the federal government for  
6 consideration unless the fiscal committee of the legislative  
7 council has adopted a motion recommending implementation of  
8 the amendment.

9     Sec. 126. VOLUNTEERS. There is appropriated from the  
10 general fund of the state to the department of human services  
11 for the fiscal year beginning July 1, 2002, and ending June  
12 30, 2003, the following amount, or so much thereof as is  
13 necessary, to be used for the purpose designated:

14     For development and coordination of volunteer services:  
15 ..... \$     112,033

16     Sec. 127. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY  
17 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER THE  
18 DEPARTMENT OF HUMAN SERVICES.

19     1. a. Notwithstanding 2001 Iowa Acts, chapter 192,  
20 section 4, subsection 2, paragraph "b", the modified price-  
21 based case-mix reimbursement rate upon which the reimbursement  
22 rate for nursing facilities is determined shall only include  
23 an additional inflation factor to the extent of the funding  
24 budgeted and appropriated specifically for nursing facility  
25 reimbursement based on a case-mix reimbursement methodology in  
26 this division of this Act or in other appropriations. Nursing  
27 facilities reimbursed under the medical assistance program  
28 shall submit annual cost reports and additional documentation  
29 as required by rules adopted by the department.

30     b. (1) For the fiscal year beginning July 1, 2002, the  
31 department shall reimburse pharmacy dispensing fees using a  
32 single rate of \$5.17 per prescription or the pharmacy's usual  
33 and customary fee, whichever is lower.

34     (2) The department shall implement a series of prospective  
35 drug utilization review edits on targeted drugs to facilitate

1 the cost effective use of these drugs. The edits shall be  
2 implemented in a manner that does not change the therapy or  
3 the therapeutic outcome for the patient.

4 (3) The department of human services shall require  
5 recipients of medical assistance to pay the following  
6 copayment on each covered drug prescription, including each  
7 refill as follows:

8 (a) A copayment of \$1 for each covered generic drug  
9 prescription.

10 (b) A copayment of \$1 for each covered brand-name drug  
11 prescription for which the cost to the state is less than \$25.

12 (c) A copayment of \$2 for each covered brand-name drug  
13 prescription for which the cost to the state is between \$25  
14 and \$50.

15 (d) A copayment of \$3 for each covered brand-name drug  
16 prescription for which the cost to the state is over \$50.

17 c. For the fiscal year beginning July 1, 2002,  
18 reimbursement rates for inpatient and outpatient hospital  
19 services shall remain at the rates in effect on June 30, 2002.  
20 The department shall continue the outpatient hospital  
21 reimbursement system based upon ambulatory patient groups  
22 implemented pursuant to 1994 Iowa Acts, chapter 1186, section  
23 25, subsection 1, paragraph "f". In addition, the department  
24 shall continue the revised medical assistance payment policy  
25 implemented pursuant to that paragraph to provide  
26 reimbursement for costs of screening and treatment provided in  
27 the hospital emergency room if made pursuant to the  
28 prospective payment methodology developed by the department  
29 for the payment of outpatient services provided under the  
30 medical assistance program. Any rebasing of hospital  
31 inpatient or outpatient rates shall not increase total  
32 payments for inpatient and outpatient services.

33 d. For the fiscal year beginning July 1, 2002,  
34 reimbursement rates for rural health clinics, hospices,  
35 independent laboratories, and acute mental hospitals shall be

1 increased in accordance with increases under the federal  
2 Medicare program or as supported by their Medicare audited  
3 costs.

4 e. For the fiscal year beginning July 1, 2002,  
5 reimbursement rates for home health agencies shall remain at  
6 the rates in effect on June 30, 2002.

7 f. For the fiscal year beginning July 1, 2002, federally  
8 qualified health centers shall receive cost-based  
9 reimbursement for 100 percent of the reasonable costs for the  
10 provision of services to recipients of medical assistance.

11 g. Beginning July 1, 2002, the reimbursement rates for  
12 dental services shall remain at the rates in effect on June  
13 30, 2002.

14 h. Beginning July 1, 2002, the reimbursement rates for  
15 community mental health centers shall remain at the rates in  
16 effect on June 30, 2002.

17 i. For the fiscal year beginning July 1, 2002, the maximum  
18 reimbursement rate for psychiatric medical institutions for  
19 children shall remain at the rate in effect on June 30, 2002,  
20 based on per day rates for actual costs.

21 j. For the fiscal year beginning July 1, 2002, unless  
22 otherwise specified in this division of this Act, all  
23 noninstitutional medical assistance provider reimbursement  
24 rates shall remain at the rates in effect on June 30, 2002,  
25 except for area education agencies, local education agencies,  
26 infant and toddler services providers, and those providers  
27 whose rates are required to be determined pursuant to section  
28 249A.20.

29 k. Notwithstanding section 249A.20, the average  
30 reimbursement rates for health care providers eligible for use  
31 of the reimbursement methodology under that section shall  
32 remain at the rate in effect on June 30, 2002.

33 2. For the fiscal year beginning July 1, 2002, the maximum  
34 cost reimbursement rate for residential care facilities  
35 reimbursed by the department shall not be less than \$25.92 per

1 day for the time period of July 1, 2002, through December 31, 2002, and shall not be less than \$26.20 per day for the time period of January 1, 2003, through June 30, 2003. The flat reimbursement rate for facilities electing not to file semiannual cost reports shall not be less than \$18.52 per day for the time period of July 1, 2002, through December 31, 2002, and shall not be less than \$18.72 per day for the time period of January 1, 2003, through June 30, 2003.

3. For the fiscal year beginning July 1, 2002, the maximum reimbursement rate for providers reimbursed under the in-home health-related care program shall not be less than \$498.29 per month for the time period of July 1, 2002, through December 31, 2002, and shall not be less than \$503.67 per month for the time period of January 1, 2003, through June 30, 2003.

4. Unless otherwise directed in this section, when the department's reimbursement methodology for any provider reimbursed in accordance with this section includes an inflation factor, this factor shall not exceed the amount by which the consumer price index for all urban consumers increased during the calendar year ending December 31, 2001.

5. Notwithstanding section 234.38, in the fiscal year beginning July 1, 2002, the foster family basic daily maintenance rate and the maximum adoption subsidy rate for children ages 0 through 5 years shall be \$14.28, the rate for children ages 6 through 11 years shall be \$15.07, the rate for children ages 12 through 15 years shall be \$16.83, and the rate for children ages 16 and older shall be \$16.83.

6. For the fiscal year beginning July 1, 2002, the maximum reimbursement rates for social service providers shall remain at the rates in effect on June 30, 2002. However, the rates may be adjusted under any of the following circumstances:

a. If a new service was added after June 30, 2002, the initial reimbursement rate for the service shall be based upon actual and allowable costs.

b. If a social service provider loses a source of income

1 used to determine the reimbursement rate for the provider, the  
2 provider's reimbursement rate may be adjusted to reflect the  
3 loss of income, provided that the lost income was used to  
4 support actual and allowable costs of a service purchased  
5 under a purchase of service contract.

6 7. The group foster care reimbursement rates paid for  
7 placement of children out-of-state shall be calculated  
8 according to the same rate-setting principles as those used  
9 for in-state providers unless the director or the director's  
10 designee determines that appropriate care cannot be provided  
11 within the state. The payment of the daily rate shall be  
12 based on the number of days in the calendar month in which  
13 service is provided.

14 8. For the fiscal year beginning July 1, 2002, the  
15 reimbursement rates for rehabilitative treatment and support  
16 services providers shall remain at the rates in effect on June  
17 30, 2002.

18 9. For the fiscal year beginning July 1, 2002, the  
19 combined service and maintenance components of the  
20 reimbursement rate paid to a shelter care provider shall be  
21 based on the cost report submitted to the department. The  
22 maximum reimbursement rate shall be \$83.69 per day. The  
23 department shall reimburse a shelter care provider at the  
24 provider's actual and allowable unit cost, plus inflation, not  
25 to exceed the maximum reimbursement rate.

26 10. For the fiscal year beginning July 1, 2002, the  
27 department shall calculate reimbursement rates for  
28 intermediate care facilities for persons with mental  
29 retardation at the 80th percentile.

30 11. For the fiscal year beginning July 1, 2002, for child  
31 care providers, the department shall set provider  
32 reimbursement rates based on the rate reimbursement survey  
33 completed in December 1998. The department shall set rates in  
34 a manner so as to provide incentives for a nonregistered  
35 provider to become registered.



1 12. For the fiscal year beginning July 1, 2002,  
2 reimbursements for providers reimbursed by the department of  
3 human services may be modified if appropriated funding is  
4 allocated for that purpose from the senior living trust fund  
5 created in section 249H.4, or as specified in appropriations  
6 from the healthy Iowans tobacco trust created in section  
7 12.65.

8 13. The department may adopt emergency rules to implement  
9 this section.

10 Sec. 128. TRANSFER AUTHORITY. Subject to the provisions  
11 of section 8.39, for the fiscal year beginning July 1, 2002,  
12 if necessary to meet federal maintenance of effort  
13 requirements or to transfer federal temporary assistance for  
14 needy families block grant funding to be used for purposes of  
15 the federal social services block grant or to meet cash flow  
16 needs resulting from delays in receiving federal funding or to  
17 implement, in accordance with this division of this Act,  
18 targeted case management for child protection and for  
19 activities currently funded with juvenile court services,  
20 county, or community moneys and state moneys used in  
21 combination with such moneys, the department of human services  
22 may transfer within or between any of the appropriations made  
23 in this division of this Act and appropriations in law for the  
24 federal social services block grant to the department for the  
25 following purposes, provided that the combined amount of state  
26 and federal temporary assistance for needy families block  
27 grant funding for each appropriation remains the same before  
28 and after the transfer:

- 29 1. For the family investment program.
- 30 2. For emergency assistance.
- 31 3. For child care assistance.
- 32 4. For child and family services.
- 33 5. For field operations.
- 34 6. For general administration.
- 35 7. MH/MR/DD/BI community services (local purchase).

1 This section shall not be construed to prohibit existing  
2 state transfer authority for other purposes.

3 Sec. 129. FRAUD AND RECOUPMENT ACTIVITIES. During the  
4 fiscal year beginning July 1, 2002, notwithstanding the  
5 restrictions in section 239B.14, recovered moneys generated  
6 through fraud and recoupment activities are appropriated to  
7 the department of human services to be used for additional  
8 fraud and recoupment activities performed by the department of  
9 human services or the department of inspections and appeals,  
10 and the department of human services may add not more than  
11 five full-time equivalent positions, in addition to those  
12 funded in this division of this Act, subject to both of the  
13 following conditions:

14 1. The director of human services determines that the  
15 investment can reasonably be expected to increase recovery of  
16 assistance paid in error, due to fraudulent or nonfraudulent  
17 actions, in excess of the amount recovered in the fiscal year  
18 beginning July 1, 1997.

19 2. The amount expended for the additional fraud and  
20 recoupment activities shall not exceed the amount of the  
21 projected increase in assistance recovered.

22 Sec. 130. TARGETED CASE MANAGEMENT SERVICES FOR CHILDREN  
23 -- FY 2001-2002. It is the intent of the general assembly  
24 that the department evaluate the documentation provisions  
25 implemented in fiscal year 2001-2002 for medical assistance  
26 claiming of targeted case management services for children who  
27 are at risk of maltreatment or who are in need of protective  
28 services. The purpose of the evaluation is for the department  
29 to ease the administrative burden on department staff by  
30 limiting the documentation requirement to those children known  
31 to be eligible or implementing other appropriate measures.

32 Sec. 131. NEW SECTION. 249A.20A NURSING FACILITIES --  
33 DUAL CERTIFICATION REQUIRED.

34 Beginning October 1, 2002, all licensed nursing facilities  
35 shall be certified under both the federal Medicare program and

1 the medical assistance program as a condition for  
2 participation in the medical assistance program. The  
3 department shall, in consultation with nursing facility  
4 provider organizations, adopt rules to establish criteria for  
5 individual exceptions to the dual certification requirement  
6 under this section.

7 Sec. 132. Section 252B.4, subsection 1, Code 2001, is  
8 amended to read as follows:

9 1. The director shall require an application fee of five  
10 twenty-five dollars.

11 Sec. 133. 2001 Iowa Acts, chapter 176, section 1, is  
12 amended to read as follows:

13 SECTION 1. COUNTY MENTAL HEALTH, MENTAL RETARDATION, AND  
14 DEVELOPMENTAL DISABILITIES ALLOWED GROWTH FACTOR ADJUSTMENT  
15 AND ALLOCATIONS. There is appropriated from the general fund  
16 of the state to the department of human services for the  
17 fiscal year beginning July 1, 2002, and ending June 30, 2003,  
18 the following amount, or so much thereof as is necessary, to  
19 be used for the purpose designated:

20 For distribution to counties of the county mental health,  
21 mental retardation, and developmental disabilities allowed  
22 growth factor adjustment, as provided in this section in lieu  
23 of the provisions of section 331.438, subsection 2, and  
24 section 331.439, subsection 3, and chapter 426B:

25 ..... \$ ~~14,874,702~~  
26 14,500,000

27 The funding appropriated in this section is the allowed  
28 growth factor adjustment for fiscal year 2002-2003, and is  
29 allocated for distribution as provided by law.

30 Sec. 134. COUNTY MENTAL HEALTH, MENTAL RETARDATION, AND  
31 DEVELOPMENTAL DISABILITIES (MH/MR/DD) ALLOWED GROWTH FACTOR  
32 ADJUSTMENT AND ALLOCATIONS -- DISTRIBUTION FOR FY 2002-2003.

33 1. For the fiscal year beginning July 1, 2002, the moneys  
34 appropriated in 2001 Acts, chapter 176, section 1, as amended  
35 by this division of this Act, for distribution to counties of

1 the county mental health, mental retardation, and  
2 developmental disabilities allowed growth factor adjustment,  
3 shall be distributed as provided in this section in lieu of  
4 the provisions of section 331.438, subsection 2, and section  
5 331.439, subsection 3, and chapter 426B, as follows:

6 a. The first \$2,000,000 shall be credited to the risk pool  
7 created in the property tax relief fund and shall be  
8 distributed pursuant to section 426B.5, subsection 2.

9 b. The remaining \$12,500,000 shall be distributed as  
10 provided in this section.

11 2. The following formula amounts shall be utilized only to  
12 calculate preliminary distribution amounts for fiscal year  
13 2002-2003 under this section by applying the indicated formula  
14 provisions to the formula amounts and producing a preliminary  
15 distribution total for each county:

16 a. For calculation of an allowed growth factor adjustment  
17 amount for each county in accordance with the formula in  
18 section 331.438, subsection 2, paragraph "b":

19 ..... \$ 12,000,000

20 b. For calculation of a distribution amount for eligible  
21 counties from the per capita expenditure target pool created  
22 in the property tax relief fund in accordance with the  
23 requirements in section 426B.5, subsection 1:

24 ..... \$ 12,492,712

25 c. For calculation of a distribution amount for counties  
26 from the mental health and developmental disabilities (MH/DD)  
27 community services fund in accordance with the formula  
28 provided in this division of this Act:

29 ..... \$ 18,127,352

30 3. Notwithstanding any contrary provisions of sections  
31 225C.7, 331.438, subsection 2, 331.439, subsection 3, and  
32 426B.5, the moneys allocated for distribution in subsection 1,  
33 paragraph "b", and in any other Act of the Seventy-ninth  
34 General Assembly, 2002 Session, for distribution to counties  
35 in the fiscal year beginning July 1, 2002, for purposes of the

1 mental health and developmental disabilities (MH/DD) community  
2 services fund under section 225C.7, and for the allowed growth  
3 factor adjustment for services paid under a county's section  
4 331.424A mental health, mental retardation, and developmental  
5 disabilities services fund and as calculated under subsection  
6 2 to produce preliminary distribution amounts for counties  
7 shall be subject to withholding as provided in this section.

8 4. After applying the applicable statutory distribution  
9 formulas to the amounts indicated in subsection 2 for purposes  
10 of formula calculations to produce preliminary distribution  
11 totals, the department of human services shall apply a  
12 withholding factor to adjust an eligible individual county's  
13 preliminary distribution total. An ending balance percentage  
14 for each county shall be determined by expressing the county's  
15 ending balance on a modified accrual basis under generally  
16 accepted accounting principles for the fiscal year beginning  
17 July 1, 2001, in the county's mental health, mental  
18 retardation, and developmental disabilities services fund  
19 created under section 331.424A, as a percentage of the  
20 county's gross expenditures from that fund for that fiscal  
21 year. The withholding factor for a county shall be the  
22 following applicable percent:

- 23 a. For an ending balance percentage of less than 10  
24 percent, a withholding factor of 0 percent.
- 25 b. For an ending balance percentage of 10 through 24  
26 percent, a withholding factor of 25 percent.
- 27 c. For an ending balance percentage of 25 through 34  
28 percent, a withholding factor of 60 percent.
- 29 d. For an ending balance percentage of 35 through 44  
30 percent, a withholding factor of 85 percent.
- 31 e. For an ending balance percentage of 45 percent or more,  
32 a withholding factor of 100 percent.

33 5. The total withholding amounts applied pursuant to  
34 subsection 4 shall be equal to a withholding target amount of  
35 \$11,992,712 and the appropriation made in this division of

1 this Act for the MH/DD community services fund and the  
2 appropriation made in 2001 Iowa Acts, chapter 176, section 1,  
3 as amended by this division of this Act shall be reduced by  
4 the amount necessary to attain the withholding target amount.  
5 If the department of human services determines that the amount  
6 to be withheld in accordance with subsection 4 is not equal to  
7 the target withholding amount, the department shall adjust the  
8 withholding factors listed in subsection 4 as necessary to  
9 achieve the withholding target amount. However, in making  
10 such adjustments to the withholding factors, the department  
11 shall strive to minimize changes to the withholding factors  
12 for those ending balance percentage ranges that are lower than  
13 others and shall not adjust the zero withholding factor  
14 specified in subsection 4, paragraph "a".

15 6. A county must comply with the December 1, 2002, filing  
16 deadline for the county annual financial report in accordance  
17 with section 331.403. The amount that would otherwise be  
18 available for distribution to a county that fails to so comply  
19 shall be proportionately distributed among the eligible  
20 counties.

21 7. The department of human services shall authorize the  
22 issuance of warrants payable to the county treasurer for the  
23 distribution amounts due the counties eligible under this  
24 section and notwithstanding prior practice for the MH/DD  
25 community services fund, the warrants shall be issued in  
26 January 2003.

27 Sec. 135. EMERGENCY RULES. If specifically authorized by  
28 a provision of this division of this Act, the department of  
29 human services or the mental health and developmental  
30 disabilities commission may adopt administrative rules under  
31 section 17A.4, subsection 2, and section 17A.5, subsection 2,  
32 paragraph "b", to implement the provisions and the rules shall  
33 become effective immediately upon filing or on a later  
34 effective date specified in the rules, unless the effective  
35 date is delayed by the administrative rules review committee.

1 Any rules adopted in accordance with this section shall not  
2 take effect before the rules are reviewed by the  
3 administrative rules review committee. The delay authority  
4 provided to the administrative rules review committee under  
5 section 17A.4, subsection 5, and section 17A.8, subsection 9,  
6 shall be applicable to a delay imposed under this section,  
7 notwithstanding a provision in those sections making them  
8 inapplicable to section 17A.5, subsection 2, paragraph "b".  
9 Any rules adopted in accordance with the provisions of this  
10 section shall also be published as notice of intended action  
11 as provided in section 17A.4.

12 Sec. 136. REPORTS.

13 1. Any reports or information required to be compiled and  
14 submitted under this division of this Act shall be submitted  
15 to the chairpersons and ranking members of the joint  
16 appropriations subcommittee on human services, the legislative  
17 fiscal bureau, the legislative service bureau, and to the  
18 legislative caucus staffs on or before the dates specified for  
19 submission of the reports or information.

20 2. In order to reduce mailing and paper processing costs,  
21 the department shall provide, to the extent feasible, reports,  
22 notices, minutes, and other documents by electronic means to  
23 those persons who have the capacity to access the documents in  
24 that manner.

25 Sec. 137. LAW INAPPLICABLE FOR FISCAL YEAR 2002-2003.

26 1. The following provisions in Code or rule shall be  
27 suspended for the period beginning July 1, 2002, and ending  
28 June 30, 2003:

29 a. The requirements of section 239B.2A, relating to school  
30 attendance by children participating in the family investment  
31 program.

32 b. For a case permanency plan, as defined in section  
33 232.2, the requirement for a six-month case permanency plan  
34 review for an intact family. In addition, the department of  
35 human services may implement a shortened case permanency plan

1 format tailored to meet compliance issues.

2 c. The requirements of section 225C.42, relating to an  
3 annual evaluation of the family support subsidy program.

4 2. The department may adopt emergency rules to implement  
5 the provisions of this section.

6 Sec. 138. MEDICAL ASSISTANCE PROGRAM -- REPAYMENT OF  
7 SENIOR LIVING TRUST FUND FOR FY 2001-2002. If moneys  
8 appropriated for the medical assistance program for the fiscal  
9 year beginning July 1, 2001, and ending June 30, 2002, from  
10 the general fund of the state, the tobacco settlement trust  
11 fund, the healthy Iowans tobacco trust fund, the senior living  
12 trust fund, and the hospital trust fund are in excess of  
13 actual expenditures for the medical assistance program and  
14 remain available at the close of the fiscal year, the excess  
15 moneys in an amount not to exceed the amount appropriated from  
16 the senior living trust fund for the medical assistance  
17 program for the fiscal year beginning July 1, 2001, which have  
18 not otherwise been repaid, shall be transferred to the senior  
19 living trust fund created in section 249H.4.

20 Sec. 139. MEDICAL ASSISTANCE PROGRAM -- REPAYMENT OF  
21 SENIOR LIVING TRUST FUND FOR FY 2002-2003. If moneys  
22 appropriated for the medical assistance program for the fiscal  
23 year beginning July 1, 2002, and ending June 30, 2003, from  
24 the general fund of the state, the tobacco settlement trust  
25 fund, the healthy Iowans tobacco trust fund, the senior living  
26 trust fund, and the hospital trust fund are in excess of  
27 actual expenditures for the medical assistance program and  
28 remain available at the close of the fiscal year, the excess  
29 moneys, not to exceed the amount appropriated from the senior  
30 living trust fund for the medical assistance program for the  
31 fiscal years beginning July 1, 2001, and July 1, 2002, which  
32 have not otherwise been repaid, shall be transferred to the  
33 senior living trust fund created in section 249H.4.

34 Sec. 140. EFFECTIVE DATES. The following provisions of  
35 this division of this Act, being deemed of immediate



1 importance, take effect upon enactment:

2 1. The provision under the appropriation for child and  
3 family services, relating to requirements of section 232.143  
4 for representatives of the department of human services and  
5 juvenile court services to establish a plan for continuing  
6 group foster care expenditures for the 2002-2003 fiscal year.

7 2. The provision under the appropriation for child and  
8 family services, relating to the state court administrator  
9 determining allocation of court-ordered services funding by  
10 June 15, 2002.

11 3. The provision relating to the evaluation of  
12 documentation for targeted case management services for  
13 children in fiscal year 2001-2002.

14 4. The provision relating to obtaining additional federal  
15 financial participation for fiscal year 2001-2002 and fiscal  
16 year 2002-2003.

17 5. The provision relating to repayment of the senior  
18 living trust fund for fiscal year 2001-2002.

19 6. The provision enacting new section 249A.20A relating to  
20 dual certification of nursing facilities.

21 DIVISION VII

22 JUSTICE SYSTEM

23 Sec. 141. DEPARTMENT OF JUSTICE. There is appropriated  
24 from the general fund of the state to the department of  
25 justice for the fiscal year beginning July 1, 2002, and ending  
26 June 30, 2003, the following amounts, or so much thereof as is  
27 necessary, to be used for the purposes designated:

28 1. For the general office of attorney general for	
29 salaries, support, maintenance, miscellaneous purposes	
30 including odometer fraud enforcement, and for not more than	
31 the following full-time equivalent positions:	
32 .....	\$ 7,143,891
33 .....	FTEs 200.48

34 2. For the prosecuting attorney training program for  
35 salaries, support, maintenance, miscellaneous purposes, and

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

3 .....	\$	272,819
4 .....	FTEs	6.00

5 3. In addition to the funds appropriated in subsection 1,  
6 there is appropriated from the general fund of the state to  
7 the department of justice for the fiscal year beginning July  
8 1, 2002, and ending June 30, 2003, an amount not exceeding  
9 \$200,000 to be used for the enforcement of the Iowa  
10 competition law. The funds appropriated in this subsection  
11 are contingent upon receipt by the general fund of the state  
12 of an amount at least equal to the expenditure amount from  
13 either damages awarded to the state or a political subdivision  
14 of the state by a civil judgment under chapter 553, if the  
15 judgment authorizes the use of the award for enforcement  
16 purposes or costs or attorneys fees awarded the state in state  
17 or federal antitrust actions. However, if the amounts  
18 received as a result of these judgments are in excess of  
19 \$200,000, the excess amounts shall not be appropriated to the  
20 department of justice pursuant to this subsection.

21 4. In addition to the funds appropriated in subsection 1,  
22 there is appropriated from the general fund of the state to  
23 the department of justice for the fiscal year beginning July  
24 1, 2002, and ending June 30, 2003, an amount not exceeding  
25 \$400,000 to be used for public education relating to consumer  
26 fraud and for enforcement of section 714.16, and an amount not  
27 exceeding \$75,000 for investigation, prosecution, and consumer  
28 education relating to consumer and criminal fraud against  
29 older Iowans. The funds appropriated in this subsection are  
30 contingent upon receipt by the general fund of the state of an  
31 amount at least equal to the expenditure amount from damages  
32 awarded to the state or a political subdivision of the state  
33 by a civil consumer fraud judgment or settlement, if the  
34 judgment or settlement authorizes the use of the award for  
35 public education on consumer fraud. However, if the funds

1 received as a result of these judgments and settlements are in  
2 excess of \$475,000, the excess funds shall not be appropriated  
3 to the department of justice pursuant to this subsection.

4 5. For victim assistance grants and for not more than the  
5 following full-time equivalent positions:

6 .....	\$	1,711,189
7 .....	FTEs	2.00

8 a. The funds appropriated in this subsection shall be used  
9 to provide grants to care providers providing services to  
10 crime victims of domestic abuse or to crime victims of rape  
11 and sexual assault.

12 b. Notwithstanding sections 8.33 and 8.39, moneys  
13 appropriated in this subsection that remain unencumbered or  
14 unobligated at the close of the fiscal year shall not revert  
15 but shall remain available for expenditure during the  
16 subsequent fiscal year for the same purpose, and shall not be  
17 transferred to any other program.

18 6. For the ODCP prosecuting attorney program and for not  
19 more than the following full-time equivalent positions:

20 .....	\$	118,451
21 .....	FTEs	2.00

22 7. The balance of the victim compensation fund established  
23 in section 915.94 may be used to provide salary and support of  
24 not more than 22.0 FTEs and to provide maintenance for the  
25 victim compensation functions of the department of justice.

26 8. The department of justice shall submit monthly  
27 financial statements to the legislative fiscal bureau and the  
28 department of management containing all appropriated accounts  
29 in the same manner as provided in the monthly financial status  
30 reports and personal services usage reports of the department  
31 of revenue and finance. The monthly financial statements  
32 shall include comparisons of the moneys and percentage spent  
33 of budgeted to actual revenues and expenditures on a  
34 cumulative basis for full-time equivalent positions and  
35 available moneys.

1 9. a. The department of justice, in submitting budget  
2 estimates for the fiscal year commencing July 1, 2003,  
3 pursuant to section 8.23, shall include a report of funding  
4 from sources other than amounts appropriated directly from the  
5 general fund of the state to the department of justice or to  
6 the office of consumer advocate. These funding sources shall  
7 include, but are not limited to, reimbursements from other  
8 state agencies, commissions, boards, or similar entities, and  
9 reimbursements from special funds or internal accounts within  
10 the department of justice. The department of justice shall  
11 report actual reimbursements for the fiscal year commencing  
12 July 1, 2001, and actual and expected reimbursements for the  
13 fiscal year commencing July 1, 2002.

14 b. The department of justice shall include the report  
15 required under paragraph "a", as well as information regarding  
16 any revisions occurring as a result of reimbursements actually  
17 received or expected at a later date, in a report to the co-  
18 chairpersons and ranking members of the joint appropriations  
19 subcommittee on the justice system and the legislative fiscal  
20 bureau. The department of justice shall submit the report on  
21 or before January 15, 2003.

22 10. For legal services for persons in poverty grants as  
23 provided in section 13.34:

24 ..... \$ 593,910

25 As a condition for accepting a grant funded pursuant to  
26 this subsection, an organization receiving a grant shall  
27 submit a report to the general assembly by January 1, 2003,  
28 concerning the use of any grants received during the previous  
29 fiscal year and efforts made by the organization to find  
30 alternative sources of revenue to replace any reductions in  
31 federal funding for the organization.

32 Sec. 142. DEPARTMENT OF JUSTICE -- ENVIRONMENTAL CRIMES  
33 INVESTIGATION AND PROSECUTION -- FUNDING. There is  
34 appropriated from the environmental crime fund of the  
35 department of justice, consisting of court-ordered fines and

1 penalties awarded to the department arising out of the  
2 prosecution of environmental crimes, to the department of  
3 justice for the fiscal year beginning July 1, 2002, and ending  
4 June 30, 2003, an amount not exceeding \$20,000 to be used by  
5 the department, at the discretion of the attorney general, for  
6 the investigation and prosecution of environmental crimes,  
7 including the reimbursement of expenses incurred by county,  
8 municipal, and other local governmental agencies cooperating  
9 with the department in the investigation and prosecution of  
10 environmental crimes.

11 The funds appropriated in this section are contingent upon  
12 receipt by the environmental crime fund of the department of  
13 justice of an amount at least equal to the appropriations made  
14 in this section and received from contributions, court-ordered  
15 restitution as part of judgments in criminal cases, and  
16 consent decrees entered into as part of civil or regulatory  
17 enforcement actions. However, if the funds received during  
18 the fiscal year are in excess of \$20,000, the excess funds  
19 shall be deposited in the general fund of the state.

20 Notwithstanding section 8.33, moneys appropriated in this  
21 section that remain unexpended or unobligated at the close of  
22 the fiscal year shall not revert but shall remain available  
23 for expenditure for the purpose designated until the close of  
24 the succeeding fiscal year.

25 Sec. 143. OFFICE OF CONSUMER ADVOCATE. There is  
26 appropriated from the general fund of the state to the office  
27 of consumer advocate of the department of justice for the  
28 fiscal year beginning July 1, 2002, and ending June 30, 2003,  
29 the following amount, or so much thereof as is necessary, to  
30 be used for the purposes designated:

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

34 .....	\$	2,443,903
35 .....	FTEs	33.00

1 Sec. 144. DEPARTMENT OF CORRECTIONS -- FACILITIES. There  
2 is appropriated from the general fund of the state to the  
3 department of corrections for the fiscal year beginning July  
4 1, 2002, and ending June 30, 2003, the following amounts, or  
5 so much thereof as is necessary, to be used for the purposes  
6 designated:

7 1. For the operation of adult correctional institutions,  
8 reimbursement of counties for certain confinement costs, and  
9 federal prison reimbursement, to be allocated as follows:

10 a. For the operation of the Fort Madison correctional  
11 facility, including salaries, support, maintenance, employment  
12 of correctional officers, miscellaneous purposes, and for not  
13 more than the following full-time equivalent positions:

14 ..... \$ 32,168,605  
15 ..... FTEs 543.69

16 It is the intent of the general assembly to operate a  
17 special needs unit at the Fort Madison correctional facility  
18 at a capacity of 200 beds when funding constraints are  
19 eliminated.

20 b. For the operation of the Anamosa correctional facility,  
21 including salaries, support, maintenance, employment of  
22 correctional officers and a part-time chaplain to provide  
23 religious counseling to inmates of a minority race,  
24 miscellaneous purposes, and for not more than the following  
25 full-time equivalent positions:

26 ..... \$ 23,786,629  
27 ..... FTEs 379.75

28 Moneys are provided within this appropriation for one full-  
29 time substance abuse counselor for the Luster Heights  
30 facility, for the purpose of certification of a substance  
31 abuse program at that facility.

32 c. For the operation of the Oakdale correctional facility,  
33 including salaries, support, maintenance, employment of  
34 correctional officers, miscellaneous purposes, and for not  
35 more than the following full-time equivalent positions:

1 ..... \$ 21,497,363

2 ..... FTEs 328.50

3 d. For the operation of the Newton correctional facility,  
4 including salaries, support, maintenance, employment of  
5 correctional officers, miscellaneous purposes, and for not  
6 more than the following full-time equivalent positions:

7 ..... \$ 22,538,275

8 ..... FTEs 371.25

9 e. For the operation of the Mt. Pleasant correctional  
10 facility, including salaries, support, maintenance, employment  
11 of correctional officers and a full-time chaplain to provide  
12 religious counseling at the Oakdale and Mt. Pleasant  
13 correctional facilities, miscellaneous purposes, and for not  
14 more than the following full-time equivalent positions:

15 ..... \$ 21,161,133

16 ..... FTEs 330.56

17 f. For the operation of the Rockwell City correctional  
18 facility, including salaries, support, maintenance, employment  
19 of correctional officers, miscellaneous purposes, and for not  
20 more than the following full-time equivalent positions:

21 ..... \$ 7,268,049

22 ..... FTEs 110.00

23 g. For the operation of the Clarinda correctional  
24 facility, including salaries, support, maintenance, employment  
25 of correctional officers, miscellaneous purposes, and for not  
26 more than the following full-time equivalent positions:

27 ..... \$ 18,326,306

28 ..... FTEs 291.76

29 Moneys received by the department of corrections as  
30 reimbursement for services provided to the Clarinda youth  
31 corporation are appropriated to the department and shall be  
32 used for the purpose of operating the Clarinda correctional  
33 facility.

34 h. For the operation of the Mitchellville correctional  
35 facility, including salaries, support, maintenance, employment

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

3 ..... \$ 12,024,416  
4 ..... FTEs 215.50

5 i. For the operation of the Fort Dodge correctional  
6 facility, including salaries, support, maintenance, employment  
7 of correctional officers, miscellaneous purposes, and for not  
8 more than the following full-time equivalent positions:

9 ..... \$ 24,379,674  
10 ..... FTEs 395.00

11 j. For reimbursement of counties for temporary confinement  
12 of work release and parole violators, as provided in sections  
13 901.7, 904.908, and 906.17 and for offenders confined pursuant  
14 to section 904.513:

15 ..... \$ 674,954

16 k. For federal prison reimbursement, reimbursements for  
17 out-of-state placements, and miscellaneous contracts:

18 ..... \$ 241,293

19 The department of corrections shall use funds appropriated  
20 in this subsection to continue to contract for the services of  
21 a Muslim imam.

22 2. a. If the inmate tort claim fund for inmate claims of  
23 less than \$100 is exhausted during the fiscal year, sufficient  
24 funds shall be transferred from the institutional budgets to  
25 pay approved tort claims for the balance of the fiscal year.  
26 The warden or superintendent of each institution or  
27 correctional facility shall designate an employee to receive,  
28 investigate, and recommend whether to pay any properly filed  
29 inmate tort claim for less than the above amount. The  
30 designee's recommendation shall be approved or denied by the  
31 warden or superintendent and forwarded to the department of  
32 corrections for final approval and payment. The amounts  
33 appropriated to this fund pursuant to 1987 Iowa Acts, chapter  
34 234, section 304, subsection 2, are not subject to reversion  
35 under section 8.33.



1 b. Tort claims denied at the institution shall be  
2 forwarded to the state appeal board for their consideration as  
3 if originally filed with that body. This procedure shall be  
4 used in lieu of chapter 669 for inmate tort claims of less  
5 than \$100.

6 3. It is the intent of the general assembly that the  
7 department of corrections shall timely fill correctional  
8 positions authorized for correctional facilities pursuant to  
9 this section.

10 Sec. 145. DEPARTMENT OF CORRECTIONS -- ADMINISTRATION.  
11 There is appropriated from the general fund of the state to  
12 the department of corrections for the fiscal year beginning  
13 July 1, 2002, and ending June 30, 2003, the following amounts,  
14 or so much thereof as is necessary, to be used for the  
15 purposes designated:

16 1. For general administration, including salaries,  
17 support, maintenance, employment of an education director and  
18 clerk to administer a centralized education program for the  
19 correctional system, miscellaneous purposes, and for not more  
20 than the following full-time equivalent positions:

21 .....	\$	2,666,224
22 .....	FTEs	42.18

23 Notwithstanding section 904.108, for the fiscal year  
24 beginning July 1, 2002, and ending June 30, 2003, the  
25 correctional training center need not be maintained at the  
26 Mount Pleasant correctional facility.

27 a. The department shall monitor the use of the  
28 classification model by the judicial district departments of  
29 correctional services and has the authority to override a  
30 district department's decision regarding classification of  
31 community-based clients. The department shall notify a  
32 district department of the reasons for the override.

33 b. It is the intent of the general assembly that as a  
34 condition of receiving the appropriation provided in this  
35 subsection, the department of corrections shall not, except as

1 otherwise provided in paragraph "c", enter into a new  
2 contract, unless the contract is a renewal of an existing  
3 contract, for the expenditure of moneys in excess of \$100,000  
4 during the fiscal year beginning July 1, 2002, for the  
5 privatization of services performed by the department using  
6 state employees as of July 1, 2002, or for the privatization  
7 of new services by the department, without prior consultation  
8 with any applicable state employee organization affected by  
9 the proposed new contract and prior notification of the  
10 cochairpersons and ranking members of the joint appropriations  
11 subcommittee on the justice system.

12 c. It is the intent of the general assembly that each  
13 lease negotiated by the department of corrections with a  
14 private corporation for the purpose of providing private  
15 industry employment of inmates in a correctional institution  
16 shall prohibit the private corporation from utilizing inmate  
17 labor for partisan political purposes for any person seeking  
18 election to public office in this state and that a violation  
19 of this requirement shall result in a termination of the lease  
20 agreement.

21 d. It is the intent of the general assembly that as a  
22 condition of receiving the appropriation provided in this  
23 subsection, the department of corrections shall not enter into  
24 a lease or contractual agreement pursuant to section 904.809  
25 with a private corporation for the use of building space for  
26 the purpose of providing inmate employment without providing  
27 that the terms of the lease or contract establish safeguards  
28 to restrict, to the greatest extent feasible, access by  
29 inmates working for the private corporation to personal  
30 identifying information of citizens.

31 e. It is the intent of the general assembly that as a  
32 condition of receiving the appropriation provided in this  
33 subsection, the department of corrections shall not enter into  
34 any new agreement with a private for-profit agency or  
35 corporation for the purpose of transferring inmates under the

1 custody of the department to a jail or correctional facility  
2 or institution in this state which is established, maintained,  
3 or operated by a private for-profit agency or corporation  
4 without prior approval by the general assembly.

5 2. For educational programs for inmates at state penal  
6 institutions:

7 ..... \$ 100,000

8 It is the intent of the general assembly that moneys  
9 appropriated in this subsection shall be used solely for the  
10 purpose indicated and that the moneys shall not be transferred  
11 for any other purpose. In addition, it is the intent of the  
12 general assembly that the department shall consult with the  
13 community colleges in the areas in which the institutions are  
14 located to utilize moneys appropriated in this subsection to  
15 fund the high school completion, high school equivalency  
16 diploma, adult literacy, and adult basic education programs in  
17 a manner so as to maintain these programs at the institutions.

18 To maximize the funding for educational programs, the  
19 department shall establish guidelines and procedures to  
20 prioritize the availability of educational and vocational  
21 training for inmates based upon the goal of facilitating an  
22 inmate's successful release from the correctional institution.

23 The director of the department of corrections may transfer  
24 moneys from Iowa prison industries for use in educational  
25 programs for inmates.

26 Notwithstanding section 8.33, moneys appropriated in this  
27 subsection that remain unobligated or unexpended at the close  
28 of the fiscal year shall not revert but shall remain available  
29 for expenditure only for the purpose designated in this  
30 subsection until the close of the succeeding fiscal year.

31 3. For the development of the Iowa corrections offender  
32 network (ICON) data system:

33 ..... \$ 427,700

34 4. The department of corrections shall submit a report to  
35 the cochairpersons and ranking members of the joint

1 appropriations subcommittee on the justice system and the  
2 legislative fiscal bureau, on or before January 15, 2003,  
3 concerning the development and implementation of the Iowa  
4 corrections offender network (ICON) data system. The report  
5 shall include a description of the system and functions, a  
6 plan for implementation of the system, including a timeline,  
7 resource and staffing requirements for the system, and a  
8 current status and progress report concerning the  
9 implementation of the system. In addition, the report shall  
10 specifically address the ability of the system to receive and  
11 transmit data between prisons, community-based corrections  
12 district departments, the judicial branch, board of parole,  
13 the criminal and juvenile justice planning division of the  
14 department of human rights, the department of public safety,  
15 and other applicable governmental agencies. The report should  
16 include a detailed discussion of the cooperation with other  
17 state agencies and the judicial branch in the development and  
18 implementation of the system.

19 5. It is the intent of the general assembly that the  
20 department of corrections shall continue to operate the  
21 correctional farms under the control of the department at the  
22 same or greater level of participation and involvement as  
23 existed as of January 1, 2002, shall not enter into any rental  
24 agreement or contract concerning any farmland under the  
25 control of the department that is not subject to a rental  
26 agreement or contract as of January 1, 2002, without prior  
27 legislative approval, and shall further attempt to provide job  
28 opportunities at the farms for inmates. The department shall  
29 attempt to provide job opportunities at the farms for inmates  
30 by encouraging labor-intensive farming or gardening where  
31 appropriate, using inmates to grow produce and meat for  
32 institutional consumption, researching the possibility of  
33 instituting food canning and cook-and-chill operations, and  
34 exploring opportunities for organic farming and gardening,  
35 livestock ventures, horticulture, and specialized crops.

1 6. The department of corrections shall submit a report to  
2 the general assembly by January 1, 2003, concerning moneys  
3 recouped from inmate earnings for the reimbursement of  
4 operational expenses of the applicable facility during the  
5 fiscal year beginning July 1, 2001, for each correctional  
6 institution and judicial district department of correctional  
7 services. In addition, each correctional institution and  
8 judicial district department of correctional services shall  
9 continue to submit a report to the legislative fiscal bureau  
10 on a monthly basis concerning moneys recouped from inmate  
11 earnings pursuant to sections 904.702, 904.809, and 905.14.

12 Sec. 146. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL  
13 SERVICES.

14 1. There is appropriated from the general fund of the  
15 state to the department of corrections for the fiscal year  
16 beginning July 1, 2002, and ending June 30, 2003, the  
17 following amounts, or so much thereof as is necessary, to be  
18 allocated as follows:

19 a. For the first judicial district department of  
20 correctional services, including the treatment and supervision  
21 of probation and parole violators who have been released from  
22 the department of corrections violator program, the following  
23 amount, or so much thereof as is necessary:

24 ..... \$ 8,953,795

25 b. For the second judicial district department of  
26 correctional services, including the treatment and supervision  
27 of probation and parole violators who have been released from  
28 the department of corrections violator program, the following  
29 amount, or so much thereof as is necessary:

30 ..... \$ 6,992,061

31 c. For the third judicial district department of  
32 correctional services, including the treatment and supervision  
33 of probation and parole violators who have been released from  
34 the department of corrections violator program, the following  
35 amount, or so much thereof as is necessary:

1 ..... \$ 4,073,638

2 d. For the fourth judicial district department of  
3 correctional services, including the treatment and supervision  
4 of probation and parole violators who have been released from  
5 the department of corrections violator program, the following  
6 amount, or so much thereof as is necessary:

7 ..... \$ 3,854,236

8 e. For the fifth judicial district department of  
9 correctional services, including the treatment and supervision  
10 of probation and parole violators who have been released from  
11 the department of corrections violator program, the following  
12 amount, or so much thereof as is necessary:

13 ..... \$ 11,702,787

14 f. For the sixth judicial district department of  
15 correctional services, including the treatment and supervision  
16 of probation and parole violators who have been released from  
17 the department of corrections violator program, the following  
18 amount, or so much thereof as is necessary:

19 ..... \$ 8,965,564

20 g. For the seventh judicial district department of  
21 correctional services, including the treatment and supervision  
22 of probation and parole violators who have been released from  
23 the department of corrections violator program, the following  
24 amount, or so much thereof as is necessary:

25 ..... \$ 5,125,593

26 h. For the eighth judicial district department of  
27 correctional services, including the treatment and supervision  
28 of probation and parole violators who have been released from  
29 the department of corrections violator program, the following  
30 amount, or so much thereof as is necessary:

31 ..... \$ 5,097,521

32 2. Each judicial district department of correctional  
33 services shall continue programs and plans established within  
34 that district to provide for intensive supervision, sex  
35 offender treatment, diversion of low-risk offenders to the

1 least restrictive sanction available, job development, and  
2 expanded use of intermediate criminal sanctions.

3 3. The department of corrections shall continue to  
4 contract with a judicial district department of correctional  
5 services to provide for the rental of electronic monitoring  
6 equipment which shall be available statewide.

7 4. Each judicial district department of correctional  
8 services and the department of corrections shall continue the  
9 treatment alternatives to street crime programs established in  
10 1989 Iowa Acts, chapter 225, section 9.

11 5. The governor's office of drug control policy shall  
12 consider federal grants made to the department of corrections  
13 for the benefit of each of the eight judicial district  
14 departments of correctional services as local government  
15 grants, as defined pursuant to federal regulations.

16 6. The department of corrections and the eight judicial  
17 district departments of correctional services shall submit a  
18 combined comprehensive report on the violator program and the  
19 violator aftercare program to the cochairpersons and ranking  
20 members of the joint appropriations subcommittee on the  
21 justice system and to the legislative fiscal bureau by  
22 December 1, 2002.

23 7. In addition to the requirements of section 8.39, the  
24 department of corrections shall not make an intradepartmental  
25 transfer of moneys appropriated to the department, unless  
26 notice of the intradepartmental transfer is given prior to its  
27 effective date to the legislative fiscal bureau. The notice  
28 shall include information on the department's rationale for  
29 making the transfer and details concerning the work load and  
30 performance measures upon which the transfers are based.

31 8. The department of corrections and the eight judicial  
32 district departments of correctional services shall submit a  
33 combined comprehensive report on the use of intermediate  
34 criminal sanctions program pursuant to chapter 901B to the  
35 cochairpersons and ranking members of the joint appropriations

1 subcommittee on the justice system, and to the legislative  
2 fiscal bureau by January 15, 2003. The report shall include a  
3 description of the program at each intermediate sanction level  
4 or sublevel of the corrections continuum within each district  
5 plan, and the number of offenders placed at each intermediate  
6 sanction level or sublevel in each district for the previous  
7 fiscal year, and the current fiscal year as of March 1. The  
8 report shall also include the personal characteristics of each  
9 offender, including the offender's race, gender, and age, and  
10 the offender's placement on the corrections continuum. The  
11 number of FTEs working in positions related to the corrections  
12 continuum shall also be included in the report.

13 9. The department of corrections in cooperation with the  
14 second, third, fourth, and fifth judicial district departments  
15 of correctional services, shall implement procedures to  
16 provide continuing evaluation of the drug courts. The  
17 evaluation shall include a description of the two models  
18 currently being used by the judicial districts, a description  
19 of the program, criteria for admission, program capacity,  
20 number of offenders in the program by offense class, program  
21 expenditures, and quantitative outcome measures including  
22 successful completion and recidivism rates.

23 Sec. 147. CORRECTIONAL INSTITUTIONS -- VOCATIONAL  
24 TRAINING.

25 1. The state prison industries board and the department of  
26 corrections shall continue the implementation of a plan to  
27 enhance vocational training opportunities within the  
28 correctional institutions listed in section 904.102, as  
29 provided in 1993 Iowa Acts, chapter 171, section 12. The plan  
30 shall provide for increased vocational training opportunities  
31 within the correctional institutions, including the  
32 possibility of approving community college credit for inmates  
33 working in prison industries. The department of corrections  
34 shall provide a report concerning the implementation of the  
35 plan to the cochairpersons and ranking members of the joint



1 appropriations subcommittee on the justice system and the  
2 legislative fiscal bureau, on or before January 15, 2003.

3 2. It is the intent of the general assembly that each  
4 correctional facility make all reasonable efforts to maintain  
5 vocational education programs for inmates and to identify  
6 available funding sources to continue these programs. The  
7 department of corrections shall submit a report to the general  
8 assembly by January 1, 2003, concerning the efforts made by  
9 each correctional facility in maintaining vocational education  
10 programs for inmates.

11 3. The department of corrections shall submit a report on  
12 inmate labor to the general assembly, the cochairpersons, and  
13 the ranking members of the joint appropriations subcommittee  
14 on the justice system, and to the legislative fiscal bureau by  
15 January 15, 2003. The report shall specifically address the  
16 progress the department has made in implementing the  
17 requirements of section 904.701, inmate labor on capital  
18 improvement projects, community work crews, and private-sector  
19 employment.

20 4. Each month the department shall provide a status report  
21 regarding private-sector employment to the legislative fiscal  
22 bureau beginning on July 1, 2002. The report shall include  
23 the number of offenders employed in the private sector, the  
24 combined number of hours worked by the offenders, and the  
25 total amount of allowances, and the distribution of allowances  
26 pursuant to section 904.702, including any moneys deposited in  
27 the general fund of the state.

28 Sec. 148. STATE AGENCY PURCHASES FROM PRISON INDUSTRIES.

29 1. As used in this section, unless the context otherwise  
30 requires, "state agency" means the government of the state of  
31 Iowa, including but not limited to all executive branch  
32 departments, agencies, boards, bureaus, and commissions, the  
33 judicial branch, the general assembly and all legislative  
34 agencies, institutions within the purview of the state board  
35 of regents, and any corporation whose primary function is to

1 act as an instrumentality of the state.

2 2. State agencies are hereby encouraged to purchase  
3 products from Iowa state industries, as defined in section  
4 904.802, when purchases are required and the products are  
5 available from Iowa state industries.

6 3. State agencies shall submit to the legislative fiscal  
7 bureau by January 15, 2003, a report of the dollar value of  
8 products and services purchased from Iowa state industries by  
9 the state agency during the fiscal year beginning July 1,  
10 2001, and ending June 30, 2002.

11 Sec. 149. STATE PUBLIC DEFENDER. There is appropriated  
12 from the general fund of the state to the office of the state  
13 public defender of the department of inspections and appeals  
14 for the fiscal year beginning July 1, 2002, and ending June  
15 30, 2003, the following amount, or so much thereof as is  
16 necessary, for the purposes designated:

17 ..... \$ 33,908,325

18 The funds appropriated and full-time equivalent positions  
19 authorized in this section are allocated as follows:

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

23 ..... \$ 15,770,739

24 ..... FTEs 202.00

25 2. For the fees of court-appointed attorneys for indigent  
26 adults and juveniles, in accordance with section 232.141 and  
27 chapter 815:

28 ..... \$ 18,137,586

29 Sec. 150. IOWA LAW ENFORCEMENT ACADEMY. There is  
30 appropriated from the general fund of the state to the Iowa  
31 law enforcement academy for the fiscal year beginning July 1,  
32 2002, and ending June 30, 2003, the following amount, or so  
33 much thereof as is necessary, to be used for the purposes  
34 designated:

35 1. For salaries, support, maintenance, miscellaneous

1 purposes, including jailer training and technical assistance,  
2 and for not more than the following full-time equivalent  
3 positions:

4 ..... \$ 1,256,199  
5 ..... FTEs 29.05

6 It is the intent of the general assembly that the Iowa law  
7 enforcement academy may provide training of state and local  
8 law enforcement personnel concerning the recognition of and  
9 response to persons with Alzheimer's disease.

10 2. The Iowa law enforcement academy may select at least  
11 five automobiles of the department of public safety, division  
12 of the Iowa state patrol, prior to turning over the  
13 automobiles to the state fleet administrator to be disposed of  
14 by public auction and the Iowa law enforcement academy may  
15 exchange any automobile owned by the academy for each  
16 automobile selected if the selected automobile is used in  
17 training law enforcement officers at the academy. However,  
18 any automobile exchanged by the academy shall be substituted  
19 for the selected vehicle of the department of public safety  
20 and sold by public auction with the receipts being deposited  
21 in the depreciation fund to the credit of the department of  
22 public safety, division of the Iowa state patrol.

23 Sec. 151. BOARD OF PAROLE. There is appropriated from the  
24 general fund of the state to the board of parole for the  
25 fiscal year beginning July 1, 2002, and ending June 30, 2003,  
26 the following amount, or so much thereof as is necessary, to  
27 be used for the purposes designated:

28 For salaries, support, maintenance, miscellaneous purposes,  
29 and for not more than the following full-time equivalent  
30 positions:  
31 ..... \$ 986,636  
32 ..... FTEs 16.00

33 Sec. 152. DEPARTMENT OF PUBLIC DEFENSE. There is  
34 appropriated from the general fund of the state to the  
35 department of public defense for the fiscal year beginning

1 July 1, 2002, and ending June 30, 2003, the following amounts,  
2 or so much thereof as is necessary, to be used for the  
3 purposes designated:

4 1. MILITARY DIVISION

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

8 ..... \$ 5,462,416  
9 ..... FTEs 285.89

10 If there is a surplus in the general fund of the state for  
11 the fiscal year ending June 30, 2003, within 60 days after the  
12 close of the fiscal year, the military division may incur up  
13 to an additional \$500,000 in expenditures from the surplus  
14 prior to transfer of the surplus pursuant to section 8.57.

15 2. EMERGENCY MANAGEMENT DIVISION

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

19 ..... \$ 1,077,354  
20 ..... FTEs 25.25

21 Sec. 153. IOWA COMMUNICATIONS NETWORK OPERATIONS.

22 1. There is appropriated from the general fund of the  
23 state to the Iowa telecommunications and technology commission  
24 for the fiscal year beginning July 1, 2002, and ending June  
25 30, 2003, the following amount, or so much thereof as is  
26 necessary, to be used for the purposes designated in this  
27 subsection:

28 For operations of the network consistent with chapter 8D  
29 and for the following full-time equivalent positions:

30 ..... \$ 1,027,503  
31 ..... FTEs 105.00

32 2. Notwithstanding section 8.33 or 8.39, moneys  
33 appropriated in this section which remain unobligated or  
34 unexpended at the close of the fiscal year shall not revert  
35 but shall remain available for the purposes designated in the

1 succeeding fiscal year, and shall not be transferred to any  
2 other program.

3 3. It is the intent of the general assembly that the Iowa  
4 telecommunications and technology commission annually review  
5 the hourly rates established, as provided in section 8D.3,  
6 subsection 3, paragraph "i". Such rates shall be established  
7 in a manner to minimize any subsidy provided through state  
8 general fund appropriations.

