

*Substitute for SF553*  
*11-8-01*

NOV 8 2001  
APPROPRIATIONS CALENDAR

HOUSE FILE 759  
BY COMMITTEE ON APPROPRIATIONS

Passed House, Date 11-8-01 Passed Senate, Date 11-8-01  
Vote: Ayes 96 Nays 2 Vote: Ayes 48 Nays 1  
Approved November 15, 2001

**A BILL FOR**

1 An Act relating to public funding and regulatory matters and  
2 making and reducing appropriations for the fiscal year  
3 beginning July 1, 2001, and including effective date and  
4 applicability provisions.

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

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HF 759

DIVISION I  
EXECUTIVE BRANCH

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2  
3 Section 1. STANDING APPROPRIATIONS. After applying the  
4 reduction made pursuant to executive order number 24 to the  
5 appropriations for the following designated purposes, there is  
6 appropriated from the general fund of the state for the fiscal  
7 year beginning July 1, 2001, and ending June 30, 2002, the  
8 following amounts, or so much thereof as is necessary, to  
9 supplement the appropriations for the following designated  
10 purposes:

11 1. For the endowment for Iowa's health account of the  
12 tobacco settlement trust fund in 2001 Iowa Acts, chapter 174,  
13 section 1, subsection 2, unnumbered paragraph 2:

14 ..... \$ 311,664

15 2. For payment of claims against the state by the state  
16 appeals board in sections 25.2 and 669.11:

17 ..... \$ 236,500

18 3. For performance of duty by the executive council in  
19 sections 7D.29, 18.12, and 29C.20:

20 ..... \$ 64,500

21 4. For payment of expenses, compensation, and claims  
22 incurred by members of the national guard while on active duty  
23 in section 29A.29:

24 ..... \$ 4,730

25 5. For the secretary of state's administration of absentee  
26 ballots for Iowa residents serving in the armed forces in  
27 section 53.50:

28 ..... \$ 151

29 6. For state unemployment compensation administration  
30 under chapter 96:

31 ..... \$ 15,179

32 7. For the Iowa early intervention block grant program in  
33 section 256D.5, subsection 1:

34 ..... \$ 1,290,000

35 8. For instructional support state aid to school districts

1 in section 257.20:  
 2 ..... \$ 636,324  
 3 9. For tuition grants in section 261.25, subsection 1:  
 4 ..... \$ 425,000  
 5 10. For child development grants and other programs for  
 6 at-risk children in section 279.51:  
 7 ..... \$ 497,080  
 8 11. For educational excellence in section 294A.25,  
 9 including the distributions required by that section, as  
 10 amended by 2001 Iowa Acts, chapter 181, sections 21, 22, and  
 11 24:  
 12 ..... \$ 3,478,327  
 13 12. For school improvement technology in section 256D.5,  
 14 subsection 2:  
 15 ..... \$ 430,000  
 16 13. For the property tax relief fund in section 426B.1:  
 17 ..... \$ 4,085,000  
 18 14. For payment of costs associated with extradition of  
 19 criminals in section 820.24:  
 20 ..... \$ 172

21 Sec. 2. ICN DEBT SERVICE. After applying the reduction  
 22 made pursuant to executive order number 24 to the  
 23 appropriation made for the following designated purpose, there  
 24 is appropriated from the general fund of the state to the  
 25 treasurer of state for the fiscal year beginning July 1, 2001,  
 26 and ending June 30, 2002, the following amount, or so much  
 27 thereof as is necessary, to supplement the appropriation for  
 28 the following designated purpose:

29 For Iowa communications network debt service in 2001 Iowa  
 30 Acts, chapter 176, section 21:  
 31 ..... \$ 427,384

32 Sec. 3. NATIONAL GUARD EDUCATIONAL ASSISTANCE PROGRAM.  
 33 After applying the reduction made pursuant to executive order  
 34 number 24 to the appropriation made for the following  
 35 designated purpose, there is appropriated from the general

1 fund of the state to the college student aid commission for  
2 the fiscal year beginning July 1, 2001, and ending June 30,  
3 2002, the following amount, or so much thereof as is  
4 necessary, to supplement the appropriation for the following  
5 designated purpose:

6 For the national guard educational assistance program in  
7 2001 Iowa Acts, chapter 181, section 1, subsection 6:  
8 ..... \$ 50,525

9 Sec. 4. COMMUNITY COLLEGES. After applying the reduction  
10 made pursuant to executive order number 24 to the  
11 appropriation made for community colleges, there is  
12 appropriated from the general fund of the state to the  
13 department of education for the fiscal year beginning July 1,  
14 2001, and ending June 30, 2002, the following amount, or so  
15 much thereof as is necessary, to supplement the following  
16 appropriation:

17 To supplement the appropriation made in 2001 Iowa Acts,  
18 chapter 181, section 6, subsection 14, for general state  
19 financial aid, including general financial aid to merged areas  
20 in lieu of personal property tax replacement payments, to  
21 merged areas as defined in section 260C.2, for vocational  
22 education programs in accordance with chapters 258 and 260C:  
23 ..... \$ 1,000,000

24 The appropriation made in this section shall be distributed  
25 among the merged areas listed in 2001 Iowa Acts, chapter 181,  
26 section 6, subsection 14, in proportion to the amount that  
27 each original allocation bears to the total amount originally  
28 appropriated in the subsection.

29 Sec. 5. STATE BOARD OF REGENTS. After applying the  
30 reduction made pursuant to executive order number 24 to the  
31 appropriations for the following designated purposes, there is  
32 appropriated from the general fund of the state to the state  
33 board of regents for the fiscal year beginning July 1, 2001,  
34 and ending June 30, 2002, the following amounts, or so much  
35 thereof as is necessary, to supplement the appropriations for

1 the following designated purposes:

2 1. For payments in lieu of tuition in 2001 Iowa Acts,  
3 chapter 176, section 19:  
4 ..... \$ 1,121,500

5 2. For the state university of Iowa state hygienic  
6 laboratory in 2001 Iowa Acts, chapter 181, section 8,  
7 subsection 2, paragraph "f":  
8 ..... \$ 178,821

9 3. For the state school for the deaf in 2001 Iowa Acts,  
10 chapter 181, section 8, subsection 5:  
11 ..... \$ 341,872

12 4. For the Iowa braille and sight saving school in 2001  
13 Iowa Acts, chapter 181, section 8, subsection 6:  
14 ..... \$ 191,605

15 Sec. 6. IOWA VETERANS HOME. After applying the reduction  
16 made pursuant to executive order number 24 to the  
17 appropriation made for the following designated purpose, there  
18 is appropriated from the general fund of the state to the  
19 commission of veterans affairs for the fiscal year beginning  
20 July 1, 2001, and ending June 30, 2002, the following amount,  
21 or so much thereof as is necessary, to supplement the  
22 appropriation for the following designated purpose:

23 For the Iowa veterans home in 2001 Iowa Acts, chapter 182,  
24 section 7, subsection 2:  
25 ..... \$ 2,123,563

26 Sec. 7. DEPARTMENT OF CORRECTIONS. After applying the  
27 reduction made pursuant to executive order number 24 to the  
28 appropriations for the following designated purposes, there is  
29 appropriated from the general fund of the state to the  
30 department of corrections for the fiscal year beginning July  
31 1, 2001, and ending June 30, 2002, the following amounts, or  
32 so much thereof as is necessary, to supplement the  
33 appropriations for the following designated purposes:

34 1. For the operation of adult correctional institutions in  
35 2001 Iowa Acts, chapter 186, section 4, subsection 1, to be

1 allocated as follows:

2 a. For the operation of the Fort Madison correctional  
3 facility in 2001 Iowa Acts, chapter 186, section 4, subsection  
4 1, paragraph "a":

5 ..... \$ 467,922

6 b. For the operation of the Anamosa correctional facility  
7 in 2001 Iowa Acts, chapter 186, section 4, subsection 1,  
8 paragraph "b":

9 ..... \$ 383,705

10 c. For the operation of the Clarinda correctional facility  
11 in 2001 Iowa Acts, chapter 186, section 4, subsection 1,  
12 paragraph "g":

13 ..... \$ 645,379

14 d. For restoring the bed capacity, including the  
15 associated correctional officer positions, other essential  
16 positions, authorized programs, and authorized services such  
17 as treatment, medical, maintenance, and food service that were  
18 reduced from the quantity of beds, programs, and services  
19 funded and authorized as of July 1, 2001, in 2001 Iowa Acts,  
20 chapter 186, section 4, subsection 1:

21 ..... \$ 362,875

22 2. For reimbursement of counties for certain confinement  
23 costs in 2001 Iowa Acts, chapter 186, section 4, subsection 1:

24 ..... \$ 30,119

25 3. For the judicial district departments of correctional  
26 services in 2001 Iowa Acts, chapter 186, section 6, subsection  
27 1, for restoring the quantity of probation, parole, and  
28 residential officer positions funded and authorized as of July  
29 1, 2001, including restoring as many of the beds and programs  
30 that were reduced from the quantity funded and authorized as  
31 of July 1, 2001:

32 ..... \$ 1,110,000

33 Sec. 8. IOWA LAW ENFORCEMENT ACADEMY. After applying the  
34 reduction made pursuant to executive order number 24 to the  
35 appropriation made for the following designated purpose, there

1 is appropriated from the general fund of the state to the Iowa  
2 law enforcement academy for the fiscal year beginning July 1,  
3 2001, and ending June 30, 2002, the following amount, or so  
4 much thereof as is necessary, to supplement the appropriation  
5 for the following designated purpose:

6 For the Iowa law enforcement academy in 2001 Iowa Acts,  
7 chapter 186, section 10:

8 ..... \$ 59,500

9 Sec. 9. DEPARTMENT OF PUBLIC DEFENSE. After applying the  
10 reduction made pursuant to executive order number 24 to the  
11 appropriations for the following designated purposes, there is  
12 appropriated from the general fund of the state to the  
13 department of public defense for the fiscal year beginning  
14 July 1, 2001, and ending June 30, 2002, the following amounts,  
15 or so much thereof as is necessary, to supplement the  
16 appropriations for the following designated purposes:

17 1. For the military division in 2001 Iowa Acts, chapter  
18 186, section 12, subsection 1:

19 ..... \$ 238,088

20 2. For the emergency management division in 2001 Iowa  
21 Acts, chapter 186, section 12, subsection 2:

22 ..... \$ 46,383

23 Sec. 10. DEPARTMENT OF PUBLIC SAFETY. After applying the  
24 reduction made pursuant to executive order number 24 to the  
25 appropriations for the following designated purposes, there is  
26 appropriated from the general fund of the state to the  
27 department of public safety for the fiscal year beginning July  
28 1, 2001, and ending June 30, 2002, the following amounts, or  
29 so much thereof as is necessary, to supplement the  
30 appropriations for the following designated purposes:

31 1. For the department's administrative functions in 2001  
32 Iowa Acts, chapter 186, section 13, subsection 1:

33 ..... \$ 109,710

34 2. For the division of criminal investigation and bureau  
35 of identification in 2001 Iowa Acts, chapter 186, section 13,

