

Sec. 22. Section 602.9204, subsection 1, Code 1999, is amended to read as follows:

1. A judge who retires on or after July 1, 1994, and who is appointed a senior judge under section 602.9203 shall be paid a salary as determined by the general assembly. A senior judge or retired senior judge shall be paid an annuity under the judicial retirement system in the manner provided in section 602.9109, but computed under this section in lieu of section 602.9107, as follows: The annuity paid to a senior judge or retired senior judge shall be an amount equal to three percent of the basic senior judge salary, multiplied by the judge's years of service prior to retirement as a judge of one or more of the courts included under this article, for which contributions were made to the system, except the annuity of the senior judge or retired senior judge shall not exceed fifty percent of the basic senior judge salary used in calculating the annuity. However, following the twelve-month period during which the senior judge or retired senior judge attains seventy-eight years of age, the annuity paid to the person shall be an amount equal to three percent of the basic senior judge salary cap, multiplied by the judge's years of service prior to retirement as a judge of one or more of the courts included under this article, for which contributions were made to the system, except that the annuity shall not exceed fifty percent of the basic senior judge salary cap. A senior judge or retired senior judge shall not receive benefits calculated using a basic senior judge salary established after the twelve-month period in which the senior judge or retired senior judge attains seventy-eight years of age. ~~In addition, if a senior judge is under sixty five years of age at the time the judge becomes a senior judge, the state shall pay the state's share of the senior judge's medical insurance premium until the judge attains age sixty five. The state shall provide, regardless of age, to an active senior judge or a senior judge with six years of service as a senior judge and to the judge's spouse, and pay for medical insurance until the judge attains the age of seventy-eight years.~~

Sec. 23. EFFECTIVE DATE. Section 19 of this Act, being deemed of immediate importance, takes effect upon enactment and applies retroactively to January 1, 1999.

Approved May 17, 1999

**CHAPTER 201**

**APPROPRIATIONS — HEALTH AND HUMAN RIGHTS**

*H.F. 737*

AN ACT relating to and making appropriations to 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 alliance on substance abuse, and the commission of veterans affairs, and providing an effective date.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. 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, 1999, and ending June 30, 2000, 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:

.....	\$	1,736,308
.....	FTEs	103.50

Sec. 2. 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, 1999, and ending June 30, 2000, 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:

.....	\$	1,189,494
.....	FTEs	38.50

If the anticipated amount of federal funding from the federal equal employment opportunity commission and the federal department of housing and urban development exceeds \$715,000 during the fiscal year beginning July 1, 1999, 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. 3. 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, 1999, and ending June 30, 2000, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

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

.....	\$	4,965,799
.....	FTEs	29.00

a. Of the funds appropriated in this subsection, \$4,285,598 shall be received and disbursed by the director of elder affairs for aging programs and services. These funds shall not be used by the department for administrative purposes, and not more than \$151,654 shall be used for area agencies on aging administrative purposes, and shall be used for citizens of Iowa over 60 years of age for case management for the frail elderly, mental health outreach, Alzheimer's support, retired senior volunteer program, care review committee coordination, employment, adult day care, 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.

b. 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.

c. It is the intent of the general assembly that the Iowa chapters of the Alzheimer's association and the case management program for frail elders 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.

d. The department shall maintain policies and procedures regarding Alzheimer's support and the retired 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. 4. GOVERNOR'S ALLIANCE ON SUBSTANCE ABUSE. There is appropriated from the general fund of the state to the governor's alliance on substance abuse for the fiscal year beginning July 1, 1999, and ending June 30, 2000, 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:

.....	\$	471,354
.....	FTEs	13.00

Sec. 5. 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, 1999, and ending June 30, 2000, 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:

.....	\$	8,399,406
.....	FTEs	15.75

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.

2. ADULT WELLNESS

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

.....	\$	783,855
.....	FTEs	19.80

Of the funds appropriated in this subsection, not more than \$140,000 shall be used to continue existing mid-level practitioners demonstration projects in Black Hawk, Polk, and Scott counties. The funds shall be issued in three equal grant amounts and shall be used to promote the use of mid-level practitioners, which includes obstetrical-gynecological nurse practitioners and family nurse practitioners focusing on maternal and child health, to improve access to prenatal care and obstetrical services.