9 Sec. 154. 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, 2002, and ending June 30, 2003, the following amounts, or  
13 so much thereof as is necessary, to be used for the purposes  
14 designated:

15 1. For the department's administrative functions,  
16 including the criminal justice information system, and for not  
17 more than the following full-time equivalent positions:  
18 ..... \$ 2,491,284  
19 ..... FTEs 38.50

20 2. For the division of criminal investigation and bureau  
21 of identification including the state's contribution to the  
22 peace officers' retirement, accident, and disability system  
23 provided in chapter 97A in the amount of 17 percent of the  
24 salaries for which the funds are appropriated, to meet federal  
25 fund matching requirements, and for not more than the  
26 following full-time equivalent positions:  
27 ..... \$ 12,618,393  
28 ..... FTEs 231.50

29 Riverboat enforcement costs shall be billed in accordance  
30 with section 99F.10, subsection 4, and section 99F.10A. The  
31 costs shall be not more than the department's estimated  
32 expenditures, including salary adjustment, for riverboat  
33 enforcement for the fiscal year.

34 The department of public safety, with the approval of the  
35 department of management, may employ no more than two special

1 agents and four gaming enforcement officers for each  
2 additional riverboat regulated after July 1, 2002, and one  
3 special agent for each racing facility which becomes  
4 operational during the fiscal year which begins July 1, 2002.  
5 One additional gaming enforcement officer, up to a total of  
6 four per boat, may be employed for each riverboat that has  
7 extended operations to 24 hours and has not previously  
8 operated with a 24-hour schedule. Positions authorized in  
9 this paragraph are in addition to the full-time equivalent  
10 positions otherwise authorized in this subsection.

11 3. a. For the division of narcotics enforcement,  
12 including the state's contribution to the peace officers'  
13 retirement, accident, and disability system provided in  
14 chapter 97A in the amount of 17 percent of the salaries for  
15 which the funds are appropriated, to meet federal fund  
16 matching requirements, and for not more than the following  
17 full-time equivalent positions:

18 .....	\$	3,552,763
19 .....	FTEs	58.00

20 b. For the division of narcotics enforcement for  
21 undercover purchases:

22 .....	\$	129,155
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23 4. a. For the state fire marshal's office, including the  
24 state's contribution to the peace officers' retirement,  
25 accident, and disability system provided in chapter 97A in the  
26 amount of 17 percent of the salaries for which the funds are  
27 appropriated, and for not more than the following full-time  
28 equivalent positions:

29 .....	\$	1,861,393
30 .....	FTEs	38.80

31 b. For the state fire marshal's office, for fire  
32 protection services as provided through the state fire service  
33 and emergency response council as created in the department,  
34 and for not more than the following full-time equivalent  
35 positions:

1 ..... \$ 599,110

2 ..... FTEs 12.00

3 5. a. For the division of the Iowa state patrol of the  
4 department of public safety, for salaries, support,  
5 maintenance, workers' compensation costs, and miscellaneous  
6 purposes, including the state's contribution to the peace  
7 officers' retirement, accident, and disability system provided  
8 in chapter 97A in the amount of 17 percent of the salaries for  
9 which the funds are appropriated, and for not more than the  
10 following full-time equivalent positions:

11 ..... \$ 37,769,240

12 ..... FTEs 545.00

13 b. District 16, including the state's contribution to the  
14 peace officers' retirement, accident, and disability system  
15 provided in chapter 97A in the amount of 17 percent of the  
16 salaries for which the funds are appropriated and for not more  
17 than the following full-time equivalent positions:

18 ..... \$ 1,298,828

19 ..... FTEs 26.00

20 6. For deposit in the public safety law enforcement sick  
21 leave benefits fund established under section 80.42, for all  
22 departmental employees eligible to receive benefits for  
23 accrued sick leave under the collective bargaining agreement:

24 ..... \$ 285,258

25 7. An employee of the department of public safety who  
26 retires after July 1, 2002, but prior to June 30, 2003, is  
27 eligible for payment of life or health insurance premiums as  
28 provided for in the collective bargaining agreement covering  
29 the public safety bargaining unit at the time of retirement if  
30 that employee previously served in a position which would have  
31 been covered by the agreement. The employee shall be given  
32 credit for the service in that prior position as though it  
33 were covered by that agreement. The provisions of this  
34 subsection shall not operate to reduce any retirement benefits  
35 an employee may have earned under other collective bargaining

1 agreements or retirement programs.

2 8. For costs associated with the training and equipment  
3 needs of volunteer fire fighters and for not more than the  
4 following full-time equivalent position:

5 .....	\$	570,498
6 .....	FTEs	1.00

7 Notwithstanding section 8.33, moneys appropriated in this  
8 subsection that remain unobligated or unexpended at the close  
9 of the fiscal year shall not revert but shall remain available  
10 for expenditure only for the purpose designated in this  
11 subsection until the close of the succeeding fiscal year.

12 Sec. 155. POSTING OF REPORTS IN ELECTRONIC FORMAT --  
13 LEGISLATIVE FISCAL BUREAU. All reports or copies of reports  
14 required to be provided to the legislative fiscal bureau in  
15 this division for the fiscal year beginning July 1, 2002,  
16 shall be provided in an electronic format. The legislative  
17 fiscal bureau shall post the reports on its internet site and  
18 shall notify by electronic means all the members of the joint  
19 appropriations subcommittee on the justice system when a  
20 report is posted. Upon request, copies of the reports may be  
21 mailed to members of the joint appropriations subcommittee on  
22 the justice system.

23 Sec. 156. NEW SECTION. 99D.14A PAYMENT OF THE DIVISION  
24 OF CRIMINAL INVESTIGATION COSTS.

25 A licensee shall pay a fee in an amount representing twenty  
26 percent of the salary costs of the division of criminal  
27 investigation of the department of public safety plus any  
28 amount over thirty thousand dollars in direct and indirect  
29 support costs, in addition to that assessed under section  
30 99D.14, subsection 7, for enforcement of this chapter. The  
31 fees assessed in this section shall be deposited in the  
32 general fund of the state.

33 Sec. 157. Section 99F.4A, subsection 8, Code 2001, is  
34 amended to read as follows:

35 8. A licensee shall pay a fee in an amount representing



1 eighty one hundred percent of the salary and other related  
2 costs of the division of criminal investigation of the  
3 department of public safety for enforcement of this chapter.

4 Sec. 158. NEW SECTION. 99F.10A PAYMENT OF THE DIVISION  
5 OF CRIMINAL INVESTIGATION COSTS.

6 A licensee shall pay twenty percent of the division's  
7 salary costs for special agents and twenty percent of the  
8 division's salary costs for gaming enforcement plus any amount  
9 over \$125,000 in direct and indirect support costs, in  
10 addition to that assessed under section 99F.10, subsection 4.  
11 The costs assessed in this section shall be deposited in the  
12 general fund of the state.

13 Sec. 159. 1998 Iowa Acts, chapter 1101, section 15,  
14 subsection 2, as amended by 1999 Iowa Acts, chapter 202,  
15 section 25, as amended by 2000 Iowa Acts, chapter 1229,  
16 section 25, and as amended by 2001 Iowa Acts, chapter 186,  
17 section 21, is amended to read as follows:

18 2. a. There is appropriated from surcharge moneys  
19 received by the E911 administrator and deposited into the  
20 wireless E911 emergency communications fund, for each fiscal  
21 year in the fiscal period beginning July 1, 1998, and ending  
22 June 30, ~~2002~~ 2003, an amount not to exceed two hundred  
23 thousand dollars to be used for the implementation, support,  
24 and maintenance of the functions of the E911 administrator.  
25 The amount appropriated in this paragraph includes any amounts  
26 necessary to reimburse the division of emergency management of  
27 the department of public defense pursuant to paragraph "b".

28 b. Notwithstanding the distribution formula in section  
29 34A.7A, as enacted in this Act, and prior to any such  
30 distribution, of the initial surcharge moneys received by the  
31 E911 administrator and deposited into the wireless E911  
32 emergency communications fund, for each fiscal year in the  
33 fiscal period beginning July 1, 1998, and ending June 30, ~~2002~~  
34 2003, an amount is appropriated to the division of emergency  
35 management of the department of public defense as necessary to

1 reimburse the division for amounts expended for the  
2 implementation, support, and maintenance of the E911  
3 administrator, including the E911 administrator's salary.

4 Sec. 160. 2001 Iowa Acts, chapter 186, section 6,  
5 subsection 6, is amended by striking the subsection.

6 Sec. 161. EFFECTIVE DATE. The section of this Act  
7 striking 2001 Iowa Acts, chapter 186, section 6, subsection 6,  
8 being deemed of immediate importance, takes effect upon  
9 enactment.

10 Sec. 162. EFFECTIVE DATE. The section of this Act  
11 amending 1998 Iowa Acts, chapter 1101, section 15, as amended,  
12 being deemed of immediate importance, takes effect upon  
13 enactment.

14 DIVISION VIII  
15 JUDICIAL BRANCH

16 Sec. 163. JUDICIAL BRANCH. There is appropriated from the  
17 general fund of the state to the judicial branch for the  
18 fiscal year beginning July 1, 2002, and ending June 30, 2003,  
19 the following amount, or so much thereof as is necessary, to  
20 be used for the purposes designated:

21 For salaries of supreme court justices, appellate court  
22 judges, district court judges, district associate judges,  
23 judicial magistrates and staff, state court administrator,  
24 clerk of the supreme court, district court administrators,  
25 clerks of the district court, juvenile court officers, board  
26 of law examiners and board of examiners of shorthand reporters  
27 and judicial qualifications commission, receipt and  
28 disbursement of child support payments, reimbursement of the  
29 auditor of state for expenses incurred in completing audits of  
30 the offices of the clerks of the district court during the  
31 fiscal year beginning July 1, 2002, and maintenance,  
32 equipment, and miscellaneous purposes:

33 ..... \$111,356,002

34 1. The judicial branch, except for purposes of internal  
35 processing, shall use the current state budget system, the

1 state payroll system, and the Iowa finance and accounting  
2 system in administration of programs and payments for  
3 services, and shall not duplicate the state payroll,  
4 accounting, and budgeting systems.

5 2. The judicial branch shall submit monthly financial  
6 statements to the legislative fiscal bureau and the department  
7 of management containing all appropriated accounts in the same  
8 manner as provided in the monthly financial status reports and  
9 personal services usage reports of the department of revenue  
10 and finance. The monthly financial statements shall include a  
11 comparison of the dollars and percentage spent of budgeted  
12 versus actual revenues and expenditures on a cumulative basis  
13 for full-time equivalent positions and dollars.

14 3. The judicial branch shall continue to assist in the  
15 development and implementation of a justice data warehouse  
16 which shall include in the Iowa court information system,  
17 starting with appointments of counsel made on or after July 1,  
18 1999, the means to identify any case where the court has  
19 determined indigence, and whether the case is handled by a  
20 public defender or other court-appointed counsel.

21 4. Of the funds appropriated in this section, not more  
22 than \$1,897,728 may be transferred into the revolving fund  
23 established pursuant to section 602.1302, subsection 3, to be  
24 used for the payment of jury and witness fees and mileage.

25 5. The judicial branch shall focus efforts upon the  
26 collection of delinquent fines, penalties, court costs, fees,  
27 surcharges, or similar amounts.

28 6. It is the intent of the general assembly that the  
29 offices of the clerks of the district court operate in all  
30 ninety-nine counties and be accessible to the public as much  
31 as is reasonably possible in order to address the relative  
32 needs of the citizens of each county.

33 7. In addition to the requirements for transfers under  
34 section 8.39, the judicial branch shall not change the  
35 appropriations from the amounts appropriated to the branch in

1 this Act, unless notice of the revisions is given prior to  
2 their effective date to the legislative fiscal bureau. The  
3 notice shall include information on the branch's rationale for  
4 making the changes and details concerning the work load and  
5 performance measures upon which the changes are based.

6 8. The judicial branch shall provide to the legislative  
7 fiscal bureau by January 15, 2003, an annual report concerning  
8 the operation and use of the Iowa court information system and  
9 any recommendations to improve the utilization of the system.  
10 The annual report shall include information specifying the  
11 amounts of fines, surcharges, and court costs collected using  
12 the system and how the system is used to improve the  
13 collection process. In addition, the judicial branch shall  
14 submit a semiannual update to the legislative fiscal bureau  
15 specifying the amounts of fines, surcharges, and court costs  
16 collected using the Iowa court information system since the  
17 last report. The judicial branch shall continue to facilitate  
18 the sharing of vital sentencing and other information with  
19 other state departments and governmental agencies involved in  
20 the criminal justice system through the Iowa court information  
21 system.

22 9. The judicial branch shall provide a report to the  
23 general assembly by January 1, 2003, concerning the amounts  
24 received and expended from the enhanced court collections fund  
25 created in section 602.1304 and the court technology and  
26 modernization fund created in section 602.8108, subsection 5,  
27 during the fiscal year beginning July 1, 2001, and ending June  
28 30, 2002, and the plans for expenditures from each fund during  
29 the fiscal year beginning July 1, 2002, and ending June 30,  
30 2003. A copy of the report shall be provided to the  
31 legislative fiscal bureau.

32 10. The judicial branch shall continue to provide criminal  
33 justice data to the department of corrections for use by the  
34 Iowa corrections offender network (ICON) data system.

35 Sec. 164. JUDICIAL RETIREMENT FUND. There is appropriated

1 from the general fund of the state to the judicial retirement  
2 fund for the fiscal year beginning July 1, 2002, and ending  
3 June 30, 2003, the following amount, or so much thereof as is  
4 necessary, to be used for the purpose designated:

5 Notwithstanding section 602.9104, for the state's  
6 contribution to the judicial retirement fund in the amount of  
7 15.2 percent of the basic salaries of the judges covered under  
8 chapter 602, article 9:

9 ..... \$ 3,039,664

10 Sec. 165. POSTING OF REPORTS IN ELECTRONIC FORMAT --

11 LEGISLATIVE FISCAL BUREAU. All reports or copies of reports  
12 required to be provided by the judicial branch for fiscal year  
13 2002-2003 to the legislative fiscal bureau shall be provided  
14 in an electronic format. The legislative fiscal bureau shall  
15 post the reports on its internet site and shall notify by  
16 electronic means all the members of the joint appropriations  
17 subcommittee on the justice system when a report is posted.  
18 Upon request, copies of the reports may be mailed to members  
19 of the joint appropriations subcommittee on the justice  
20 system.

21 Sec. 166. CLERK OF COURT -- STUDY COMMITTEE. The supreme  
22 court shall establish a study committee for the purpose of  
23 providing findings and recommendations to the court in order  
24 for the court to submit a report to the general assembly by  
25 December 15, 2002, regarding the efficient operation and  
26 management of the clerks of courts offices in every county of  
27 the state. The study committee shall include representatives  
28 of key court stakeholder groups including but not limited to,  
29 members of the general public, legislators, county and city  
30 officials, court employees, clerks of court, judges, and  
31 attorneys representing both urban and rural areas of the  
32 state. The court shall include interested associations and  
33 public agencies who request the opportunity to have input into  
34 the work of the study committee. The committee shall issue a  
35 report to the court which includes the committee's findings

1 and recommendations of how to improve the operation and  
2 management of clerk of court offices under the present  
3 statutory framework of one clerk of court office per county.  
4 The supreme court shall submit its report to the general  
5 assembly after consideration of the study committee's findings  
6 and recommendations.

7 Sec. 167. APPOINTMENT OF CLERK OF COURT. Up until such  
8 time the supreme court submits its clerk of court study  
9 committee report to the general assembly and notwithstanding  
10 section 602.1215, the appointment of a clerk of the district  
11 court shall not occur unless the state court administrator  
12 approves the appointment.

13 DIVISION IX

14 STANDING APPROPRIATIONS -- REDUCTIONS

15 Sec. 168. GENERAL ASSEMBLY. The appropriations made  
16 pursuant to section 2.12 for the expenses of the general  
17 assembly and legislative agencies for the fiscal year  
18 beginning July 1, 2002, and ending June 30, 2003, are reduced  
19 by the following amount:

20 ..... \$ 744,947

21 Sec. 169. STATE APPEAL BOARD CLAIMS. Notwithstanding the  
22 standing appropriations in section 25.2, subsection 3, the  
23 amount appropriated from the general fund of the state under  
24 section 25.2, subsection 3, to the state appeal board to pay  
25 claims against the state for the fiscal year beginning July 1,  
26 2002, and ending June 30, 2003, is reduced by the following  
27 amount:

28 ..... \$ 2,500,000

29 Sec. 170. CONSTITUTIONAL AMENDMENTS AND PUBLIC MEASURES.  
30 Notwithstanding the standing appropriation in section 49A.9,  
31 the amount appropriated from the general fund of the state  
32 under section 49A.9, to the office of the secretary of state  
33 for the fiscal year beginning July 1, 2002, and ending June  
34 30, 2003, is reduced by the following amount:

35 ..... \$ 2,565

1     Sec. 171. AT-RISK CHILDREN PROGRAMS. Notwithstanding the  
2 standing appropriation in section 279.51, subsection 1, the  
3 amount appropriated from the general fund of the state under  
4 section 279.51, subsection 1, to the department of education  
5 for the fiscal year beginning July 1, 2002, and ending June  
6 30, 2003, is reduced by the following amount:

7 ..... \$ 1,000,000

8     The amount of the reduction in this section shall be  
9 prorated among the programs specified in section 279.51,  
10 subsection 1, paragraphs "a", "b", and "c".

11    Sec. 172. EDUCATIONAL EXCELLENCE. Notwithstanding section  
12 294A.25, subsection 1, the amount appropriated from the  
13 general fund of the state under section 294A.25, subsection 1,  
14 to the department of education for phase III moneys for the  
15 fiscal year beginning July 1, 2002, and ending June 30, 2003,  
16 is reduced by the following amount:

17 ..... \$ 11,750,000

18    Sec. 173. INTERSTATE EXTRADITION EXPENSE. Notwithstanding  
19 the standing appropriation in section 820.24, the amount  
20 appropriated from the general fund of the state under section  
21 820.24, to pay expenses of interstate extradition for the  
22 fiscal year beginning July 1, 2002, and ending June 30, 2003,  
23 is reduced by the following amount:

24 ..... \$ 155

25    Sec. 174. DEFERRED COMPENSATION PROGRAM. Notwithstanding  
26 the standing appropriation to fund the state's deferred  
27 compensation program established for state employees under  
28 section 509A.12, the amount appropriated from the general fund  
29 of the state for the deferred compensation program for the  
30 fiscal year beginning July 1, 2002, and ending June 30, 2003,  
31 is reduced by the following amount:

32 ..... \$ 190,640

33                   STANDING APPROPRIATIONS -- LIMITATIONS

34    Sec. 175. Notwithstanding the standing appropriations in  
35 the following designated sections for the fiscal year

1 beginning July 1, 2002, and ending June 30, 2003, the amounts  
2 appropriated from the general fund of the state pursuant to  
3 those sections for the following designated purposes shall not  
4 exceed the following amounts:

5 1. For compensation of officers and enlisted persons and  
6 their expenses while on active state service as authorized in  
7 section 29A.27:

8 ..... \$ 432,450

9 2. For payment for nonpublic school transportation under  
10 section 285.2:

11 ..... \$ 7,799,550

12 If total approved claims for reimbursement for nonpublic  
13 school pupil transportation claims exceed the amount  
14 appropriated in this section, the department of education  
15 shall prorate the amount of each claim.

16 3. For administration expenses of the state unemployment  
17 compensation law under section 96.7:

18 ..... \$ 353,000

19 4. For payment of certain interest costs due the federal  
20 government under the Federal Cash Management and Improvement  
21 Act under section 421.31:

22 ..... \$ 568,458

23 5. For printing cigarette tax stamps under section 453A.7:

24 ..... \$ 110,055

25 6. For the personal property tax replacement program under  
26 section 405A.8:

27 ..... \$ 52,251,176

28 7. For the payment of franchise tax allocations to cities  
29 and counties under section 405A.10:

30 ..... \$ 8,168,952

31 8. For the state's share of the cost of the peace officers  
32 retirement benefits under section 411.20:

33 ..... \$ 2,816,189

34 9. For payment of livestock production credit refunds  
35 under section 422.121:



1 ..... \$ 1,856,580  
2 10. For reimbursement for the homestead property tax  
3 credit under section 425.1:  
4 ..... \$107,960,127  
5 11. For reimbursement for the agricultural land and family  
6 farm tax credits under section 426.1:  
7 ..... \$ 36,296,139  
8 12. For reimbursement for the military service tax credit  
9 under section 426A.1A:  
10 ..... \$ 2,569,712  
11 13. For industrial machinery, equipment, and computers  
12 property tax replacement claims under section 427B.19A:  
13 ..... \$ 20,990,800  
14 14. For public transit assistance pursuant to chapter 324A  
15 under section 312.2, subsection 14:  
16 ..... \$ 8,669,871  
17 Sec. 176. ELDERLY AND DISABLED CREDIT. Notwithstanding  
18 the standing appropriation in section 425.39, the amount  
19 appropriated from the general fund of the state under section  
20 425.39, for the fiscal year beginning July 1, 2002, and ending  
21 June 30, 2003, for purposes of implementing the elderly and  
22 disabled credit and reimbursement portion of the extraordinary  
23 property tax and reimbursement division of chapter 425, shall  
24 not exceed \$16,152,246. The director shall pay, in full, all  
25 claims to be paid during the fiscal year beginning July 1,  
26 2002, for reimbursement of rent constituting property taxes  
27 paid. If the amount of claims for credit for property taxes  
28 due to be paid during the fiscal year beginning July 1, 2002,  
29 exceeds the amount remaining after payment to renters, the  
30 director of revenue and finance shall prorate the payments to  
31 the counties for the property tax credit. In order for the  
32 director to carry out the requirements of this section,  
33 notwithstanding any provision to the contrary in sections  
34 425.16 through 425.39, claims for reimbursement for rent  
35 constituting property taxes paid filed before May 1, 2003,

1 shall be eligible to be paid in full during the fiscal year  
2 ending June 30, 2003, and those claims filed on or after May  
3 1, 2003, shall be eligible to be paid during the fiscal year  
4 beginning July 1, 2003, and the director is not required to  
5 make payments to counties for the property tax credit before  
6 June 15, 2003.

7 REVENUE ADJUSTMENTS -- TRANSFERS

8 Sec. 177. IOWA ECONOMIC EMERGENCY AND RESERVE FUNDS --  
9 EARNINGS. Notwithstanding section 8.55, subsection 4, and  
10 section 8.56, subsection 1, for the fiscal year beginning July  
11 1, 2002, and ending June 30, 2003, the interest and earnings  
12 on moneys deposited in the Iowa economic emergency fund and  
13 the cash reserve fund shall be credited to the general fund of  
14 the state.

15 Sec. 178. TITLE GUARANTY FUND. Notwithstanding section  
16 16.91, subsection 1, there is transferred from the title  
17 guaranty fund created pursuant to section 16.91, subsection 1,  
18 to the general fund of the state during the fiscal year  
19 beginning July 1, 2002, and ending June 30, 2003, the  
20 following amount:

21 ..... \$ 2,700,000

22 Sec. 179. INNOVATIONS FUND. Notwithstanding section 8.63,  
23 there is transferred from the innovations fund created in  
24 section 8.63, for the purpose of stimulating and encouraging  
25 innovation in state government, to the general fund of the  
26 state for the fiscal year beginning July 1, 2002, and ending  
27 June 30, 2003, the following amount:

28 ..... \$ 400,000

29 Sec. 180. UNDERGROUND STORAGE TANK FUND. Notwithstanding  
30 section 455G.3, subsection 1, there is transferred from the  
31 Iowa comprehensive petroleum underground storage tank fund  
32 created in section 455G.3, subsection 1, to the general fund  
33 of the state during the fiscal year beginning July 1, 2002,  
34 and ending June 30, 2003, the following amount:

35 ..... \$ 10,000,000

1 Sec. 181. WASTE TIRE MANAGEMENT FUND. Notwithstanding  
2 section 455D.11C, there is transferred from the waste tire  
3 management fund created in section 455D.11C, for waste tire  
4 management, to the general fund of the state for the fiscal  
5 year beginning July 1, 2002, and ending June 30, 2003, the  
6 following amount:

7 ..... \$ 1,600,000

8 Sec. 182. Section 256D.5, subsection 2, Code 2001, is  
9 amended by striking the subsection.

10 Sec. 183. Sections 256D.6, 256D.7, and 256D.8, Code  
11 Supplement 2001, are repealed.

12 EXPLANATION

13 DIVISION I - This division relates to and appropriates  
14 moneys to various state departments, agencies, funds, and  
15 certain other interstate and national entities for the fiscal  
16 year beginning July 1, 2002, and ending June 30, 2003.

17 The state departments and agencies include the auditor of  
18 state, Iowa ethics and campaign disclosure board, department  
19 of commerce, department of general services, office of  
20 governor including the lieutenant governor and Terrace Hill  
21 quarters, department of inspections and appeals, department of  
22 management, department of personnel, Iowa public employees'  
23 retirement system, department of revenue and finance,  
24 secretary of state, and treasurer of state.

25 Division I also appropriates funding for the state's  
26 membership on the national governors association and for the  
27 ready to work program coordinator.

28 Division I also makes related statutory changes.

29 Code section 7D.33, concerning the state employee  
30 suggestion program, is amended to increase the maximum payment  
31 to an employee for implementation of a cost savings suggestion  
32 from \$2,500 to \$25,000.

33 Code section 476.53 is amended to provide that the  
34 utilities board and the consumer advocate can expend  
35 additional moneys to provide temporary staff necessary to

1 perform certain functions, including review of ratemaking  
2 principles proposed for construction of a new generating  
3 facility. 2001 Iowa Acts, First Extraordinary Session,  
4 chapter 5, section 1, currently grants this authority to the  
5 board and the consumer advocate and the language currently in  
6 the Acts is transferred to the Code section and the session  
7 law provision from the 2001 First Extraordinary Session is  
8 then repealed.

9 Code section 505.7 is amended to permit the insurance  
10 division to expend additional funds to perform the statutory  
11 duties of the division if those additional funds will be  
12 collected from moneys and fees collected by the division.

13 Code section 546.10, relating to the establishment and  
14 administration of the professional licensing division, is  
15 amended by adding provisions appropriating 85 percent of any  
16 amount representing an increase in funding implemented by  
17 licensing boards or commissions listed in the Code section to  
18 the division for allocation to the boards or commissions for  
19 the fiscal year beginning July 1, 2002, and succeeding fiscal  
20 years.

21 DIVISION II - This division relates to agriculture and  
22 natural resources by making appropriations to support related  
23 entities, including the department of agriculture and land  
24 stewardship and the department of natural resources.

25 Division II appropriates moneys to the department of  
26 agriculture and land stewardship and the department of natural  
27 resources. The appropriations are made to support  
28 administration of those departments. The division also  
29 provides moneys for specific programs administered by those  
30 departments. The division appropriates moneys from a number  
31 of sources, including the general fund of the state and the  
32 state fish and game protection fund.

33 For the department of agriculture and land stewardship,  
34 moneys are appropriated and full-time equivalent positions  
35 authorized in order to support its divisions (the

1 administrative division, the regulatory division, the  
2 laboratory division, and the soil conservation division).

3 Division II appropriates moneys to support animal industry  
4 programs, including a program to regulate horse and dog racing  
5 by the department of agriculture and land stewardship. The  
6 division appropriates moneys to support the department of  
7 agriculture and land stewardship for membership in a river  
8 association and for the administration of a project in  
9 conjunction with the Iowa corn growers association.

10 For the department of natural resources, moneys are  
11 appropriated or full-time equivalent positions authorized in  
12 order to support its divisions (the administrative and support  
13 services division, the parks and preserves division, the  
14 forests and forestry division, the energy and geological  
15 resources division, and the environmental protection  
16 division).

17 Division II makes appropriations from other funds and  
18 accounts. The division appropriates moneys to the department  
19 of natural resources from the state fish and game protection  
20 fund for support of the division of fish and wildlife. The  
21 division makes an appropriation from moneys transferred to the  
22 state fish and game protection fund to support snowmobile  
23 programs and enforce state navigation laws administered by the  
24 department of natural resources.

25 An appropriation is made from the unassigned revenue fund  
26 administered by the Iowa comprehensive underground storage  
27 tank fund board to the department of natural resources for  
28 administration and expenses of the underground storage tank  
29 section.

30 Division II provides that the department of natural  
31 resources may use additional funds for staffing to reduce the  
32 department's floodplain permit backlog. It provides that the  
33 department may use additional funds available from stormwater  
34 discharge permit fees for staffing required to implement the  
35 federal maximum daily load program.

1 DIVISION III - This division of this bill makes  
2 appropriations and transfers from the general fund of the  
3 state to the department of economic development, the  
4 university of Iowa, the university of northern Iowa, Iowa  
5 state university, the department of workforce development, and  
6 the public employment relations board for the 2002-2003 fiscal  
7 year.

8 Division III provides that the goals for the department of  
9 economic development shall be to expand and stimulate the  
10 state economy, increase the wealth of Iowans, and increase the  
11 population of the state. The division provides that the  
12 department of economic development shall demonstrate  
13 accountability by using performance measures appropriate to  
14 show the attainment of the goals for the state and by  
15 measuring the effectiveness and results of the department's  
16 programs and activities.

17 Division III appropriates from loan repayments on loans  
18 under the former rural community 2000 program to the  
19 department of economic development moneys for providing  
20 financial assistance to Iowa's councils of governments that  
21 provide technical and planning assistance to local governments  
22 and for the rural development program for the purposes of the  
23 program including the rural enterprise fund and collaborative  
24 skills development training.

25 Division III appropriates moneys collected by the division  
26 of insurance in excess of the anticipated gross revenues to  
27 the department of economic development for purposes of  
28 insurance economic development and international insurance  
29 economic development.

30 Division III appropriates moneys from the community  
31 attraction and tourism fund to the department of economic  
32 development for tourism operations.

33 Division III appropriates moneys from the Iowa community  
34 development loan fund to the department of economic  
35 development for purposes of the community development program.

1 Division III appropriates moneys from the workforce  
2 development fund account to the workforce development fund.

3 Division III provides that moneys appropriated or  
4 transferred to or receipts credited to the workforce  
5 development fund may be used for administration of workforce  
6 development activities.

7 Division III provides that all moneys remaining in the job  
8 training fund on July 1, 2002, and any moneys appropriated or  
9 credited to the fund during the fiscal year beginning July 1,  
10 2002, shall be transferred to the workforce development fund.

11 Division III appropriates moneys from the administrative  
12 contribution surcharge fund to the department of workforce  
13 development for salaries, support, maintenance, conducting  
14 labor market surveys, miscellaneous purposes, and for  
15 workforce development regional advisory board member expenses.

16 Division III appropriates moneys from the special  
17 employment security contingency fund to the department of  
18 workforce development for the division of workers'  
19 compensation, immigration service centers, and labor market  
20 information.

21 Division III strikes a standing limited appropriation from  
22 the value-added agricultural products and processes financial  
23 assistance fund to the office of renewable fuels and  
24 coproducts and makes related Code changes. The division  
25 provides that the office of renewable fuels and coproducts may  
26 apply to the department of economic development for moneys in  
27 the value-added agricultural products and processes financial  
28 assistance fund for deposit in the renewable fuels and  
29 coproducts fund.

30 Division III extends for one additional fiscal year the  
31 nonreversion of moneys appropriated in 2000 Iowa Acts, chapter  
32 1230, from the administrative contribution surcharge fund to  
33 the department of workforce development for matching funds for  
34 welfare-to-work grants.

35 Division III provides that the auditor of state is

1 requested to review the audit of the Iowa finance authority  
2 performed by the auditor hired by the authority. The division  
3 provides that the auditor of state is also requested to  
4 conduct a performance audit of the authority to determine the  
5 effectiveness of the authority and the programs of the  
6 authority.

7 Division III provides that, for the fiscal year beginning  
8 July 1, 2002, any entity that was specifically identified in  
9 2001 Iowa Acts, chapter 188, to receive funding from the  
10 department of economic development, excluding any entity  
11 identified to receive a direct appropriation beginning July 1,  
12 2002, may apply to the department for assistance through the  
13 appropriate program.

14 Division III provides that the department of economic  
15 development, the department of workforce development, and the  
16 regents institutions receiving an appropriation pursuant to  
17 this division shall file a written report on a quarterly basis  
18 with the chairpersons and ranking members of the joint  
19 appropriations subcommittee on economic development and the  
20 legislative fiscal bureau regarding all expenditures of moneys  
21 appropriated pursuant to this division during the quarter,  
22 allocations of moneys appropriated pursuant to this division  
23 during the quarter, and full-time equivalent positions  
24 allocated during the quarter.

25 Division III provides that an entity filing the employer's  
26 contribution and payroll report form and any other  
27 unemployment insurance forms on behalf of multiple accounts  
28 shall be allowed to submit one check for these accounts.

29 Division III provides that, in providing moneys from the  
30 shelter assistance fund to homeless shelter programs, the  
31 department of economic development shall explore the potential  
32 of allocating moneys to programs based in part on their  
33 ability to move their clients toward self-sufficiency.

34 Division III requires the department of economic  
35 development to submit a report identifying any moneys received



1 from the ISCC liquidation corporation.

2 Division III provides that all federal grants to and the  
3 federal receipts of agencies appropriated funds under this  
4 division, not otherwise appropriated, are appropriated for the  
5 purposes set forth in the federal grants or receipts unless  
6 otherwise provided.

7 Division III appropriates moneys from moneys credited to  
8 the state by the secretary of the treasury of the United  
9 States pursuant to the Social Security Act to the department  
10 of workforce development for the administration of the  
11 unemployment compensation program only.

12 Division III reduces the standing limited appropriation for  
13 the school-to-career program employer refunds.

14 DIVISION IV - This division appropriates moneys for fiscal  
15 year 2002-2003 from the general fund of the state to the  
16 college student aid commission, the department of cultural  
17 affairs, the department of education, and the state board of  
18 regents and its institutions.

19 Division IV includes appropriations to the college student  
20 aid commission for general administrative purposes, student  
21 aid programs, forgivable loans to Iowa students attending the  
22 Des Moines university -- osteopathic medical center, an  
23 initiative directing primary care physicians to areas of the  
24 state experiencing physician shortages, the accelerated career  
25 education grant program, the chiropractic graduate student  
26 forgivable loan program, the national guard educational  
27 assistance program, and the teacher shortage forgivable loan  
28 program. The division nullifies the \$2.75 million standing  
29 appropriation for the Iowa work-study program for fiscal year  
30 2002-2003.

31 Division IV appropriates to the department of cultural  
32 affairs for its arts, historical and administration divisions,  
33 for historic sites, and for community cultural grants.

34 Division IV appropriates moneys to the department of  
35 education for purposes of the department's general

1 administration, vocational education administration, board of  
2 educational examiners, division of vocational rehabilitation  
3 services, independent living, state library for general  
4 administration and the enrich Iowa program, library service  
5 area system, public broadcasting division, regional  
6 telecommunications council, vocational education to secondary  
7 schools, school food service, Iowa empowerment fund, textbooks  
8 for nonpublic school pupils, vocational education youth  
9 organization and other youth activities, connecting education  
10 and workforce development, jobs for America's graduates,  
11 americorp after-school initiative, student achievement and  
12 teacher quality program, and community colleges.

13 Division IV appropriates moneys to the state board of  
14 regents for board operations, the southwest Iowa graduate  
15 studies center, the tristate graduate center, the quad-cities  
16 graduate studies center, the state university of Iowa, Iowa  
17 state university of science and technology, the university of  
18 northern Iowa, the Iowa school for the deaf, the Iowa braille  
19 and sight saving school, and for tuition and transportation  
20 costs for students residing in the Iowa braille and sight  
21 saving school and the Iowa school for the deaf.

22 Division IV amends the Code to reduce state assistance for  
23 Iowa tuition grants, scholarships, and vocational-technical  
24 grants; and to permit the state board of regents to establish  
25 a three-year pilot program to evaluate the benefits of  
26 establishing an innovative school calendar for the school for  
27 the deaf.

28 DIVISION V - This division makes appropriations for the  
29 2002-2003 fiscal year to the department for the blind, the  
30 Iowa state civil rights commission, the state commission of  
31 veterans affairs, the governor's office of drug control  
32 policy, and the departments of elder affairs, public health,  
33 and human rights.

34 Division V includes authority for the Iowa department of  
35 public health to retain fees as necessary, to reduce the

1 number of days necessary to process medical license requests  
2 and to consider malpractice cases. These fees are collected  
3 pursuant to Code section 147.80 by the board of medical  
4 examiners in the fiscal year beginning July 1, 2002, and  
5 ending June 30, 2003.

6 Division V further provides that the Iowa veterans home  
7 shall operate with a net state general fund appropriation, and  
8 that general fund moneys may be used for cash flow management  
9 purposes.

10 Division V extends the vital records modernization project  
11 to June 30, 2003.

12 Division V provides that the department for the blind, the  
13 Iowa state civil rights commission, the department of elder  
14 affairs, the Iowa department of public health, the department  
15 of human rights, the governor's office of drug control policy,  
16 and the commission of veterans affairs shall submit a report  
17 to the chairpersons and ranking members of the joint  
18 appropriations subcommittee on health and human rights  
19 providing all management to staff ratios of all funded  
20 positions as of January 13, 2003.

21 Division V further provides for the aforementioned agencies  
22 to develop program performance budget measures to include, but  
23 not be limited to, the development and tracking of demand,  
24 workload, productivity, and effectiveness performance  
25 indicators for each program, including minority and gender-  
26 based programs.

27 Division V also extends the scope of practice review  
28 committee project to July 1, 2003.

29 DIVISION VI - This division makes appropriations for the  
30 2002-2003 fiscal year for the department of human services and  
31 includes other appropriations and provisions involving human  
32 services and health care.

33 In new Code section 249A.20A, the division requires that  
34 beginning October 1, 2002, all licensed nursing facilities are  
35 to be certified under both the federal Medicare program and

1 the medical assistance program as a condition for  
2 participation in the medical assistance program. The division  
3 directs the department, in consultation with nursing facility  
4 provider organizations to adopt rules to establish criteria  
5 for individual exceptions to the dual certification  
6 requirement.

7 Division VI amends Code section 252B.4 to increase the  
8 application fee for nonpublic assistance clients of the child  
9 support recovery unit from \$5 to \$25.

10 Division VI addresses the county mental health, mental  
11 retardation, and developmental disabilities allowed growth  
12 factor adjustment. Under Code section 331.439, the statute  
13 establishing the adjustment must be enacted during the fiscal  
14 year in progress two years prior to the fiscal year to which  
15 the adjustment is applicable. The division amends the  
16 adjustment previously enacted during the 2001 legislative  
17 session for fiscal year 2002-2003.

18 Under 2001 Iowa Acts, chapter 176, the growth factor  
19 adjustment for fiscal year 2002-2003 was to be distributed by  
20 law in lieu of the distribution formula in Code sections  
21 331.438 and 331.439. The division provides allocation amounts  
22 to be used for calculating preliminary distribution amounts in  
23 accordance with statutory formulas. After a preliminary  
24 amount is determined using the formulas, a withholding amount  
25 is applied, based upon a county's MH/DD community services  
26 fund balance at the close of the previous fiscal year. A  
27 county must comply with a financial reporting deadline.

28 Division VI also provides that moneys appropriated from  
29 various sources to the medical assistance program for fiscal  
30 year 2001-2002 and fiscal year 2002-2003 that are in excess of  
31 actual expenditures are to be transferred to the senior living  
32 trust fund as repayment of amounts not otherwise repaid.

33 Various provisions take effect upon enactment.

34 DIVISION VII - This division makes appropriations for  
35 fiscal year 2002-2003 from the general fund of the state to

1 the departments of justice, corrections, public defense, and  
2 public safety, Iowa law enforcement academy, office of the  
3 state public defender, Iowa telecommunications and technology  
4 commission, and the board of parole.

5 Division VII creates new Code section 99D.14A which  
6 provides that a licensee for pari-mutuel wagering shall pay  
7 all the salary costs and direct and indirect support costs  
8 which exceed \$30,000 incurred by the division of criminal  
9 investigations for the enforcement of laws pertaining to pari-  
10 mutuel wagering. Under current law, a licensee pays 80  
11 percent of the salary costs of the division of criminal  
12 investigations, and that money is deposited into the rebuild  
13 Iowa infrastructure fund. The division provides that 20  
14 percent of the salary costs shall be deposited into the  
15 general fund of the state.

16 Division VII creates new Code section 99F.10A which  
17 provides that an excursion boat licensee shall pay all the  
18 salary costs and direct and indirect support costs which  
19 exceed \$125,000 incurred by special agents and all the salary  
20 costs for gaming enforcement personnel of the division of  
21 criminal investigations for the enforcement pertaining to  
22 excursion boats. Under current law, a licensee pays a total  
23 of 80 percent of the salary costs of the special agents and 80  
24 percent of the salary costs of gaming enforcement personnel of  
25 the division of criminal investigations, and the moneys are  
26 then deposited into the rebuild Iowa infrastructure fund. The  
27 division provides that 20 percent of the salary costs shall be  
28 deposited into the general fund of the state.

29 Division VII permits the director of the department of  
30 corrections to transfer moneys from Iowa prison industries for  
31 use in inmate educational programs.

32 Division VII eliminates certain restrictions placed on drug  
33 courts established during the 2001-2002 state fiscal year in  
34 2001 Iowa Acts, chapter 186, section 6, subsection 6. The  
35 restrictions eliminated by the division require drug courts to

1 be offered only to persons who have been convicted of a crime  
2 and to give priority to felons over misdemeanants. This  
3 section of division VII takes effect upon enactment.

4 Division VII amends 2001 Iowa Acts, chapter 186, section  
5 21, by providing that any unobligated moneys appropriated to  
6 the state fire marshal for fire protection services do not  
7 revert to the general fund until the end of fiscal year 2002-  
8 2003. This section of division VII takes effect upon  
9 enactment.

10 DIVISION VIII - This division makes appropriations for the  
11 2002-2003 fiscal year to the judicial branch.

12 Division VIII includes a reduction in the percentage of the  
13 state's contribution to the judicial retirement fund for FY  
14 2002-2003.

15 Division VIII eliminates the requirements that moneys be  
16 paid out of the enhanced court collections fund for  
17 implementation of the justice data warehouse if sufficient  
18 moneys are not made available to the justice data warehouse.

19 Division VIII creates a study committee in the supreme  
20 court to review the operation of the clerks of the district  
21 court in each county and, until the study committee report is  
22 submitted, prohibits appointment of a clerk of court unless  
23 the appointment is approved by the state court administrator.

24 DIVISION IX - This division reduces certain standing  
25 appropriations presently in the Code by specific dollar  
26 amounts. These standing appropriations are: the general  
27 assembly and its agencies; state appeal board claims; costs of  
28 constitutional amendments and public measures; at-risk  
29 children programs; phase III moneys under the educational  
30 excellence program; interstate extradition expenses; and the  
31 deferred compensation program.

32 Division IX also limits standing appropriations presently  
33 in the Code to specific dollar amounts. These standing  
34 appropriations are: compensation of national guard personnel  
35 and their expenses while on active state duty; nonpublic

1 school transportation; administration of unemployment  
2 compensation law; Federal Cash Management and Improvement Act  
3 interest; printing of cigarette tax stamps; personal property  
4 tax replacement; franchise tax allocation; state's share of  
5 the cost of the peace officers retirement benefits; payment of  
6 livestock production credit refunds; and reimbursements for  
7 homestead credits, agricultural land tax credit, family farm  
8 tax credit, military service tax credit, machinery and  
9 equipment tax credit; for the elderly and disabled tax credit  
10 and renter's reimbursement; and public transit assistance.

11 Division IX transfers moneys from other funds to the  
12 general fund of the state. These funds are the Iowa economic  
13 emergency, cash reserve, title guaranty, innovations,  
14 underground storage tank, and waste tire management funds.

15 Division IX amends the Code to eliminate funding for the  
16 school improvement technology block grant program and related  
17 provisions.

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SENATE FILE 2326

S-5296

1 Amend Senate File 2326 as follows:

2 1. Page 59, by striking lines 12 through 29, and  
3 inserting the following:

4 "..... \$141,585,680

5 The funds appropriated in this subsection shall be  
6 allocated as follows:

7	a.	Merged Area I .....	\$	6,803,571
8	b.	Merged Area II .....	\$	7,972,238
9	c.	Merged Area III .....	\$	7,394,131
10	d.	Merged Area IV .....	\$	3,618,398
11	e.	Merged Area V .....	\$	7,592,152
12	f.	Merged Area VI .....	\$	7,012,464
13	g.	Merged Area VII .....	\$	10,135,184
14	h.	Merged Area IX .....	\$	12,471,509
15	i.	Merged Area X .....	\$	19,599,744
16	j.	Merged Area XI .....	\$	20,780,498
17	k.	Merged Area XII .....	\$	8,189,046
18	l.	Merged Area XIII .....	\$	8,414,808
19	m.	Merged Area XIV .....	\$	3,660,799
20	n.	Merged Area XV .....	\$	11,512,436
21	o.	Merged Area XVI .....	\$	6,428,702"

By JOHN P. KIBBIE  
WALLY E. HORN

S-5296 FILED APRIL 2, 2002  
RULED OUT OF ORDER

(p. 702)



SENATE FILE 2326

S-5298

- 1 Amend Senate File 2326 as follows:
- 2 1. Page 105, line 25, by striking the figure
- 3 "9,958,412" and inserting the following:
- 4 "12,780,000".

By JOHNIE HAMMOND  
 MICHAEL E. GRONSTAL  
 JOHN P. KIBBIE  
 DENNIS H. BLACK  
 JACK HOLVECK  
 BETTY A. SOUKUP  
 AMANDA RAGAN  
 THOMAS FIEGEN  
 TOM FLYNN  
 PATRICK J. DELUHERY

MIKE CONNOLLY  
 JOE BOLKCOM  
 BILL FINK  
 PATRICIA HARPER  
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 STEVEN D. HANSEN  
 DICK L. DEARDEN  
 WALLY E. HORN  
 EUGENE S. FRAISE

S-5298 FILED APRIL 2, 2002

LOST (P.907)

SENATE FILE 2326

S-5301

- 1 Amend Senate File 2326 as follows:
- 2 1. Page 59, by striking lines 12 through 29, and
- 3 inserting the following:
- 4 "..... \$141,585,680
- 5 The funds appropriated in this subsection shall be
- 6 allocated as follows:
- 7 a. Merged Area I ..... \$ 6,803,571
- 8 b. Merged Area II ..... \$ 7,972,238
- 9 c. Merged Area III ..... \$ 7,394,131
- 10 d. Merged Area IV ..... \$ 3,618,398
- 11 e. Merged Area V ..... \$ 7,592,152
- 12 f. Merged Area VI ..... \$ 7,012,464
- 13 g. Merged Area VII ..... \$ 10,135,184
- 14 h. Merged Area IX ..... \$ 12,471,509
- 15 i. Merged Area X ..... \$ 19,599,744
- 16 j. Merged Area XI ..... \$ 20,780,498
- 17 k. Merged Area XII ..... \$ 8,189,046
- 18 l. Merged Area XIII ..... \$ 8,414,808
- 19 m. Merged Area XIV ..... \$ 3,660,799
- 20 n. Merged Area XV ..... \$ 11,512,436
- 21 o. Merged Area XVI ..... \$ 6,428,702"

By JOHN P. KIBBIE  
 WALLY E. HORN  
 DENNIS H. BLACK  
 JACK HOLVECK  
 BETTY A. SOUKUP  
 AMANDA RAGAN  
 THOMAS FIEGEN  
 TOM FLYNN  
 PATRICK J. DELUHERY

MIKE CONNOLLY  
 JOE BOLKCOM  
 BILL FINK  
 PATRICIA HARPER  
 ROBERT E. DVORSKY  
 JOHNIE HAMMOND  
 MICHAEL E. GRONSTAL  
 DICK L. DEARDEN  
 EUGENE S. FRAISE

S-5301 FILED APRIL 2, 2002

LOST (P.902)

SENATE FILE 2326

S-5302

1 Amend Senate File 2326 as follows:  
 2 1. Page 58, line 33, by striking the figure  
 3 "7,750,000" and inserting the following:  
 4 "40,000,000".  
 5 2. Page 71, by inserting after line 8, the  
 6 following:  
 7 "Sec. \_\_\_\_ . Section 256D.5, subsection 2, Code  
 8 2001, is amended to read as follows:  
 9 2. There is appropriated from the general fund of  
 10 the state to the department of education for ~~each~~ the  
 11 fiscal year ~~of the fiscal period~~ beginning July 1,  
 12 ~~2001~~ 2002, and ending June 30, 2003, the sum of ~~thirty~~  
 13 ten million dollars for the school improvement  
 14 technology block grant program."  
 15 3. Page 172, by striking lines 11 through 17.  
 16 4. Page 176, by striking lines 8 through 11.  
 17 5. By renumbering as necessary.  
 18

By MIKE CONNOLLY	DENNIS H. BLACK
JOE BOLKCOM	JACK HOLVECK
ROBERT E. DVORSKY	BETTY A. SOUKUP
BILL FINK	AMANDA RAGAN
PATRICIA HARPER	THOMAS FIEGEN
JOHNIE HAMMOND	TOM FLYNN
MICHAEL E. GRONSTAL	PATRICK J. DELUHERY
JOHN P. KIBBIE	

S-5302 FILED APRIL 2, 2002  
LOST (P. 901)

SENATE FILE 2326

S-5303

1 Amend Senate File 2326 as follows:  
 2 1. Page 170, by inserting after line 20 the  
 3 following:  
 4 "Sec. \_\_\_\_ . COURT FILING FEES. Notwithstanding any  
 5 provision of law enacted by the Seventy-ninth General  
 6 Assembly, 2002 Session, that increases court filing  
 7 fees, no court filing fees shall be increased for the  
 8 fiscal year beginning July 1, 2002, and ending June  
 9 30, 2003, unless the total amount appropriated to the  
 10 judicial branch for the fiscal year beginning July 1,  
 11 2002, and ending June 30, 2003, in this division of  
 12 this Act and in all other laws enacted by the Seventy-  
 13 ninth General Assembly, 2002 Session equals at least  
 14 \$114,373,228 for salaries, receipt and disbursement of  
 15 child support payments, auditor expenses, maintenance,  
 16 equipment, and miscellaneous purposes, and at least  
 17 \$3,739,587 for judicial retirement contributions by  
 18 the state."

By THOMAS FIEGEN

S-5303 FILED APRIL 2, 2002  
LOST (p. 913)

SENATE FILE 2326

S-5304

- 1 Amend Senate File 2326 as follows:
- 2 1. Page 71, line 9, by striking the figure and
- 3 word "1 through" and inserting the following: "2
- 4 and".
- 5 2. Page 71, by striking lines 11 through 15.
- 6 3. By renumbering as necessary.

By MIKE CONNOLLY	DENNIS H. BLACK
JOE BOLKCOM	JACK HOLVECK
BILL FINK	AMANDA RAGAN
ROBERT E. DVORSKY	THOMAS FIEGEN
MICHAEL E. GRONSTAL	TOM FLYNN
JOHN P. KIBBIE	PATRICK J. DELUHERY

S-5304 FILED APRIL 2, 2002

LOST (P. 904)

SENATE FILE 2326

S-5305

- 1 Amend Senate File 2326 as follows:
- 2 1. Page 48, by inserting after line 22 the
- 3 following:
- 4 "\_\_\_\_. REGISTERED NURSE RECRUITMENT PROGRAM
- 5 For purposes of the registered nurse recruitment
- 6 program pursuant to section 261.23, as enacted by 2002
- 7 Iowa Acts, Senate File 2323, if enacted:
- 8 ..... \$ 100,000"
- 9 2. By renumbering as necessary.

By AMANDA RAGAN	JOE BOLKCOM
THOMAS FIEGEN	BILL FINK
TOM FLYNN	PATRICIA HARPER
PATRICK J. DELUHERY	ROBERT E. DVORSKY
MIKE CONNOLLY	JOHNIE HAMMOND

S-5305 FILED APRIL 2, 2002

LOST (P 900)

SENATE FILE 2326

S-5297

- 1 Amend Senate File 2326 as follows:
- 2 1. Page 6, by striking lines 12 through 24.
- 3 2. Page 17, line 3, by striking the figure "1."
- 4 3. Page 17, by striking lines 21 through 33.
- 5 4. Page 24, by striking lines 18 through 30.
- 6 5. By renumbering as necessary.

By TOM FLYNN

S-5297 FILED APRIL 2, 2002

LOST

(P 996)

SENATE FILE 2326

S-5306

1 Amend Senate File 2326 as follows:

2 1. By striking page 60, line 28 through page 68,  
3 line 12 and inserting the following:

4 "\_\_\_". For allocation by the state board of regents  
5 to the state university of Iowa, the Iowa state  
6 university of science and technology, and the  
7 university of northern Iowa to reimburse the  
8 institutions for deficiencies in their operating funds  
9 resulting from the pledging of tuitions, student fees  
10 and charges, and institutional income to finance the  
11 cost of providing academic and administrative  
12 buildings and facilities and utility services at the  
13 institutions:

14 ..... \$ 16,843,772

15 \_\_\_". For funds to be allocated to the southwest  
16 Iowa graduate studies center:

17 ..... \$ 109,741

18 \_\_\_". For funds to be allocated to the siouxland  
19 interstate metropolitan planning council for the  
20 tristate graduate center under section 262.9,  
21 subsection 21:

22 ..... \$ 80,024

23 \_\_\_". For funds to be allocated to the quad-cities  
24 graduate studies center:

25 ..... \$ 163,392

26 2. STATE UNIVERSITY OF IOWA

27 a. General university, including lakeside  
28 laboratory

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

32 ..... \$241,831,144

33 ..... FTEs 4,055.62

34 The university may continue progress on the school  
35 of public health and the public health initiative for  
36 the purposes of establishing an accredited school of  
37 public health and for funding an initiative for the  
38 health and independence of elderly Iowans. From the  
39 funds appropriated in this lettered paragraph, the  
40 university may use up to \$2,100,000 for the school of  
41 public health and the public health initiative.

42 Funds appropriated in this lettered paragraph shall  
43 not be available for expenditure for medically induced  
44 termination of a pregnancy, including but not limited  
45 to usage of mifepristone or RU-486, offered or  
46 administered by the student health center.

47 b. University hospitals

48 For salaries, support, maintenance, equipment, and  
49 miscellaneous purposes and for medical and surgical  
50 treatment of indigent patients as provided in chapter

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Page 2

1 255, for medical education, and for not more than the  
 2 following full-time equivalent positions:  
 3 ..... \$ 30,466,492  
 4 ..... FTEs 5,485.01

5 The university of Iowa hospitals and clinics shall,  
 6 within the context of chapter 255 and when medically  
 7 appropriate, make reasonable efforts to extend the  
 8 university of Iowa hospitals and clinics' use of home  
 9 telemedicine and other technologies to reduce the  
 10 frequency of visits to the hospital required by  
 11 indigent patients. The university of Iowa hospitals  
 12 and clinics shall submit a report to the general  
 13 assembly and the legislative fiscal bureau by January  
 14 15, 2003, describing its use of these technologies to  
 15 accomplish this purpose.

