

JAN 9 2006

APPROPRIATIONS

HOUSE FILE 2002

BY RAECKER and KUHN

Passed House, Date 1-30-06

Passed Senate, Date 5-3-06

Vote: Ayes 98 Nays 0

Vote: Ayes 49 Nays 0

Approved _____

A BILL FOR

1 An Act increasing the standing amount required to be
2 appropriated, reverted, or transferred to the credit of the
3 senior living trust fund and including effective and
4 retroactive applicability date provisions.

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

HF 2002

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1 Section 1. Section 8.55, subsection 2, paragraph b, Code
2 Supplement 2005, is amended to read as follows:

3 b. Notwithstanding paragraph "a", any moneys in excess of
4 the maximum balance in the economic emergency fund after the
5 distribution of the surplus in the general fund of the state
6 at the conclusion of each fiscal year shall not be transferred
7 to the general fund of the state but shall be transferred to
8 the senior living trust fund. The total amount appropriated,
9 reverted, or transferred, in the aggregate, under this
10 paragraph, section 8.57, subsection 2, and any other law
11 providing for an appropriation or reversion or transfer of an
12 appropriation to the credit of the senior living trust fund,
13 for all fiscal years beginning on or after July 1, 2004, shall
14 not exceed one-hundred-eighteen-million-dollars the amount
15 specified in section 8.57, subsection 2, paragraph "c".

16 Sec. 2. Section 8.57, subsection 2, paragraphs c, d, and
17 e, Code Supplement 2005, are amended to read as follows:

18 c. The appropriation made in paragraph "a" shall continue
19 until the aggregate amount of the appropriations made,
20 reverted, or transferred to the senior living trust fund for
21 all fiscal years beginning on or after July 1, 2004, pursuant
22 to paragraph "a" of this subsection, and section 8.55,
23 subsection 2, paragraph "b", and any other law providing for
24 an appropriation or reversion or transfer of an appropriation
25 to the senior living trust fund is equal to one three hundred
26 eighteen million dollars.

27 ~~d.--The-aggregate-amount-of-the-appropriations-to-be~~
28 ~~transferred-from-the-Iowa-economic-emergency-fund-to-the~~
29 ~~senior-living-trust-fund-pursuant-to-section-8.55,--subsection~~
30 ~~2,--paragraph--"b"--shall-be-reduced-by-the-appropriations-made~~
31 ~~pursuant-to-paragraph--"a"--of-this-subsection.~~

32 e. d. This subsection is and section 8.55, subsection 2,
33 paragraph "b", are repealed when the aggregate amount of
34 appropriations specified in paragraph "c" has been
35 distributed, appropriated, reverted, or transferred to the

1 senior living trust fund. The director of the department of
2 management shall notify the Iowa Code editor when the
3 aggregate amount has been distributed, appropriated, reverted,
4 or transferred.

5 Sec. 3. RETROACTIVE APPLICABILITY. This Act, being deemed
6 of immediate importance, takes effect upon enactment and is
7 retroactively applicable to July 1, 2004, and is applicable on
8 and after that date.

9 EXPLANATION

10 This bill increases the standing amount required to be
11 appropriated, reverted, or transferred to the credit of the
12 senior living trust fund.

13 Current law in Code section 8.55, relating to the Iowa
14 economic emergency fund; Code section 8.57, relating to
15 distribution of the ending balance in the general fund of the
16 state; and session law provides contingent directives for
17 appropriation or reversion or transfer of a certain amount of
18 funding to the credit of the senior living trust fund. Under
19 current Code provisions, the contingencies remain effective
20 until an aggregate amount of \$118 million has been transferred
21 to the senior living trust fund and that amount is listed in
22 both of the Code sections.

23 The bill consolidates the required dollar amount to be
24 credited to the senior living trust fund in Code section 8.57,
25 provides a reference to the required dollar amount in Code
26 section 8.55, increases the required dollar amount to \$300
27 million, and provides that any appropriations and reversions
28 and transfers of appropriations to the credit of the senior
29 living trust fund are all credited against the required dollar
30 amount.

31 The bill takes effect upon enactment and is retroactively
32 applicable to July 1, 2004.

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HOUSE FILE 2002

AN ACT

INCREASING THE STANDING AMOUNT REQUIRED TO BE APPROPRIATED,
REVERTED, OR TRANSFERRED TO THE CREDIT OF THE SENIOR LIVING
TRUST FUND AND INCLUDING EFFECTIVE AND RETROACTIVE
APPLICABILITY DATE PROVISIONS.

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

Section 1. Section 8.55, subsection 2, paragraph b, Code Supplement 2005, is amended to read as follows:

b. Notwithstanding paragraph "a", any moneys in excess of the maximum balance in the economic emergency fund after the distribution of the surplus in the general fund of the state at the conclusion of each fiscal year shall not be transferred to the general fund of the state but shall be transferred to

the senior living trust fund. The total amount appropriated, reverted, or transferred, in the aggregate, under this paragraph, section 8.57, subsection 2, and any other law providing for an appropriation or reversion or transfer of an appropriation to the credit of the senior living trust fund, for all fiscal years beginning on or after July 1, 2004, shall not exceed one-hundred-eighteen-million-dollars the amount specified in section 8.57, subsection 2, paragraph "c".

Sec. 2. Section 8.57, subsection 2, paragraphs c, d, and e, Code Supplement 2005, are amended to read as follows:

c. The appropriation made in paragraph "a" shall continue until the aggregate amount of the appropriations made, reverted, or transferred to the senior living trust fund for all fiscal years beginning on or after July 1, 2004, pursuant to paragraph "a" of this subsection, and section 8.55, subsection 2, paragraph "b", and any other law providing for an appropriation or reversion or transfer of an appropriation to the senior living trust fund is equal to one three hundred eighteen million dollars.

~~d.--The aggregate amount of the appropriations to be transferred from the Iowa economic emergency fund to the senior living trust fund pursuant to section 8.557-subsection 27-paragraph-"b", shall be reduced by the appropriations made pursuant to paragraph-"a"-of-this-subsection:~~

e- d. This subsection is and section 8.55, subsection 2, paragraph "b", are repealed when the aggregate amount of appropriations specified in paragraph "c" has been distributed, appropriated, reverted, or transferred to the senior living trust fund. The director of the department of management shall notify the Iowa Code editor when the aggregate amount has been distributed, appropriated, reverted, or transferred.

Sec. 3. RETROACTIVE APPLICABILITY. This Act, being deemed of immediate importance, takes effect upon enactment and is

retroactively applicable to July 1, 2004, and is applicable on and after that date.

CHRISTOPHER C. RANTS
Speaker of the House

JEFFREY M. LAMBERTI
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2002, Eighty-first General Assembly.

MARGARET THOMSON
Chief Clerk of the House

Approved _____, 2006

THOMAS J. VILSACK
Governor