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:

.....	\$	1,559,456
.....	FTEs	39.55

a. Of the funds appropriated in this subsection, \$61,693 shall be allocated to the state university of Iowa hospitals and clinics under the control of the state board of regents for the statewide perinatal program.

b. Of the funds appropriated in this subsection, \$261,187 shall be allocated for the physician care for children program.

The program's physician services shall be subject to managed care and selective contracting provisions and shall be used to provide for the medical treatment of children and shall include coverage of diagnostic procedures, prescription drugs, and physician-ordered treatments necessary to treat an acute condition. Services provided under this lettered paragraph shall be reimbursed according to medical assistance reimbursement rates established as of July 1, 1998.

c. Of the funds appropriated in this subsection, \$75,000 shall be allocated for primary and preventive health care for children.

Funds appropriated in this lettered paragraph shall be used for the public purpose of providing a renewable grant, following a request for proposals, to a statewide charitable organization within the meaning of section 501(c)(3) of the Internal Revenue Code which was organized prior to April 1, 1989, and has as one of its purposes the sponsorship or support for programs designed to improve the quality, awareness, and availability of health care for the young, to serve as the funding mechanism for the provision of primary health care and preventive services to children in the state and for a continuum of health care for children with special health care needs who are uninsured and who are not eligible under any public plan of health insurance, provided all of the following conditions are met:

(1) The organization shall provide a match of four dollars in advance of each state dollar provided.

(2) The organization coordinates services with new or existing public programs and services provided by or funded by appropriate state agencies in an effort to avoid inappropriate duplication of services and ensure access to care to the extent as is reasonably possible. The organization shall work with the Iowa department of public health, family and community health division, to ensure duplication is minimized.

(3) The organization's governing board includes in its membership representatives from the executive and legislative branches of state government.

(4) Grant funds are available as needed to provide services and shall not be used for administrative costs of the department or the grantee.

d. Of the funds appropriated in this subsection, not more than \$165,000 shall be used to continue the existing infant mortality and morbidity prevention pilot projects in Polk, Scott, and Woodbury counties with no more than 15 percent being used for administrative expenses.

e. Of the funds appropriated in this subsection, not more than \$25,000 shall be used to continue supporting multidisciplinary research into the cause of individual infant deaths in the state and shall be used solely for research purposes.

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:

.....	\$	1,841,486
.....	FTEs	6.45

a. Of the funds appropriated in this subsection, \$738,185 shall be used for the chronic renal disease program. The types of assistance available to eligible recipients under the program may include insurance premiums, travel reimbursement, and prescription and nonprescription drugs. The program expenditures shall not exceed this allocation. If projected expenditures will exceed the allocation, the department shall establish by administrative rule a mechanism to reduce financial assistance under the renal disease program in order to keep expenditures within the amounts allocated.

b. Of the funds appropriated in this subsection, at least \$587,865 shall be allocated by the department for the birth defects and genetics counseling program and of these funds, \$279,402 is allocated for regional genetic counseling services contracted from the state university of Iowa hospitals and clinics under the control of the state board of regents. The birth defects and genetic counseling service shall apply a sliding fee scale to determine the amount a person receiving the services is required to pay for the services. These fees shall be considered repayment receipts and used for the program.

c. Of the funds appropriated in this subsection, the following amounts shall be allocated to the state university of Iowa hospitals and clinics under the control of the state board of regents for the following programs under the Iowa specialized child health care services:

(1) Mobile and regional child health specialty clinics:

.....	\$	392,931
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Of the funds allocated in this subparagraph, \$97,937 shall be used for a specialized medical home care program providing care planning and coordination of community support services for children who require technical medical care in the home.

(2) Muscular dystrophy and related genetic disease programs:

..... \$ 115,613

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:

..... \$ 1,586,221

..... FTEs 23.55

a. Of the funds appropriated in this subsection, \$350,000 shall be allocated to and used by local boards of health to ensure that core public health functions are maintained and to support essential services in their communities.

b. Of the funds appropriated in this subsection, \$165,391 shall be allocated for the office of rural health to provide technical assistance to rural areas in the area of health care delivery.

c. Of the funds appropriated in this subsection, \$235,000 shall be allocated for primary care provider recruitment and retention endeavors.

6. ELDERLY WELLNESS

For optimizing the health of persons over 55 years of age:

..... \$ 10,932,737

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:

..... \$ 165,721

..... FTEs 7.25

Of the funds appropriated in this subsection, \$39,547 shall be used for the lead abatement program.