16 The university of Iowa hospitals and clinics shall  
 17 submit quarterly a report regarding the portion of the  
 18 appropriation in this lettered paragraph expended on  
 19 medical education. The report shall be submitted in a  
 20 format jointly developed by the university of Iowa  
 21 hospitals and clinics, the legislative fiscal bureau,  
 22 and the department of management, and shall delineate  
 23 the expenditures and purposes of the funds.

24 Funds appropriated in this lettered paragraph shall  
 25 not be used to perform abortions except medically  
 26 necessary abortions, and shall not be used to operate  
 27 the early termination of pregnancy clinic except for  
 28 the performance of medically necessary abortions. For  
 29 the purpose of this lettered paragraph, an abortion is  
 30 the purposeful interruption of pregnancy with the  
 31 intention other than to produce a live-born infant or  
 32 to remove a dead fetus, and a medically necessary  
 33 abortion is one performed under one of the following  
 34 conditions:

35 (1) The attending physician certifies that  
 36 continuing the pregnancy would endanger the life of  
 37 the pregnant woman.

38 (2) The attending physician certifies that the  
 39 fetus is physically deformed, mentally deficient, or  
 40 afflicted with a congenital illness.

41 (3) The pregnancy is the result of a rape which is  
 42 reported within 45 days of the incident to a law  
 43 enforcement agency or public or private health agency  
 44 which may include a family physician.

45 (4) The pregnancy is the result of incest which is  
 46 reported within 150 days of the incident to a law  
 47 enforcement agency or public or private health agency  
 48 which may include a family physician.

49 (5) The abortion is a spontaneous abortion,  
 50 commonly known as a miscarriage, wherein not all of

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Page 3

1 the products of conception are expelled.

2 The total quota allocated to the counties for  
3 indigent patients for the fiscal year beginning July  
4 1, 2002, shall not be lower than the total quota  
5 allocated to the counties for the fiscal year  
6 commencing July 1, 1998. The total quota shall be  
7 allocated among the counties on the basis of the 2000  
8 census pursuant to section 255.16.

9 c. Psychiatric hospital

10 For salaries, support, maintenance, equipment,  
11 miscellaneous purposes, and for the care, treatment,  
12 maintenance of committed and voluntary public  
13 patients, and for not more than the following full-  
14 time equivalent positions:

15 .....	\$	7,809,505
16 .....	FTEs	273.19

17 d. Center for disabilities and development

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

21 .....	\$	7,016,917
22 .....	FTEs	148.91

23 From the funds appropriated in this lettered  
24 paragraph, \$200,000 shall be allocated for purposes of  
25 the creative employment options program.

26 e. Oakdale campus

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

30 .....	\$	2,948,667
31 .....	FTEs	43.25

32 f. State hygienic laboratory

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

36 .....	\$	4,158,633
37 .....	FTEs	102.49

38 g. Family practice program

39 For allocation by the dean of the college of  
40 medicine, with approval of the advisory board, to  
41 qualified participants, to carry out chapter 148D for  
42 the family practice program, including salaries and  
43 support, and for not more than the following full-time  
44 equivalent positions:

45 .....	\$	2,305,212
46 .....	FTEs	192.40

47 h. Child health care services

48 For specialized child health care services,  
49 including childhood cancer diagnostic and treatment  
50 network programs, rural comprehensive care for

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Page 4

1 hemophilia patients, the Iowa high-risk infant follow-  
2 up program, including salaries and support, and for  
3 not more than the following full-time equivalent  
4 positions:

5 ..... \$ 691,332  
6 ..... FTEs 63.27

7 i. Statewide cancer registry

8 For the statewide cancer registry, and for not more  
9 than the following full-time equivalent positions:

10 ..... \$ 199,762  
11 ..... FTEs 2.40

12 j. Substance abuse consortium

13 For funds to be allocated to the Iowa consortium  
14 for substance abuse research and evaluation, and for  
15 not more than the following full-time equivalent  
16 positions:

17 ..... \$ 72,108  
18 ..... FTEs 1.50

19 k. Center for biocatalysis

20 For the center for biocatalysis, and for not more  
21 than the following full-time equivalent positions:

22 ..... \$ 991,651  
23 ..... FTEs 5.20

24 l. Primary health care initiative

25 For the primary health care initiative in the  
26 college of medicine, and for more than the following  
27 full-time equivalent positions:

28 ..... \$ 849,070  
29 ..... FTEs 7.75

30 From the funds appropriated in this lettered  
31 paragraph, \$330,000 shall be allocated to the  
32 department of family practice at the state university  
33 of Iowa college of medicine for family practice  
34 faculty and support staff.

35 m. Birth defects registry

36 For the birth defects registry, and for not more  
37 than the following full-time equivalent positions:

38 ..... \$ 49,702  
39 ..... FTEs 1.30

40 3. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY

41 a. General university

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

45 ..... \$190,866,120  
46 ..... FTEs 3,647.42

47 The university may continue progress on the center  
48 for excellence in fundamental plant sciences. From  
49 the funds appropriated in this lettered paragraph, the  
50 university may use up to \$4,760,000 for the center for

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Page 5

1 excellence in fundamental plant sciences.

2 It is possible that a few large companies may be  
 3 able to control all levels of the food chain,  
 4 including production, because these companies own the  
 5 genetics needed to participate in the food system of  
 6 the future, and this possibility may be a major threat  
 7 to the independence and profitability of Iowa's  
 8 agricultural producers. To ensure public ownership of  
 9 plant genetic material, all rights to the research  
 10 products developed by the Iowa state university of  
 11 science and technology's botany institute using state-  
 12 appropriated funds will be made available to the  
 13 extent practicable for commercialization, for the  
 14 benefit of all Iowans, including Iowa's agricultural  
 15 producers, through a public process which normally  
 16 involves nonexclusive licensing of genes and  
 17 germplasm.

18 Funds appropriated in this lettered paragraph shall  
 19 not be available for expenditure for medically induced  
 20 termination of a pregnancy, including but not limited  
 21 to usage of mifepristone or RU-486, offered or  
 22 administered by the student health center.

23 b. Agricultural experiment station

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

27 .....	\$ 34,601,714
28 .....	FTEs 546.98

29 c. Cooperative extension service in agriculture  
30 and home economics

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

34 .....	\$ 21,866,928
35 .....	FTEs 431.20

36 d. Leopold center

37 For agricultural research grants at Iowa state  
 38 university under section 266.39B, and for not more  
 39 than the following full-time equivalent positions:

40 .....	\$ 528,928
41 .....	FTEs 11.25

42 e. Livestock disease research

43 For deposit in and the use of the livestock disease  
 44 research fund under section 267.8, and for not more  
 45 than the following full-time equivalent positions:

46 .....	\$ 251,679
47 .....	FTEs 3.16

48 4. UNIVERSITY OF NORTHERN IOWA

49 a. General university

50 For salaries, support, maintenance, equipment,

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Page 6

1 miscellaneous purposes, and for not more than the  
 2 following full-time equivalent positions:  
 3 ..... \$ 85,458,047  
 4 ..... FTEs 1,454.35

5 The university may continue progress on the  
 6 implementation of a masters in social work program.  
 7 From the funds appropriated in this lettered  
 8 paragraph, the university may use up to \$450,000 for  
 9 the implementation of the masters in social work  
 10 program, up to \$100,000 for the roadside vegetation  
 11 project, and up to \$200,000 for the Iowa office for  
 12 staff development.

13 Funds appropriated in this lettered paragraph shall  
 14 not be available for expenditure for medically induced  
 15 termination of a pregnancy, including but not limited  
 16 to usage of mifepristone or RU-486, offered or  
 17 administered by the student health center.

18 b. Recycling and reuse center  
 19 For purposes of the recycling and reuse center, and  
 20 for not more than the following full-time equivalent  
 21 positions:

22 ..... \$ 230,602  
 23 ..... FTEs 1.50

24 5. STATE SCHOOL FOR THE DEAF

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

28 ..... \$ 7,946,772  
 29 ..... FTEs 126.60

30 6. IOWA BRAILLE AND SIGHT SAVING SCHOOL

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

34 ..... \$ 4,454,332  
 35 ..... FTEs 89.00

36 7. TUITION AND TRANSPORTATION COSTS

37 For payment to local school boards for the tuition  
 38 and transportation costs of students residing in the  
 39 Iowa braille and sight saving school and the state  
 40 school for the deaf pursuant to section 262.43 and for  
 41 payment of certain clothing and transportation costs  
 42 for students at these schools pursuant to section  
 43 270.5:

44 ..... \$ 15,256".

45 2. By renumbering as necessary.

By ROBERT E. DVORSKY BILL FINK  
 JOHNIE HAMMOND PATRICK J. DELUHERY  
 JOE BOLKCOM MIKE CONNOLLY  
 PATRICIA HARPER

S-5306 FILED APRIL 2, 2002

WITHDRAWN

(P.903)

## SENATE FILE 2326

S-5307

1 Amend Senate File 2326 as follows:

2 1. Page 128, line 22, by striking the figure  
3 "11,848,605" and inserting the following:  
4 "11,914,484".

5 2. Page 128, line 23, by striking the figure  
6 "356.00" and inserting the following: "357.00".

7 3. Page 129, by inserting after line 8, the  
8 following:

9 "\_\_\_\_. Of the funds appropriated in this section,  
10 \$65,879 is allocated to provide funding for child  
11 abuse prevention grants and adolescent pregnancy  
12 prevention grants. The department may use the funds  
13 allocated in this subsection to employ 1.00 full-time  
14 equivalent position to assist with the adolescent  
15 pregnancy prevention program."

16 4. By renumbering as necessary.

By PATRICIA HARPER  
JOHNIE HAMMOND

S-5307 FILED APRIL 2, 2002

WITHDRAWN

(p. 908)

## SENATE FILE 2326

S-5308

1 Amend Senate File 2326, as follows:

2 1. Page 110, by inserting after line 34, the  
3 following:

4 "Notwithstanding section 232.143, subsection 1, a  
5 service area may exceed its budget target for group  
6 foster care by up to twenty percent in the fiscal year  
7 beginning July 1, 2002, and ending June 30, 2003,  
8 provided the overall funding allocated by the  
9 department for all child welfare services in the  
10 service area is not exceeded."

By PATRICIA HARPER

S-5308 FILED APRIL 2, 2002

LOST

(p. 908)

SENATE FILE 2326

S-5310

1 Amend Senate File 2326 as follows:

2 1. By striking page 60, line 15 through page 68,  
3 line 12 and inserting the following:

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

7 ..... \$ 1,237,427  
8 ..... FTEs 16.00

9 The state board of regents, the department of  
10 management, and the legislative fiscal bureau shall  
11 cooperate to determine and agree upon, by November 15,  
12 2002, the amount that needs to be appropriated for  
13 tuition replacement for the fiscal year beginning July  
14 1, 2003.

15 The state board of regents shall submit a monthly  
16 financial report in a format agreed upon by the state  
17 board of regents office and the legislative fiscal  
18 bureau.

19 \_\_\_\_\_. For allocation by the state board of regents  
20 to the state university of Iowa, the Iowa state  
21 university of science and technology, and the  
22 university of northern Iowa to reimburse the  
23 institutions for deficiencies in their operating funds  
24 resulting from the pledging of tuitions, student fees  
25 and charges, and institutional income to finance the  
26 cost of providing academic and administrative  
27 buildings and facilities and utility services at the  
28 institutions:

29 ..... \$ 16,843,772

30 \_\_\_\_\_. For funds to be allocated to the southwest  
31 Iowa graduate studies center:

32 ..... \$ 109,741

33 \_\_\_\_\_. For funds to be allocated to the siouxland  
34 interstate metropolitan planning council for the  
35 tristate graduate center under section 262.9,  
36 subsection 21:

37 ..... \$ 80,024

38 \_\_\_\_\_. For funds to be allocated to the quad-cities  
39 graduate studies center:

40 ..... \$ 163,392

41 2. STATE UNIVERSITY OF IOWA

42 a. General university, including lakeside  
43 laboratory

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

47 ..... \$241,831,144  
48 ..... FTEs 4,055.62

49 The university may continue progress on the school  
50 of public health and the public health initiative for

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1 the purposes of establishing an accredited school of  
2 public health and for funding an initiative for the  
3 health and independence of elderly Iowans. From the  
4 funds appropriated in this lettered paragraph, the  
5 university may use up to \$2,100,000 for the school of  
6 public health and the public health initiative.

7 Funds appropriated in this lettered paragraph shall  
8 not be available for expenditure for medically induced  
9 termination of a pregnancy, including but not limited  
10 to usage of mifepristone or RU-486, offered or  
11 administered by the student health center.

12 b. University hospitals

13 For salaries, support, maintenance, equipment, and  
14 miscellaneous purposes and for medical and surgical  
15 treatment of indigent patients as provided in chapter  
16 255, for medical education, and for not more than the  
17 following full-time equivalent positions:

18 .....	\$ 30,466,492
19 .....	FTEs 5,485.01

20 The university of Iowa hospitals and clinics shall,  
21 within the context of chapter 255 and when medically  
22 appropriate, make reasonable efforts to extend the  
23 university of Iowa hospitals and clinics' use of home  
24 telemedicine and other technologies to reduce the  
25 frequency of visits to the hospital required by  
26 indigent patients. The university of Iowa hospitals  
27 and clinics shall submit a report to the general  
28 assembly and the legislative fiscal bureau by January  
29 15, 2003, describing its use of these technologies to  
30 accomplish this purpose.

31 The university of Iowa hospitals and clinics shall  
32 submit quarterly a report regarding the portion of the  
33 appropriation in this lettered paragraph expended on  
34 medical education. The report shall be submitted in a  
35 format jointly developed by the university of Iowa  
36 hospitals and clinics, the legislative fiscal bureau,  
37 and the department of management, and shall delineate  
38 the expenditures and purposes of the funds.

39 Funds appropriated in this lettered paragraph shall  
40 not be used to perform abortions except medically  
41 necessary abortions, and shall not be used to operate  
42 the early termination of pregnancy clinic except for  
43 the performance of medically necessary abortions. For  
44 the purpose of this lettered paragraph, an abortion is  
45 the purposeful interruption of pregnancy with the  
46 intention other than to produce a live-born infant or  
47 to remove a dead fetus, and a medically necessary  
48 abortion is one performed under one of the following  
49 conditions:

50 (1) The attending physician certifies that

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1 continuing the pregnancy would endanger the life of  
2 the pregnant woman.

3 (2) The attending physician certifies that the  
4 fetus is physically deformed, mentally deficient, or  
5 afflicted with a congenital illness.

6 (3) The pregnancy is the result of a rape which is  
7 reported within 45 days of the incident to a law  
8 enforcement agency or public or private health agency  
9 which may include a family physician.

10 (4) The pregnancy is the result of incest which is  
11 reported within 150 days of the incident to a law  
12 enforcement agency or public or private health agency  
13 which may include a family physician.

14 (5) The abortion is a spontaneous abortion,  
15 commonly known as a miscarriage, wherein not all of  
16 the products of conception are expelled.

17 The total quota allocated to the counties for  
18 indigent patients for the fiscal year beginning July  
19 1, 2002, shall not be lower than the total quota  
20 allocated to the counties for the fiscal year  
21 commencing July 1, 1998. The total quota shall be  
22 allocated among the counties on the basis of the 2000  
23 census pursuant to section 255.16.

24 c. Psychiatric hospital

25 For salaries, support, maintenance, equipment,  
26 miscellaneous purposes, and for the care, treatment,  
27 maintenance of committed and voluntary public  
28 patients, and for not more than the following full-  
29 time equivalent positions:

30 .....	\$	7,809,505
31 .....	FTEs	273.19

32 d. Center for disabilities and development

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

36 .....	\$	7,016,917
37 .....	FTEs	148.91

38 From the funds appropriated in this lettered  
39 paragraph, \$200,000 shall be allocated for purposes of  
40 the creative employment options program.

41 e. Oakdale campus

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

45 .....	\$	2,948,667
46 .....	FTEs	43.25

47 f. State hygienic laboratory

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

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1 ..... \$ 4,158,633  
2 ..... FTEs 102.49  
3 g. Family practice program  
4 For allocation by the dean of the college of  
5 medicine, with approval of the advisory board, to  
6 qualified participants, to carry out chapter 148D for  
7 the family practice program, including salaries and  
8 support, and for not more than the following full-time  
9 equivalent positions:  
10 ..... \$ 2,305,212  
11 ..... FTEs 192.40  
12 h. Child health care services  
13 For specialized child health care services,  
14 including childhood cancer diagnostic and treatment  
15 network programs, rural comprehensive care for  
16 hemophilia patients, the Iowa high-risk infant follow-  
17 up program, including salaries and support, and for  
18 not more than the following full-time equivalent  
19 positions:  
20 ..... \$ 691,332  
21 ..... FTEs 63.27  
22 i. Statewide cancer registry  
23 For the statewide cancer registry, and for not more  
24 than the following full-time equivalent positions:  
25 ..... \$ 199,762  
26 ..... FTEs 2.40  
27 j. Substance abuse consortium  
28 For funds to be allocated to the Iowa consortium  
29 for substance abuse research and evaluation, and for  
30 not more than the following full-time equivalent  
31 positions:  
32 ..... \$ 72,108  
33 ..... FTEs 1.50  
34 k. Center for biocatalysis  
35 For the center for biocatalysis, and for not more  
36 than the following full-time equivalent positions:  
37 ..... \$ 991,651  
38 ..... FTEs 5.20  
39 l. Primary health care initiative  
40 For the primary health care initiative in the  
41 college of medicine, and for more than the following  
42 full-time equivalent positions:  
43 ..... \$ 849,070  
44 ..... FTEs 7.75  
45 From the funds appropriated in this lettered  
46 paragraph, \$330,000 shall be allocated to the  
47 department of family practice at the state university  
48 of Iowa college of medicine for family practice  
49 faculty and support staff.  
50 m. Birth defects registry

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Page 5

1 For the birth defects registry, and for not more  
 2 than the following full-time equivalent positions:  
 3 ..... \$ 49,702  
 4 ..... FTEs 1.30

5 3. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY  
 6 a. General university

7 For salaries, support, maintenance, equipment,  
 8 miscellaneous purposes, and for not more than the  
 9 following full-time equivalent positions:  
 10 ..... \$190,866,120  
 11 ..... FTEs 3,647.42

12 The university may continue progress on the center  
 13 for excellence in fundamental plant sciences. From  
 14 the funds appropriated in this lettered paragraph, the  
 15 university may use up to \$4,760,000 for the center for  
 16 excellence in fundamental plant sciences.

17 It is possible that a few large companies may be  
 18 able to control all levels of the food chain,  
 19 including production, because these companies own the  
 20 genetics needed to participate in the food system of  
 21 the future, and this possibility may be a major threat  
 22 to the independence and profitability of Iowa's  
 23 agricultural producers. To ensure public ownership of  
 24 plant genetic material, all rights to the research  
 25 products developed by the Iowa state university of  
 26 science and technology's botany institute using state-  
 27 appropriated funds will be made available to the  
 28 extent practicable for commercialization, for the  
 29 benefit of all Iowans, including Iowa's agricultural  
 30 producers, through a public process which normally  
 31 involves nonexclusive licensing of genes and  
 32 germplasm.

33 Funds appropriated in this lettered paragraph shall  
 34 not be available for expenditure for medically induced  
 35 termination of a pregnancy, including but not limited  
 36 to usage of mifepristone or RU-486, offered or  
 37 administered by the student health center.

38 b. Agricultural experiment station

39 For salaries, support, maintenance, miscellaneous  
 40 purposes, and for not more than the following full-  
 41 time equivalent positions:  
 42 ..... \$ 34,601,714  
 43 ..... FTEs 546.98

44 c. Cooperative extension service in agriculture  
 45 and home economics

46 For salaries, support, maintenance, miscellaneous  
 47 purposes, and for not more than the following full-  
 48 time equivalent positions:  
 49 ..... \$ 21,866,928  
 50 ..... FTEs 431.20

1 d. Leopold center

2 For agricultural research grants at Iowa state  
3 university under section 266.39B, and for not more  
4 than the following full-time equivalent positions:

5 .....	\$	528,928
6 .....	FTEs	11.25

7 e. Livestock disease research

8 For deposit in and the use of the livestock disease  
9 research fund under section 267.8, and for not more  
10 than the following full-time equivalent positions:

11 .....	\$	251,679
12 .....	FTEs	3.16

13 4. UNIVERSITY OF NORTHERN IOWA

14 a. General university

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

18 .....	\$	85,458,047
19 .....	FTEs	1,454.35

20 The university may continue progress on the  
21 implementation of a masters in social work program.  
22 From the funds appropriated in this lettered  
23 paragraph, the university may use up to \$450,000 for  
24 the implementation of the masters in social work  
25 program, up to \$100,000 for the roadside vegetation  
26 project, and up to \$200,000 for the Iowa office for  
27 staff development.

28 Funds appropriated in this lettered paragraph shall  
29 not be available for expenditure for medically induced  
30 termination of a pregnancy, including but not limited  
31 to usage of mifepristone or RU-486, offered or  
32 administered by the student health center.

33 b. Recycling and reuse center

34 For purposes of the recycling and reuse center, and  
35 for not more than the following full-time equivalent  
36 positions:

37 .....	\$	230,602
38 .....	FTEs	1.50

39 5. STATE SCHOOL FOR THE DEAF

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

43 .....	\$	7,946,772
44 .....	FTEs	126.60

45 6. IOWA BRAILLE AND SIGHT SAVING SCHOOL

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

49 .....	\$	4,454,332
50 .....	FTEs	89.00



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1 7. TUITION AND TRANSPORTATION COSTS  
 2 For payment to local school boards for the tuition  
 3 and transportation costs of students residing in the  
 4 Iowa braille and sight saving school and the state  
 5 school for the deaf pursuant to section 262.43 and for  
 6 payment of certain clothing and transportation costs  
 7 for students at these schools pursuant to section  
 8 270.5:

9 ..... \$ 15,256"

10 2. By renumbering as necessary.

By ROBERT E. DVORSKY MIKE CONNOLLY  
 JOHNIE HAMMOND BILL FINK  
 JOE BOLKCOM PATRICK J. DELUHERY  
 PATRICIA HARPER

S-5310 FILED APRIL 2, 2002

LOST (P.902)

SENATE FILE 2326

S-5313

1 Amend Senate File 2326 as follows:  
 2 1. Page 39, line 13, by striking the figure  
 3 "4,734,063" and inserting the following: "5,591,126".  
 4 2. Page 40, line 27, by striking the figure  
 5 "485,463" and inserting the following: "570,577".  
 6 3. Page 41, line 23, by striking the figure  
 7 "702,889" and inserting the following: "870,197".

By PATRICIA HARPER MIKE CONNOLLY  
 JOHNIE HAMMOND JACK HOLVECK  
 ROBERT E. DVORSKY MARK SHEARER  
 JOE BOLKCOM MICHAEL E. GRONSTAL

S-5313 FILED APRIL 2, 2002

LOST (P.897)

SENATE FILE 2326

S-5314

1 Amend Senate File 2326 as follows:  
 2 1. Page 42, by striking line 15 and inserting the  
 3 following:  
 4 "..... \$ 5,133,029"

By THOMAS FIEGEN MARK SHEARER  
 JACK HOLVECK MICHAEL E. GRONSTAL  
 DICK L. DEARDEN

S-5314 FILED APRIL 2, 2002

LOST (P.897)

SENATE FILE 2326

S-5315

1 Amend Senate File 2326 as follows:

2 1. Page 42, by striking line 15 and inserting the  
3 following:

4 "..... \$ 5,034,624"

By JACK HOLVECK

MARK SHEARER

DICK L. DEARDEN

MICHAEL E. GRONSTAL

S-5315 FILED APRIL 2, 2002

LOST (p. 898)

SENATE FILE 2326

S-5316

1 Amend Senate File 2326 as follows:

2 1. Page 48, line 2, by striking the figure  
3 "95,700" and inserting the following: "415,700".

4 2. Page 48, by inserting after line 22 the  
5 following:

6 "8. WORK-STUDY PILOT PROGRAM

7 For the pilot program to foster public-private  
8 work-study partnerships as provided in this  
9 subsection:

10 ..... \$ 300,000

11 Notwithstanding sections 261.81 and 261.85, for the  
12 fiscal year beginning July 1, 2002, and ending June  
13 30, 2003, the college student aid commission shall  
14 develop and implement a pilot project to foster  
15 public-private work-study partnerships between  
16 accredited higher education institutions as defined in  
17 section 261.92, subsection 1, and Iowa employers. The  
18 commission shall develop a grant application process  
19 and grant criteria and from the moneys appropriated as  
20 provided in this subsection, shall award grants on a  
21 competitive basis to accredited higher education  
22 institutions that meet the criteria adopted by the  
23 commission. The grant criteria adopted by the  
24 commission shall include a local match requirement."

25 3. By renumbering as necessary.

By MARK SHEARER

MIKE CONNOLLY

ROBERT E. DVORSKY

PATRICK J. DELUHERY

JOHNIE HAMMOND

TOM FLYNN

PATRICIA HARPER

THOMAS FIEGEN

BILL FINK

AMANDA RAGAN

JOE BOLKCOM

BETTY A. SOUKUP

S-5316 FILED APRIL 2, 2002

LOST (p. 899)

**SENATE FILE 2326****S-5317**

1 Amend Senate File 2326 as follows:  
2 1. Page 79, by inserting after line 28 the  
3 following:  
4 "ff. The board of nursing may retain and expend  
5 not more than \$181,000 from revenue generated pursuant  
6 to section 147.80. Fees retained by the board  
7 pursuant to this lettered paragraph are appropriated  
8 to the department to be used for the purposes of  
9 performing the functions of the board of nursing."

**By JOE BOLKCOM****S-5317 FILED APRIL 2, 2002**

LOST (P. 915)

**SENATE FILE 2326****S-5318**

1 Amend Senate File 2326 as follows:  
2 1. Page 73, line 24, by striking the figure  
3 "4,113,252" and inserting the following: "4,274,120".  
4 2. Page 73, by inserting after line 34 the  
5 following:  
6 "aa. Of the funds appropriated in this section,  
7 \$160,868 is allocated for funding of Alzheimer's  
8 support."

**By JOE BOLKCOM****S-5318 FILED APRIL 2, 2002**

LOST (P. 904)

**SENATE FILE 2326****S-5319**

1 Amend Senate File 2326 as follows:  
2 1. Page 83, line 35, by striking the figure  
3 "14,445,694" and inserting the following:  
4 "14,937,583".

**By JOE BOLKCOM****S-5319 FILED APRIL 2, 2002**

LOST (P. 906)

**SENATE FILE 2326****S-5320**

1 Amend Senate File 2326 as follows:  
2 1. Page 77, line 1, by striking the figure  
3 "9,900,801" and inserting the following:  
4 "10,045,351".

**By AMANDA RAGAN****S-5320 FILED APRIL 2, 2002**

LOST (P. 904)

## SENATE FILE 2326

S-5321

- 1 Amend Senate File 2326 as follows:  
2 1. Page 110, line 4, by striking the figure  
3 "100,351,905" and inserting the following:  
4 "100,564,258".  
5 2. Page 120, line 22, by striking the figure  
6 "11,848,605" and inserting the following:  
7 "12,043,178".  
8 3. Page 128, line 23, by striking the figure  
9 "356.00" and inserting the following: "361.00".

By JOHNIE HAMMOND

S-5321 FILED APRIL 2, 2002

WITHDRAWN

(p. 907)

## SENATE FILE 2326

S-5322

- 1 Amend Senate File 2326 as follows:  
2 1. Page 139, by inserting after line 26, the  
3 following:  
4 "Sec. \_\_\_\_\_. 2001 Iowa Acts, chapter 191, section  
5 14, subsection 2, is amended by adding the following  
6 new paragraph:  
7 NEW PARAGRAPH. f. Notwithstanding section  
8 232.143, subsection 1, a region may exceed its budget  
9 target for group foster care by up to twenty percent  
10 in the fiscal year beginning July 1, 2001, and ending  
11 June 30, 2002, provided the overall funding allocated  
12 by the department for all child welfare services in  
13 the region is not exceeded."  
14 2. Page 142, by inserting after line 20, the  
15 following:  
16 "\_\_\_\_\_. The provision relating to the department of  
17 human services exceeding its budget target for group  
18 foster care by up to twenty percent in fiscal year  
19 2001-2002."  
20 3. By renumbering as necessary.

By JOHNIE HAMMOND

S-5322 FILED APRIL 2, 2002

LOST

(p. 909)

SENATE FILE 2326

S-5323

1 Amend Senate File 2326 as follows:

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

4 "Section 1. EXECUTIVE AND JUDICIAL BRANCHES.

5 1. There is appropriated from the general fund of  
6 the state to the office of the governor for the fiscal  
7 year beginning July 1, 2002, and ending June 30, 2003,  
8 the following amount, or so much thereof as is  
9 necessary, to be used for the purposes designated:

10 For funding the responsibilities of the executive  
11 and judicial branches of state government in  
12 accordance with law, including salaries, support,  
13 maintenance, and miscellaneous purposes:

14 ..... \$2,710,480,363

15 2. It is the intent of the general assembly that  
16 the governor allocate the funds appropriated in this  
17 section to state departments and programs and the  
18 judicial branch as outlined in the governor's budget  
19 submitted to the general assembly on March 8, 2002, in  
20 accordance with section 8.21.

21 3. Of the funds appropriated in this section,  
22 \$384,988,889 is allocated to the department of human  
23 services for the medical assistance program under  
24 chapter 249A.

25 4. Effective for the tax year beginning January 1,  
26 2002, the director of revenue and finance shall  
27 withdraw from the reciprocal agreement to further tax  
28 administration and eliminate duplicate withholding  
29 entered into under section 422.8, subsection 5, with  
30 the tax administration agency of the state of  
31 Illinois.

32 Sec. 2. ECONOMIC EMERGENCY FUND APPROPRIATION.

33 There is appropriated from the Iowa economic emergency  
34 fund created in section 8.55 to the general fund of  
35 the state for the fiscal year beginning July 1, 2002,  
36 and ending June 30, 2003, the following amount:

37 ..... \$ 93,000,000

38 Moneys appropriated in this section are declared to  
39 be appropriated for emergency expenditures as required  
40 in section 8.55, subsection 3, paragraph "a".

41 Sec. 3. REBUILD IOWA INFRASTRUCTURE FUND --

42 GAMBLING REVENUES. Notwithstanding section 8.57,  
43 subsection 5, there is transferred from pari-mutuel  
44 wagering and gambling revenues credited to the rebuild  
45 Iowa infrastructure fund created in section 8.57,  
46 subsection 5, for public vertical infrastructure  
47 projects, to the general fund of the state for the  
48 fiscal year beginning July 1, 2002, and ending June  
49 30, 2003, the following amount:

50 ..... \$ 4,000,000

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1 Sec. 4. DEPARTMENT OF PUBLIC SAFETY -- USE TAX  
 2 APPROPRIATION. There is appropriated from use tax  
 3 receipts collected pursuant to sections 423.7 and  
 4 423.7A prior to their deposit in the road use tax fund  
 5 pursuant to section 423.24, to the department of  
 6 public safety use tax clearing fund that is  
 7 established in the state treasury, for use of the  
 8 department of public safety for the fiscal year  
 9 beginning July 1, 2002, and ending June 30, 2003, the  
 10 following amounts, or so much thereof as is necessary,  
 11 to be allocated as follows:

12 1. For the operations, salaries, support,  
 13 maintenance and miscellaneous purposes in the  
 14 department of public safety:

15 a. For the department's administrative functions,  
 16 including the criminal justice information system:  
 17 ..... \$ 2,462,881

18 b. For the division of criminal investigation and  
 19 bureau of identification, including the state's  
 20 contribution to the peace officers' retirement,  
 21 accident, and disability system provided in chapter  
 22 97A in the amount of 17 percent of the salaries for  
 23 which the funds are appropriated, and to meet federal  
 24 matching requirements:  
 25 ..... \$ 12,620,790

26 Riverboat enforcement costs shall be billed in  
 27 accordance with section 99F.10, subsection 4. The  
 28 costs shall be based upon the total costs for the  
 29 fiscal year.

30 The department of public safety, with the approval  
 31 of the department of management, may employ no more  
 32 than two special agents and four gaming enforcement  
 33 officers for each additional riverboat regulated after  
 34 July 1, 2002, and one special agent for each racing  
 35 facility which becomes operational during the fiscal  
 36 year which begins July 1, 2002.

37 2. For the division of narcotics enforcement for  
 38 undercover purchases:  
 39 ..... \$ 129,804

40 3. For the division of capitol police, including  
 41 the state's contribution to the peace officers'  
 42 retirement, accident, and disability system provided  
 43 in chapter 97A in the amount of 17 percent of the  
 44 salaries for which the funds are appropriated:  
 45 ..... \$ 1,298,828

46 4. For the division of the Iowa state patrol of  
 47 the department of public safety, for salaries,  
 48 support, maintenance, workers' compensation costs, and  
 49 miscellaneous purposes, including the state's  
 50 contribution to the peace officers' retirement,

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1 accident, and disability system provided in chapter  
2 97A in the amount of 17 percent of the salaries for  
3 which the funds are appropriated:

4 ..... \$ 37,489,890

5 5. For deposit in the public safety law  
6 enforcement sick-leave benefit fund established under  
7 section 80.42, for all departmental employees eligible  
8 to receive benefits for accrued sick leave under the  
9 collective bargaining agreement:

10 ..... \$ 285,258

11 6. For the state fire marshal's office, for fire  
12 protection services as provided through the state fire  
13 service and emergency response council as created in  
14 the department:

15 ..... \$ 599,110

16 7. For costs associated with the training and  
17 equipment needs of volunteer fire fighters:

18 ..... \$ 570,091

19 Notwithstanding section 8.33, moneys appropriated  
20 in this subsection that remain unobligated or  
21 unexpended at the close of the fiscal year shall not  
22 revert but shall remain available for expenditure only  
23 for the purpose designated in this subsection until  
24 the close of the succeeding fiscal year.

25 8. Notwithstanding section 12C.7, subsection 2,  
26 interest or earnings on moneys in the department of  
27 public safety use tax clearing fund shall be credited  
28 to the road use tax fund.

29 Notwithstanding section 8.33, moneys appropriated  
30 in subsections 1 through 6 that remain unobligated or  
31 unencumbered at the close of the fiscal year shall not  
32 revert to the department of public safety use tax  
33 clearing fund, but shall be deposited in the road use  
34 tax fund."

By JEFF LAMBERTI

S-5323 FILED APRIL 2, 2002

LOST (P. 896)

SENATE FILE 2326

S-5324

1 Amend Senate File 2326 as follows:

2 1. Page 149, by inserting after line 21, the  
3 following:

4 "\_\_\_\_. For maintaining canine units at the Fort  
5 Madison correctional facility, Anamosa correctional  
6 facility, Oakdale correctional facility, Newton  
7 correctional facility, Mt. Pleasant correctional  
8 facility, and the Clarinda correctional facility:

9 ..... \$ 24,000".

By MARK SHEARER  
EUGENE S. FRAISE

S-5324 FILED APRIL 2, 2002

WITHDRAWN (P. 912)

SENATE FILE 2326

S-5325

1 Amend Senate File 2326 as follows:  
 2 1. Page 49, by inserting after line 26 the  
 3 following:  
 4 "The department shall conduct a study to identify  
 5 an appropriate location in the state capitol for a  
 6 plaque and display honoring the Iowa recipients of the  
 7 congressional medal of honor. The department shall  
 8 report the findings and recommendations of the study  
 9 to the governor and general assembly on or before  
 10 December 31, 2002."

By DENNIS H. BLACK

S-5325 FILED APRIL 2, 2002

LOST (p.900)

SENATE FILE 2326

S-5326

1 Amend Senate File 2326 as follows:  
 2 1. Page 6, line 4, by striking the figure  
 3 "1,857,970" and inserting the following: "2,185,847".

By TOM FLYNN

S-5326 FILED APRIL 2, 2002

LOST (p.896)

SENATE FILE 2326

S-5328

1 Amend Senate File 2326 as follows:  
 2 1. Page 142, line 32, by striking the figure  
 3 "7,143,891" and inserting the following: "7,220,147".

By ROBERT E. DVORSKY  
JOE BOLKCOM

S-5328 FILED APRIL 2, 2002

LOST

(p.909)

SENATE FILE 2326

S-5329

1 Amend Senate File 2326 as follows:  
 2 1. Page 149, by inserting after line 21, the  
 3 following:  
 4 "\_\_\_\_. For maintaining canine units at the Fort  
 5 Madison correctional facility, Anamosa correctional  
 6 facility, Oakdale correctional facility, Newton  
 7 correctional facility, Mt. Pleasant correctional  
 8 facility, and the Clarinda correctional facility:  
 9 ..... \$ 24,000".

By MARK SHEARER  
EUGENE S. FRAISE  
ROBERT E. DVORSKY

S-5329 FILED APRIL 2, 2002

LOST

(p.912)



SENATE FILE 2326

S-5330

- 1 Amend Senate File 2326 as follows:
- 2 1. Page 152, line 7, by striking the figure
- 3 "100,000" and inserting the following: "2,913,361".

By MARK SHEARER

S-5330 FILED APRIL 2, 2002

LOST

(P. 912)

SENATE FILE 2326

S-5331

- 1 Amend Senate File 2326 as follows:
- 2 1. Page 147, by striking lines 14 and 15 and
- 3 inserting the following:
- 4 "..... \$ 32,718,605
- 5 ..... FTEs 552.19"
- 6 2. Page 147, by striking lines 26 and 27 and
- 7 inserting the following:
- 8 "..... \$ 23,943,913
- 9 ..... FTEs 383.75"
- 10 3. Page 148, by striking lines 15 and 16 and
- 11 inserting the following:
- 12 "..... \$ 21,318,417
- 13 ..... FTEs 334.56"
- 14 4. By renumbering as necessary.

By EUGENE S. FRAISE  
TOM FLYNN

ROBERT E. DVORSKY  
MARK SHEARER

S-5331 FILED APRIL 2, 2002

LOST

(P. 910)

SENATE FILE 2326

S-5332

- 1 Amend Senate File 2326 as follows:
- 2 1. Page 147, by striking line 14 and inserting
- 3 the following:
- 4 "..... \$ 33,461,829"
- 5 2. Page 147, by striking line 26 and inserting
- 6 the following:
- 7 "..... \$ 23,941,648"
- 8 3. Page 148, by striking line 1 and inserting the
- 9 following:
- 10 "..... \$ 21,640,188"
- 11 4. Page 148, by striking line 7 and inserting the
- 12 following:
- 13 "..... \$ 22,688,016"
- 14 5. Page 148, by striking line 15 and inserting
- 15 the following:
- 16 "..... \$ 21,301,390"
- 17 6. Page 148, by striking line 21 and inserting
- 18 the following:
- 19 "..... \$ 7,314,501"
- 20 7. Page 148, by striking line 27 and inserting
- 21 the following:
- 22 "..... \$ 18,448,063"
- 23 8. Page 149, by striking line 3 and inserting the
- 24 following:
- 25 "..... \$ 12,104,304"
- 26 9. Page 149, by striking line 9 and inserting the
- 27 following:
- 28 "..... \$ 24,541,649"
- 29 10. Page 154, by striking line 24 and inserting
- 30 the following:
- 31 "..... \$ 9,190,925"
- 32 11. Page 154, by striking line 30 and inserting
- 33 the following:
- 34 "..... \$ 7,171,418"
- 35 12. Page 155, by striking line 1 and inserting
- 36 the following:
- 37 "..... \$ 4,180,916"
- 38 13. Page 155, by striking line 7 and inserting
- 39 the following:
- 40 "..... \$ 3,947,415"
- 41 14. Page 155, by striking line 13 and inserting
- 42 the following:
- 43 "..... \$ 12,018,543"
- 44 15. Page 155, by striking line 19 and inserting
- 45 the following:
- 46 "..... \$ 9,300,888"
- 47 16. Page 155, by striking line 25 and inserting
- 48 the following:
- 49 "..... \$ 5,261,193"
- 50 17. Page 155, by striking line 31 and inserting

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1 the following:

2 "..... \$ 5,224,668"

By ROBERT E. DVORSKY  
EUGENE S. FRAISE

TOM FLYNN  
MARK SHEARER

**S-5332** FILED APRIL 2, 2002

LOST

*(P. 911)*

## SENATE FILE 2326

S-5333

1 Amend Senate File 2326 as follows:

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

4 "Sec. \_\_\_\_ . Section 49.13, Code 2001, is amended by  
5 adding the following new subsection:

6 NEW SUBSECTION. 5. The commissioner may appoint  
7 high school students who are not yet qualified to be  
8 registered voters to serve as precinct election board  
9 members.

10 a. To qualify to serve as a precinct election  
11 board member, a high school student shall:

12 (1) Be a United States citizen.

13 (2) Be a junior or senior in good standing  
14 enrolled in a public or private secondary school in  
15 Iowa.

16 (3) Have a cumulative grade point average  
17 equivalent to at least 2.0 on a 4.0 scale.

18 (4) At the time of appointment, have the written  
19 approval of the principal of the secondary school the  
20 student attends.

21 (5) Have the written approval of the student's  
22 parent or legal guardian.

23 (6) Have satisfactorily completed the training  
24 course for election officials.

25 (7) Meet all other qualifications for appointment  
26 and service as an election board member except the  
27 requirement of being a registered voter.

28 b. No more than one student precinct election  
29 board member may serve on each precinct election  
30 board.

31 c. Student precinct election board members shall  
32 not serve as the chairperson of a precinct election  
33 board.

34 d. Before serving at a partisan election, the  
35 student election precinct board member must certify in  
36 writing to the commissioner the political party with  
37 which the student is affiliated.

38 e. Student precinct election board members shall  
39 not be counted as absent from school on the day they  
40 serve as election officials.

41 f. Student precinct election board members shall  
42 not be allowed to work more hours than allowed under  
43 the applicable labor laws."

44 2. By renumbering as necessary.

By MICHAEL E. GRONSTAL

S-5333 FILED APRIL 2, 2002  
RULED OUT OF ORDER

(p. 913)

## SENATE FILE 2326

S-5335

1 Amend Senate File 2326 as follows:

2 1. Page 129, by inserting after line 29, the  
3 following:

4 "aa. For the fiscal year beginning July 1, 2002,  
5 the department shall reduce reimbursement for nursing  
6 facility bed-hold based on an analysis of nursing  
7 facility cost, occupancy, and utilization."

8 2. Page 130, by inserting after line 32, the  
9 following:

10 "cc. For the fiscal year beginning July 1, 2002,  
11 reimbursement for hospital crossover payments shall be  
12 the lesser of the following:

13 (1) The medical assistance program allowed cost  
14 amount minus the federal Medicare payment amount.

15 (2) The federal Medicare coinsurance and  
16 deductible amounts."

17 3. Page 136, by inserting after line 6, the  
18 following:

19 "Sec. \_\_\_\_ . NEW SECTION. 249A.20B NURSING  
20 FACILITY CROSSOVER PAYMENTS.

21 Beginning July 1, 2002, reimbursement under the  
22 medical assistance program for nursing facility  
23 crossover payments shall be the lesser of the  
24 following:

25 1. The cost amount allowed under the medical  
26 assistance program minus the federal Medicare payment.

27 2. The federal Medicare coinsurance and deductible  
28 amounts.

29 Sec. \_\_\_\_ . NEW SECTION. 249A.21 INTERMEDIATE CARE  
30 FACILITIES FOR PERSONS WITH MENTAL RETARDATION --  
31 ASSESSMENT.

32 1. The department may assess intermediate care  
33 facilities for persons with mental retardation, as  
34 defined in section 135C.1, that are not operated by  
35 the state, a fee in an amount not to exceed six  
36 percent of the total annual revenue of the facility  
37 for the preceding fiscal year.

38 2. The assessment shall be paid to the department  
39 in equal monthly amounts on or before the fifteenth  
40 day of each month. The department may deduct the  
41 monthly amount from medical assistance payments to a  
42 facility described in subsection 1. The amount  
43 deducted from payments shall not exceed the total  
44 amount of the assessments due.

45 3. Revenue from the assessments shall be credited  
46 to the state medical assistance appropriation. This  
47 revenue may be used only for services for which  
48 federal financial participation under the medical  
49 assistance program is available to match state funds.

50 4. If federal financial participation to match the

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1 assessments made under subsection 1 becomes  
 2 unavailable under federal law, the department shall  
 3 terminate the imposing of the assessments beginning on  
 4 the date that the federal statutory, regulatory, or  
 5 interpretive change takes effect.

6 5. The department of human services may procure a  
 7 sole source contract to implement the provisions of  
 8 this section."

9 4. Page 142, by inserting after line 20, the  
 10 following:

11 "\_\_\_\_. The section in this division of this Act  
 12 relating to the assessment on intermediate care  
 13 facilities for persons with mental retardation."

14 5. By renumbering as necessary.

By JOHNIE HAMMOND

**S-5335** FILED APRIL 2, 2002

LOST

(p. 915)

SENATE FILE 2326

**S-5336**

1 Amend Senate File 2326 as follows:

DIV 2 1. Page 110, line 4, by striking the figure  
 A 3 "100,351,905" and inserting the following:  
 4 "100,564,258".

5 2. Page 128, line 22, by striking the figure  
 6 "11,848,605" and inserting the following:  
 7 "12,043,178".

DIV 8 3. Page 129, by inserting before line 9, the  
 B 9 following:

10 "\_\_\_\_. For the fiscal year beginning July 1, 2002,  
 11 notwithstanding contrary provisions of chapter 237A,  
 12 the department is not required to perform the child  
 13 care regulatory functions required of the department  
 14 under chapter 237A."

By JOHNIE HAMMOND

**S-5336** FILED APRIL 2, 2002

DIV A - LOST; DIV B - LOST

(p. 914)

(p. 915)

## SENATE FILE 2326

## H-8534

1 Amend Senate File 2326, as passed by the Senate, as  
2 follows:

3 1. Page 61, by inserting after line 22, the  
4 following:

5 "Funds appropriated in this lettered paragraph  
6 shall not be used for the purposes of human cloning as  
7 defined in section 707B.3. However, this prohibition  
8 shall not be interpreted to prohibit the use of these  
9 funds for areas of scientific research not  
10 specifically prohibited as provided in section 707B.4,  
11 subsection 2."

12 2. Page 66, by inserting after line 13, the  
13 following:

14 "Funds appropriated in this lettered paragraph  
15 shall not be used for the purposes of human cloning as  
16 defined in section 707B.3. However, this prohibition  
17 shall not be interpreted to prohibit the use of these  
18 funds for areas of scientific research not  
19 specifically prohibited as provided in section 707B.4,  
20 subsection 2."

21 3. Page 67, by inserting after line 22, the  
22 following:

23 "Funds appropriated in this lettered paragraph  
24 shall not be used for the purposes of human cloning as  
25 defined in section 707B.3. However, this prohibition  
26 shall not be interpreted to prohibit the use of these  
27 funds for areas of scientific research not  
28 specifically prohibited as provided in section 707B.4,  
29 subsection 2."

30 4. Page 176, by inserting after line 11, the  
31 following:

32 "DIVISION X

33 Sec. \_\_\_\_ . NEW SECTION. 707B.1 TITLE.

34 This chapter shall be known and may be cited as the  
35 "Human Cloning Prohibition Act".

36 Sec. \_\_\_\_ . NEW SECTION. 707B.2 PURPOSE.

37 It is the purpose of this chapter to prohibit human  
38 cloning for any purpose, whether for reproductive  
39 cloning or therapeutic cloning.

40 Sec. \_\_\_\_ . NEW SECTION. 707B.3 DEFINITIONS.

41 As used in this chapter, unless the context  
42 otherwise requires:

43 1. "Destructive research" means medical,  
44 scientific, or laboratory research, or other kinds of  
45 investigation that destroy or injure the subject of  
46 the research. "Research" means a systematic  
47 investigation, including research development,  
48 testing, and evaluation, designed to develop or  
49 contribute to generalizable knowledge. "Destructive  
50 research" does not include in vitro fertilization and

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1 accompanying embryo transfer to a woman's body or any  
2 diagnostic test that may assist in the future care of  
3 the woman.

4 2. "Fetus" means a living organism of the species  
5 homo sapiens from eight weeks' development until  
6 complete expulsion or extraction from a woman's body,  
7 or until removal from an artificial womb or other  
8 similar environment designed to nurture the  
9 development of such organism.

10 3. "Human cloning" means human asexual  
11 reproduction, accomplished by introducing the genetic  
12 material of a human somatic cell into a fertilized or  
13 unfertilized oocyte whose nucleus has been removed or  
14 inactivated, to produce a living organism with a human  
15 or predominantly human genetic constitution.

16 4. "Human embryo" means a living organism of the  
17 species homo sapiens from the single-celled stage to  
18 eight weeks' development.

19 5. "Human somatic cell" means a cell having a  
20 complete set of chromosomes obtained from a living or  
21 deceased human organism of the species homo sapiens at  
22 any stage of development.

23 6. "Oocyte" means the unfertilized human ovum.

24 Sec. \_\_\_\_ . NEW SECTION. 707B.4 HUMAN CLONING --  
25 PROHIBITIONS -- EXCEPTIONS -- PENALTY.

26 1. A person shall not intentionally or knowingly  
27 do any of the following:

28 a. Perform or attempt to perform human cloning.

29 b. Participate in performing or in an attempt to  
30 perform human cloning.

31 c. Transfer or receive a cloned human embryo for  
32 any purpose.

33 d. Transfer or receive, in whole or in part, any  
34 oocyte, human embryo, fetus, or human somatic cell,  
35 for the purpose of human cloning.

36 e. Conduct destructive research on a cloned human  
37 embryo.

38 2. This section shall not restrict areas of  
39 scientific research not specifically prohibited,  
40 including in vitro fertilization; the administration  
41 of fertility-enhancing drugs; or research in the use  
42 of nuclear transfer or other cloning techniques to  
43 produce molecules, deoxyribonucleic acid, tissues,  
44 organs, plants, animals other than humans, or cells  
45 other than human embryos.

46 3. a. A person who violates subsection 1,  
47 paragraph "a" or "b", is guilty of a class "C" felony.

48 b. A person who violates subsection 1, paragraph  
49 "c", "d", or "e" is guilty of an aggravated  
50 misdemeanor.

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1 4. A person who violates this section in a manner  
2 that results in a pecuniary gain to the person is  
3 subject to a civil penalty in an amount that is twice  
4 the amount of the gross gain.

5 5. A person who violates this section and who is  
6 licensed pursuant to chapter 148, 150, or 150A is  
7 subject to revocation of the person's license.

8 6. A violation of this section is grounds for  
9 denial of an application for, denial of renewal of, or  
10 revocation of any license, permit, certification, or  
11 any other form of permission required to practice or  
12 engage in any trade, occupation, or profession  
13 regulated by the state.

14 Sec. \_\_\_\_ . NEW SECTION. 707B.5 HUMAN CLONING --  
15 USE OF GENERAL FUND OF THE STATE -- PROHIBITION --  
16 CIVIL PENALTY.

17 1. A person shall not use moneys from the general  
18 fund of the state for the purposes of human cloning.

19 2. This section shall not prohibit the use of  
20 moneys from the general fund of the state for areas of  
21 scientific research not specifically prohibited as  
22 provided in section 707B.4, subsection 2.

23 3. A person who violates this section is subject  
24 to a civil penalty in the amount of the expenditure of  
25 moneys from the general fund of the state used in  
26 violation of this section."

27 5. Title page, line 3, by inserting after the  
28 word "dates" the following: "and providing  
29 penalties".

**By** TREMMEL of Wapello  
MERTZ of Kossuth

ALONS of Sioux  
DE BOEF of Mahaska

**H-8534** FILED APRIL 4, 2002

*W/D*

*4-9-02*



## SENATE FILE 2326

H-8544

1 Amend Senate File 2326, as passed by the Senate, as  
2 follows:

3 1. Page 176, by inserting after line 11 the  
4 following:

5 "DIVISION  
6 HEALTH COVERAGE  
7 Sec. \_\_\_\_ . NEW SECTION. 514C.21 MANDATED COVERAGE  
8 FOR NEUROBIOLOGICAL DISORDERS AND UNDERLYING CO-  
9 MORBIDITY.

10 1. For purposes of this section, unless the  
11 context otherwise requires:

12 a. "Co-morbidity" means the coexistence of  
13 conditions or diagnosable disorders such as  
14 neurobiological disorders and substance abuse. For  
15 purposes of this section, "substance abuse" means a  
16 pattern of pathological use of alcohol or a drug that  
17 causes impairment in social or occupational  
18 functioning, or that produces physiological dependency  
19 evidenced by physical tolerance or by physical  
20 symptoms when the alcohol or drug is withdrawn.

21 b. "Neurobiological disorder" means the following:

- 22 (1) Schizophrenia and other psychotic disorders.
- 23 (2) Affective disorders.
- 24 (3) Anxiety disorders.
- 25 (4) Pervasive developmental disorders.
- 26 (5) Attention deficit hyperactivity disorder and  
27 related disorders.
- 28 (6) Disorders identified in childhood and  
29 adolescence.

30 The commissioner, by rule, shall identify the  
31 neurobiological disorders covered by this definition,  
32 consistent with the guidelines provided in the most  
33 recent edition of the American psychiatric  
34 association's diagnostic and statistical manual of  
35 mental disorders, as such definitions may be amended  
36 from time to time. The commissioner may adopt the  
37 definitions provided in the manual by reference.

38 c. "Rates, terms, and conditions" means any  
39 lifetime or annual payment limits, deductibles,  
40 copayments, coinsurance, and any other cost-sharing  
41 requirements, out-of-pocket limits, visit limitations,  
42 and any other financial component of benefits coverage  
43 that affects the covered individual.

44 2. a. Notwithstanding the uniformity of treatment  
45 requirements of section 514C.6, a policy, contract, or  
46 plan providing for third-party payment or prepayment  
47 of health or medical expenses shall provide coverage  
48 benefits for treatment for neurobiological disorders  
49 and underlying co-morbidity based on rates, terms, and  
50 conditions that are no more restrictive than the

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1 rates, terms, and conditions for coverage benefits  
2 provided for other health or medical conditions under  
3 the policy, contract, or plan.

4 b. Any restrictions or limitations with respect to  
5 rates, terms, and conditions involving deductibles,  
6 copayments, coinsurance, and any other cost-sharing  
7 requirements shall be cumulative for coverage of  
8 treatment for neurobiological disorders and underlying  
9 co-morbidity and other health or medical conditions  
10 under a policy, contract, or plan. A policy,  
11 contract, or plan subject to this section shall not  
12 impose an aggregate lifetime or annual limit on  
13 treatment for neurobiological disorders and underlying  
14 co-morbidity coverage benefits unless the policy,  
15 contract, or plan imposes an aggregate lifetime or  
16 annual limit on substantially all health or medical  
17 coverage benefits. A policy, contract, or plan  
18 subject to this section that imposes an aggregate  
19 lifetime or annual limit on substantially all medical  
20 and surgical coverage benefits shall not impose an  
21 aggregate lifetime or annual limit on treatment for  
22 neurobiological disorders and underlying co-morbidity  
23 coverage benefits that is less than the aggregate  
24 lifetime or annual limit imposed on substantially all  
25 health or medical coverage benefits.

26 c. Coverage required under this section shall be  
27 for the treatment of neurobiological disorders and  
28 underlying co-morbidity, for services provided by a  
29 health professional licensed under chapter 147A, 148,  
30 150A, 152, 154B, 154C, or 154D, for services provided  
31 in a hospital, clinic, office, community mental health  
32 center, health care facility, outpatient treatment  
33 facility, residential treatment facility, halfway  
34 house, or similar facility for the provision of health  
35 care services, and for services provided pursuant to  
36 the comprehensive program for treatment for substance  
37 abuse maintained by the department of public health  
38 pursuant to section 125.12 in a hospital licensed  
39 under chapter 135B or a facility licensed under  
40 chapter 125.

41 3. This section applies to the following classes  
42 of third-party payment provider policies, contracts,  
43 or plans delivered, issued for delivery, continued, or  
44 renewed in this state on or after January 1, 2003:

45 a. Individual or group accident and sickness  
46 insurance providing coverage on an expense-incurred  
47 basis.

48 b. An individual or group hospital or medical  
49 service contract issued pursuant to chapter 509, 514,  
50 or 514A.

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1 c. A plan established pursuant to chapter 509A for  
2 public employees.

3 d. An individual or group health maintenance  
4 organization contract regulated under chapter 514B.

5 e. An individual or group Medicare supplemental  
6 policy, unless coverage pursuant to such policy is  
7 preempted by federal law.

8 f. Any other entity engaged in the business of  
9 insurance, risk transfer, or risk retention, which is  
10 subject to the jurisdiction of the commissioner.

11 g. An organized delivery system licensed by the  
12 director of public health.

13 4. The commissioner shall adopt rules pursuant to  
14 chapter 17A to administer this section.

15 Sec. \_\_\_\_\_. INSURANCE DIVISION STUDY IN CONJUNCTION  
16 WITH STATE AUDITOR.

17 1. The insurance division of the department of  
18 commerce, in conjunction with the state auditor, shall  
19 conduct a study of the cost of providing  
20 neurobiological disorder coverage benefits in Iowa.

21 2. The study shall assess at least all of the  
22 following:

23 a. Identification of the costs attributed to  
24 treatment of neurobiological disorders, and to  
25 underlying co-morbidity.

26 b. An estimate of the impact of mandated coverage  
27 on health care coverage benefit costs and  
28 availability.

29 c. Actions taken by the division to ensure that  
30 third-party payors subject to this Act are in  
31 compliance.

32 d. Identification of any segments of the  
33 population of this state that may be excluded from, or  
34 have limited access to, treatment, including the  
35 number of citizens that may be excluded from, or have  
36 limited access to, treatment under third-party payor  
37 policies or contracts provided by employers who  
38 receive substantial revenue from public sources.

39 3. The insurance division shall submit a written  
40 report to the general assembly on or before January  
41 30, 2005.

42 Sec. \_\_\_\_\_. DEPARTMENT OF PUBLIC HEALTH STUDY.

43 1. The department of public health shall conduct a  
44 two-year study of the mental health delivery system in  
45 Iowa, beginning July 1, 2002.

46 2. The study shall include participation by at  
47 least all of the following:

48 a. Representatives of professional health care  
49 groups licensed under chapters 147A, 148, 150A, 152,  
50 154B, 154C, and 154D.

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1 b. Representatives of associations or other groups  
2 representing hospitals, clinics, community mental  
3 health centers, community corrections and prison  
4 corrections, health care facilities, outpatient  
5 treatment facilities, and any other facility offering  
6 mental health services.

7 c. County supervisors, representatives from the  
8 department of human services, judges, mental health  
9 advocates, and other state or county officials  
10 involved in the provision of mental health services.

11 d. Consumers, family members, and patients.

12 3. The participants in the study shall assess the  
13 relevant issues facing the mental health delivery  
14 system in Iowa, and shall prepare a report with  
15 recommendations for presentation to the general  
16 assembly no later than November 1, 2004."

17 2. By renumbering as necessary.

By ATTEBERRY of Delaware  
SMITH of Marshall  
JOCHUM of Dubuque

**H-8544** FILED APRIL 8, 2002

*Not Germonne  
Motion to Suspend Rules but  
4-9-02  
(P. 1245)*

## SENATE FILE 2326

H-8545

1 Amend Senate File 2326, as passed by the Senate, as  
2 follows:

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

5 "d. Incorporate the strategic plan developed by  
6 the Iowa new economy council into a department-wide  
7 strategic plan."

8 2. Page 44, by inserting after line 25 the  
9 following:

10 "Sec. \_\_\_\_ . Section 15.108, Code 2001, is amended  
11 by adding the following new subsection:

12 NEW SUBSECTION. 12. SCIENCE AND TECHNOLOGY. To  
13 provide, through the science and technology advisor  
14 appointed by the governor pursuant to section 15E.45,  
15 advice to state governmental entities, academia, the  
16 business community, and other constituencies regarding  
17 science and technology issues.

18 Sec. \_\_\_\_ . NEW SECTION. 15E.41 SHORT TITLE.

19 This division shall be known and may be cited as  
20 the "Iowa New Economy Act".

21 Sec. \_\_\_\_ . NEW SECTION. 15E.42 PURPOSE.

22 The purpose of the Iowa new economy Act is to  
23 establish a structure for coordinating the development  
24 and implementation of a technology-led economic  
25 development strategic plan to competitively position  
26 Iowa as a world leader in the new economy and create  
27 high-wage, high-growth jobs in targeted industry  
28 clusters. The Iowa new economy council shall work  
29 with the board and the state board of regents to  
30 create regional technology innovation networks in  
31 areas of the state with a high concentration of  
32 technology-intensive businesses within the targeted  
33 industry clusters.

34 Sec. \_\_\_\_ . NEW SECTION. 15E.43 DEFINITIONS.

35 As used in this division, unless the context  
36 otherwise requires:

37 1. "Board" means the Iowa economic development  
38 board created in section 15.103.

39 2. "Department" means the Iowa department of  
40 economic development created in chapter 15.

41 3. "Industry clusters" means a group of companies  
42 that operate in the same or a related field, are  
43 linked by buyer-seller relationships, common  
44 customers, or other relationships, and rely on an  
45 active set of relationships among themselves for  
46 individual efficiency and competitiveness.

47 Sec. \_\_\_\_ . NEW SECTION. 15E.44 INDUSTRY CLUSTERS.

48 The Iowa new economy council shall define industry  
49 clusters identified in section 15.329.

50 Sec. \_\_\_\_ . NEW SECTION. 15E.45 IOWA NEW ECONOMY

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1 COUNCIL.

2 1. An Iowa new economy council is created.

3 2. A science and technology advisor shall be  
4 appointed by the governor and employed by the  
5 department of economic development. The advisor shall  
6 have significant, extensive expertise in the fields of  
7 science and technology. The advisor shall advise  
8 state governmental entities, academia, the business  
9 community, and other constituencies regarding science  
10 and technology issues.

11 3. The council shall initially consist of eleven  
12 senior-level decision makers, who are voting members,  
13 and five ex officio, nonvoting members. With the  
14 exception of the member designated in paragraph "f",  
15 the eleven senior-level decision makers shall be  
16 appointed by the governor. The eleven senior-level  
17 decision makers include all of the following:

18 a. One representative from each of the industry  
19 leadership councils identified by the council pursuant  
20 to section 15E.47.

21 b. Three additional representatives of the  
22 business community. Representation under this  
23 paragraph shall be from various size companies and  
24 from different geographic areas of the state.

25 c. One representative of the university of Iowa,  
26 the university of northern Iowa, or Iowa state  
27 university of science and technology designated by the  
28 state board of regents on a rotating basis.

29 d. One representative from the community college  
30 system.

31 e. One representative of a labor union.

32 f. The director of the department of economic  
33 development.

34 g. The science and technology advisor appointed  
35 pursuant to subsection 2.

36 4. The ex officio members of the council shall  
37 include all of the following:

38 a. One representative of the primary and secondary  
39 educational system appointed by the governor.

40 b. The president of the senate, or a member of the  
41 senate appointed by the president.

42 c. The minority leader of the senate, or a member  
43 of the senate appointed by the minority leader.

44 d. The speaker of the house of representatives, or  
45 a member of the house of representatives appointed by  
46 the speaker.

47 e. The minority leader of the house of  
48 representatives, or a member of the house of  
49 representatives appointed by the minority leader.

50 5. Appointees to the council shall be senior-level

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1 decision makers within their organizations. Any  
2 designee serving on the council shall also be a  
3 senior-level decision maker who has the ability to  
4 make a decision on behalf of the appointee. The  
5 appointee or designee shall not designate a substitute  
6 to participate in council meetings and activities.

7 6. The administration of the council shall be  
8 coordinated by the science and technology advisor  
9 appointed pursuant to subsection 2.

10 7. The initial appointments to the council made  
11 pursuant to subsection 3, paragraph "a", shall be made  
12 after the Iowa leadership councils are established  
13 pursuant to section 15E.47.

14 8. The Iowa new economy council shall annually  
15 elect a chairperson from among its members.

16 9. If more than three industry leadership councils  
17 are established pursuant to section 15E.47, the voting  
18 membership of the council shall be expanded to allow  
19 one representative of each industry leadership council  
20 to serve on the council.

21 10. The council shall be subject to the open  
22 meetings law in chapter 21 and all meetings of the  
23 council shall be conducted in the presence of a  
24 representative of the department.

25 Sec. \_\_\_\_ . NEW SECTION. 15E.46 STRATEGIC FOCUS  
26 AND ACTIVITIES.

27 1. The strategic focus of the Iowa new economy  
28 council shall be to support and strengthen the  
29 competitiveness of Iowa businesses within each of the  
30 industry clusters. At a minimum, the council shall  
31 perform all of the following duties:

32 a. Develop collaborative industry-led projects in  
33 the industry clusters.

34 b. Lead efforts to improve Iowa's competitive  
35 position in the industry cluster areas.

36 c. Facilitate activities designed to strengthen  
37 relationships and advocate collaboration among Iowa  
38 research institutions and Iowa's technology intensive  
39 businesses.

40 d. Develop a three-year strategic plan with an  
41 annual operating plan to share with the board for  
42 consideration in developing the department-wide  
43 strategic plan.

44 2. The Iowa new economy council shall develop and  
45 implement activities addressing all of the following  
46 economic foundation issues of the new economy:

47 a. Skilled and adaptable human resources.

48 b. Access to technologies on which new products  
49 and processes are based.

50 c. Availability of financial capital to support

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1 new ventures, expansion of existing companies, and  
2 reinvestment in transition industries.  
3 d. Support of advanced physical infrastructure for  
4 transportation, communications, energy and water, and  
5 waste handling.

6 e. A review of the regulatory and taxation  
7 environment and business climate resulting in  
8 recommendations to balance competitiveness.

9 3. The council shall focus on nondiscriminatory  
10 market expansion and shall foster a competitive and  
11 open environment. The council shall not be a  
12 mechanism to allocate markets, fix prices, or stifle  
13 competition.

14 Sec. \_\_\_\_ . NEW SECTION. 15E.47 INDUSTRY  
15 LEADERSHIP COUNCILS.

16 In conjunction with the creation of the Iowa new  
17 economy council, leadership councils shall be  
18 established in the advanced manufacturing, information  
19 solutions, and life science industry clusters as well  
20 as other industry clusters identified by the Iowa new  
21 economy council. The leadership councils shall be  
22 comprised of representatives of business and industry,  
23 academia, government, and other representatives  
24 identified by the Iowa new economy council. The  
25 leadership councils shall be established to address  
26 issues specific to the industry clusters. The ongoing  
27 structure, membership, and operational objectives of  
28 the industry leadership councils shall be determined  
29 by the Iowa new economy council.

30 Sec. \_\_\_\_ . NEW SECTION. 15E.48 FUNDING.

31 The Iowa new economy council and the industry  
32 leadership councils shall not receive a direct  
33 appropriation from the state. The department may  
34 allocate to the council moneys that have been  
35 appropriated to the department for purposes identified  
36 by the council to support council activities. Public  
37 resources allocated for the operation of the Iowa new  
38 economy council and the industry leadership councils  
39 or for specific projects sponsored by the Iowa new  
40 economy council and the industry leadership councils  
41 shall be received through appropriate performance  
42 agreements administered by the department or other  
43 appropriate public entities. Private moneys secured  
44 through contributions, contracts, or other means would  
45 be administered and accounted for as determined by the  
46 Iowa new economy council.

47 Sec. \_\_\_\_ . NEW SECTION. 15E.49 REPORTS.

48 The Iowa new economy council shall annually submit  
49 a report to the governor and the general assembly  
50 concerning the use of resources and the results

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1 derived from investments in the activities sponsored  
2 by the council. Copies of status reports provided  
3 under any performance agreement with the department or  
4 other public entity shall be provided to the governor  
5 and the general assembly.

6 Sec. \_\_\_\_ . NEW SECTION. 15E.50 COUNCIL  
7 COORDINATION.

8 The council shall work with the board and state  
9 board of regents to review, evaluate, and monitor  
10 business outreach and assistance programs, including  
11 university technology transfer programs on an ongoing  
12 basis. In reviewing, evaluating, and monitoring  
13 programs and activities, the council shall seek input  
14 from business, academia, government, and other  
15 constituencies. The council shall make  
16 recommendations to the board and state board of  
17 regents with respect to each of the following:

- 18 1. Strengthening collaboration among business and
- 19 industry and Iowa's research institutions.
- 20 2. Coordinating activities to facilitate the
- 21 growth of the industry clusters."
- 22 3. By renumbering as necessary.

By QUIRK of Chickasaw ATTEBERRY of Delaware  
DOTZLER of Black Hawk REEDER of Fayette

H-8545 FILED APRIL 8, 2002

*Not Hermon*  
*Motion to Rescind rule lot*  
*(P. 1240) 4-9-02* SENATE FILE 2326

H-8546

1 Amend Senate File 2326, as passed by the Senate, as  
2 follows:

- 3 1. Page 42, by striking line 15 and inserting the
- 4 following:
- 5 "..... \$ 5,454,745"

By WINCKLER of Scott DOTZLER of Black Hawk  
WISE of Lee T. TAYLOR of Linn

H-8546 FILED APRIL 8, 2002

*Lot*  
*4-9-02*  
*(P. 1274)*



SENATE FILE 2326

H-8551

1 Amend Senate File 2326, as passed by the Senate, as  
2 follows:

3 1. Page 20, by striking line 20 and inserting the  
4 following:

5 "..... \$ 24,205,736"

6 2. Page 26, by inserting after line 9, the  
7 following:

8 "Sec. \_\_\_\_ DEPARTMENT OF ADMINISTRATIVE SERVICES  
9 CREATED.

10 1. Notwithstanding any provision of law to the  
11 contrary, a new department of administrative services  
12 is created under the control and supervision of the  
13 governor. The new department shall subsume all of the  
14 functions of the department of personnel, department  
15 of general services, information technology  
16 department, Iowa communications network, and the  
17 accounting division of the department of revenue and  
18 finance, which shall cease to exist as separate  
19 departments or units. Upon establishment of the new  
20 department of administrative services, the governor  
21 shall appoint the director of the department, subject  
22 to confirmation by the senate. The positions of  
23 director of the departments of personnel, general  
24 services, and information technology shall be  
25 eliminated and the administrators of the divisions of  
26 the new department responsible for those duties shall  
27 be appointed by the director of the department of  
28 administrative services.

29 2. There is appropriated from the general fund of  
30 the state to the department of administrative services  
31 for the fiscal year beginning July 1, 2002, and ending  
32 June 30, 2003, the following amount, or so much  
33 thereof as is necessary, to be used for the purposes  
34 designated:

35 For salaries, support, maintenance, and  
36 miscellaneous purposes:  
37 ..... \$ 14,272,722

38 The amounts appropriated in this subsection shall  
39 be in lieu of appropriations otherwise provided in  
40 this Act to the department of personnel, department of  
41 general services, information technology department,  
42 and the Iowa telecommunications and technology  
43 commission for Iowa communications network operations.

44 3. The goal of the reorganization shall be to  
45 consolidate administrative functions in state  
46 government in order to streamline state government,  
47 reduce governmental expenditures, and improve services  
48 to other state departments. The new department shall  
49 utilize entrepreneurial management techniques in order  
50 to focus the department on being more responsive to

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1 customers and more efficient in providing services.  
 2 The new department shall negotiate performance  
 3 agreements with the department's customers and build  
 4 capacities to continuously improve service. The new  
 5 department shall have no more than three levels of  
 6 management and strive to meet a span of control ratio  
 7 goal of twelve to one.

8 4. The governor shall submit proposed legislation  
 9 in accordance with section 2.16 for consideration by  
 10 the Eightieth General Assembly, 2003 Session, as  
 11 necessary to amend the Code of Iowa in order to codify  
 12 the powers and duties of the newly created department  
 13 of administrative services."

14 3. Page 39, line 13, by striking the figure  
 15 "4,734,063" and inserting the following: "5,591,126".

16 4. Page 40, line 27, by striking the figure  
 17 "485,463" and inserting the following: "570,577".

18 5. Page 41, line 23, by striking the figure  
 19 "702,889" and inserting the following: "870,197".

20 6. Page 105, by inserting after line 13, the  
 21 following:

22 "Sec. \_\_\_\_ . HEALTH INSURANCE PORTABILITY AND  
 23 ACCOUNTABILITY ACT. There is appropriated from the  
 24 general fund of the state to the department of human  
 25 services for the fiscal year beginning July 1, 2002,  
 26 and ending June 30, 2003, the following amount, or so  
 27 much thereof as is necessary, to be used for the  
 28 purpose designated:

29 For implementation of the provisions of the federal  
 30 Health Insurance Portability and Accountability Act,  
 31 Pub. L. No. 104-191 relating to the medical assistance  
 32 program, in addition to other funds appropriated for  
 33 this purpose:

34 ..... \$ 1,500,000

35 Notwithstanding section 8.33, moneys appropriated  
 36 in this section that are unobligated or unencumbered  
 37 at the close of the fiscal year shall not revert but  
 38 shall remain available for the specific purpose  
 39 designated in this section until the close of the  
 40 succeeding fiscal year."

41 7. By renumbering as necessary.

By T. TAYLOR of Linn SMITH of Marshall  
 GREIMANN of Story WISE of Lee  
 LENSING of Johnson

H-8551 FILED APRIL 9, 2002

*Lost  
 4/9/02  
 (p. 1249)*

SENATE FILE 2326

H-8552

1 Amend Senate File 2326, as passed by the Senate, as  
2 follows:

3 1. Page 47, by inserting after line 17, the  
4 following:

5 "Sec. \_\_\_\_ ECONOMIC EMERGENCY FUND APPROPRIATION.  
6 There is appropriated from the Iowa economic emergency  
7 fund created in section 8.55 to the general fund of  
8 the state for the fiscal year beginning July 1, 2002,  
9 and ending June 30, 2003, the following amount:

10 ..... \$ 55,429,400

11 Moneys appropriated in this section are declared to  
12 be appropriated for emergency expenditures as required  
13 in section 8.55, subsection 3, paragraph "a".

14 2. Page 58, line 33, by striking the figure  
15 "7,750,000" and inserting the following:  
16 "40,000,000".

17 3. Page 59, by inserting after line 5, the  
18 following:

19 "\_\_\_\_ SCHOOL IMPROVEMENT TECHNOLOGY BLOCK GRANT

20 For school improvement technology block grants,  
21 notwithstanding section 256D.5, subsection 2, Code  
22 2001:

23 ..... \$ 5,729,400"

24 Funds appropriated in this subsection shall  
25 supplement, not supplant, funds appropriated for  
26 school improvement technology block grants pursuant to  
27 2002 Iowa Acts, House File 2614, if enacted, and shall  
28 be distributed as provided in 2002 Iowa Acts, House  
29 File 2614."

30 4. Page 59, by striking lines 12 through 29, and  
31 inserting the following:

32 "..... \$141,585,680

33 The funds appropriated in this subsection shall be  
34 allocated as follows:

- 35 a. Merged Area I ..... \$ 6,803,571
- 36 b. Merged Area II ..... \$ 7,972,238
- 37 c. Merged Area III ..... \$ 7,394,131
- 38 d. Merged Area IV ..... \$ 3,618,398
- 39 e. Merged Area V ..... \$ 7,592,152
- 40 f. Merged Area VI ..... \$ 7,012,464
- 41 g. Merged Area VII ..... \$ 10,135,184
- 42 h. Merged Area IX ..... \$ 12,471,509
- 43 i. Merged Area X ..... \$ 19,599,744
- 44 j. Merged Area XI ..... \$ 20,780,498
- 45 k. Merged Area XII ..... \$ 8,189,046
- 46 l. Merged Area XIII ..... \$ 8,414,808
- 47 m. Merged Area XIV ..... \$ 3,660,799
- 48 n. Merged Area XV ..... \$ 11,512,436
- 49 o. Merged Area XVI ..... \$ 6,428,702"

50 5. Page 71, line 9, by striking the figure and word "1

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- 1 through" and inserting the following: "2 and".
- 2 6. Page 71, by striking lines 11 through 15.
- 3 7. Page 172, by striking lines 11 through 17.
- 4 8. By renumbering as necessary.

<b>By</b> WISE of Lee	MERTZ of Kossuth
ATTEBERRY of Delaware	MURPHY of Dubuque
BELL of Jasper	O'BRIEN of Boone
BUKTA of Clinton	OSTERHAUS of Jackson
CHIODO of Polk	PETERSEN of Polk
COHOON of Des Moines	QUIRK of Chickasaw
CONNORS of Polk	REEDER of Fayette
DOTZLER of Black Hawk	REYNOLDS of Van Buren
FALLON of Polk	RICHARDSON of Warren
FOEGE of Linn	SCHERRMAN of Dubuque
FORD of Polk	SCHRADER of Marion
FREVERT of Palo Alto	SENG of Scott
GREIMANN of Story	SHOULTZ of Black Hawk
HATCH of Polk	SMITH of Marshall
HUSER of Polk	STEVENS of Dickinson
JOCHUM of Dubuque	D. TAYLOR of Linn
KREIMAN of Davis	T. TAYLOR of Linn
KUHN of Floyd	TREMMEL of Wapello
LARKIN of Lee	WARNSTADT of Woodbury
LENSING of Johnson	WINCKLER of Scott
MASCHER of Johnson	WITT of Black Hawk
MAY of Worth	MYERS of Johnson

**H-8552** FILED APRIL 9, 2002

*lost*  
*4-9-02*  
*(P. 1235)*

**SENATE FILE 2326**

**H-8553**

- 1 Amend Senate File 2326, as passed by the Senate, as
- 2 follows:
- 3 1. Page 30, by inserting after line 35 the
- 4 following:
- 5 "\_\_\_\_. Of the amount appropriated in this section,
- 6 \$1,250,000 shall be used for salaries, support,
- 7 maintenance, and miscellaneous purposes for activities
- 8 regarding animal agriculture."
- 9 2. By renumbering, redesignating, and correcting
- 10 internal references as necessary.

<b>By</b> MERTZ of Kossuth	FREVERT of Palo Alto
KUHN of Floyd	STEVENS of Dickinson

**H-8553** FILED APRIL 9, 2002

*lost*  
*4/9/02*  
*(P 1273)*



## SENATE FILE 2326

## H-8554

1 Amend Senate File 2326, as passed by the Senate, as  
2 follows:

3 1. Page 27, by inserting after line 9 the  
4 following:

5 "Sec. \_\_\_\_ . NEW SECTION. 476B.1 DEFINITIONS.

6 As used in this chapter, unless the context  
7 otherwise requires:

8 1. "ADAD equipment" means automatic dialing-  
9 announcing device equipment, which is a device or  
10 system of devices used, either alone or in conjunction  
11 with other equipment, for the purpose of automatically  
12 selecting or dialing telephone numbers, for  
13 disseminating prerecorded messages to the numbers  
14 selected or dialed without the use of a live operator.

15 2. "Autodialer" means an automatic telephone  
16 dialing system or equipment that has both the capacity  
17 to store or produce telephone numbers to be called  
18 using a random or sequential number generator, and to  
19 dial such numbers.

20 3. "Board" means the utilities board created in  
21 section 474.1.

22 4. "Caller identification" means the display, on  
23 the call recipient's telephone or related equipment,  
24 of the caller's telephone number or identity to the  
25 recipient of the call.

26 5. "Consumer" means an actual or prospective  
27 purchaser, lessee, or recipient of a consumer good or  
28 service.

29 6. "Consumer good or service" means any real  
30 property or any tangible or intangible personal  
31 property that is normally used for personal, family,  
32 or household purposes, including, without limitation,  
33 any such property intended to be attached to or  
34 installed in any real property without regard to  
35 whether such property is so attached or installed, as  
36 well as cemetery lots and timeshare estates, and any  
37 service related to such property.

38 7. "Conversation time" is the time when two-way  
39 telecommunications is possible during a telephone  
40 call.

41 8. "Doing business in this state" means a business  
42 that conducts telephone solicitations from a location  
43 in this state or from other states or nations to  
44 consumers located in this state.

45 9. "Existing business relationship" means an  
46 established pattern of activity between a consumer and  
47 a merchant, involving an inquiry, application,  
48 purchase, or transaction initiated by a consumer  
49 regarding consumer goods or services offered by a  
50 merchant.

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1 10. "Merchant" means a person who, directly or  
2 indirectly, offers or makes available to a consumer  
3 any consumer good or service.

4 11. "Predictive dialing technology" means an  
5 automated dialing system or computer software that  
6 utilizes a formula or similar mechanism to initiate a  
7 certain greater number of telephone calls than the  
8 number of telephone solicitors available to speak to  
9 prospective customers, with a goal of keeping the  
10 available telephone solicitors continually speaking to  
11 one prospective customer after another.

12 12. "Prepaid calling card" means an object  
13 containing an access number and authorization code  
14 that enables an end user to use prepaid calling  
15 services.

16 13. "Prepaid calling card company" means any  
17 person providing prepaid calling services to the  
18 public using its own or another person's  
19 telecommunication network or networks.

20 14. "Prepaid calling services" means any prepaid  
21 telecommunications service that allows end users to  
22 originate calls through an access number and  
23 authorization code, whether manually or electronically  
24 dialed.

25 15. "Telephone solicitation" means any voice  
26 communication, wherever originated, transmitted over a  
27 telephone for the purpose of encouraging action on the  
28 part of a consumer, including but not limited to any  
29 of the following actions:

30 a. The purchase or rental of consumer goods or  
31 services.

32 b. Investment in consumer goods or services.

33 c. Soliciting a sale of a consumer good or  
34 service.

35 d. Offering an extension of credit for a consumer  
36 good or service.

37 e. Obtaining information that will or may be used  
38 for the direct solicitation of a sale of a consumer  
39 good or service or an offer of extension of credit for  
40 such purpose.

41 f. Soliciting a donation for any group,  
42 organization, or purpose.

43 16. "Telephone solicitor" means a person doing  
44 business in this state, who makes or causes to be made  
45 a telephone solicitation, including, but not limited  
46 to, calls made by use of ADAD equipment, predictive  
47 dialing technology, or an autodialer.

48 17. "Unsolicited telephone solicitation" means a  
49 telephone solicitation other than a telephone call  
50 made as follows:

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1 a. In response to an express request of the person  
2 called.

3 b. Primarily in connection with an existing debt  
4 or contract, payment, or performance of which has not  
5 been completed at the time of such call.

6 c. To a person with whom the telephone solicitor  
7 has an existing business relationship.

8 d. To a residential subscriber if the telephone  
9 solicitation is made on behalf of a not-for-profit  
10 organization exempt from paying taxes under section  
11 501(c) of the Internal Revenue Code, and if a bona  
12 fide member of the exempt organization directly makes  
13 such call, and does not contract with a telemarketing  
14 firm or other third party to make the call.

15 e. By a person licensed pursuant to chapter 543B  
16 who makes a telephone call to an actual or prospective  
17 seller or lessor of real property if the call is made  
18 in response to a yard sign or other form of real  
19 estate sales advertisement placed by the seller or  
20 lessor.

21 Sec. \_\_\_\_ . NEW SECTION. 476B.2 RESTRICTIONS ON  
22 THE USE OF CERTAIN TELEMARKETING EQUIPMENT.

23 1. A person shall not do any of the following:

24 a. Utilize any ADAD equipment, predictive dialing  
25 technology, or autodialer to call any person  
26 registered on the do-not-call list maintained pursuant  
27 to section 476B.3.

28 b. Make a telephone call to any person registered  
29 on the do-not call list maintained pursuant to section  
30 476B.3 while the person who is making the call is  
31 performing paid telephone solicitation services  
32 pursuant to contract, including payment by acceptance  
33 of a percentage of any charitable donations collected  
34 by the person while performing telephone solicitation  
35 services.

36 c. Operate any ADAD equipment, predictive dialing  
37 technology, or autodialers in a manner that  
38 intentionally impedes or prevents the function of a  
39 recipient's caller identification if the caller's  
40 existing equipment is capable of allowing the display  
41 of the caller's telephone number or identity.

42 2. a. Except as provided in paragraph "b", a  
43 person shall not use, employ, or direct another person  
44 to use, or contract for the use of, ADAD equipment.

45 b. Except for ADAD equipment that randomly or  
46 sequentially selects the telephone numbers for  
47 calling, the prohibition in paragraph "a" does not  
48 apply to any of the following, provided that the  
49 telephone numbers selected for automatic dialing have  
50 been screened to exclude any consumer who is included

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1 on the do-not-call list pursuant to section 476B.3 or  
2 who has an unlisted telephone number, unless the calls  
3 made concern a consumer good or service that has been  
4 previously ordered or purchased:

5 (1) Calls made with ADAD equipment by a nonprofit  
6 organization or by an individual using the calls other  
7 than for commercial profit-making purposes or fund-  
8 raising, if the calls do not involve the advertisement  
9 or offering for sale, lease, or rental of goods,  
10 services, or property.

11 (2) Calls made with ADAD equipment relating to  
12 payment for, service of, or warranty coverage of  
13 previously ordered or purchased consumer goods or  
14 services or to persons or organizations with an  
15 existing business relationship with the persons or  
16 organizations using the calls.

17 (3) Calls made with ADAD equipment relating to the  
18 collection of lawful debts.

19 (4) Calls made with ADAD equipment to members or  
20 employees of the organization making the calls.

21 (5) Calls made with ADAD equipment that use an  
22 initial prerecorded message of a duration no greater  
23 than seven seconds prior to a live operator intercept,  
24 or calls that involve an initial message from a live  
25 operator.

26 3. Calls made with ADAD equipment must terminate  
27 the connection with any call within ten seconds after  
28 the person receiving the call acts to disconnect the  
29 call.

30 4. Calls made with predictive dialing technology  
31 must meet a standard that allows a live telephone  
32 solicitor to engage in conversation with a call  
33 recipient within two seconds after the call is  
34 answered by the call recipient.

35 Sec. \_\_\_\_ . NEW SECTION. 476B.3 DO-NOT-CALL  
36 LISTING.

37 1. The secretary of state shall contract with a  
38 service that maintains a national do-not-call list, so  
39 that Iowa telephone subscribers who do not wish to  
40 receive unsolicited telephone solicitations utilizing  
41 any ADAD equipment, predictive dialing technology, or  
42 autodialers may register to be included on the list.  
43 The contract shall be made in consultation with the  
44 consumer protection division of the department of  
45 justice, so that all evidentiary issues and other  
46 issues related to enforcement are considered.

47 2. A residential, mobile, or telephonic paging  
48 device telephone subscriber who does not wish to  
49 receive unsolicited telephone solicitations may  
50 register to be included on the do-not-call list

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1 contracted for by the secretary of state pursuant to  
2 subsection 1.

3 3. A telephone solicitor doing business in Iowa  
4 shall pay a fee to be determined pursuant to  
5 subsection 5, and shall obtain a subscription to  
6 receive the quarterly updated subscription listings of  
7 consumers in Iowa who have registered to be included  
8 on the do-not-call list referred to in this section.

9 4. A telephone solicitor shall not make a  
10 telephone call with any ADAD equipment, predictive  
11 dialing technology, or autodialer to any consumer in  
12 Iowa whose name is on the do-not-call list referred to  
13 in this section.

14 5. The secretary of state and consumer protection  
15 division of the department of justice shall adopt  
16 rules pursuant to chapter 17A to administer this  
17 section, including appropriate notices to consumers of  
18 the types of telephone calls toward which such  
19 registration is directed, and the charging of a fee  
20 for subscriptions to the list so that the list income  
21 supports the cost of maintaining the list.

22 Sec. \_\_\_\_ . NEW SECTION. 476B.4 TELEPHONE  
23 SOLICITATION RESTRICTIONS.

24 A telephone solicitor who makes a telephone  
25 solicitation to a residential, mobile, or telephonic  
26 paging device telephone number shall disclose the  
27 identity of the telephone solicitor and the business  
28 on whose behalf the telephone solicitor is making the  
29 telephone solicitation, immediately upon making  
30 contact by telephone with the person who is the object  
31 of the telephone solicitation. The telephone  
32 solicitor shall also comply with the provisions of 16  
33 C.F.R. § 310.4 in regard to required disclosures and  
34 other actions of the telephone solicitor. The  
35 business employing the telephone solicitor shall also  
36 comply with the provisions of 16 C.F.R. § 310.5,  
37 particularly with regard to the use of fictitious  
38 names by employees and recordkeeping by the business  
39 regarding such names.

40 Sec. \_\_\_\_ . NEW SECTION. 476B.5 REQUIREMENTS FOR  
41 CONTRACTS MADE PURSUANT TO TELEPHONE SOLICITATION.

42 1. A contract made pursuant to a telephone  
43 solicitation is not valid and enforceable against a  
44 consumer unless made in compliance with this section.

45 2. A contract made pursuant to a telephone  
46 solicitation must satisfy all of the following:

47 a. The contract must be reduced to writing and  
48 signed by the consumer.

49 b. The contract must comply with all other  
50 applicable laws and rules.

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1 c. The contract must match the description of  
2 consumer goods or services as principally communicated  
3 in the telephone solicitation.

4 d. The contract must contain the name, address,  
5 and telephone number of the seller, the total price of  
6 the contract, and a detailed description of the  
7 consumer goods or services being sold.

8 e. The contract must contain, in bold, conspicuous  
9 type, immediately preceding the signature, the  
10 following statement:

11 "You are not obligated to pay any money unless you  
12 sign this contract and return it to the seller."

13 f. The contract must not exclude from its terms  
14 any oral or written representations made by the  
15 telephone solicitor to the consumer in connection with  
16 the transaction.

17 This section does not apply to contractual sales  
18 specifically regulated by other law, or to the sale of  
19 financial services, security sales, or sales  
20 transacted by insurance companies or their wholly  
21 owned subsidiaries or agents, or to the sale of cable  
22 television services to a franchised cable television  
23 operator's existing subscribers within that cable  
24 television operator's franchise area, or to any sales  
25 where no prior payment is made to the merchant and an  
26 invoice accompanies the consumer goods or services  
27 allowing the consumer no less than seven days to  
28 cancel or return the consumer goods or services  
29 without obligation for any payment.

30 Sec. \_\_\_\_ . NEW SECTION. 476B.6 RESTRICTIONS ON  
31 CHARGES TO CREDIT CARD ACCOUNTS AND ELECTRONIC  
32 TRANSFERS OF FUNDS.

33 1. A merchant who engages a telephone solicitor to  
34 make or cause to be made a telephone solicitation  
35 shall not make or submit any charge to a consumer's  
36 credit card account or make or cause to be made any  
37 electronic transfer of funds until after the merchant  
38 receives from the consumer a copy of the contract,  
39 signed by the consumer, that complies with section  
40 476B.5.

41 2. This section does not apply to any of the  
42 following:

43 a. A transaction made pursuant to prior  
44 negotiations in the course of a visit by the consumer  
45 to a merchant operating a retail business  
46 establishment which has a fixed permanent location and  
47 where consumer goods or services are displayed or  
48 offered for sale on a continuing basis.

49 b. A transaction in which the consumer may obtain  
50 a full refund for the return of undamaged and unused

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1 consumer goods or a cancellation of consumer services  
2 by notice to the seller within seven days after  
3 receipt by the consumer, and the seller will process  
4 the refund within thirty days after receipt of the  
5 returned consumer goods or cancellation of the  
6 consumer services by the consumer.

7 c. A transaction in which the consumer purchases  
8 consumer goods or services pursuant to an examination  
9 of a television, radio, or print advertisement or a  
10 sample, brochure, or catalog of the merchant that  
11 contains all of the following:

12 (1) The name, address, and telephone number of the  
13 merchant.

14 (2) A description of the consumer goods or  
15 services being sold.

16 (3) Any limitations or restrictions that apply to  
17 the offer.

18 d. A transaction in which the merchant is a bona  
19 fide charitable organization or a newspaper.

20 Sec. \_\_\_\_ . NEW SECTION. 476B.7 PREPAID CALLING  
21 CARDS -- DISCLOSURES -- REQUIREMENTS.

22 1. A prepaid calling card company shall provide  
23 all of the following information about the prepaid  
24 calling services in a prominent area at the point of  
25 sale of the prepaid calling services, legibly and  
26 visibly printed on the card, packaging, or display in  
27 such a manner that the consumer may make an informed  
28 decision about the prepaid calling services prior to  
29 purchase:

30 a. The maximum charge per minute for the prepaid  
31 calling services.

32 b. All applicable surcharges.

33 c. The expiration policy for the prepaid calling  
34 services, if applicable.

35 The company shall insure by contract with its  
36 retailers or distributors that the information is  
37 provided to the consumer.

38 2. A prepaid calling card company shall legibly  
39 print all of the following information on the prepaid  
40 calling card:

41 a. The name of the prepaid calling card company,  
42 as registered with the secretary of state.

43 b. A toll-free customer service number.

44 c. A toll-free network access number.

45 d. The authorization code, if such a code is  
46 required to access telecommunications service.

47 3. A prepaid calling card company shall provide  
48 all of the following information and services through  
49 its customer service telephone number:

50 a. Rates and surcharges.

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- 1 b. Balance of use in account.
- 2 c. Expiration date or period, if applicable.
- 3 d. A live operator to answer incoming calls
- 4 twenty-four hours a day, seven days a week, or
- 5 electronic voice recording of consumer messages. A
- 6 combination of live operators or recorders may be
- 7 used. If a recorder is used, the company shall
- 8 attempt to contact each consumer no later than the
- 9 next business day following the date of the recording.
- 10 4. A prepaid calling card company shall use the
- 11 following billing standards:
- 12 a. A prepaid calling card company shall only
- 13 charge a consumer for conversation time used plus
- 14 applicable surcharges.
- 15 b. The billing increment used by a prepaid calling
- 16 card company shall not exceed one minute.
- 17 c. Conversation time of less than a full minute
- 18 shall not be rounded up beyond the next full minute.
- 19 5. Cards that do not have a specific expiration
- 20 period printed on the card, and that have a balance of
- 21 service remaining, shall be considered active for a
- 22 minimum of one year from the date of first use, or if
- 23 recharged, from the date of the last recharge.
- 24 6. A prepaid calling card company shall have a
- 25 refund policy that meets all of the following minimum
- 26 requirements:
- 27 a. For prepaid calling services that are rendered
- 28 unusable for reasons beyond the consumer's control,
- 29 and have not exceeded the expiration period, a prepaid
- 30 calling card company shall provide a refund equal to
- 31 the value remaining in the account.
- 32 b. Each company may, but shall not be required to,
- 33 provide a refund when a card has been lost or stolen.
- 34 c. Refunds may be cash or replacement service, at
- 35 the prepaid calling card company's option, but must be
- 36 made to the consumer within sixty days of the request
- 37 for a refund by the consumer.
- 38 7. All cards sold by a prepaid calling card
- 39 company in Iowa after July 1, 2002, shall comply with
- 40 this section.

41 Sec. \_\_\_\_ . NEW SECTION. 476B.8 INVESTIGATIONS --  
42 CIVIL ACTIONS -- CIVIL PENALTY -- OTHER REMEDIES.

- 43 1. A violation of this chapter is a violation of
- 44 section 714.16, subsection 2, paragraph "a". All the
- 45 powers conferred upon the attorney general to
- 46 accomplish the objectives and carry out the duties
- 47 prescribed pursuant to section 714.16 are also
- 48 conferred upon the attorney general to enforce this
- 49 chapter, including, but not limited to, the power to
- 50 issue subpoenas, adopt rules pursuant to chapter 17A

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1 which shall have the force of law, and seek injunctive  
2 relief and civil penalties.

3 2. In seeking reimbursement pursuant to section  
4 714.16, subsection 7, from a person who has committed  
5 a violation of this chapter, the attorney general may  
6 seek an order from the court that the person pay to  
7 the attorney general on behalf of consumers the  
8 amounts for which the person would be liable under  
9 section 476B.9, subsection 2, for each consumer who  
10 has a cause of action pursuant to section 476B.9,  
11 subsection 2. Section 714.16, as it relates to  
12 consumer reimbursement, shall apply to consumer  
13 reimbursement pursuant to this section.

14 Sec. \_\_\_\_ . NEW SECTION. 476B.9 PRIVATE CAUSE OF  
15 ACTION -- DAMAGES AND INJUNCTIVE RELIEF.

16 In addition to any other remedies, a consumer who  
17 receives more than one telephone solicitation within  
18 any twelve-month period by or on behalf of the same  
19 person in violation of any provision of this chapter  
20 may bring an action against the person to recover all  
21 of the following:

22 1. Preliminary and permanent injunctive relief  
23 necessary to protect the public against further  
24 violations.

25 2. The greater of actual monetary damages or a sum  
26 not less than one hundred dollars but not more than  
27 two thousand dollars for each telephone call made in  
28 violation of this chapter.

29 3. Costs and reasonable attorney fees.

30 Reimbursement awarded to the attorney general  
31 pursuant to section 714.16, subsection 7, on behalf of  
32 a plaintiff who has filed an action pursuant to this  
33 section concerning the same set of facts shall be  
34 deducted from any damages awarded to the plaintiff in  
35 an action filed under this section.

36 Sec. \_\_\_\_ . NEW SECTION. 476B.10 NOTIFICATION OF  
37 RIGHTS.

38 The board shall by rule ensure that  
39 telecommunications providers inform their customers of  
40 the customers' rights under this chapter. The  
41 notification shall be made by at least both of the  
42 following:

43 1. Annual inserts in the billing statements mailed  
44 to customers.

45 2. Conspicuous publication of the notice in the  
46 consumer information pages of the local telephone  
47 directories."

48 2. Page 28, by inserting after line 14 the  
49 following:

50 "Sec. \_\_\_\_ . Section 476.57, Code 2001, is repealed."

By SCHRADER of Marion

H-8554 FILED APRIL 9, 2002

*Not Referred  
motion to suspend Rules 607  
4/9/02  
(P. 1270)*

## SENATE FILE 2326

## H-8557

1 Amend Senate File 2326, as passed by the Senate, as  
2 follows:  
3 1. Page 96, line 4, by striking the figure  
4 "35,288,782" and inserting the following:  
5 "36,178,782".  
6 2. Page 105, line 25, by striking the figure  
7 "9,958,412" and inserting the following:  
8 "13,658,412".  
9 3. Page 109, line 9, by striking the figure  
10 "6,414,788" and inserting the following: "6,526,570".  
11 4. Page 110, line 4, by striking the figure  
12 "100,351,905" and inserting the following:  
13 "101,228,905".  
14 5. Page 116, line 32, by striking the figure  
15 "13,034,755" and inserting the following:  
16 "13,437,892".  
17 6. Page 116, line 33, by striking the figure  
18 "227.65" and inserting the following: "232.65".  
19 7. Page 117, line 3, by striking the figure  
20 "7,407,087" and inserting the following: "7,636,142".  
21 8. Page 117, line 9, by striking the figure  
22 "16,924,466" and inserting the following:  
23 "17,512,336".  
24 9. Page 125, line 28, by striking the figure  
25 "52,356,098" and inserting the following:  
26 "52,623,098".  
27 10. Page 130, by striking lines 4 through 16.  
28 11. Page 130, by inserting after line 32, the  
29 following:  
30 "cc. For the fiscal year beginning July 1, 2002,  
31 reimbursement for hospital crossover payments shall be  
32 the lesser of the following:  
33 (1) The medical assistance program allowed cost  
34 amount minus the federal Medicare payment amount.  
35 (2) The federal Medicare coinsurance and  
36 deductible amounts."  
37 12. Page 136, by inserting after line 6, the  
38 following:  
39 "Sec. \_\_\_\_ . NEW SECTION. 249A.20B NURSING  
40 FACILITY CROSSOVER PAYMENTS.  
41 Beginning July 1, 2002, reimbursement under the  
42 medical assistance program for nursing facility  
43 crossover payments shall be the lesser of the  
44 following:  
45 1. The cost amount allowed under the medical  
46 assistance program minus the federal Medicare payment.  
47 2. The federal Medicare coinsurance and deductible  
48 amounts.  
49 Sec. \_\_\_\_ . NEW SECTION. 249A.21 INTERMEDIATE CARE  
50 FACILITIES FOR PERSONS WITH MENTAL RETARDATION --

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Page 2

1 ASSESSMENT.

2 1. The department may assess intermediate care  
3 facilities for persons with mental retardation, as  
4 defined in section 135C.1, that are not operated by  
5 the state, a fee in an amount not to exceed six  
6 percent of the total annual revenue of the facility  
7 for the preceding fiscal year.

8 2. The assessment shall be paid to the department  
9 in equal monthly amounts on or before the fifteenth  
10 day of each month. The department may deduct the  
11 monthly amount from medical assistance payments to a  
12 facility described in subsection 1. The amount  
13 deducted from payments shall not exceed the total  
14 amount of the assessments due.

15 3. Revenue from the assessments shall be credited  
16 to the state medical assistance appropriation. This  
17 revenue may be used only for services for which  
18 federal financial participation under the medical  
19 assistance program is available to match state funds.

20 4. If federal financial participation to match the  
21 assessments made under subsection 1 becomes  
22 unavailable under federal law, the department shall  
23 terminate the imposing of the assessments beginning on  
24 the date that the federal statutory, regulatory, or  
25 interpretive change takes effect.

26 5. The department of human services may procure a  
27 sole source contract to implement the provisions of  
28 this section."

29 13. Page 142, by inserting after line 20, the  
30 following:

31 "\_\_\_". The section in this division of this Act  
32 relating to the assessment on intermediate care  
33 facilities for persons with mental retardation."

34 14. By renumbering as necessary.

**By** SMITH of Marshall REEDER of Fayette  
OSTERHAUS of Jackson ATTEBERRY of Delaware  
FOEGE of Linn

**H-8557** FILED APRIL 9, 2002

*WIS*  
*4/9/02 (P. 1274)*

**SENATE FILE 2326**

**H-8564**

1 Amend Senate File 2326, as amended, passed, and reprinted by  
2 the Senate, as follows:

3 1. Page 174, by striking lines 14 through 16.

**By** FALLON of Polk

**H-8564** FILED APRIL 9, 2002

*Foot*  
*4-9-02*  
*(P. 124)*

SENATE FILE 2326

H-8573

1 Amend Senate File 2326, as passed by the Senate, as  
2 follows:

3 1. Page 105, line 25, by striking the figure  
4 "9,958,412" and inserting the following:  
5 "13,658,412".

6 2. Page 136, by inserting before line 7, the  
7 following:

8 "Sec. \_\_\_\_ . NEW SECTION. 249A.21 INTERMEDIATE  
9 CARE FACILITIES FOR PERSONS WITH MENTAL RETARDATION --  
10 ASSESSMENT.

11 1. The department may assess intermediate care  
12 facilities for persons with mental retardation, as  
13 defined in section 135C.1, that are not operated by  
14 the state, a fee in an amount not to exceed six  
15 percent of the total annual revenue of the facility  
16 for the preceding fiscal year. Counties shall not be  
17 required to participate in the cost of the assessment.

18 2. The assessment shall be paid to the department  
19 in equal monthly amounts on or before the fifteenth  
20 day of each month. The department may deduct the  
21 monthly amount from medical assistance payments to a  
22 facility described in subsection 1. The amount  
23 deducted from payments shall not exceed the total  
24 amount of the assessments due.

25 3. Revenue from the assessments shall be credited  
26 to the state medical assistance appropriation. This  
27 revenue may be used only for services for which  
28 federal financial participation under the medical  
29 assistance program is available to match state funds.

30 4. If federal financial participation to match the  
31 assessments made under subsection 1 becomes  
32 unavailable under federal law, the department shall  
33 terminate the imposing of the assessments beginning on  
34 the date that the federal statutory, regulatory, or  
35 interpretive change takes effect.

36 5. The department of human services may procure a  
37 sole source contract to implement the provisions of  
38 this section."

39 3. Page 142, by inserting after line 20, the  
40 following:

41 " \_\_\_\_ . The section in this division of this Act  
42 relating to the assessment on intermediate care  
43 facilities for persons with mental retardation."

44 4. By renumbering as necessary.

By SMITH of Marshall REEDER of Fayette  
OSTERHAUS of Jackson ATTEBERRY of Delaware  
FOEGE of Linn

H-8573 FILED APRIL 9, 2002

*lost  
4/9/02  
(p. 1251)*

## SENATE FILE 2326

H-8576

1 Amend Senate File 2326, as passed by the Senate, as  
2 follows:

3 1. Page 109, line 9, by striking the figure  
4 "6,414,788" and inserting the following: "6,526,570".

5 2. Page 116, line 32, by striking the figure  
6 "13,034,755" and inserting the following:  
7 "13,437,892".

8 3. Page 116, line 33, by striking the figure  
9 "227.65" and inserting the following: "232.65".

10 4. Page 117, line 3, by striking the figure  
11 "7,407,087" and inserting the following: "7,636,142".

12 5. Page 117, line 9, by striking the figure  
13 "16,924,466" and inserting the following:  
14 "17,512,336".

15 6. Page 136, by inserting after line 6, the  
16 following:

17 "Sec. \_\_\_\_ . NEW SECTION. 249A.21 INTERMEDIATE  
18 CARE FACILITIES FOR PERSONS WITH MENTAL RETARDATION --  
19 ASSESSMENT.

20 1. The department may assess intermediate care  
21 facilities for persons with mental retardation, as  
22 defined in section 135C.1, that are not operated by  
23 the state, a fee in an amount not to exceed six  
24 percent of the total annual revenue of the facility  
25 for the preceding fiscal year. Counties shall not be  
26 required to participate in the cost of the assessment.

27 2. The assessment shall be paid to the department  
28 in equal monthly amounts on or before the fifteenth  
29 day of each month. The department may deduct the  
30 monthly amount from medical assistance payments to a  
31 facility described in subsection 1. The amount  
32 deducted from payments shall not exceed the total  
33 amount of the assessments due.

34 3. Revenue from the assessments shall be credited  
35 to the state medical assistance appropriation. This  
36 revenue may be used only for services for which  
37 federal financial participation under the medical  
38 assistance program is available to match state funds.

39 4. If federal financial participation to match the  
40 assessments made under subsection 1 becomes  
41 unavailable under federal law, the department shall  
42 terminate the imposing of the assessments beginning on  
43 the date that the federal statutory, regulatory, or  
44 interpretive change takes effect.

45 5. The department of human services may procure a  
46 sole source contract to implement the provisions of  
47 this section."

48 7. Page 142, by inserting after line 20, the  
49 following:

50 " \_\_\_\_ . The section in this division of this Act

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Page 2

1 relating to the assessment on intermediate care  
2 facilities for persons with mental retardation."  
3 8. By renumbering as necessary.

By SMITH of Marshall

REEDER of Fayette

OSTERHAUS of Jackson

ATTEBERRY of Delaware

FOEGE of Linn

**H-8576** FILED APRIL 9, 2002

*lost*

*4/9/02*

*(p. 1253)*

## SENATE FILE 2326

H-8577

1 Amend Senate File 2326, as passed by the Senate, as  
2 follows:

3 1. Page 96, line 4, by striking the figure  
4 "35,288,782" and inserting the following:  
5 "36,178,782".

6 2. Page 110, line 4, by striking the figure  
7 "100,351,905" and inserting the following:  
8 "101,228,905".

9 3. Page 125, line 28, by striking the figure  
10 "52,356,098" and inserting the following:  
11 "52,623,098".

12 4. Page 130, by striking lines 4 through 16.

13 5. Page 136, by inserting after line 6, the  
14 following:

15 "Sec. \_\_\_\_ . NEW SECTION. 249A.21 INTERMEDIATE  
16 CARE FACILITIES FOR PERSONS WITH MENTAL RETARDATION --  
17 ASSESSMENT.

18 1. The department may assess intermediate care  
19 facilities for persons with mental retardation, as  
20 defined in section 135C.1, that are not operated by  
21 the state, a fee in an amount not to exceed six  
22 percent of the total annual revenue of the facility  
23 for the preceding fiscal year. Counties shall not be  
24 required to participate in the cost of the assessment.

25 2. The assessment shall be paid to the department  
26 in equal monthly amounts on or before the fifteenth  
27 day of each month. The department may deduct the  
28 monthly amount from medical assistance payments to a  
29 facility described in subsection 1. The amount  
30 deducted from payments shall not exceed the total  
31 amount of the assessments due.

32 3. Revenue from the assessments shall be credited  
33 to the state medical assistance appropriation. This  
34 revenue may be used only for services for which  
35 federal financial participation under the medical  
36 assistance program is available to match state funds.

37 4. If federal financial participation to match the  
38 assessments made under subsection 1 becomes  
39 unavailable under federal law, the department shall  
40 terminate the imposing of the assessments beginning on  
41 the date that the federal statutory, regulatory, or  
42 interpretive change takes effect.

43 5. The department of human services may procure a  
44 sole source contract to implement the provisions of  
45 this section."

46 6. Page 142, by inserting after line 20, the  
47 following:

48 "\_\_\_\_. The section in this division of this Act  
49 relating to the assessment on intermediate care  
50 facilities for persons with mental retardation."

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1 7. By renumbering as necessary.

By SMITH of Marshall

REEDER of Fayette

OSTERHAUS of Jackson

ATTEBERRY of Delaware

FOEGE of Linn

H-8577 FILED APRIL 9, 2002

*Withdrawn*

*4-9-02*

*(P.1249)*

*Motion to R/c won*

*H-8577 Lost*

*4-9-02*

*(P.1276)*



SENATE FILE 2326

H-8578

1 Amend Senate File 2326 as follows:

2 1. Page 60, by inserting after line 8 the  
3 following:

4 "Sec. \_\_\_\_ . ECONOMIC EMERGENCY FUND APPROPRIATION.

5 There is appropriated from the Iowa economic emergency  
6 fund created in section 8.55 to the general fund of  
7 the state for the fiscal year beginning July 1, 2002,  
8 and ending June 30, 2003, the following amount:

9 ..... \$ 31,163,594

10 Moneys appropriated in this section are declared to  
11 be appropriated for emergency expenditures as required  
12 in section 8.55, subsection 3, paragraph "a".

13 2. By striking page 60, line 18 through page 68,  
14 line 12 and inserting the following:

15 "..... \$ 1,237,427

16 ..... FTEs 16.00

17 The state board of regents, the department of  
18 management, and the legislative fiscal bureau shall  
19 cooperate to determine and agree upon, by November 15,  
20 2002, the amount that needs to be appropriated for  
21 tuition replacement for the fiscal year beginning July  
22 1, 2003.

23 The state board of regents shall submit a monthly  
24 financial report in a format agreed upon by the state  
25 board of regents office and the legislative fiscal  
26 bureau.

27 \_\_\_\_ . For funds to be allocated to the southwest  
28 Iowa graduate studies center:

29 ..... \$ 109,741

30 \_\_\_\_ . For funds to be allocated to the siouxland  
31 interstate metropolitan planning council for the  
32 tristate graduate center under section 262.9,  
33 subsection 21:

34 ..... \$ 80,024

35 \_\_\_\_ . For funds to be allocated to the quad-cities  
36 graduate studies center:

37 ..... \$ 163,392

38 2. STATE UNIVERSITY OF IOWA

39 a. General university, including lakeside  
40 laboratory

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

44 ..... \$241,831,144

45 ..... FTEs 4,055.62

46 The university may continue progress on the school  
47 of public health and the public health initiative for  
48 the purposes of establishing an accredited school of  
49 public health and for funding an initiative for the  
50 health and independence of elderly Iowans. From the

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1 funds appropriated in this lettered paragraph, the  
2 university may use up to \$2,100,000 for the school of  
3 public health and the public health initiative.

4 Funds appropriated in this lettered paragraph shall  
5 not be available for expenditure for medically induced  
6 termination of a pregnancy, including but not limited  
7 to usage of mifepristone or RU-486, offered or  
8 administered by the student health center.

9 b. University hospitals

10 For salaries, support, maintenance, equipment, and  
11 miscellaneous purposes and for medical and surgical  
12 treatment of indigent patients as provided in chapter  
13 255, for medical education, and for not more than the  
14 following full-time equivalent positions:

15 .....	\$ 30,466,492
16 .....	FTEs 5,485.01

17 The university of Iowa hospitals and clinics shall,  
18 within the context of chapter 255 and when medically  
19 appropriate, make reasonable efforts to extend the  
20 university of Iowa hospitals and clinics' use of home  
21 telemedicine and other technologies to reduce the  
22 frequency of visits to the hospital required by  
23 indigent patients. The university of Iowa hospitals  
24 and clinics shall submit a report to the general  
25 assembly and the legislative fiscal bureau by January  
26 15, 2003, describing its use of these technologies to  
27 accomplish this purpose.

28 The university of Iowa hospitals and clinics shall  
29 submit quarterly a report regarding the portion of the  
30 appropriation in this lettered paragraph expended on  
31 medical education. The report shall be submitted in a  
32 format jointly developed by the university of Iowa  
33 hospitals and clinics, the legislative fiscal bureau,  
34 and the department of management, and shall delineate  
35 the expenditures and purposes of the funds.

36 Funds appropriated in this lettered paragraph shall  
37 not be used to perform abortions except medically  
38 necessary abortions, and shall not be used to operate  
39 the early termination of pregnancy clinic except for  
40 the performance of medically necessary abortions. For  
41 the purpose of this lettered paragraph, an abortion is  
42 the purposeful interruption of pregnancy with the  
43 intention other than to produce a live-born infant or  
44 to remove a dead fetus, and a medically necessary  
45 abortion is one performed under one of the following  
46 conditions:

47 (1) The attending physician certifies that  
48 continuing the pregnancy would endanger the life of  
49 the pregnant woman.

50 (2) The attending physician certifies that the

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1 fetus is physically deformed, mentally deficient, or  
2 afflicted with a congenital illness.

3 (3) The pregnancy is the result of a rape which is  
4 reported within 45 days of the incident to a law  
5 enforcement agency or public or private health agency  
6 which may include a family physician.

7 (4) The pregnancy is the result of incest which is  
8 reported within 150 days of the incident to a law  
9 enforcement agency or public or private health agency  
10 which may include a family physician.

11 (5) The abortion is a spontaneous abortion,  
12 commonly known as a miscarriage, wherein not all of  
13 the products of conception are expelled.

14 The total quota allocated to the counties for  
15 indigent patients for the fiscal year beginning July  
16 1, 2002, shall not be lower than the total quota  
17 allocated to the counties for the fiscal year  
18 commencing July 1, 1998. The total quota shall be  
19 allocated among the counties on the basis of the 2000  
20 census pursuant to section 255.16.

21 c. Psychiatric hospital

22 For salaries, support, maintenance, equipment,  
23 miscellaneous purposes, and for the care, treatment,  
24 maintenance of committed and voluntary public  
25 patients, and for not more than the following full-  
26 time equivalent positions:

27 .....	\$	7,809,505
28 .....	FTEs	273.19

29 d. Center for disabilities and development

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

33 .....	\$	7,016,917
34 .....	FTEs	148.91

35 From the funds appropriated in this lettered  
36 paragraph, \$200,000 shall be allocated for purposes of  
37 the creative employment options program.

38 e. Oakdale campus

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

42 .....	\$	2,948,667
43 .....	FTEs	43.25

44 f. State hygienic laboratory

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

48 .....	\$	4,158,633
49 .....	FTEs	102.49

50 g. Family practice program

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1 For allocation by the dean of the college of  
 2 medicine, with approval of the advisory board, to  
 3 qualified participants, to carry out chapter 148D for  
 4 the family practice program, including salaries and  
 5 support, and for not more than the following full-time  
 6 equivalent positions:

7 ..... \$ 2,305,212  
 8 ..... FTEs 192.40

9 h. Child health care services  
 10 For specialized child health care services,  
 11 including childhood cancer diagnostic and treatment  
 12 network programs, rural comprehensive care for  
 13 hemophilia patients, the Iowa high-risk infant follow-  
 14 up program, including salaries and support, and for  
 15 not more than the following full-time equivalent  
 16 positions:

17 ..... \$ 691,332  
 18 ..... FTEs 63.27

19 i. Statewide cancer registry  
 20 For the statewide cancer registry, and for not more  
 21 than the following full-time equivalent positions:

22 ..... \$ 199,762  
 23 ..... FTEs 2.40

24 j. Substance abuse consortium  
 25 For funds to be allocated to the Iowa consortium  
 26 for substance abuse research and evaluation, and for  
 27 not more than the following full-time equivalent  
 28 positions:

29 ..... \$ 72,108  
 30 ..... FTEs 1.50

31 k. Center for biocatalysis  
 32 For the center for biocatalysis, and for not more  
 33 than the following full-time equivalent positions:

34 ..... \$ 991,651  
 35 ..... FTEs 5.20

36 l. Primary health care initiative  
 37 For the primary health care initiative in the  
 38 college of medicine, and for more than the following  
 39 full-time equivalent positions:

40 ..... \$ 849,070  
 41 ..... FTEs 7.75

42 From the funds appropriated in this lettered  
 43 paragraph, \$330,000 shall be allocated to the  
 44 department of family practice at the state university  
 45 of Iowa college of medicine for family practice  
 46 faculty and support staff.

47 m. Birth defects registry  
 48 For the birth defects registry, and for not more  
 49 than the following full-time equivalent positions:

50 ..... \$ 49,702

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1 .....	FTEs	1.30
2 3. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY		
3 a. General university		
4 For salaries, support, maintenance, equipment,		
5 miscellaneous purposes, and for not more than the		
6 following full-time equivalent positions:		
7 .....	\$190,866,120	
8 .....	FTEs	3,647.42

9 The university may continue progress on the center  
 10 for excellence in fundamental plant sciences. From  
 11 the funds appropriated in this lettered paragraph, the  
 12 university may use up to \$4,760,000 for the center for  
 13 excellence in fundamental plant sciences.

14 It is possible that a few large companies may be  
 15 able to control all levels of the food chain,  
 16 including production, because these companies own the  
 17 genetics needed to participate in the food system of  
 18 the future, and this possibility may be a major threat  
 19 to the independence and profitability of Iowa's  
 20 agricultural producers. To ensure public ownership of  
 21 plant genetic material, all rights to the research  
 22 products developed by the Iowa state university of  
 23 science and technology's botany institute using state-  
 24 appropriated funds will be made available to the  
 25 extent practicable for commercialization, for the  
 26 benefit of all Iowans, including Iowa's agricultural  
 27 producers, through a public process which normally  
 28 involves nonexclusive licensing of genes and  
 29 germplasm.

30 Funds appropriated in this lettered paragraph shall  
 31 not be available for expenditure for medically induced  
 32 termination of a pregnancy, including but not limited  
 33 to usage of mifepristone or RU-486, offered or  
 34 administered by the student health center.

35 b. Agricultural experiment station		
36 For salaries, support, maintenance, miscellaneous		
37 purposes, and for not more than the following full-		
38 time equivalent positions:		
39 .....	\$ 34,601,714	
40 .....	FTEs	546.98

41 c. Cooperative extension service in agriculture		
42 and home economics		
43 For salaries, support, maintenance, miscellaneous		
44 purposes, and for not more than the following full-		
45 time equivalent positions:		
46 .....	\$ 21,866,928	
47 .....	FTEs	431.20

48 d. Leopold center  
 49 For agricultural research grants at Iowa state  
 50 university under section 266.39B, and for not more

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1 than the following full-time equivalent positions:  
 2 ..... \$ 528,928  
 3 ..... FTEs 11.25

4 e. Livestock disease research  
 5 For deposit in and the use of the livestock disease  
 6 research fund under section 267.8, and for not more  
 7 than the following full-time equivalent positions:

8 ..... \$ 251,679  
 9 ..... FTEs 3.16

10 4. UNIVERSITY OF NORTHERN IOWA

11 a. General university

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

15 ..... \$ 85,458,047  
 16 ..... FTEs 1,454.35

17 The university may continue progress on the  
 18 implementation of a masters in social work program.  
 19 From the funds appropriated in this lettered  
 20 paragraph, the university may use up to \$450,000 for  
 21 the implementation of the masters in social work  
 22 program, up to \$100,000 for the roadside vegetation  
 23 project, and up to \$200,000 for the Iowa office for  
 24 staff development.

25 Funds appropriated in this lettered paragraph shall  
 26 not be available for expenditure for medically induced  
 27 termination of a pregnancy, including but not limited  
 28 to usage of mifepristone or RU-486, offered or  
 29 administered by the student health center.

30 b. Recycling and reuse center

31 For purposes of the recycling and reuse center, and  
 32 for not more than the following full-time equivalent  
 33 positions:

34 ..... \$ 230,602  
 35 ..... FTEs 1.50

36 5. STATE SCHOOL FOR THE DEAF

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

40 ..... \$ 7,946,772  
 41 ..... FTEs 126.60

42 6. IOWA BRAILLE AND SIGHT SAVING SCHOOL

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

46 ..... \$ 4,454,332  
 47 ..... FTEs 89.00

48 7. TUITION AND TRANSPORTATION COSTS

49 For payment to local school boards for the tuition  
 50 and transportation costs of students residing in the

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1 Iowa braille and sight saving school and the state  
 2 school for the deaf pursuant to section 262.43 and for  
 3 payment of certain clothing and transportation costs  
 4 for students at these schools pursuant to section  
 5 270.5:  
 6 ..... \$ 15,256"  
 7 3. By renumbering as necessary.

By MURPHY of Dubuque  
 MASCHER of Johnson  
 DOTZLER of Black Hawk

H-8578 FILED APRIL 9, 2002

*dot*  
*4/9/02 (p.1261)*

SENATE FILE 2326

H-8579

1 Amend Senate File 2326, as passed by the Senate, as  
 2 follows:  
 3 1. Page 71, by inserting after line 8, the  
 4 following:  
 5 "Sec. \_\_\_\_ Section 260C.24, Code 2001, is amended  
 6 to read as follows:  
 7 260C.24 DISTRIBUTION AND PAYMENT OF  
 8 APPROPRIATIONS.  
 9 1. If the amount of moneys appropriated by the  
 10 general assembly from the general fund of the state to  
 11 the department of education for community colleges for  
 12 general state financial aid exceeds the amount  
 13 appropriated in the prior fiscal year, the department  
 14 of education shall cause the excess to be distributed  
 15 to each community college based on each community  
 16 college's proportional share of the total full-time  
 17 equivalent enrollment.  
 18 2. Payment of appropriations for distribution  
 19 under this chapter, or of appropriations made in lieu  
 20 of such appropriations, shall be made by the  
 21 department of revenue and finance in monthly  
 22 installments due on or about the fifteenth of each  
 23 month of a budget year, and installments shall be as  
 24 nearly equal as possible, as determined by the  
 25 department of revenue and finance, taking into  
 26 consideration the relative budget and cash position of  
 27 the state resources."  
 28 2. By renumbering as necessary.

By HANSEN of Pottawattamie

H-8579 FILED APRIL 9, 2002

*W/d*  
*4/9/02*

**SENATE FILE 2326****H-8638**

1 Amend Senate File 2326, as passed by the Senate, as  
2 follows:

3 1. Page 166, by inserting after line 12 the  
4 following:

5 "Sec. \_\_\_\_ . Section 123.3, subsection 12A, Code  
6 2001, is amended to read as follows:

7 12A. "Designated security employee" means an  
8 agent, contract employee, or employee of a licensee or  
9 permittee who ~~is primarily employed for security~~  
10 purposes works in a security position in any capacity  
11 at a commercial establishment licensed or permitted  
12 under this chapter."

13 2. By renumbering as necessary.

**By** FORD of Polk

**H-8638** FILED APRIL 11, 2002

O/s  
4/12/02





OFFICE OF THE GOVERNOR

THOMAS J. VILSACK  
GOVERNOR

SALLY J. PEDERSON  
LT. GOVERNOR

May 10, 2002

The Honorable Chester Culver  
Secretary of State  
State Capitol  
LOCAL

*corrected*  
**RECEIVED**  
*VERSION*  
MAY 15 2002  
LEGISLATIVE SERVICE  
BUREAU

Dear Secretary Culver:

I hereby transmit Senate File 2326, an Act making, reducing, and transferring appropriations, and providing for other properly related matters and including effective dates.

Since the Legislature approved this bill, there has been a dramatic change in the State's revenue projections. Most states and the federal government experienced a large reduction in final pay income tax returns and a correspondingly large increase in taxpayers due refunds. Because of this change in circumstance, I asked the State's Revenue Estimating Conference (REC) to meet to review their official revenue estimate for both fiscal years 2002 and 2003.

On May 7<sup>th</sup>, the REC met and decreased general fund resources available to the State by \$205.5 million in fiscal year 2002 and \$220.1 million in fiscal year 2003. By law, both the governor and the legislature must rely on the REC estimate in preparing and approving the state budget.

While I am concerned about many details within this bill, there is a larger, more fundamental concern that prevents me from approving the majority of this bill. Due to recent action by the REC in lowering revenue projections, signing this bill would enact a general fund budget for fiscal year 2003 that results in a general fund deficit of more than \$200 million and would be an irresponsible action. I cannot and will not do so.

At the same time, we cannot go back on our commitment to our children and families. Education at all levels is the number one priority in Iowa. To build on progress in student achievement, reduced class sizes, and job and wealth creation, we must have an educated workforce, and we must use our colleges and universities as an engine for economic growth. Even as we work to cut budgets, we must do all we can to preserve our commitment to education and maintain the educational opportunities for our children.

To help ensure this educational commitment, I am approving Division IV, Sections 76 through 86, the education portion of Senate File 2326 with the noted exceptions. While it falls short of my original goals for funding, given our current fiscal realities, it is likely the best investment we can make at this time. We will continue to work for additional resources in education through achieving savings and efficiencies in government. In the end, however, we must look to our educated workforce and our colleges and universities to be a catalyst for economic growth in our state. In the long run, education is the key to Iowa's economic prosperity.



In order for our children to have the best opportunities available to them, they must also have adequate access to health care. Iowa has the distinction of being the top performing state in the nation according to The Social Health of the States, conducted by the Fordham Institute for Innovation in Social Policy. In an effort to continue the progress we have made in ensuring every child receives the medical attention they need I am approving Sections 106, which provides funding for the Healthy and Well Kids in Iowa (HAWK-I) program. In a nation as wealthy as ours, no child should be left out.

Senate File 2326 is, therefore, signed on this date with the following exceptions, which I hereby disapprove.

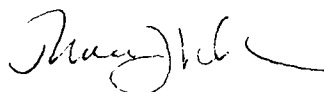
I am unable to approve Division I, Sections 1 through 33; Division II, Sections 34 through 45; Division III, Sections 46 through 75; Division V, Sections 87 through 98; Division VI, Sections 99 through 105 and Sections 107 through 140; Division VII, Sections 141 through 162; Division VIII, Sections 163 through 167. This action is necessary as a result of the REC's lowering the revenue estimates. I intend to work with lawmakers in a special session this month to take responsible action to reduce spending, reallocate existing resources, and balance this budget.

I am unable to approve Section 79, subsection 15, paragraph 2. This paragraph states that it is the intent of the general assembly to cease providing assistance for the Jobs for America's Graduates (JAG) program on June 30, 2003. This is a valuable program that provides direct services to the most at-risk juniors and seniors in local school districts through direct intervention. These students are worked with intensively to ensure that they graduate and are successful in obtaining a job or enrolling in postsecondary training. It is our duty to provide the tools to enable all students to succeed.

I am unable to approve Section 79, subsection 16, paragraph 2. This paragraph states that it is the intent of the general assembly to cease providing assistance for the Americorps After-School Initiative on June 30, 2003. Americorps is an after school program aimed at middle school students located in schools with high rates of juvenile crime, violence and drug abuse. This is an important tool in linking people across Iowa willing to volunteer to improve a child's life.

For the above reasons, I respectfully disapprove these items in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in Senate File 2326 are hereby approved as of this date.

Sincerely,



Thomas J. Vilsack  
Governor

TJV:jmc

cc: Secretary of the Senate  
Chief Clerk of the House

*Item Vetoed*

SENATE FILE 2326

AN ACT

MAKING, REDUCING, AND TRANSFERRING APPROPRIATIONS, AND PROVIDING FOR OTHER PROPERLY RELATED MATTERS AND INCLUDING EFFECTIVE DATES.

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

DIVISION I

ADMINISTRATION AND REGULATION

Section 1. AUDITOR OF STATE. There is appropriated from the general fund of the state to the office of the auditor of state for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:  
..... \$ 1,103,243  
..... FTEs 105.47

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

Sec. 2. IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD. There is appropriated from the general fund of the state to the Iowa ethics and campaign disclosure board for the fiscal year

beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, for the purposes designated:

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:  
..... \$ 420,000  
..... FTEs 6.00

Sec. 3. DEPARTMENT OF COMMERCE. There is appropriated from the general fund of the state to the department of commerce for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amounts, or so much thereof as is necessary, for the purposes designated:

1. ALCOHOLIC BEVERAGES DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:  
..... \$ 1,803,044  
..... FTEs 33.00

2. BANKING DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:  
..... \$ 6,036,125  
..... FTEs 72.00

3. CREDIT UNION DIVISION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:  
..... \$ 1,282,995  
..... FTEs 19.00

4. INSURANCE DIVISION

a. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:  
..... \$ 3,770,164  
..... FTEs 93.50

*Veto*

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

(1) Notify the department of management, the legislative fiscal bureau, and the legislative fiscal committee of the need for the expenditures.

(2) File with each of the entities named in subparagraph (1) the legislative and regulatory justification for the expenditures, along with an estimate of the expenditures.

5. PROFESSIONAL LICENSING AND REGULATION DIVISION

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

..... \$ 748,342  
..... FTEs 11.00

b. Notwithstanding the provisions of section 543B.14 to the contrary, all fees and charges collected by the real estate commission under chapter 543B shall be paid into the general fund of the state, except that for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the equivalent of thirty dollars per year of the fees for each real estate salesperson's license, plus the equivalent of thirty dollars per year of the fees for each broker's license shall be paid into the Iowa real estate education fund created in section 543B.54.

6. UTILITIES DIVISION

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

..... \$ 6,104,810  
..... FTEs 79.00

b. The utilities division may expend additional funds, including funds for additional personnel, if those additional expenditures are actual expenses which exceed the funds budgeted for utility regulation and the expenditures are fully reimbursable. Before the division expends or encumbers an amount in excess of the funds budgeted for regulation, the division shall first do both of the following:

(1) Notify the department of management, the legislative fiscal bureau, and the legislative fiscal committee of the need for the expenditures.

(2) File with each of the entities named in subparagraph (1) the legislative and regulatory justification for the expenditures, along with an estimate of the expenditures.

The utilities division shall assess the office of consumer advocate within the department of justice a pro rata share of the operating expenses of the utilities division. Each division and the office of consumer advocate shall include in its charges assessed or revenues generated, an amount sufficient to cover the amount stated in its appropriation, any state-assessed indirect costs determined by the department of revenue and finance. It is the intent of the general assembly that the director of the department of commerce shall review on a quarterly basis all out-of-state travel for the previous quarter for officers and employees of each division of the department if the travel is not already authorized by the executive council.

7. ACCOUNTABLE GOVERNMENT REPORT

Each division of the department of commerce shall submit a report to the cochairpersons and ranking members of the joint appropriations subcommittee on administration and regulation on or before January 13, 2003, which encompasses the reporting requirements provided in Code chapter 8E, including development of an agency strategic plan, performance measures, performance targets based on performance data, performance data, and data sources used to evaluate the agency performance, and explanations of the plan's provisions.

Sec. 4. DEPARTMENT OF COMMERCE -- PROFESSIONAL LICENSING AND REGULATION. There is appropriated from the housing improvement fund of the Iowa department of economic development to the division of professional licensing and regulation of the department of commerce for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes:

..... \$ 62,317

Sec. 5. 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, 2002, and ending June 30, 2003, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. ADMINISTRATION AND PROPERTY MANAGEMENT

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

..... \$ 5,389,881
..... FTEs 152.60

2. TERRACE HILL OPERATIONS

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

..... \$ 241,347
..... FTEs 5.00

3. RENTAL SPACE

For payment of lease or rental costs of buildings and office space as provided in section 18.12, subsection 9, notwithstanding section 18.16:

..... \$ 865,818

The department shall prepare a summary of lease and rental agreements entered into by the department with information concerning the location of leased property, the funding source

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for each lease, and the cost of the lease. The summary shall be submitted to the general assembly by January 13, 2003.

4. UTILITY COSTS

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

..... \$ 1,857,970
..... FTEs 1.00

Notwithstanding sections 8.33 and 18.12, subsection 11, any excess funds appropriated for utility costs in this subsection shall not revert to the general fund of the state at the end of the fiscal year but shall remain available for expenditure for the purposes of this subsection during the fiscal year beginning July 1, 2003.

5. The department of general services shall identify all positions throughout state government that have job responsibilities that are duplicative of the same or similar job functions that are performed by similar positions in the department of general services. The positions throughout state government that are duplicative of positions in the department of general services will be identified by department, position title, and position pay grade. The department of general services shall also determine if the department can perform the functions of the duplicated position. The department shall submit a report, with findings, conclusions, and supporting data, to the oversight committee of the general assembly by September 1, 2002.

Sec. 6. REVOLVING FUNDS. There is appropriated from the designated revolving funds to the department of general services for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. CENTRALIZED PURCHASING

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

..... \$ 1,118,960  
 ..... FTEs 17.95

2. CENTRALIZED PURCHASING -- REMAINDER

The remainder of the centralized purchasing permanent revolving fund is appropriated for the payment of expenses incurred through purchases by various state departments and for contingencies arising during the fiscal year beginning July 1, 2002, and ending June 30, 2003, which are legally payable from this fund.

3. STATE FLEET ADMINISTRATOR

a. From the state fleet administrator revolving fund established by section 18.119 for salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 881,501  
 ..... FTEs 16.75

b. The state fleet administrator shall conduct a study concerning the utilization of state-owned vehicles by state government that are under the control of the administrator pursuant to section 18.114. As part of the study, the state fleet administrator shall investigate the cost and benefits of entering into an agreement with an entity that leases or rents vehicles for the purpose of providing vehicles from that source for use by state government. The study shall also examine what revenue may be generated as a result of the sale of state-owned vehicles. The state fleet administrator shall submit a report to the general assembly by January 13, 2003, concerning the progress of the administrator in meeting the goal of reducing the number of state-owned vehicles. The report shall include all relevant data concerning the study, any actions taken to reduce the number of state-owned vehicles, and any proposed legislative changes needed to implement the goal of reducing the number of state-owned vehicles.

4. STATE FLEET ADMINISTRATOR -- REMAINDER

The remainder of the state fleet administrator revolving fund is appropriated for the purchase of ethanol blended fuels

and other fuels specified in section 18.115, subsection 5, oil, tires, repairs, and all other maintenance expenses incurred in the operation of state-owned motor vehicles and for contingencies arising during the fiscal year beginning July 1, 2002, and ending June 30, 2003, which are legally payable from this fund.

5. CENTRALIZED PRINTING

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

..... \$ 1,328,025  
 ..... FTEs 29.55

6. CENTRALIZED PRINTING -- REMAINDER

The remainder of the centralized printing permanent revolving fund is appropriated for the expense incurred in supplying paper stock, offset printing, copy preparation, binding, distribution costs, original payment of printing and binding claims and contingencies arising during the fiscal year beginning July 1, 2002, and ending June 30, 2003, which are legally payable from this fund.

Sec. 7. GOVERNOR AND LIEUTENANT GOVERNOR. There is appropriated from the general fund of the state to the offices of the governor and the lieutenant governor for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. GENERAL OFFICE

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

..... \$ 1,299,177  
 ..... FTEs 17.25

2. TERRACE HILL QUARTERS

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

..... \$ 102,780  
 ..... FTEs 3.00

3. ADMINISTRATIVE RULES COORDINATOR

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

..... \$ 135,085  
 ..... FTEs 3.00

4. NATIONAL GOVERNORS ASSOCIATION

For payment of Iowa's membership in the national governors association:

..... \$ 65,842

5. STATE-FEDERAL RELATIONS

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

..... \$ 213,604  
 ..... FTEs 2.00

Sec. 8. DEPARTMENT OF INSPECTIONS AND APPEALS.

1. If Senate File 2325, or similar legislation providing for the reorganization of the duties of the department of inspections and appeals is enacted into law by the 2002 session of the general assembly, there is appropriated from the general fund of the state to the department of inspections and appeals for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amounts, or so much thereof as is necessary, for the purposes designated:

a. Administration division

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

..... \$ 730,165  
 ..... FTEs 24.00

b. Administrative hearings division

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

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..... \$ 482,863  
 ..... FTEs 30.00

c. Investigations division

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

..... \$ 1,407,553  
 ..... FTEs 46.00

d. Health facilities division

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

..... \$ 2,327,714  
 ..... FTEs 108.00

e. Inspections division

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

..... \$ 776,141  
 ..... FTEs 13.00

f. Employment appeal board

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

..... \$ 34,941  
 ..... FTEs 15.00

The employment appeal board shall be reimbursed by the labor services division of the department of workforce development for all costs associated with hearings conducted under chapter 91C, related to contractor registration. The board may expend, in addition to the amount appropriated under this paragraph, additional amounts as are directly billable to the labor services division under this paragraph "f" and to retain the additional full-time equivalent positions as needed to conduct hearings required pursuant to chapter 91C.

g. Child advocacy board

(1) For foster care review, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 789,523
..... FTEs 19.00

The department of human services, in coordination with the child advocacy board, and the department of inspections and appeals, shall submit an application for funding available pursuant to Title IV-E of the federal Social Security Act for claims for child advocacy board, administrative review costs.

(2) For the court appointed special advocate program, including salaries, support, maintenance, and for not more than the following full-time equivalent positions:

..... \$ 960,000
..... FTEs 24.00

It is the intent of the general assembly that the court appointed special advocate program investigate and develop opportunities for expanding fund-raising for the program.

2. If Senate File 2325, or similar legislation providing for the reorganization of the duties of the department of inspections and appeals is not enacted into law by the 2002 session of the general assembly, there is appropriated from the general fund of the state to the department of inspections and appeals for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amounts, or so much thereof as is necessary, for the purposes designated:

a. Administration division

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

..... \$ 533,734
..... FTEs 21.00

b. Audits division

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

..... \$ 452,145

..... FTEs 10.00

c. Administrative hearings division

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

..... \$ 482,863
..... FTEs 30.00

d. Investigations division

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

..... \$ 1,030,813
..... FTEs 40.00

e. Health facilities division

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

..... \$ 2,327,714
..... FTEs 108.00

f. Inspections division

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

..... \$ 897,167
..... FTEs 17.00

g. Employment appeal board

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

..... \$ 34,941
..... FTEs 15.00

The employment appeal board shall be reimbursed by the labor services division of the department of workforce development for all costs associated with hearings conducted under chapter 91C, related to contractor registration. The board may expend, in addition to the amount appropriated under this paragraph, additional amounts as are directly billable to

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the labor services division under this paragraph "g" and to retain the additional full-time equivalent positions as needed to conduct hearings required pursuant to chapter 91C.

h. State foster care review board

For foster care review, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 789,523
..... FTEs 19.00

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

Sec. 9. RACING AND GAMING COMMISSION.

1. RACETRACK REGULATION

There is appropriated from the general fund of the state to the racing and gaming commission of the department of inspections and appeals for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

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

..... \$ 2,083,762
..... FTEs 24.78

Of the funds appropriated in this subsection, \$85,576 shall be used to conduct an extended harness racing season.

2. EXCURSION BOAT REGULATION

There is appropriated from the general fund of the state to the racing and gaming commission of the department of inspections and appeals for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

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

..... \$ 1,602,611
..... FTEs 30.97

3. ACCOUNTABLE GOVERNMENT REPORT

The racing and gaming commission shall submit a report to the cochairpersons and ranking members of the joint appropriations subcommittee on administration and regulation on or before January 13, 2003, which encompasses the reporting requirements provided in Code chapter 8E, including development of an agency strategic plan, performance measures, performance targets based on performance data, performance data, and data sources used to evaluate the agency performance, and explanations of the plan's provisions.

Sec. 10. USE TAX APPROPRIATION. There is appropriated from the use tax receipts collected pursuant to sections 423.7 and 423.7A prior to their deposit in the road use tax fund pursuant to section 423.24, to the appeals and fair hearings division of the department of inspections and appeals for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes:
..... \$ 1,197,552

Sec. 11. DEPARTMENT OF MANAGEMENT. There is appropriated from the general fund of the state to the department of management for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. GENERAL OFFICE -- STATEWIDE PROPERTY TAX ADMINISTRATION

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

..... \$ 2,147,276  
..... FTES 33.00

2. ENTERPRISE RESOURCE PLANNING

If funding is provided for the redesign of the enterprise resource planning budget system for the fiscal year beginning July 1, 2002, then there is appropriated from the general fund of the state to the department of management for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For salaries, support, maintenance, and miscellaneous purposes for administration of the enterprise resource planning system, and for not more than the following full-time equivalent position:

..... \$ 60,000  
..... FTES 1.00

3. STATE GOVERNMENT ADMINISTRATIVE SERVICES REORGANIZATION

The department of management, in consultation with other administrative departments, shall continue to study and pursue the goal of providing for the reorganization of state government in order to facilitate the efficient and effective delivery of state government services. The reorganization study shall concentrate on establishing a new state organization that will increase the efficiency of managing the major resources of state government, including personnel, financial, physical, and information assets, in order to provide better service at less cost to all departments of state government and the citizens of Iowa. As part of this study, the department shall identify and examine areas where duplicative services are performed by state government which may be more efficiently accomplished by a reorganization and redesign of state government. In addition, as part of this reorganization study, support services provided to state agencies should be reoriented to continuously improve service and lower costs through a strong customer focus and entrepreneurial management. The department of management shall submit a report, including its findings, conclusions,

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and specific recommendations for legislative change, to the general assembly by December 2, 2002.

Sec. 12. ROAD USE TAX APPROPRIATION. There is appropriated from the road use tax fund to the department of management for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes:  
..... \$ 56,000

Sec. 13. DEPARTMENT OF PERSONNEL. There is appropriated from the general fund of the state to the department of personnel for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amounts, or so much thereof as is necessary, to be used for the purposes designated, including the filing of quarterly reports as required in this section:

1. For salaries, support, maintenance, and miscellaneous purposes for the director's staff, research, communications and workforce planning services, data processing, financial services, customer information and support services, employment law and labor relations, training and benefit programs, and for not more than the following full-time equivalent positions:

..... \$ 3,807,636  
..... FTES 86.00

Any funds received by the department for workers' compensation purposes shall be used only for the payment of workers' compensation claims and administrative costs.

It is the intent of the general assembly that members of the general assembly serving as members of the deferred compensation advisory board shall be entitled to receive per diem and necessary travel and actual expenses pursuant to section 2.10, subsection 5, while carrying out their official duties as members of the board.

2. The department of personnel shall identify all positions throughout state government that have job

responsibilities that are duplicative of the same or similar job functions that are performed by similar positions in the department of personnel. The positions throughout state government that are duplicative of positions in the department of personnel will be identified by department, position title, and position pay grade. The department of personnel shall also determine if the department can perform the functions of the duplicated position. The department shall submit a report, with findings, conclusions, and supporting data, to the oversight committee of the general assembly by September 1, 2002.

Sec. 14. READY TO WORK PROGRAM COORDINATOR. There is appropriated from the surplus funds in the long-term disability reserve fund and the workers' compensation trust fund to the department of personnel for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For the salary, support, and miscellaneous expenses for the ready to work program and coordinator:

..... \$ 89,416

The moneys appropriated pursuant to this section shall be taken in equal proportions from the long-term disability reserve fund and the workers' compensation trust fund.

Sec. 15. IPERS. There is appropriated from the Iowa public employees' retirement system fund to the department of personnel for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

1. GENERAL OFFICE

For salaries, support, maintenance, and other operational purposes to pay the costs of the Iowa public employees' retirement system division and for not more than the following full-time positions:

..... \$ 8,062,203

..... FTEs 88.04

2. INVESTMENT PROGRAM STAFFING

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

Sec. 16. IPERS -- DEFERRED RETIREMENT OPTION PROGRAM AND TERMINATED VESTED MEMBER STUDIES. There is appropriated from the Iowa public employees' retirement system fund to the Iowa public employees' retirement system division for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. If 2002 Iowa Acts, House File 2532, is enacted and directs the IPERS division to study the implementation of a cost-neutral deferred retirement option plan, for expenses related to the study proposal:

..... \$ 95,000

2. If 2002 Iowa Acts, House File 2532, is enacted and directs the IPERS division to study the implementation of a new option for terminated vested members, for expenses related to the study proposal:

..... \$ 40,000

Sec. 17. PRIMARY ROAD FUND APPROPRIATION. There is appropriated from the primary road fund to the department of personnel for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

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

..... \$ 423,539

Sec. 18. ROAD USE TAX FUND APPROPRIATION. There is appropriated from the road use tax fund to the department of personnel for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

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

..... \$ 69,237

Sec. 19. STATE WORKERS' COMPENSATION CLAIMS. The premiums collected by the department of personnel shall be segregated into a separate workers' compensation fund in the state treasury to be used for payment of state employees' workers' compensation claims. Notwithstanding section 8.33, unencumbered or unobligated moneys remaining in this workers' compensation fund at the end of the fiscal year shall not revert but shall be available for expenditure for purposes of the fund for subsequent fiscal years.

Any funds received by the department of personnel for workers' compensation purposes other than funds appropriated in this section shall be used for the payment of workers' compensation claims and administrative costs.

Sec. 20. DEPARTMENT OF REVENUE AND FINANCE. There is appropriated from the general fund of the state to the department of revenue and finance for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amounts, or so much thereof as is necessary, to be used for the purposes designated, and for not more than the following full-time equivalent positions used for the purposes designated in subsection 1:

..... FTEs 443.01

1. COMPLIANCE -- INTERNAL RESOURCES MANAGEMENT -- STATE FINANCIAL MANAGEMENT -- STATEWIDE PROPERTY TAX ADMINISTRATION

For salaries, support, maintenance, and miscellaneous purposes:

..... \$ 25,338,458

Of the funds appropriated pursuant to this subsection, \$400,000 shall be used to pay the direct costs of compliance related to the collection and distribution of local sales and services taxes imposed pursuant to chapters 422B and 422E.

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

2. COLLECTION COSTS AND FEES

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

..... \$ 28,800

Sec. 21. LOTTERY.

1. APPROPRIATION. There is appropriated from the lottery fund to the department of revenue and finance for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

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

..... \$ 8,688,714

..... PTEs 117.00

2. ACCOUNTABLE GOVERNMENT REPORT. The lottery shall submit a report to the cochairpersons and ranking members of the joint appropriations subcommittee on administration and regulation on or before January 13, 2003, which encompasses the reporting requirements provided in Code chapter 8E, including development of an agency strategic plan, performance measures, performance targets based on performance data, performance data, and data sources used to evaluate the agency performance, and explanations of the plan's provisions. In submitting the report required by this subsection, the lottery is not required to disclose any proprietary or otherwise confidential information which is considered a confidential record pursuant to section 22.7.

3. VIDEO LOTTERY. It is the intent of the general assembly that the lottery should investigate whether the deployment of vending machines with video screens would enhance the lottery's ability to perform its statutory duties and if, in the business judgment of the lottery commissioner and the lottery board, it would do so, that the lottery is authorized to establish a plan to implement the deployment of pull-tab vending machines with video monitors consistent with the requirements of this subsection. At a minimum, the deployment plan shall include provisions for restricting

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access to these machines by minors, including but not limited to requirements relating to the location of these machines. Prior to implementing the deployment plan as described in this subsection, the lottery shall notify the legislative oversight committee and shall submit a report to the committee describing the deployment plan, including measures the lottery will implement to restrict access to the machines by minors.

Sec. 22. MOTOR VEHICLE FUEL TAX APPROPRIATION. There is appropriated from the motor fuel tax fund created by section 452A.77 to the department of revenue and finance for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes for administration and enforcement of the provisions of chapter 452A and the motor vehicle use tax program:  
..... \$ 1,084,112

Sec. 23. SECRETARY OF STATE. There is appropriated from the general fund of the state to the office of the secretary of state for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. ADMINISTRATION AND ELECTIONS

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

..... \$ 696,029  
..... FTEs 10.00

It is the intent of the general assembly that the state department or state agency which provides data processing services to support voter registration file maintenance and storage shall provide those services without charge.

2. BUSINESS SERVICES

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

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..... \$ 1,433,235  
..... FTEs 32.00

Sec. 24. SECRETARY OF STATE FILING FEES REFUND.

Notwithstanding the obligation to collect fees pursuant to the provisions of section 490.122, subsection 1, paragraphs "a" and "s", and section 504A.85, subsections 1 and 9, for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the secretary of state may refund these fees to the filer pursuant to rules established by the secretary of state. The decision of the secretary of state not to issue a refund under rules established by the secretary of state is final and not subject to review pursuant to the provisions of the Iowa administrative procedure Act.

Sec. 25. TREASURER. There is appropriated from the general fund of the state to the office of treasurer of state for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

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

..... \$ 803,221  
..... FTEs 25.80

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

If 2002 Iowa Acts, House File 681, is enacted and provides for the pledging of collateral in relation to the deposit of uninsured public funds, then the treasurer of state is authorized not more than the following additional full-time equivalent positions for the purposes provided for in that Act:

..... FTEs 2.00

The treasurer of state may expend additional funds for the purposes as provided in this subsection if those additional expenditures are actual expenses as provided in 2002 Iowa Acts, House File 681, and the expenses are fully reimbursable.

Sec. 26. INFORMATION TECHNOLOGY DEPARTMENT. There is appropriated from the general fund of the state to the information technology department for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For the purpose of providing information technology services to state agencies and for the following full-time equivalent positions:

..... \$ 3,049,845  
..... FTEs 125.00

1. The information technology department shall not increase any fees or charges to other state agencies for services provided to such state agencies by the department, unless such increase in fees or charges is first reported to the department of management. The department of management shall submit a report notifying the legislative fiscal bureau regarding any fee increase as the increase occurs.
2. The department of information technology shall identify all positions throughout state government that have job responsibilities that are duplicative of the same or similar job functions that are performed by similar positions in the department of information technology. The positions throughout state government that are duplicative of positions in the department of information technology will be identified by department, position title, and position pay grade. The department of information technology shall also determine if the department can perform the functions of the duplicated position. The department shall submit a report, with findings, conclusions, and supporting data, to the oversight committee of the general assembly by September 1, 2002.
3. The information technology department shall submit a report to the general assembly by January 13, 2003, providing information concerning the funding of the operation of the department, to include information concerning the receipt and use of fees and other revenues by the department, the method of determining fees to be charged, and information comparing

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fees charged by the department with comparable private sector rates.

4. It is the intent of the general assembly that all agencies comply with the requirements established in section 304.13A relating to utilization of the electronic repository developed for the purpose of providing public access to agency publications. To ensure compliance with the requirements, the department of management, the information technology department, and the state librarian shall coordinate the development of a process to maximize and monitor the extent to which the number of printed copies of agency publications is reduced, and to realize monetary savings through the reduction. The process shall include a policy for distribution of written copies of publications to members of the general assembly on a request-only basis and weekly notification of a new publication posting on the repository by the state librarian to the secretary of state, secretary of the senate, and chief clerk of the house of representatives, who in turn shall notify members of the general assembly of publication availability. The process shall also include the electronic submission of a report by November 1, annually, to the legislative fiscal bureau and legislative fiscal committee detailing the number of written copies of agency publications produced in the preceding two fiscal years, and indicating the extent to which a reduction may be observed.

Sec. 27. FUNDING FOR IOWACCESS.

1. Notwithstanding section 321A.3, subsection 1, for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the first \$1,000,000 collected and transferred by the department of transportation to the treasurer of state with respect to the fees for transactions involving the furnishing of a certified abstract of a vehicle operating record under section 321A.3, subsection 1, shall be transferred to the IowAccess revolving fund created in section 14B.206 and administered by the information technology department for the purposes of developing, implementing, maintaining, and expanding electronic access to government records in accordance with the requirements set forth in chapter 14B.

2. It is the intent of the general assembly that all fees collected with respect to transactions involving IowAccess shall be deposited in the IowAccess revolving fund created in section 14B.206 and shall be used only for the support of IowAccess projects.

Sec. 28. Section 7D.33, subsection 2, Code 2001, is amended by adding the following new paragraph:

NEW PARAGRAPH. e. The method of promoting the suggestion program in the broadest possible manner to state employees.

Sec. 29. Section 7D.33, subsection 3, paragraph a, Code 2001, is amended to read as follows:

a. When a suggestion is implemented and results in a direct cost reduction within state government, the suggester shall be awarded ten percent of the first year's net savings, not exceeding ~~two-thousand-five-hundred~~ twenty-five thousand dollars ~~or, and~~ a certificate. A cash award shall not be awarded for a suggestion which saves less than one hundred dollars during the first year of implementation. The department head shall approve all awards and determine the amount to be awarded. Appeals of award amounts shall be submitted to the director of the department of management whose decision is final.

Sec. 30. Section 476.53, Code Supplement 2001, is amended by adding the following new subsection:

NEW SUBSECTION. 4. The utilities board and the consumer advocate may employ additional temporary staff, or may contract for professional services with persons who are not state employees, as the board and the consumer advocate deem necessary to perform required functions as provided in this section, including but not limited to, review of power purchase contracts, review of emission plans and budgets, and review of ratemaking principles proposed for construction or lease of a new generating facility. Beginning July 1, 2002, there is appropriated out of any funds in the state treasury not otherwise appropriated, such sums as may be necessary to enable the board and the consumer advocate to hire additional staff and contract for services under this section. The costs

of the additional staff and services shall be assessed to the utilities pursuant to the procedure in section 476.10 and section 475A.6.

Sec. 31. Section 505.7, subsection 4, Code 2001, is amended by striking the subsection and inserting in lieu thereof the following:

4. Except as otherwise provided in subsection 6, the insurance division may expend additional funds if those additional expenditures are actual expenses which exceed the funds budgeted for statutory duties of the division and directly result from the statutory duties of the division. The amounts necessary to fund the excess division expenses shall be collected from additional fees and other moneys collected by the division. The division shall notify in writing the legislative fiscal bureau and the department of management when hiring additional personnel. The written notification shall include documentation that any additional expenditure related to such hiring will be totally reimbursed to the general fund, and shall also include the division's justification for hiring such personnel. The division must obtain the approval of the department of management only if the number of additional personnel to be hired exceeds the number of full-time equivalent positions authorized by the general assembly.

Sec. 32. Section 546.10, subsection 3, Code Supplement 2001, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Notwithstanding subsection 5, eighty-five percent of the funds received annually resulting from an increase in licensing fees approved and implemented on or after July 1, 2002, by a licensing board or commission listed in subsection 1, is appropriated to the professional licensing and regulation division to be allocated to the board or commission for the fiscal year beginning July 1, 2002, and succeeding fiscal years, for purposes related to the duties of the board or commission, including but not limited to additional full-time equivalent positions. The director of

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revenue and finance shall draw warrants upon the treasurer of state from the funds appropriated as provided in this section and shall make the funds available to the professional licensing division on a monthly basis during each fiscal year.

Sec. 33. 2001 Iowa Acts, First Extraordinary Session, chapter 5, section 1, is repealed.

DIVISION II

AGRICULTURE AND NATURAL RESOURCES

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

Sec. 34. GENERAL DEPARTMENT APPROPRIATION. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting the department, including its divisions, for administration, regulations, and programs, for salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 16,840,123
..... FTEs 440.13

SPECIAL APPROPRIATIONS

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

Sec. 35. RIVER AUTHORITIES. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting the department for membership in the state interagency Missouri river authority, created in 2002 Iowa Acts, Senate File 2051, in the Missouri river basin association:

..... \$ 10,000

Sec. 36. FEED GRAIN PROJECT. There is appropriated from the general fund of the state to the department of agriculture

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and land stewardship for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of administering a pilot process verification program for feed grains. The program shall be administered in conjunction with the Iowa corn growers association:
..... \$ 20,000

SPECIAL APPROPRIATIONS

ANIMAL HEALTH AND INDUSTRY

Sec. 37. HORSE AND DOG RACING. There is appropriated from the moneys available under section 99D.13 to the administrative division of the department of agriculture and land stewardship for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes for the administration of section 99D.22:
..... \$ 293,441

Sec. 38. REGULATORY DIVISION DAIRY PRODUCTS CONTROL BUREAU.

1. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting the operations of the dairy products control bureau within the department's regulatory division, including salaries, support, maintenance, and miscellaneous purposes:
..... \$ 626,646

2. If House File 2524 is enacted by the Seventy-ninth General Assembly, 2002 Session, the amount appropriated in subsection 1 shall be increased by \$38,000. The increased amount shall be used to fill a vacant position in the dairy products control bureau.



DEPARTMENT OF NATURAL RESOURCES  
GENERAL APPROPRIATIONS

Sec. 39. GENERAL DEPARTMENT APPROPRIATION.

1. There is appropriated from the general fund of the state to the department of natural resources for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting the department, including its divisions, for administration, regulations, and programs, for salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 15,905,231  
..... FTEs 1,063.12

2. The air quality bureau may expend up to five thousand dollars for purposes of supporting public education programs for controlled burning of demolition sites and the proper disposal of waste materials from demolition sites.

3. If Senate File 2293 or House File 2468 is enacted by the Seventy-ninth General Assembly, 2002 Session, the number of full-time equivalent positions allocated under this section shall be increased by 12.00 full-time equivalent positions.

4. Of the amount appropriated in this subsection, \$6,083,599 shall be used for the parks and preserves division for salaries, support, maintenance, and miscellaneous purposes.

Sec. 40. STATE FISH AND GAME PROTECTION FUND -- APPROPRIATION TO THE DIVISION OF FISH AND WILDLIFE.

1. a. There is appropriated from the state fish and game protection fund to the division of fish and wildlife of the department of natural resources for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For administrative support, and for salaries, support, maintenance, equipment, and miscellaneous purposes:

*Veto*

..... \$ 28,044,786

b. The department may use moneys appropriated in paragraph "a", as is necessary to provide compensation to conservation peace officers employed in a protection occupation who retire, pursuant to section 97B.49B.

2. The department shall not expend more moneys from the fish and game protection fund than provided in this section, unless the expenditure derives from contributions made by a private entity, or a grant or moneys received from the federal government, and is approved by the natural resource commission. The department of natural resources shall promptly notify the legislative fiscal bureau and the chairpersons and ranking members of the joint appropriations subcommittee on agriculture and natural resources concerning the commission's approval.

RELATED TRANSFERS AND APPROPRIATIONS  
DEPARTMENT OF NATURAL RESOURCES

Sec. 41. SNOWMOBILE FEES -- TRANSFER FOR ENFORCEMENT PURPOSES. There is transferred on July 1, 2002, from the fees deposited under section 321G.7 to the fish and game protection fund and appropriated to the department of natural resources for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For enforcing snowmobile laws as part of the state snowmobile program administered by the department of natural resources:

..... \$ 100,000

Sec. 42. VESSEL FEES -- TRANSFER FOR ENFORCEMENT PURPOSES. There is transferred on July 1, 2002, from the fees deposited under section 462A.52 to the fish and game protection fund and appropriated to the natural resource commission for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For the administration and enforcement of navigation laws and water safety:

..... \$ 1,400,000

Notwithstanding section 8.33, moneys transferred and appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert to the credit of the fish and game protection fund but shall be credited to the special conservation fund established by section 462A.52 to be used as provided in that section.

SPECIAL APPROPRIATIONS

DEPARTMENT OF NATURAL RESOURCES

Sec. 43. REVENUE ADMINISTERED BY THE IOWA COMPREHENSIVE UNDERGROUND STORAGE TANK FUND BOARD. There is appropriated from the unassigned revenue fund administered by the Iowa comprehensive underground storage tank fund board, to the department of natural resources for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For administration expenses of the underground storage tank section of the department of natural resources:

..... \$ 75,000

Sec. 44. FLOODPLAIN PERMIT BACKLOG. Notwithstanding any contrary provision of state law, for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the department of natural resources may use additional funds available to the department from stormwater discharge permit fees for the staffing of the following additional full-time staff members to reduce the department's floodplain permit backlog:

..... FTEs 2.00

Sec. 45. IMPLEMENTATION OF THE FEDERAL TOTAL MAXIMUM DAILY LOAD PROGRAM. Notwithstanding any contrary provision of state law, for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the department of natural resources may use additional funds available to the department from stormwater discharge permit fees for the staffing of the following additional full-time equivalent positions for implementation of the federal total maximum daily load program:

..... FTEs 2.00

*Handwritten notes:* A large bracket on the left side of the page groups sections 43, 44, and 45. To the right of this bracket, the letters "H" and "O" are written vertically. Further to the right, another bracket groups sections 46, 47, and 48, with the letters "H" and "O" written vertically next to it.

DIVISION III  
ECONOMIC DEVELOPMENT

Sec. 46. GOALS AND ACCOUNTABILITY.

1. The goals for the department of economic development shall be to expand and stimulate the state economy, increase the wealth of Iowans, and increase the population of the state.
2. To achieve the goals in subsection 1, the department of economic development shall do all of the following:
  - a. Concentrate its efforts on programs and activities that result in commercially viable products and services.
  - b. Adopt practices and services consistent with free market, private sector philosophies.
  - c. Ensure economic growth and development throughout the state.
3. The department of economic development shall demonstrate accountability by using performance measures appropriate to show the attainment of the goals in subsection 1 for the state and by measuring the effectiveness and results of the department's programs and activities. The performance measures and associated benchmarks shall be developed or identified in cooperation with the legislative fiscal bureau and approved by the joint appropriations subcommittee on economic development. The data demonstrating accountability collected by the department shall be made readily available and maintained in computer-readable format.

Sec. 47. DEPARTMENT OF ECONOMIC DEVELOPMENT. There is appropriated from the general fund of the state to the department of economic development for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. ADMINISTRATIVE SERVICES DIVISION
  - a. General administration

For salaries, support, maintenance, miscellaneous purposes, programs, for the transfer to the Iowa state commission grant program, and for not more than the following full-time equivalent positions:

..... \$ 1,509,134  
..... FTEs 28.75

b. The department shall work with businesses and communities to continually improve the economic development climate along with the economic well-being and quality of life for Iowans. The administrative services division shall coordinate with other state agencies ensuring that all state departments are attentive to the needs of an entrepreneurial culture.

2. BUSINESS DEVELOPMENT DIVISION

a. Business development operations

For business development operations and programs, international trade, export assistance, workforce recruitment, the partner state program, for transfer to the strategic investment fund, for transfer to the value-added agricultural products and processes financial assistance fund, salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 11,311,286  
..... FTEs 60.00

b. The department shall establish a strong and aggressive marketing image to showcase Iowa's workforce, existing industry, and potential. A priority shall be placed on recruiting new businesses, business expansion, and retaining existing Iowa businesses. Emphasis shall also be placed on entrepreneurial development through helping to secure capital for entrepreneurs, and developing networks and a business climate conducive to entrepreneurs and small business.

c. Notwithstanding section 8.33, moneys appropriated in this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

d. The department shall create a position to cooperate and coordinate with the economic development activities at the institutions of higher learning under the control of the state board of regents. The individual shall serve as a facilitator

between the institutions and businesses or prospective businesses; promote linkages among businesses, investors, and economic development programs; and assist in securing funding for businesses. The individual shall inventory, monitor, and evaluate the research, proposed projects, inventions, and other results of research at the institutions that are in the state's economic interest to promote and protect. The individual shall identify projects and ideas that the state should claim a proprietary interest in, including referrals for patents, licensing, and referrals to the department for further development. An emphasis shall be placed on developing Iowa-based businesses and locating businesses within the state. The individual shall prepare an annual report that analyzes and evaluates the ideas, research, and projects reviewed and facilitated during the fiscal year. The report shall include quantitative information concerning jobs created and retained, business start-up activities, retention of new businesses, and royalties, licenses, and fees generated by these businesses and activities.

3. COMMUNITY AND RURAL DEVELOPMENT DIVISION

a. Community development programs

For salaries, support, maintenance, miscellaneous purposes, community economic development programs, tourism operations, community assistance, the film office, the mainstreet and rural mainstreet programs, the school-to-career program, the community development block grant, and housing and shelter-related programs and for not more than the following full-time equivalent positions:

..... \$ 5,091,404  
..... FTEs 65.00

b. The department shall encourage development of communities and quality of life to foster economic growth. The department shall prepare communities for future growth and development through development, expansion, and modernization of infrastructure.

c. The department shall develop public-private partnerships with Iowa businesses in the tourism industry,

Iowa tour groups, Iowa tourism organizations, and political subdivisions in this state to assist in the development of advertising efforts. The department shall, to the fullest extent possible, develop cooperative efforts for advertising with contributions from other sources.

d. Notwithstanding section 8.33, moneys that remain unexpended at the end of the fiscal year shall not revert to any fund but shall remain available for expenditure for the designated purposes during the succeeding fiscal year.