1 subsection 2:  
2 ..... \$ 542,099  
3 3. For the division of narcotics enforcement in 2001 Iowa  
4 Acts, chapter 186, section 13, subsection 3, paragraph "a":  
5 ..... \$ 155,587  
6 4. For the division of narcotics enforcement for  
7 undercover enforcement in 2001 Iowa Acts, chapter 186, section  
8 13, subsection 3, paragraph "b":  
9 ..... \$ 5,582  
10 5. For the state fire marshal's office in 2001 Iowa Acts,  
11 chapter 186, section 13, subsection 4, paragraph "a":  
12 ..... \$ 81,489  
13 6. For the state fire marshal's office for fire protection  
14 services in 2001 Iowa Acts, chapter 186, section 13,  
15 subsection 4, paragraph "b":  
16 ..... \$ 26,184  
17 7. For the capitol police division in 2001 Iowa Acts,  
18 chapter 186, section 13, subsection 5:  
19 ..... \$ 56,914  
20 8. For the division of the Iowa state patrol in 2001 Iowa  
21 Acts, chapter 186, section 13, subsection 6:  
22 ..... \$ 1,652,907  
23 9. For costs associated with the maintenance of the  
24 automated fingerprint information system (AFIS) in 2001 Iowa  
25 Acts, chapter 186, section 13, subsection 7:  
26 ..... \$ 10,309  
27 10. For deposit in the public safety law enforcement sick-  
28 leave benefit fund established under section 80.42 in 2001  
29 Iowa Acts, chapter 186, section 13, subsection 8:  
30 ..... \$ 12,390  
31 11. For costs associated with the training and equipment  
32 needs of volunteer fire fighters in 2001 Iowa Acts, chapter  
33 186, section 13, subsection 10:  
34 ..... \$ 24,795  
35 Notwithstanding section 8.33, moneys appropriated in this

1 subsection 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. 11. DEPARTMENT OF GENERAL SERVICES. After applying  
6 the reduction made pursuant to executive order number 24 to  
7 the appropriations made for the following designated purposes,  
8 there is appropriated from the general fund of the state to  
9 the department of general services for the fiscal year  
10 beginning July 1, 2001, and ending June 30, 2002, the  
11 following amounts, or so much thereof as is necessary, to  
12 supplement the appropriations for the following designated  
13 purposes:

14 1. For rental space in 2001 Iowa Acts, chapter 187,  
15 section 6, subsection 4:  
16 ..... \$ 44,243

17 2. For utility costs in 2001 Iowa Acts, chapter 187,  
18 section 6, subsection 5:  
19 ..... \$ 94,941

20 Sec. 12. STATE WORKERS' COMPENSATION CLAIMS. After  
21 applying the reduction made pursuant to executive order number  
22 24 to the appropriation made for the following designated  
23 purpose, there is appropriated from the general fund of the  
24 state to the department of personnel for the fiscal year  
25 beginning July 1, 2001, and ending June 30, 2002, the  
26 following amount, or so much thereof as is necessary, to  
27 supplement the appropriation for the following designated  
28 purpose:

29 For distribution to state departments for funding of  
30 premiums for paying workers' compensation claims in 2001 Iowa  
31 Acts, chapter 187, section 20:  
32 ..... \$ 21,500

33 Sec. 13. DEPARTMENT OF HUMAN SERVICES FIELD OPERATIONS.  
34 After applying the reduction made pursuant to executive order  
35 number 24 for the following designated purpose, there is

1 appropriated from the general fund of the state to the  
2 department of human services for the fiscal year beginning  
3 July 1, 2001, and ending June 30, 2002, the following amount,  
4 or so much thereof as is necessary, to supplement the  
5 appropriation for the following designated purpose:

6 For field operations in 2001 Iowa Acts, chapter 191,  
7 section 27:  
8 ..... \$ 3,000,000

9 If the federal government approves the state plan amendment  
10 to commence, in the fiscal year beginning July 1, 2001, using  
11 medical assistance funding for targeted case management  
12 services for children, as submitted by the department pursuant  
13 to 2001 Iowa Acts, chapter 191, section 28, the appropriation  
14 made in this section is reduced in an amount equal to the net  
15 increase in federal reimbursement received for the services.

16 DIVISION II

17 LEGISLATIVE BRANCH

18 Sec. 14. GENERAL ASSEMBLY. The appropriations made from  
19 the general fund of the state in section 2.12, for the fiscal  
20 year beginning July 1, 2001, and ending June 30, 2002, for the  
21 expenses of the general assembly and for legislative agencies,  
22 are reduced by the following amount:

23 ..... \$ 1,079,992

24 Sec. 15. LEGISLATIVE PER DIEM PAYMENT. Notwithstanding  
25 section 2.10, subsection 6, for the special session that  
26 convenes November 8, 2001, the members of the general assembly  
27 are not entitled to and shall not receive the sum of eighty-  
28 six dollars per day for each day the general assembly is  
29 actually in special session, but shall receive the same travel  
30 allowances and expenses as authorized by section 2.10.

31 DIVISION III

32 JUDICIAL BRANCH

33 Sec. 16. 2001 Iowa Acts, chapter 179, section 1,  
34 unnumbered paragraph 2, is amended to read as follows:

35 For salaries of supreme court justices, appellate court

1 judges, district court judges, district associate judges,  
2 judicial magistrates and staff, state court administrator,  
3 clerk of the supreme court, district court administrators,  
4 clerks of the district court, juvenile court officers, board  
5 of law examiners and board of examiners of shorthand reporters  
6 and judicial qualifications commission, receipt and  
7 disbursement of child support payments, reimbursement of the  
8 auditor of state for expenses incurred in completing audits of  
9 the offices of the clerks of the district court during the  
10 fiscal year beginning July 1, 2001, and maintenance,  
11 equipment, and miscellaneous purposes:

12 ..... \$113,792,166  
13 \$108,688,725

14 Sec. 17. 2001 Iowa Acts, chapter 179, section 2, is  
15 amended to read as follows:

16 SEC. 2. JUDICIAL RETIREMENT FUND. There is appropriated  
17 from the general fund of the state to the judicial retirement  
18 fund for the fiscal year beginning July 1, 2001, and ending  
19 June 30, 2002, the following amount, or so much thereof as is  
20 necessary, to be used for the purpose designated:

21 Notwithstanding section 602.9104, subsection 4, paragraph  
22 "b", for the state's contribution to the judicial retirement  
23 fund in the amount of ~~16.6~~ 15.9 percent of the basic salaries  
24 of the judges covered under chapter 602, article 9:

25 ..... \$ 3,207,834  
26 3,069,897

27 DIVISION IV  
28 EDUCATION-RELATED PROVISIONS

29 Sec. 18. AREA EDUCATION AGENCY SERVICES.

30 1. For the budget year beginning July 1, 2001,  
31 notwithstanding the requirements of section 257.37 for  
32 determining the budgets and funding of media services and  
33 educational services, an area education agency may, within the  
34 limits of the total of the funds provided to an area education  
35 agency pursuant to section 257.35, expend for special

1 education support services an amount that exceeds the payment  
2 for special education support services pursuant to section  
3 257.35 in order to maintain the level of required special  
4 education support services in the area education agency.

5 2. For the school budget year beginning July 1, 2001, and  
6 ending June 30, 2002, there is appropriated from the general  
7 fund of the state to the department of education the sum of  
8 one hundred eighteen thousand dollars to be distributed to  
9 area education agency XVI to supplement other moneys available  
10 to the agency. The appropriation in this subsection is not  
11 subject to executive order number 24.

12 Sec. 19. CATEGORICAL FUNDING TO SCHOOLS -- FY 2001-2002.  
13 For the school budget year beginning July 1, 2001, and ending  
14 June 30, 2002, notwithstanding section 256.33 for educational  
15 technology assistance, chapter 256D for the Iowa early  
16 intervention and school improvement technology block grants,  
17 or section 294A.25 for educational excellence phase III, the  
18 board of directors of a school district may use the  
19 categorical state funding identified in this section and  
20 received by the district, for any school general fund purpose.

21 Sec. 20. Section 261.17, subsection 7, paragraph e, Code  
22 2001, is amended by striking the paragraph.

23 DIVISION V

24 INTERSTATE COMPACT FOR ADULT

25 OFFENDERS -- CORRECTIVE AMENDMENTS

26 Sec. 21. Section 422.7, subsection 12, paragraph c, Code  
27 2001, as amended by 2001 Iowa Acts, chapter 15, section 1, is  
28 amended to read as follows:

29 c. An individual, whether or not domiciled in this state  
30 at the time of the hiring, who is on parole or probation and  
31 to whom the interstate probation and parole compact under  
32 section 907A.1, Code 2001, applies, or to whom the compact for  
33 adult offenders under chapter 907B applies.

34 Sec. 22. Section 422.7, subsection 12A, paragraph b, Code  
35 2001, as amended by 2001 Iowa Acts, chapter 15, section 2, is

1 amended to read as follows:

2 b. An individual, whether or not domiciled in this state  
3 at the time of the hiring, who is on parole or probation and  
4 to whom the interstate probation and parole compact under  
5 section 907A.1, Code 2001, applies, or to whom the compact for  
6 adult offenders under chapter 907B applies.

7 Sec. 23. Section 422.35, subsection 6, paragraph c, Code  
8 2001, as amended by 2001 Iowa Acts, chapter 15, section 3, is  
9 amended to read as follows:

10 c. An individual, whether or not domiciled in this state  
11 at the time of the hiring, who is on parole or probation and  
12 to whom the interstate probation and parole compact under  
13 section 907A.1, Code 2001, applies, or to whom the compact for  
14 adult offenders under chapter 907B applies.

15 Sec. 24. Section 422.35, subsection 6A, paragraph b, Code  
16 2001, as amended by 2001 Iowa Acts, chapter 15, section 4, is  
17 amended to read as follows:

18 b. An individual, whether or not domiciled in this state  
19 at the time of the hiring, who is on parole or probation and  
20 to whom the interstate probation and parole compact under  
21 section 907A.1, Code 2001, applies, or to whom the compact for  
22 adult offenders under chapter 907B applies.

23 Sec. 25. 2001 Iowa Acts, chapter 15, is amended by adding  
24 the following new section:

25 NEW SECTION. SEC. 9. EFFECTIVE DATE. The effective date  
26 of this Act shall be the later of July 1, 2002, or upon the  
27 legislative enactment of the interstate compact for adult  
28 offender supervision by the thirty-fifth jurisdiction. The  
29 director of the department of corrections shall notify the  
30 Code editor upon the enactment of the compact by the thirty-  
31 fifth jurisdiction. The date upon which this Act takes effect  
32 constitutes the date of renunciation of the interstate  
33 probation and parole compact under section 907A.1, Code 2001,  
34 by the state of Iowa, and this Act in itself shall constitute  
35 and satisfy the six months' notice of renunciation required by

1 section 907A.1, Code 2001. The duties of the state of Iowa as  
2 a renouncing state under section 907A.1, subsection 7, Code  
3 2001, shall continue as to parolees and probationers residing  
4 within the state of Iowa on the effective date of renunciation  
5 until the parolees and probationers are retaken or finally  
6 discharged by the sending state.

7 Sec. 26. RETROACTIVE APPLICABILITY. This division of this  
8 Act is retroactively applicable to July 1, 2001, and is  
9 applicable on and after that date.

10 DIVISION VI  
11 BUDGETING REFORMS

12 Sec. 27. Section 8.55, subsection 1, Code 2001, is amended  
13 to read as follows:

14 1. The Iowa economic emergency fund is created. The fund  
15 shall be separate from the general fund of the state and the  
16 balance in the fund shall not be considered part of the  
17 balance of the general fund of the state. ~~The moneys in the~~  
18 ~~fund shall not revert to the general fund, notwithstanding~~  
19 ~~section 8.33, unless and to the extent the fund exceeds the~~  
20 ~~maximum balance. -- However, the fund shall be considered a~~  
21 ~~special account for the purposes of section 8.53~~ The moneys  
22 credited to the fund are not subject to section 8.33 and shall  
23 not be transferred, used, obligated, appropriated, or  
24 otherwise encumbered except as provided in this section.

25 Sec. 28. Section 8.55, subsection 3, Code 2001, is amended  
26 to read as follows:

27 3. a. The Except as provided in paragraphs "b" and "c",  
28 the moneys in the Iowa economic emergency fund may be  
29 appropriated shall only be used pursuant to an appropriation  
30 made by the general assembly. An appropriation shall only in  
31 be made for the fiscal year for in which the appropriation is  
32 made. The moneys shall only be appropriated by the general  
33 assembly for emergency expenditures. However, except  
34 b. Moneys in the fund may be used for cash flow purposes  
35 during a fiscal year provided that any moneys so allocated are

1 returned to the fund by the end of that fiscal year.

2 c. There is appropriated from the Iowa economic emergency  
3 fund to the general fund of the state for the fiscal year in  
4 which moneys in the fund were used for cash flow purposes, for  
5 the purposes of reducing or preventing any overdraft on or  
6 deficit in the general fund of the state, the amount from the  
7 Iowa economic emergency fund that was used for cash flow  
8 purposes pursuant to paragraph "b" and that was not returned  
9 to the Iowa economic emergency fund by June 30 of the fiscal  
10 year. The appropriation in this paragraph shall not exceed  
11 fifty million dollars and is contingent upon all of the  
12 following having occurred:

13 (1) The revenue estimating conference estimate of general  
14 fund receipts made during the last quarter of the fiscal year  
15 was or the actual fiscal year receipts and accruals were at  
16 least one-half of one percent less than the comparable  
17 estimate made during the third quarter of the fiscal year.

18 (2) The governor has implemented the uniform reductions in  
19 appropriations required in section 8.31 as a result of  
20 subparagraph (1) and such reduction was insufficient to  
21 prevent an overdraft on or deficit in the general fund of the  
22 state or the governor did not implement uniform reductions in  
23 appropriations because of the lateness of the estimated or  
24 actual receipts and accruals under subparagraph (1).

25 (3) The balance of the general fund of the state at the  
26 end of the fiscal year prior to the appropriation made in this  
27 paragraph was negative.

28 (4) The governor has issued an official proclamation and  
29 has notified the cochairpersons of the fiscal committee of the  
30 legislative council and the legislative fiscal bureau that the  
31 contingencies in subparagraphs (1) through (3) have occurred  
32 and the reasons why the uniform reductions specified in  
33 subparagraph (2) were insufficient or were not implemented to  
34 prevent an overdraft on or deficit in the general fund of the  
35 state.

1 d. If an appropriation is made pursuant to paragraph "c"  
2 for a fiscal year, there is appropriated from the general fund  
3 of the state to the Iowa economic emergency fund for the  
4 following fiscal year, the amount of the appropriation made  
5 pursuant to paragraph "c".

6 e. Except as provided in section 8.58, the balance-in-the  
7 Iowa economic emergency fund may-be-used shall be considered a  
8 special account for the purposes of section 8.53 in  
9 determining the cash position of the general fund of the state  
10 for the payment of state obligations.

11 Sec. 29. Section 8.56, subsection 1, Code 2001, is amended  
12 to read as follows:

13 1. A cash reserve fund is created in the state treasury.  
14 The cash reserve fund shall be separate from the general fund  
15 of the state and shall not be considered part of the general  
16 fund of the state except in determining the cash position of  
17 the state as provided in subsection 3. The moneys in the cash  
18 reserve fund are not subject to section 8.33 and shall not be  
19 transferred, used, obligated, appropriated, or otherwise  
20 encumbered except as provided in this section.

21 Notwithstanding section 12C.7, subsection 2, interest or  
22 earnings on moneys deposited in the cash reserve fund shall be  
23 credited to the rebuild Iowa infrastructure fund created in  
24 section 8.57. Moneys in the cash reserve fund may be used for  
25 cash flow purposes during a fiscal year provided that any  
26 moneys so allocated are returned to the cash reserve fund by  
27 the end of each that fiscal year. ~~However, the fund shall be~~  
28 ~~considered a special account for the purposes of section 8.53.~~

29 Sec. 30. Section 8.56, subsection 3, Code 2001, is amended  
30 to read as follows:

31 3. The moneys in the cash reserve fund may shall only be  
32 appropriated used pursuant to an appropriation made by the  
33 general assembly. An appropriation shall be made in  
34 accordance with subsection 4 only in for the fiscal year for  
35 in which the appropriation is made. The moneys shall only be

1 appropriated by the general assembly for nonrecurring  
2 emergency expenditures and shall not be appropriated for  
3 payment of any collective bargaining agreement or arbitrator's  
4 decision negotiated or awarded under chapter 20. However,  
5 ~~except~~ Except as provided in section 8.58, ~~the balance in the~~  
6 ~~cash reserve fund may be used~~ shall be considered a special  
7 account for the purposes of section 8.53 in determining the  
8 cash position of the general fund of the state for the payment  
9 of state obligations.

10 Sec. 31. EFFECTIVE DATE. The provisions of this division  
11 of this Act amending section 8.56 take effect July 1, 2002.

12 DIVISION VII

13 Sec. 32. SALES TAX EXEMPTION PER FEDERAL SALES TAX HOLIDAY  
14 ACT.

15 1. a. There is hereby exempted from imposition of sales  
16 and use tax under division IV of chapter 422 or chapter 422B,  
17 422E, or 423, the gross receipts from the sale of tangible  
18 personal property which receipts are otherwise taxable under  
19 division IV of chapter 422 or chapter 422B, 422E, or 423,  
20 contingent upon enactment of the federal Sales Tax Holiday Act  
21 of 2001 providing one hundred percent reimbursement from the  
22 federal government to the states for the loss of revenue from  
23 a tax exemption for sales that take place during a period of  
24 time specified in the federal Sales Tax Holiday Act of 2001  
25 and providing reimbursement from the federal government for  
26 administrative costs incurred by the department of revenue and  
27 finance separate from the amount reimbursed for sales tax not  
28 collected. The exemption shall be applied in the manner  
29 prescribed by the federal Act.

30 b. Retailers shall be required to accurately report actual  
31 sales made during the period of time this exemption applies  
32 pursuant to rules adopted by the department.

33 c. The governor shall, not later than the date specified  
34 in the federal Sales Tax Holiday Act of 2001, notify the  
35 United States secretary of the treasury in writing of Iowa's

1 intention to qualify for reimbursement under the federal Sales  
2 Tax Holiday Act of 2001 by not collecting applicable sales tax  
3 during the sales tax holiday period specified in the federal  
4 Act.

5 d. Notwithstanding paragraph "a", the motor vehicle lease  
6 tax imposed under section 423.7A is not considered an exempt  
7 sale for purposes of this section and the federal Sales Tax  
8 Holiday Act of 2001.

9 e. Notwithstanding paragraph "c", if the director of  
10 revenue and finance determines that it is not feasible to  
11 administer a sales tax holiday in the time provided by the  
12 federal Sales Tax Holiday Act of 2001, the director of revenue  
13 and finance shall immediately inform the governor and the  
14 governor may decline to send notification to the United States  
15 secretary of the treasury.

16 2. The department of revenue and finance may adopt  
17 emergency rules under section 17A.4, subsection 2, and section  
18 17A.5, subsection 2, paragraph "b", to implement the  
19 provisions of this section and the rules shall be effective  
20 immediately upon filing unless a later date is specified in  
21 the rules. Any rules adopted in accordance with this section  
22 shall also be published as a notice of intended action as  
23 provided in section 17A.4.

24 3. If any provision of this section is held invalid, the  
25 invalidity does not affect other provisions or applications of  
26 the section which can be given effect without the invalid  
27 provision or application, and to this end the provisions of  
28 this section are severable.

29 4. This section is repealed effective January 31, 2002.

30 DIVISION VIII

31 GENERAL PROVISIONS

32 Sec. 33. Section 226.1, subsection 2, Code 2001, is  
33 amended by adding the following new paragraph after paragraph  
34 b:

35 NEW PARAGRAPH. c. A unit for the civil commitment of

1 sexually violent predators committed to the custody of the  
2 director of human services pursuant to chapter 229A.

3 Sec. 34. SEXUALLY VIOLENT PREDATORS UNIT. Of the funds  
4 appropriated to the department of general services for the  
5 fiscal year beginning July 1, 2001, and ending June 30, 2002,  
6 up to \$600,000 may be used for costs associated with  
7 renovation and furnishing of space necessary to meet the  
8 capacity needs of the department of human services unit for  
9 the civil commitment of sexually violent predators.

10 Sec. 35. CIVIL COMMITMENT OF SEXUALLY VIOLENT PREDATORS.  
11 The department of human services may collocate the unit for  
12 civil commitment of sexually violent predators at the mental  
13 health institute at Mount Pleasant.

14 Sec. 36. EFFECT OF APPROPRIATION REDUCTIONS. The moneys  
15 appropriated in this Act to supplement the appropriations for  
16 the fiscal year beginning July 1, 2001, and ending June 30,  
17 2002, are not subject to executive order number 24.

18 Sec. 37. EFFECTIVE DATE. Unless otherwise provided by  
19 this Act, this Act, being deemed of immediate importance,  
20 takes effect upon enactment.

21 EXPLANATION

22 Division I of this bill makes supplemental appropriations  
23 from the general fund of the state to executive branch  
24 appropriations made for the fiscal year beginning July 1,  
25 2001, which were reduced by executive order number 24.

26 Divisions II and III reduce appropriations made to the  
27 legislative and judicial branches. The bill provides that  
28 members of the general assembly are not entitled to and shall  
29 not receive a per diem payment for the special session that  
30 convenes November 8, 2001. The judicial branch reduction  
31 includes a reduction to the percentage amount of the state's  
32 contribution to the judicial retirement fund.

33 In division IV Code section 261.17, relating to vocational-  
34 technical tuition grants, is amended to eliminate a  
35 requirement for the college student aid commission to

1 establish a late application deadline for new applicants and  
2 reserving up to \$63,000 of the grant appropriation for making  
3 grants to those applicants.

4 Division V provides corrective amendments to the interstate  
5 compact for adult offenders. This division is retroactively  
6 applicable to July 1, 2001.

7 Division VI provides state budgeting reforms.

8 Code section 8.55, relating to the Iowa economic emergency  
9 fund, is amended to conform with requirements for the cash  
10 reserve fund. Existing language prohibiting reversions of  
11 moneys in the fund to the general fund except as authorized in  
12 current law when the fund has reached the maximum balance is  
13 expanded to also prohibit transfer, use, obligation,  
14 appropriation, or other encumbrance. Language specifying that  
15 the fund is a special account for purposes of the law  
16 pertaining to any generally accepted accounting principles  
17 (GAAP) deficit is stricken and moved into other new language  
18 later in the bill.

19 Code section 8.55 is also amended to explicitly state that  
20 appropriations from the fund can only be made by the general  
21 assembly. However, moneys in the fund may be used for cash  
22 flow purposes if the money is returned by the end of the  
23 fiscal year. In addition, there is an appropriation from the  
24 fund to the state general fund if the cash flow moneys are not  
25 returned and the following conditions are met: the state  
26 general fund fourth quarter estimated or actual receipts and  
27 accruals are .5 percent less than the third quarter estimates;  
28 the governor has made across-the-board cuts which are  
29 insufficient to prevent a shortfall or was unable to make such  
30 cuts because of the lateness of the reporting of the estimated  
31 or actual receipts; the balance of the general fund is  
32 negative; and notification is given to the fiscal committee  
33 and legislative fiscal bureau. The amount that may be  
34 appropriated is limited to \$50,000,000. The appropriated  
35 amount is returned to the Iowa economic emergency fund by

1 appropriation from the state general fund the following fiscal  
2 year. The bill incorporates the language providing that the  
3 fund can be considered to be money set aside in a special fund  
4 for purposes of any GAAP deficit into existing language  
5 providing that the balance of the fund may be used for  
6 determining the cash position of the general fund for the  
7 payment of state obligations.

8 Code section 8.56, relating to the cash reserve fund, is  
9 amended to conform with the Iowa economic emergency fund  
10 changes involving the explicit requirement for legislative  
11 appropriation of moneys from the fund and rewriting the  
12 language pertaining to a special account for purposes of any  
13 GAAP deficit and cash position. The changes to Code section  
14 8.56 take effect July 1, 2002.

15 Division VII would require the governor to notify the U.S.  
16 secretary of the treasury of Iowa's intention to claim  
17 reimbursement under the federal Sales Tax Holiday Act of 2001  
18 by not collecting sales tax for a time period to be specified  
19 in the federal Act. If it is determined that it is not  
20 feasible to participate in the sales tax holiday in the time  
21 provided by the federal Act, the governor may decline to send  
22 notification. The division is contingent upon enactment of  
23 the federal Sales Tax Holiday Act of 2001 by Congress and the  
24 federal Act's provision of 100 percent reimbursement to the  
25 state for sales tax not collected and reimbursement to the  
26 state for administrative costs incurred in implementing the  
27 sales tax holiday. The exemption applies to sales and use  
28 taxes, local option sales taxes, and school infrastructure  
29 taxes. The exemption would not apply to tax imposed for the  
30 leasing of automobiles. The department of revenue and finance  
31 may adopt emergency rules to implement the division. The  
32 division takes effect upon enactment and is repealed effective  
33 January 31, 2002.

34 Except as otherwise provided, the bill takes effect upon  
35 enactment.

1 Amend House File 759 as follows:

2 1. Page 9, by inserting after line 15, the  
3 following:

4 "Sec. \_\_\_\_ DEPARTMENT OF HUMAN SERVICES -- CHILD  
5 AND FAMILY SERVICES. After applying the reduction  
6 made pursuant to executive order number 24 to the  
7 appropriation made for the following designated  
8 purpose, there is appropriated from the general fund  
9 of the state to the department of human services for  
10 the fiscal year beginning July 1, 2001, and ending  
11 June 30, 2002, the following amount, or so much  
12 thereof as is necessary, to supplement the  
13 appropriation for the designated purpose:

14 For child and family services in 2001 Iowa Acts,  
15 chapter 191, section 14:

16 ..... \$ 4,580,000

17 It is the intent of the general assembly that the  
18 reimbursement rates for rehabilitative treatment and  
19 support services providers not be reduced below the  
20 rates established in 2001 Iowa Acts, chapter 191,  
21 section 31, subsection 8."

22 2. By renumbering as necessary.

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26 HATCH of Polk

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1 Amend House File 759 as follows:

2 1. Page 2, by inserting after line 14 the  
3 following:

4 "\_\_\_\_". For the homestead tax credit in section  
5 425.1:

6 ..... \$ 4,854,700

7 \_\_\_\_\_. For the extraordinary property tax credit and  
8 reimbursement in section 425.39:

9 ..... \$ 688,000

10 \_\_\_\_\_. For the agricultural land tax credit in  
11 section 426.1, including \$430,000 for deposit in the  
12 family farm tax credit fund in section 425A.1:

13 ..... \$ 1,681,300

14 \_\_\_\_\_. For the military service tax credit in  
15 section 426A.1A:

16 ..... \$ 116,100"

17 2. By renumbering as necessary.

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21 RICHARDSON of Warren

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WITHDRAWN  
11/8/01

1 Amend House File 759 as follows:

2 1. Page 11, by inserting after line 20 the  
3 following:

4 "Sec. \_\_\_\_ . STATE FOUNDATION AID. The amount of  
5 the reduction in state school foundation aid under  
6 chapter 257 for the budget year beginning July 1,  
7 2001, pursuant to executive order number 24 shall be  
8 allocated to each school district in the proportion  
9 that the school district's weighted enrollment, as  
10 defined in section 257.6, bears to the total weighted  
11 enrollment of all school districts in the state."

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15 \_\_\_\_\_  
15 SCHRADER of Marion

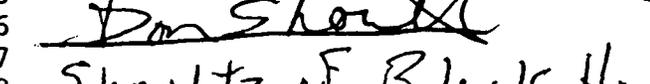
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18 \_\_\_\_\_  
19 RICHARDSON of Warren

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23 PETERSEN of Polk

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33 Hatch of Polk

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*Not germane  
Motion to suspend rules lost  
11-9-01*

1 Amend House File 759 as follows:  
2 1. Page 17, by inserting after line 29 the  
3 following:

4 "DIVISION  
5 STATE AID TO SCHOOLS  
6 FUND TRANSFERS

7 Sec. \_\_\_\_ . SCHOOL AID. After applying the  
8 reduction made pursuant to executive order number 24  
9 to the appropriation for the following designated  
10 purpose, there is appropriated from the general fund  
11 of the state for the fiscal year beginning July 1,  
12 2001, and ending June 30, 2002, the following amount,  
13 or so much thereof as is necessary, to supplement the  
14 appropriation for the following designated purpose:

15 For foundation aid and supplementary aid in section  
16 257.16:

17 ..... \$ 44,000,000

18 The amount appropriated in this section shall be  
19 reduced by the amount that the transfers made from the  
20 rebuild Iowa infrastructure fund to the general fund  
21 of the state pursuant to this division of this Act  
22 total less than \$44,000,000.

23 Sec. \_\_\_\_ . REBUILD IOWA INFRASTRUCTURE FUND --  
24 TRANSFER TO GENERAL FUND. Notwithstanding section  
25 8.57, subsection 5, paragraph "e", a sum equal to the  
26 amount transferred to the rebuild Iowa infrastructure  
27 fund pursuant to section 20 of this division of this  
28 Act shall be transferred to the general fund of the  
29 state from the rebuild Iowa infrastructure fund for  
30 the fiscal year beginning July 1, 2001, and ending  
31 June 30, 2002.

32 Sec. \_\_\_\_ . VISION IOWA FUND -- TRANSFER TO REBUILD  
33 IOWA INFRASTRUCTURE FUND. Notwithstanding sections  
34 12.71 through 12.77 or sections 15F.101 through  
35 15F.106, or any other provision of law to the  
36 contrary, moneys in the vision Iowa fund that are  
37 unencumbered, unobligated, or not otherwise committed  
38 for a project approved for funding by the vision Iowa  
39 board on the effective date of this Act, not to exceed  
40 forty million dollars, shall be transferred to the  
41 rebuild Iowa infrastructure fund. Moneys transferred  
42 to the rebuild Iowa infrastructure fund pursuant to  
43 this section shall be used for infrastructure projects  
44 related to recreation, education, entertainment, and  
45 cultural activities.

46 Sec. \_\_\_\_ . UNENCUMBERED OR UNOBLIGATED MONEYS IN  
47 REBUILD IOWA INFRASTRUCTURE FUND -- TRANSFER TO  
48 GENERAL FUND. Notwithstanding section 8.57,  
49 subsection 5, or any other provision of law to the  
50 contrary, moneys in the rebuild Iowa infrastructure

1 fund that are unencumbered or unobligated at the end  
2 of the fiscal year beginning July 1, 2001, and ending  
3 June 30, 2002, not to exceed four million dollars,  
4 shall be transferred to the general fund of the  
5 state."

6 2. By renumbering as necessary.

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10 BRUNKHORST of Bremer

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14 CORMACK of Webster

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18 *Ruled not germane*  
19 *Motion to Suspend Ruled Lost*  
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1 Amend House File 759 as follows:

- 2 1. Page 3, line 23, by striking the figure
- 3 "1,000,000" and inserting the following: "2,000,000".
- 4 2. Page 10, by inserting after line 26 the
- 5 following:

6 "DIVISION

7 ADDITIONAL REDUCTIONS

8 Sec. \_\_\_\_ . ADDITIONAL REDUCTIONS OF FISCAL YEAR

9 2001-2002 ANNUAL APPROPRIATIONS. After applying the  
 10 reduction made pursuant to executive order number 24,  
 11 the following appropriations from the general fund of  
 12 the state for the fiscal year beginning July 1, 2001,  
 13 and ending June 30, 2002, by the Seventy-ninth General  
 14 Assembly, 2001 Regular Session, are further reduced by  
 15 the following indicated amount:

- 16 1. TRANSPORTATION. In 2001 Iowa Acts, chapter
- 17 180, the following indicated appropriation:
- 18 For the department of transportation in section 1,
- 19 to be allocated among the appropriations made in that
- 20 section in proportion to the amount that each original
- 21 appropriation bears to the total amount originally
- 22 appropriated in that section:
- 23 ..... \$ 350,746
- 24 2. EDUCATION. In 2001 Iowa Acts, chapter 181, the
- 25 following indicated appropriations:
- 26 a. For the department of cultural affairs in
- 27 section 5, to be allocated among the appropriations
- 28 made in that section in proportion to the amount that
- 29 each original appropriation bears to the total amount
- 30 originally appropriated in that section:
- 31 ..... \$ 164,454
- 32 b. For the department of education in section 6,
- 33 subsections 1 through 6 and 8 through 13, to be
- 34 allocated among the appropriations made in those
- 35 subsections in proportion to the amount that each
- 36 original appropriation bears to the total amount
- 37 originally appropriated in those subsections:
- 38 ..... \$ 1,065,741
- 39 c. For the public broadcasting division of the
- 40 department of education in section 6, subsection 7:
- 41 ..... \$ 208,133
- 42 3. HEALTH AND HUMAN RIGHTS. In 2001 Iowa Acts,
- 43 chapter 182, the following indicated appropriations:
- 44 a. For the department for the blind in section 1:
- 45 ..... \$ 48,703
- 46 b. For the civil rights commission in section 2:
- 47 ..... \$ 30,164
- 48 c. For the department of elder affairs in section
- 49 3:
- 50 ..... \$ 120,555

1 d. For the governor's office of drug control  
2 policy in section 4:  
3 ..... \$ 13,420  
4 e. For the department of public health in section  
5 5, to be allocated among the appropriations made in  
6 that section in proportion to the amount that each  
7 original appropriation bears to the total amount  
8 originally appropriated in that section:  
9 ..... \$ 757,120  
10 f. For the department of human rights in section  
11 6, to be allocated among the appropriations made in  
12 that section in proportion to the amount that each  
13 original appropriation bears to the total amount  
14 originally appropriated in that section:  
15 ..... \$ 72,671  
16 4. AGRICULTURE AND NATURAL RESOURCES. In 2001  
17 Iowa Acts, chapter 183, the following indicated  
18 appropriations:  
19 a. For the department of agriculture and land  
20 stewardship, in section 1, to be allocated among the  
21 appropriations made in that section in proportion to  
22 the amount that each original appropriation bears to  
23 the total amount originally appropriated in that  
24 section:  
25 ..... \$ 525,018  
26 b. For the department of natural resources in  
27 section 3, to be allocated among the appropriations  
28 made in that section in proportion to the amount that  
29 each original appropriation bears to the total amount  
30 originally appropriated in that section:  
31 ..... \$ 464,607  
32 5. JUSTICE SYSTEM. In 2001 Iowa Acts, chapter  
33 186, the following indicated appropriations:  
34 a. For the department of justice in section 1, to  
35 be allocated among the appropriations made in that  
36 section in proportion to the amount that each original  
37 appropriation bears to the total amount originally  
38 appropriated in that section:  
39 ..... \$ 373,885  
40 b. For the board of parole in section 11:  
41 ..... \$ 28,200  
42 6. ADMINISTRATION AND REGULATION. In 2001 Iowa  
43 Acts, chapter 187, the following indicated  
44 appropriations:  
45 a. For the office of the auditor of state in  
46 section 1:  
47 ..... \$ 33,660  
48 b. For the department of general services in  
49 section 6, to be allocated among the appropriations  
50 made in that section in proportion to the amount that

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1 each original appropriation bears to the total amount  
2 originally appropriated in that section:  
3 ..... \$ 255,743  
4 c. For the offices of the governor and the  
5 lieutenant governor in section 8, to be allocated  
6 among the appropriations made in that section in  
7 proportion to the amount that each original  
8 appropriation bears to the total amount originally  
9 appropriated in that section:  
10 ..... \$ 56,329  
11 d. For the department of inspections and appeals  
12 in section 9, to be allocated among the appropriations  
13 made in that section in proportion to the amount that  
14 each original appropriation bears to the total amount  
15 originally appropriated in that section:  
16 ..... \$ 702,814  
17 e. For the department of management in section 13,  
18 to be allocated among the appropriations made in that  
19 section in proportion to the amount that each original  
20 appropriation bears to the total amount originally  
21 appropriated in that section:  
22 ..... \$ 68,748  
23 f. For the department of personnel in section 15,  
24 to be allocated among the appropriations made in that  
25 section in proportion to the amount that each original  
26 appropriation bears to the total amount originally  
27 appropriated in that section:  
28 ..... \$ 114,752  
29 g. For the department of revenue and finance in  
30 section 21, to be allocated among the appropriations  
31 made in that section in proportion to the amount that  
32 each original appropriation bears to the total amount  
33 originally appropriated in that section:  
34 ..... \$ 762,538  
35 h. For the office of the secretary of state in  
36 section 24, to be allocated among the appropriations  
37 made in that section in proportion to the amount that  
38 each original appropriation bears to the total amount  
39 originally appropriated in that section:  
40 ..... \$ 64,135  
41 i. For the office of the treasurer of state in  
42 section 27:  
43 ..... \$ 24,532  
44 7. ECONOMIC DEVELOPMENT. In 2001 Iowa Acts,  
45 chapter 188, the following indicated appropriations:  
46 a. For the department of economic development in  
47 section 1, to be allocated among the appropriations  
48 made in that section in proportion to the amount that  
49 each original appropriation bears to the total amount  
50 originally appropriated in that section:

*Div.*  
*B*

*Div. B*

1 ..... \$ 586,365  
2 b. For the department of workforce development in  
3 section 9, to be allocated among the appropriations  
4 made in that section in proportion to the amount that  
5 each original appropriation bears to the total amount  
6 originally appropriated in that section:  
7 ..... \$ 164,182  
8 c. For the public employment relations board in  
9 section 12:  
10 ..... \$ 23,631  
11 8. OVERSIGHT. In 2001 Iowa Acts, chapter 189, the  
12 following indicated appropriations:  
13 a. For the Iowa telecommunications and technology  
14 commission in section 2:  
15 ..... \$ 59,433  
16 b. For the information technology department in  
17 section 4:  
18 ..... \$ 92,911  
19 9. HUMAN SERVICES. In 2001 Iowa Acts, chapter  
20 191, the following indicated appropriations:  
21 a. For the department of human services field  
22 operations in section 27:  
23 ..... \$ 3,123,356  
24 b. For the department of human services general  
25 administration in section 29:  
26 ..... \$ 822,083"  
27 3. By renumbering as necessary.

31 BRUNKHORST of Bremer

35 CORMACK of Webster

*A. withdrawn 11/8/01*  
*B. Lost*

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Approved for Introduction  
SENATE LEGAL COUNSEL  
*[Handwritten initials]*

1 Amend House File 759, as passed by the House, as  
2 follows:

3 1. Page 10, line 13, by striking the figure  
4 "108,688,725" and inserting the following:  
5 "109,888,725".

6 2. Page 10, by inserting after line 26 the  
7 following:

8 "Sec. \_\_\_\_ . COURT APPOINTED SPECIAL ADVOCATE  
9 PROGRAM. The judicial branch shall not eliminate the  
10 court appointed special advocate program and shall  
11 maintain the funding level for the program originally  
12 authorized as of July 1, 2001."

13 3. By renumbering as necessary.

*[Handwritten signature: Steven D. Hansen]*  
18 STEVEN D. HANSEN

*[Handwritten signature: Tom Flynn]*  
TOM FLYNN

*[Handwritten signature: Matt McCoy]*  
23 MATT MCCOY

*[Handwritten signature: Thomas Fiegen]*  
THOMAS FIEGEN

*[Handwritten signature: Jack Holveck]*  
26 JACK HOLVECK

*[Handwritten signature: Betty A. Soukup]*  
BETTY A. SOUKUP

*[Handwritten signature: John P. Kibbie]*  
30 JOHN P. KIBBIE

*[Handwritten signature: Mark Shearer]*  
MARK SHEARER

*[Handwritten signature: Michael E. Gronstal]*  
34 MICHAEL E. GRONSTAL

*[Handwritten signature: Dennis H. Black]*  
DENNIS H. BLACK

*[Handwritten signature: Robert E. Dvorsky]*  
37 ROBERT E. DVORSKY

*[Handwritten signature: Wally E. Horn]*  
WALLY E. HORN

*[Handwritten signature: John E. Hammond]*  
41 JOHN E. HAMMOND

*[Handwritten signature: Patricia Harper]*  
43 PATRICIA HARPER

*[Handwritten signature: Joe Bolkom]*  
47 JOE BOLKOM

*[Handwritten signature: Mike Connolly]*  
49 MIKE CONNOLLY

Lost  
11-8-01

Approved for Introduction  
SENATE LEGAL COUNSEL

*[Handwritten signature]*

1 Amend House File 759, as passed by the House, as  
 2 follows:  
 3 1. Page 2, by inserting after line 31, the  
 4 following:  
 5 "Sec. \_\_\_\_ . 2001 Iowa Acts, chapter 181, section 4,  
 6 is amended to read as follows:  
 7 SEC. 4. WORK-STUDY APPROPRIATION NULLIFICATION FOR  
 8 FY 2001-2002. Notwithstanding section 261.85, for the  
 9 fiscal year beginning July 1, 2001, and ending June  
 10 30, 2002, the amount appropriated for the work-study  
 11 program under section 261.85 shall be zero  
 12 \$1,000,000."

13 2. By renumbering as necessary.

14 *[Handwritten signature]*  
 15 \_\_\_\_\_  
 16  
 17 ROBERT E. DVORSKY

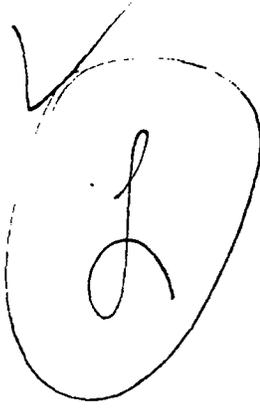
18  
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 21 JOE BOLKCOM

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 25 PATRICIA HARPER

26 *[Handwritten signature]*  
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 28 JOHNNIE HAMMOND

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11-8-01*



1 Amend House File 759, as passed by the House, as  
2 follows:

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

5 "Sec. \_\_\_\_ IOWA EMPOWERMENT FUND. After applying  
6 the reduction made pursuant to executive order number  
7 24 to the appropriation made for the Iowa empowerment  
8 fund, there is appropriated from the general fund of  
9 the state to the department of education for the  
10 fiscal year beginning July 1, 2001, and ending June  
11 30, 2002, the following amount, or so much thereof as  
12 is necessary, to supplement the following  
13 appropriation:

14 To supplement the appropriation made in 2001 Iowa  
15 Acts, chapter 181, section 6, subsection 10, for  
16 deposit in the school ready children grants account of  
17 the Iowa empowerment fund created in section 28.9:

18 ..... \$ 630,552".

19 2. By renumbering as necessary.

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23 MIKE CONNOLLY

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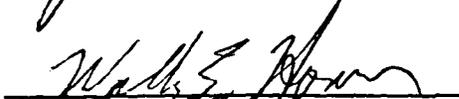
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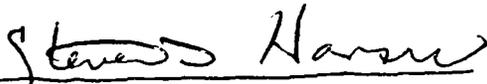
Approved for introduction  
SENATE LEGAL COUNSEL

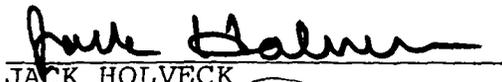
HOUSE FILE 759

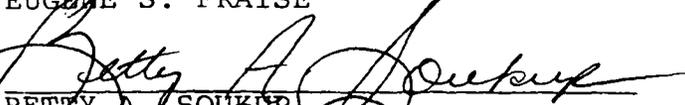
1 Amend House File 759, as passed by the House, as  
2 follows:  
3 1. Page 3, line 23, by striking the figure  
4 "1,000,000" and inserting the following: "3,000,000".  
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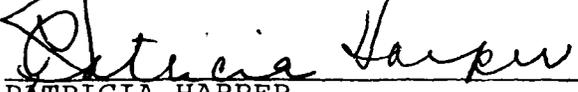
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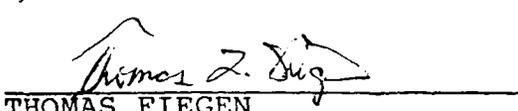
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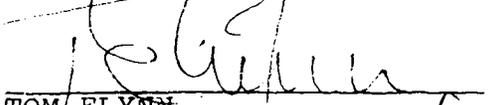
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DENNIS H. BLACK

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11-8-01

Approved for Introduction  
SENATE LEGAL COUNSEL

*Div A*  
*Div B*  
*W/D*

1 Amend House File 759, as passed by the House, as  
2 follows:

3 1. Page 9, by inserting after line 15 the  
4 following:

5 "Sec. \_\_\_\_ DEPARTMENT OF HUMAN SERVICES. There is  
6 appropriated from the Iowa economic emergency fund to  
7 the department of human services for the fiscal year  
8 beginning July 1, 2001, and ending June 30, 2002, the  
9 following amounts, or so much thereof as is necessary,  
10 to be used for the purposes designated:

11 1. For the medically needy program in the medical  
12 assistance program which shall be continued throughout  
13 the fiscal year beginning July 1, 2001:

14 ..... \$ 12,500,000

15 2. For the family investment program:

16 ..... \$ 1,500,000

17 3. For child and family services:

18 ..... \$ 4,500,000

19 4. For additional program support as determined by  
20 the director of human services:

21 ..... \$ 300,000"

22 2. Page 10, by inserting after line 26 the  
23 following:

24 "Sec. \_\_\_\_ COURT APPOINTED SPECIAL ADVOCATE  
25 PROGRAM. There is appropriated from the Iowa economic  
26 emergency fund to the judicial branch for the fiscal  
27 year beginning July 1, 2001, and ending June 30, 2002,  
28 the following amounts, or so much thereof as is  
29 necessary, to be used for the purpose designated:

30 For the court appointed special advocate program  
31 which shall be continued throughout the fiscal year  
32 beginning July 1, 2001:

33 ..... \$ 1,200,000"

34 3. By renumbering as necessary.