8. INFECTIOUS DISEASES

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

..... \$ 1,346,770

..... FTEs 34.55

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:

..... \$ 1,863,449

..... FTEs 8.20

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:

..... \$ 6,179,446

..... FTEs 124.25

a. Of the funds appropriated and full-time equivalent positions authorized in this subsection, not more than \$342,504 and 5.00 FTEs shall be used for salaries, support, maintenance, and miscellaneous purposes for operating the state board of dental examiners.

b. Of the funds appropriated and full-time equivalent positions authorized in this subsection, not more than \$1,261,392 and 19.00 FTEs shall be used for salaries, support, maintenance, and miscellaneous purposes for operating the state board of medical examiners.

c. Of the funds appropriated and full-time equivalent positions authorized in this subsection, not more than \$1,069,817 and 18.00 FTEs shall be used for salaries, support, maintenance, and miscellaneous purposes for operating the state board of nursing examiners.

d. Of the funds appropriated and full-time equivalent positions authorized in this subsection, not more than \$761,948 and 12.00 FTEs shall be used for salaries, support, maintenance, and miscellaneous purposes for operating the state board of pharmacy examiners.

e. Of the funds appropriated and full-time equivalent positions authorized in this subsection, not more than \$1,119,627 and 16.00 FTEs shall be used for salaries, support, maintenance, and miscellaneous purposes for the operation of the bureau of professional licensure.

The director of public health, when estimating expenditure requirements for the boards funded under this lettered paragraph, shall base the budget on 85 percent of the average annual fees generated for the previous two fiscal years. The department shall confer with the boards funded under this paragraph in estimating the boards' annual fee generation and administrative costs. When the department develops each board's annual budget, a board's budget shall not exceed 85 percent of fees collected, based on the average of the previous two fiscal years. The department may expend funds in addition to amounts budgeted, if those additional expenditures are directly the result of a scope of practice review committee or unanticipated litigation costs arising from the discharge of the 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 a board, the director of the department of management shall approve the expenditure or encumbrance. The amounts necessary to fund the unanticipated litigation in the fiscal year beginning July 1, 1999, shall not exceed 5 percent of the average annual fees generated by the boards for the previous two fiscal years.

f. 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 shall also retain any new or increased fees implemented by the department pursuant to legislation enacted by the general assembly in 1999 for activities not otherwise funded by amounts appropriated in this section.

g. The department may retain and expend not more than \$361,000 for moving expenses and \$444,000 for lease and maintenance expenses for the relocation of licensure boards from the executive hills state office building 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 examiners in the fiscal year beginning July 1, 1999, and ending June 30, 2000.

h. 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 EMS funds available under this subsection only if the reimbursement is not available through any employer or third-party payor.

i. The state board of medical examiners, the state board of pharmacy examiners, the state board of dental examiners, and the state board of nursing examiners 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.

j. The state board of medical examiners, the state board of pharmacy examiners, the state board of dental examiners, and the state board of nursing examiners shall retain their individual executive officers, but are strongly encouraged to share administrative, clerical, and investigative staffs to the greatest extent possible.

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:

.....	\$	1,274,956
.....	FTEs	48.95

12. The state university of Iowa hospitals and clinics 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.

The department shall prepare a report on the compliance of grantees receiving funds pursuant to 1998 Iowa Acts, chapter 1221, section 5, subsection 4, paragraph "c", regarding the coordination of services by local health care providers or nonprofit health care organizations with other local entities providing similar services, as described in this subsection. Grantees shall assist the department in obtaining the information necessary to complete the report. The department shall provide a copy of the completed report to each member of the joint appropriations subcommittee on health and human rights by January 1, 2000.

14. a. The department shall apply for available federal funds for sexual abstinence education programs in accordance with the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. No. 104-193, § 912.

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 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.

Sec. 6. 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, 1999, and ending June 30, 2000, 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:

.....	\$	238,121
.....	FTEs	6.60

2. DEAF SERVICES DIVISION

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

.....	\$	319,149
.....	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:

.....	\$	181,078
.....	FTEs	3.00

4. LATINO AFFAIRS DIVISION

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

.....	\$	156,599
.....	FTEs	3.00

5. STATUS OF WOMEN DIVISION

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

.....	\$	419,505
.....	FTEs	3.00

a. Of the funds appropriated in this subsection, at least \$125,775 shall be spent for the displaced homemaker program.

b. Of the funds appropriated in this subsection, at least \$42,570 shall be spent for domestic violence and sexual assault-related grants.