4. For a study conducted by a person, as defined in section 4.1, contracting with the department to inventory economic development programs on a statewide basis:

..... \$ 30,000

5. For allocating moneys for the world food prize:

..... \$ 285,000

Sec. 48. VISION IOWA PROGRAM -- FTE AUTHORIZATION. For purposes of administrative duties associated with the vision Iowa program, the department of economic development is authorized an additional 3.00 full-time equivalent positions above those otherwise authorized in this division of this Act.

Sec. 49. RURAL COMMUNITY 2000 PROGRAM. There is appropriated from loan repayments on loans under the former rural community 2000 program, sections 15.281 through 15.288, Code 2001, to the department of economic development for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For providing financial assistance to Iowa's councils of governments that provide technical and planning assistance to local governments:

..... \$ 150,000

2. For the rural development program for the purposes of the program including the rural enterprise fund and collaborative skills development training:

..... \$ 370,000

Sec. 50. INSURANCE ECONOMIC DEVELOPMENT. There is appropriated from moneys collected by the division of

insurance in excess of the anticipated gross revenues under section 505.7, subsection 3, to the department of economic development for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, for insurance economic development and international insurance economic development:

..... \$ 100,000

Sec. 51. TOURISM OPERATIONS. There is appropriated from the community attraction and tourism fund created in section 15F.204 to the department of economic development for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For tourism operations, including salaries, support, maintenance, and miscellaneous purposes:

..... \$ 1,200,000

Sec. 52. COMMUNITY DEVELOPMENT LOAN FUND. Notwithstanding section 15E.120, subsections 5 and 6, there is appropriated from the Iowa community development loan fund all the moneys available during the fiscal year beginning July 1, 2002, and ending June 30, 2003, to the department of economic development for the community development program to be used by the department for the purposes of the program.

Sec. 53. WORKFORCE DEVELOPMENT FUND. There is appropriated from the workforce development fund account created in section 15.342A, to the workforce development fund created in section 15.343, for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, for the purposes of the workforce development fund, and for not more than the following full-time equivalent positions:

..... \$ 4,000,000

..... FTEs 4.00

Sec. 54. WORKFORCE DEVELOPMENT ADMINISTRATION. From funds appropriated or transferred to or receipts credited to the workforce development fund created in section 15.343, up to \$400,000 for the fiscal year beginning July 1, 2002, and ending June 30, 2003, may be used for the administration of

*Handwritten initials*

workforce development activities including salaries, support, maintenance, and miscellaneous purposes and for not more than 4.00 full-time equivalent positions.

Sec. 55. JOB TRAINING FUND. Notwithstanding section 15.251, all remaining moneys in the job training fund on July 1, 2002, and any moneys appropriated or credited to the fund during the fiscal year beginning July 1, 2002, shall be transferred to the workforce development fund established pursuant to section 15.343.

Sec. 56. IOWA STATE UNIVERSITY.

1. There is appropriated from the general fund of the state to the Iowa state university of science and technology for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for small business development centers, the science and technology research park, the institute for physical research, and for not more than the following full-time equivalent positions:

..... \$ 4,734,063  
..... FTEs 56.53

2. Iowa state university of science and technology shall do all of the following:

- a. Direct expenditures for research toward projects that will provide economic stimulus for Iowa.
- b. Emphasize that a business and an individual that creates a business and receives benefits from a program funded, in part, through moneys appropriated in this section have a commercially viable product or service.
- c. Provide emphasis to providing services to Iowa-based companies.

3. It is the intent of the general assembly that the industrial incentive program focus on Iowa industrial sectors and seek contributions and in-kind donations from businesses, industrial foundations, and trade associations and that moneys for the institute for physical research and technology industrial incentive program shall only be allocated for projects which are matched by private sector moneys for

directed contract research or for nondirected research. The match required of small businesses as defined in section 15.102, subsection 4, for directed contract research or for nondirected research shall be \$1 for each \$3 of state funds. The match required for other businesses for directed contract research or for nondirected research shall be \$1 for each \$1 of state funds. The match required of industrial foundations or trade associations shall be \$1 for each \$1 of state funds.

Iowa state university of science and technology shall report annually to the joint appropriations subcommittee on economic development and the legislative fiscal bureau the total amount of private contributions, the proportion of contributions from small businesses and other businesses, and the proportion for directed contract research and nondirected research of benefit to Iowa businesses and industrial sectors.

Notwithstanding section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

Sec. 57. UNIVERSITY OF IOWA.

1. There is appropriated from the general fund of the state to the state university of Iowa for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the university of Iowa research park and for the advanced drug development program at the Oakdale research park, including salaries, support, maintenance, equipment, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 485,463  
..... FTEs 6.00

2. The university of Iowa shall do all of the following:

- a. Direct expenditures for research toward projects that will provide economic stimulus for Iowa.
- b. Emphasize that a business and an individual that creates a business and receives benefits from a program

funded, in part, through moneys appropriated in this section have a commercially viable product or service.

c. Provide emphasis to providing services to Iowa-based companies.

3. The board of regents shall submit a report on the progress of regents institutions in meeting the strategic plan for technology transfer and economic development to the secretary of the senate, the chief clerk of the house of representatives, and the legislative fiscal bureau by January 15, 2003.

4. Notwithstanding section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

Sec. 58. UNIVERSITY OF NORTHERN IOWA.

1. There is appropriated from the general fund of the state to the university of northern Iowa for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the metal casting institute, and for the institute of decision making, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	702,889
.....	FTEs	11.15

2. The university of northern Iowa shall do all of the following:

a. Direct expenditures for research toward projects that will provide economic stimulus for Iowa.

b. Emphasize that a business and an individual that creates a business and receives benefits from a program funded, in part, through moneys appropriated in this section have a commercially viable product or service.

c. Provide emphasis to providing services to Iowa-based companies.

3. Notwithstanding section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

Sec. 59. DEPARTMENT OF WORKFORCE DEVELOPMENT.

1. There is appropriated from the general fund of the state, to the department of workforce development for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, for the division of labor services, the division of workers' compensation, the workforce development state and regional boards, the new employment opportunity fund, salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	4,988,053
.....	FTEs	113.30

2. From the contractor registration fees, the division of labor services shall reimburse the department of inspections and appeals for all costs associated with hearings under chapter 91C, relating to contractor registration.

3. The division of workers' compensation shall continue charging a \$65 filing fee for workers' compensation cases. The filing fee shall be paid by the petitioner of a claim. However, the fee can be taxed as a cost and paid by the losing party, except in cases where it would impose an undue hardship or be unjust under the circumstances.

4. Notwithstanding section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

Sec. 60. ADMINISTRATIVE CONTRIBUTION SURCHARGE FUND. Notwithstanding section 96.7, subsection 12, paragraph "c", there is appropriated from the administrative contribution surcharge fund of the state to the department of workforce development for the fiscal year beginning July 1, 2002, and

ending June 30, 2003, any moneys remaining in the administrative contribution surcharge fund on June 30, 2002, and the entire amount collected during the fiscal year beginning July 1, 2002, and ending June 30, 2003, or so much thereof as is necessary, for salaries, support, maintenance, conducting labor market surveys, miscellaneous purposes, and for workforce development regional advisory board member expenses.

Sec. 61. EMPLOYMENT SECURITY CONTINGENCY FUND. There is appropriated from the special employment security contingency fund to the department of workforce development for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amounts, or so much thereof as is necessary, for the purposes designated:

1. DIVISION OF WORKERS' COMPENSATION

For salaries, support, maintenance, and miscellaneous purposes:

..... \$ 471,000

2. IMMIGRATION SERVICE CENTERS

For salaries, support, maintenance, and miscellaneous purposes for the pilot immigration service centers:

..... \$ 160,000

The department of workforce development shall maintain pilot immigration service centers that offer one-stop services to deal with the multiple issues related to immigration and employment. The pilot centers shall be designed to support workers, businesses, and communities with information, referrals, job placement assistance, translation, language training, resettlement, as well as technical and legal assistance on such issues as forms and documentation. Through the coordination of local, state, and federal service providers, and through the development of partnerships with public, private, and nonprofit entities with established records of international service, these pilot centers shall seek to provide a seamless service delivery system for new Iowans.

3. LABOR MARKET INFORMATION

*Handwritten mark: a large 'V' with 'to' written above it.*

For salaries, support, maintenance, miscellaneous purposes for collection of labor market information, and for not more than the following full-time equivalent position:

..... \$ 67,078  
..... FTEs 1.00

Any additional penalty and interest revenue may be used to accomplish the mission of the department upon notification of the use to the chairpersons and ranking members of the joint appropriations subcommittee on economic development, the department of management, and the legislative fiscal bureau. However, the department shall not allocate any additional penalty and interest revenue prior to January 30, 2003.

Sec. 62. PUBLIC EMPLOYMENT RELATIONS BOARD. There is appropriated from the general fund of the state to the public employment relations board for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, for the purposes designated:

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

..... \$ 834,210  
..... FTEs 12.00

Sec. 63. Section 15E.112, subsection 5, Code 2001, is amended by striking the subsection.

Sec. 64. Section 159A.7, subsection 6, Code 2001, is amended by striking the subsection.

Sec. 65. 2000 Iowa Acts, chapter 1230, section 11, unnumbered paragraph 3, as amended by 2001 Iowa Acts, chapter 188, section 19, is amended to read as follows:

In addition to moneys appropriated by this section, notwithstanding section 96.7, subsection 12, paragraph "c", for the fiscal year beginning July 1, 2000, there is appropriated from the administrative contribution surcharge fund of the state to the department of workforce development \$700,000, or so much thereof as is necessary, for matching funds for welfare-to-work grants authorized through the United States department of labor. Notwithstanding section 8.33,

moneys appropriated in this unnumbered paragraph that remain unencumbered or unobligated on June 30, 2001, shall not revert but shall remain available for expenditure for the purposes designated for the fiscal year years beginning July 1, 2001, and July 1, 2002.

Sec. 66. VALUE-ADDED AGRICULTURAL PRODUCTS AND PROCESSES FINANCIAL ASSISTANCE FUND MONEYS. The office of renewable fuels and coproducts may apply to the department of economic development for moneys in value-added agricultural products and processes financial assistance fund for deposit in the renewable fuels and coproducts fund created in section 159A.7.

Sec. 67. IOWA FINANCE AUTHORITY AUDIT. The auditor of state is requested to review the audit of the Iowa finance authority performed by the auditor hired by the authority. The auditor of state is also requested to conduct a performance audit of the authority to determine the effectiveness of the authority and the programs of the authority.

Sec. 68. APPLICATION FOR DEPARTMENT OF ECONOMIC DEVELOPMENT MONEYS. For the fiscal year beginning July 1, 2002, any entity that was specifically identified in 2001 Iowa Acts, chapter 188, to receive funding from the department of economic development, excluding any entity identified to receive a direct appropriation beginning July 1, 2002, may apply to the department for assistance through the appropriate program. The department shall provide application criteria necessary to implement this section.

Sec. 69. EXPENDITURE AND ALLOCATION REPORTS. The department of economic development, the department of workforce development, and the regents institutions receiving an appropriation pursuant to this division of this Act shall file a written report on a quarterly basis with the chairpersons and ranking members of the joint appropriations subcommittee on economic development and the legislative fiscal bureau regarding all expenditures of moneys appropriated pursuant to this division of this Act during the quarter, allocations of moneys appropriated pursuant to this

division of this Act during the quarter, and full-time equivalent positions allocated during the quarter.

Sec. 70. EMPLOYER'S CONTRIBUTION AND PAYROLL REPORT FORM. Notwithstanding Iowa administrative code 871, chapter 22, an entity filing the employer's contribution and payroll report form and any other unemployment insurance forms on behalf of multiple accounts shall be allowed to submit one check for these accounts. A listing of applicable account numbers shall be submitted with the payment.

Sec. 71. SHELTER ASSISTANCE FUND. In providing moneys from the shelter assistance fund to homeless shelter programs in the fiscal year beginning July 1, 2002, and ending June 30, 2003, the department of economic development shall explore the potential of allocating moneys to homeless shelter programs based in part on their ability to move their clients toward self-sufficiency.

Sec. 72. ISCC REPORT. By December 31, 2002, the department of economic development shall submit a written report to the chairpersons and the ranking members of the joint appropriations subcommittee on economic development and the legislative fiscal bureau. The report shall identify any moneys received from the ISCC liquidation corporation.

Sec. 73. FEDERAL GRANTS. All federal grants to and the federal receipts of agencies appropriated funds under this division of this Act, not otherwise appropriated, are appropriated for the purposes set forth in the federal grants or receipts unless otherwise provided by the general assembly.

Sec. 74. UNEMPLOYMENT COMPENSATION PROGRAM. Notwithstanding section 96.9, subsection 4, paragraph "a", moneys credited to the state by the secretary of the treasury of the United States pursuant to section 903 of the Social Security Act shall be appropriated to the department of workforce development and shall be used by the department for the administration of the unemployment compensation program only. This appropriation shall not apply to any fiscal year after December 31, 2002.



Sec. 75. PAYROLL EXPENDITURE REFUNDS. In lieu of the appropriation made in section 15.365, subsection 3, there is appropriated for the fiscal year beginning July 1, 2002, and ending June 30, 2003, \$28,498, or so much thereof as is necessary, from the general fund of the state to the department of economic development to pay refunds as provided under section 15.365.

DIVISION IV  
EDUCATION

COLLEGE STUDENT AID COMMISSION

Sec. 76. There is appropriated from the general fund of the state to the college student aid commission for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amounts, or so much thereof as may be necessary, to be used for the purposes designated:

1. GENERAL ADMINISTRATION

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

..... \$ 293,138  
..... FTEs 5.20

2. STUDENT AID PROGRAMS

For payments to students for the Iowa grant program:

..... \$ 1,029,884

3. DES MOINES UNIVERSITY -- OSTEOPATHIC MEDICAL CENTER

a. For forgivable loans to Iowa students attending the Des Moines university -- osteopathic medical center under the forgivable loan program pursuant to section 261.19:

..... \$ 95,700

b. For the Des Moines university -- osteopathic medical center for an initiative in primary health care to direct primary care physicians to shortage areas in the state:

..... \$ 355,334

4. ACCELERATED CAREER EDUCATION GRANT PROGRAM

For the accelerated career education grant program established in section 261.22:

..... \$ 224,895

5. CHIROPRACTIC GRADUATE STUDENT FORGIVABLE LOAN PROGRAM

For purposes of providing forgivable loans under the program established in section 261.71:

..... \$ 89,958

6. NATIONAL GUARD EDUCATIONAL ASSISTANCE PROGRAM

For purposes of providing national guard educational assistance under the program established in section 261.86:

..... \$ 1,175,000

7. TEACHER SHORTAGE FORGIVABLE LOAN PROGRAM

For the teacher shortage forgivable loan program established in section 261.111:

..... \$ 472,279

Sec. 77. WORK-STUDY APPROPRIATION NULLIFICATION FOR FY 2002-2003. Notwithstanding section 261.85, for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the amount appropriated for the work-study program under section 261.85 shall be zero.

DEPARTMENT OF CULTURAL AFFAIRS

Sec. 78. There is appropriated from the general fund of the state to the department of cultural affairs for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. ADMINISTRATION

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

..... \$ 231,707

..... FTEs 4.30

The department of cultural affairs shall coordinate activities with the tourism division of the department of economic development to promote attendance at the state historical building and at this state's historic sites.

2. COMMUNITY CULTURAL GRANTS

For planning and programming for the community cultural grants program established under section 303.3, and for not more than the following full-time equivalent position:

..... \$ 598,450

..... FTEs 0.70

3. HISTORICAL DIVISION

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

..... \$ 3,025,891

..... FTEs 66.70

4. HISTORIC SITES

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

..... \$ 536,146

..... FTEs 8.00

5. ARTS DIVISION

For salaries, support, maintenance, miscellaneous purposes, including funds to match federal grants and for not more than the following full-time equivalent positions:

..... \$ 1,254,679

..... FTEs 11.00

DEPARTMENT OF EDUCATION

Sec. 79. There is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amounts, or so much thereof as may be necessary, to be used for the purposes designated:

1. GENERAL ADMINISTRATION

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

..... \$ 5,165,531

..... FTEs 104.45

The director of the department of education shall ensure that all school districts are aware of the state education resources available on the state website for listing teacher job openings and shall make every reasonable effort to enable qualified practitioners to post their resumes on the state website. The department shall administer the posting of job

vacancies for school districts, accredited nonpublic schools, and area education agencies on the state website. The department may coordinate this activity with the Iowa school board association or other interested education associations in the state.

2. VOCATIONAL EDUCATION ADMINISTRATION

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

..... \$ 500,111

..... FTEs 15.60

3. BOARD OF EDUCATIONAL EXAMINERS

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

..... \$ 43,695

..... FTEs 9.00

4. VOCATIONAL REHABILITATION SERVICES DIVISION

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

..... \$ 4,386,854

..... FTEs 290.50

The division of vocational rehabilitation services shall seek funding from other sources, such as local funds, for purposes of matching the state's federal vocational rehabilitation allocation, as well as for matching other federal vocational rehabilitation funding that may become available.

Except where prohibited under federal law, the division of vocational rehabilitation services of the department of education shall accept client assessments, or assessments of potential clients, performed by other agencies in order to reduce duplication of effort.

Notwithstanding the full-time equivalent position limit established in this lettered paragraph, for the fiscal year ending June 30, 2003, if federal funding is received to pay

the costs of additional employees for the vocational rehabilitation services division who would have duties relating to vocational rehabilitation services paid for through federal funding, authorization to hire not more than 4.00 additional full-time equivalent employees shall be provided, the full-time equivalent position limit shall be exceeded, and the additional employees shall be hired by the division.

b. For matching funds for programs to enable persons with severe physical or mental disabilities to function more independently, including salaries and support, and for not more than the following full-time equivalent position:

..... \$ 57,158  
..... FTEs 1.00

The highest priority use for the moneys appropriated under this lettered paragraph shall be for programs that emphasize employment and assist persons with severe physical or mental disabilities to find and maintain employment to enable them to function more independently.

5. STATE LIBRARY

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

..... \$ 1,500,000  
..... FTEs 20.00

b. For the enrich Iowa program:

..... \$ 1,781,168

(1) Funds allocated for purposes of the enrich Iowa program as provided in this lettered paragraph shall be distributed by the division of libraries and information services to provide support for Iowa's libraries. The commission of libraries shall develop rules governing the allocation of funds provided by the general assembly for the enrich Iowa program to provide direct state assistance to public libraries and to fund the open access and access plus programs. Direct state assistance to eligible public libraries is provided as an incentive to improve library

services and to reduce inequities among communities in the delivery of library services based on recognized and adopted performance measures. Funds distributed as direct state assistance shall be distributed to eligible public libraries that are in compliance with performance measures adopted by rule by the commission of libraries. The funds allocated as provided in this lettered paragraph shall not be used for the costs of administration by the division. The amount of direct state assistance distributed under the enrich Iowa program for the fiscal year beginning July 1, 2002, shall not be lower than the amount distributed under the enrich Iowa program for the fiscal year commencing July 1, 2001. The amount of direct state assistance distributed to each eligible public library shall be based upon the following:

(a) The level of compliance by the eligible public library with the performance measures adopted by the commission as provided in this subparagraph.

(b) The number of people residing within an eligible library's geographic service area for whom the library provides services.

(c) The amount of other funding the eligible public library received in the previous fiscal year for providing services to rural residents and to contracting communities.

(2) Moneys received by a public library under this lettered paragraph shall supplement, not supplant, any other funding received by the library.

(3) For purposes of this section, "eligible public library" means a public library that meets all of the following requirements:

(a) Submits to the division all of the following:

(i) The report provided for under section 256.51, subsection 1, paragraph "h".

(ii) An application and accreditation report, in a format approved by the commission, that provides evidence of the library's compliance with at least one level of the standards established in accordance with section 256.51, subsection 1, paragraph "k".

(iii) Any other application or report the division deems necessary for the implementation of the enrich Iowa program.

(b) Participates in the library resource and information sharing programs established by the state library.

(c) Is a public library established by city ordinance or a library district as provided in chapter 336.

(4) Each eligible public library shall maintain a separate listing within its budget for payments received and expenditures made pursuant to this lettered paragraph, and shall annually submit this listing to the division.

(5) By January 15, 2003, the division shall submit a program evaluation report to the general assembly and the governor detailing the uses and the impacts of funds allocated under this lettered paragraph.

(6) A public library that receives funds in accordance with this lettered paragraph shall have an internet use policy in place, which may or may not include internet filtering. The library shall submit a report describing the library's internet use efforts to the division.

(7) A public library that receives funds in accordance with this lettered paragraph shall provide open access, the reciprocal borrowing program, as a service to its patrons, at a reimbursement rate determined by the state library.

6. LIBRARY SERVICE AREA SYSTEM

For state aid:

..... \$ 1,443,613

7. PUBLIC BROADCASTING DIVISION

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

..... \$ 6,856,407

..... FTEs 89.00

8. REGIONAL TELECOMMUNICATIONS COUNCIL

For state aid and for not more than the following full-time equivalent positions:

..... \$ 1,612,500

..... FTEs 8.00

a. Of the amount appropriated in this section, \$340,215 shall be allocated to the public broadcasting division for purposes of providing support for functions related to the Iowa communications network, including but not limited to the following functions: development of distance learning applications; development of a central information source on the internet relating to educational uses of the network; second-line technical support for network sites; testing and initializing sites onto the network; and coordinating the work of the education telecommunications council.

b. Of the amount appropriated in this section, \$1,272,285 shall be allocated to the regional telecommunications councils established in section 8D.5. The regional telecommunications councils shall use the funds to provide technical assistance for network classrooms, planning and troubleshooting for local area networks, scheduling of video sites, and other related support activities.

9. VOCATIONAL EDUCATION TO SECONDARY SCHOOLS

For reimbursement for vocational education expenditures made by secondary schools:

..... \$ 3,012,209

Funds appropriated in this subsection shall be used for expenditures made by school districts to meet the standards set in sections 256.11, 258.4, and 260C.14 as a result of the enactment of 1989 Iowa Acts, chapter 278. Funds shall be used as reimbursement for vocational education expenditures made by secondary schools in the manner provided by the department of education for implementation of the standards set in 1989 Iowa Acts, chapter 278.

10. SCHOOL FOOD SERVICE

For use as state matching funds for federal programs that shall be disbursed according to federal regulations, including salaries, support, maintenance, and miscellaneous purposes:

..... \$ 2,574,034

11. IOWA EMPOWERMENT FUND

For deposit in the school ready children grants account of the Iowa empowerment fund created in section 28.9:

..... \$ 14,033,448

a. From the moneys deposited in the school ready children grants account for the fiscal year beginning July 1, 2002, and ending June 30, 2003, not more than \$200,000 is allocated for the community empowerment office and other technical assistance activities. It is the intent of the general assembly that regional technical assistance teams will be established and will include staff from various agencies, as appropriate, including the area education agencies, community colleges, and the Iowa state university of science and technology cooperative extension service in agriculture and home economics. The Iowa empowerment board shall direct staff to work with the advisory council to inventory technical assistance needs. Funds allocated under this lettered paragraph may be used by the Iowa empowerment board for the purpose of skills development and support for ongoing training of the regional technical assistance teams. However, funds shall not be used for additional staff or for the reimbursement of staff.

b. Notwithstanding any other provision of law to the contrary, for the fiscal year beginning July 1, 2002, the total amount available for distribution for that fiscal year from the school ready children grants account from the appropriation made in this subsection and in any other appropriation made to the account for the fiscal year beginning July 1, 2002, shall be distributed as follows:

(1) If the total amount deposited in the school ready children grants account for fiscal year 2002-2003 is reduced from the total amount deposited in the account for fiscal year 2001-2002, the school ready children grants for those designated community empowerment areas that first received a school ready children grant in a fiscal year prior to fiscal year 2000-2001 shall be subject to an adjustment factor. The adjustment factor shall be determined by calculating the amount of reduction in the deposits between the two fiscal years as a percentage of the combined amount actually distributed in fiscal year 2001-2002 to those designated

community empowerment areas that first received a school ready children grant in a fiscal year prior to fiscal year 2000-2001. Each designated community empowerment area that first received a school ready children grant in a fiscal year prior to fiscal year 2000-2001 shall receive an amount for fiscal year 2002-2003 equivalent to the amount received by the area in fiscal year 2001-2002 as decreased by applying the adjustment factor.

(2) The designated community empowerment areas that first received a school ready children grant in fiscal year 2000-2001 shall receive for fiscal year 2002-2003 an amount equivalent to the amount distributed to each of those areas for fiscal year 2001-2002.

c. As a condition of receiving funding appropriated in this subsection, each community empowerment area board shall report to the Iowa empowerment board progress on each of the state indicators approved by the state board, as well as progress on local indicators. The community empowerment area board must also submit a written plan amendment extending by one year the area's comprehensive school ready children grant plan developed for providing services for children from birth through five years of age and provide other information specified by the Iowa empowerment board. The amendment may also provide for changes in the programs and services provided under the plan. The Iowa empowerment board shall establish a submission deadline for the plan amendment that allows a reasonable period of time for preparation of the plan amendment and for review and approval or request for modification of the plan amendment by the Iowa empowerment board. In addition, the community empowerment board must continue to comply with reporting provisions and other requirements adopted by the Iowa empowerment board in implementing section 28.8.

12. TEXTBOOKS OF NONPUBLIC SCHOOL PUPILS

To provide funds for costs of providing textbooks to each resident pupil who attends a nonpublic school as authorized by section 301.1. The funding is limited to \$20 per pupil and

shall not exceed the comparable services offered to resident public school pupils:

..... \$ 578,880

13. VOCATIONAL EDUCATION YOUTH ORGANIZATION

To assist a vocational education youth organization sponsored by the schools to support the foundation established by that vocational education youth organization and for other youth activities:

..... \$ 81,630

14. CONNECTING EDUCATION AND WORKFORCE DEVELOPMENT

For purposes of providing support to statewide school-to-work implementation through professional development opportunities, employability skill revalidation, partnership capacity building, connecting to the department of workforce development's making connections system implementation, and the integration of academic and vocational education, and for not more than the following full-time equivalent positions:

..... \$ 185,212

..... FTEs 2.50

15. JOBS FOR AMERICA'S GRADUATES

For school districts to provide direct services to the most at-risk senior high school students enrolled in school districts through direct intervention by a "jobs for America's graduates" specialist:

..... \$ 136,552

It is the intent of the general assembly to cease providing state assistance for purposes of the jobs for America's graduates program beyond the fiscal year ending June 30, 2003.

16. AMERICORPS AFTER-SCHOOL INITIATIVE

For purposes of the americorps after-school initiative:

..... \$ 136,552

It is the intent of the general assembly to cease providing state assistance for purposes of the americorps after-school initiative beyond the fiscal year ending June 30, 2003.

17. STUDENT ACHIEVEMENT AND TEACHER QUALITY PROGRAM

For purposes, as provided in law, of the student achievement and teacher quality program established pursuant to chapter 284:

..... \$ 7,750,000

Notwithstanding section 8.33, any moneys remaining unencumbered or unobligated from the moneys allocated as provided in this subsection shall not revert but shall remain available in the succeeding fiscal year for expenditure for the purposes designated. The provisions of section 8.39 shall not apply to the funds appropriated pursuant to this subsection.

18. COMMUNITY COLLEGES

For general state financial aid, including general financial aid to merged areas in lieu of personal property tax replacement payments, to merged areas as defined in section 260C.2, for vocational education programs in accordance with chapters 258 and 260C:

..... \$137,585,680

The funds appropriated in this subsection shall be allocated as follows:

- a. Merged Area I ..... \$ 6,602,820
b. Merged Area II ..... \$ 7,755,900
c. Merged Area III ..... \$ 7,205,055
d. Merged Area IV ..... \$ 3,521,678
e. Merged Area V ..... \$ 7,367,785
f. Merged Area VI ..... \$ 6,826,113
g. Merged Area VII ..... \$ 9,849,174
h. Merged Area IX ..... \$ 12,113,770
i. Merged Area X ..... \$ 19,011,042
j. Merged Area XI ..... \$ 20,177,551
k. Merged Area XII ..... \$ 7,949,367
l. Merged Area XIII ..... \$ 8,174,348
m. Merged Area XIV ..... \$ 3,563,670
n. Merged Area XV ..... \$ 11,213,616
o. Merged Area XVI ..... \$ 6,253,791

Sec. 80. BOARD OF EDUCATIONAL EXAMINERS LICENSING FEES.

Notwithstanding section 272.10, up to 85 percent of any funds received annually resulting from an increase in fees approved and implemented for licensing by the state board of educational examiners after July 1, 1997, shall be available

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for the fiscal year beginning July 1, 2002, to the state board for purposes related to the state board's duties, including, but not limited to, additional full-time equivalent positions. The director of revenue and finance shall draw warrants upon the treasurer of state from the funds appropriated as provided in this section and shall make the funds resulting from the increase in fees available during the fiscal year to the state board on a monthly basis.

STATE BOARD OF REGENTS

Sec. 81. There is appropriated from the general fund of the state to the state board of regents for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amounts, or so much thereof as may be necessary, to be used for the purposes designated:

1. OFFICE OF STATE BOARD OF REGENTS

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

..... \$ 1,177,051
..... FTEs 16.00

The state board of regents, the department of management, and the legislative fiscal bureau shall cooperate to determine and agree upon, by November 15, 2002, the amount that needs to be appropriated for tuition replacement for the fiscal year beginning July 1, 2003.

The state board of regents shall submit a monthly financial report in a format agreed upon by the state board of regents office and the legislative fiscal bureau.

b. For funds to be allocated to the southwest Iowa graduate studies center:

..... \$ 108,644

c. For funds to be allocated to the siouxland interstate metropolitan planning council for the tristate graduate center under section 262.9, subsection 21:

..... \$ 80,024

d. For funds to be allocated to the quad-cities graduate studies center:

..... \$ 161,758

2. STATE UNIVERSITY OF IOWA

a. General university, including lakeside laboratory For salaries, support, maintenance, equipment,

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

..... \$229,802,807
..... PTEs 4,055.62

It is the intent of the general assembly that the university continue progress on the school of public health and the public health initiative for the purposes of establishing an accredited school of public health and for funding an initiative for the health and independence of elderly Iowans. From the funds appropriated in this lettered paragraph, the university may use up to \$2,100,000 for the school of public health and the public health initiative.

Funds appropriated in this lettered paragraph shall not be available for expenditure for medically induced termination of a pregnancy, including but not limited to usage of mifepristone or RU-486, offered or administered by the student health center.

b. University hospitals

For salaries, support, maintenance, equipment, and miscellaneous purposes and for medical and surgical treatment of indigent patients as provided in chapter 255, for medical education, and for not more than the following full-time equivalent positions:

..... \$ 29,114,188
..... FTEs 5,471.01

The university of Iowa hospitals and clinics shall, within the context of chapter 255 and when medically appropriate, make reasonable efforts to extend the university of Iowa hospitals and clinics' use of home telemedicine and other technologies to reduce the frequency of visits to the hospital required by indigent patients. The university of Iowa hospitals and clinics shall submit a report to the general assembly and the legislative fiscal bureau by January 15,

2003, describing its use of these technologies to accomplish this purpose.

The university of Iowa hospitals and clinics shall submit quarterly a report regarding the portion of the appropriation in this lettered paragraph expended on medical education. The report shall be submitted in a format jointly developed by the university of Iowa hospitals and clinics, the legislative fiscal bureau, and the department of management, and shall delineate the expenditures and purposes of the funds.

Funds appropriated in this lettered paragraph shall not be used to perform abortions except medically necessary abortions, and shall not be used to operate the early termination of pregnancy clinic except for the performance of medically necessary abortions. For the purpose of this lettered paragraph, an abortion is the purposeful interruption of pregnancy with the intention other than to produce a live-born infant or to remove a dead fetus, and a medically necessary abortion is one performed under one of the following conditions:

- (1) The attending physician certifies that continuing the pregnancy would endanger the life of the pregnant woman.
- (2) The attending physician certifies that the fetus is physically deformed, mentally deficient, or afflicted with a congenital illness.
- (3) The pregnancy is the result of a rape which is reported within 45 days of the incident to a law enforcement agency or public or private health agency which may include a family physician.
- (4) The pregnancy is the result of incest which is reported within 150 days of the incident to a law enforcement agency or public or private health agency which may include a family physician.
- (5) The abortion is a spontaneous abortion, commonly known as a miscarriage, wherein not all of the products of conception are expelled.

The total quota allocated to the counties for indigent patients for the fiscal year beginning July 1, 2002, shall not

be lower than the total quota allocated to the counties for the fiscal year commencing July 1, 1998. The total quota shall be allocated among the counties on the basis of the 2000 census pursuant to section 255.16.

c. Psychiatric hospital

For salaries, support, maintenance, equipment, miscellaneous purposes, for the care, treatment, and maintenance of committed and voluntary public patients, and for not more than the following full-time equivalent positions:

.....	\$	7,446,268
.....	FTEs	272.11

d. Center for disabilities and development

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

.....	\$	6,678,843
.....	FTEs	143.34

From the funds appropriated in this lettered paragraph, \$200,000 shall be allocated for purposes of the creative employment options program.

e. Oakdale campus

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

.....	\$	2,820,522
.....	FTEs	43.25

f. State hygienic laboratory

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

.....	\$	3,948,752
.....	FTEs	102.49

g. Family practice program

For allocation by the dean of the college of medicine, with approval of the advisory board, to qualified participants, to carry out chapter 148D for the family practice program,



including salaries and support, and for not more than the following full-time equivalent positions:

..... \$ 2,195,031  
 ..... FTEs 192.40

h. Child health care services

For specialized child health care services, including childhood cancer diagnostic and treatment network programs, rural comprehensive care for hemophilia patients, and the Iowa high-risk infant follow-up program, including salaries and support, and for not more than the following full-time equivalent positions:

..... \$ 649,877  
 ..... FTEs 53.46

i. Statewide cancer registry

For the statewide cancer registry, and for not more than the following full-time equivalent positions:

..... \$ 190,934  
 ..... FTEs 2.40

j. Substance abuse consortium

For funds to be allocated to the Iowa consortium for substance abuse research and evaluation, and for not more than the following full-time equivalent positions:

..... \$ 68,675  
 ..... FTEs 1.50

k. Center for biocatalysis

For the center for biocatalysis, and for not more than the following full-time equivalent positions:

..... \$ 948,854  
 ..... FTEs 5.20

l. Primary health care initiative

For the primary health care initiative in the college of medicine and for not more than the following full-time equivalent positions:

..... \$ 810,484  
 ..... FTEs 7.75

From the funds appropriated in this lettered paragraph, \$330,000 shall be allocated to the department of family

practice at the state university of Iowa college of medicine for family practice faculty and support staff.

m. Birth defects registry

For the birth defects registry and for not more than the following full-time equivalent positions:

..... \$ 47,365  
 ..... FTEs 1.30

3. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY

a. General university

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

..... \$181,487,906  
 ..... FTEs 3,647.42

It is the intent of the general assembly that the university continue progress on the center for excellence in fundamental plant sciences. From the funds appropriated in this lettered paragraph, the university may use up to \$4,670,000 for the center for excellence in fundamental plant sciences.

The general assembly declares that it is possible that a few large companies may be able to control all levels of the food chain, including production, because these companies own the genetics needed to participate in the food system of the future, and finds this possibility to be a major threat to the independence and profitability of Iowa's agricultural producers. To ensure public ownership of plant genetic material, all rights to the research products developed by the Iowa state university of science and technology's botany institute using state-appropriated funds will be made available to the extent practicable for commercialization, for the benefit of all Iowans, including Iowa's agricultural producers, through a public process which normally involves nonexclusive licensing of genes and germplasm.

Funds appropriated in this lettered paragraph shall not be available for expenditure for medically induced termination of a pregnancy, including but not limited to usage of

mifepristone or RU-486, offered or administered by the student health center.

b. Agricultural experiment station

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

..... \$ 32,954,175
..... FTEs 546.98

c. Cooperative extension service in agriculture and home economics

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

..... \$ 20,822,682
..... FTEs 383.34

d. Leopold center

For agricultural research grants at Iowa state university under section 266.39B, and for not more than the following full-time equivalent positions:

..... \$ 504,357
..... FTEs 11.25

e. Livestock disease research

For deposit in and the use of the livestock disease research fund under section 267.8, and for not more than the following full-time equivalent positions:

..... \$ 240,636
..... FTEs 3.17

4. UNIVERSITY OF NORTHERN IOWA

a. General university

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

..... \$ 81,226,925
..... FTEs 1,428.79

It is the intent of the general assembly that the university continue progress on the implementation of a masters in social work program. From the funds appropriated

in this lettered paragraph, the university may use up to \$450,000 for the implementation of the masters in social work program, up to \$100,000 for the roadside vegetation project, and up to \$200,000 for the Iowa office for staff development.

Funds appropriated in this lettered paragraph shall not be available for expenditure for medically induced termination of a pregnancy, including but not limited to usage of mifepristone or RU-486, offered or administered by the student health center.

b. Recycling and reuse center

For purposes of the recycling and reuse center, and for not more than the following full-time equivalent position:

..... \$ 221,447
..... FTEs 0.89

5. STATE SCHOOL FOR THE DEAF

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

..... \$ 7,891,351
..... FTEs 117.29

6. IOWA BRAILLE AND SIGHT SAVING SCHOOL

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

..... \$ 4,422,904
..... FTEs 81.00

7. TUITION AND TRANSPORTATION COSTS

For payment to local school boards for the tuition and transportation costs of students residing in the Iowa braille and sight saving school and the state school for the deaf pursuant to section 262.43 and for payment of certain clothing and transportation costs for students at these schools pursuant to section 270.5:

..... \$ 15,103

Sec. 82. MEDICAL ASSISTANCE -- SUPPLEMENTAL AMOUNTS. For the fiscal year beginning July 1, 2002, and ending June 30, 2003, the department of human services shall continue the

supplemental disproportionate share and a supplemental indirect medical education adjustment applicable to state-owned acute care hospitals with more than 500 beds and shall reimburse qualifying hospitals pursuant to that adjustment with a supplemental amount for services provided medical assistance recipients. The adjustment shall generate supplemental payments intended to equal the state appropriation made to a qualifying hospital for treatment of indigent patients as provided in chapter 255. To the extent of the supplemental payments, a qualifying hospital shall, after receipt of the funds, transfer to the department of human services an amount equal to the actual supplemental payments that were made in that month. The aggregate amounts for the fiscal year shall not exceed the state appropriation made to the qualifying hospital for treatment of indigent patients as provided in chapter 255. The department of human services shall deposit these funds in the department's medical assistance account. To the extent that state funds appropriated to a qualifying hospital for the treatment of indigent patients as provided in chapter 255 have been transferred to the department of human services as a result of these supplemental payments made to the qualifying hospital, the department shall not, directly or indirectly, recoup the supplemental payments made to a qualifying hospital for any reason, unless an equivalent amount of the funds transferred to the department of human services by a qualifying hospital pursuant to this provision is transferred to the qualifying hospital by the department.

If the state supplemental amount allotted to the state of Iowa for the federal fiscal year beginning October 1, 2002, and ending September 30, 2003, pursuant to section 1923(f)(3) of the federal Social Security Act, as amended, or pursuant to federal payments for indirect medical education is greater than the amount necessary to fund the federal share of the supplemental payments specified in the preceding paragraph, the department of human services shall increase the supplemental disproportionate share or supplemental indirect

medical education adjustment by the lesser of the amount necessary to utilize fully the state supplemental amount or the amount of state funds appropriated to the state university of Iowa general education fund and allocated to the university for the college of medicine. The state university of Iowa shall transfer from the allocation for the college of medicine to the department of human services, on a monthly basis, an amount equal to the additional supplemental payments made during the previous month pursuant to this paragraph. A qualifying hospital receiving supplemental payments pursuant to this paragraph that are greater than the state appropriation made to the qualifying hospital for treatment of indigent patients as provided in chapter 255 shall be obligated as a condition of its participation in the medical assistance program to transfer to the state university of Iowa general education fund on a monthly basis an amount equal to the funds transferred by the state university of Iowa to the department of human services. To the extent that state funds appropriated to the state university of Iowa and allocated to the college of medicine have been transferred to the department of human services as a result of these supplemental payments made to the qualifying hospital, the department shall not, directly or indirectly, recoup these supplemental payments made to a qualifying hospital for any reason, unless an equivalent amount of the funds transferred to the department of human services by the state university of Iowa pursuant to this paragraph is transferred to the qualifying hospital by the department.

Continuation of the supplemental disproportionate share and supplemental indirect medical education adjustment shall preserve the funds available to the university hospital for medical and surgical treatment of indigent patients as provided in chapter 255 and to the state university of Iowa for educational purposes at the same level as provided by the state funds initially appropriated for that purpose.

The department of human services shall, in any compilation of data or other report distributed to the public concerning

payments to providers under the medical assistance program, set forth reimbursements to a qualifying hospital through the supplemental disproportionate share and supplemental indirect medical education adjustment as a separate item and shall not include such payments in the amounts otherwise reported as the reimbursement to a qualifying hospital for services to medical assistance recipients.

For purposes of this section, "supplemental payment" means a supplemental payment amount paid for medical assistance to a hospital qualifying for that payment under this section.

Sec. 83. For the fiscal year beginning July 1, 2002, and ending June 30, 2003, the state board of regents may use notes, bonds, or other evidences of indebtedness issued under section 262.48 to finance projects that will result in energy cost savings in an amount that will cause the state board to recover the cost of the projects within an average of six years.

Sec. 84. Notwithstanding section 270.7, the department of revenue and finance shall pay the state school for the deaf and the Iowa braille and sight saving school the moneys collected from the counties during the fiscal year beginning July 1, 2002, for expenses relating to prescription drug costs for students attending the state school for the deaf and the Iowa braille and sight saving school.

Sec. 85. Section 261.25, subsections 1 through 3, Code 2001, are amended to read as follows:

1. There is appropriated from the general fund of the state to the commission for each fiscal year the sum of forty-eight forty-seven million eight one hundred thirty fifty-five thousand seventy-five three hundred eighty-two dollars for tuition grants.

2. There is appropriated from the general fund of the state to the commission for each fiscal year the sum of four hundred ninety-eight seventy-seven thousand five one hundred forty three dollars for scholarships.

3. There is appropriated from the general fund of the state to the commission for each fiscal year the sum of two

million four three hundred eighty-two seventy-five thousand four six hundred fifty-seven dollars for vocational-technical tuition grants.

Sec. 86. NEW SECTION. 262.100 INNOVATIVE SCHOOL CALENDAR PILOT PROGRAM -- SCHOOL FOR THE DEAF.

The state board of regents may establish a three-year pilot program to evaluate the benefits of establishing an innovative school calendar for the school for the deaf. If the board establishes a pilot program in accordance with this section, the board shall provide for the administration of valid and reliable standardized assessments to demonstrate the program's effect on student achievement. Any findings and recommendations resulting from a pilot program established in accordance with this section shall be submitted to the chairpersons and ranking members of the senate and house standing committees on education and the joint appropriations subcommittee on education by December 15, 2005. The report shall include a listing of the savings, goals and outcomes, and the effect of the innovative school calendar on student achievement and the school's educational program. This section is repealed effective June 30, 2006.

DIVISION V  
HEALTH AND HUMAN RIGHTS

Sec. 87. DEPARTMENT FOR THE BLIND. There is appropriated from the general fund of the state to the department for the blind for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:  
..... \$ 1,601,864  
..... FTEs 106.50

Sec. 88. CIVIL RIGHTS COMMISSION. There is appropriated from the general fund of the state to the Iowa state civil rights commission for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much

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

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

.....	\$	951,050
.....	FTEs	35.75

If the anticipated amount of federal funding from the federal equal employment opportunity commission and the federal department of housing and urban development exceeds \$1,144,875 during the fiscal year beginning July 1, 2002, the Iowa state civil rights commission may exceed the staffing level authorized in this section to hire additional staff to process or to support the processing of employment and housing complaints during that fiscal year.

Sec. 89. DEPARTMENT OF ELDER AFFAIRS. There is appropriated from the general fund of the state to the department of elder affairs for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

1. For aging programs for the department of elder affairs and area agencies on aging to provide citizens of Iowa who are 60 years of age and older with case management for the frail elderly, Alzheimer's support, the retired and senior volunteer program, resident advocate committee coordination, employment, and other services which may include, but are not limited to, adult day services, respite care, chore services, telephone reassurance, information and assistance, and home repair services, including the winterizing of homes, and for the construction of entrance ramps which make residences accessible to the physically handicapped, and for salaries, support, administration, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions with the department of elder affairs:

.....	\$	4,113,252
.....	FTEs	28.00

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a. Funds appropriated in this subsection may be used to supplement federal funds under federal regulations. To receive funds appropriated in this subsection, a local area agency on aging shall match the funds with moneys from other sources according to rules adopted by the department. Funds appropriated in this subsection may be used for elderly services not specifically enumerated in this subsection only if approved by an area agency on aging for provision of the service within the area.

b. It is the intent of the general assembly that the Iowa chapters of the Alzheimer's association and the case management program for the frail elderly shall collaborate and cooperate fully to assist families in maintaining family members with Alzheimer's disease in the community for the longest period of time possible.

c. The department shall maintain policies and procedures regarding Alzheimer's support and the retired and senior volunteer program.

2. The department may grant an exception for a limited period of time, determined by the department to be reasonable, to allow for compliance by persons regulated by the department or applicants for assisted living certification with any part of chapter 104A relative to buildings in existence on July 1, 1998. The determination of the period of time allowed for compliance shall be commensurate with the anticipated magnitude of expenditure, disruption of services, and the degree of hazard presented. The department shall also be authorized to modify the accessibility requirements otherwise applicable to such applicants for buildings in existence on July 1, 1998, if the department determines that compliance with the requirements would be unreasonable, but only if it is determined that noncompliance with the requirements would not present an unreasonable degree of danger.

Sec. 90. GOVERNOR'S OFFICE OF DRUG CONTROL POLICY.

1. There is appropriated from the general fund of the state to the governor's office of drug control policy for the fiscal year beginning July 1, 2002, and ending June 30, 2003,

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

For salaries, support, maintenance, miscellaneous purposes including statewide coordination of the drug abuse resistance education (D.A.R.E.) programs or similar programs, and for not more than the following full-time equivalent positions:

..... \$ 411,504
..... FTEs 11.00

2. The governor's office of drug control policy, in consultation with the Iowa department of public health, and after discussion and collaboration with all interested agencies, shall coordinate substance abuse treatment and prevention efforts in order to avoid duplication of services.

Sec. 91. DEPARTMENT OF PUBLIC HEALTH. There is appropriated from the general fund of the state to the Iowa department of public health for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. ADDICTIVE DISORDERS

For reducing the prevalence of use of tobacco, alcohol, and other drugs, and treating individuals affected by addictive behaviors, including gambling, and for not more than the following full-time equivalent positions:

..... \$ 1,238,722
..... FTEs 15.51

a. The department shall continue to coordinate with substance abuse treatment and prevention providers regardless of funding source to assure the delivery of substance abuse treatment and prevention programs.

b. The commission on substance abuse, in conjunction with the department, shall continue to coordinate the delivery of substance abuse services involving prevention, social and medical detoxification, and other treatment by medical and nonmedical providers to uninsured and court-ordered substance abuse patients in all counties of the state.

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c. The department and any grantee or subgrantee of the department shall not discriminate against a nongovernmental organization that provides substance abuse treatment and prevention services or applies for funding to provide those services on the basis that the organization has a religious character. The department shall report to the governor and the general assembly on or before February 1, 2003, regarding the number of religious or other nongovernmental organizations that applied for funds in the preceding fiscal year, the amounts awarded to those organizations, and the basis for any refusal by the department or grantee or subgrantee of the department to award funds to any of those organizations that applied.

2. ADULT WELLNESS

For maintaining or improving the health status of adults, with target populations between the ages of 18 through 60, and for not more than the following full-time equivalent positions:

..... \$ 521,096
..... FTEs 24.27

3. CHILD AND ADOLESCENT WELLNESS

For promoting the optimum health status for children and adolescents from birth through 21 years of age, and for not more than the following full-time equivalent positions:

..... \$ 1,144,177
..... FTEs 47.07

4. CHRONIC CONDITIONS

For serving individuals identified as having chronic conditions or special health care needs, and for not more than the following full-time equivalent positions:

..... \$ 1,226,652
..... FTEs 10.30

5. COMMUNITY CAPACITY

For strengthening the health care delivery system at the local level, and for not more than the following full-time equivalent positions:

..... \$ 1,283,473

..... FTEs 26.12

6. ELDERLY WELLNESS

For optimizing the health of persons 60 years of age and older, and for not more than the following full-time equivalent positions:

..... \$ 9,900,801  
..... FTEs 4.05

7. ENVIRONMENTAL HAZARDS

For reducing the public's exposure to hazards in the environment, primarily chemical hazards, and for not more than the following full-time equivalent positions:

..... \$ 165,715  
..... FTEs 9.20

Of the full-time equivalent positions authorized in this subsection, 1.00 full-time equivalent position is contingent upon enactment of a statute transferring the abandoned wells program from the department of natural resources to the Iowa department of public health.

8. INFECTIOUS DISEASES

For reducing the incidence and prevalence of communicable diseases, and for not more than the following full-time equivalent positions:

..... \$ 1,147,036  
..... FTEs 36.40

9. INJURIES

For providing support and protection to victims of abuse or injury, or programs that are designed to prevent abuse or injury, and for not more than the following full-time equivalent positions:

..... \$ 1,536,236  
..... FTEs 8.55

Of the funds appropriated in this subsection, \$660,000 shall be credited to the emergency medical services fund created in section 135.25.

10. PUBLIC PROTECTION

For protecting the health and safety of the public through establishing standards and enforcing regulations, and for not more than the following full-time equivalent positions:

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..... \$ 6,564,644  
..... FTEs 129.77

a. The department may expend funds received from licensing fees in addition to amounts appropriated in this subsection, if those additional expenditures are directly the result of a scope of practice review committee or unanticipated litigation costs arising from the discharge of an examining board's regulatory duties. Before the department expends or encumbers funds for a scope of practice review committee or an amount in excess of the funds budgeted for an examining board, the director of the department of management shall approve the expenditure or encumbrance. The amounts necessary to fund any unanticipated litigation or scope of practice review committee expense in the fiscal year beginning July 1, 2002, shall not exceed 5 percent of the average annual fees generated by the boards for the previous two fiscal years.

b. For the fiscal year beginning July 1, 2002, the department shall retain fees collected from the certification of lead inspectors and lead abaters pursuant to section 135.105A to support the certification program; and shall retain fees collected from the licensing, registration, authorization, accreditation, and inspection of x-ray machines used for mammographically guided breast biopsy, screening, and diagnostic mammography, pursuant to section 136C.10 to support the administration of the chapter. The department may also retain fees collected pursuant to section 136C.10 on all shippers of radioactive material waste containers transported across Iowa if the department does not obtain funding to support the oversight and regulation of this activity, and for x-ray radiology examination fees collected by the department and reimbursed to a private organization conducting the examination.

c. The department may retain and expend not more than \$279,056 for lease and maintenance expenses from fees collected pursuant to section 147.80 by the board of dental examiners, the board of pharmacy examiners, the board of medical examiners, and the board of nursing in the fiscal year

beginning July 1, 2002, and ending June 30, 2003. Fees retained by the department pursuant to this lettered paragraph are appropriated to the department for the purposes described in this lettered paragraph.

d. The department may retain and expend not more than \$100,000 for reduction of the number of days necessary to process medical license requests and for reduction of the number of days needed for consideration of malpractice cases from fees collected pursuant to section 147.80 by the board of medical examiners in the fiscal year beginning July 1, 2002, and ending June 30, 2003. Fees retained by the department pursuant to this lettered paragraph are appropriated to the department for the purposes described in this lettered paragraph.

e. If a person in the course of responding to an emergency renders aid to an injured person and becomes exposed to bodily fluids of the injured person, that emergency responder shall be entitled to hepatitis testing and immunization in accordance with the latest available medical technology to determine if infection with hepatitis has occurred. The person shall be entitled to reimbursement from the funds appropriated in this subsection only if the reimbursement is not available through any employer or third-party payor.

f. The board of dental examiners may retain and expend not more than \$148,060 from revenues generated pursuant to section 147.80. Fees retained by the board pursuant to this lettered paragraph are appropriated to the department to be used for the purposes of regulating dental assistants.

g. The board of medical examiners, the board of pharmacy examiners, the board of dental examiners, and the board of nursing shall prepare estimates of projected receipts to be generated by the licensing, certification, and examination fees of each board as well as a projection of the fairly apportioned administrative costs and rental expenses attributable to each board. Each board shall annually review and adjust its schedule of fees so that, as nearly as possible, projected receipts equal projected costs.

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h. The board of medical examiners, the board of pharmacy examiners, the board of dental examiners, and the board of nursing shall retain their individual executive officers, but are strongly encouraged to share administrative, clerical, and investigative staffs to the greatest extent possible.

i. The licensing boards funded under this section shall submit a report by February 1, 2003, to the chairpersons and ranking members of the joint appropriations subcommittee on health and human rights providing management to staff ratios of all funded positions as of January 13, 2003.

11. RESOURCE MANAGEMENT

For establishing and sustaining the overall ability of the department to deliver services to the public, and for not more than the following full-time equivalent positions:

.....	\$	1,152,902
.....	FTEs	53.76

12. The state university of Iowa hospitals and clinics under the control of the state board of regents shall not receive indirect costs from the funds appropriated in this section.

13. A local health care provider or nonprofit health care organization seeking grant moneys administered by the Iowa department of public health shall provide documentation that the provider or organization has coordinated its services with other local entities providing similar services.

14. a. The department shall apply for available federal funds for sexual abstinence education programs.

b. It is the intent of the general assembly to comply with the United States Congress' intent to provide education that promotes abstinence from sexual activity outside of marriage and reduces pregnancies, by focusing efforts on those persons most likely to father and bear children out of wedlock.

c. Any sexual abstinence education program awarded moneys under the grant program shall meet the definition of abstinence education in the federal law. Grantees shall be evaluated based upon the extent to which the abstinence program successfully communicates the goals set forth in the federal law.



d. It is the intent of the general assembly that the Iowa department of public health and the department of human services shall discuss the feasibility of combining adolescent pregnancy prevention programs under one department and shall submit a written report regarding such discussions to the chairpersons and ranking members of the joint appropriations subcommittee on health and human rights by November 1, 2002.

Sec. 92. DEPARTMENT OF HUMAN RIGHTS. There is appropriated from the general fund of the state to the department of human rights for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. CENTRAL ADMINISTRATION DIVISION

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

.....	\$	267,669
.....	FTEs	7.00

2. DEAF SERVICES DIVISION

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

.....	\$	328,616
.....	FTEs	7.00

The fees collected by the division for provision of interpretation services by the division to obligated agencies shall be disbursed pursuant to the provisions of section 8.32, and shall be dedicated and used by the division for continued and expanded interpretation services.

3. PERSONS WITH DISABILITIES DIVISION

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

.....	\$	181,294
.....	FTEs	3.50

4. LATINO AFFAIRS DIVISION

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

.....	\$	162,434
.....	FTEs	3.00

5. STATUS OF WOMEN DIVISION

For salaries, support, maintenance, miscellaneous purposes, including the Iowans in transition program, and the domestic violence and sexual assault-related grants, and for not more than the following full-time equivalent positions:

.....	\$	349,126
.....	FTEs	3.00

6. STATUS OF AFRICAN-AMERICANS DIVISION

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

.....	\$	130,234
.....	FTEs	2.00

7. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION

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

.....	\$	385,973
.....	FTEs	9.15

The criminal and juvenile justice planning advisory council and the juvenile justice advisory council shall coordinate their efforts in carrying out their respective duties relative to juvenile justice.

8. COMMUNITY GRANT FUND

For the community grant fund established in section 232.190, to be used for the purposes of the community grant fund and for not more than the following full-time equivalent position:

.....	\$	593,109
.....	FTEs	0.75

9. SHARED STAFF. The divisions of the department of human rights shall retain their individual administrators, but shall share staff to the greatest extent possible.

Sec. 93. COMMISSION OF VETERANS AFFAIRS. There is appropriated from the general fund of the state to the commission of veterans affairs for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. COMMISSION OF VETERANS AFFAIRS ADMINISTRATION

For salaries, support, maintenance, miscellaneous purposes, including the war orphan educational fund established pursuant to chapter 35, and for not more than the following full-time equivalent positions:

.....	\$	196,727
.....	FTEs	3.00

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The commission of veterans affairs may use the gifts accepted by the chairperson of the commission of veterans affairs, or designee, and other resources available to the commission for use at its Camp Dodge office. The commission shall report annually to the governor and the general assembly on monetary gifts received by the commission for the Camp Dodge office.

2. IOWA VETERANS HOME

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

.....	\$	14,445,694
.....	FTEs	843.00

a. The Iowa veterans home may use the gifts accepted by the chairperson of the commission of veterans affairs and other resources available to the commission for use at the Iowa veterans home.

b. Any Iowa veterans home successor contractor shall not consider employees of a state institution or facility to be new employees for purposes of employee wages, health insurance, or retirement benefits.

c. The chairpersons and ranking members of the joint appropriations subcommittee on health and human rights shall be notified by January 15 of any calendar year during which a

request for proposals is anticipated to be issued regarding any Iowa veterans home contract involving employment, for purposes of providing legislative review and oversight.

d. The Iowa veterans home shall operate with a net state general fund appropriation. The amount appropriated in this subsection is the net amount of state moneys projected to be needed for the Iowa veterans home. The purposes of operating with a net state general fund appropriation are to encourage the Iowa veterans home to operate with increased self-sufficiency, to improve quality and efficiency, and to support collaborative efforts among all funders of services available from the Iowa veterans home. Moneys appropriated in this subsection may be used throughout the fiscal year in the manner necessary for purposes of cash flow management, and for purposes of cash flow management the Iowa veterans home may temporarily draw more than the amount appropriated, provided the amount appropriated is not exceeded at the close of the fiscal year. Beginning September 1, 2002, the Iowa veterans home shall submit a report every other month to the chairpersons and ranking members of the joint appropriations subcommittee on health and human rights and to the legislative fiscal committee providing a financial analysis of revenues and expenses.

e. Revenues attributable to the Iowa veterans home for the fiscal year beginning July 1, 2002, shall be deposited into the Iowa veterans home account and shall be treated as repayment receipts, including but not limited to all of the following:

- (1) Federal veterans administration payments.
- (2) Medical assistance revenue received under chapter 249A.
- (3) Federal Medicare program payments.
- (4) Moneys received from client financial participation.
- (5) Other revenues generated from current, new, or expanded services which the Iowa veterans home is authorized to provide.

f. For the purposes of allocating the salary adjustment fund moneys appropriated in another Act, the Iowa veterans home shall be considered to be funded entirely with state moneys.

g. Notwithstanding section 8.33, up to \$500,000 of the Iowa veterans home revenues that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available to be used in the succeeding fiscal year.

Sec. 94. GAMBLING TREATMENT FUND -- APPROPRIATION.

1. There is appropriated from funds available in the gambling treatment fund established in the office of the treasurer of state pursuant to section 99E.10 to the Iowa department of public health for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

a. Addictive disorders

To be utilized for the benefit of persons with addictions:  
..... \$ 1,690,000

b. It is the intent of the general assembly that from the moneys appropriated in this section, persons with a dual diagnosis of substance abuse and gambling addictions shall be given priority in treatment services.

c. Gambling treatment program

The funds remaining in the gambling treatment fund after the appropriation in paragraph "a" is made shall be used for funding of administrative costs and to provide programs which may include, but are not limited to, outpatient and follow-up treatment for persons affected by problem gambling, rehabilitation and residential treatment programs, information and referral services, education and preventive services, and financial management services.

2. For the fiscal year beginning July 1, 2002, and ending June 30, 2003, from the tax revenue received by the state racing and gaming commission pursuant to section 99D.15, subsections 1, 3, and 4, an amount equal to three-tenths of

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one percent of the gross sum wagered by the pari-mutuel method is to be deposited into the gambling treatment fund.

Sec. 95. VITAL RECORDS. The vital records modernization project as enacted in 1993 Iowa Acts, chapter 55, section 1, as amended by 1994 Iowa Acts, chapter 1068, section 8, as amended by 1997 Iowa Acts, chapter 203, section 9, 1998 Iowa Acts, chapter 1221, section 9, and 1999 Iowa Acts, chapter 201, section 17, and as continued by 2000 Iowa Acts, chapter 1222, section 10, and 2001 Iowa Acts, chapter 182, section 13, shall be extended until June 30, 2003, and the increased fees to be collected pursuant to that project shall continue to be collected and are appropriated to the Iowa department of public health until June 30, 2003.

Sec. 96. SPAN OF CONTROL REPORTING. The department for the blind, the Iowa state civil rights commission, the department of elder affairs, the Iowa department of public health, the department of human rights, the governor's office of drug control policy, and the commission of veterans affairs shall submit a report by February 1, 2003, to the chairpersons and ranking members of the joint appropriations subcommittee on health and human rights providing all management to staff ratios of all funded positions as of January 13, 2003.

Sec. 97. PROGRAM PERFORMANCE BUDGETS. It is the intent of the general assembly that the department for the blind, the Iowa state civil rights commission, the department of elder affairs, the Iowa department of public health, the department of human rights, the governor's office of drug control policy, and the commission of veterans affairs develop program performance budget measures to include, but not be limited to, the development and tracking of demand, workload, productivity, and effectiveness performance indicators for each program. The program performance measures shall include minority programs and grants received by minority programs. The program performance measures shall also include gender-based programs. The purpose of the program performance budget initiative is to emphasize the programs the agencies provide based upon citizen needs, the agencies' responses to those

needs, and the resources the agencies require to respond to those needs. The agencies shall submit a report on the status of achieving the program performance measures to the chairpersons and ranking members of the joint appropriations subcommittee on health and human rights by December 16, 2002.

Sec. 98. SCOPE OF PRACTICE REVIEW PROJECT. The scope of practice review committee pilot project as enacted in 1997 Iowa Acts, chapter 203, section 6, shall be extended until July 1, 2003. The Iowa department of public health shall submit an annual progress report to the governor and the general assembly by January 15 and shall include any recommendations for legislative action as a result of review committee activities. The department may contract with a school or college of public health in Iowa to assist in implementing the project.

DIVISION VI  
HUMAN SERVICES

Sec. 99. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK GRANT. There is appropriated from the fund created in section 8.41 to the department of human services for the fiscal year beginning July 1, 2002, and ending June 30, 2003, from moneys received under the federal temporary assistance for needy families block grant pursuant to the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. No. 104-193 and successor legislation, which are federally appropriated for the federal fiscal years beginning October 1, 2001, and ending September 30, 2002, and beginning October 1, 2002, and ending September 30, 2003, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

If the federal government appropriation received for Iowa's portion of the federal temporary assistance for needy families block grant for the federal fiscal year beginning October 1, 2002, and ending September 30, 2003, is less than \$131,524,959, it is the intent of the general assembly to act expeditiously during the 2003 legislative session to adjust appropriations or take other actions to address the reduced

amount. Moneys appropriated in this section shall be used in accordance with the federal law making the funds available, applicable Iowa law, appropriations made from the general fund of the state in this Act for the purpose designated, and administrative rules adopted to implement the federal and Iowa law:

1. To be credited to the family investment program account and used for assistance under the family investment program under chapter 239B:  
..... \$ 45,618,447
2. To be credited to the family investment program account and used for the job opportunities and basic skills (JOBS) program, and implementing family investment agreements, in accordance with chapter 239B:  
..... \$ 13,412,794
3. For field operations:  
..... \$ 12,885,790
4. For general administration:  
..... \$ 3,238,614
5. For local administrative costs:  
..... \$ 2,122,982
6. For state child care assistance:  
..... \$ 28,638,329
  - a. Of the funds appropriated in this subsection, \$200,000 shall be used for provision of educational opportunities to registered child care home providers in order to improve services and programs offered by this category of providers and to increase the number of providers. The department may contract with institutions of higher education or child care resource and referral centers to provide the educational opportunities. Allowable administrative costs under the contracts shall not exceed 5 percent. The application for a grant shall not exceed two pages in length.
  - b. Of the funds appropriated in this subsection, the maximum amount allowed under Pub. L. No. 104-193 shall be transferred to the child care and development block grant appropriation. Funds appropriated in this subsection that

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remain following the transfer shall be used to provide direct spending for the child care needs of working parents in families eligible for the family investment program.

- 7. For emergency assistance:  
..... \$ 1,000,000
  - 8. For mental health and developmental disabilities community services:  
..... \$ 4,349,266
  - 9. For child and family services:  
..... \$ 22,896,571
  - 10. For child abuse prevention grants:  
..... \$ 250,000
  - 11. For pregnancy prevention grants on the condition that family planning services are funded:  
..... \$ 2,514,413
- Pregnancy prevention grants shall be awarded to programs in existence on or before July 1, 2002, if the programs are comprehensive in scope and have demonstrated positive outcomes. Grants shall be awarded to pregnancy prevention programs which are developed after July 1, 2002, if the programs are comprehensive in scope and are based on existing models that have demonstrated positive outcomes. Grants shall comply with the requirements provided in 1997 Iowa Acts, chapter 208, section 14, subsections 1 and 2, including the requirement that grant programs must emphasize sexual abstinence. Priority in the awarding of grants shall be given to programs that serve areas of the state which demonstrate the highest percentage of unplanned pregnancies of females age 13 or older but younger than age 18 within the geographic area to be served by the grant.
- 12. For technology needs and other resources necessary to meet federal welfare reform reporting, tracking, and case management requirements:  
..... \$ 565,088
  - 13. For volunteers:  
..... \$ 42,663

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- 14. For individual development accounts under chapter 541A:  
..... \$ 150,000
  - 15. For the healthy opportunities for parents to experience success (HOPES) program administered by the Iowa department of public health to target child abuse prevention:  
..... \$ 200,000
  - 16. To be credited to the state child care assistance appropriation made in this section to be used for funding of community-based early childhood programs targeted to children from birth through five years of age, developed by community empowerment areas as provided in this subsection:  
..... \$ 6,350,000
- a. The department may transfer federal temporary assistance for needy families block grant funding appropriated and allocated in this subsection to the child care and development block grant appropriation in accordance with federal law as necessary to comply with the provisions of this subsection. The funding shall then be provided to community empowerment areas for the fiscal year beginning July 1, 2002, in accordance with all of the following:
- (1) The area must be approved as a designated community empowerment area by the Iowa empowerment board.
  - (2) The maximum funding amount a community empowerment area is eligible to receive shall be determined by applying the area's percentage of the state's average monthly family investment program population in the preceding fiscal year to the total amount appropriated for fiscal year 2002-2003 from the TANF block grant to fund community-based programs targeted to children from birth through five years of age developed by community empowerment areas.
  - (3) A community empowerment area receiving funding shall comply with any federal reporting requirements associated with the use of that funding and other results and reporting requirements established by the Iowa empowerment board. The department shall provide technical assistance in identifying and meeting the federal requirements.

(4) The availability of funding provided under this subsection is subject to changes in federal requirements and amendments to Iowa law.

b. The moneys distributed in accordance with this subsection shall be used by communities for the purposes of enhancing quality child care capacity in support of parent capability to obtain or retain employment. The moneys shall be used with a primary emphasis on low-income families and children from birth to five years of age. Moneys shall be provided in a flexible manner to communities, and shall be used to implement strategies identified by the communities to achieve such purposes. In addition to the full-time equivalent positions funded in this division of this Act, 1.00 full-time equivalent position is authorized and the department may use funding appropriated in this subsection for provision of technical assistance and other support to communities developing and implementing strategies with moneys distributed in accordance with this subsection.

c. Moneys that are subject to this subsection which are not distributed to a community empowerment area or otherwise remain unobligated or unexpended at the end of the fiscal year shall revert to the fund created in section 8.41 to be available for appropriation by the general assembly in a subsequent fiscal year.

Of the amounts appropriated in this section, \$11,612,112 for the fiscal year beginning July 1, 2002, shall be transferred to the appropriation of the federal social services block grant for that fiscal year.

Eligible funding available under the federal temporary assistance for needy families block grant that is not appropriated or not otherwise expended shall be considered reserved for economic downturns and welfare reform purposes and is subject to further state appropriation to support families in their movement toward self-sufficiency.

Federal funding received that is designated for activities supporting marriage or two-parent families is appropriated to the Iowa marriage initiative grant fund created in section 234.45.

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Sec. 100. FAMILY INVESTMENT PROGRAM ACCOUNT.

1. Moneys credited to the family investment program (FIP) account for the fiscal year beginning July 1, 2002, and ending June 30, 2003, shall be used in accordance with the following requirements:

a. The department shall provide assistance in accordance with chapter 239B.

b. The department shall continue the special needs program under the family investment program.

c. The department shall continue to comply with federal welfare reform data requirements pursuant to the appropriations made for that purpose.

d. (1) The department shall continue expansion of the electronic benefit transfer program as necessary to comply with federal food stamp benefit requirements. The target date for statewide implementation of the program is October 1, 2003.

(2) Notwithstanding section 234.12A, subsection 1, for the fiscal year beginning July 1, 2002, a retailer providing electronic equipment shall not be reimbursed a transaction fee.

2. The department may use a portion of the moneys credited to the family investment account under this section, as necessary for salaries, support, maintenance, and miscellaneous purposes for not more than the following full-time equivalent positions which are in addition to any other full-time equivalent positions authorized by this Act:

..... FTEs 6.00

3. The department may transfer funds in accordance with section 8.39, either federal or state, to or from the child care appropriations made for the fiscal year beginning July 1, 2002, if the department deems this would be a more effective method of paying for JOBS program child care, to maximize federal funding, or to meet federal maintenance of effort requirements.

4. Moneys appropriated in this division of this Act and credited to the family investment program account for the

fiscal year beginning July 1, 2002, and ending June 30, 2003, are allocated as follows:

a. For the family development and self-sufficiency grant program as provided under section 217.12:  
..... \$ 5,133,042

(1) Of the funds allocated for the family development and self-sufficiency grant program in this lettered paragraph, not more than 5 percent of the funds shall be used for the administration of the grant program.

(2) Based upon the annual evaluation report concerning each grantee funded by previously appropriated funds and through the solicitation of additional grant proposals, the family development and self-sufficiency council may use the allocated funds to renew or expand existing grants or award new grants. In utilizing the funding allocated in this lettered paragraph, the council shall give consideration, in addition to other criteria established by the council, to a grantee's intended use of local funds with a grant and to whether approval of a grant proposal would expand the availability of the program's services.

(3) The department may continue to implement the family development and self-sufficiency grant program statewide during FY 2002-2003.

b. For the diversion subaccount of the family investment program account:  
..... \$ 1,814,000

(1) Moneys allocated to the diversion subaccount shall be used to continue the pilot initiative of providing incentives to assist families who meet income eligibility requirements for the family investment program in obtaining or retaining employment, to assist participant families in overcoming barriers to obtaining employment, and to assist families in stabilizing employment and in reducing the likelihood of the family returning to the family investment program. The requirements established and position authorized under 2001 Iowa Acts, chapter 191, section 3, subsection 5, paragraph "c", subparagraph (1), shall remain applicable to the initiative for fiscal year 2002-2003.

(2) Of the moneys allocated to the diversion subaccount, not more than \$250,000 shall be used to develop or continue community-level parental obligation pilot projects. The requirements established under 2001 Iowa Acts, chapter 191, section 3, subsection 5, paragraph "c", subparagraph (3), shall remain applicable to the parental obligation pilot projects for fiscal year 2002-2003.

c. For the food stamp employment and training program:  
..... \$ 63,000

5. Of the child support collections assigned under the family investment program, an amount equal to the federal share of support collections shall be credited to the child support recovery appropriation. Of the remainder of the assigned child support collections received by the child support recovery unit, a portion shall be credited to the family investment program account and a portion may be used to increase recoveries.

6. The department may adopt emergency administrative rules for the family investment, food stamp, and medical assistance programs, if necessary, to comply with federal requirements. Prior to adoption of the rules, the department shall consult with the welfare reform council and the chairpersons and ranking members of the joint appropriations subcommittee on human services.

7. The department may continue the initiative to streamline and simplify the employer verification process for applicants, participants, and employers in the administration of the department's programs. The department may contract with companies collecting data from employers when the information is needed in the administration of these programs. The department may limit the availability of the initiative on the basis of geographic area or number of individuals.

Sec. 101. FAMILY INVESTMENT PROGRAM GENERAL FUND. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

To be credited to the family investment program account and used for family investment program assistance under chapter 239B:

..... \$ 35,288,782

1. The department of workforce development, in consultation with the department of human services, shall continue to utilize recruitment and employment practices to include former and current family investment program recipients.

2. The department of human services shall continue to work with the department of workforce development and local community collaborative efforts to provide support services for family investment program participants. The support services shall be directed to those participant families who would benefit from the support services and are likely to have success in achieving economic independence.

3. Of the funds appropriated in this section, \$9,274,143 is allocated for the JOBS program.

4. The department shall continue to work with religious organizations and other charitable institutions to increase the availability of host homes, referred to as second chance homes or other living arrangements under the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. No. 104-193, § 103. The purpose of the homes or arrangements is to provide a supportive and supervised living arrangement for minor parents receiving assistance under the family investment program who, under chapter 239B, may receive assistance while living in an alternative setting other than with their parent or legal guardian.

Sec. 102. EMERGENCY ASSISTANCE.

1. The emergency assistance funds received in accordance with this section and federal moneys appropriated for this purpose in this division of this Act shall be available beginning October 1, 2002, and shall be provided only if all other publicly funded resources have been exhausted. Specifically, emergency assistance is the program of last resort and shall not supplant assistance provided by the low-

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income home energy assistance program (LIHEAP), county general relief, and veterans affairs programs. The department shall establish a \$500 maximum payment, per family, in a 12-month period. The emergency assistance includes, but is not limited to, assisting people who face eviction, potential eviction, or foreclosure, utility shutoff or fuel shortage, loss of heating energy supply or equipment, homelessness, utility or rental deposits, or other specified crisis which threatens family or living arrangements. The emergency assistance shall be available to migrant families who would otherwise meet eligibility criteria. The department may contract for the administration and delivery of the program. The program shall be terminated when funds are exhausted.

2. a. For the fiscal year beginning July 1, 2002, the department shall continue the process for the state to receive refunds of utility and rent deposits, including any accrued interest, for emergency assistance recipients which were paid by persons other than the state. The department shall also receive refunds, including any accrued interest, of assistance paid with funding available under this program. The refunds received by the department under this subsection shall be deposited with the moneys of the appropriation made in this Act and are appropriated to be used as additional funds for the emergency assistance program.

b. Notwithstanding section 8.33, moneys received by the department under this subsection which remain after the emergency assistance program is terminated and state or federal moneys in the emergency assistance account which remain unobligated or unexpended at the close of the fiscal year beginning July 1, 2002, shall not revert but shall remain available for expenditure when the program resumes operation on October 1 in the succeeding fiscal year.

Sec. 103. CHILD SUPPORT RECOVERY. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purposes designated:



For child support recovery, including salaries, support, maintenance, and miscellaneous purposes and for not more than the following full-time equivalent positions:

.....	\$ 6,027,801
.....	FTEs 406.40

1. The director of human services, within the limitations of the moneys appropriated in this section, or moneys transferred from the family investment program account for this purpose, shall establish new positions and add employees to the child support recovery unit if the director determines that both the current and additional employees together can reasonably be expected to maintain or increase net state revenue at or beyond the budgeted level.

2. Nonpublic assistance application fees and other user fees received by the child support recovery unit are appropriated and shall be used for the purposes of the child support recovery program. The director of human services may add positions within the limitations of the amount appropriated for salaries and support for the positions.

3. The director of human services, in consultation with the department of management and the legislative fiscal committee, is authorized to receive and deposit state child support incentive earnings in the manner specified under applicable federal requirements.

4. a. The director of human services may establish new positions and add state employees to the child support recovery unit or contract for delivery of services if the director determines the employees are necessary to replace county-funded positions eliminated due to termination, reduction, or nonrenewal of a chapter 28E contract. However, the director must also determine that the resulting increase in the state share of child support recovery incentives exceeds the cost of the positions or contract, the positions or contract are necessary to ensure continued federal funding of the program, or the new positions or contract can reasonably be expected to recover at least twice the amount of money necessary to pay the salaries and support for the new

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positions or the contract will generate at least 200 percent of the cost of the contract.

b. Employees in full-time positions that transition from county government to state government employment under this subsection are exempt from testing, selection, and appointment provisions of chapter 19A and from the provisions of collective bargaining agreements relating to the filling of vacant positions.

5. Surcharges paid by obligors and received by the unit as a result of the referral of support delinquency by the child support recovery unit to any private collection agency are appropriated to the department and shall be used to pay the costs of any contracts with the collection agencies.

6. The department shall expend up to \$51,000, including federal financial participation, for the fiscal year beginning July 1, 2002, for a child support public awareness campaign. The department and the office of the attorney general shall cooperate in continuation of the campaign. The public awareness campaign shall emphasize, through a variety of media activities, the importance of maximum involvement of both parents in the lives of their children as well as the importance of payment of child support obligations.

7. Federal access and visitation grant moneys shall be issued directly to private not-for-profit agencies that provide services designed to increase compliance with the child access provisions of court orders, including but not limited to neutral visitation site and mediation services.

Sec. 104. MEDICAL ASSISTANCE. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For medical assistance reimbursement and associated costs as specifically provided in the reimbursement methodologies in effect on June 30, 2002, except as otherwise expressly authorized by law, including reimbursement for abortion services, which shall be available under the medical

assistance program only for those abortions which are medically necessary:

..... \$416,607,073

1. Medically necessary abortions are those performed under any of the following conditions:

- a. The attending physician certifies that continuing the pregnancy would endanger the life of the pregnant woman.
- b. The attending physician certifies that the fetus is physically deformed, mentally deficient, or afflicted with a congenital illness.
- c. The pregnancy is the result of a rape which is reported within 45 days of the incident to a law enforcement agency or public or private health agency which may include a family physician.
- d. The pregnancy is the result of incest which is reported within 150 days of the incident to a law enforcement agency or public or private health agency which may include a family physician.
- e. Any spontaneous abortion, commonly known as a miscarriage, if not all of the products of conception are expelled.

2. Notwithstanding section 8.39, the department may transfer funds appropriated in this section to a separate account established in the department's case management unit for expenditures required to provide case management services for mental health, mental retardation, and developmental disabilities services under medical assistance which are jointly funded by the state and county, pending final settlement of the expenditures. Funds received by the case management unit in settlement of the expenditures shall be used to replace the transferred funds and are available for the purposes for which the funds were appropriated in this section.

3. a. The county of legal settlement shall be billed for 50 percent of the nonfederal share of the cost of case management provided for adults, day treatment, and partial hospitalization in accordance with sections 249A.26 and

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249A.27, and 100 percent of the nonfederal share of the cost of care for adults which is reimbursed under a federally approved home and community-based waiver that would otherwise be approved for provision in an intermediate care facility for persons with mental retardation, provided under the medical assistance program. The state shall have responsibility for the remaining 50 percent of the nonfederal share of the cost of case management provided for adults, day treatment, and partial hospitalization. For persons without a county of legal settlement, the state shall have responsibility for 100 percent of the nonfederal share of the costs of case management provided for adults, day treatment, partial hospitalization, and the home and community-based waiver services. The case management services specified in this subsection shall be billed to a county only if the services are provided outside of a managed care contract.

b. The state shall pay the entire nonfederal share of the costs for case management services provided to persons 17 years of age and younger who are served in a medical assistance home and community-based waiver program for persons with mental retardation.

c. Medical assistance funding for case management services for eligible persons 17 years of age and younger shall also be provided to persons residing in counties with child welfare decategorization projects implemented in accordance with section 232.188, provided these projects have included these persons in their service plan and the decategorization project county is willing to provide the nonfederal share of costs.

d. When paying the necessary and legal expenses of intermediate care facilities for persons with mental retardation (ICFMR), the cost payment requirements of section 222.60 shall be considered fulfilled when payment is made in accordance with the medical assistance payment rates established for ICFMRs by the department and the state or a county of legal settlement is not obligated for any amount in excess of the rates.

e. Unless a county has paid or is paying for the nonfederal share of the cost of a person's home and community-based waiver services or ICFMR placement under the county's mental health, mental retardation, and developmental disabilities services fund, or unless a county of legal settlement would become liable for the costs of services at the ICFMR level of care for a person due to the person reaching the age of majority, the state shall pay the nonfederal share of the costs of an eligible person's services under the home and community-based waiver for persons with brain injury.

4. The department shall utilize not more than \$60,000 of the funds appropriated in this section to continue the AIDS/HIV health insurance premium payment program as established in 1992 Iowa Acts, Second Extraordinary Session, chapter 1001, section 409, subsection 6. Of the funds allocated in this subsection, not more than \$5,000 may be expended for administrative purposes.

5. Of the funds appropriated to the Iowa department of public health for substance abuse grants, \$950,000 for the fiscal year beginning July 1, 2002, shall be transferred to the department of human services for an integrated substance abuse managed care system.

6. In administering the medical assistance home and community-based waivers, the total number of openings for persons with physical disabilities served at any one time shall be limited to the number approved for a waiver by the secretary of the United States department of health and human services. The openings shall be available on a first-come, first-served basis.

7. The department of human services, in consultation with the Iowa department of public health and the department of education, shall continue the program to utilize the early and periodic screening, diagnosis, and treatment (EPSDT) funding under medical assistance, to the extent possible, to implement the screening component of the EPSDT program through the school system. The department may enter into contracts to

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utilize maternal and child health centers, the public health nursing program, or school nurses in implementing this provision.

8. The department shall continue the medical assistance home and community-based services waiver to allow children with mental retardation, who would otherwise require ICF/MR care, to be served in out-of-home settings of up to eight beds which meet standards established by the department. Up to \$1,487,314 of the funds appropriated in this section may be used for the costs of the waiver.

9. The department shall continue working with county representatives in aggressively implementing the rehabilitation option for services to persons with chronic mental illness under the medical assistance program, and county funding shall be used to provide the match for the federal funding, except for individuals with state case status, for whom state funding shall provide the match.

10. If the federal centers for Medicare and Medicaid services approves a waiver request from the department, the department shall provide a period of 24 months of guaranteed eligibility for medical assistance family planning services, regardless of the change in circumstances of a woman who was a medical assistance recipient when a pregnancy ended.

11. The department shall aggressively pursue options for providing medical assistance or other assistance to individuals with special needs who become ineligible to continue receiving services under the early and periodic, screening, diagnosis, and treatment program under the medical assistance program due to becoming 21 years of age, who have been approved for additional assistance through the department's exception to policy provisions, but who have health care needs in excess of the funding available through the exception to policy process.

12. If federal funding is received or if moneys are appropriated, the department may participate in a federal home telecare pilot program intended to manage health care needs of subpopulations of Iowans and specifically including

subpopulations of Iowans who require high utilization of health care services and represent a disproportionate share of consumption of health care services. The program shall be administered by the Iowa telecare consortium, which is a collaboration of public, private, academic, and governmental participants. The program may direct telecare services to persons with diagnoses of specific nonacute chronic illnesses, which may include, but are not limited to, chronic obstructive pulmonary disease, congestive heart disease, diabetes, and asthma. The program guidelines shall be consistent with those specified under 2001 Iowa Acts, chapter 191, section 7, subsection 15.

13. The drug utilization review board shall submit copies of the board's annual review, including facts and findings, of the drugs on the department's prior authorization list to the Department and to the members of the joint appropriations subcommittee on human services.

14. The department shall expend the anticipated savings for operation of the state maximum allowable cost program for pharmaceuticals as additional funding for the medical assistance program.

Sec. 105. HEALTH INSURANCE PREMIUM PAYMENT PROGRAM. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For administration of the health insurance premium payment program, including salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 580,044  
..... FTEs 22.00

Sec. 106. CHILDREN'S HEALTH INSURANCE PROGRAM. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount,

or so much thereof as is necessary, to be used for the purpose designated:

For maintenance of the healthy and well kids in Iowa (hawk-1) program pursuant to chapter 514I for receipt of federal financial participation under Title XXI of the federal Social Security Act, which creates the state children's health insurance program:

..... \$ 9,958,412

1. The department may transfer funds appropriated in this section to be used for the purpose of expanding health care coverage to children under the medical assistance program. The department shall provide periodic updates to the general assembly of expenditures of funds appropriated in this section.

2. Moneys in the hawk-1 trust fund are appropriated to the department of human services and shall be used to offset any program costs for the fiscal year beginning July 1, 2002, and ending June 30, 2003.

Sec. 107. MEDICAL CONTRACTS. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For medical contracts:

..... \$ 8,729,141

1. The department shall receive input and recommendations from the chairpersons and ranking members of the joint appropriations subcommittee on human services prior to entering into or extending any managed care contract for mental health or substance abuse services.

2. In any managed care contract for mental health or substance abuse services entered into or extended by the department on or after July 1, 2002, the request for proposals shall provide for coverage of dual diagnosis mental health and substance abuse treatment provided at the state mental health institute at Mount Pleasant. To the extent possible, the department shall also amend any such contract existing on July 1, 2002, to provide for such coverage.

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Sec. 108. STATE SUPPLEMENTARY ASSISTANCE. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For state supplementary assistance and the medical assistance home and community-based services waiver rent subsidy program:  
..... \$ 19,500,000

1. The department shall increase the personal needs allowance for residents of residential care facilities by the same percentage and at the same time as federal supplemental security income and federal social security benefits are increased due to a recognized increase in the cost of living. The department may adopt emergency rules to implement this subsection.

2. If during the fiscal year beginning July 1, 2002, the department projects that state supplementary assistance expenditures for a calendar year will not meet the federal pass-along requirement specified in Title XVI of the federal Social Security Act, section 1618, as codified in 42 U.S.C. § 1382g, the department may take actions including but not limited to increasing the personal needs allowance for residential care facility residents and making programmatic adjustments or upward adjustments of the residential care facility or in-home health-related care reimbursement rates prescribed in this division of this Act to ensure that federal requirements are met. The department may adopt emergency rules to implement the provisions of this subsection.

3. The department may use up to \$25,000 of the funds appropriated in this section for a rent subsidy program for adult persons. The requirements under 2001 Iowa Acts, chapter 191, section 11, subsection 3, shall apply to the program and the participants in the program.

Sec. 109. CHILD CARE ASSISTANCE. There is appropriated from the general fund of the state to the department of human

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services for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For child care programs:  
..... \$ 5,050,752

1. a. Of the funds appropriated in this section, \$4,414,111 shall be used for state child care assistance in accordance with section 237A.13.

b. During the 2002-2003 fiscal year, the moneys deposited in the child care credit fund created in section 237A.28 are appropriated to the department to be used for state child care assistance in accordance with section 237A.13, in addition to the moneys allocated for that purpose in paragraph "a".

2. Nothing in this section shall be construed or is intended as, or shall imply, a grant of entitlement for services to persons who are eligible for assistance due to an income level consistent with the waiting list requirements of section 237A.13. Any state obligation to provide services pursuant to this section is limited to the extent of the funds appropriated in this section.

3. Of the funds appropriated in this section, \$636,641 is allocated for the statewide program for child care resource and referral services under section 237A.26.

4. The department may use any of the funds appropriated in this section as a match to obtain federal funds for use in expanding child care assistance and related programs. For the purpose of expenditures of state and federal child care funding, funds shall be considered obligated at the time expenditures are projected or are allocated to the department's regions. Projections shall be based on current and projected caseload growth, current and projected provider rates, staffing requirements for eligibility determination and management of program requirements including data systems management, staffing requirements for administration of the program, contractual and grant obligations and any transfers to other state agencies, and obligations for decategorization or innovation projects.

5. If the federal government appropriates additional funding under the federal child care and development block grant than was anticipated would be received for the state fiscal year beginning July 1, 2002, in addition to the notification requirements for expenditure requirements for additional federal funds under 2002 Iowa Acts, House File 2582, if enacted, the department shall consult with the chairpersons and ranking members of the joint appropriations subcommittee on human services at least thirty days in advance of committing to expenditure of the additional funding.

Sec. 110. JUVENILE INSTITUTIONS. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For operation of the Iowa juvenile home at Toledo and for salaries, support, maintenance, and for not more than the following full-time equivalent positions:

..... \$ 6,414,788  
..... FTEs 134.54

It is the intent of the general assembly that beginning in the fiscal year commencing on July 1, 2003, the Iowa juvenile home at Toledo will serve only females.

2. For operation of the state training school at Eldora and for salaries, support, maintenance, and for not more than the following full-time equivalent positions:

..... \$ 10,669,447  
..... FTEs 218.53

3. During the fiscal year beginning July 1, 2002, the population levels at the state juvenile institutions shall not exceed the population guidelines established under 1990 Iowa Acts, chapter 1239, section 21, as adjusted for additional beds developed at the institutions.

4. A portion of the moneys appropriated in this section shall be used by the state training school and by the Iowa juvenile home for grants for adolescent pregnancy prevention

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activities at the institutions in the fiscal year beginning July 1, 2002.

5. Within the amounts appropriated in this section, the department may transfer funds as necessary to best fulfill the needs of the institutions provided for in the appropriation.

Sec. 111. CHILD AND FAMILY SERVICES. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For child and family services:

..... \$100,351,905

1. The department may transfer funds appropriated in this section as necessary to pay the nonfederal costs of services reimbursed under medical assistance or the family investment program which are provided to children who would otherwise receive services paid under the appropriation in this section. The department may transfer funds appropriated in this section to the appropriations in this division of this Act for general administration and for field operations for resources necessary to implement and operate the services funded in this section.

2. a. Of the funds appropriated in this section, up to \$28,665,950 is allocated as the statewide expenditure target under section 232.143 for group foster care maintenance and services.

b. If at any time after September 30, 2002, annualization of a service area's current expenditures indicates a service area is at risk of exceeding its group foster care expenditure target under section 232.143 by more than five percent, the department and juvenile court services shall examine all group foster care placements in that service area in order to identify those which might be appropriate for termination. In addition, any aftercare services believed to be needed for the children whose placements may be terminated shall be identified. The department and juvenile court services shall

initiate action to set dispositional review hearings for the placements identified. In such a dispositional review hearing, the juvenile court shall determine whether needed aftercare services are available and whether termination of the placement is in the best interest of the child and the community.

c. (1) Of the funds appropriated in this section, not more than \$6,585,993 is allocated as the state match funding for psychiatric medical institutions for children.

(2) The department may transfer all or a portion of the amount allocated in this lettered paragraph for psychiatric medical institutions for children (PMICs) to the appropriation in this division of this Act for medical assistance.

d. Of the funds allocated in this subsection, \$1,370,127 is allocated as the state match funding for 50 highly structured juvenile program beds. If the number of beds provided for in this lettered paragraph is not utilized, the remaining funds allocated may be used for group foster care.

e. For the fiscal year beginning July 1, 2002, the requirements of section 232.143 applicable to the juvenile court and to representatives of the juvenile court shall be applicable instead to juvenile court services and to representatives of juvenile court services. The representatives appointed by the department of human services and by juvenile court services to establish the plan to contain expenditures for children placed in group foster care ordered by the court within the budget target allocated to the service area shall establish the plan in a manner so as to ensure the moneys allocated to the service area under section 232.143 shall last the entire fiscal year. Funds for a child placed in group foster care shall be considered encumbered for the duration of the child's projected or actual length of stay, whichever is applicable.

3. The department shall continue the goal that not more than 15 percent of the children placed in foster care funded under the federal Social Security Act, Title IV-E, may be placed in foster care for a period of more than 24 months.

4. In accordance with the provisions of section 232.188, the department shall continue the program to decategorize child welfare services funding in additional counties or clusters of counties.

5. A portion of the funding appropriated in this section may be used for emergency family assistance to provide other resources required for a family participating in a family preservation or reunification project to stay together or to be reunified.

6. Notwithstanding section 234.35, subsection 1, for the fiscal year beginning July 1, 2002, state funding for shelter care paid pursuant to section 234.35, subsection 1, paragraph "h", shall be limited to \$7,120,382.

7. The department shall continue to make adoption presubsidy and adoption subsidy payments to adoptive parents at the beginning of the month for the current month.

8. Federal funds received by the state during the fiscal year beginning July 1, 2002, as the result of the expenditure of state funds appropriated during a previous state fiscal year for a service or activity funded under this section, shall be used as additional funding for services provided under this section.

9. The department and juvenile court services shall continue to develop criteria for the department service area administrator and chief juvenile court officer to grant exceptions to extend eligibility, within the funds allocated, for intensive tracking and supervision and for supervised community treatment to delinquent youth beyond age 18 who are subject to release from the state training school, a highly structured juvenile program, or group foster care.

10. Of the moneys appropriated in this section, not more than \$415,135 is allocated to provide clinical assessment services as necessary to continue funding of children's rehabilitation services under medical assistance in accordance with federal law and requirements. The funding allocated is the amount projected to be necessary for providing the clinical assessment services.

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11. Of the funding appropriated in this section, \$3,696,285 shall be used for protective child care assistance.

12. Of the moneys appropriated in this section, up to \$2,924,183 is allocated for the payment of the expenses of court-ordered services provided to juveniles which are a charge upon the state pursuant to section 232.141, subsection 4.

a. Notwithstanding section 232.141 or any other provision of law, the amount allocated in this subsection shall be distributed to the judicial districts as determined by the state court administrator. The state court administrator shall make the determination of the distribution amounts on or before June 15, 2002.

b. Notwithstanding chapter 232 or any other provision of law, a district or juvenile court shall not order any service which is a charge upon the state pursuant to section 232.141 if there are insufficient court-ordered services funds available in the district court distribution amount to pay for the service. The chief juvenile court officer shall encourage use of the funds allocated in this subsection such that there are sufficient funds to pay for all court-related services during the entire year. The chief juvenile court officers shall attempt to anticipate potential surpluses and shortfalls in the distribution amounts and shall cooperatively request the state court administrator to transfer funds between the districts' distribution amounts as prudent.

c. Notwithstanding any provision of law to the contrary, a district or juvenile court shall not order a county to pay for any service provided to a juvenile pursuant to an order entered under chapter 232 which is a charge upon the state under section 232.141, subsection 4.

d. Of the funding allocated in this subsection, not more than \$100,000 may be used by the judicial branch for administration of the requirements under this subsection and for travel associated with court-ordered placements which are a charge upon the state pursuant to section 232.141, subsection 4.

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13. a. Of the funding appropriated in this section, \$2,927,602 is allocated to provide school-based supervision of children adjudicated under chapter 232, including not more than \$1,463,801 from the allocation in this section for court-ordered services. Not more than \$15,000 of the funding allocated in this subsection may be used for the purpose of training.

b. A portion of the cost of each school-based liaison officer shall be paid by the school district or other funding source as approved by the chief juvenile court officer.

14. The department shall maximize the capacity to draw federal funding under Title IV-E of the federal Social Security Act.

15. Any unanticipated federal funding that is received during the fiscal year due to improvements in the hours counted by the judicial branch under the claiming process for federal Title IV-E funding are appropriated to the department to be used for additional or expanded services and support for court-ordered services pursuant to section 232.141. Notwithstanding section 8.33, moneys appropriated in this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

16. Notwithstanding section 234.39, subsection 5, and 2000 Iowa Acts, chapter 1228, section 43, the department may operate a subsidized guardianship program if the United States department of health and human services approves a waiver under Title IV-E of the federal Social Security Act and the subsidized guardianship program can be operated without loss of Title IV-E funds.

17. It is the intent of the general assembly that the department continue its practice of providing strong support for Iowa's nationally recognized initiative of decategorization of child welfare funding.

18. It is the intent of the general assembly that administration of the foster care and adoption programs be privatized.



Sec. 112. JUVENILE DETENTION HOME FUND. Moneys deposited in the juvenile detention home fund created in section 232.142 during the fiscal year beginning July 1, 2002, and ending June 30, 2003, are appropriated to the department of human services for the fiscal year beginning July 1, 2002, and ending June 30, 2003, for distribution as follows:

1. An amount equal to ten percent of the costs of the establishment, improvement, operation, and maintenance of county or multicounty juvenile detention homes in the fiscal year beginning July 1, 2001. Moneys appropriated for distribution in accordance with this paragraph shall be allocated among eligible detention homes, prorated on the basis of an eligible detention home's proportion of the costs of all eligible detention homes in the fiscal year beginning July 1, 2001. Notwithstanding section 232.142, subsection 3, the financial aid payable by the state under that provision for the fiscal year beginning July 1, 2002, shall be limited to the amount appropriated for the purposes of this subsection.

2. For renewal of a grant to a county with a population between 168,000 and 175,000 for implementation of the county's runaway treatment plan under section 232.195:

..... \$ 80,000

3. For grants to counties implementing a runaway treatment plan under section 232.195.

4. The remainder for additional allocations to county or multicounty juvenile detention homes, in accordance with the distribution requirements of subsection 1.

Sec. 113. FAMILY SUPPORT SUBSIDY PROGRAM. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For the family support subsidy program:  
..... \$ 1,979,994

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1. The department may use up to \$333,312 of the moneys appropriated in this section to continue the children-at-home program in current counties, of which not more than \$20,000 shall be used for administrative costs.

2. Notwithstanding section 225C.38, subsection 1, the monthly family support payment amount for the fiscal year beginning July 1, 2002, shall remain the same as the payment amount in effect on June 30, 2002.

Sec. 114. CONNER DECREE. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For building community capacity through the coordination and provision of training opportunities in accordance with the consent decree of Conner v. Branstad, No. 4-86-CV-30871(S.D. Iowa, July 14, 1994):

..... \$ 43,582

Sec. 115. MENTAL HEALTH INSTITUTES. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For the state mental health institute at Cherokee for salaries, support, maintenance, and miscellaneous purposes and for not more than the following full-time equivalent positions:

..... \$ 13,034,755  
..... FTEs 227.65

2. For the state mental health institute at Clarinda for salaries, support, maintenance, and miscellaneous purposes and for not more than the following full-time equivalent positions:

..... \$ 7,407,087  
..... FTEs 126.15

3. For the state mental health institute at Independence for salaries, support, maintenance, and miscellaneous purposes and for not more than the following full-time equivalent positions:

..... \$ 16,924,466  
..... FTEs 333.80

The state mental health institute at Independence shall continue the 30 psychiatric medical institution for children (PMIC) beds authorized in section 135H.6, in a manner which results in no net state expenditure amount in excess of the amount appropriated in this subsection. Counties are not responsible for the costs of PMIC services described in this subsection. Subject to the approval of the department, with the exception of revenues required under section 249A.11 to be credited to the appropriation in this division of this Act for medical assistance, revenues attributable to the PMIC beds described in this subsection for the fiscal year beginning July 1, 2002, and ending June 30, 2003, shall be deposited in the institute's account, including but not limited to any of the following revenues:

- a. The federal share of medical assistance revenue received under chapter 249A.
- b. Moneys received through client participation.
- c. Any other revenues directly attributable to the PMIC beds.

4. For the state mental health institute at Mount Pleasant for salaries, support, maintenance, and miscellaneous purposes and for not more than the following full-time equivalent positions:

..... \$ 5,464,038  
..... FTEs 100.07

a. Funding is provided in this subsection for the state mental health institute at Mount Pleasant to continue the dual diagnosis mental health and substance abuse program on a net budgeting basis in which 50 percent of the actual per diem and ancillary services costs are chargeable to the patient's county of legal settlement or as a state case, as appropriate.

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Subject to the approval of the department, revenues attributable to the dual diagnosis program for the fiscal year beginning July 1, 2002, and ending June 30, 2003, shall be deposited in the institute's account, including but not limited to all of the following revenues:

- (1) Moneys received by the state from billings to counties under section 230.20.
- (2) Moneys received from billings to the Medicare program.
- (3) Moneys received from a managed care contractor providing services under contract with the department or any private third-party payor.
- (4) Moneys received through client participation.
- (5) Any other revenues directly attributable to the dual diagnosis program.

b. The following additional provisions are applicable in regard to the dual diagnosis program:

- (1) A county may split the charges between the county's mental health, mental retardation, and developmental disabilities services fund and the county's budget for substance abuse expenditures.
- (2) If an individual is committed to the custody of the department of corrections at the time the individual is referred for dual diagnosis treatment, the department of corrections shall be charged for the costs of treatment.
- (3) Prior to an individual's admission for dual diagnosis treatment, the individual shall have been screened through a county's single entry point process to determine the appropriateness of the treatment.
- (4) A county shall not be chargeable for the costs of treatment for an individual enrolled in and authorized by or decertified by a managed behavioral care plan under the medical assistance program.
- (5) Notwithstanding section 8.33, state mental health institute revenues related to the dual diagnosis program that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available up to the amount which would allow the state mental health institute to

meet credit obligations owed to counties as a result of year-end per diem adjustments for the dual diagnosis program.

5. Within the funds appropriated in this section, the department may transfer funds as necessary to best fulfill the needs of the institutes provided for in the appropriation.

6. As part of the discharge planning process at the state mental health institutes, the department shall provide assistance in obtaining eligibility for federal supplemental security income (SSI) to those individuals whose care at a state mental health institute is the financial responsibility of the state or a county.

Sec. 116. STATE RESOURCE CENTERS. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For the state resource center at Glenwood for salaries, support, maintenance, and miscellaneous purposes:

..... \$ 2,218,967

2. For the state resource center at Woodward for salaries, support, maintenance, and miscellaneous purposes:

..... \$ 1,495,985

3. a. The department shall continue operating the state resource centers at Glenwood and Woodward with a net general fund appropriation. The amounts allocated in this section are the net amounts of state moneys projected to be needed for the state resource centers. The purposes of operating with a net general fund appropriation are to encourage the state resource centers to operate with increased self-sufficiency, to improve quality and efficiency, and to support collaborative efforts between the state resource centers and counties and other funders of services available from the state resource centers. The state resource centers shall not be operated under the net appropriation in a manner which results in a cost increase to the state or cost shifting between the state, the medical assistance program, counties, or other sources of funding for

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the state resource centers. Moneys appropriated in this section may be used throughout the fiscal year in the manner necessary for purposes of cash flow management, and for purposes of cash flow management the state resource centers may temporarily draw more than the amounts appropriated, provided the amounts appropriated are not exceeded at the close of the fiscal year.

b. Subject to the approval of the department, except for revenues under section 249A.11, revenues attributable to the state resource centers for the fiscal year beginning July 1, 2002, shall be deposited into each state resource center's account, including but not limited to all of the following:

(1) Moneys received by the state from billings to counties under section 222.73.

(2) The federal share of medical assistance revenue received under chapter 249A.

(3) Federal Medicare program payments.

(4) Moneys received from client financial participation.

(5) Other revenues generated from current, new, or expanded services which the state resource center is authorized to provide.

c. For the purposes of allocating the salary adjustment fund moneys appropriated in another Act, the state resource centers shall be considered to be funded entirely with state moneys.

d. Notwithstanding section 8.33, up to \$500,000 of a state resource center's revenues that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available to be used in the succeeding fiscal year.

4. Within the funds appropriated in this section, the department may transfer funds as necessary to best fulfill the needs of the institutions provided for in the appropriation.

5. The department may continue to bill for state resource center services utilizing a scope of services approach used for private providers of ICFMR services, in a manner which does not shift costs between the medical assistance program,

counties, or other sources of funding for the state resource centers.

6. The state resource centers may expand the time limited assessment and respite services during the fiscal year.

7. If the department's administration and the department of management concur with a finding by a state resource center's superintendent that projected revenues can reasonably be expected to pay the salary and support costs for a new employee position, or that such costs for adding a particular number of new positions for the fiscal year would be less than the overtime costs if new positions would not be added, the superintendent may add the new position or positions. If the vacant positions available to a resource center do not include the position classification desired to be filled, the state resource center's superintendent may reclassify any vacant position as necessary to fill the desired position. The superintendents of the state resource centers may, by mutual agreement, pool vacant positions and position classifications during the course of the fiscal year in order to assist one another in filling necessary positions.

8. If existing capacity limitations are reached in operating units, a waiting list is in effect for a service for which funding is available to provide the service, and facilities for the service can be provided within the available funding, a state resource center may open facilities and begin implementing the service during fiscal year 2002-2003.

Sec. 117. SPECIAL NEEDS GRANTS. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

To provide special needs grants to families with a family member at home who has a developmental disability or to a person with a developmental disability:

..... \$ 48,903

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Grants must be used by a family to defray special costs of caring for the family member to prevent out-of-home placement of the family member or to provide for independent living costs. The grants may be administered by a private nonprofit agency which serves people statewide provided that no administrative costs are received by the agency.

Sec. 118. MI/MR/DD STATE CASES. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For purchase of local services for persons with mental illness, mental retardation, and developmental disabilities where the client has no established county of legal settlement:

..... \$ 11,671,390

The general assembly encourages the department to continue discussions with the Iowa state association of counties and administrators of county central point of coordination offices regarding proposals for moving state cases to county budgets.

Sec. 119. MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES -- COMMUNITY SERVICES FUND. There is appropriated from the general fund of the state to the mental health and developmental disabilities community services fund created in section 225C.7 for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For mental health and developmental disabilities community services in accordance with this division of this Act:  
..... \$ 18,157,352

1. Of the funds appropriated in this section, \$18,127,352 shall be allocated to counties for funding of community-based mental health and developmental disabilities services. The moneys shall be allocated to a county as follows:

a. Fifty percent based upon the county's proportion of the state's population of persons with an annual income which is equal to or less than the poverty guideline established by the federal office of management and budget.

b. Fifty percent based upon the county's proportion of the state's general population.

2. a. A county shall utilize the funding the county receives pursuant to subsection 1 for services provided to persons with a disability, as defined in section 225C.2. However, no more than 50 percent of the funding shall be used for services provided to any one of the service populations.

b. A county shall use at least 50 percent of the funding the county receives under subsection 1 for contemporary services provided to persons with a disability, as described in rules adopted by the department.

3. Of the funds appropriated in this section, \$30,000 shall be used to support the Iowa compass program providing computerized information and referral services for Iowans with disabilities and their families.

4. a. Funding appropriated for purposes of the federal social services block grant is allocated for distribution to counties for local purchase of services for persons with mental illness or mental retardation or other developmental disability.

b. The funds allocated in this subsection shall be expended by counties in accordance with the county's approved county management plan. A county without an approved county management plan shall not receive allocated funds until the county's management plan is approved.

c. The funds provided by this subsection shall be allocated to each county as follows:

(1) Fifty percent based upon the county's proportion of the state's population of persons with an annual income which is equal to or less than the poverty guideline established by the federal office of management and budget.

(2) Fifty percent based upon the amount provided to the county for local purchase of services in the preceding fiscal year.

5. A county is eligible for funds under this section if the county qualifies for a state payment as described in section 331.439.

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Sec. 120. PERSONAL ASSISTANCE. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For continuation of a pilot project for the personal assistance services program in accordance with this section:  
..... \$ 161,473

1. The funds appropriated in this section shall be used to continue the pilot project for the personal assistance services program under section 225C.46 in an urban and a rural area. Not more than 10 percent of the amount appropriated shall be used for administrative costs. The pilot project shall not be implemented in a manner which would require additional county or state costs for assistance provided to an individual served under the pilot project.

2. In accordance with 2001 Iowa Acts, chapter 191, section 25, subsection 2, new applicants shall not be accepted into the pilot project. An individual receiving services under the pilot project as of June 30, 2002, shall continue receiving services until the individual voluntarily leaves the project or until another program with similar services exists.

Sec. 121. SEXUALLY VIOLENT PREDATORS. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For costs associated with the commitment and treatment of sexually violent predators in the unit located at the state mental health institute at Cherokee, including costs of legal services and other associated costs, including salaries, support, maintenance, and miscellaneous purposes and for not more than the following full-time equivalent positions:  
..... \$ 3,459,855  
..... FTEs 44.00

Sec. 122. FIELD OPERATIONS. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

1. For field operations, including salaries, support, maintenance, and miscellaneous purposes and for not more than the following full-time equivalent positions:

..... \$ 52,356,098  
..... FTEs 1,920.00

Priority in filling full-time equivalent positions shall be given to those positions related to child protection services.

2. In implementing the transition from a regional system to the service area system established pursuant to 2001 Iowa Acts, Second Extraordinary Session, chapter 4, for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the department shall utilize the service areas and service area administrators in lieu of regions and regional administrators, notwithstanding the references to department regions or regional administrators in sections 232.2, 232.52, 232.68, 232.72, 232.102, 232.117, 232.127, 232.143, 232.188, 234.35, and 237A.3A, or other provision in law. The department shall submit proposed legislation under section 2.16 for consideration by the Eightieth General Assembly, 2003 Session, to correct the references in the necessary Code sections.

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Sec. 123. ADDITIONAL FEDERAL FUNDING -- FISCAL YEAR 2002-2003.

1. The provisions of this section are applicable for the fiscal year beginning July 1, 2002.

2. It is the intent of the general assembly that the director of human services work to secure federal financial participation through Titles IV-E and XIX of the federal Social Security Act for services and activities that are currently funded with state, county, or community moneys. It is further intended that the director initially focus on securing targeted case management funding under medical assistance for state child protection staff and for services

and activities currently funded with juvenile court services, county, or community moneys and state moneys used in combination with such moneys.

3. Additional federal financial participation secured for the fiscal year beginning July 1, 2002, and ending June 30, 2003, is appropriated to the department of human services for use as provided in this section. All of the following are applicable to the additional federal financial participation and efforts made to secure the federal financial participation:

a. The department may pursue federal approval of a state plan amendment to use medical assistance funding for targeted case management services. The population to be served through targeted case management services is children who are at risk of maltreatment or who are in need of protective services. The funding shall be based on the federal and state moneys available under the medical assistance program. For the additional federal financial participation received under the reimbursement methodology established for the services, a distribution plan shall attribute revenue to the cost sources upon which the reimbursement rates are based. In addition, of the additional federal funds received, a 5 percent set-aside shall be used for funding the revenue enhancement activities and for service delivery and results improvement efforts.

b. The director may use part or all of the additional federal financial participation received from medical assistance claims for child protection staff for full-time equivalent state child protection staff positions, including child abuse assessment positions, social workers, and support positions performing related functions. Positions added in accordance with this paragraph "b" are in addition to those authorized in the appropriation made in this Act for field operations.

c. The director may also use a portion of the additional federal financial participation received from medical assistance claims for child protection staff for providing grants to communities to support the community partnership

approach to child protection. Potential grantees may include child welfare funding decategorization projects, community empowerment area boards, or other community-based entities who, in partnership with the local departmental administrators, agree to implement the four community partnership components.

4. The department may adopt emergency rules to implement the provisions of this section.

Sec. 124. ADDITIONAL FEDERAL FINANCIAL PARTICIPATION -- FISCAL 2001-2002 AND FISCAL 2002-2003. The first \$10 million of federal financial participation received under the section of this division of this Act providing for the department of human services' efforts to secure additional federal funding for FY 2002-2003 through Titles IV-E and XIX of the federal Social Security Act or from other efforts by the department of human services to draw additional federal financial participation associated with funds appropriated for child and family services in fiscal years 2001-2002 and 2002-2003 shall be used in those two fiscal years to offset reductions in federal financial participation for child welfare services due to changes in federal regulations or interpretations of federal regulations, changes in federal cost allocations or federal match provisions, or federal sanctions. The department may adopt emergency rules to implement the provisions of this section.

Sec. 125. GENERAL ADMINISTRATION. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For general administration, including salaries, support, maintenance, and miscellaneous purposes and for not more than the following full-time equivalent positions:  
..... \$ 11,848,605  
..... FTEs 356.00

1. Of the funds appropriated in this section, \$57,000 is allocated for the prevention of disabilities policy council established in section 225B.3.

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2. The department shall report to the governor, the general assembly, the legislative fiscal bureau, and the legislative service bureau, within thirty days of notice from the source of payment of the future receipt of any bonus, incentive, or other payments received from the federal government, court settlement payments, and any other payments received by the state that may be used to supplement state funds appropriated to the department.

3. If the department proposes an amendment to a state plan for a program that is subject to federal approval and the amendment would have an effect on state appropriations, unless the amendment is adopted as a rule that has been reviewed and approved by the administrative rules review committee, the amendment shall not be submitted to the federal government for consideration unless the fiscal committee of the legislative council has adopted a motion recommending implementation of the amendment.

Sec. 126. VOLUNTEERS. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For development and coordination of volunteer services:  
..... \$ 112,033

Sec. 127. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER THE DEPARTMENT OF HUMAN SERVICES.

1. a. Notwithstanding 2001 Iowa Acts, chapter 192, section 4, subsection 2, paragraph "b", the modified price-based case-mix reimbursement rate upon which the reimbursement rate for nursing facilities is determined shall only include an additional inflation factor to the extent of the funding budgeted and appropriated specifically for nursing facility reimbursement based on a case-mix reimbursement methodology in this division of this Act or in other appropriations. Nursing facilities reimbursed under the medical assistance program shall submit annual cost reports and additional documentation as required by rules adopted by the department.

b. (1) For the fiscal year beginning July 1, 2002, the department shall reimburse pharmacy dispensing fees using a single rate of \$5.17 per prescription or the pharmacy's usual and customary fee, whichever is lower.

(2) The department shall implement a series of prospective drug utilization review edits on targeted drugs to facilitate the cost effective use of these drugs. The edits shall be implemented in a manner that does not change the therapy or the therapeutic outcome for the patient.

(3) The department of human services shall require recipients of medical assistance to pay the following copayment on each covered drug prescription, including each refill as follows:

(a) A copayment of \$1 for each covered generic drug prescription.

(b) A copayment of \$1 for each covered brand-name drug prescription for which the cost to the state is less than \$25.

(c) A copayment of \$2 for each covered brand-name drug prescription for which the cost to the state is between \$25 and \$50.

(d) A copayment of \$3 for each covered brand-name drug prescription for which the cost to the state is over \$50.

c. For the fiscal year beginning July 1, 2002, reimbursement rates for inpatient and outpatient hospital services shall remain at the rates in effect on June 30, 2002. The department shall continue the outpatient hospital reimbursement system based upon ambulatory patient groups implemented pursuant to 1994 Iowa Acts, chapter 1186, section 25, subsection 1, paragraph "f". In addition, the department shall continue the revised medical assistance payment policy implemented pursuant to that paragraph to provide reimbursement for costs of screening and treatment provided in the hospital emergency room if made pursuant to the prospective payment methodology developed by the department for the payment of outpatient services provided under the medical assistance program. Any rebasing of hospital inpatient or outpatient rates shall not increase total payments for inpatient and outpatient services.

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d. For the fiscal year beginning July 1, 2002, reimbursement rates for rural health clinics, hospices, independent laboratories, and acute mental hospitals shall be increased in accordance with increases under the federal Medicare program or as supported by their Medicare audited costs.

e. For the fiscal year beginning July 1, 2002, reimbursement rates for home health agencies shall remain at the rates in effect on June 30, 2002.

f. For the fiscal year beginning July 1, 2002, federally qualified health centers shall receive cost-based reimbursement for 100 percent of the reasonable costs for the provision of services to recipients of medical assistance.

g. Beginning July 1, 2002, the reimbursement rates for dental services shall remain at the rates in effect on June 30, 2002.

h. Beginning July 1, 2002, the reimbursement rates for community mental health centers shall remain at the rates in effect on June 30, 2002.

i. For the fiscal year beginning July 1, 2002, the maximum reimbursement rate for psychiatric medical institutions for children shall remain at the rate in effect on June 30, 2002, based on per day rates for actual costs.

j. For the fiscal year beginning July 1, 2002, unless otherwise specified in this division of this Act, all noninstitutional medical assistance provider reimbursement rates shall remain at the rates in effect on June 30, 2002, except for area education agencies, local education agencies, infant and toddler services providers, and those providers whose rates are required to be determined pursuant to section 249A.20.

k. Notwithstanding section 249A.20, the average reimbursement rates for health care providers eligible for use of the reimbursement methodology under that section shall remain at the rate in effect on June 30, 2002.

2. For the fiscal year beginning July 1, 2002, the maximum cost reimbursement rate for residential care facilities



reimbursed by the department shall not be less than \$25.92 per day for the time period of July 1, 2002, through December 31, 2002, and shall not be less than \$26.20 per day for the time period of January 1, 2003, through June 30, 2003. The flat reimbursement rate for facilities electing not to file semiannual cost reports shall not be less than \$18.52 per day for the time period of July 1, 2002, through December 31, 2002, and shall not be less than \$18.72 per day for the time period of January 1, 2003, through June 30, 2003.

3. For the fiscal year beginning July 1, 2002, the maximum reimbursement rate for providers reimbursed under the in-home health-related care program shall not be less than \$498.29 per month for the time period of July 1, 2002, through December 31, 2002, and shall not be less than \$503.67 per month for the time period of January 1, 2003, through June 30, 2003.

4. Unless otherwise directed in this section, when the department's reimbursement methodology for any provider reimbursed in accordance with this section includes an inflation factor, this factor shall not exceed the amount by which the consumer price index for all urban consumers increased during the calendar year ending December 31, 2001.

5. Notwithstanding section 234.38, in the fiscal year beginning July 1, 2002, the foster family basic daily maintenance rate and the maximum adoption subsidy rate for children ages 0 through 5 years shall be \$14.28, the rate for children ages 6 through 11 years shall be \$15.07, the rate for children ages 12 through 15 years shall be \$16.83, and the rate for children ages 16 and older shall be \$16.83.

6. For the fiscal year beginning July 1, 2002, the maximum reimbursement rates for social service providers shall remain at the rates in effect on June 30, 2002. However, the rates may be adjusted under any of the following circumstances:

a. If a new service was added after June 30, 2002, the initial reimbursement rate for the service shall be based upon actual and allowable costs.

b. If a social service provider loses a source of income used to determine the reimbursement rate for the provider, the

provider's reimbursement rate may be adjusted to reflect the loss of income, provided that the lost income was used to support actual and allowable costs of a service purchased under a purchase of service contract.

7. The group foster care reimbursement rates paid for placement of children out-of-state shall be calculated according to the same rate-setting principles as those used for in-state providers unless the director or the director's designee determines that appropriate care cannot be provided within the state. The payment of the daily rate shall be based on the number of days in the calendar month in which service is provided.

8. For the fiscal year beginning July 1, 2002, the reimbursement rates for rehabilitative treatment and support services providers shall remain at the rates in effect on June 30, 2002.

9. For the fiscal year beginning July 1, 2002, the combined service and maintenance components of the reimbursement rate paid to a shelter care provider shall be based on the cost report submitted to the department. The maximum reimbursement rate shall be \$83.69 per day. The department shall reimburse a shelter care provider at the provider's actual and allowable unit cost, plus inflation, not to exceed the maximum reimbursement rate.

10. For the fiscal year beginning July 1, 2002, the department shall calculate reimbursement rates for intermediate care facilities for persons with mental retardation at the 80th percentile.

11. For the fiscal year beginning July 1, 2002, for child care providers, the department shall set provider reimbursement rates based on the rate reimbursement survey completed in December 1998. The department shall set rates in a manner so as to provide incentives for a nonregistered provider to become registered.

12. For the fiscal year beginning July 1, 2002, reimbursements for providers reimbursed by the department of human services may be modified if appropriated funding is

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allocated for that purpose from the senior living trust fund created in section 249H.4, or as specified in appropriations from the healthy Iowans tobacco trust created in section 12.65.

13. The department may adopt emergency rules to implement this section.

Sec. 128. TRANSFER AUTHORITY. Subject to the provisions of section 8.39, for the fiscal year beginning July 1, 2002, if necessary to meet federal maintenance of effort requirements or to transfer federal temporary assistance for needy families block grant funding to be used for purposes of the federal social services block grant or to meet cash flow needs resulting from delays in receiving federal funding or to implement, in accordance with this division of this Act, targeted case management for child protection and for activities currently funded with juvenile court services, county, or community moneys and state moneys used in combination with such moneys, the department of human services may transfer within or between any of the appropriations made in this division of this Act and appropriations in law for the federal social services block grant to the department for the following purposes, provided that the combined amount of state and federal temporary assistance for needy families block grant funding for each appropriation remains the same before and after the transfer:

1. For the family investment program.
2. For emergency assistance.
3. For child care assistance.
4. For child and family services.
5. For field operations.
6. For general administration.
7. MH/MR/DD/BI community services (local purchase).

This section shall not be construed to prohibit existing state transfer authority for other purposes.

Sec. 129. FRAUD AND RECOUPMENT ACTIVITIES. During the fiscal year beginning July 1, 2002, notwithstanding the restrictions in section 239B.14, recovered moneys generated

through fraud and recoupment activities are appropriated to the department of human services to be used for additional fraud and recoupment activities performed by the department of human services or the department of inspections and appeals, and the department of human services may add not more than five full-time equivalent positions, in addition to those funded in this division of this Act, subject to both of the following conditions:

1. The director of human services determines that the investment can reasonably be expected to increase recovery of assistance paid in error, due to fraudulent or nonfraudulent actions, in excess of the amount recovered in the fiscal year beginning July 1, 1997.

2. The amount expended for the additional fraud and recoupment activities shall not exceed the amount of the projected increase in assistance recovered.

Sec. 130. TARGETED CASE MANAGEMENT SERVICES FOR CHILDREN -- FY 2001-2002. It is the intent of the general assembly that the department evaluate the documentation provisions implemented in fiscal year 2001-2002 for medical assistance claiming of targeted case management services for children who are at risk of maltreatment or who are in need of protective services. The purpose of the evaluation is for the department to ease the administrative burden on department staff by limiting the documentation requirement to those children known to be eligible or implementing other appropriate measures.

Sec. 131. NEW SECTION. 249A.20A NURSING FACILITIES -- DUAL CERTIFICATION REQUIRED.

Beginning October 1, 2002, all licensed nursing facilities shall be certified under both the federal Medicare program and the medical assistance program as a condition for participation in the medical assistance program. The department shall, in consultation with nursing facility provider organizations, adopt rules to establish criteria for individual exceptions to the dual certification requirement under this section.

Sec. 132. Section 252B.4, subsection 1, Code 2001, is amended to read as follows:

1. The director shall require an application fee of five twenty-five dollars.

Sec. 133. 2001 Iowa Acts, chapter 176, section 1, is amended to read as follows:

SECTION 1. COUNTY MENTAL HEALTH, MENTAL RETARDATION, AND DEVELOPMENTAL DISABILITIES ALLOWED GROWTH FACTOR ADJUSTMENT AND ALLOCATIONS. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For distribution to counties of the county mental health, mental retardation, and developmental disabilities allowed growth factor adjustment, as provided in this section in lieu of the provisions of section 331.438, subsection 2, and section 331.439, subsection 3, and chapter 426B:

..... \$ 14,874,702  
14,500,000

The funding appropriated in this section is the allowed growth factor adjustment for fiscal year 2002-2003, and is allocated for distribution as provided by law.

Sec. 134. COUNTY MENTAL HEALTH, MENTAL RETARDATION, AND DEVELOPMENTAL DISABILITIES (MH/MR/DD) ALLOWED GROWTH FACTOR ADJUSTMENT AND ALLOCATIONS -- DISTRIBUTION FOR FY 2002-2003.

1. For the fiscal year beginning July 1, 2002, the moneys appropriated in 2001 Acts, chapter 176, section 1, as amended by this division of this Act, for distribution to counties of the county mental health, mental retardation, and developmental disabilities allowed growth factor adjustment, shall be distributed as provided in this section in lieu of the provisions of section 331.438, subsection 2, and section 331.439, subsection 3, and chapter 426B, as follows:

a. The first \$2,000,000 shall be credited to the risk pool created in the property tax relief fund and shall be distributed pursuant to section 426B.5, subsection 2.

b. The remaining \$12,500,000 shall be distributed as provided in this section.

2. The following formula amounts shall be utilized only to calculate preliminary distribution amounts for fiscal year 2002-2003 under this section by applying the indicated formula provisions to the formula amounts and producing a preliminary distribution total for each county:

a. For calculation of an allowed growth factor adjustment amount for each county in accordance with the formula in section 331.438, subsection 2, paragraph "b":  
..... \$ 12,000,000

b. For calculation of a distribution amount for eligible counties from the per capita expenditure target pool created in the property tax relief fund in accordance with the requirements in section 426B.5, subsection 1:  
..... \$ 12,492,712

c. For calculation of a distribution amount for counties from the mental health and developmental disabilities (MH/DD) community services fund in accordance with the formula provided in this division of this Act:  
..... \$ 18,127,352

3. Notwithstanding any contrary provisions of sections 225C.7, 331.438, subsection 2, 331.439, subsection 3, and 426B.5, the moneys allocated for distribution in subsection 1, paragraph "b", and in any other Act of the Seventy-ninth General Assembly, 2002 Session, for distribution to counties in the fiscal year beginning July 1, 2002, for purposes of the mental health and developmental disabilities (MH/DD) community services fund under section 225C.7, and for the allowed growth factor adjustment for services paid under a county's section 331.424A mental health, mental retardation, and developmental disabilities services fund and as calculated under subsection 2 to produce preliminary distribution amounts for counties shall be subject to withholding as provided in this section.

4. After applying the applicable statutory distribution formulas to the amounts indicated in subsection 2 for purposes of formula calculations to produce preliminary distribution

totals, the department of human services shall apply a withholding factor to adjust an eligible individual county's preliminary distribution total. An ending balance percentage for each county shall be determined by expressing the county's ending balance on a modified accrual basis under generally accepted accounting principles for the fiscal year beginning July 1, 2001, in the county's mental health, mental retardation, and developmental disabilities services fund created under section 331.424A, as a percentage of the county's gross expenditures from that fund for that fiscal year. The withholding factor for a county shall be the following applicable percent:

- a. For an ending balance percentage of less than 10 percent, a withholding factor of 0 percent.
- b. For an ending balance percentage of 10 through 24 percent, a withholding factor of 25 percent.
- c. For an ending balance percentage of 25 through 34 percent, a withholding factor of 60 percent.
- d. For an ending balance percentage of 35 through 44 percent, a withholding factor of 85 percent.
- e. For an ending balance percentage of 45 percent or more, a withholding factor of 100 percent.

5. The total withholding amounts applied pursuant to subsection 4 shall be equal to a withholding target amount of \$11,992,712 and the appropriation made in this division of this Act for the MH/DD community services fund and the appropriation made in 2001 Iowa Acts, chapter 176, section 1, as amended by this division of this Act shall be reduced by the amount necessary to attain the withholding target amount. If the department of human services determines that the amount to be withheld in accordance with subsection 4 is not equal to the target withholding amount, the department shall adjust the withholding factors listed in subsection 4 as necessary to achieve the withholding target amount. However, in making such adjustments to the withholding factors, the department shall strive to minimize changes to the withholding factors for those ending balance percentage ranges that are lower than

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others and shall not adjust the zero withholding factor specified in subsection 4, paragraph "a".

6. A county must comply with the December 1, 2002, filing deadline for the county annual financial report in accordance with section 331.403. The amount that would otherwise be available for distribution to a county that fails to so comply shall be proportionately distributed among the eligible counties.

7. The department of human services shall authorize the issuance of warrants payable to the county treasurer for the distribution amounts due the counties eligible under this section and notwithstanding prior practice for the MH/DD community services fund, the warrants shall be issued in January 2003.

Sec. 135. EMERGENCY RULES. If specifically authorized by a provision of this division of this Act, the department of human services or the mental health and developmental disabilities commission may adopt administrative rules under section 17A.4, subsection 2, and section 17A.5, subsection 2, paragraph "b", to implement the provisions and the rules shall become effective immediately upon filing or on a later effective date specified in the rules, unless the effective date is delayed by the administrative rules review committee. Any rules adopted in accordance with this section shall not take effect before the rules are reviewed by the administrative rules review committee. The delay authority provided to the administrative rules review committee under section 17A.4, subsection 5, and section 17A.8, subsection 9, shall be applicable to a delay imposed under this section, notwithstanding a provision in those sections making them inapplicable to section 17A.5, subsection 2, paragraph "b". Any rules adopted in accordance with the provisions of this section shall also be published as notice of intended action as provided in section 17A.4.

Sec. 136. REPORTS.

1. Any reports or information required to be compiled and submitted under this division of this Act shall be submitted

to the chairpersons and ranking members of the joint appropriations subcommittee on human services, the legislative fiscal bureau, the legislative service bureau, and to the legislative caucus staffs on or before the dates specified for submission of the reports or information.

2. In order to reduce mailing and paper processing costs, the department shall provide, to the extent feasible, reports, notices, minutes, and other documents by electronic means to those persons who have the capacity to access the documents in that manner.

Sec. 137. LAW INAPPLICABLE FOR FISCAL YEAR 2002-2003.

1. The following provisions in Code or rule shall be suspended for the period beginning July 1, 2002, and ending June 30, 2003:

a. The requirements of section 239B.2A, relating to school attendance by children participating in the family investment program.

b. For a case permanency plan, as defined in section 232.2, the requirement for a six-month case permanency plan review for an intact family. In addition, the department of human services may implement a shortened case permanency plan format tailored to meet compliance issues.

c. The requirements of section 225C.42, relating to an annual evaluation of the family support subsidy program.

2. The department may adopt emergency rules to implement the provisions of this section.

Sec. 138. MEDICAL ASSISTANCE PROGRAM -- REPAYMENT OF SENIOR LIVING TRUST FUND FOR FY 2001-2002. If moneys appropriated for the medical assistance program for the fiscal year beginning July 1, 2001, and ending June 30, 2002, from the general fund of the state, the tobacco settlement trust fund, the healthy Iowans tobacco trust fund, the senior living trust fund, and the hospital trust fund are in excess of actual expenditures for the medical assistance program and remain available at the close of the fiscal year, the excess moneys in an amount not to exceed the amount appropriated from the senior living trust fund for the medical assistance

program for the fiscal year beginning July 1, 2001, which have not otherwise been repaid, shall be transferred to the senior living trust fund created in section 249H.4.

Sec. 139. MEDICAL ASSISTANCE PROGRAM -- REPAYMENT OF SENIOR LIVING TRUST FUND FOR FY 2002-2003. If moneys appropriated for the medical assistance program for the fiscal year beginning July 1, 2002, and ending June 30, 2003, from the general fund of the state, the tobacco settlement trust fund, the healthy Iowans tobacco trust fund, the senior living trust fund, and the hospital trust fund are in excess of actual expenditures for the medical assistance program and remain available at the close of the fiscal year, the excess moneys, not to exceed the amount appropriated from the senior living trust fund for the medical assistance program for the fiscal years beginning July 1, 2001, and July 1, 2002, which have not otherwise been repaid, shall be transferred to the senior living trust fund created in section 249H.4.

Sec. 140. EFFECTIVE DATES. The following provisions of this division of this Act, being deemed of immediate importance, take effect upon enactment:

1. The provision under the appropriation for child and family services, relating to requirements of section 232.143 for representatives of the department of human services and juvenile court services to establish a plan for continuing group foster care expenditures for the 2002-2003 fiscal year.

2. The provision under the appropriation for child and family services, relating to the state court administrator determining allocation of court-ordered services funding by June 15, 2002.

3. The provision relating to the evaluation of documentation for targeted case management services for children in fiscal year 2001-2002.

4. The provision relating to obtaining additional federal financial participation for fiscal year 2001-2002 and fiscal year 2002-2003.

5. The provision relating to repayment of the senior living trust fund for fiscal year 2001-2002.

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6. The provision enacting new section 249A.20A relating to dual certification of nursing facilities.

DIVISION VII  
JUSTICE SYSTEM

Sec. 141. DEPARTMENT OF JUSTICE. There is appropriated from the general fund of the state to the department of justice for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For the general office of attorney general for salaries, support, maintenance, miscellaneous purposes including odometer fraud enforcement, and for not more than the following full-time equivalent positions:

.....	\$	7,143,891
.....	FTEs	200.48

2. For the prosecuting attorney training program for salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	272,819
.....	FTEs	6.00

3. In addition to the funds appropriated in subsection 1, there is appropriated from the general fund of the state to the department of justice for the fiscal year beginning July 1, 2002, and ending June 30, 2003, an amount not exceeding \$200,000 to be used for the enforcement of the Iowa competition law. The funds appropriated in this subsection are contingent upon receipt by the general fund of the state of an amount at least equal to the expenditure amount from either damages awarded to the state or a political subdivision of the state by a civil judgment under chapter 553, if the judgment authorizes the use of the award for enforcement purposes or costs or attorneys fees awarded the state in state or federal antitrust actions. However, if the amounts received as a result of these judgments are in excess of \$200,000, the excess amounts shall not be appropriated to the department of justice pursuant to this subsection.

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4. In addition to the funds appropriated in subsection 1, there is appropriated from the general fund of the state to the department of justice for the fiscal year beginning July 1, 2002, and ending June 30, 2003, an amount not exceeding \$400,000 to be used for public education relating to consumer fraud and for enforcement of section 714.16, and an amount not exceeding \$75,000 for investigation, prosecution, and consumer education relating to consumer and criminal fraud against older Iowans. The funds appropriated in this subsection are contingent upon receipt by the general fund of the state of an amount at least equal to the expenditure amount from damages awarded to the state or a political subdivision of the state by a civil consumer fraud judgment or settlement, if the judgment or settlement authorizes the use of the award for public education on consumer fraud. However, if the funds received as a result of these judgments and settlements are in excess of \$475,000, the excess funds shall not be appropriated to the department of justice pursuant to this subsection.

5. For victim assistance grants and for not more than the following full-time equivalent positions:

.....	\$	1,711,189
.....	FTEs	2.00

a. The funds appropriated in this subsection shall be used to provide grants to care providers providing services to crime victims of domestic abuse or to crime victims of rape and sexual assault.

b. Notwithstanding sections 8.33 and 8.39, moneys appropriated in this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure during the subsequent fiscal year for the same purpose, and shall not be transferred to any other program.

6. For the ODCP prosecuting attorney program and for not more than the following full-time equivalent positions:

.....	\$	118,451
.....	FTEs	2.00

7. The balance of the victim compensation fund established in section 915.94 may be used to provide salary and support of not more than 22.0 FTEs and to provide maintenance for the victim compensation functions of the department of justice.

8. The department of justice shall submit monthly financial statements to the legislative fiscal bureau and the department of management containing all appropriated accounts in the same manner as provided in the monthly financial status reports and personal services usage reports of the department of revenue and finance. The monthly financial statements shall include comparisons of the moneys and percentage spent of budgeted to actual revenues and expenditures on a cumulative basis for full-time equivalent positions and available moneys.

9. a. The department of justice, in submitting budget estimates for the fiscal year commencing July 1, 2003, pursuant to section 8.23, shall include a report of funding from sources other than amounts appropriated directly from the general fund of the state to the department of justice or to the office of consumer advocate. These funding sources shall include, but are not limited to, reimbursements from other state agencies, commissions, boards, or similar entities, and reimbursements from special funds or internal accounts within the department of justice. The department of justice shall report actual reimbursements for the fiscal year commencing July 1, 2001, and actual and expected reimbursements for the fiscal year commencing July 1, 2002.

b. The department of justice shall include the report required under paragraph "a", as well as information regarding any revisions occurring as a result of reimbursements actually received or expected at a later date, in a report to the co-chairpersons and ranking members of the joint appropriations subcommittee on the justice system and the legislative fiscal bureau. The department of justice shall submit the report on or before January 15, 2003.

10. For legal services for persons in poverty grants as provided in section 13.34:

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..... \$ 593,910

As a condition for accepting a grant funded pursuant to this subsection, an organization receiving a grant shall submit a report to the general assembly by January 1, 2003, concerning the use of any grants received during the previous fiscal year and efforts made by the organization to find alternative sources of revenue to replace any reductions in federal funding for the organization.

Sec. 142. DEPARTMENT OF JUSTICE -- ENVIRONMENTAL CRIMES INVESTIGATION AND PROSECUTION -- FUNDING. There is appropriated from the environmental crime fund of the department of justice, consisting of court-ordered fines and penalties awarded to the department arising out of the prosecution of environmental crimes, to the department of justice for the fiscal year beginning July 1, 2002, and ending June 30, 2003, an amount not exceeding \$20,000 to be used by the department, at the discretion of the attorney general, for the investigation and prosecution of environmental crimes, including the reimbursement of expenses incurred by county, municipal, and other local governmental agencies cooperating with the department in the investigation and prosecution of environmental crimes.

The funds appropriated in this section are contingent upon receipt by the environmental crime fund of the department of justice of an amount at least equal to the appropriations made in this section and received from contributions, court-ordered restitution as part of judgments in criminal cases, and consent decrees entered into as part of civil or regulatory enforcement actions. However, if the funds received during the fiscal year are in excess of \$20,000, the excess funds shall be deposited in the general fund of the state.

Notwithstanding section 8.33, moneys appropriated in this section that remain unexpended or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purpose designated until the close of the succeeding fiscal year.

Sec. 143. OFFICE OF CONSUMER ADVOCATE. There is appropriated from the general fund of the state to the office of consumer advocate of the department of justice for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

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

..... \$ 2,443,903  
..... FTEs 33.00

Sec. 144. DEPARTMENT OF CORRECTIONS -- FACILITIES. There is appropriated from the general fund of the state to the department of corrections for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For the operation of adult correctional institutions, reimbursement of counties for certain confinement costs, and federal prison reimbursement, to be allocated as follows:

a. For the operation of the Fort Madison correctional facility, including salaries, support, maintenance, employment of correctional officers, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 32,168,605  
..... FTEs 543.69

It is the intent of the general assembly to operate a special needs unit at the Fort Madison correctional facility at a capacity of 200 beds when funding constraints are eliminated.

b. For the operation of the Anamosa correctional facility, including salaries, support, maintenance, employment of correctional officers and a part-time chaplain to provide religious counseling to inmates of a minority race, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 23,786,629

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..... FTEs 379.75

Moneys are provided within this appropriation for one full-time substance abuse counselor for the Luster Heights facility, for the purpose of certification of a substance abuse program at that facility.

c. For the operation of the Oakdale correctional facility, including salaries, support, maintenance, employment of correctional officers, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 21,497,363  
..... FTEs 328.50

d. For the operation of the Newton correctional facility, including salaries, support, maintenance, employment of correctional officers, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 22,538,275  
..... FTEs 371.25

e. For the operation of the Mt. Pleasant correctional facility, including salaries, support, maintenance, employment of correctional officers and a full-time chaplain to provide religious counseling at the Oakdale and Mt. Pleasant correctional facilities, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 21,161,133  
..... FTEs 330.56

f. For the operation of the Rockwell City correctional facility, including salaries, support, maintenance, employment of correctional officers, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 7,268,049  
..... FTEs 110.00

g. For the operation of the Clarinda correctional facility, including salaries, support, maintenance, employment of correctional officers, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 18,326,306  
..... FTEs 291.75



Moneys received by the department of corrections as reimbursement for services provided to the Clarinda youth corporation are appropriated to the department and shall be used for the purpose of operating the Clarinda correctional facility.

h. For the operation of the Mitchellville correctional facility, including salaries, support, maintenance, employment of correctional officers, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 12,024,416  
..... FTEs 215.50

i. For the operation of the Fort Dodge correctional facility, including salaries, support, maintenance, employment of correctional officers, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 24,379,674  
..... FTEs 395.00

j. For reimbursement of counties for temporary confinement of work release and parole violators, as provided in sections 901.7, 904.908, and 906.17 and for offenders confined pursuant to section 904.513:

..... \$ 674,954

k. For federal prison reimbursement, reimbursements for out-of-state placements, and miscellaneous contracts:

..... \$ 241,293

The department of corrections shall use funds appropriated in this subsection to continue to contract for the services of a Muslim imam.

2. a. If the inmate tort claim fund for inmate claims of less than \$100 is exhausted during the fiscal year, sufficient funds shall be transferred from the institutional budgets to pay approved tort claims for the balance of the fiscal year. The warden or superintendent of each institution or correctional facility shall designate an employee to receive, investigate, and recommend whether to pay any properly filed inmate tort claim for less than the above amount. The designee's recommendation shall be approved or denied by the

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warden or superintendent and forwarded to the department of corrections for final approval and payment. The amounts appropriated to this fund pursuant to 1987 Iowa Acts, chapter 234, section 304, subsection 2, are not subject to reversion under section 8.33.

b. Tort claims denied at the institution shall be forwarded to the state appeal board for their consideration as if originally filed with that body. This procedure shall be used in lieu of chapter 669 for inmate tort claims of less than \$100.

3. It is the intent of the general assembly that the department of corrections shall timely fill correctional positions authorized for correctional facilities pursuant to this section.

Sec. 145. DEPARTMENT OF CORRECTIONS -- ADMINISTRATION. There is appropriated from the general fund of the state to the department of corrections for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For general administration, including salaries, support, maintenance, employment of an education director and clerk to administer a centralized education program for the correctional system, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 2,666,224  
..... FTEs 42.18

Notwithstanding section 904.108, for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the correctional training center need not be maintained at the Mount Pleasant correctional facility.

a. The department shall monitor the use of the classification model by the judicial district departments of correctional services and has the authority to override a district department's decision regarding classification of community-based clients. The department shall notify a district department of the reasons for the override.

b. It is the intent of the general assembly that as a condition of receiving the appropriation provided in this subsection, the department of corrections shall not, except as otherwise provided in paragraph "c", enter into a new contract, unless the contract is a renewal of an existing contract, for the expenditure of moneys in excess of \$100,000 during the fiscal year beginning July 1, 2002, for the privatization of services performed by the department using state employees as of July 1, 2002, or for the privatization of new services by the department, without prior consultation with any applicable state employee organization affected by the proposed new contract and prior notification of the cochairpersons and ranking members of the joint appropriations subcommittee on the justice system.

c. It is the intent of the general assembly that each lease negotiated by the department of corrections with a private corporation for the purpose of providing private industry employment of inmates in a correctional institution shall prohibit the private corporation from utilizing inmate labor for partisan political purposes for any person seeking election to public office in this state and that a violation of this requirement shall result in a termination of the lease agreement.

d. It is the intent of the general assembly that as a condition of receiving the appropriation provided in this subsection, the department of corrections shall not enter into a lease or contractual agreement pursuant to section 904.809 with a private corporation for the use of building space for the purpose of providing inmate employment without providing that the terms of the lease or contract establish safeguards to restrict, to the greatest extent feasible, access by inmates working for the private corporation to personal identifying information of citizens.

e. It is the intent of the general assembly that as a condition of receiving the appropriation provided in this subsection, the department of corrections shall not enter into any new agreement with a private for-profit agency or

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corporation for the purpose of transferring inmates under the custody of the department to a jail or correctional facility or institution in this state which is established, maintained, or operated by a private for-profit agency or corporation without prior approval by the general assembly.

2. For educational programs for inmates at state penal institutions:

..... \$ 100,000

It is the intent of the general assembly that moneys appropriated in this subsection shall be used solely for the purpose indicated and that the moneys shall not be transferred for any other purpose. In addition, it is the intent of the general assembly that the department shall consult with the community colleges in the areas in which the institutions are located to utilize moneys appropriated in this subsection to fund the high school completion, high school equivalency diploma, adult literacy, and adult basic education programs in a manner so as to maintain these programs at the institutions.

To maximize the funding for educational programs, the department shall establish guidelines and procedures to prioritize the availability of educational and vocational training for inmates based upon the goal of facilitating an inmate's successful release from the correctional institution.

The director of the department of corrections may transfer moneys from Iowa prison industries for use in educational programs for inmates.

Notwithstanding section 8.33, moneys appropriated in this subsection that remain unobligated or unexpended at the close of the fiscal year shall not revert but shall remain available for expenditure only for the purpose designated in this subsection until the close of the succeeding fiscal year.

3. For the development of the Iowa corrections offender network (ICON) data system:

..... \$ 427,700

4. The department of corrections shall submit a report to the cochairpersons and ranking members of the joint appropriations subcommittee on the justice system and the

..... \$ 1,077,354  
 ..... FTEs 25.25

Sec. 153. IOWA COMMUNICATIONS NETWORK OPERATIONS.

1. There is appropriated from the general fund of the state to the Iowa telecommunications and technology commission for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purposes designated in this subsection:

For operations of the network consistent with chapter 8D and for the following full-time equivalent positions:  
 ..... \$ 1,027,503  
 ..... FTEs 105.00

2. Notwithstanding section 8.33 or 8.39, moneys appropriated in this section which remain unobligated or unexpended at the close of the fiscal year shall not revert but shall remain available for the purposes designated in the succeeding fiscal year, and shall not be transferred to any other program.

3. It is the intent of the general assembly that the Iowa telecommunications and technology commission annually review the hourly rates established, as provided in section 8D.3, subsection 3, paragraph "i". Such rates shall be established in a manner to minimize any subsidy provided through state general fund appropriations.

Sec. 154. 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, 2002, and ending June 30, 2003, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For the department's administrative functions, including the criminal justice information system, and for not more than the following full-time equivalent positions:  
 ..... \$ 2,491,284  
 ..... FTEs 38.50

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2. For the division of criminal investigation and bureau of identification including the state's contribution to the peace officers' retirement, accident, and disability system provided in chapter 97A in the amount of 17 percent of the salaries for which the funds are appropriated, to meet federal fund matching requirements, and for not more than the following full-time equivalent positions:

..... \$ 12,618,393  
 ..... FTEs 231.50

Riverboat enforcement costs shall be billed in accordance with section 99F.10, subsection 4, and section 99F.10A. The costs shall be not more than the department's estimated expenditures, including salary adjustment, for riverboat enforcement for the fiscal year.

The department of public safety, with the approval of the department of management, may employ no more than two special agents and four gaming enforcement officers for each additional riverboat regulated after July 1, 2002, and one special agent for each racing facility which becomes operational during the fiscal year which begins July 1, 2002. One additional gaming enforcement officer, up to a total of four per boat, may be employed for each riverboat that has extended operations to 24 hours and has not previously operated with a 24-hour schedule. Positions authorized in this paragraph are in addition to the full-time equivalent positions otherwise authorized in this subsection.

3. a. For the division of narcotics enforcement, including the state's contribution to the peace officers' retirement, accident, and disability system provided in chapter 97A in the amount of 17 percent of the salaries for which the funds are appropriated, to meet federal fund matching requirements, and for not more than the following full-time equivalent positions:

..... \$ 3,552,763  
 ..... FTEs 58.00

b. For the division of narcotics enforcement for undercover purchases:

..... \$ 129,155

4. a. For the state fire marshal's office, including the state's contribution to the peace officers' retirement, accident, and disability system provided in chapter 97A in the amount of 17 percent of the salaries for which the funds are appropriated, and for not more than the following full-time equivalent positions:

..... \$ 1,861,393

..... FTEs 38.80

b. For the state fire marshal's office, for fire protection services as provided through the state fire service and emergency response council as created in the department, and for not more than the following full-time equivalent positions:

..... \$ 599,110

..... FTEs 12.00

5. a. For the division of the Iowa state patrol of the department of public safety, for salaries, support, maintenance, workers' compensation costs, and miscellaneous purposes, including the state's contribution to the peace officers' retirement, accident, and disability system provided in chapter 97A in the amount of 17 percent of the salaries for which the funds are appropriated, and for not more than the following full-time equivalent positions:

..... \$ 37,769,240

..... FTEs 545.00

b. District 16, including the state's contribution to the peace officers' retirement, accident, and disability system provided in chapter 97A in the amount of 17 percent of the salaries for which the funds are appropriated and for not more than the following full-time equivalent positions:

..... \$ 1,298,828

..... FTEs 26.00

6. For deposit in the public safety law enforcement sick leave benefits fund established under section 80.42, for all departmental employees eligible to receive benefits for accrued sick leave under the collective bargaining agreement:

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..... \$ 285,258

7. An employee of the department of public safety who retires after July 1, 2002, but prior to June 30, 2003, is eligible for payment of life or health insurance premiums as provided for in the collective bargaining agreement covering the public safety bargaining unit at the time of retirement if that employee previously served in a position which would have been covered by the agreement. The employee shall be given credit for the service in that prior position as though it were covered by that agreement. The provisions of this subsection shall not operate to reduce any retirement benefits an employee may have earned under other collective bargaining agreements or retirement programs.

8. For costs associated with the training and equipment needs of volunteer fire fighters and for not more than the following full-time equivalent position:

..... \$ 570,498

..... FTEs 1.00

Notwithstanding section 8.33, moneys appropriated in this subsection that remain unobligated or unexpended at the close of the fiscal year shall not revert but shall remain available for expenditure only for the purpose designated in this subsection until the close of the succeeding fiscal year.

Sec. 155. POSTING OF REPORTS IN ELECTRONIC FORMAT -- LEGISLATIVE FISCAL BUREAU. All reports or copies of reports required to be provided to the legislative fiscal bureau in this division for the fiscal year beginning July 1, 2002, shall be provided in an electronic format. The legislative fiscal bureau shall post the reports on its internet site and shall notify by electronic means all the members of the joint appropriations subcommittee on the justice system when a report is posted. Upon request, copies of the reports may be mailed to members of the joint appropriations subcommittee on the justice system.

Sec. 156. NEW SECTION. 99D.14A PAYMENT OF THE DIVISION OF CRIMINAL INVESTIGATION COSTS.

A licensee shall pay a fee in an amount representing twenty percent of the salary costs of the division of criminal investigation of the department of public safety plus any amount over thirty thousand dollars in direct and indirect support costs, in addition to that assessed under section 99D.14, subsection 7, for enforcement of this chapter. The fees assessed in this section shall be deposited in the general fund of the state.

Sec. 157. Section 99F.4A, subsection 8, Code 2001, is amended to read as follows:

8. A licensee shall pay a fee in an amount representing eighty one hundred percent of the salary and other related costs of the division of criminal investigation of the department of public safety for enforcement of this chapter.

Sec. 158. NEW SECTION. 99F.10A PAYMENT OF THE DIVISION OF CRIMINAL INVESTIGATION COSTS.

A licensee shall pay twenty percent of the division's salary costs for special agents and twenty percent of the division's salary costs for gaming enforcement plus any amount over \$125,000 in direct and indirect support costs, in addition to that assessed under section 99F.10, subsection 4. The costs assessed in this section shall be deposited in the general fund of the state.

Sec. 159. 1998 Iowa Acts, chapter 1101, section 15, subsection 2, as amended by 1999 Iowa Acts, chapter 202, section 25, as amended by 2000 Iowa Acts, chapter 1229, section 25, and as amended by 2001 Iowa Acts, chapter 186, section 21, is amended to read as follows:

2. a. There is appropriated from surcharge moneys received by the E911 administrator and deposited into the wireless E911 emergency communications fund, for each fiscal year in the fiscal period beginning July 1, 1998, and ending June 30, ~~2002~~ 2003, an amount not to exceed two hundred thousand dollars to be used for the implementation, support, and maintenance of the functions of the E911 administrator. The amount appropriated in this paragraph includes any amounts necessary to reimburse the division of emergency management of the department of public defense pursuant to paragraph "b".

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b. Notwithstanding the distribution formula in section 34A.7A, as enacted in this Act, and prior to any such distribution, of the initial surcharge moneys received by the E911 administrator and deposited into the wireless E911 emergency communications fund, for each fiscal year in the fiscal period beginning July 1, 1998, and ending June 30, ~~2002~~ 2003, an amount is appropriated to the division of emergency management of the department of public defense as necessary to reimburse the division for amounts expended for the implementation, support, and maintenance of the E911 administrator, including the E911 administrator's salary.

Sec. 160. 2001 Iowa Acts, chapter 186, section 6, subsection 6, is amended by striking the subsection.

Sec. 161. EFFECTIVE DATE. The section of this Act striking 2001 Iowa Acts, chapter 186, section 6, subsection 6, being deemed of immediate importance, takes effect upon enactment.

Sec. 162. EFFECTIVE DATE. The section of this Act amending 1998 Iowa Acts, chapter 1101, section 15, as amended, being deemed of immediate importance, takes effect upon enactment.

DIVISION VIII  
JUDICIAL BRANCH

Sec. 163. JUDICIAL BRANCH. There is appropriated from the general fund of the state to the judicial branch for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries of supreme court justices, appellate court judges, district court judges, district associate judges, judicial magistrates and staff, state court administrator, clerk of the supreme court, district court administrators, clerks of the district court, juvenile court officers, board of law examiners and board of examiners of shorthand reporters and judicial qualifications commission, receipt and disbursement of child support payments, reimbursement of the auditor of state for expenses incurred in completing audits of

the offices of the clerks of the district court during the fiscal year beginning July 1, 2002, and maintenance, equipment, and miscellaneous purposes:

..... \$111,356,002

1. The judicial branch, except for purposes of internal processing, shall use the current state budget system, the state payroll system, and the Iowa finance and accounting system in administration of programs and payments for services, and shall not duplicate the state payroll, accounting, and budgeting systems.

2. The judicial branch shall submit monthly financial statements to the legislative fiscal bureau and the department of management containing all appropriated accounts in the same manner as provided in the monthly financial status reports and personal services usage reports of the department of revenue and finance. The monthly financial statements shall include a comparison of the dollars and percentage spent of budgeted versus actual revenues and expenditures on a cumulative basis for full-time equivalent positions and dollars.

3. The judicial branch shall continue to assist in the development and implementation of a justice data warehouse which shall include in the Iowa court information system, starting with appointments of counsel made on or after July 1, 1999, the means to identify any case where the court has determined indigence, and whether the case is handled by a public defender or other court-appointed counsel.

4. Of the funds appropriated in this section, not more than \$1,897,728 may be transferred into the revolving fund established pursuant to section 602.1302, subsection 3, to be used for the payment of jury and witness fees and mileage.

5. The judicial branch shall focus efforts upon the collection of delinquent fines, penalties, court costs, fees, surcharges, or similar amounts.

6. It is the intent of the general assembly that the offices of the clerks of the district court operate in all ninety-nine counties and be accessible to the public as much as is reasonably possible in order to address the relative needs of the citizens of each county.

*Handwritten signature/initials*

7. In addition to the requirements for transfers under section 8.39, the judicial branch shall not change the appropriations from the amounts appropriated to the branch in this Act, unless notice of the revisions is given prior to their effective date to the legislative fiscal bureau. The notice shall include information on the branch's rationale for making the changes and details concerning the work load and performance measures upon which the changes are based.

8. The judicial branch shall provide to the legislative fiscal bureau by January 15, 2003, an annual report concerning the operation and use of the Iowa court information system and any recommendations to improve the utilization of the system. The annual report shall include information specifying the amounts of fines, surcharges, and court costs collected using the system and how the system is used to improve the collection process. In addition, the judicial branch shall submit a semiannual update to the legislative fiscal bureau specifying the amounts of fines, surcharges, and court costs collected using the Iowa court information system since the last report. The judicial branch shall continue to facilitate the sharing of vital sentencing and other information with other state departments and governmental agencies involved in the criminal justice system through the Iowa court information system.

9. The judicial branch shall provide a report to the general assembly by January 1, 2003, concerning the amounts received and expended from the enhanced court collections fund created in section 602.1304 and the court technology and modernization fund created in section 602.8108, subsection 5, during the fiscal year beginning July 1, 2001, and ending June 30, 2002, and the plans for expenditures from each fund during the fiscal year beginning July 1, 2002, and ending June 30, 2003. A copy of the report shall be provided to the legislative fiscal bureau.

10. The judicial branch shall continue to provide criminal justice data to the department of corrections for use by the Iowa corrections offender network (ICON) data system.

Sec. 164. JUDICIAL RETIREMENT FUND. There is appropriated from the general fund of the state to the judicial retirement fund for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

Notwithstanding section 602.9104, for the state's contribution to the judicial retirement fund in the amount of 15.2 percent of the basic salaries of the judges covered under chapter 602, article 9:

..... \$ 3,039,664

Sec. 165. POSTING OF REPORTS IN ELECTRONIC FORMAT -- LEGISLATIVE FISCAL BUREAU. All reports or copies of reports required to be provided by the judicial branch for fiscal year 2002-2003 to the legislative fiscal bureau shall be provided in an electronic format. The legislative fiscal bureau shall post the reports on its internet site and shall notify by electronic means all the members of the joint appropriations subcommittee on the justice system when a report is posted. Upon request, copies of the reports may be mailed to members of the joint appropriations subcommittee on the justice system.

Sec. 166. CLERK OF COURT -- STUDY COMMITTEE. The supreme court shall establish a study committee for the purpose of providing findings and recommendations to the court in order for the court to submit a report to the general assembly by December 15, 2002, regarding the efficient operation and management of the clerks of courts offices in every county of the state. The study committee shall include representatives of key court stakeholder groups including but not limited to, members of the general public, legislators, county and city officials, court employees, clerks of court, judges, and attorneys representing both urban and rural areas of the state. The court shall include interested associations and public agencies who request the opportunity to have input into the work of the study committee. The committee shall issue a report to the court which includes the committee's findings and recommendations of how to improve the operation and

management of clerk of court offices under the present statutory framework of one clerk of court office per county. The supreme court shall submit its report to the general assembly after consideration of the study committee's findings and recommendations.

Sec. 167. APPOINTMENT OF CLERK OF COURT. Up until such time the supreme court submits its clerk of court study committee report to the general assembly and notwithstanding section 602.1215, the appointment of a clerk of the district court shall not occur unless the state court administrator approves the appointment.

DIVISION IX

STANDING APPROPRIATIONS -- REDUCTIONS

Sec. 168. GENERAL ASSEMBLY. The appropriations made pursuant to section 2.12 for the expenses of the general assembly and legislative agencies for the fiscal year beginning July 1, 2002, and ending June 30, 2003, are reduced by the following amount:

..... \$ 744,947

Sec. 169. STATE APPEAL BOARD CLAIMS. Notwithstanding the standing appropriations in section 25.2, subsection 3, the amount appropriated from the general fund of the state under section 25.2, subsection 3, to the state appeal board to pay claims against the state for the fiscal year beginning July 1, 2002, and ending June 30, 2003, is reduced by the following amount:

..... \$ 2,500,000

Sec. 170. CONSTITUTIONAL AMENDMENTS AND PUBLIC MEASURES. Notwithstanding the standing appropriation in section 49A.9, the amount appropriated from the general fund of the state under section 49A.9, to the office of the secretary of state for the fiscal year beginning July 1, 2002, and ending June 30, 2003, is reduced by the following amount:

..... \$ 2,565

Sec. 171. AT-RISK CHILDREN PROGRAMS. Notwithstanding the standing appropriation in section 279.51, subsection 1, the amount appropriated from the general fund of the state under

section 279.51, subsection 1, to the department of education for the fiscal year beginning July 1, 2002, and ending June 30, 2003, is reduced by the following amount:

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

The amount of the reduction in this section shall be prorated among the programs specified in section 279.51, subsection 1, paragraphs "a", "b", and "c".

Sec. 172. EDUCATIONAL EXCELLENCE. Notwithstanding section 294A.25, subsection 1, the amount appropriated from the general fund of the state under section 294A.25, subsection 1, to the department of education for phase III moneys for the fiscal year beginning July 1, 2002, and ending June 30, 2003, is reduced by the following amount:

..... \$ 11,750,000

Sec. 173. INTERSTATE EXTRADITION EXPENSE. Notwithstanding the standing appropriation in section 820.24, the amount appropriated from the general fund of the state under section 820.24, to pay expenses of interstate extradition for the fiscal year beginning July 1, 2002, and ending June 30, 2003, is reduced by the following amount:

..... \$ 155

Sec. 174. DEFERRED COMPENSATION PROGRAM. Notwithstanding the standing appropriation to fund the state's deferred compensation program established for state employees under section 509A.12, the amount appropriated from the general fund of the state for the deferred compensation program for the fiscal year beginning July 1, 2002, and ending June 30, 2003, is reduced by the following amount:

..... \$ 190,640

STANDING APPROPRIATIONS -- LIMITATIONS

Sec. 175. Notwithstanding the standing appropriations in the following designated sections for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the amounts appropriated from the general fund of the state pursuant to those sections for the following designated purposes shall not exceed the following amounts:

1. For compensation of officers and enlisted persons and their expenses while on active state service as authorized in section 29A.27:

..... \$ 432,450

2. For payment for nonpublic school transportation under section 285.2:

..... \$ 7,799,550

If total approved claims for reimbursement for nonpublic school pupil transportation claims exceed the amount appropriated in this section, the department of education shall prorate the amount of each claim.

3. For administration expenses of the state unemployment compensation law under section 96.7:

..... \$ 353,000

4. For payment of certain interest costs due the federal government under the Federal Cash Management and Improvement Act under section 421.31:

..... \$ 568,458

5. For printing cigarette tax stamps under section 453A.7:

..... \$ 110,055

6. For the personal property tax replacement program under section 405A.8:

..... \$ 52,251,176

7. For the payment of franchise tax allocations to cities and counties under section 405A.10:

..... \$ 8,168,952

8. For the state's share of the cost of the peace officers retirement benefits under section 411.20:

..... \$ 2,816,189

9. For payment of livestock production credit refunds under section 422.121:

..... \$ 1,856,580

10. For reimbursement for the homestead property tax credit under section 425.1:

..... \$107,960,127

11. For reimbursement for the agricultural land and family farm tax credits under section 426.1:



..... \$ 36,296,139  
12. For reimbursement for the military service tax credit under section 426A.1A:

..... \$ 2,569,712

13. For industrial machinery, equipment, and computers property tax replacement claims under section 427B.19A:  
..... \$ 20,990,800

14. For public transit assistance pursuant to chapter 324A under section 312.2, subsection 14:  
..... \$ 8,669,871

Sec. 176. ELDERLY AND DISABLED CREDIT. Notwithstanding the standing appropriation in section 425.39, the amount appropriated from the general fund of the state under section 425.39, for the fiscal year beginning July 1, 2002, and ending June 30, 2003, for purposes of implementing the elderly and disabled credit and reimbursement portion of the extraordinary property tax and reimbursement division of chapter 425, shall not exceed \$16,152,246. The director shall pay, in full, all claims to be paid during the fiscal year beginning July 1, 2002, for reimbursement of rent constituting property taxes paid. If the amount of claims for credit for property taxes due to be paid during the fiscal year beginning July 1, 2002, exceeds the amount remaining after payment to renters, the director of revenue and finance shall prorate the payments to the counties for the property tax credit. In order for the director to carry out the requirements of this section, notwithstanding any provision to the contrary in sections 425.16 through 425.39, claims for reimbursement for rent constituting property taxes paid filed before May 1, 2003, shall be eligible to be paid in full during the fiscal year ending June 30, 2003, and those claims filed on or after May 1, 2003, shall be eligible to be paid during the fiscal year beginning July 1, 2003, and the director is not required to make payments to counties for the property tax credit before June 15, 2003.

REVENUE ADJUSTMENTS -- TRANSFERS

Sec. 177. IOWA ECONOMIC EMERGENCY AND RESERVE FUNDS -- EARNINGS. Notwithstanding section 8.55, subsection 4, and section 8.56, subsection 1, for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the interest and earnings on moneys deposited in the Iowa economic emergency fund and the cash reserve fund shall be credited to the general fund of the state.

Sec. 178. TITLE GUARANTY FUND. Notwithstanding section 16.91, subsection 1, there is transferred from the title guaranty fund created pursuant to section 16.91, subsection 1, to the general fund of the state during the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount:

..... \$ 2,700,000

Sec. 179. INNOVATIONS FUND. Notwithstanding section 8.63, there is transferred from the innovations fund created in section 8.63, for the purpose of stimulating and encouraging innovation in state government, to the general fund of the state for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount:

..... \$ 400,000

Sec. 180. UNDERGROUND STORAGE TANK FUND. Notwithstanding section 455G.3, subsection 1, there is transferred from the Iowa comprehensive petroleum underground storage tank fund created in section 455G.3, subsection 1, to the general fund of the state during the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount:

..... \$ 10,000,000

Sec. 181. WASTE TIRE MANAGEMENT FUND. Notwithstanding section 455D.11C, there is transferred from the waste tire management fund created in section 455D.11C, for waste tire management, to the general fund of the state for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount:

..... \$ 1,600,000

Sec. 182. Section 256D.5, subsection 2, Code 2001, is amended by striking the subsection.

Sec. 183. Sections 256D.6, 256D.7, and 256D.8, Code Supplement 2001, are repealed.

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MARY E. KRAMER  
President of the Senate

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BRENT SIEGRIST  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2326, Seventy-ninth General Assembly.

*Item Veto*

Approved 5/10, 2002

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MICHAEL E. MARSHALL  
Secretary of the Senate

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THOMAS J. VILSACK  
Governor