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36  
37 *Johnie Hammond*  
38 JOHNIE HAMMOND

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40  
41 *Thomas L. Fiegen*  
42 THOMAS L. FIEGEN

43  
44 *Patricia Harper*  
45 PATRICIA HARPER

46  
47 *Betty A. Soukup*  
48 BETTY A. SOUKUP

A. LOST 11/8/01  
B. W/D

*Div A*

*Div B*

Approved for Introduction  
SENATE LEGAL COUNSEL

HOUSE FILE 759

1 Amend House File 759, as passed by the House, as  
 2 follows:  
 3 1. Page 2, by inserting after line 15 the  
 4 following:  
 5 "\_\_\_". For personal property tax replacement  
 6 payments in section 405A.8:  
 7 ..... \$ 2,420,365  
 8 \_\_\_\_\_. For the homestead tax credit in section  
 9 425.1:  
 10 ..... \$ 4,854,700  
 11 \_\_\_\_\_. For the extraordinary property tax credit and  
 12 reimbursement in section 425.39:  
 13 ..... \$ 688,000  
 14 \_\_\_\_\_. For the agricultural land tax credit in  
 15 section 426.1, including \$430,000 for deposit in the  
 16 family farm tax credit fund in section 425A.1:  
 17 ..... \$ 1,681,300  
 18 \_\_\_\_\_. For the military service tax credit in  
 19 section 426A.1A:  
 20 ..... \$ 116,100"  
 21 2. By renumbering as necessary.

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 24 *[Signature]*  
 25 TOM FLYNN

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 28 *[Signature]*  
 29 MICHAEL E. GRONSTAL

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 31 *[Signature]*  
 32 JOHN P. KIBBIE

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 34 *[Signature]*  
 35 DENNIS BLACK

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 37 *[Signature]*  
 38 JACK HOLVECK

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 40 *[Signature]*  
 41 PATRICIA HARPER

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 43 *[Signature]*  
 44 JOE BOLKCOM

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 46 *[Signature]*  
 47 EUGENE FRAISE

48 EUGENE FRAISE  
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Lost  
11-8-01

S 3730 NOV-85

HOUSE FILE 759

Approved for Introduction  
SENATE LEGAL COUNSEL

1 Amend House File 759, as passed by the House, as  
2 follows:

3 1. Page 11, by inserting after line 22 the  
4 following:

5 "DIVISION  
6 FUND TRANSFERS

7 Sec. \_\_\_\_ . VISION IOWA FUND -- TRANSFER TO REBUILD  
8 IOWA INFRASTRUCTURE FUND. Notwithstanding sections  
9 12.71 through 12.77, sections 15F.101 through 15F.106,  
10 sections 15F.301 through 15F.304, or any other  
11 provision of law to the contrary, moneys in the vision  
12 Iowa fund that are unencumbered, unobligated, or not  
13 otherwise committed for a project approved for funding  
14 by the vision Iowa board on the effective date of this  
15 Act, shall be transferred to the rebuild Iowa  
16 infrastructure fund. Moneys transferred to the  
17 rebuild Iowa infrastructure fund pursuant to this  
18 section shall be used for infrastructure projects  
19 related to recreation, education, entertainment, and  
20 cultural activities.

21 Sec. \_\_\_\_ . REBUILD IOWA INFRASTRUCTURE FUND --  
22 APPROPRIATION TO ECONOMIC EMERGENCY FUND.  
23 Notwithstanding section 8.57, subsection 5, paragraph  
24 "e", a sum equal to the amount transferred to the  
25 rebuild Iowa infrastructure fund, pursuant to the  
26 section of this division of this Act transferring  
27 vision Iowa fund moneys to the rebuild Iowa  
28 infrastructure fund, is appropriated to the economic  
29 emergency fund from the rebuild Iowa infrastructure  
30 fund for the fiscal year beginning July 1, 2001, and  
31 ending June 30, 2002.

32 Sec. \_\_\_\_ . UNENCUMBERED OR UNOBLIGATED MONEYS IN  
33 REBUILD IOWA INFRASTRUCTURE FUND -- APPROPRIATION TO  
34 ECONOMIC EMERGENCY FUND. Notwithstanding section  
35 8.57, subsection 5, or any other provision of law to  
36 the contrary, moneys in the rebuild Iowa  
37 infrastructure fund that are unencumbered or  
38 unobligated at the end of the fiscal year beginning  
39 July 1, 2001, and ending June 30, 2002, not to exceed  
40 four million dollars, are appropriated to the economic  
41 emergency fund."

42 2. By renumbering as necessary.

43  
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46 STEVE KING

LOST  
11-8-01

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HOUSE FILE 759

Approved for Introduction  
SENATE LEGAL COUNSEL

1 Amend House File 759, as passed by the House, as  
2 follows:

3 1. Page 11, by inserting after line 22 the  
4 following:

5 "DIVISION  
6 STATE AID TO SCHOOLS  
7 FUND TRANSFERS

8 Sec. 100. SCHOOL AID. After applying the  
9 reduction made pursuant to executive order number 24  
10 to the appropriation for the following designated  
11 purpose, there is appropriated from the general fund  
12 of the state for the fiscal year beginning July 1,  
13 2001, and ending June 30, 2002, the sum of the amounts  
14 transferred to the general fund of the state pursuant  
15 to sections 101 and 103 of this division of this Act,  
16 or so much thereof as is necessary, to supplement the  
17 appropriation for foundation aid and supplementary aid  
18 in section 257.16.

19 Sec. 101. REBUILD IOWA INFRASTRUCTURE FUND --  
20 TRANSFER TO GENERAL FUND. Notwithstanding section  
21 8.57, subsection 5, paragraph "e", a sum equal to the  
22 amount transferred to the rebuild Iowa infrastructure  
23 fund pursuant to section 102 of this division of this  
24 Act shall be transferred to the general fund of the  
25 state from the rebuild Iowa infrastructure fund for  
26 the fiscal year beginning July 1, 2001, and ending  
27 June 30, 2002.

28 Sec. 102. VISION IOWA FUND -- TRANSFER TO REBUILD  
29 IOWA INFRASTRUCTURE FUND. Notwithstanding sections  
30 12.71 through 12.77, sections 15F.101 through 15F.106,  
31 sections 15F.301 through 15F.304, or any other  
32 provision of law to the contrary, moneys in the vision  
33 Iowa fund that are unencumbered, unobligated, or not  
34 otherwise committed for a project approved for funding  
35 by the vision Iowa board on the effective date of this  
36 Act, shall be transferred to the rebuild Iowa  
37 infrastructure fund. Moneys transferred to the  
38 rebuild Iowa infrastructure fund pursuant to this  
39 section shall be used for infrastructure projects  
40 related to recreation, education, entertainment, and  
41 cultural activities.

42 Sec. 103. UNENCUMBERED OR UNOBLIGATED MONEYS IN  
43 REBUILD IOWA INFRASTRUCTURE FUND -- TRANSFER TO  
44 GENERAL FUND. Notwithstanding section 8.57,  
45 subsection 5, or any other provision of law to the  
46 contrary, moneys in the rebuild Iowa infrastructure  
47 fund that are unencumbered or unobligated at the end  
48 of the fiscal year beginning July 1, 2001, and ending  
49 June 30, 2002, not to exceed four million dollars,  
50 shall be transferred to the general fund of the

1 state."

2 2. By renumbering as necessary.

3 *Steve King*  
4  
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6 ~~STEVE KING~~  
7

*Lost  
11-8-01*

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HOUSE FILE 759

AN ACT

RELATING TO PUBLIC FUNDING AND REGULATORY MATTERS AND MAKING AND REDUCING APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 2001, AND INCLUDING EFFECTIVE DATE AND APPLICABILITY PROVISIONS.

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

DIVISION I EXECUTIVE BRANCH

Section 1. STANDING APPROPRIATIONS. After applying the reduction made pursuant to executive order number 24 to the appropriations for the following designated purposes, there is appropriated from the general fund of the state for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amounts, or so much thereof as is necessary, to supplement the appropriations for the following designated purposes:

- 1. For the endowment for Iowa's health account of the tobacco settlement trust fund in 2001 Iowa Acts, chapter 174, section 1, subsection 2, unnumbered paragraph 2: \$ 311,664
2. For payment of claims against the state by the state appeals board in sections 25.2 and 669.11: \$ 236,500

- 3. For performance of duty by the executive council in sections 7D.29, 18.12, and 29C.20: \$ 64,500
4. For payment of expenses, compensation, and claims incurred by members of the national guard while on active duty in section 29A.29: \$ 4,730
5. For the secretary of state's administration of absentee ballots for Iowa residents serving in the armed forces in section 53.50: \$ 151
6. For state unemployment compensation administration under chapter 96: \$ 15,179
7. For the Iowa early intervention block grant program in section 256D.5, subsection 1: \$ 1,290,000
8. For instructional support state aid to school districts in section 257.20: \$ 636,324
9. For tuition grants in section 261.25, subsection 1: \$ 425,000
10. For child development grants and other programs for at-risk children in section 279.51: \$ 497,080
11. For educational excellence in section 294A.25, including the distributions required by that section, as amended by 2001 Iowa Acts, chapter 181, sections 21, 22, and 24: \$ 3,478,327
12. For school improvement technology in section 256D.5, subsection 2: \$ 430,000
13. For the property tax relief fund in section 426B.1: \$ 4,085,000

14. For payment of costs associated with extradition of criminals in section 820.24:

..... \$ 172

Sec. 2. ICN DEBT SERVICE. After applying the reduction made pursuant to executive order number 24 to the appropriation made for the following designated purpose, there is appropriated from the general fund of the state to the treasurer of state for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amount, or so much thereof as is necessary, to supplement the appropriation for the following designated purpose:

For Iowa communications network debt service in 2001 Iowa Acts, chapter 176, section 21:

..... \$ 427,384

Sec. 3. NATIONAL GUARD EDUCATIONAL ASSISTANCE PROGRAM. After applying the reduction made pursuant to executive order number 24 to the appropriation made for the following designated purpose, there is appropriated from the general fund of the state to the college student aid commission for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amount, or so much thereof as is necessary, to supplement the appropriation for the following designated purpose:

For the national guard educational assistance program in 2001 Iowa Acts, chapter 181, section 1, subsection 6:

..... \$ 50,525

Sec. 4. COMMUNITY COLLEGES. After applying the reduction made pursuant to executive order number 24 to the appropriation made for community colleges, there is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amount, or so much thereof as is necessary, to supplement the following appropriation:

To supplement the appropriation made in 2001 Iowa Acts, chapter 181, section 6, subsection 14, 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:

..... \$ 1,000,000

The appropriation made in this section shall be distributed among the merged areas listed in 2001 Iowa Acts, chapter 181, section 6, subsection 14, in proportion to the amount that each original allocation bears to the total amount originally appropriated in the subsection.