6. STATUS OF AFRICAN-AMERICANS DIVISION

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

.....	\$	129,500
.....	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:

.....	\$	412,421
.....	FTEs	9.72

Of the full-time equivalent positions allocated in this subsection, one and one-half positions are contingent upon the appropriation of funding for a justice data warehouse.

a. 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.

b. Of the funds appropriated in this subsection, at least \$36,300 shall be spent for expenses relating to the administration of federal funds for juvenile assistance. It is the intent of the general assembly that the department of human rights employ sufficient staff to meet the federal funding match requirements established by the federal office for juvenile justice delinquency prevention. The governor's advisory council on juvenile justice shall determine the staffing level necessary to carry out federal and state mandates for 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 positions:

.....	\$	1,600,494
.....	FTEs	2.32

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.

10. STATUS OF ASIAN PACIFIC ISLANDERS STUDY. The department of human rights shall conduct a study of the status of persons of Asian Pacific Islander descent in the state of Iowa. The study shall focus on the areas of education, language development, employment, human rights, health, housing, and social welfare. The director of the department of human rights shall submit a report of findings and recommendations based on the study to the general assembly by January 1, 2000.

Sec. 7. 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, 1999, and ending June 30, 2000, 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, and for not more than the following full-time equivalent positions:

.....	\$	307,168
.....	FTEs	5.00



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. WAR ORPHANS

For the war orphans educational aid fund established pursuant to chapter 35:  
..... \$ 6,000

3. IOWA VETERANS HOME

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

..... \$ 43,420,253  
..... FTEs 891.94

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. If medical assistance revenues are expanded at the Iowa veterans home, and this expansion results in medical assistance reimbursements which exceed the amount budgeted for that purpose in the fiscal year beginning July 1, 1999, and ending June 30, 2000, the Iowa veterans home may expend the excess amounts to exceed the number of full-time equivalent positions authorized for the purpose of meeting related certification requirements or to provide additional beds. The expenditure of additional funds received, as outlined in this paragraph, is subject to the approval by the department of management.

c. 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.

d. 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.

e. Of the full-time equivalent positions authorized pursuant to this subsection, filling 88.30 full-time equivalent positions shall be contingent upon the termination of the existing Iowa veterans home contract for dietary services, and the hiring of state employees to perform dietary services at the Iowa veterans home.

Sec. 8. NEW SECTION. 35A.11 VETERANS LICENSE FEE FUND.

A veterans license fee fund is created in the state treasury under the control of the commission. The fund shall include the fees credited by the treasurer of state from the sale of special veteran license plates pursuant to section 321.34, subsection 13, paragraph "d". Notwithstanding section 12C.7, interest or earnings on moneys in the veterans license fee fund shall be credited to the veterans license fee fund. Moneys in the fund are appropriated to the commission to be used to fulfill the responsibilities of the commission.

Sec. 9. Section 99E.10, subsection 1, paragraph a, Code 1999, is amended to read as follows:

a. An amount equal to three-tenths of one percent of the gross lottery revenue shall be deposited in a gambling treatment fund in the office of the treasurer of state. ~~The director of the Iowa department of public health shall administer the fund and shall provide that receipts are allocated on a monthly basis to fund 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.~~

Sec. 10. Section 216A.2, subsection 9, Code 1999, is amended by striking the subsection.

Sec. 11. Section 216A.2, unnumbered paragraph 2, Code 1999, is amended to read as follows:

The governor shall appoint the administrators of each of the divisions, ~~except for the division of persons with disabilities~~, subject to confirmation by the senate. Each administrator shall serve at the pleasure of the governor and is exempt from the merit system provisions of chapter 19A. The governor shall set the salary of the division administrators within the ranges set by the general assembly.

Sec. 12. Section 216A.71, subsection 1, Code 1999, is amended to read as follows:

1. "Administrator" means the administrator of the division of persons with disabilities of the department of human rights.