Sec. 5. STATE BOARD OF REGENTS. After applying the reduction made pursuant to executive order number 24 to the appropriations for the following designated purposes, there is appropriated from the general fund of the state to the state board of regents for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amounts, or so much thereof as is necessary, to supplement the appropriations for the following designated purposes:

- 1. For payments in lieu of tuition in 2001 Iowa Acts, chapter 176, section 19:  
..... \$ 1,121,500
- 2. For the state university of Iowa state hygienic laboratory in 2001 Iowa Acts, chapter 181, section 8, subsection 2, paragraph "f":  
..... \$ 178,821
- 3. For the state school for the deaf in 2001 Iowa Acts, chapter 181, section 8, subsection 5:  
..... \$ 341,872
- 4. For the Iowa braille and sight saving school in 2001 Iowa Acts, chapter 181, section 8, subsection 6:  
..... \$ 191,605

Sec. 6. IOWA VETERANS HOME. After applying the reduction made pursuant to executive order number 24 to the

appropriation made for the following designated purpose, there is appropriated from the general fund of the state to the commission of veterans affairs for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amount, or so much thereof as is necessary, to supplement the appropriation for the following designated purpose:

For the Iowa veterans home in 2001 Iowa Acts, chapter 182, section 7, subsection 2:  
..... \$ 2,123,563

Sec. 7. DEPARTMENT OF CORRECTIONS. After applying the reduction made pursuant to executive order number 24 to the appropriations for the following designated purposes, there is appropriated from the general fund of the state to the department of corrections for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amounts, or so much thereof as is necessary, to supplement the appropriations for the following designated purposes:

1. For the operation of adult correctional institutions in 2001 Iowa Acts, chapter 186, section 4, subsection 1, to be allocated as follows:

a. For the operation of the Port Madison correctional facility in 2001 Iowa Acts, chapter 186, section 4, subsection 1, paragraph "a":  
..... \$ 467,922

b. For the operation of the Anamosa correctional facility in 2001 Iowa Acts, chapter 186, section 4, subsection 1, paragraph "b":  
..... \$ 383,705

c. For the operation of the Clarinda correctional facility in 2001 Iowa Acts, chapter 186, section 4, subsection 1, paragraph "g":  
..... \$ 645,379

d. For restoring the bed capacity, including the associated correctional officer positions, other essential positions, authorized programs, and authorized services such

as treatment, medical, maintenance, and food service that were reduced from the quantity of beds, programs, and services funded and authorized as of July 1, 2001, in 2001 Iowa Acts, chapter 186, section 4, subsection 1:

..... \$ 362,875  
2. For reimbursement of counties for certain confinement costs in 2001 Iowa Acts, chapter 186, section 4, subsection 1:  
..... \$ 30,119

3. For the judicial district departments of correctional services in 2001 Iowa Acts, chapter 186, section 6, subsection 1, for restoring the quantity of probation, parole, and residential officer positions funded and authorized as of July 1, 2001, including restoring as many of the beds and programs that were reduced from the quantity funded and authorized as of July 1, 2001:

..... \$ 1,110,000

Sec. 8. IOWA LAW ENFORCEMENT ACADEMY. After applying the reduction made pursuant to executive order number 24 to the appropriation made for the following designated purpose, there is appropriated from the general fund of the state to the Iowa law enforcement academy for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amount, or so much thereof as is necessary, to supplement the appropriation for the following designated purpose:

For the Iowa law enforcement academy in 2001 Iowa Acts, chapter 186, section 10:  
..... \$ 59,500

Sec. 9. DEPARTMENT OF PUBLIC DEFENSE. After applying the reduction made pursuant to executive order number 24 to the appropriations for the following designated purposes, there is appropriated from the general fund of the state to the department of public defense for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amounts, or so much thereof as is necessary, to supplement the appropriations for the following designated purposes:

1. For the military division in 2001 Iowa Acts, chapter 186, section 12, subsection 1:  
 ..... \$ 238,088

2. For the emergency management division in 2001 Iowa Acts, chapter 186, section 12, subsection 2:  
 ..... \$ 46,383

Sec. 10. DEPARTMENT OF PUBLIC SAFETY. After applying the reduction made pursuant to executive order number 24 to the appropriations for the following designated purposes, there is appropriated from the general fund of the state to the department of public safety for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amounts, or so much thereof as is necessary, to supplement the appropriations for the following designated purposes:

1. For the department's administrative functions in 2001 Iowa Acts, chapter 186, section 13, subsection 1:  
 ..... \$ 109,710

2. For the division of criminal investigation and bureau of identification in 2001 Iowa Acts, chapter 186, section 13, subsection 2:  
 ..... \$ 542,099

3. For the division of narcotics enforcement in 2001 Iowa Acts, chapter 186, section 13, subsection 3, paragraph "a":  
 ..... \$ 155,587

4. For the division of narcotics enforcement for undercover enforcement in 2001 Iowa Acts, chapter 186, section 13, subsection 3, paragraph "b":  
 ..... \$ 5,582

5. For the state fire marshal's office in 2001 Iowa Acts, chapter 186, section 13, subsection 4, paragraph "a":  
 ..... \$ 81,489

6. For the state fire marshal's office for fire protection services in 2001 Iowa Acts, chapter 186, section 13, subsection 4, paragraph "b":  
 ..... \$ 26,184

7. For the capitol police division in 2001 Iowa Acts, chapter 186, section 13, subsection 5:  
 ..... \$ 56,914

8. For the division of the Iowa state patrol in 2001 Iowa Acts, chapter 186, section 13, subsection 6:  
 ..... \$ 1,652,907

9. For costs associated with the maintenance of the automated fingerprint information system (AFIS) in 2001 Iowa Acts, chapter 186, section 13, subsection 7:  
 ..... \$ 10,309

10. For deposit in the public safety law enforcement sick-leave benefit fund established under section 80.42 in 2001 Iowa Acts, chapter 186, section 13, subsection 8:  
 ..... \$ 12,390

11. For costs associated with the training and equipment needs of volunteer fire fighters in 2001 Iowa Acts, chapter 186, section 13, subsection 10:  
 ..... \$ 24,795

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.

Sec. 11. DEPARTMENT OF GENERAL SERVICES. After applying the reduction made pursuant to executive order number 24 to the appropriations made for the following designated purposes, there is appropriated from the general fund of the state to the department of general services for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amounts, or so much thereof as is necessary, to supplement the appropriations for the following designated purposes:

1. For rental space in 2001 Iowa Acts, chapter 187, section 6, subsection 4:  
 ..... \$ 44,243

2. For utility costs in 2001 Iowa Acts, chapter 187, section 6, subsection 5:

..... \$ 94,941

Sec. 12. STATE WORKERS' COMPENSATION CLAIMS. After applying the reduction made pursuant to executive order number 24 to the appropriation made for the following designated purpose, there is appropriated from the general fund of the state to the department of personnel for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amount, or so much thereof as is necessary, to supplement the appropriation for the following designated purpose:

For distribution to state departments for funding of premiums for paying workers' compensation claims in 2001 Iowa Acts, chapter 187, section 20:

..... \$ 21,500

Sec. 13. DEPARTMENT OF HUMAN SERVICES FIELD OPERATIONS. After applying the reduction made pursuant to executive order number 24 for the following designated purpose, there is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amount, or so much thereof as is necessary, to supplement the appropriation for the following designated purpose:

For field operations in 2001 Iowa Acts, chapter 191, section 27:

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

If the federal government approves the state plan amendment to commence, in the fiscal year beginning July 1, 2001, using medical assistance funding for targeted case management services for children, as submitted by the department pursuant to 2001 Iowa Acts, chapter 191, section 28, the appropriation made in this section is reduced in an amount equal to the net increase in federal reimbursement received for the services.

DIVISION II  
LEGISLATIVE BRANCH

Sec. 14. GENERAL ASSEMBLY. The appropriations made from the general fund of the state in section 2.12, for the fiscal year beginning July 1, 2001, and ending June 30, 2002, for the expenses of the general assembly and for legislative agencies, are reduced by the following amount:

..... \$ 1,079,992

Sec. 15. LEGISLATIVE PER DIEM PAYMENT. Notwithstanding section 2.10, subsection 6, for the special session that convenes November 8, 2001, the members of the general assembly are not entitled to and shall not receive the sum of eighty-six dollars per day for each day the general assembly is actually in special session, but shall receive the same travel allowances and expenses as authorized by section 2.10.

DIVISION III  
JUDICIAL BRANCH

Sec. 16. 2001 Iowa Acts, chapter 179, section 1, unnumbered paragraph 2, is amended to read as follows:

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, 2001, and maintenance, equipment, and miscellaneous purposes:

..... ~~\$113,792,166~~  
\$108,688,725

Sec. 17. 2001 Iowa Acts, chapter 179, section 2, is amended to read as follows:

SEC. 2. 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, 2001, and ending June 30, 2002, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

Notwithstanding section 602.9104, subsection 4, paragraph "b", for the state's contribution to the judicial retirement fund in the amount of ~~16.6~~ 15.9 percent of the basic salaries of the judges covered under chapter 602, article 9:

..... \$ ~~3,207,834~~  
3,069,897

DIVISION IV  
EDUCATION-RELATED PROVISIONS

Sec. 18. AREA EDUCATION AGENCY SERVICES.

1. For the budget year beginning July 1, 2001, notwithstanding the requirements of section 257.37 for determining the budgets and funding of media services and educational services, an area education agency may, within the limits of the total of the funds provided to an area education agency pursuant to section 257.35, expend for special education support services an amount that exceeds the payment for special education support services pursuant to section 257.35 in order to maintain the level of required special education support services in the area education agency.

2. For the school budget year beginning July 1, 2001, and ending June 30, 2002, there is appropriated from the general fund of the state to the department of education the sum of one hundred eighteen thousand dollars to be distributed to area education agency XVI to supplement other moneys available to the agency. The appropriation in this subsection is not subject to executive order number 24.

Sec. 19. CATEGORICAL FUNDING TO SCHOOLS -- FY 2001-2002. For the school budget year beginning July 1, 2001, and ending June 30, 2002, notwithstanding section 256.33 for educational technology assistance, chapter 256D for the Iowa early intervention and school improvement technology block grants, or section 294A.25 for educational excellence phase III, the

board of directors of a school district may use the categorical state funding identified in this section and received by the district, for any school general fund purpose.

Sec. 20. Section 261.17, subsection 7, paragraph e, Code 2001, is amended by striking the paragraph.

DIVISION V  
INTERSTATE COMPACT FOR ADULT

OFFENDERS -- CORRECTIVE AMENDMENTS

Sec. 21. Section 422.7, subsection 12, paragraph c, Code 2001, as amended by 2001 Iowa Acts, chapter 15, section 1, is amended to read as follows:

c. An individual, whether or not domiciled in this state at the time of the hiring, who is on parole or probation and to whom the interstate probation and parole compact under section 907A.1, Code 2001, applies, or to whom the compact for adult offenders under chapter 907B applies.

Sec. 22. Section 422.7, subsection 12A, paragraph b, Code 2001, as amended by 2001 Iowa Acts, chapter 15, section 2, is amended to read as follows:

b. An individual, whether or not domiciled in this state at the time of the hiring, who is on parole or probation and to whom the interstate probation and parole compact under section 907A.1, Code 2001, applies, or to whom the compact for adult offenders under chapter 907B applies.

Sec. 23. Section 422.35, subsection 6, paragraph c, Code 2001, as amended by 2001 Iowa Acts, chapter 15, section 3, is amended to read as follows:

c. An individual, whether or not domiciled in this state at the time of the hiring, who is on parole or probation and to whom the interstate probation and parole compact under section 907A.1, Code 2001, applies, or to whom the compact for adult offenders under chapter 907B applies.

Sec. 24. Section 422.35, subsection 6A, paragraph b, Code 2001, as amended by 2001 Iowa Acts, chapter 15, section 4, is amended to read as follows:

b. An individual, whether or not domiciled in this state at the time of the hiring, who is on parole or probation and to whom the interstate probation and parole compact under section 907A.1, Code 2001, applies, or to whom the compact for adult offenders under chapter 907B applies.

Sec. 25. 2001 Iowa Acts, chapter 15, is amended by adding the following new section:

NEW SECTION. SEC. 9. EFFECTIVE DATE. The effective date of this Act shall be the later of July 1, 2002, or upon the legislative enactment of the interstate compact for adult offender supervision by the thirty-fifth jurisdiction. The director of the department of corrections shall notify the Code editor upon the enactment of the compact by the thirty-fifth jurisdiction. The date upon which this Act takes effect constitutes the date of renunciation of the interstate probation and parole compact under section 907A.1, Code 2001, by the state of Iowa, and this Act in itself shall constitute and satisfy the six months' notice of renunciation required by section 907A.1, Code 2001. The duties of the state of Iowa as a renouncing state under section 907A.1, subsection 7, Code 2001, shall continue as to parolees and probationers residing within the state of Iowa on the effective date of renunciation until the parolees and probationers are retaken or finally discharged by the sending state.

Sec. 26. RETROACTIVE APPLICABILITY. This division of this Act is retroactively applicable to July 1, 2001, and is applicable on and after that date.

DIVISION VI  
BUDGETING REFORMS

Sec. 27. Section 8.55, subsection 1, Code 2001, is amended to read as follows:

1. The Iowa economic emergency fund is created. The fund shall be separate from the general fund of the state and the balance in the fund shall not be considered part of the balance of the general fund of the state. ~~The moneys in the~~

~~fund shall not revert to the general fund, notwithstanding section 8.33, unless and to the extent the fund exceeds the maximum balance. However, the fund shall be considered a special account for the purposes of section 8.53. The moneys credited to the fund are not subject to section 8.33 and shall not be transferred, used, obligated, appropriated, or otherwise encumbered except as provided in this section.~~

Sec. 28. Section 8.55, subsection 3, Code 2001, is amended to read as follows:

3. a. The Except as provided in paragraphs "b" and "c", the moneys in the Iowa economic emergency fund may be appropriated shall only be used pursuant to an appropriation made by the general assembly. An appropriation shall only be made for the fiscal year for in which the appropriation is made. The moneys shall only be appropriated by the general assembly for emergency expenditures. However, except

b. Moneys in the fund may be used for cash flow purposes during a fiscal year provided that any moneys so allocated are returned to the fund by the end of that fiscal year.

c. There is appropriated from the Iowa economic emergency fund to the general fund of the state for the fiscal year in which moneys in the fund were used for cash flow purposes, for the purposes of reducing or preventing any overdraft on or deficit in the general fund of the state, the amount from the Iowa economic emergency fund that was used for cash flow purposes pursuant to paragraph "b" and that was not returned to the Iowa economic emergency fund by June 30 of the fiscal year. The appropriation in this paragraph shall not exceed fifty million dollars and is contingent upon all of the following having occurred:

(1) The revenue estimating conference estimate of general fund receipts made during the last quarter of the fiscal year was or the actual fiscal year receipts and accruals were at least one-half of one percent less than the comparable estimate made during the third quarter of the fiscal year.

(2) The governor has implemented the uniform reductions in appropriations required in section 8.31 as a result of subparagraph (1) and such reduction was insufficient to prevent an overdraft on or deficit in the general fund of the state or the governor did not implement uniform reductions in appropriations because of the lateness of the estimated or actual receipts and accruals under subparagraph (1).

(3) The balance of the general fund of the state at the end of the fiscal year prior to the appropriation made in this paragraph was negative.

(4) The governor has issued an official proclamation and has notified the cochairpersons of the fiscal committee of the legislative council and the legislative fiscal bureau that the contingencies in subparagraphs (1) through (3) have occurred and the reasons why the uniform reductions specified in subparagraph (2) were insufficient or were not implemented to prevent an overdraft on or deficit in the general fund of the state.

d. If an appropriation is made pursuant to paragraph "c" for a fiscal year, there is appropriated from the general fund of the state to the Iowa economic emergency fund for the following fiscal year, the amount of the appropriation made pursuant to paragraph "c".

e. Except as provided in section 8.58, the balance-in-the Iowa economic emergency fund may-be-used shall be considered a special account for the purposes of section 8.53 in determining the cash position of the general fund of the state for the payment of state obligations.

Sec. 29. Section 8.56, subsection 1, Code 2001, is amended to read as follows:

1. A cash reserve fund is created in the state treasury. The cash reserve fund shall be separate from the general fund of the state and shall not be considered part of the general fund of the state except in determining the cash position of the state as provided in subsection 3. The moneys in the cash

reserve fund are not subject to section 8.33 and shall not be transferred, used, obligated, appropriated, or otherwise encumbered except as provided in this section.

Notwithstanding section 12C.7, subsection 2, interest or earnings on moneys deposited in the cash reserve fund shall be credited to the rebuild Iowa infrastructure fund created in section 8.57. Moneys in the cash reserve fund may be used for cash flow purposes during a fiscal year provided that any moneys so allocated are returned to the cash reserve fund by the end of each that fiscal year. ~~However, the fund shall be considered a special account for the purposes of section 8.53.~~

Sec. 30. Section 8.56, subsection 3, Code 2001, is amended to read as follows:

3. The moneys in the cash reserve fund ~~may~~ shall only be appropriated used pursuant to an appropriation made by the general assembly. An appropriation shall be made in accordance with subsection 4 only in for the fiscal year for in which the appropriation is made. The moneys shall only be appropriated by the general assembly for nonrecurring emergency expenditures and shall not be appropriated for payment of any collective bargaining agreement or arbitrator's decision negotiated or awarded under chapter 20. ~~However, except Except~~ as provided in section 8.58, ~~the balance-in the cash reserve fund may-be-used~~ shall be considered a special account for the purposes of section 8.53 in determining the cash position of the general fund of the state for the payment of state obligations.

Sec. 31. EFFECTIVE DATE. The provisions of this division of this Act amending section 8.56 take effect July 1, 2002.

DIVISION VII

Sec. 32. SALES TAX EXEMPTION PER FEDERAL SALES TAX HOLIDAY ACT.

1. a. There is hereby exempted from imposition of sales and use tax under division IV of chapter 422 or chapter 422B, 422E, or 423, the gross receipts from the sale of tangible

personal property which receipts are otherwise taxable under division IV of chapter 422 or chapter 422B, 422E, or 423, contingent upon enactment of the federal Sales Tax Holiday Act of 2001 providing one hundred percent reimbursement from the federal government to the states for the loss of revenue from a tax exemption for sales that take place during a period of time specified in the federal Sales Tax Holiday Act of 2001 and providing reimbursement from the federal government for administrative costs incurred by the department of revenue and finance separate from the amount reimbursed for sales tax not collected. The exemption shall be applied in the manner prescribed by the federal Act.

b. Retailers shall be required to accurately report actual sales made during the period of time this exemption applies pursuant to rules adopted by the department.

c. The governor shall, not later than the date specified in the federal Sales Tax Holiday Act of 2001, notify the United States secretary of the treasury in writing of Iowa's intention to qualify for reimbursement under the federal Sales Tax Holiday Act of 2001 by not collecting applicable sales tax during the sales tax holiday period specified in the federal Act.

d. Notwithstanding paragraph "a", the motor vehicle lease tax imposed under section 423.7A is not considered an exempt sale for purposes of this section and the federal Sales Tax Holiday Act of 2001.

e. Notwithstanding paragraph "c", if the director of revenue and finance determines that it is not feasible to administer a sales tax holiday in the time provided by the federal Sales Tax Holiday Act of 2001, the director of revenue and finance shall immediately inform the governor and the governor may decline to send notification to the United States secretary of the treasury.

2. The department of revenue and finance may adopt emergency rules under section 17A.4, subsection 2, and section

17A.5, subsection 2, paragraph "b", to implement the provisions of this section and the rules shall be effective immediately upon filing unless a later date is specified in the rules. Any rules adopted in accordance with this section shall also be published as a notice of intended action as provided in section 17A.4.

3. If any provision of this section is held invalid, the invalidity does not affect other provisions or applications of the section which can be given effect without the invalid provision or application, and to this end the provisions of this section are severable.

4. This section is repealed effective January 31, 2002.

DIVISION VIII  
GENERAL PROVISIONS

Sec. 33. Section 226.1, subsection 2, Code 2001, is amended by adding the following new paragraph after paragraph b:

NEW PARAGRAPH. c. A unit for the civil commitment of sexually violent predators committed to the custody of the director of human services pursuant to chapter 229A.

Sec. 34. SEXUALLY VIOLENT PREDATORS UNIT. Of the funds appropriated to the department of general services for the fiscal year beginning July 1, 2001, and ending June 30, 2002, up to \$600,000 may be used for costs associated with renovation and furnishing of space necessary to meet the capacity needs of the department of human services unit for the civil commitment of sexually violent predators.

Sec. 35. CIVIL COMMITMENT OF SEXUALLY VIOLENT PREDATORS. The department of human services may collocate the unit for civil commitment of sexually violent predators at the mental health institute at Mount Pleasant.

Sec. 36. EFFECT OF APPROPRIATION REDUCTIONS. The moneys appropriated in this Act to supplement the appropriations for the fiscal year beginning July 1, 2001, and ending June 30, 2002, are not subject to executive order number 24.

Sec. 37. EFFECTIVE DATE. Unless otherwise provided by this Act, this Act, being deemed of immediate importance, takes effect upon enactment.

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BRENT SIEGRIST  
Speaker of the House

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MARY E. KRAMER  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 759, Seventy-ninth General Assembly.

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MARGARET THOMSON  
Chief Clerk of the House

Approved November 15, 2001

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THOMAS J. VILSACK  
Governor