Sec. 13. Section 216A.92A, subsection 2, Code 1999, is amended to read as follows:

2. Commission members shall serve three-year terms which shall begin and end pursuant to section 69.19, and shall serve the entire term even if the member experiences a change in the status which resulted in their appointment under subsection 1. Vacancies on the commission shall be filled for the remainder of the term of the original appointment. Members whose terms expire may be reappointed. Members of the commission shall receive actual expenses for their services. Members may also be eligible to receive compensation as provided in section 7E.6. Members as specified under subsection 1, paragraph "c", however, shall receive per diem compensation as provided in section 7E.6 and actual expenses. The membership of the commission shall also comply with the political party affiliation and gender balance requirements of sections 69.16 and 69.16A.

Sec. 14. GAMBLING TREATMENT FUND — APPROPRIATION.

1. For the fiscal year beginning July 1, 1999, and ending June 30, 2000, amounts deposited in the gambling treatment fund established in the office of the treasurer of state pursuant to section 99E.10 are appropriated to the Iowa department of public health.

2. Of the funds appropriated in subsection 1, \$525,000 shall be allocated for the addictive disorders program, to be utilized for the benefit of persons with addictions.

3. Of the funds appropriated in subsection 1, \$20,000 shall be transferred to the office of the auditor of state to perform an audit of the gambling treatment program. The results of the audit shall be reported to the members of the general assembly by January 1, 2000.

4. Funds which remain after the allocations in subsections 2 and 3, if any, shall be allocated 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.

Sec. 15. GAMBLING TREATMENT FUND DEPOSITS.\* For the fiscal year beginning July 1, 1999, and ending June 30, 2000, an amount of the tax revenue received by the state racing and gaming commission pursuant to section 99D.15, subsections 1, 3, and 4, equal to three-tenths of one percent of the gross sum wagered by the pari-mutuel method is appropriated to the Iowa department of public health for the sole purpose of funding the position of deputy state medical examiner, contingent upon the passage of 1999 Iowa Acts, Senate File 376\*\* or similar legislation transferring the office of the state medical examiner from the department of public safety to the Iowa department of public health. The full-time equivalent position authorizations in this Act for the Iowa department of public health shall be increased by 1.00 FTE position if 1999 Iowa Acts, Senate File 376,\*\* or similar legislation transferring the office of the state medical examiner from the department of public safety to the Iowa department of public health, is enacted. Moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall be credited to the general fund of the state.

\* The headnote "Deputy medical examiner — funding" probably intended

\*\* Senate File 376 not enacted

Sec. 16. DEPARTMENT OF PUBLIC HEALTH. There is appropriated from the general fund of the state to the board of dental examiners of the department of public health for the fiscal year beginning July 1, 1998, and ending June 30, 1999, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For the board of dental examiners to pay the necessary expenses of the members of the dental hygiene committee created in section 153.33A and administrative costs relating to the committee:

..... \$ 42,000

Sec. 17. 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, and as amended by 1998 Iowa Acts, chapter 1221, section 9, shall be extended until June 30, 2000, and the increased fees to be collected pursuant to that project shall continue to be collected until June 30, 2000.

Sec. 18. COMMUNITY ACTION AGENCY STUDY. The legislative council is requested to establish an interim study committee to evaluate and review whether community action agencies are maximizing opportunities to match funding for community service block grants received by the division of community action agencies of the department of human rights pursuant to Code chapter 216A.

Sec. 19. OPERATING A MOTOR VEHICLE WHILE INTOXICATED COURSE REQUIREMENT STUDY. The legislative council is requested to establish an interim study committee to evaluate courses required for persons who have committed an operating a motor vehicle while intoxicated offense. The study should include a review of courses offered through the community colleges, either alone or in conjunction with local licensed substance abuse agencies, and include consideration of the practice of combining juveniles and adults in the same course, authorizing, and ensuring the availability of expertise to offer separate courses geared toward juveniles and adults, the potential mixed message sent to recovering alcohol or drug abusers who should be receiving a zero tolerance for use directive, enrollment procedures, course fees and costs, and course evaluation.

Sec. 20. EFFECTIVE DATES. Section 16 of this Act, relating to a supplemental appropriation for the board of dental examiners of the Iowa department of public health, being deemed of immediate importance, takes effect upon enactment. Section 17 of this Act, relating to the vital records modernization project, being deemed of immediate importance, takes effect upon enactment.

Approved May 18, 1999

**CHAPTER 202**  
APPROPRIATIONS — JUSTICE SYSTEM  
S.F. 468

**AN ACT** relating to and making appropriations to the justice system and providing effective dates.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. 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, 1999, and ending June 30, 2000, the following amounts, or so much thereof as is necessary, to be used for the purposes designated: