

State of Iowa

68th General Assembly

FISCAL REPORT 1980 SESSION

Legislative Fiscal Bureau

June, 1980

GERRY D. RANKIN
DIRECTOR
515 / 281-5279



STATE CAPITOL
DES MOINES, IOWA
50319

STATE OF IOWA
LEGISLATIVE FISCAL BUREAU

June 18, 1980

Members of the 68th G. A. of Iowa
and Other Interested Citizens

The appropriations process of the General Assembly began this year in January of 1980 and was not completed until the end of the session in April 1980. The Legislative Fiscal Bureau is responsible for providing both fiscal and program information to the members of the General Assembly to assist them in their decision-making process.

The purpose of the Fiscal Report - 1980 Session is to assist legislators, state officials, and others locate and understand the action of the General Assembly. The Report draws together the appropriations and Ways and Means actions into a meaningful and organized fashion. I think this is a useful and reasonably comprehensive reference; I hope you will find it so.

If you have additional and more detailed questions, I invite you to contact and visit with my staff.

The following page outlines the staff's area of responsibility, and the phone numbers at which they can be reached. I also invite you to comment on how we can make this document more useful or relevant to you.

It is my sincere hope that this document will be of assistance to you.

Yours very truly,

A handwritten signature in dark ink, appearing to read "G. D. Rankin". The signature is fluid and cursive, with a large, sweeping "G" and "R".

Gerry D. Rankin
Director

STAFF ASSIGNMENTS

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Legislative Fiscal Director

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& Law Enforcement

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Appropriations Subcommittee on State Government

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LETTER

from Gerry D. Rankin, Legislative Fiscal Director

STAFF ASSIGNMENTS

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FISCAL INFORMATION

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This section contains summaries of General Fund receipts and appropriations, as well as financial information on departmental/agency appropriations arranged alphabetically for each fiscal year according to the appropriations subcommittee to which the department/agency is assigned. The supplemental appropriations made during the 1980 session are referenced by bill number.

APPROPRIATION BILL SUMMARY

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This section contains summaries of the supplemental appropriations made during the 1980 session. The departments and agencies are arranged alphabetically, and are referenced to the fiscal information section of the report.

WAYS AND MEANS BILL SUMMARY

57

This section contains summaries of Ways and Means action affecting state and local government. The section is arranged alphabetically by subject matter.

BONDING BILL SUMMARY

60

This section contains summaries of the legislation involving bonding authority passed during the 1980 session. It is arranged alphabetically by subject matter.

ENROLLED BILLS

61

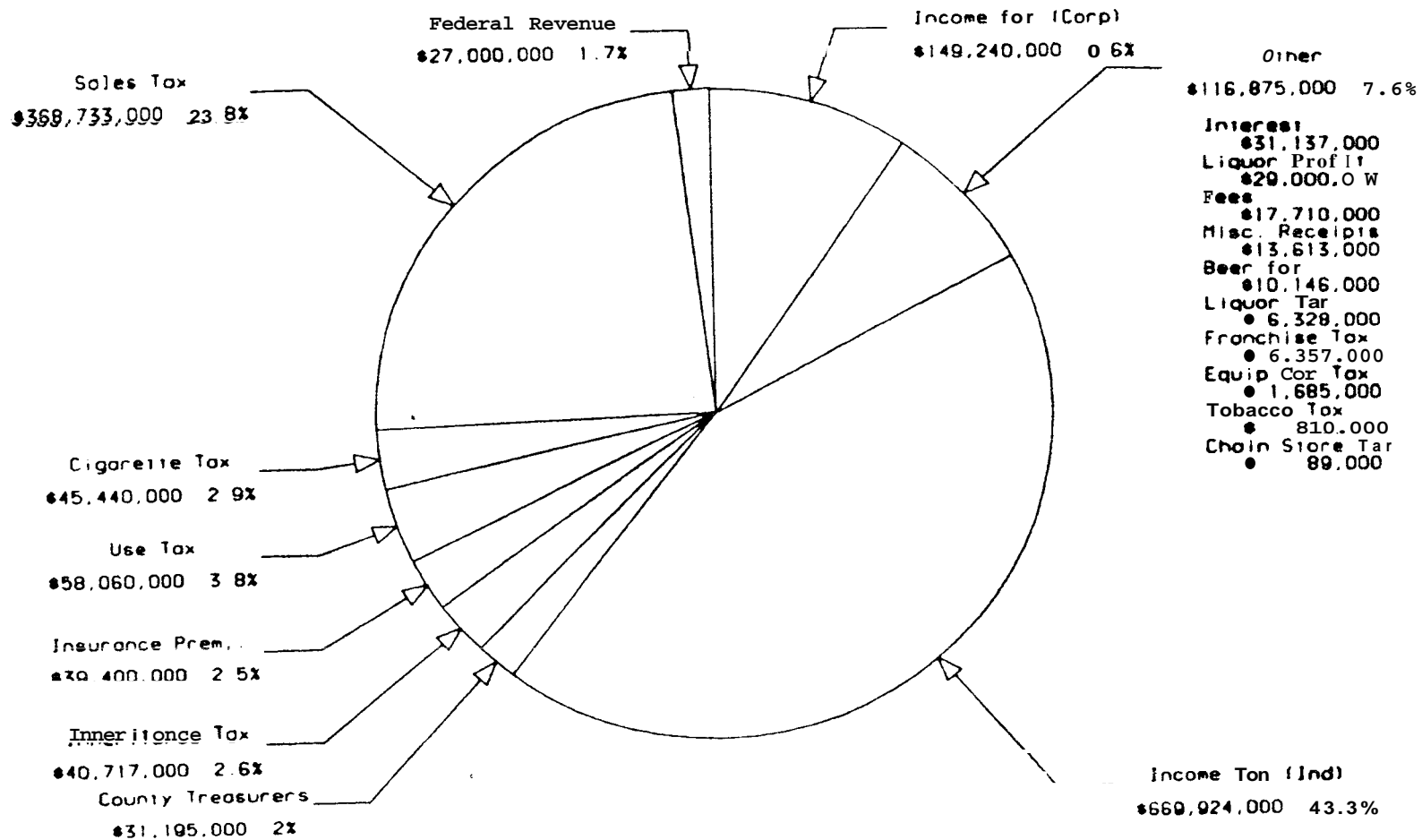
This section contains **all** enrolled bills containing appropriations, Ways and Means, and bonding legislation, as well as any veto messages from the Governor affecting the legislation. The sections are arranged by originating house in numerical order.

FISCAL INFORMATION

Fiscal Year 1979 General Fund Receipts

Actual Receipts

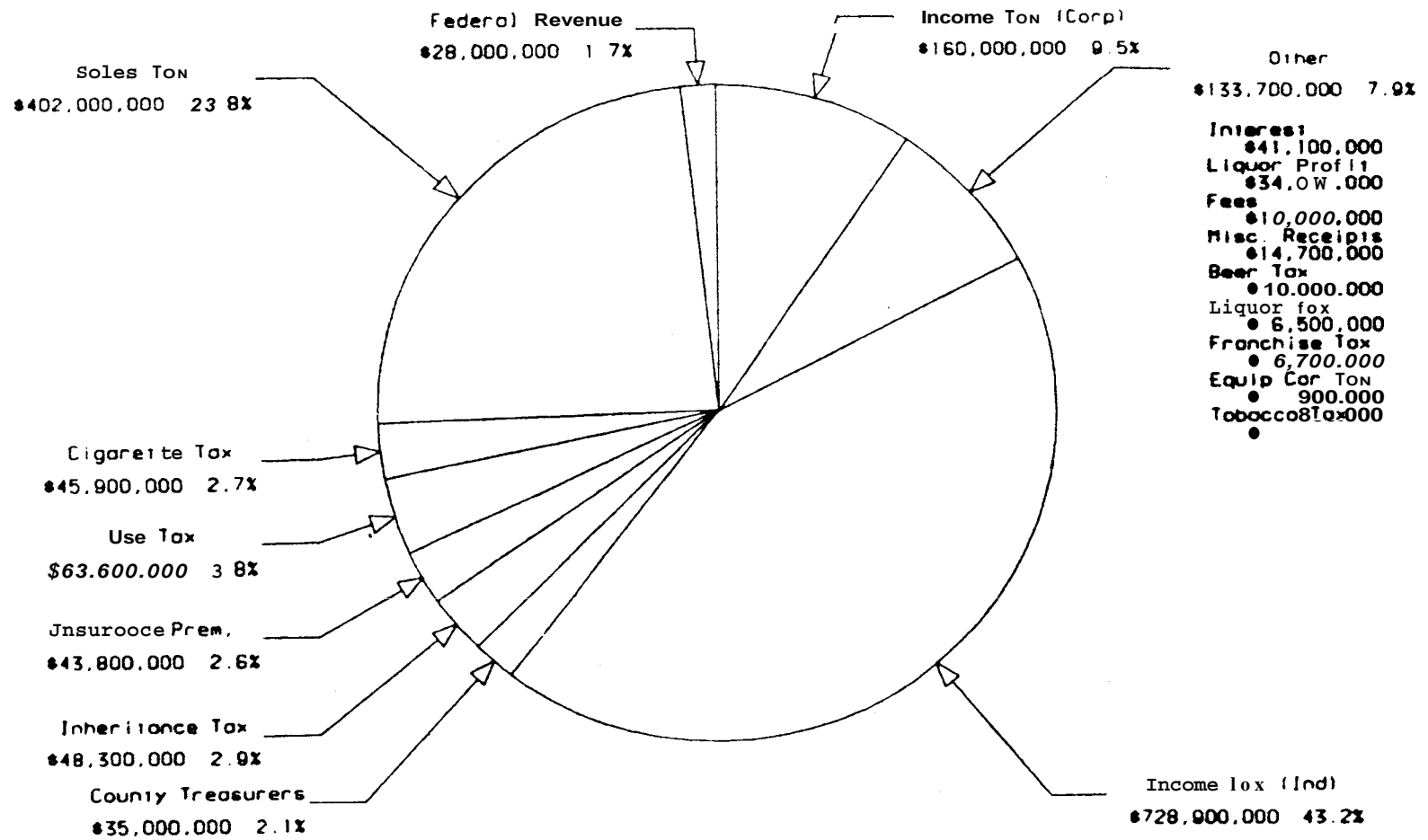
Total \$1,546,584,000



Fiscal Year 1980 General Fund Receipts

Estimated as of March 31, 1980

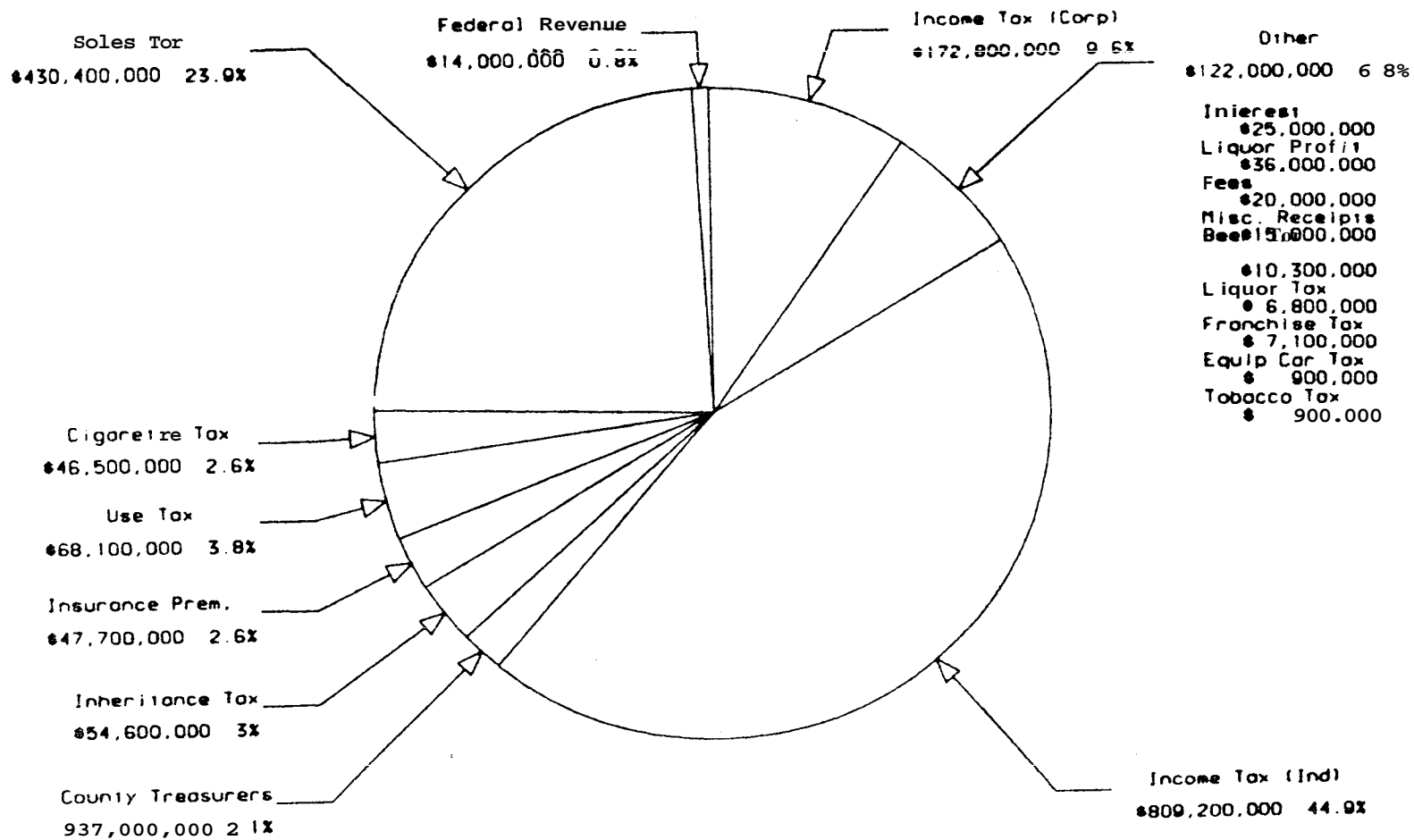
Total 81,689,200.000



Fiscal Year 1981 General Fund Receipts

Estimated as of March 31, 1980

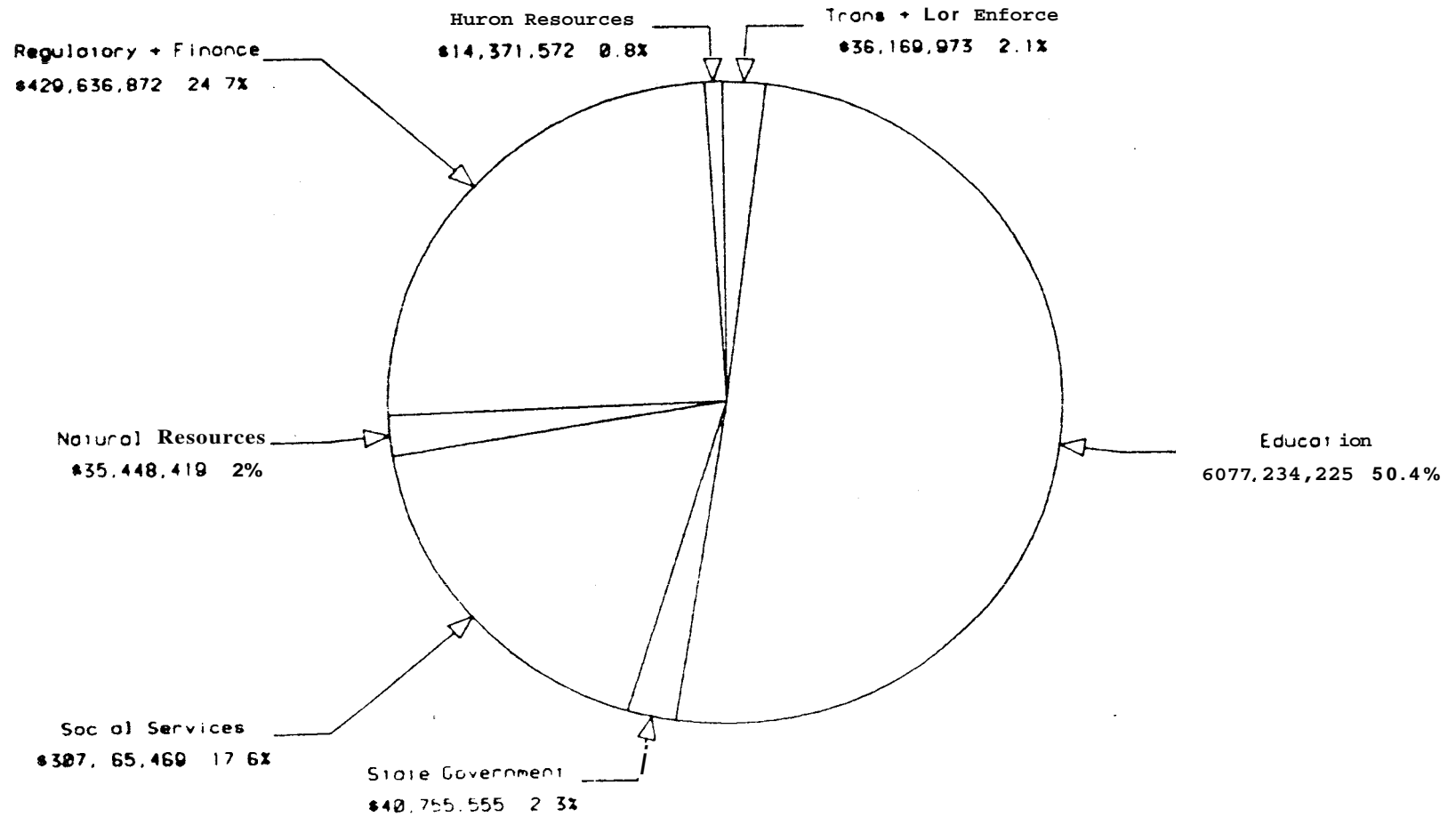
Total \$1,802,300,000



General Fund Appropriations ,

Fiscal Year 1980

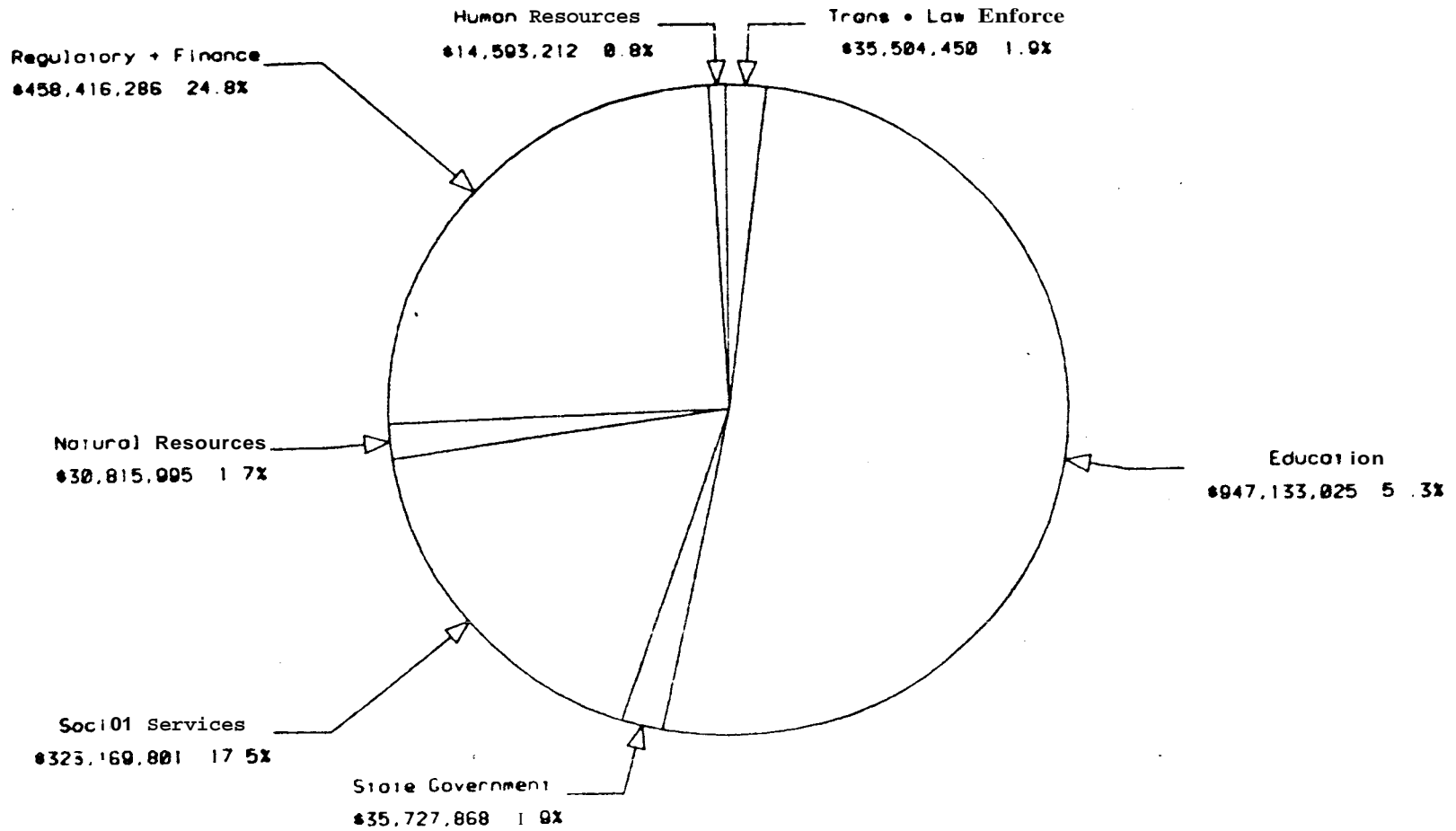
Total \$1,740,782,085



General Fund Appropriations

Fiscal Year 1981

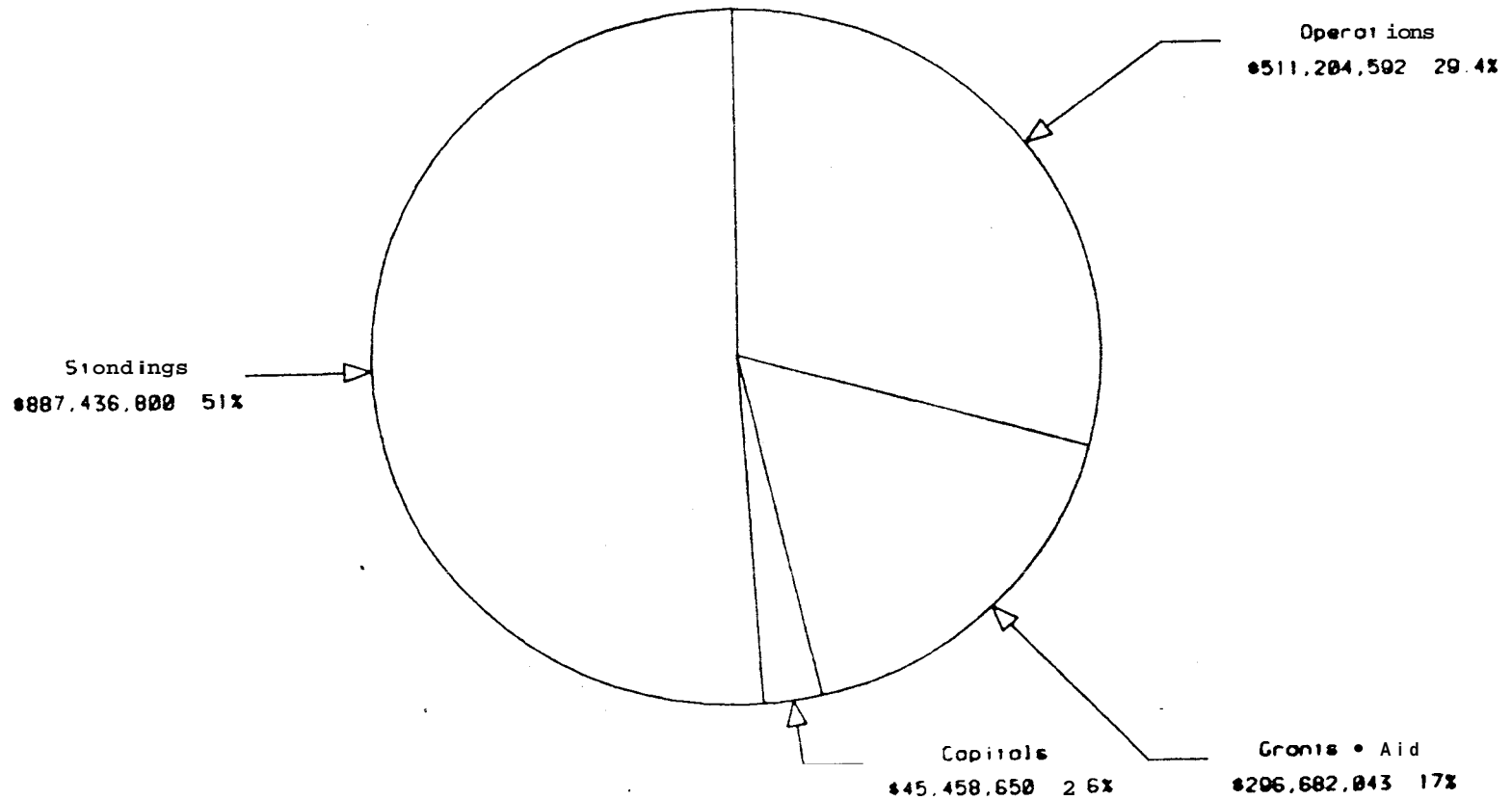
Total \$1,845,360,637



General Fund Appropriations

Fiscal Year 1980

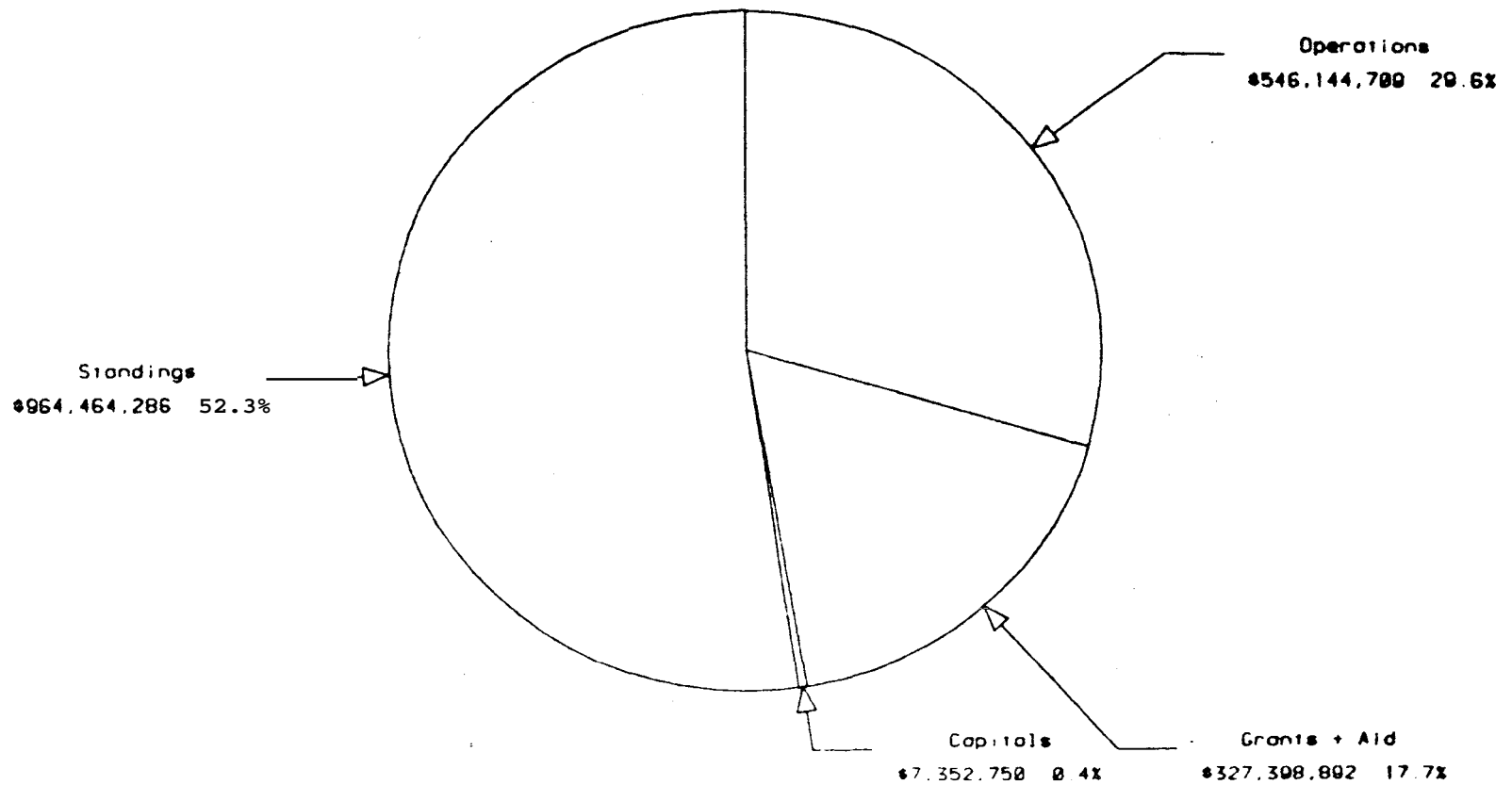
Total \$1,740,782,085



General Fund Appropriations

Fiscal Year 1981

Total \$1,845,360,637



**GENERAL FUND
STATUS OF APPROPRIATIONS**

06-18-80

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	79 APPROP	80 LEG ACT	80 GOV SUP REC	SUPPLEMENTAL 80 LEG SUP ACT	BILL REFERENCE	TOTAL 80 LEG ACT
EDUCATION	780,771,305	889,510,625	-12,479,000	-12,276,400		877,234,225
HUMAN RESOURCES	10,784,157	13,596,472	775,100	775,100		14,371,572
NATURAL RESOURCES	29,575,075	37,392,419	-1,944,000	-1,944,000		35,448,419
REGULATORY & FINANCE	395,144,090	429,342,972	-358,000	294,000		429,636,872
SOCIAL SERVICES	280,471,029	301,257,469	5,908,000	5,908,000		307,165,469
STATE GOVERNMENT	33,470,263	41,094,998	-1,365,000	-339,443		40,755,555
TRANS & LAW ENFORCE	<u>32,323,303</u>	<u>35,789,160</u>	<u>103,750</u>	<u>380,813</u>		<u>36,169,973</u>
	<u>1,562,539,312</u>	<u>1,747,984,015</u>	<u>-9,359,150</u>	<u>-7,201,930</u>		<u>1,740,782,085</u>
OPERATIONS	451,924,790	508,906,522	1,390,850	2,298,070		511,204,592
GRANTS AND AID	273,201,154	200,549,043	5,908,000	6,133,000		296,682,043
CAPITALS	17,770,238	61,091,650	-16,658,000	-15,633,000		45,458,650
STANDINGS	<u>819,643,130</u>	<u>887,436,800</u>	<u>0</u>	<u>0</u>		<u>887,436,800</u>
	<u>1,562,539,312</u>	<u>1,747,984,015</u>	<u>-9,359,150</u>	<u>-7,201,930</u>		<u>1,740,782,085</u>

PREPARED BY THE LEGISLATIVE FISCAL BUREAU

**GENERAL FUND
STATUS OF APPROPRIATIONS**

06-20-80

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	80 APPROP	81 LEG ACT	81 COV SUP REC	81 LEG SUP ACT	BILL REFERENCE	TOTAL 81 LEG ACT
EDUCATION	877,234,225	953,349,025	-6,266,000	-6,216,000		947,133,025
HUMAN RESOURCES	14,371,572	12,929,212	1,759,000	1,664,000		14,593,212
NATURAL RESOURCES	35,448,419	29,512,995	1,303,000	1,303,000		30,815,995
REGULATORY & FINANCE	429,636,872	453,362,293	5,030,000	5,053,993		458,416,286
SOCIAL SERVICES	307,165,469	306,898,217	16,068,000	16,271,584		323,169,801
STATE GOVERNMENT	40,755,555	34,711,510	112,000	1,016,358		35,727,868
TRANS & LAW ENFORCE	<u>36,169,973</u>	<u>34,459,650</u>				<u>35,504,450</u>
	<u>1,740,782,085</u>	<u>1,825,222,902</u>	<u>19,051,000</u>	<u>20,137,735</u>		<u>1,845,360,637</u>
OPERATIONS	511,204,592	543,074,732	2,300,000	3,069,977		546,144,709
GRANTS AND AID	296,682,043	308,231,134	18,851,000	19,167,758		327,398,892
CAPITALS	45,458,650	8,052,750	-700,000	-700,000		7,352,750
STANDINGS	<u>887,436,800</u>	<u>965,864,286</u>	<u>-1,400,000</u>	<u>-1,400,000</u>		<u>964,464,286</u>
	<u>1,740,782,085</u>	<u>1,825,222,902</u>	<u>19,051,000</u>	<u>20,137,735</u>		<u>1,845,360,637</u>

PREPARED BY THE LEGISLATIVE FISCAL BUREAU

GENERAL FUND STATUS OF APPROPRIATIONS

06-20-80

Subcommittee: EDUCATION

	79 APPROP	80 LEG ACT	eo COV SUP REC	80 LEG SUP ACT	BILL REFERENCE	PAM 10 TOTAL LEG8&CT
BLIW, IOWA COMM FOR SALARIES, SUPP, MAINT	1,007,979	049,000	0	-22,400	S.F. 2241	926,600
EDUCATIONAL TV						
SALARIES, SUPP, MAINT	4,106,474	4,492,000	87,000	87,000	S.F. 2241	4,579,000
CAPITAL IMPROVEMENTS	88,000	225,000	0			225,000
EDUCATIONAL TV	4,194,474	4,717,000	87,000	87,000		4,804,000
COLLEGE AID CONN						
SALARIES, SUPP, MAINT	245,794	290,000				290,000
TUITION GRANT PROG	2,180,000	1,750,000				1,750,000
VOC TECH TUITION GR	200,000	50,000				50,000
AID TO REOICAL SCH	1,200,000	1,200,000				1,200,000
OPTOMETRY ADMIS-EDUC	90,000	120,000				120,000
MATL GUARD ENLIST PR	50,000	80,000				80,000
STUDENT LOAN PROGRAM	100,000	204,000				204,000
STUDENT LOAN FED MTH	180,209					
PODIATRIST ADMIS	0	20,000				20,000
TUITION GRANT STANO	10,000,000	12,000,000				12,000,000
SCHOLARSHIP PROC ST	350,000	350,000				350,000
VOC TECH GRANT STAND	150,000	350,000				350,000
COLLEGE AD CONN	14,746,003	16,384,000	0	0		16,384,000
PUBLIC INSTRUCTION						
GENERAL OFFICE						
SALARIES, SUPP, MAINT	2,855,855	3,047,000				3,047,000
PROF TEACH PRAC CONN	42,219	49,600				49,600
COMPACT FOR EDUC	15,750	23,625				23,625
AREA SCHOOLS	2,013,824	3,120,225	0	0		3,120,225
VOC EDUC-SAL 6 SUPP	660,626	772,000				772,000
GENERAL AID	37,050,000	42,168,500				42,168,500
EQUIP REPLACERENT	1,350,000	1,600,000				1,600,000
VOC YOUTH ORG FUND	10,000	10,000				10,000
FEDERAL MATCH FUNDS	8,700,000	8,700,000				8,700,000
AREA XII RADIO	130,500	130,500				130,500
AREA XIII RADIO	0	120,000				120,000
CAREER PROG EXPANSN	250,006	200,000				200,000
AREA XIII RADIO	85,000					
AREA V RADIO	0	114,800				114,800
DUBUQUE CAMPUS	500,000	500,000				500,000
SECONDARY & ELEMEN	48,736,126	54,315,800	0	0		54,315,800
EDUCATION-MIGRANTS	50,000	0				0
SCHOOL LUNCH ASSIST	3,322,000	3,488,000				3,488,000
SBRC REGULAR	200,000	300,000				300,000
SBRC-SPECIAL EWC	1,300,000					
SBRC-DECLINING ENROL	2,500,000					
VOC EOUC-SEC SCHOOLS	3,000,000	3,285,000				3,285,000
VOC EOUC-EXIST COOP	150,000	150,000				150,000
CHARITABLE INSTITUT	250,000	280,000				280,000

GENERAL FUND
STATUS OF APPROPRIATIONS
06-20-80

Subcommittee: EDUCATION

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	70 APPROP	80 LEG ACT	80 GOV SUP REC	80 LEG SUP ACT	BILL REFERENCE	TOTAL 80 LEG ACT
PUBLIC INSTRUCTION						
SECONDARY & ELEMEN						
BOARDING HOMES	325,000	350,000				350,000
CERTIFICATION FEE FD	3,700	3,700				3,700
SCHOOL AID FOUNDATN	464,397,000	527,378,000				527,378,000
AEA JUVENILE HOMES	250,000	275,000				275,000
AEA DISTRICT COURT	10,000	15,000				15,000
AEA CERTAIN CHILDREN	45,000	55,000				55,000
	<u>475,802,700</u>	<u>535,579,700</u>	<u>0</u>	<u>0</u>		<u>535,579,700</u>
OTHER GRANT 6 AID						
NON-PUB TRANSPORTN	4,041,000	4,254,800				4,254,800
NON-PUBLIC TEXTBOOKS	400,000	400,000				400,000
FIRE SERVICE EDUC	200,000	200,000				200,000
INDUSTRIAL STARTUP	0	200,000				200,000
	<u>4,641,000</u>	<u>5,054,800</u>	<u>0</u>	<u>0</u>		<u>5,054,800</u>
PUBLIC INSTRUCTION	<u>532,003,650</u>	<u>598,070,525</u>	<u>0</u>	<u>0</u>		<u>598,070,525</u>
VOCATIONAL REHAB.						
SALARIES, SUPP, MAINT	2,587,872	2,497,000				2,497,000
INDEPENDENT LIVING	0	222,000				222,000
MOVING COSTS	0	100,000				100,000
VOCATIONAL REHAB.	<u>2,587,872</u>	<u>2,819,000</u>	<u>0</u>	<u>0</u>		<u>2,819,000</u>
REGENTS. BOARD OF						
GENERAL OFFICE						
SALARIES, SUPP, MAINT	310,410	352,000				352,000
REGENTS-FED FOS LOSS	0	400,000				400,000
ENROLL INCREASE COST	0	500,000				500,000
CONTINUING EDUCATION	100,000	100,000				100,000
FUEL PASS THRU	550,000	0		225,000	S F 2374	225,000
CABITAL REPLACEMENTS	4,550,000	16,161,000	-4,540,000	-4,540,000	H F 2595	11,621,000
HANDICPD ACCESS PGM	0	3,500,000				3,500,000
TUITION REPLACEMENTS	3,465,000	4,250,000				4,250,000
UTILITY PROJECTS	0	12,300,000	-4,251,000	-4,251,000	H.F. 2585	8,049,000
ENERGY CONSERVATION	0	4,675,000	-3,775,000	-3,775,000	H F. 2595	900,000
	<u>8,975,410</u>	<u>42,238,000</u>	<u>-12,566,000</u>	<u>-12,341,000</u>		<u>29,897,000</u>
ST UNIV OF IOWA						
SALARIES, SUPP, MAINT	78,651,398	80,979,000				80,979,000
SUI UNIVERSITY HOSP						
SALARIES, SUPP, MAINT	18,606,085	19,437,000				19,437,000
FAMILY PRACTICE PROG	085,000	1,085,000				1,085,000
EXCESS QUOTA PATIENT	50,000	50,000				50,000
	<u>19,641,085</u>	<u>20,572,000</u>	<u>0</u>	<u>0</u>		<u>20,572,000</u>
SUI PSYCHIATRIC HOSP						
SALARIES, SUPP, MAINT	3,894,768	4,095,000				4,095,000
MENTAL HLTH RESRCHFM	75,000					
	<u>3,969,768</u>	<u>4,095,000</u>	<u>0</u>	<u>0</u>		<u>4,095,000</u>
SUI HYGENIC LAB						
SALARIES, SUPP, MAINT	1,471,351	1,618,500				1,618,500
SUI HOSP SCH HANDICP						
SALARIES, SUPP, MAINT	2,789,536	2,003,000				2,003,000

GENERAL FUND STATUS OF APPROPRIATIONS

06-20-80

Subcommittee: EDUCATION

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TOTAL
80
LEC ACT

	70 APPROP	80 LEG ACT	80 GOV SUP REC	SUPPLEMENTAL 80 LEG SUP ACT	BILL REFERENCE	
REGENTS, BOARD OF						
SUI OAKDALE CAMPUS						
SALARIES, SUPP, MAINT	1,573,587	1,642,000				1,642,000
JSU SCIENCE & TECH						
SALARIES, SUPP, MAINT	63,868,401	65,639,000				65,639,000
LIVESTOCK DISEASE	200,000	300,000				300,000
	64,068,401	65,939,000	0	0		65,939,000
ISU AGRIC EXPR STATN						
SALARIES, SUPP, MAINT	7,278,168	7,534,000				7,534,000
GRAIN STUDY	75,000					
	7,353,168	7,534,000	0	0		7,534,000
ISU COOP EXTEN SER						
SALARIES, SUPP, MAINT	6,678,368	6,960,000				6,960,000
SPEC STUDY ETHANOL	51,000					
	6,729,368	6,960,000	0	0		6,960,000
UNIV OF NORTHERN IA						
SALARIES, SUPP, MAINT	25,751,101	26,876,000				26,876,000
IA BRAILLE & SIGHT						
SALARIES, SUPP, MAINT	1,823,708	1,838,600				1,838,600
STANDINGS	1,000	1,000				1,000
	1,824,708	1,839,600	0	0		1,839,600
IA SCH FOR THE DEAF						
SALARIES, SUPP, MAINT	3,317,536	3,360,000				3,360,000
STANDINGS	15,000	15,000				15,000
	3,332,536	3,375,000	0	0		3,375,000
REGENTS, BOARD OF	226,141,417	266,571,100	-12,566,000	-12,341,000		254,230,100
OPERATIONS	227,606,236	236,452,700	87,000	64,600		236,517,300
GRANTS AND AID	68,430,459	69,809,425	0	225,000		70,034,425
CAPITALS	8,188,000	41,325,800	-12,566,000	-12,566,000		28,759,800
STANDINGS	476,546,700	541,922,700	0	0		541,922,700
EDUCATION	780,771,395	889,510,625	-12,479,000	-12,276,400		877,235,625

GENERAL FUND
STATUS OF APPROPRIATIONS
06-20-80

Subcommittee: HUMAN RESOURCES

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	79 APPROP	80 LEG ACT	80 GOV SUP REC	80 LEG SUP ACT	BILL REFERENCE	TOTAL 80 LEG ACT
AGING. COMMISSION ON						
SALARIES, SUPP, MAINT	159,638	171,051				171,051
TITLE III GRANTS	103,680	110,420				110,420
SENIOR COMM SERV	108,000	108,000				108,000
SENIOR CITIZEN CNTR	158,000	158,000				158,000
ELDERLY CARE PROC	0	800,000				800,000
AGING. COMMISSION ON	<u>529,318</u>	<u>1,347,471</u>	<u>0</u>	<u>0</u>		<u>1,347,471</u>
CIVIL RIGHTS COMM						
SALARIES, SUPP, MAINT	459,738	540,463	9,000	9,000	S. F. 2241	540,463
SALARIES, SUPP, SSPC	0	45,715				45,715
CIVIL RIGHTS COMM.	<u>459,738</u>	<u>586,178</u>	<u>9,000</u>	<u>9,000</u>		<u>595,178</u>
EMPLOYMENT HANDICAP						
SALARIES, SUPP, MAINT	115,129	106,839				106,839
HEALTH. DEPT OF						
CENTRAL ADMIN						
SALARIES, SUPP, MAINT	88,513	73,503				73,503
STANDINGS	6,500	6,500				6,500
HLTH FACILITIES SERV	<u>95,013</u>	<u>80,003</u>	<u>0</u>	<u>0</u>		<u>80,003</u>
SALARIES, SUPP, MAINT	553,150	554,102	167,000	167,000	S. F. 2241	721,102
HLTH PLANNING AGENCY						
SALARIES, SUPP, MAINT	55,797	66,940				66,940
CERTIFICATE OF NEED	<u>181,621</u>	<u>192,108</u>	<u>0</u>	<u>0</u>		<u>192,108</u>
PREVENTIVE MED SERV	<u>237,418</u>	<u>259,048</u>	<u>0</u>	<u>0</u>		<u>259,048</u>
SALARIES, SUPP, MAINT	588,312	538,673				538,673
RECORDS & STAT. DIV.						
SALARIES, SUPP, MAINT	401,246	402,698				402,698
LICEN & CERTIFICATN						
SALARIES, SUPP, MAINT	408,073	544,584				544,584
PERSONAL & FAMILY HL						
SALARIES, SUPP, MAINT	617,223	879,931				879,931
COMMUNITY HLTH SERV						
SALARIES, SUPP, MAINT	883,014	882,111	578,000	578,000	S. F. 2241	1,560,111
RAPE INVESTIGATION	30,000	45,000				45,000
SUICEN INF OETH ATPSY	30,000	28,000				28,000
WELL ELDERLY CLINICS	150,000	212,300				212,000
IN WORE HEALTH CARE	<u>2,220,000</u>	<u>2,765,960</u>	<u>578,000</u>	<u>578,000</u>		<u>2,765,960</u>
MANAGEMENT & BUDGET	<u>3,321,914</u>	<u>4,033,071</u>	<u>578,000</u>	<u>578,000</u>		<u>4,611,071</u>
SALARIES, SUPP, MAINT	318,783	262,185				262,185
EXTERNAL AFFAIRS						
SALARIES, SUPP, MAINT	47,453	89,809				89,809
HEALTH. DEPT. OF	<u>6,588,585</u>	<u>7,644,104</u>	<u>745,000</u>	<u>745,000</u>		<u>8,389,104</u>

GENERAL FUND STATUS OF APPROPRIATIONS

06-20-80

Subcommittee: HUMAN RESOURCES

PAGE. 14

	79 APPROP	80 LEG ACT	80 GOV SUP REC	80 LEG SUP ACT	BILL REFERENCE	TOTAL 80 LEG ACT
MEDICAL EXAM. BOARD SALARIES, SUPP, MAINT	157,294	199,411	16,000	16,000	S.F. 2241	214,411
MENTAL HEALTH ADV CM SALARIES, SUPP, MAINT	0	64,260				64,260
MENTAL HEALTH AUTH. SALARIES, SUPP, MAINT	115,380	136,081				136,081
NURSE EXAM. BOARD SALARIES, SUPP, MAINT	335,058	371,421				371,421
PAROLE. BOARD OF SALARIES, SUPP, MAINT	259,316	270,736				270,736
PHARMACY EXAMINERS SALARIES, SUPP, MAINT	230,455	247,000				247,000
SPANISH AHER WAR VET SALARIES, SUPP, MAINT	4,414					
SPANISH SPKG PEOPLES SALARIES, SUPP, MAINT	56,488					
STATUS OF WOMEN SALARIES, SUPP, MAINT	67,238	76,100	5,100	5,100	S.F. 2241	81,200
SUBSTANCE ABUSE OPERATIONS	131,505	142,650				142,680
GRANTS AND AIDS	1,620,258	2,265,000				2,265,000
SUBSTANCE ABUSE	<u>1,751,763</u>	<u>2,407,680</u>	<u>0</u>	<u>0</u>		<u>2,407,680</u>
VETERANS AFFAIRS SALARIES, SUPP, MAINT	73,981	105,182				105,182
WAR ORPHANS EDUC	40,000	35,000				35,000
VETERANS AFFAIRS	<u>113,981</u>	<u>140,182</u>	<u>0</u>	<u>0</u>		<u>140,182</u>
OPERATIONS	<u>6,309,719</u>	<u>7,062,562</u>	<u>775,100</u>	<u>775,100</u>		<u>7,837,692</u>
GRANTS AND AID	4,467,938	6,527,380	0	0		6,527,380
CAPITALS		0	0	0		0
STANDINGS		6,500	0	0		6,500
HUMAN RESOURCES		<u>13,596,472</u>	<u>775,100</u>	<u>775,100</u>		<u>14,371,572</u>

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	79 APPROP	80 LEG ACT	80 COV SUP REC	80 LEG SUP ACT	BILL REFERENCE	TOTAL 80 LEG ACT
AGRICULTURE, DEPT OF						
ADMINISTRATION DIV						
SALARIES, SUPP, MAINT	1,022,864	1,098,652				1,098,652
REGULATORY DIVISION						
SALARIES, SUPP, MAINT	2,622,367	3,011,735				3,011,735
BRUCELLOSIS INDEMN	25,000	25,000				25,000
	<u>2,647,367</u>	<u>3,036,735</u>	<u>0</u>	<u>0</u>		<u>3,036,735</u>
LABORATORY DIVISION						
SALARIES, SUPP, MAINT	429,356	507,348				507,348
AUJESKY'S DISEASE	100,000					
	<u>529,356</u>	<u>507,348</u>	<u>0</u>	<u>0</u>		<u>507,348</u>
	<u>4,199,587</u>	<u>4,642,735</u>	<u>0</u>	<u>0</u>		<u>4,642,735</u>
AGRICULTURE, DEPT OF						
CONSERVATION COMM.						
LANDS AND WATERS	4,558,231	5,077,176				5,077,176
ADVISORY BD-PRPRESVES	30,423	40,347				40,347
CONTINGENCY FUND	0	700,000				700,000
LAND SURVEYS	45,000	45,000				45,000
RIVER BASIN COMMISSN	46,546	48,000				48,000
GREEN THUMB PROGRAM	135,000	141,950				141,950
LOW-HEAD DAM	50,000					
PROTECTED WATER AREA	50,000	50,000				50,000
GREAT RIVER ROAD ST	0	25,000				25,000
CAPITAL IMPROVEMENTS	2,965,000	3,000,000	0	0		3,000,000
	<u>7,880,200</u>	<u>9,127,273</u>	<u>0</u>	<u>0</u>		<u>9,127,273</u>
CONSERVATION COMM						
DEVELOPMENT COMM.						
SALARIES, SUPP, MAINT	1,835,617	2,018,880				2,018,880
EUROPEAN OFFICE	154,873	178,000				178,000
IND BLD INTR REV	100,000		0	0		0
RURAL COMMUN DEV COM	250,000					
	<u>2,340,490</u>	<u>2,196,880</u>	<u>0</u>	<u>0</u>		<u>2,196,880</u>
DEVELOPMENT COMM.						
ENERGY POLICY COUNCL						
GENERAL OFFICE	232,026	230,192	40,000	40,000	5 F 2241	270,192
PUB BLD ENERGY CON	0	77,625	0	0		77,625
RESEARCH	100,000					
STATE BLD ENERGY CON	0	3,000,000	-2,000,000	-2,000,000	H F 2595	1,000,000
LOAD MANAGEMENT EXPE	0	30,000				30,000
	<u>332,026</u>	<u>3,337,817</u>	<u>-1,960,000</u>	<u>-960,000</u>		<u>1,377,817</u>
ENERGY POLICY COUNCL						
ENVIRONMENT QUALITY						
SALARIES, SUPP, MAINT	2,126,386	2,206,852				2,206,852
SEWAGE WORKS-5XGRTS	2,000,000	4,000,000				4,000,000
	<u>4,126,386</u>	<u>6,206,852</u>	<u>0</u>	<u>0</u>		<u>6,206,852</u>
ENVIRONMENT QUALITY						
FAIR BOARD, IA. ST.						
BLDG & GROUNDS MAINT	80,000	85,000				85,000
PREMIUMS	10,000	10,000				10,000
AGR SOCIETIES-FAIRS	210,000	210,000				210,000
FAIRGROUND STUDY	50,000					

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	70 APPROP	80 LEG ACT	80 GOV SUP REC	80 LEG SUP ACT	BILL REFERENCE	PAGE 16 TOTAL 80 LEG ACT
FAIR BOARD, IA ST						
CAPITAL IMPROVEMENTS	315.000	750.000				750.000
COMPREHENSIVE STUDY	0	90.000				90.000
FAIR BOARD, IA ST.	<u>665.000</u>	<u>1,145.000</u>	<u>0</u>	<u>0</u>		<u>1,145.000</u>
GEOLOGICAL SURVEY						
SALARIES, SUPP, MAINT	1,223.091	1,345.575				1,345,575
LANDSAT PROCESSING	0	125.000				125.000
WAREHOUSE	<u>250.000</u>					
GEOLOGICAL SURVEY	<u>1,473.091</u>	<u>1,470.575</u>	<u>0</u>	<u>0</u>		<u>1,470,575</u>
HOOVER BIRTH. FOUND.						
CAPITALS	2,750	2,750				2,750
LAND PRES POLICY COM						
SALARIES, SUPP, MAINT	103,645	0				0
MISSISSIPPI RIVER PK						
SUPPORT, MAINT, MISC	9.000	20,000				20,000
NATURAL RESOURCES CL						
SALARIES, SUPP, MAINT	584.818	662.942	16,000	16.000	S F. 2241	678,042
REGENTS. BOARD OF						
ISU CCAL RESEARCH PR	300.000	300.000				300.000
IA ST COAL RESEARCH	<u>160.000</u>					
CAPITALS	<u>460.000</u>	<u>300.000</u>	<u>0</u>	<u>0</u>		<u>300,000</u>
REGENTS. BOARD OF	<u>460.000</u>	<u>300.000</u>	<u>0</u>	<u>0</u>		<u>300,000</u>
SOIL CONSERVATION						
GENERAL OFFICE						
SALARIES, SUPP, MAINT	2,302,197	2,544.670				2,544,670
LAND USE PLANNING	12.885					
TEMLAND COMMISSION	0	5.003				5,000
CASS CO. CLAIM	0	0.925				0.925
CONSERVATION TILLAGE	0	100,000				100,000
RIVER WATERSHED	<u>0</u>	<u>270.000</u>				<u>270,000</u>
DISTRICT OFFICES	<u>2,315.082</u>	<u>2,929.595</u>	<u>0</u>	<u>0</u>		<u>2,929,595</u>
ST-FED WATERSHED P&D	60.000	25.000				25.000
SOIL SURVEY IA LAND	303,000	325.000				325,000
CWERY COST SHARE	<u>4,720.000</u>	<u>5,000.000</u>				<u>5,000,000</u>
	<u>5,083.000</u>	<u>5,350.000</u>	<u>0</u>	<u>0</u>		<u>5,350,000</u>
SOIL CONSERVATION	<u>7,300.082</u>	<u>8,279.595</u>	<u>0</u>	<u>0</u>		<u>8,279,595</u>

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	79 APPROP	80 LEG ACT	80 COV SUP REC	SUPPLEMENTAL 80 LEG SUP ACT	BILL REFERENCE	TOTAL 80 LEG ACT
OPERATIONS	<u>17,338,779</u>	<u>10,704,004</u>	<u>56,000</u>	<u>56,000</u>		<u>10,760,004</u>
GRANTS AND AID	8,543,546	10,319,675	0	0		10,319,675
CAPITALS	3,692,750	7,367,750	-2,000,000	-2,000,000		5,367,750
STANDINGS	0	0	0	0		0
NATURAL RESOURCES	<u>29,575,075</u>	<u>37,392,419</u>	<u>-1,944,000</u>	<u>-1,944,000</u>		<u>35,448,419</u>

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	79 APPROP	80 LEG ACT	80 GOV SUP REC	80 LEG SUP ACT	BILL REFERENCE	TOTAL 80 LEG ACT
ACCOUNTANCY, BOARD						
GENERAL OFFICE	160,279	173,975				173,975
ARCHITECTURAL EXAM.						
GENERAL OFFICE	36,391	32,800				32,800
AUDITOR OF STATE						
SALARIES, SUPP, MAINT	1,293,181	1,417,778				1,417,778
BANKING DEPARTMENT						
GENERAL OFFICE	2,554,323	2,326,757				2,326,757
BEER 6 LIQUOR CONTRL						
GENERAL OPERATIONS	13,676,097	14,746,842	0	0		14,746,842
CAPITAL IMPROVEMENTS	535,048	250,000				250,000
BEER BARR TAX REBATE	50,000	50,000				50,000
BEER 6 LIQUOR CONTRL	<u>14,261,145</u>	<u>15,046,842</u>	<u>0</u>	<u>0</u>		<u>15,046,842</u>
CAMPAIGN FINC DISCL						
SALARIES, SUPP, MAINT	91,991	97,187				97,187
COMMERCE COMMISSION						
GENERAL ADMIN.						
SALARIES, SUPP, MAINT	337,800	364,058				364,058
WAREHOUSE DIVISION						
SALARIES, SUPP, MAINT	472,535	509,260				509,260
UTILITIES DIVISION						
SALARIES, SUPP, MAINT	1,953,899	2,082,492				2,082,492
COMMERCE COMMISSION	<u>2,764,343</u>	<u>2,965,810</u>	<u>0</u>	<u>0</u>		<u>2,965,810</u>
COMPTROLLER, OFFICE						
GENERAL OFFICE						
SALARIES, SUPP, MAINT	1,072,181	1,180,305				1,180,305
CITY FINANCE COMM	12,300	10,800				10,800
IOWA COMP CONF	20,000					
SALARY ADJUSTMENT FD	10,294	26,500,849				26,500,849
FICA-TAX INCR ADJUST	417,931					
FUEL + UTILITIES	0		0	652,000	S F. 2374	652,000
MUNICIPAL ASSIST FND	12,000,000	13,000,000				13,000,000
COUNTY ASSISTANCE	4,000,000	5,000,000				5,000,000
BANKED SICK LEAVE	35,000					
LEGAL FEES	8,572					
ST UNEMPLOY COMPENS	400,000	400,000				400,000
ST EMPLOYEES COMPENS	1,000,000	1,200,000				1,200,000
AGR LAND TAX CREDIT	42,000,000	42,000,000				42,000,000
PERSN PROP TAX REPL	38,600,000	42,430,000				42,400,000
PROP TAX REPL-LIVSTK	8,000,000	8,000,000				8,000,000
PEACE OFF RETIRE-MAN	2,100,000	2,200,000				2,200,000
	<u>109,675,978</u>	<u>141,891,954</u>	<u>0</u>	<u>652,000</u>		<u>142,543,954</u>
DATA PROCESSING						
SALARIES, SUPP, MAINT	4,575,106	4,813,467				4,813,467
CAPITAL OUTLAY	0	400,000	-478,030	-478,000	H.F. 2595	2,000
	<u>4,575,106</u>	<u>5,293,467</u>	<u>-478,000</u>	<u>-478,000</u>		<u>4,815,467</u>

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	79 APPROP	80 LEG ACT	80 GOV SUP REC	80 LEG SUP ACT	BILL REFERENCE	TOTAL 80 LEG ACT
COMPTROLLER, OFFICE	<u>14,251,084</u>	<u>147,185,421</u>	<u>-478,000</u>	<u>174,000</u>		<u>147,359,421</u>
CREDIT UNION DEPT GENERAL OPERATIONS	0	393,375				393,375
ENGINEERING EXAM, BO GENERAL OFFICE	80,102	88,044	2,000	2,000	S.F. 2241	90,044
INDUSTRIAL COMMISSR SALARIES, SUPP, MAINT	686,970	810,702				810,702
WORK COMP-PEACE OFF	5,800	6,000				6,000
INDUSTRIAL COMMISSR	<u>692,770</u>	<u>816,702</u>	<u>0</u>	<u>0</u>		<u>816,702</u>
INSURANCE, DEPT OF SALARIES, SUPP, MAINT	1,725,203	1,825,680				1,825,680
JOB SERVICE OF IOWA FOAB AND IOASI ADMIN	128,285	121,646				121,646
LEGISLATIVE IPERS	180,000					
TEACHER RETIRE ALLY	380,000	350,000				350,000
IPERS PRIOR SER 1953	500,000	500,000				500,000
NON-TEACH RETIRE ALL	46,000	41,000				41,000
CURRENT RETIREES ALL	7,700,000	7,350,000				7,350,000
CONSERV PEACE OFFCRS	160,000	215,000				215,000
IPERS PRIOR SER 1975	420,000	360,000				360,000
JOB SERVICE OF IOWA	<u>9,524,285</u>	<u>8,937,646</u>	<u>0</u>	<u>0</u>		<u>8,937,646</u>
LANDSCAPE ARCH EXAM GENERAL OFFICE	16,107	12,628				12,628
OCC SFTY & HLTH REVW OSHA REVIEW COMM	41,031	43,597				43,587
PUBL EMPLOY RELATION PER BOARD	524,436	561,226				561,226
REAL ESTATE COMM SALARIES, SUPP, MAINT	223,673	277,084				277,084
REVENUE, DEPT OF GENERAL OFFICE						
SALARIES, SUPP, MAINT	10,815,966	12,228,072	100,000	100,000	S F 2241	12,328,072
HUMIDIFIER SYSTEM	0		18,000	18,000	S F 2241	18,000
HOMESTEAD TAX CREDIT	82,700,000	84,000,000				84,000,000
EXTRA PROP TAX REIM	12,000,000	17,850,000				17,850,000
TAX REFUNDS	87,339,400	121,167,000				127,767,000
REASSESSMENT EXP FUD	0	750,000				750,000
TAX REBATE	50,404,498	950,000				950,000
	<u>243,359,864</u>	<u>243,545,072</u>	<u>118,000</u>	<u>118,000</u>		<u>243,663,072</u>
REVENUE, DEPT OF	<u>243,359,864</u>	<u>243,545,072</u>	<u>118,000</u>	<u>118,000</u>		<u>243,663,072</u>
SECRETARY OF STATE SALARIES, SUPP, MAINT	667,956	688,444	0	0		688,444

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	79 APPROP	80 LEG ACT	80 GOV SUP REC	SUPPLEMENTAL 80 LEG SUP ACT	BILL REFERENCE	TOTAL 80 LEG ACT
SECRETARY OF STATE						
SERVICES BALLOT COMM	500	2,500				2,500
CONSTITUTIONAL AMEND	1,000					
SECRETARY OF STATE	<u>669,456</u>					<u>700,944</u>
TREASURER OF STATE						
SALARIES, SUPP, MAINT	365,473	384,185				384,185
MONEY 6 CRDT REPLC F	2,500,000	2,500,000				2,500,000
TREASURER OF STATE	<u>2,865,473</u>	<u>2,884,185</u>	<u>0</u>	<u>0</u>		<u>2,884,185</u>
WATCHMAKING EXAMINER						
GENERAL OFFICE	8,053	10,109				10,109
OPERATIONS	<u>42,068,272</u>	<u>71,721,372</u>	<u>120,000</u>	<u>772,000</u>		<u>72,493,372</u>
GRANTS AND AID	18,723,572	20,500,000	0	0		20,500.0 W
CAPITALS	535,048	730,000	-478,000	-478,000		252.0 W
STANDINGS	333,817,198	336,391,500	0	0		336,391,500
REGULATORY & FINANCE	<u>395,144,090</u>	<u>429,342,872</u>	<u>-358,000</u>	<u>294,000</u>		<u>429,636,872</u>

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	70 APPROP	80 LEG ACT	80 GOV SUP REC	80 LEG SUP ACT	BILL REFERENCE	TOTAL 80 LEG ACT
SOCIAL SERVICES, DEPT						
AREA MR V 6 ADMIN						
AREA SERVICE & ADMIN	14,065,465	15,000,000				15,000,000
GENERAL ADMIN						
GENERAL ADMIN	5,731,261	6,140,000				6,140,000
CAPITAL IMPROVEMENTS	2,091,440	2,225,000				2,225,000
PRISON RENOV 6 UNIT	055,000	500,000				500,000
FORT OES MOINES	0	450,000				450,000
STANDINGS	1,165,850	1,177,000				1,177,000
	<u>9,943,551</u>	<u>10,492,000</u>	0	0		<u>10,492,000</u>
FAMILY 6 CHILDREN SV						
COMM BASED JUV CORR	160,000	320,000				320,000
TOLEDO-ST JUVENILE H	1,526,637	0				0
ELDDORA-BOYS TR SCHOL	3,501,246	0				0
MITCHELLVLL-GIRLS TR	1,166,920	0				0
JUV CORR INSTITUTION	0	7,000,000				7,000,000
MARSHALLTOWN-VET HOM	9,426,449	10,400,000				10,400,000
	<u>15,871,252</u>	<u>17,720,000</u>	0	0		<u>17,720,000</u>
ADULT CORRECTION SER						
LUSTER HGHTS-MCGREGG	21,180					0
FT MADISON-PENITENRY	8,250,586	0				0
ANAMOSA-MEN'S REFORM	6,121,303	0				0
ROCKWELL-WOMEN'S REF	906,060	0				0
OAKDALE-SECUR MED FC	2,666,629	0				0
NEWTON-RELEASE CENTR	1,969,880	0				0
MT PL-MED SECUR FAC	1,831,227	0				0
JOHN BENNETT CENTER	1,286,116	0				0
CORRECTIONAL INST	0	26,234,000				26,234,000
PROBATION & PAROLE	973,000	1,030,000				1,030,000
CNTRL CLASSIFICATION	0	100,000				100,000
COMM CORR-PGM 6 SERV	8,175,000	8,747,250				8,747,250
LEGAL SERVICES	25,030	25,000				25,000
INMATE FURLOUGH	10,000	0				0
COUNTY CONFINEMENT	40,000	45,000				45,000
SUBSTANCE ABUSE	0	200,000				200,000
	<u>32,276,881</u>	<u>36,381,250</u>	0	0		<u>36,381,250</u>
INCOME MAINT SERVICE						
AID TO THE BLIND	15,000	20,000				20,000
AID TO DEPEND CHIL	49,800,000	47,130,000	4,570,000	4,570,000	S.F 2241	51,700,000
AID TO INDIANS SETT	40,300	36,000				36,000
MEDICAL ASSISTANCE	80,628,000	00,260,000		0		88,260,000
CONTRACTUAL SERVICES	1,140,000	1,084,000				1,084,000
CHILDREN SERVICES	18,710,000	20,455,000	138,000	138,000	S.F 2241	20,593,000
WORK & TRAINING PROG	420,003	438,000				438,000
ADULT 6 CHIL SERV	1,640,000	758,000				758,000
HOMEMAKER SERVICES	0	1,580,000				1,580,000
STATE SUPPLEMENTATN	5,300,000	6,090,000				6,090,000
ASSIST CHIL CARE CT	250,000	400,000				400,000
CHIL SUPPORT RECOVER	396,000	428,219				428,219
GOV YOUTH OPPOR PROG	750,000	150,000				750,000

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	70 APPROP	80 LEG ACT	80 GOV SUP REC	80 LEG SUP ACT	BILL REFERENCE	80 LEG ACT
SOCIAL SERVICES, DEPT						
INCOME MAINT SERVICE						
STATE SUPPL-TITLE XX	750.000	1,000.000	1,200.000	1,200.000	S.F. 2241	2,200.000
BATTERED PERSONS	60.000	0				0
AFDC NEW PROGRAM	0	760.000				760.000
	<u>150,899.000</u>	<u>160,189,219</u>	<u>5,908.000</u>	<u>5,908.000</u>		<u>175,097,219</u>
MENTAL HEALTH SERV						
CHEROKEE-MEN HLTH IN	6,883,389	0				0
CLARINDA-MEN HLTH INC	6,164,174	0				0
INDEPEN-MENT HLTHINI	7,089,122	0				0
MT PLEAS-MEN HLTH IN	5,727,850	0				0
MENT HLTH INST	0	28,150,006				28,150,000
	<u>25,864,535</u>	<u>28,150.000</u>	<u>0</u>	<u>0</u>		<u>28,150.000</u>
MENTAL RETAROATION						
GLENWOOD ST HOSP SCH	11,290,487	0				0
WOODWARD ST HOSP SCH	11,250,858	0				0
MENT RETAROE SCH	0	24,000,000				24,000,000
	<u>22,550,345</u>	<u>24,000,000</u>	<u>0</u>	<u>0</u>		<u>24,000,000</u>
RECREATIONAL FACILTS						
ROCKWELL CITY	0	150.000				150.000
MT PLEASANT	0	175.000				175.000
	<u>0</u>	<u>325,000</u>	<u>0</u>	<u>0</u>		<u>325.000</u>
SOCIAL SERVICES, DEPT	<u>280,471,029</u>	<u>301,257,469</u>	<u>5,908.000</u>	<u>5,908.000</u>		<u>307,165,469</u>
OPERATIONS	<u>108,109,739</u>	<u>118,374,000</u>	<u>0</u>	<u>0</u>		<u>118,374.000</u>
GRANTS AND AID	<u>168,149,000</u>	<u>178,206,469</u>	<u>5,908.000</u>	<u>5,908,000</u>		<u>184,114.469</u>
CAPITALS	<u>3,046,440</u>	<u>3,500,000</u>	<u>0</u>	<u>0</u>		<u>3,500.000</u>
STANDINGS	<u>1,165,850</u>	<u>1,177,000</u>	<u>0</u>	<u>0</u>		<u>1,177.000</u>
SOCIAL SERVICES	<u>280,471,029</u>	<u>301,257,469</u>	<u>5,908,000</u>	<u>5,908,000</u>		<u>307,165,469</u>

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	79 APPROP	80 LEG ACT	80 GOV SUP REC	80 LEG SUP ACT	BILL REFERENCE	TOTAL 80 LEG ACT
ADMIN RULES COORDINT						
SALARIES, SUPP, MAINT	44,840	55,762				55,762
APPEAL BOARD						
STANDINGS	1,200,000	1,000,000				1,000,000
ARTS COUNCIL						
SALARIES, SUPP, MAINT	242,761	297,845				297,845
ATTORNEY GENERAL						
GENERAL OFFICE	1,969,501	2,135,620				2,135,620
PROSECUTING ATT TRNG	28,855	53,040				53,040
PROSECUTOR INTERN PR	52,500	52,500				52,500
ATTORNEY GENERAL	<u>2,050,856</u>	<u>2,241,160</u>	<u>0</u>	<u>0</u>		<u>2,241,160</u>
CAPITOL PLANNING CM						
SALARIES, SUPP, MAINT	3,500	5,000				5,000
HISTORICAL BLOC STDY	25,000	100,000				100,000
CAPITOL PLANNING CM	<u>28,500</u>	<u>105,000</u>	<u>0</u>	<u>0</u>		<u>105,000</u>
CITIZENS' AID						
SALARIES, SUPP, MAINT	177,398	195,000	0	0		195,000
COUNCIL OF ST GOVT						
SUPPORT OF COUNCIL	34,780	37,900				37,900
EXECUTIVE COUNCIL						
SALARIES, SUPP, MAINT	48,791	52,321				52,321
EASTSIDE SEWER PROJ	400,000	370,000				370,000
ROAD ASSESSMENT	0	125,000				125,000
PERFORMANCE OF DUTY	500,000	500,000				500,000
MISC STANDINGS	16,000	16,000				16,000
EXECUTIVE COUNCIL	<u>864,781</u>	<u>1,063,321</u>	<u>0</u>	<u>0</u>		<u>1,063,321</u>
GENERAL SERVICES						
PRINTING DIVISION						
SALARIES, SUPP, MAINT	170,754	122,038				122,038
SALARY BOOK	<u>3,500</u>	<u>3,500</u>				<u>3,500</u>
OFFICE OF DIRECTOR	174,254	125,538	0	0		125,538
SALARIES, SUPP, MAINT	131,650	158,104				158,104
CAPITAL MALL ST 6 DS	25,000					
RISK MANAGEMENT	0	48,034				48,034
ROVEINC EXP HOOVER	700,000					
LAND ACQUISITION	250,000	102,650	-258,000	-250,000	H. F. 2595	-155,350
LUCAS BLDG RENOVATIO	0	3,000,000	-1,000,000	0		3,000,000
MAINT BLOC CONST	0	145,000				145,000
PURCHASE WALDINGER	0	200,000				200,000
VOC-REHAB BLDG	0	750,000				750,000
REMOD CAB CAFETERIA	0	90,000	-60,000	-60,000	H. F. 2595	30,000
RENOVATE EX HILLS	0			25,000	S. F. 2241	25,000
CAMP DODGE FIRE PRO	<u>0</u>	<u>50,000</u>				<u>50,000</u>
BUILDINGS 6 GROUNDS	1,106,650	4,624,588	-1,318,000	-293,000		4,331,588
SALARIES, SUPP, MAINT	2,434,058	2,770,024				2,770,024

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	79 APPROP	00 LEG ACT	80 COV SUP REC	00 LEG SUP ACT	BILL REFERENCE	TOTAL 80 LEG ACT
GENERAL SERVICES						
BUILDINGS & GROUNDS						
BUILDING IMPROVEMENT	602.000	967.350				967.350
RECORDS MANAGEMENT						
SALARIES, SUPP, MAINT	240.852	331,932				331,932
REC CENTER SHELVING	0	20,000				20,000
COMMUNICATIONS DIV.	240.852	351,932	0	0		351,932
SALARIES, SUPP, MAINT	224.426	336.670				336.670
COMMUNICATIONS EOUJP	0	50,000				50,000
GENERAL ADMIN.	224.426	386.670	0	0		386.670
SALARIES, SUPP, MAINT	339.342	366.456				366.456
UTILITIES	1,093.750	1,215.011				1,215.011
SURPLUS PROPERTY	0	45.000				45.000
	1,433.092	1,626.467	0	0		1,626.467
GENERAL SERVICES	6,215.332	10,852.569	-1,318.000	-000		10,559.569
GOVERNOR						
SALARIES, SUPP, MAINT	473.591	543.020				543.020
TERRACE HILL	122,703	174,570				174,570
GOVERNOR'S EXPENSES	6.000	6.000				
SECURITY	180,000					
GOVERNOR'S AD HOC CM	50.000	50,000				50,000
PRIVACY TASK FORCE	30.000	24.055				24.055
TERRACE HILL CAPITAL	0	330.000	-130,000	-130,000	H F. 2595	200,000
GOVERNOR EXEC EXPNS	10,000					
GOVERNOR	872,294	1,127,645	-130,000	-130,000		997,645
GOVERNOR, LIEUTENANT						
OFFICE INTERIM EXPNS	82,949	87,560				87,560
HISTORICAL DEPT.						
HISTORICAL BOARD						
HISTORICAL BOARD	18.000	15,000				15,000
HISTORICAL SOCIETY						
SALARIES, SUPP, MAINT	385,250	452.359				452.359
TOOLESBORO MOUNDS	0	12,500				12,500
HISTORICAL PRESERV.	305,250	464.859		0		464,859
SALARIES, SUPP, MAINT	143.029	155.299				155,299
CAPITAL IMPV MONTAUK	0	13,700				13,700
HISTORIC MUS & ARCH	143.020	168.699	0	0		168,699
SALARIES, SUPP, MAINT	422.089	465.335				465,335
HISTORICAL DEPT	968,368	1,114,193	0	0		1,114,193
INDIAN SETTLEMENT OFCR						
INDIAN SETTLEMENT OFF	3.500	3.500				3,500

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	79 APPROP	80 LEG ACT	80 GOV SUP REC	80 LEG SUP ACT	BILL REFERENCE	TOTAL 80 LEG ACT
JUDICIAL DEPARTMENTS						
COURTS						
OPERATIONS		8,908,014	83,000	83,557	S.F. 2241	8,991,571
JUDICIAL RETIREMENT F	195,700	308,613				308,613
RENOV JUD SPACE CAPT		250,000				250,000
		<u>9,466,627</u>	<u>83,000</u>	<u>83,557</u>		<u>9,550,184</u>
ADMINISTRATION						
OPERATIONS	458,315	498,916				498,916
BOARDS & COMMISSIONS						
GRANTS AND AIOS	39,374	51,801				51,801
JUDICIAL DEPARTMENTS	<u>8,987,713</u>	<u>10,017,344</u>	<u>83,000</u>	<u>83,557</u>		<u>10,100,901</u>
SUPREME CT CODE EOIT						
CODE WORK	666,432	515,300				515,300
LABOR. BUREAU OF						
SALARIES, SUPP. MAINT	1,076,056	1,181,330				1,181,330
LEG FISCAL BUREAU						
GENERAL OFFICE	303,310	357,017				357,017
PROGRAM EVALUATION	0	70,000				70,000
RETIRE SYS-ACTUAR SV	0	10,000				10,000
LEG FISCAL BUREAU	<u>303,310</u>	<u>437,017</u>	<u>0</u>	<u>0</u>		<u>437,017</u>
LEG SERVICE BUREAU						
SALARIES, SUPP. MAINT	648,542	711,029				711,029
DRAFT RES CODE OP	15,000	15,000				15,000
LEG SERVICE BUREAU	<u>663,542</u>	<u>726,029</u>	<u>0</u>	<u>0</u>		<u>726,029</u>
LEGISLATURE						
NATL CONF STATE LEG	26,900	34,140				34,140
CLAIMS	12,605	17,850				17,850
CO HOME RULE STUDY	0	25,000				25,000
SESSION EXPENSES	3,156,250	3,149,250				3,149,250
INTERIM EXPENSES	310,000	335,000				335,000
STAFF COMPENSATION	1,772,000	1,880,000				1,880,000
RENOV a OFFICE EXPNS	133,000	200,000				200,000
LEGISLATIVE PUBL ATN	5,000	3,500				3,500
DEPT RULES COMMITTEE	26,200	28,050				28,050
LEGISLATURE	<u>5,441,955</u>	<u>5,672,794</u>	<u>0</u>	<u>0</u>		<u>5,672,794</u>
LIBRARY COMMISSION						
LIBRARY SERVICES						
SALARIES, SUPP. MAINT	654,136	700,177				700,177
REGIONAL LIBRARY	779,150	994,788				994,788
	<u>1,433,286</u>	<u>1,694,965</u>	<u>0</u>	<u>0</u>		<u>1,694,965</u>
LIBRARY COMMISSION	<u>1,433,286</u>	<u>1,694,965</u>	<u>0</u>	<u>0</u>		<u>1,694,965</u>
MERIT EMPLOYMENT						
SALARIES, SUPP. MAINT	994,541	1,184,759				1,184,759
COMPUTERIZATION	132,248					

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	79 APPROP	80 LEG ACT	80 GOV SUP REC	SUPPLEMENTAL 80 LEG SUP ACT	BILL REFERENCE	TOTAL 80 LEG ACT
MERIT EMPLOYMENT	<u>1,126,789</u>	<u>1,184,759</u>	<u>0</u>	<u>0</u>		<u>1,184,759</u>
PIONEER LAWMAKERS SUPPORT, MAINT. MISC	750	250				250
PLANNING & PROGRAMNG						
COMMUNITY AFFAIRS SC	134,425	138,116				138,116
MUNICIPAL PLANNING	25,000	25,000	0	0		25,000
IOWA YOUTH SERVICES	64,115	211,679				211,679
DEVELOPMENT DISAB	22,200	23,215				23,215
GENERAL OPERATING	163,176	332,824				332,824
HUD COMPENSAION	131,446	131,021				131,021
1975 IOWA CONS PROC	122,950	129,000				129,000
IOWA COUNCIL FOR CH	56,000	56,816				56,816
ECONOMIC DEVELOP	21,423	24,063				24,063
STATE OFFICE	16,586	16,325				16,325
STAT ANALYST CENTER	4,000	7,000				7,000
FED HIGHWAY SAFETY	50,000	75,000				75,000
EOA GRANT	60,000	50,000				50,000
RURAL COMM DEVELOP	0	250,000				250,000
PLANNING 6 PROGRAMNG	<u>871,321</u>	<u>1,471,059</u>				<u>1,471,059</u>
SCIENCE, IA ACADEMY GRANTS AND AIDS	4,500	4,500				4,500
UNIFORM STATE LAWS SUPPORT OF CONFERENCE	8,240	8,200				8,200
OPERATIONS	<u>22,621,082</u>	<u>25,178,714</u>	<u>83,000</u>	<u>83,557</u>		<u>25,262,271</u>
GRANTS AND AID	1,070,299	1,580,984	0	0		1,580,984
CAPITALS	1,977,000	6,701,200	-1,448,000	-423,000		6,278,200
STANDINGS	<u>7,801,882</u>	<u>7,634,100</u>	<u>0</u>	<u>0</u>		<u>7,634,100</u>
STATE GOVERNMENT	<u>33,470,263</u>	<u>41,094,998</u>	<u>-1,365,000</u>	<u>-339,443</u>		<u>40,755,555</u>

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	79 APPROP	80 LEG ACT	80 COV SUP REC	80 LEG SUP ACT	BILL REFERENCE	TOTAL 80 LEG AC
CRIME COMMISSION, IA						
SALARIES, SUPP, MAINT	54,603	110,000				110,000
SALARIES, SUPP, AREAS	24,560	100,000				100,000
JUVENILE JUSTICE	3,839	6,600				6,600
LEAA ACTION	116,340	105,110				802,7700
CRIME COMMISSION, IA	<u>199,342</u>	<u>321,710</u>	<u>0</u>	<u>0</u>		
LAW ENFORCEMENT ACO						
SALARIES, SUPP, MAINT	534,181	600,300	11,000	11,000	S.F. 2241	611,300
PUBLIC OFFENCE, DEPT						
MILITARY DIVISION						
SALARIES, SUPP, MAINT	1,843,219	1,960,000	8,755	8,750	S.F. 2241	1,968,750
ADJUTANT GEN 6 STAFF	192,659	227,450				227,450
CAPITAL IMPROVEMENTS	331,000	305,000	-226,000	-226,000	H.F. 2595	79,000
STANDINGS	100,000	100,000				100,000
ST OFFC OF DISASTER	<u>2,466,878</u>	<u>2,592,450</u>	<u>-217,250</u>	<u>-217,250</u>		<u>2,375,200</u>
SALARIES, SUPP, MAINT	115,342	121,700	0	2,063	S.F. 2374	123,763
PUBLIC DEFENCE, DEPT	<u>2,582,220</u>	<u>2,714,150</u>	<u>-217,250</u>	<u>-215,187</u>		<u>2,498,963</u>
PUBLIC SAFETY, DEPT						
ADMINISTRATION						
SALARIES, SUPP, MAINT	3,895,155	4,199,650				4,199,650
CRIMINAL INVEST.						
SALARIES, SUPP, MAINT	3,101,398	3,470,000	85,000	85,000	S.F. 2241	3,555,000
IA CRIME PREV INC	0	27,500				27,500
INSPECTION 6 SECURITY	<u>3,101,398</u>	<u>3,497,500</u>	<u>85,000</u>	<u>85,000</u>		<u>3,582,500</u>
SALARIES, SUPP, MAINT	964,691	1,206,750				1,206,750
HIGHWAY PATROL						
SALARIES, SUPP, MAINT	12,268,576	13,077,900	165,000	165,000	S.F. 2241	13,242,900
PUB SAFETY CAP 68 GA	0	418,000	60,000		S.F. 2241	478,000
	<u>12,268,576</u>	<u>13,495,900</u>	<u>225,000</u>			<u>13,720,900</u>
PUBLIC SAFETY, DEPT	<u>20,229,820</u>	<u>22,399,800</u>	<u>310,000</u>	<u>310,000</u>		<u>22,709,800</u>
RAIL FINANCE AUTHORT						
SALARIES, SUPP, MAINT	0			275,000	S.F. 2378	275,000
TRANSPORTATION, DEPT						
SALARIES, SUPP, MAINT	4,872,740	5,229,300				5,229,300
PUB TRANSIT SUBSIDY	0	75,000				75,000
RR IMPROVEMENT PROC	1,700,000	1,500,000				1,500,000
PUBLIC TRANSIT AID	1,950,000	2,000,000				2,000,000
RAIL LAND BANKING	50,000					
AIRCRAFT ACQUISITION	0	670,000				670,000
CAPITALS	0	73,900				73,900
GREAT RIVER ROAD	100,000	100,000				100,000
PERSONAL OELIV SERV	105,000	105,000				105,000

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	79 APPROP	80 LEG ACT	80 GOV SUP REC	SUPPLEMENTAL 80 LEG SUP ACT	BILL REFERENCE	TOTAL 80 LEG ACT
TRANSPORTATION, DEPT	<u>8,777,740</u>	<u>9,753,200</u>	<u>0</u>	<u>0</u>		<u>9,753,200</u>
OPERATIONS	<u>27,870,063</u>	<u>30,412,150</u>	<u>269,750</u>	<u>546,813</u>		<u>30,958,063</u>
GRANTS A M AID	3,816,340	3,605,110	0	0		3,605,110
CAPITALS	331,000	1,466,900	-166,000	-166,000		1,300,900
STANDINGS	<u>305,000</u>	<u>305,000</u>	<u>0</u>	<u>0</u>		<u>305,000</u>
TRANS & LAW ENFORCE	<u>32,323,303</u>	<u>35,789,160</u>	<u>103,750</u>	<u>380,813</u>		<u>36,169,973</u>

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	80 APPROP	81 LEG ACT	81 GOV SUP REC	81 LEG SUP ACT	BILL REFERENCE	TOTAL 81 LEG ACT
BLIND, IOVA COMM FOR						
SALARIES,SUPP,MAINT	926,600	842,000	0	0		842,000
EDUCATIONAL TV						
SALARIES,SUPP,MAINT	4,579,000	4,697,000	104,000	104,000	H.F. 2580	4,801,000
CAPITAL IMPROVEMENTS	225,000	0	0	0		0
EDUCATIONAL TV	<u>4,804,000</u>	<u>4,697,000</u>	<u>104,000</u>	<u>104,000</u>		<u>4,801,000</u>
COLLEGE AID COMM						
SALARIES,SUPP,MAINT	290,000	294,000	0	0		294,000
TUITION GRANT PROC	1,750,000	2,750,000				2,750,000
VOC TECH TUITION CR	50,000	100,000	0	0		100,000
AID TO MEDICAL SCH	1,200,000	1,200,000	0	0		1,200,000
OPTOMETRY ADMIS-EDUC	120,000	120,000				120,000
NATL GUARD ENLIST PR	50,000	0	30,000	30,000	M.F. 2580	30,000
STUDENT LOAN PROGRAM	204,000	204,000				204,000
PODIATRIST ADMIS	20,000	40,000				40,000
TUITION GRANT STAND	12,000,000	12,000,000				12,000,000
SCHOLARSHIP PROC ST	350,000	350,000				350,000
VOC TECH GRANT STAND	<u>350,000</u>	<u>350,000</u>				<u>350,000</u>
COLLEGE AID COMM	<u>16,384,000</u>	<u>17,488,000</u>	<u>30,000</u>	<u>30,000</u>		<u>17,518,000</u>
PUBLIC INSTRUCTION						
GENERAL OFFICE						
SALARIES,SUPP,MAINT	3,047,000	3,024,000	0	0		3,024,000
PROF TEACH PRAC COMM	49,600	50,000				50,000
COMPACT FOR EDUC	23,625	23,625				23,625
AREA SCHOOLS	<u>3,120,225</u>	<u>3,097,625</u>	<u>0</u>	<u>0</u>		<u>3,097,625</u>
VOC EOUC-SAL 6 SUPP	772,000	755,700				755,700
GENERAL AID	42,168,500	48,141,500	0	0		48,141,500
EQUIP REPLACEMENT	1,600,000	1,850,000				1,850,000
VOC YOUTH ORC FUND	10,000	10,000				10,000
FEDERAL HATCH FUNDS	8,700,000	8,700,000				8,700,000
AREA V RADIO		0	0	50,000	H.F. 2580	50,000
AREA XII RADIO	130,500	130,500				130,500
AREA XIII RADIO	120,000	130,500				130,500
CAREER PROC EXPANSN	200,000	200,000				200,000
AREA V RADIO	114,800					
DUBUQUE CAMPUS	<u>500,000</u>					
SECONDARY 6 ELEMEN	<u>54,315,800</u>	<u>59,918,200</u>	<u>0</u>	<u>50,000</u>		<u>59,968,200</u>
SCHOOL LUNCH ASSIST	3,488,000	3,662,000	0	0		3,662,000
SBRC REGULAR	300,000	1,300,000				1,300,000
VOC EDUC-SEC SCHOOLS	3,205,000	3,597,000				3,597,000
VOC EOUC-EXIST COOP	150,000	150,000				150,000
GIFTED AND TALENTED		100,000				100,000
CHARITABLE INSTITUT	200,000	290,000				290,000
BOARDING HOMES	350,000	375,000				375,000
CERTIFICATION FEE FD	3,700	3,700				3,700
SCHOOL AID FOUNOATN	<u>527,378,000</u>	<u>610,600,000</u>	<u>-7,300,000</u>	<u>-7,300,000</u>	H.F. 2551	<u>603,300,000</u>
					H.F. 2072	

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	80	81	81	81	BILL	TOTAL
	APPROP	LEG ACT	GOV SUP REC	LEG SUP ACT	REFERENCE	81 LEG ACT
PUBLIC INSTRUCTION						
SECONDARY 6 ELEMEN						
AEA JUVENILE HOMES	275.000	275.000				275.000
AEA DISTRICT COURT	15.000	15.000				15.000
AEA CERTAIN CHILDREN	55.000	55.000				55.000
	<u>535,579,700</u>	<u>620,422,700</u>	<u>-7,300,000</u>	<u>-7,300,000</u>		<u>613,122,700</u>
OTHER GRANT & AIDS						
NON-PUB TRANSPORTN	4,254,800	4,567,100				4,567,100
NON-PUBLIC TEXTBOOKS	400.000	400,000				400,000
FIRE SERVICE EDUC	200.000	200,000				200,000
INDUSTRIAL STARTUP	200.000	200,000				200,000
	<u>5,054.000</u>	<u>5,367,100</u>	<u>0</u>	<u>0</u>		<u>5,367,100</u>
PUBLIC INSTRUCTION	<u>598,070,525</u>	<u>688,805,625</u>	<u>-7,300,000</u>	<u>-7,250,000</u>		<u>681,555,625</u>
VOCATIONAL REHAB.						
SALARIES,SUPP,MAINT	2,497.000	2,445,000				2,445,000
INDEPENDENT LIVING	222.000	222,000				222,000
MOVING COSTS	160,000					
VOCATIONAL REHAB.	<u>2,819,000</u>	<u>2,667,000</u>	<u>0</u>	<u>0</u>		<u>2,667,000</u>
REGENTS. BOARD OF						
GENERAL OFFICE						
SALARIES,SUPP,MAINT	352.000	356.000				356.000
REGENTS-FED FOS LOSS	400.000	0	400,000	400.000	H.F. 2580	400,000
ENROLL JNCRESE COST	500.000	600,000				600,000
CONTINUING EDUCATION	100,000	100,000				100,000
FUEL PASS THRU	225.000					
CAPITAL REPLACEMENTS	11,621.000	0	500,000	500.000	H.F. 2585	500,000
HANDICPD ACCESS PGM	3,500.000					
TUITION REPLACEMENTS	4,250,030	4,550,000				4,550,000
UTILITY PROJECTS	8,049.000					
ENERGY CONSERVATION	900.000		0	0		0
	<u>29,897,000</u>	<u>5,606,000</u>	<u>900,000</u>	<u>900,000</u>		<u>6,506,000</u>
ST UNIV OF IOWA						
SALARIES,SUPP,MAINT	80,979.000	83,812,000				83,812,000
SUI UNIVERSITY HOSP						
SALARIES,SUPP,MAINT	19,437.000	20,394,000				20,384,000
FAMILY PRACTICE PROG	1,085,000	1,195,000				1,195,000
EXCESS QUOTA PATIENT	50.003	50,000				50,000
	<u>20,572,000</u>	<u>21,639,000</u>	<u>0</u>			<u>21,639,000</u>
SUI PSYCHIATRIC HOSP						
SALARIES,SUPP,MAINT	4,095,000	4,225,000				4,225,000
SUI HYGENIC LAB						
SALARIES,SUPP,MAINT	1,618,500	1,612,000				1,612,000
SUI HOSP SCH HANDICP						
SALARIES,SUPP,MAINT	2,943,000	3,012,000				3,012,000
SUI OAKDALE CAMPUS						
SALARIES,SUPP,MAINT	1,642,000	1,717,600				1,717,600
ISU SCIENCE 6 TECH						
SALARIES,SUPP,MAINT	65,639.000	68,493,000				68,493,000

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	80 APPRO?	81 LEG ACT	81 GOV SUP REC	SUPPLEMENTAL 81 LEG SUP ACT	81 BILL REFERENCE	TOTAL 81 LEG ACT
REGENTS. BOARD OF						
ISU SCIENCE & TECH						
LIVESTOCK DISEASE	300,000	300,000				300,000
ISU AGRI EXPER STATN						
SALARIES, SUPP, MAINT	7,534,000	7,723,000				7,723,000
ISU COOP EXTEN SER						
SALARIES, SUPP, MAINT	6,960,000	7,278,000				7,278,000
UNIV OF NORTHERN IA						
SALARIES, SUPP, MAINT	26,876,000	27,939,000				27,939,000
IA BRAILLE 6 SIGHT						
SALARIES, SUPP, MAINT	1,838,600	1,913,800				1,913,800
STANDINGS	1,000	1,000				1,000
IA SCH FOR THE DEAF	1,839,600	1,914,800	0	0		1,914,800
SALARIES, SUPP, MAINT	3,360,000	3,463,000				3,463,000
STANDINGS	15,000	15,000				15,000
	3,375,000	3,478,000	0	0		3,478,000
REGENTS. BOARD OF	254,230,100	238,749,400	900,000	900,000		239,649,400
OPERATIONS	236,517,300	244,968,100	504,000	504,000		245,472,100
GRANTS AND AID	70,034,425	79,151,225	30,000	80,000		79,231,225
CAPITALS	28,759,800	4,550,000	500,000	500,000		5,050,000
STANDINGS	541,922,700	624,679,700	-7,300,000	-7,300,000		617,379,700
EDUCATION	877,234,225	953,349,025	-6,266,000	-6,216,000		947,133,025

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	80 APPROP	81 LEG ACT	81 GOV SUP REC	SUPPLEMENTAL 81 LEG SUP ACT	BILL REFERENCE	PAGE 32 TOTAL 81 LEG ACT
AGING, COMMISSION ON						
SALARIES, SUPP, MAINT	171,051	167,900	0	0		167,900
OLDER IOWANS LEG				14,000	H.F. 2580	14,000
TITLE III GRANTS	110,420	117,600				117,600
SENIOR COMM SERV	108,000	108,000				108,000
SENIOR CITIZEN CNTR	158,000	158,000				158,000
ELDERLY CARE PROG	800,000		800,000	800,000	H.F. 2580	800,000
AGING, COMMISSION ON	<u>1,347,471</u>	<u>551,500</u>	<u>800,000</u>	<u>814,000</u>		<u>1,365,500</u>
CIVIL RIGHTS COMM.						
SALARIES, SUPP, MAINT	549,463	540,943	0	7,000	H.F. 2580	547,943
SALARIES, SUPP, SSPC	45,715	0	31,000	31,000	H.F. 2580	31,000
CIVIL RIGHTS COMM.	<u>595,178</u>	<u>540,943</u>	<u>31,000</u>	<u>38,000</u>		<u>578,943</u>
EMPLOYMENT HANDICAP.						
SALARIES, SUPP, MAINT	106,839	105,079				105,079
HEALTH, DEPT OF						
CENTRAL ADMIN						
SALARIES, SUPP, MAINT	73,503	72,128				72,128
STANDINGS	<u>6,500</u>	<u>6,500</u>				<u>6,500</u>
HLTH FACILITIES SERV	80,003	78,628	0	0		78,628
SALARIES, SUPP, MAINT	721,102	548,903	0	0		548,903
HLTH PLANNING AGENCY						
SALARIES, SUPP, MAINT	66,940	66,407				66,407
CERTIFICATE OF NEED	<u>192,108</u>	<u>190,244</u>	0	0		<u>190,244</u>
PREVENTIVE MED SERV	259,040	256,651				256,651
SALARIES, SUPP, MAINT	538,673	536,095				536,095
RECORDS 6 STAT. DIV.						
SALARIES, SUPP, MAINT	402,698	400,444	0	0		400,444
LICEN 6 CERTIFICATN						
SALARIES, SUPP, MAINT	544,584	549,561				549,561
PERSONAL 6 FAMILY HL						
SALARIES, SUPP, MAINT	879,931	861,373	0	20,000	H.F. 2580	881,373
COMMUNITY HLTH SERV						
SALARIES, SUPP, MAINT	1,560,111	1,015,376	410,000	430,000	H.F. 2580	1,445,376
RAPE INVESTIGATION	45,000	45,000				45,000
SUEN JNF DETH ATPSY	28,000	28,000				28,000
WELL ELDERLY CLINICS	212,000	212,000				212,000
IN HOME HEALTH CARE	<u>2,765,960</u>	<u>3,015,860</u>	410,000	430,000		<u>3,015,860</u>
MANAGEMENT & BUDGET	4,611,071	4,316,336				4,746,336
SALARIES, SUPP, MAINT	262,185	256,562				256,562
EXTERNAL AFFAIRS						
SALARIES, SUPP, MAINT	89,809	89,815				89,815
HEALTH, DEPT. OF	<u>8,389,104</u>	<u>7,894,368</u>	<u>410,000</u>	<u>450,000</u>		<u>8,344,368</u>

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	80 APPROP	81 LEG ACT	81 GOV SUP REC	81 LEG SUP ACT	BILL REFERENCE	TOTAL 81 LEG ACT
MEDICAL EXAM. BOARD SALARIES, SUPP, MAINT	214,411	193,442	12,000	12,000	H.F. 2580	205,442
MENTAL HEALTH REORG. SALARIES, SUPP, MAINT			256,000	0		0
MENTAL HEALTH ADV CM SALARIES, SUPP, MAINT	64,269	0	0	50,000	H.F. 2580	50,000
MENTAL HEALTH AUTH. SALARIES, SUPP, MAINT	136,081	148,084	0	90,000	H.F. 2580	238,084
NURSE EXAM. BOARD SALARIES, SUPP, MAINT	371,421	370,991				370,981
PAROLE. BOARD OF SALARIES, SUPP, MAINT	270,736	267,243				267,243
PHARMACY EXAMINERS SALARIES, SUPP, MAINT	247,000	247,000				247,000
STATUS OF WOMEN SALARIES, SUPP, MAINT	81,200	76,570	0	0		76,570
SUBSTANCE ABUSE OPERATIONS	142,680	128,713				128,713
GRANTS AND AIDS	2,265,000	2,265,000	250,000	210,000	H.F. 2580	2,475,000
SUBSTANCE ABUSE	<u>2,407,680</u>	<u>2,393,713</u>	<u>250,000</u>	<u>210,000</u>		<u>2,603,713</u>
VETERANS AFFAIRS SALARIES, SUPP, MAINT	105,182	105,278				105,278
WAR ORPHANS EDUC	35,000	35,000				35,000
VETERANS AFFAIRS	<u>140,182</u>	<u>140,278</u>				<u>140,278</u>
OPERATIONS	<u>7,837,692</u>	<u>6,938,152</u>	<u>709,000</u>	<u>654,000</u>		<u>7,592,152</u>
GRANTS AND AID	6,527,380	5,984,560	1,050,000	1,010,000		6,994,560
CAPITALS	0	0	0	0		0
STANDINGS	6,500	6,500	0	0		6,500
HUMAN RESOURCES	<u>14,371,572</u>	<u>12,929,212</u>	<u>1,759,000</u>	<u>1,664,000</u>		<u>14,593,212</u>

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TOTAL
81
LEG ACT

	80 APPROP	81 LEG ACT	81 GOV SUP REC	81 LEG SUP ACT	BILL REFERENCE	
AGRICULTURE, DEPT OF						
ADMINISTRATION DIV						
SALARIES, SUPP, MAINT	1,098,652	1,087,460	0	0		1,087,460
REGULATORY DIVISION						
SALARIES, SUPP, MAINT	3,011,735	2,977,256	0	0		2,977,256
BRUCELLOSIS INDEMN	25,000	25,000				25,000
LABORATORY DIVISION	3,036,735	3,002,256	0	0		3,002,256
SALARIES, SUPP, MAINT	507,348	492,145				492,145
AGRICULTURE, DEPT OF						
CONSERVATION COMM.						
LANDS AND WATERS	5,077,176	4,922,838				4,922,838
ADVISORY BD-PRSERVES	40,347	39,821				39,1221
CONTINGENCY FUND	700,000					
OPEN SPACE TAX REPL	0	35,000				35,000
LAND SURVEYS	45,000	45,000				45,000
RIVER BASIN COMMISSN	48,000	48,000				48,000
GREEN THUMB PROGRAM	141,750	148,830				148,830
PROTECTED WATER AREA	50,000		0	0		0
GREAT RIVER ROAD ST	25,000	37,500				37,500
CAPITAL IMPROVEMENTS	3,000,000	0	0	0		0
CONSERVATION COMM.	9,127,273	5,277,089	0	0		5,277,089
DEVELOPMENT COMM.						
SALARIES, SUPP, MAINT	2,018,880	2,074,628	0	0		2,074,628
EUROPEAN OFFICE	178,000	0	200,000	200,000	H F 2580	200,000
DEVELOPMENT COMM.	2,196,880	2,074,628	200,000	200,000		2,274,628
ENERGY POLICY COUNCL						
GENERAL OFFICE	270,192	233,683	80,000	80,000	H F 2580	313,683
PUB BLD ENERGY CON	77,625	77,912	23,000	23,000	H F 2580	100,912
STATE BLD ENERGY CON	1,000,000	0				0
LOAD MANAGEMENT EXPE	30,000					
ENERGY POLICY COUNCL	1,377,817	311,595	103,000	103,000		414,595
ENVIRONMENT QUALITY						
SALARIES, SUPP, MAINT	2,206,852	2,213,998				2,213,998
SEWAGE WORKS-5%GRTS	4,000,000	5,000,000				5,000,000
ENVIRONMENT QUALITY	6,206,852	7,213,998	0	0		7,213,998
FAIR BOARD, JA. ST.						
BLOC & GROUNDS MAINT	85,000	85,000				85,000
PREVIUMS	10,000	10,000				10,000
AGR SOCIETIES-FAIRS	210,000	210,000				210,000
CAPITAL IMPROVEMENTS	750,000	0	0	0		0
COMPREHENSIVE STUDY	90,000					
FAIR BOARD, JA. ST.	1,145,000	305,000	0	0		305,000
GEOLOGICAL SURVEY						
SALARIES, SUPP, MAINT	1,345,575	1,172,720	0	0		1,172,720
LANDSAT PROCESSING	125,000	0				0

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	80 APPROP	81 LEG ACT	81 GOV SUP REC	81 LEG SUP ACT	BILL REFERENCE	TOTAL 81 LEG ACT
GEOLOGICAL SURVEY	<u>1,470,575</u>	<u>1,172,720</u>	<u>0</u>	<u>0</u>		<u>1,172,720</u>
HOOVER BIRTH. FOUND. CAPITALS	2,750	2,750				2,750
MISSISSIPPI RIVER PK SUPPORT, MAINT, MISC	20,000	20,000				20,000
NATURAL RESOURCES CL SALARIES, SUPP, MAINT	678,942	652,478	0	0		652,478
REGENTS. BOARD OF ISU COAL RESEARCH PR IA ST COAL RESEARCH	300,000	0				0
REGENTS. BOARD OF	<u>300,000</u>	<u>0</u>	<u>0</u>	<u>0</u>		<u>0</u>
SOIL CONSERVATION GENERAL OFFICE						
SALARIES, SUPP, MAINT	2,544,670	2,528,876	0	20,600	H F. 2580	2,549,476
TEMLAND COMMISSION	5,000					
CASS CO CLAIM	9,925					
CONSERVATION TILLAGE	100,000					
RIVER WATERSHED	<u>270,000</u>					
DISTRICT OFFICES	2,929,595	2,528,876	0	20,600		2,549,476
ST-FED WATERSHED P&D	25,000	25,000				25,000
SOIL SURVEY IA LAND	325,000	347,000				347,000
CONSERV COST SHARE	<u>5,000,000</u>	<u>5,000,000</u>	<u>1,000,000</u>	<u>979,400</u>	H F 2580	<u>5,979,400</u>
	5,350,000	5,372,000	1,000,000	979,400		6,351,400
SOIL CONSERVATION	<u>8,279,595</u>	<u>7,900,876</u>	<u>1,000,000</u>	<u>1,000,000</u>		<u>8,900,876</u>
OPERATIONS	<u>19,760,994</u>	<u>18,508,915</u>	<u>303,000</u>	<u>323,600</u>		<u>18,832,515</u>
GRANTS A M AID	10,319,675	11,001,330	1,000,000	879,400		11,980,730
CAPITALS	5,367,750	2,750	0	0		2,750
STANDINGS	0	0	0	0		0
NATURAL RESOURCES	<u>35,448,419</u>	<u>29,512,995</u>	<u>1,303,000</u>	<u>1,303,000</u>		<u>30,815,995</u>

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LEG ACT

	80 APPROP	81 LEG ACT	81 GOV SUP REC	81 LEG SUP ACT	BILL REFERENCE	
ACCOUNTANCY, BOARD GENERAL OFFICE	173,075	178,422				178,422
ARCHITECTURAL EXAM. GENERAL OFFICE	32,800	33,200				33,200
AUDITOR OF STATE SALARIES, SUPP, MAINT	1,417,778	1,414,021		0		1,414,021
Q A MING DEPARTMENT GENERAL OFFICE	2,326,757	2,338,256				2,338,256
BEER & LIQUOR CONTRL GENERAL OPERATIONS	14,746,842	14,860,474	275,000	275,000	H.F. 2580	15,135,474
CAPITAL IMPROVEMENTS	250,000	3,500,000	-3,000,000	-3,200,000	H.F. 2595	300,000
BEER BARR TAX REBATE	50,000	50,000				50,000
BEER & LIQUOR CONTRL	<u>15,046,842</u>	<u>18,410,474</u>	<u>-2,925,000</u>	<u>-2,925,000</u>	S.F. 2088	<u>15,485,474</u>
CAMPAIGN FINC DISCL. SALARIES, SUPP, MAINT	97,187	97,823				97,823
COMMERCE COMMISSION GENERAL ADMIN. SALARIES, SUPP, MAINT	364,058	360,055				360,055
WAREHOUSE DIVISION SALARIES, SUPP, MAINT	509,260	511,032				511,032
UTILITIES DIVISION SALARIES, SUPP, MAINT	2,092,492	2,009,228				2,009,228
COMMERCE COMMISSION	<u>2,965,810</u>	<u>2,970,315</u>				
COMPTROLLER, OFFICE GENERAL OFFICE SALARIES, SUPP, MAINT	1,180,305	1,186,680				1,186,680
CITY FINANCE COMM	10,800	10,800				10,800
SALARY ADJUSTMENT FD	26,500,849	52,111,409	0	0		52,111,409
FUEL & UTILITIES	652,000		0	0		0
COUNTY FINANCL COMM				20,000	H.F. 2583	20,000
MUNICIPAL ASSIST FNO	13,000,000	13,000,000	1,650,000	1,650,000	H.F. 2477	14,650,000
COUNTY ASSISTANCE	5,000,000	5,000,000	350,000	350,000	H.F. 2477	5,350,000
ST UNEMPLOY COMPENS	400,000	400,000				400,000
ST EMPLOYEES COMPENS	1,200,000	1,500,000				1,500,000
AGR LAND TAX CREDIT	42,000,000	42,000,000	1,500,000	1,500,000	H.F. 2072	43,500,000
PERSN PROP TAX REPL	42,400,000	46,200,000	-3,800,000	-3,800,000	H.F. 2597	42,400,000
PROP TAX REPL-LIVSTK	8,000,000	8,000,000				8,000,000
PEACE OFF RETIRE-MAN	2,200,000	2,300,000				2,300,000
DATA PROCESSING	<u>142,543,954</u>	<u>171,708,889</u>	<u>-300,000</u>	<u>-280,000</u>		<u>171,428,889</u>
SALARIES, SUPP, MAINT	4,813,467	5,220,737				5,220,737
CAPITAL OUTLAY	2,000					
	<u>4,815,467</u>	<u>5,220,737</u>	<u>0</u>	<u>0</u>		<u>5,220,737</u>

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	80 APPROP	81 LEG ACT	81 COV SUP REC	SUPPLEMENTAL 81 LEG SUP ACT	BILL REFERENCE	TOTAL 81 LEG ACT
COMPTROLLER, OFFICE	147,359.42	176,929,626	-300,000	-280,000		176,649,626
CREDIT UNION DEPT GENERAL OPERATIONS	393.375	388,695	0	0		388,695
ENGINEERING EXAM, BO GENERAL OFFICE	90.044	02,771	0	4,000	W.F. 2580	96,771
INDUSTRIAL COMMISSR SALARIES, SUPP, MAINT	810,702	820,370				829,370
WORK COW-PEACE OFF	6,000	6,000				6,000
INDUSTRIAL COMMISSR	816,702	835,370	0	0		835,370
INSURANCE, OEPT OF SALARIES, SUPP, MAINT	1,825,690	1,830,875				1,830,875
JOB SERVICE OF IOWA FOAB AND LOAST ADMIN	121,646	124,394				124,394
TEACHER RETIRE ALLY	350,000	295,000				295,000
JPERS PRIOR SER 1853	500,000	500,000				500,000
NON-TEACH RETIRE ALL	41,000	36,000				36,000
CURRENT RETIREES ALL	7,350,000	7,050,000				7,050,000
CONSERV PEACE: OFFCRS	215,000	235,000				235,000
JPERS PRIOR SER 1875	360,000	305,000				305,000
JOB SERVICE OF IOYA	8,937,646	8,545,394	0			8,545,394
LANDSCAPE ARCH EXAM GENERAL OFFICE	12,628	12,705				12,705
OCC SFTY 6 WLTH REVY OSHA REVIEW COMM.	43,597	43,870				43,870
PUBL EHPLOY RELATION PER BOARD	561,226	562,960				562,960
REAL ESTATE COMM SALARIES, SUPP, MAINT	277,084	266,959				266,959
REVENUE, OEPT OF GENERAL OFFICE						
SALARIES, SUPP, MAINT	12,328,072	12,145,839	55,000	54,993	H.F. 2580	12,200,832
HUMIDIFIER SYSTEM	18,000					
HOMESTEAD TAX CREDIT	84,000,000	85,000,000	8,200,000	8,200,000	H.F. 2072	93,200,000
EXTRA PROP TAX REIM	17,850,000	16,050,000				16,050,000
TAX REFUNDS	127,767,000	120,897,000				20,897,000
REASSESSMENT EXP FUD	750,000	750,000				750,000
TAX REBATE	950,000					
	243,663,072	234,842,839	8,255,000	0,254,983		243,097,832
REVENUE, OEPT OF	243,663,072	234,842,839	8,255,000	8,254,993		243,097,832
SECRETARY OF STATE SALARIES, SUPP, MAINT	698,444	678,248	0	0		679,248

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	80 APPROP	81 LEG ACT	81 GOV SUP REC	SUPPLEMENTAL 81 LEG SUP ACT	BILL REFERENCE	TOTAL 81 LEG ACT
SECRETARY OF STATE						
SERVING BALLOT COMM	2,500	3,000				3,000
CONSTITUTIONAL AMEND		1,000				1,000
SECRETARY OF STATE		<u>683,248</u>	<u>0</u>	<u>0</u>		<u>683,248</u>
TREASURER OF STATE						
SALARIES, SUPP, MAINT	384,185	374,502				374,502
MONEY & CREDIT REPLC F		2,500,000				2,500,000
TREASURER OF STATE	<u>2,084,185</u>	<u>2,874,502</u>	<u>0</u>	<u>0</u>		<u>2,874,502</u>
WATCHMAKING EXAMINER						
GENERAL OFFICE	10,109	9,968				9,968
OPERATIONS	<u>72,493,372</u>	<u>97,784,293</u>	<u>330,000</u>	<u>353,993</u>		<u>98,138,286</u>
GRANTS AND AID	20,500,000	20,500,000	2,000,000	2,000,000		22,500,000
CAPITALS	252,000	3,500,000	-3,200,000	-3,200,000		300,000
STANDINGS	<u>336,391,500</u>	<u>331,578,000</u>	<u>5,900,000</u>	<u>5,900,000</u>		<u>337,478,000</u>
REGULATORY & FINANCE	<u>429,636,872</u>	<u>453,362,293</u>	<u>5,030,000</u>	<u>5,053,993</u>		<u>458,416,286</u>

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	80 APPRW	81 LEG ACT	81 COV SUP REC	81 LEG SUP ACT	BILL REFERENCE	TOTAL 81 LEG ACT
SOCIAL SERVICES, DEPT						
AREA SERV 6 ADMIN						
AREA SERVICE 6 ADMIN	15,000,000	15,000,000				15,000,000
GENERAL ADMIN						
GENERAL ADMIN	6,140,000	6,220,000	297,000	408,584	H.F. 2580	6,628,584
CAPITAL IMPROVEMENTS	2,225,000	0	2,000,000	2,000,000	H.F. 2585	2,000,000
PRISON RENOV 6 UNIT	500,000					
FORT DES MOINES	450,000					
STANDINGS	1,177,000	1,177,000				1,177,000
	<u>10,492,000</u>	<u>7,397,000</u>	<u>2,297,000</u>	<u>2,408,584</u>		<u>9,805,584</u>
FAMILY & CHILDREN SV						
COMM BASED JUV CORR	320,000	320,000				320,000
JUV CORR INSTITUTION	7,000,000	6,800,000				6,800,000
MARSHALLTOWN-VET HOM	10,400,000	10,600,000	0	0		10,600,000
	<u>17,720,000</u>	<u>17,820,000</u>	<u>0</u>	<u>0</u>		<u>17,820,000</u>
ADULT CORRECTION SER						
CORRECTIONAL INST.	26,234,000	26,885,000	0	0		26,885,000
PROBATION & PAROLE	1,030,000	1,030,000				1,030,000
CNTRL CLASSIFICATION	100,000	100,000				100,000
COMM CORR-PCM & SERV	9,747,250	9,359,557	416,000	416,030	H.F. 2580	9,775,557
LEGAL SERVICES	25,030	25,000				25,000
COUNTY CONFINEMENT	45,000	47,500				47,500
SUBSTANCE ABUSE	200,000	200,000	0	-200,000	H.F. 2580	0
	<u>36,381,250</u>	<u>37,647,057</u>	<u>416,000</u>	<u>216,000</u>		<u>37,863,057</u>
INCOME MAINT SERVICE						
AID TO THE BLIND	20,000	20,000				20,000
AID TO DEPEND CHILD	51,700,000	47,100,000	9,000,000	9,000,000	H.F. 2580	56,100,000
AID TO INDIANS SETT	36,030	36,000				36,000
MEDICAL ASSISTANCE	88,260,000	95,350,000	2,670,000	2,400,000	H.F. 2580	97,750,000
CONTRACTUAL SERVICES	1,084,000	1,232,003		-112,000	H.F. 2580	1,120,000
CHILDREN SERVICES	20,593,000	21,250,000	400,000	780,000	H.F. 2580	22,030,000
WORK & TRAINING PROG	438,000	438,000				438,000
ADULT & CHILD SERVS	758,000	758,000				758,000
HOMEMAKER SERVICES	1,580,000	1,580,000				1,580,000
STATE SUPPLEMENTATN	6,090,000	6,520,000	0			6,520,000
ASSIST CHILD CARE CT	400,000	400,000				400,000
CHILD SUPPORT RECOVR	428,218	435,160	85,000	85,000	H.F. 2580	520,160
GOV YOUTH OPPOR RPOG	750,000	750,000				750,000
STATE SUPPL-TITLE XX	2,200,000	1,000,000	1,200,000	1,200,000	H.F. 2580	2,200,000
AFDC NEW PROGRAM	760,000					
	<u>175,007,219</u>	<u>176,869,160</u>	<u>13,355,000</u>	<u>13,353,000</u>		<u>190,222,160</u>
MENTAL HEALTH SERV						
MENT HLTH INST	28,150,000	28,365,003	0	-100,000	H.F. 2580	28,265,000
COUNTY MH CARE			0	394,000	H.F. 2580	394,000
	<u>28,150,000</u>	<u>28,365,000</u>	<u>0</u>	<u>294,000</u>		<u>28,659,000</u>
MENTAL RETARDATION						
MENT RETARDED SCH	24,000,000	23,800,000				23,800,000
RECREATIONAL FACILTS						
ROCKWELL CITY	150,000					
MT PLEASANT	175,000					
	<u>325,000</u>	<u>0</u>	<u>0</u>	<u>0</u>		

GENERAL FUND
STATUS OF APPROPRIATIONS
06-20-80

Subcommittee: SOCIAL SERVICES

	80 APPROP	81 LEG ACT	81 GOV SUP REC	SUPPLEMENTAL 81 LEG SUP ACT	BILL REFERENCE	PAGE. 40 TOTAL 81 LEG ACT
SOCIAL SERVICES, DEPT	<u>307,165,469</u>	<u>306,898,217</u>	<u>16,068,000</u>	<u>16,271,584</u>		<u>323,169,801</u>
OPERATIONS	<u>118,374,000</u>	<u>119,220,000</u>	<u>297,000</u>	<u>308,504</u>		<u>119,528,584</u>
GRANTS AND AID	184,114,469	186,501,217	13,771,000	13,963,000		200,464,217
CAPITALS	3,500,000	0	2,000,000	2,000,000		2.0 M. 000
STANDINGS	<u>1,177,000</u>	<u>1,177,000</u>	<u>0</u>	<u>0</u>		<u>1,177,000</u>
SOCIAL SERVICES	<u>307,165,469</u>	<u>306,898,217</u>	<u>16,068,000</u>	<u>16,271,584</u>		<u>323,169,801</u>

GENERAL FUND STATUS OF APPROPRIATIONS

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	80 APPROP	81 LEG ACT	81 GOV SUP REC	81 LEG SUP ACT	BILL REFERENCE	TO IN 81 LEG ACT
ADMIN RULES COORDINT						
SALARIES, SUPP, MAINT	55,762	55,134	0	0		55,134
APPEAL BOARD						
STANDINGS	1,000,000	1,000,000				1,000,000
ARTS COUNCIL						
SALARIES, SUPP, MAINT	297,845	292,749	0	0		292,749
ATTORNEY GENERAL						
GENERAL OFFICE	2,135,620	2,120,793	0	0		2,120,793
PROSECUTING ATT TRNG	53,040	51,670				51,670
PROSECUTOR INTERN PR	52,500	52,500				52,500
ATTORNEY GENERAL	<u>2,241,160</u>	<u>2,224,963</u>	<u>0</u>	<u>0</u>		<u>2,224,963</u>
CAPITOL PLANNING CM						
SALARIES, SUPP, MAINT	5,000	5,000				5,000
HISTORICAL BLOC STDY	<u>100,000</u>					
CAPITOL PLANNING CM	<u>105,000</u>	<u>5,000</u>	<u>0</u>	<u>0</u>		<u>5,000</u>
CITIZENS' AID						
SALARIES, SUPP, MAINT	195,000	200,000	0	0		200,000
COUNCIL OF ST. GOVT.						
SUPPORT OF COUNCIL	37,900	37,000				37,900
EXECUTIVE COUNCIL						
SALARIES, SUPP, MAINT	52,321	52,174				52,174
BOONE ASSESSMENT				4,242	S. F. 2072	4,242
EASTSIDE SEVER PROJ	370,000					
ROAD ASSESSMENT	125,000					
PERFORMANCE OF DUTY	500,000	500,000				500,000
MISC STANDINGS	<u>16,000</u>	<u>16,000</u>				<u>16,000</u>
EXECUTIVE COUNCIL	<u>1,063,321</u>	<u>568,174</u>	<u>0</u>	<u>4,242</u>		<u>572,416</u>
GENERAL SERVICES						
PRINTING DIVISION						
SALARIES, SUPP, MAINT	122,038	184,001				184,001
SALARY BOOK	<u>3,500</u>	<u>3,500</u>				<u>3,500</u>
OFFICE OF DIRECTOR	<u>125,538</u>	<u>187,501</u>	<u>0</u>	<u>0</u>		<u>187,501</u>
SALARIES, SUPP, MAINT	158,104	157,201				157,201
RISK MANAGMENT	48,834	50,812				50,812
LAND ACQUISITION	-155,350	0				0
LUCAS BLDG RENOVATIO	3,000,000		0	0		0
MAINT BLOC CONST	145,000					
PURCHASE WALDINGER	280,000					
VOC-REHAB BLDG	750,000					
REMOO CAP CAFETERIA	30,000					
RENOVATE EX HILLS	25,000					
CAW DODGE FIRE PRO	<u>50,000</u>					
BUILDINGS & GROUNDS	<u>4,331,588</u>	<u>208,103</u>	<u>0</u>	<u>0</u>		<u>208,103</u>
SALARIES, SUPP, MAINT	2,770,024	2,775,665				2,775,665

GENERAL FUND STATUS OF APPROPRIATIONS

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Subcommittee: STATE GOVERNMENT

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	80 APPROP	81 LEG ACT	81 GOV SUP REC	81 LEG SUP ACT	81 BILL REFERENCE	TOTAL 81 LEG ACT
GENERAL SERVICES						
BUILDINGS & GROUNDS						
BUILDING IMPROVEMENT	967,350					
RECORDS MANAGEMENT						
SALARIES, SUPP, MAINT	331,932	327,217				327,217
REC CENTER SHELVEING	20,000	0				0
	<u>351,932</u>	<u>327,217</u>	0	0		<u>327,217</u>
COMMUNICATIONS DIV.						
SALARIES, SUPP, MAINT	336,670	336,051	28,000	28,000	H.F. 2580	364,051
COMMUNICATIONS EQUIP	50,000					
	<u>386,670</u>	<u>336,051</u>	<u>28,000</u>	<u>28,000</u>		<u>364,051</u>
GENERAL ADMIN.						
SALARIES, SUPP, MAINT	366,456	366,203				366,203
UTILITIES	1,215,011	1,303,335				1,303,335
SURPLUS PROPERTY	45,000					
	<u>1,626,467</u>	<u>1,669,538</u>	0	0		<u>1,669,538</u>
GENERAL SERVICES	<u>10,559,569</u>	<u>5,504,075</u>	<u>28,000</u>	<u>28,000</u>		<u>5,532,075</u>
GOVERNOR						
SALARIES, SUPP, MAINT	543,020	538,980				538,980
TERRACE HILL	174,570	171,580				171,580
GOVERNOR'S EXPENSES	6,000	6,000				6,000
GOVERNOR'S AD HOC CH	50,000	50,000				50,000
PRIVACY TASK FORCE	24,055					
TERRACE HILL CAPITAL	200,000					
PRESIDENTIAL ELECTOR		350				350
GOVERNOR		<u>766,910</u>		0		<u>766,910</u>
GOVERNOR, LIEUTENANT						
OFFICE INTERIM EXPNS	87,560	86,050				86,050
HISTORICAL OEPT.						
HISTORICAL BOARD						
HISTORICAL BOARD	15,000	15,000				15,000
HISTORICAL SOCIETY						
SALARIES, SUPP, MAINT	452,359	441,390				441,390
TOOLESBORO HOUNDS	12,500					
	<u>464,859</u>	<u>441,390</u>	0	0		<u>441,390</u>
HISTORICAL PRESERV.						
SALARIES, SUPP, MAINT	155,299	161,742				161,742
CAPITAL IMPV MONTAUK	13,700	0				0
	<u>168,999</u>	<u>161,742</u>	0	0		<u>161,742</u>
HISTORIC MUS. & ARCH						
SALARIES, SUPP, MAINT	465,335	462,724				462,724
HISTORICAL DEPT.	<u>1,114,193</u>	<u>1,080,856</u>	0	0		<u>1,080,856</u>
INDIAN SETTLEMENT OFCR						
INDIAN SETTLEMENT OFF	3,500	3,500				3,500
JUDICIAL DEPARTMENTS						
COURTS						
OPERATIONS	8,991,571	8,707,393	84,000	83,000	H.F. 2580	8,790,393

GENERAL FUND STATUS OF APPROPRIATIONS

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	80 APPROP	81 LEG ACT	81 COV SUP REC	81 LEG SUP ACT	BILL REFERENCE	TOTAL 81 LEG ACT
JUDICIAL DEPARTMENTS						
COURTS						
JUDICIAL RETIREMENT F	308,613	308,613		720,000	H F. 2598	1,028,613
RENOY JUD SPACE CAPT	<u>250,000</u>		<u>0</u>	<u>0</u>		<u>0</u>
ADMINISTRATION	9,550,184	0,016,006	84,000	803,000		9,813,190
OPERATIONS	498,916	528,818				528,818
BOARDS & COMMISSIONS						
GRANTS AND AIDS	51,801	53,404				53,404
JUDICIAL DEPARTMENTS	<u>10,100,901</u>	<u>9,598,228</u>	<u>84,000</u>	<u>803,000</u>		<u>10,401,228</u>
SUPREME CT CODE EDIT						
CODE WORK	515,300	773,010				773,010
LABOR, BUREAU OF						
SALARIES, SUPP, MAINT	1,181,330	1,177,511	0	0		1,177,511
LEG FISCAL BUREAU						
GENERAL OFFICE	357,017	355,167				355,167
PROGRAM EVALUATION	70,000	80,000				80,000
RETIRE SYS-ACTUAR SV	<u>10,000</u>					
LEG FISCAL BUREAU	<u>437,017</u>	<u>435,167</u>	<u>0</u>	<u>0</u>		<u>435,167</u>
LEG SERVICE BUREAU						
SALARIES, SUPP, MAINT	711,029	753,133				753,133
DRAPT RE5 CODE DP	<u>15,000</u>	<u>15,000</u>				<u>15,000</u>
LEG SERVICE BUREAU	<u>726,029</u>	<u>768,133</u>		<u>0</u>		<u>768,133</u>
LEGISLATURE						
NATL CONF STATE LEG	34,140	34,140				34,140
CLAIMS	17,850			131,116	H F. 2584	131,116
CO HOME RULE STUDY	25,000					
SESSION EXPENSES	3,149,250	3,273,250				3,273,250
INTERIM EXPENSES	335,000	335,000				335,000
STAFF COMPENSATION	1,880,000	2,015,030				2,015,000
RENOY & OFFICE EXPNS	200,000	165,000				165,000
LEGISLATIVE PUBLCATN	3,500	5,000				5,000
DEPT RULES COMMITTEE	<u>28,050</u>	<u>28,476</u>				<u>28,476</u>
LEGISLATURE	<u>5,672,780</u>	<u>5,855,866</u>	<u>0</u>	<u>131,116</u>		<u>5,986,982</u>
LIBRARY COMMISSION						
LIBRARY SERVICES						
SALARIES, SUPP, MAINT	700,197	710,577	0	0		710,577
REGIOWL LIBRARY	<u>994,788</u>	<u>1,030,808</u>	<u>0</u>	<u>0</u>		<u>1,030,808</u>
	1,694,965	1,741,385	0	0		1,741,385
LIBRARY COMMISSION	<u>1,694,965</u>	<u>1,741,385</u>	<u>0</u>	<u>0</u>		<u>1,741,385</u>
MERIT EMPLOYMENT						
SALARIES, SUPP, MAINT	1,184,758	1,195,247		50,000	H F 2580	1,195,247
COMPUTERIZATION						50,000

GENERAL FUND STATUS OF APPROPRIATIONS

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	80 APPROP	81 LEG ACT	81 GOV SUP REC	SUPPLEMENTAL 81 LEG SUP ACT	BILL REFERENCE	TOTAL 81 LEG ACT
MERIT EMPLOYMENT	<u>1,184,759</u>	<u>1,185,247</u>	<u>0</u>	<u>50,000</u>		<u>1,245,247</u>
PIIONEER LAWMAKERS SUPPORT, MAINT, MISC	250	750				750
PLANNING & PROGRAMING						
COMMUNITY AFFAIRS SC	139,116	136,305				136,305
MUNICIPAL PLANNING	25,000	25,000	0	0		25,000
IOWA YOUTH KRVJCS	211,679	311,245				311,245
DEVELOPMENT DISAB	23,215	22,980				22,980
GENERAL OPERATING	332,824	332,910				332,910
MUD COMPENSATION	131,021	130,601				130,600
1875 IOWA CONS PROG	129,000	138,220				138,220
IOWA COUINCIL FOR CH	56,816	57,388				57,388
ECONOMIC DEVELOP	24,063	25,000				25,000
STATE OFFICE	16,325	15,953				15,953
STAT ANALYST CENTER	7,000	7,000				7,000
FED HIGHWAY SAFETY	75,000	75,000				75,000
EOA GRANT	50,000	50,000				50,000
RURAL COMM DEVELOP	250,000					0
PLANNING 6 PROGRAMING	<u>1,471,059</u>	<u>1,327,602</u>	<u>0</u>	<u>0</u>		<u>1,327,602</u>
SCIENCE, IA ACADEMY GRANTS AND AIDS	4,500	4,500				4,500
UNIFORM STATE LAWS SUPPORT OF CONFERENCE	8,200	8,800				8,800
OPERATIONS	<u>25,262,271</u>	<u>25,300,622</u>	<u>112,000</u>	<u>881,000</u>		<u>26,181,622</u>
GRANTS AND AID	1,580,984	1,292,802	0	135,358		1,428,160
CAPITALS	6,278,200	0	0	0		0
STANDINGS	<u>7,634,100</u>	<u>8,118,066</u>	<u>0</u>	<u>0</u>		<u>8,118,066</u>
STATE GOVERNMENT	<u>40,755,555</u>	<u>34,711,510</u>	<u>112,000</u>	<u>1,016,358</u>		<u>35,727,868</u>

GENERAL FUND
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Subcommittee: TRANS 6 LAY ENFORCE

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	80 APPROP	81 LEG ACT	81 COV SUP REC	81 LEG SUP ACT	BILL REFERENCE	81 LEG ACT
CRIME COMMISSION, 1A						
SALARIES, SUPP, MAINT	110,000	70,200	30,000	29,800	H.F. 2580	100,000
SALARIES, SUPP, AREAS	100,000	40,000	10,000	10,000	H.F. 2580	50,000
JUVENILE JUSTICE	6,600	14,000	5,000	5,000	H.F. 2580	19,000
LEAA ACTION	105,110					
CRIME COMMISSION, 1A	<u>321,710</u>	<u>124,200</u>	<u>45,000</u>	<u>44,800</u>		<u>169,000</u>
LAY ENFORCEMENT ACAA						
SALARIES, SUPP, MAINT	611,300	614,200				614,200
PUBLIC DEFENCE, DEPT						
MILITARY DIVISION						
SALARIES, SUPP, MAINT	1,968,750	1,980,000	0	0		1,980,000
ADJUTANT GEN 6 STAFF	227,450	231,100				231,100
CAPITAL IMPROVEMENTS	79,000	0				0
STANDINGS	<u>100,000</u>	<u>100,000</u>				<u>100,000</u>
ST OFFC OF DISASTER	2,375,200	2,311,100	0	0		2,311,100
SALARIES, SUPP, MAINT	123,763	127,700	0	0		127,700
PUBLIC DEFENCE, OEPT	<u>2,498,963</u>	<u>2,438,800</u>	<u>0</u>	<u>0</u>		<u>2,438,800</u>
PUBLIC SAFETY, DEPT						
ADMINISTRATION						
SALARIES, SUPP, MAINT	4,199,650	4,208,950				4,208,950
CRIMINAL INVEST						
SALARIES, SUPP, MAINT	3,555,000	3,468,000	0	0		3,468,000
1A CRIME PREV INC	<u>27,500</u>	<u>27,500</u>	<u>0</u>	<u>0</u>		<u>27,500</u>
INSPECTION 6 SECURITY	3,582,500	3,495,500				3,495,500
SALARIES, SUPP, MAINT	1,206,750	1,237,750				1,237,750
HIGHWAY PATROL						
SALARIES, SUPP, MAINT	13,242,900	13,045,250				13,045,250
PUB SAFETY CAP 68 CA	<u>478,000</u>					
	<u>13,720,900</u>	<u>13,045,250</u>	<u>0</u>	<u>0</u>		<u>13,045,250</u>
PUBLIC SAFETY, OEPT	<u>22,709,800</u>	<u>21,987,450</u>	<u>0</u>	<u>0</u>		<u>21,987,450</u>
RAIL FINANCE AUTHORT						
SALARIES, SUPP, MAINT	275,000					
TRANSPORTATION, OEPT						
SALARIES, SUPP, MAINT	5,229,300	5,200,000				5,200,000
PUB TRANSIT SUBSIDY	75,000					
RR IMPROVEMENT PROC	1,500,000	1,800,000				1,800,000
PUBLIC TRANSIT AID	2,000,000	2,000,000				2,000,000
GAS TAX SUP CASOMOL			1,000,000	1,000,000	H.F. 2580	1,000,000
AIRCRAFT ACQUISITION	670,000					
CAPITALS	73,900		0	0		0
GREAT RIVER ROAD	100,000	100,000				100,000
PERSONAL DELIV SERV	105,000	105,000				105,000

GENERAL FUND
STATUS OF APPROPRIATIONS

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Subcommittee: TRANS & LAW ENFORCE

	80 APPROP	81 LEG ACT	81 GOV SUP REC	SUPPLEMENTAL 81 LEG SUP ACT	BILL REFERENCE	PAGE 46 TOTAL 81 LEG ACT
TRANSPORTATION, DEPT	<u>9,753,200</u>	<u>9,285,000</u>	<u>1,000,000</u>	<u>1,000,000</u>		<u>10,285,000</u>
OPERATIONS	<u>30,058,063</u>	<u>30,354,650</u>	<u>45,000</u>	<u>44,800</u>		<u>30,399,450</u>
GRANTS AND AID	<u>3,605,110</u>	<u>3,800,000</u>	<u>1,000,000</u>	<u>1,000,000</u>		<u>4,800,000</u>
CAPITALS	<u>1,300,000</u>	<u>0</u>	<u>0</u>	<u>0</u>		<u>0</u>
	<u>305,000</u>	<u>305,000</u>	<u>0</u>	<u>0</u>		<u>305,000</u>
STANDING SAW ENFORCE	<u>36,169,973</u>	<u>34,459,650</u>	<u>1,045,000</u>	<u>1,044,800</u>		<u>35,504,450</u>

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	79 APPROP	80 LEG ACT	80 GOV SUP REC	SUPPLEMENTAL 80 LEG SUP ACT	BILL REFERENCE	TOTAL 80 LEG ACT
AGRICULTURE, DEPT OF FERTILIZER FUND						
ADMINISTRATIVE OIVS	25.000	25.000				25.000
LABORATORY DIVISION	548.954	503.934				503.934
	<u>573.954</u>	<u>528.934</u>	<u>0</u>	<u>0</u>		<u>528.934</u>
COMMERCIAL FEED						
ADMINISTRATIVE OIVS	25.000	25.000				25.000
LABORATORY DIVISION	536.078	552.460				552.460
	<u>561.078</u>	<u>577.460</u>	<u>0</u>	<u>0</u>		<u>577.460</u>
DAIRY TRADE PRAC						
ADMINISTRATIVE DIVS	54.751	58.825				58.825
PESTICIDE FUND						
LABORATORY DIVISION	307.453	330.455				330.455
	<u>1.497.236</u>	<u>1.495.674</u>		<u>0</u>		
AGRICULTURE, DEPT OF						
CONSERVATION COMM.						
FISH & GAME FUND	7.423.086	8.113.184		138,000	S.F. 2374	8.251.184
JOB SERVICES OF IOWA						
IPERS	1,395.383	1,535.755				1,535.755
REVENUE, DEPT OF						
MOTOR VEH FUEL TAX	1.308.108	816.493				816.493
TRANSPORTATION, DEPT						
AERONAUTICS FUND						
OPERATIONS	366.285	442.243				442.243
PRIMARY ROAD FUND						
OPERATIONS	93,995.209	99,284.500				99,284.500
ADDITIONAL EQUIPMENT	200.000	150.000				150.000
REPLACEMENT EQUIP	400.000	3,500.000				3,500.000
MERIT EMPLOYMENT	200.000	256.000				256.000
UNEMPLOYMENT COMP	95.000	142.000				142.000
WORKERS COMP	237.500	261.000				261.000
DE-ICING STUDY	100.000					
CAPITAL	1,500.000	2.811.200				2.811.200
	<u>96.727.709</u>	<u>106,404.700</u>	<u>0</u>	<u>0</u>		<u>106,404.700</u>
WAD USE TAX FUND						
OPERATIONS	7,873.925	8,648.400				8,648.400
MERIT EMPLOYMENT	10.000	14.000				14.000
UNEMPLOYMENT COMP	5.000	8,000				8,000
GRADE CROSSING REP	200.000					0
HUDSON	110.000					0
GREAT RIVER ROAD	250.000					
WORKERS COMP	12,500	14.000				14.000
CAPITALS	0	533.900				533.900
	<u>8,551.425</u>	<u>9,218.300</u>	<u>0</u>	<u>0</u>		<u>9,218.300</u>
TRANSPORTATION, DEPT						
	<u>105,645,419</u>	<u>116,065,243</u>	<u>0</u>	<u>0</u>		<u>116,065,243</u>

TRUST FUND

06-20-80

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	80 APPROP	81 LEG ACT	81 GOV SUP REC	SUPPLEMENTAL 81 LEG SUP ACT	BILL REFERENCE	TOTAL 81 LEG ACT
AGRICULTURE, DEPT OF						
FERTILIZER FUND						
ADMINISTRATIVE DIVS	25,000	25,000				25,000
LABORATORY DIVISION	503,934	490,007				490,007
	<u>528,934</u>	<u>515,007</u>	0	0		<u>515,007</u>
COMMERCIAL FEED						
ADMINISTRATIVE DIVS	25,000	25,000				25,000
LABORATORY DIVISION	552,460					542,540
	<u>577,460</u>		0	0		<u>567,540</u>
DAIRY TRADE PRAC						
ADMINISTRATIVE DIVS	58,825	57,133				57,133
PESTICIDE FUND						
LABORATORY DIVISION	330,455	325,707				325,707
AGRICULTURE, DEPT OF		<u>1,465,387</u>	0	0		<u>1,465,387</u>
CONSERVATION COMM.						
FIW & CANE FUND	8,251,184	7,994,489				7,994,489
JOB SERVICES OF IOWA						
JPERS	1,535,755	1,622,074		97,330	H.F. 2580	1,719,404
REVENUE, DEPT OF						
MOTOR VEH FUEL TAX	816,403	903,873				903,873
TRANSPORTATION, DEPT						
AERONAUTICS FUND						
OPERATIONS	442,243	450,300				450,300
PRIMARY ROAD FUND						
OPERATIONS	99,284,500	99,123,700				99,123,700
AWITJONAL EQUIPMENT	150,000	350,000				350,000
REPLACEMENT EQUIP	3,500,000	3,500,000				3,500,000
MERIT EMPLOYMENT	256,000	284,400				284,400
UNEEMPLOYMENT COMP	142,000	165,700				165,700
WORKERS COMP	261,000	261,000				261,000
CAPITAL	<u>2,811,200</u>					
ROAD USE TAX FUND	106,404,700	103,684,800	0	0		103,684,800
OPERATIONS	8,648,400	8,910,400				8,910,400
MERIT EMPLOYMENT	14,000	15,600				15,600
UNEEMPLOYMENT COMP	8,000	9,300				9,300
WORKERS COMP	14,000	14,000				14,000
CAPITALS	<u>533,900</u>					
	<u>9,218,300</u>	<u>8,949,300</u>	0	0		<u>8,949,300</u>
TRANSPORTATION, DEPT	<u>116,065,243</u>	<u>113,084,400</u>	0	0		<u>113,084,400</u>

APPROPRIATION BILL SUMMARY

Aging, Commission on the

S.F. 2241
Sec. 9

Adds two positions for FY 1980 to allow the Administrative division to use existing federal funds to provide supportive services to the care review committees of nursing homes.

H.F. 2580
Sec. 10

Continues the two care-review positions that were created in FY 1990. The continuation of the positions in FY 1981 remains contingent upon the availability of federal funds for this purpose.

Sec. 11

Appropriates supplemental funds of \$14,000 for FY 1981 to allow the Commission to conduct the older Iowans model legislature. (See page 32)

Sec. 22. 23

Appropriates \$800,000 for FY 1981 to continue the Elderly Care Program and adds telephone reassurance to the services that can be provided with these funds. The bill also adds language to allow the use of Elderly Care funds to continue programs that were started or expanded with Elderly Care funds. The local matching requirement is changed from two dollars local funds for each dollar of elderly care funds, to a significant matching effort. (See page 32)

H.F. 2580
Sec. 30

Appropriates supplemental funds of 5275,000 for FY 1981. Of this amount, \$250,000 is for outside warehousing expense and \$25,000 is for four month's office rent. (See page 36)

Sec. 31

Authorizes the Liquor Council to issue revenue bonds in an amount not to exceed \$4,000,000 to pay the cost of a new liquor warehouse.

S.F. 2088
Sec. 1

Allocates \$300,000 of the \$3,500,000 appropriated during the the 1979 Session of the Sixty-Eighth General Assembly to purchase 14.5 acres in the Ankeny Industrial Park and to pay for beginning architectural fees for the construction of a new liquor warehouse facility. (See page 36)

H.F. 2595
Sec. 4.1b

De-authorizes \$3,200,000 in capital appropriations for FY 1981 for the liquor warehouse. (See page 36)

Blind Commission, Iowa

S.F. 2241
Sec. 1

Rescinds the state appropriation of \$22,400 for FY 1980 which was intended to match federal monies for a program to provide older blind Iowans with assistance in independent living. (See page 10)

Civil Rights Commission

S.F. 2241
Sec. 3

Appropriates supplemental funds of \$9,000 for FY 1980 to be used for increased rent expenses. (See page 13)

H.F. 2580
Sec. 12a

Appropriates supplemental funds of \$7,000 for FY 1981 to cover increased office rental expenses. (See page 32)

Sec. 12b

Appropriates \$31,000 for FY 1981 to the Civil Rights Commission for the expenses of the Spanish Speaking People's Commission and one staff position to work with the Commission. (See page 32)

Sec. 21

Transfers the Spanish Speaking People's Commission to the the Civil Rights Commission effective July 1, 1980, and requires the Civil Rights Commission to provide supportive services.

College Aid Commission, Iowa

H.F. 2580
Sec. 4

Raises the authorized FTE limit for the Guaranteed Student Loan Program from four FTE to five FTE.

Sec. 5

Appropriates supplemental funds of \$30,000 for FY 1981 for the National Guard Tuition Grant Program. (See page 29)

Comptroller, State

H.F. 2595
Sec. 4.1

De-authorizes \$478,000 of the FY 1980 appropriation to the Division of Data Processing for site preparation and purchase of uninterruptible power source for electric data processing equipment; including providing uninterruptible power for the Department of Public Safety's electronic data processing. (See page 18)

Sec. 14.6

Appropriates \$478,000 to the Division of Data Processing for site preparation and purchase of an uninterruptible power source for electric data processing equipment; including providing uninterruptible power for Department of Public Safety's electronic data processing effective July 1, 1981.

H.F. 2583
Sec. 3

Appropriates 520,000 to the office of the State Comptroller for the use of the County Finance Committee for the fiscal period beginning July 1, 1960 and ending June 30, 1982 to be used for the development of a uniform budget and accounting system for use by counties. (See page 36)

H.F. 2477
Sec. 1

Appropriates supplemental funds of \$350,000 to the County Government Assistance Fund for a total appropriation of \$5,350,000 to this fund for FY 1981. (See page 36)

Sec. 2

Appropriates supplemental funds of \$1,650,000 to the Municipal Assistance Fund for a total appropriation of \$14,650,000 to this fund for FY 1981. (See page 36)

S.F. 2374
Sec. 1

Appropriates funds for FY 1980 to the State Comptroller for allocation to certain state agencies to supplement their appropriation to purchase fuel and electricity. The department must be developing or implementing an energy conservation plan. The appropriation of \$495,000 may be allocated to the State Educational Radio and Television Facilities Board, the State Conservation Commission, and the Department of Public Safety. (See page 18)

Sec. 3 Appropriates \$157,000 to the State Comptroller for allocation to the State Board of Regents to purchase fuel and electricity for FY 1960. The department must be developing or implementing an energy conservation plan. (See page 18)

H.F. 2072
Sec. 2 Increases the agricultural land tax fund from \$42,000,000 to \$43,500,000. (See page 36)

H.F. 2597 Reduces the FY 1981 state cost of funding personal property tax credits by \$3,800,000. (See page 36)

Conservation Commission, State

H.F. 2595
Sec. 11 De-authorizes \$2,075,000 that was appropriated for the Brushy Creek project by prior sessions of the legislature.

Sec. 17 Appropriates \$2,075,000 for FY 1982 for capitol projects at the discretion of the commission. It is the intent of the General Assembly that the commission give priority to construction of impoundments on watersheds where permanent soil conservation practices have already been installed above the proposed impoundment. It is also the intent that the General Assembly is not abandoning the Brushy Creek project but delaying it until the environmental impact statement is completed.

S.F. 2374
Sec. 2 Appropriates to the state conservation commission from the fish and game protection fund \$138,000 to purchase fuel and electricity for FY 1980. The department must be developing or implementing an energy conservation plan. (See page 47)

Sec. 6 Amends the Acts of the Sixty-Eighth General Assembly to transfer funds from the contingency fund established to replace lost federal funds under the "Pittman-Robertson Act".

Crime Commission, Iowa

H.F. 2580
Sec. 41.1 Appropriates supplemental funds of \$29,800 for FY 1981 to the State Planning Agency for the salaries and support of 22 FTE. (See page 45)

Sec. 41.2 Appropriates supplementary funds of \$10,000 for FY 1981 to the Area Commissions for area planning purposes. (See page 45)

Sec. 41.2a Reflects the intent of the General Assembly that the budget of the Crime Commission will be reviewed if federal law enforcement assistance administration funds are not appropriated for the federal fiscal year beginning October 1, 1960.

Sec. 41.4 Appropriates supplemental funds of \$5,000 for FY 1981 to match federal funds available through the Juvenile Justice and Delinquency Prevention Act of 1974, and is for the salaries and support of not more than one FTE. (See page 45)

Sec. 51 Authorizes the Legislative Council to create a committee to study the Governor's Economy Committee report and the Legislative Fiscal Bureau's report relative to the Iowa Crime Commission.

Development Commission, Iowa

H.F. 2580
Sec. 25 Appropriates \$200,000 for FY 1981 to continue the European office. (See page 34)

S.F. 2241
Sec. 2 Supplements existing appropriations for FY 1980 by a total of \$87,000. Of this amount \$52,000 replaces lost federal funds for satellite interconnection costs and \$35,000 for two klystron tubes. (See page 10)

H.F. 7580
Sec. 1 Establishes a capital equipment replacement revolving fund in FY 1981 which allows IEBN to provide services to other public agencies for a fee which is then used by IEBN to replace equipment.

Sec. 2 Allows IEBN to establish a trust fund in FY 1981 for the purpose of accepting gifts deemed by the board to be beneficial to the operation of the agency.

Sec. 6 Increases the FY 1981 appropriation by an additional \$104,000 to offset the loss of federal funds for satellite interconnect costs. (See page 29)

Energy Policy Council

S.F. 2241
Sec. 10 Appropriates supplemental funds of \$40,000 for FY 1980 to fund the fuel set-aside program which has been using loaned employees from the ASCS offices. This section further removes the FTE limit imposed allowing the department flexibility to meet the federal department of energy's changing program. (See page 15)

H.F. 2580
Sec. 26 Appropriates \$103,000 to supplement the FY 1981 appropriation and removes the FTE limit to allow the Council the flexibility to administer the Federal Energy program. The breakdown of the supplemental is as follows: \$40,000 for funding the set-aside program that has been funded by loaned employees from the ASCS offices. \$40,000 to develop a data bank to justify the states need for gasoline during a rationing situation. and \$23,000 for energy management training for public building managers. (See page 34)

H.F. 2595
Sec. 3 De-authorizes \$2,000,000 of a \$3,000,000 appropriation for energy conservation projects at state buildings for FY 1981. (See page 15)

Sec. 14.5 Appropriates \$2,000,000 for energy conservation projects beginning July 1, 1981. (See page 34)

Engineering Examiners, Board of

S.F. 2241
Sec. 12 Appropriates supplemental funds of \$2,000 for a half-time clerk typist for the last quarter of FY 1990. (See page 19)

H.F. 2580
Sec. 29 Appropriates supplemental funds of \$4,000 for a half-time clerk typist for FY 1981. It is the intent of the General Assembly that the Department of General Services provide security for the offices of the Board of Engineering Examiners by providing the board with offices and file cabinets that can be locked to prevent unauthorized access to the files, documents and papers. (See page 37)

Fair Board, Iowa State .

H.F. 2595
Sec. 18

Allows the Fair Board to accept gifts or grants for implementing the redevelopment proposals prepared for the Fair master plan.

General Services, Department of

S.F. 2241
Sec. 24

Appropriates supplemental funds of \$25,000 for FY 1980 to remodel a portion of Executive Hills for use by the Arts Council. The director of the Arts Council shall select the coloring of the carpet to be installed in the council's portion of Executive Hills. (See page 23)

H.F. 2580
Sec. 37

Appropriates supplemental funds of \$28,000 to the Communications Division for FY 1981 to fund a communications coordinator which is presently funded by a ~~28E~~ agreement between various departments. (See page 42)

H.F. 2595
*Sec. 5

De-authorizes \$1,000,000 of a \$3,000,000 appropriation for renovation and remodeling of the Robert Lucas Building. This section authorizes the director to expend \$267,200 for architectural fees already committed prior to the reduction of the appropriation. Further, the appropriation is conditioned upon the employees located in the east side of the corridor in the office of the Auditor of State being moved to the Lucas Building and the space being assigned to the Legislative Fiscal Bureau. (See page 23)

Sec. 14.7

Appropriates \$1,000,000 for renovation of the Lucas Building starting July 1, 1981.

Sec. 6

De-authorizes the 5102.650 appropriation which was to be used to purchase land as it became available north of the capitol complex. (See page 23)

Sec. 15

Appropriates \$102,650 for the purchase of land as it becomes available north of the capitol complex beginning July 1, 1981.

Sec. 8

De-authorizes \$60,000 of a \$90,000 appropriation to be used to remodel the capitol cafeteria. (See page 23)

Sec. 14.9

Appropriates \$50,000 to finish the remodeling of the capitol cafeteria starting July 1, 1981.

Sec. 9

De-authorizes \$155,350 of a \$250,000 appropriation of the 1978 session that was being used to purchase land as it became available north of the capitol complex. (See page 23)

Sec. 16

Appropriates \$155,350 for the purchase of land as it becomes available north of the capitol complex beginning July 1, 1981.

*Item Vetoed

Governor, Office of

H.F. 2580
Sec. 35

Amends the four hours of Terrace Hill. It further provides that excess personal property at Terrace Hill may be sold at auction and the receipts deposited in the Terrace Hill restoration fund.

H.F. 2595
Sec. 7

De-authorizes \$130,000 of the FY 1380 appropriation that was to be used to match funds for renovation of Terrace Hill. (See page 24)

Sec. 14.8

Appropriates 3130,000 to match private funds for renovation of Terrace Hill. starting July 1, 1981.

Health, Department of

S.F. 2241

Appropriates supplemental funds for FY 1980 to various divisions of the department as noted below:

Sec. 6

Community Health Division - The bill appropriates supplemental funds of \$578,000 to maintain the renal disease grant program; \$94,000 of the appropriation is designed for expenses incurred during FY 1979. (See page 13)

Sec. 7

Health Facilities Division - The bill appropriates supplemental funds of \$167,000 to maintain the nursing home inspection program. (See page 13)

Sec. 8

Health Planning Agency - The bill increases staffing by two positions to allow the department to use existing funds to replace a data processing contract with department personnel.

H.F. 2580

Appropriates the supplemental funds for FY 1981 to various divisions of the Department as noted below:

Sec. 16

Health Planning Agency - The bill makes the necessary changes in the Acts of the 68th General Assembly, 1979 Session, to allow the Department to add the two data processing staff in both FY 1980 and FY 1981.

Sec. 7

Personal and family Health Services - The bill appropriates supplemental funds of \$20,000 for FY 1981 to be used for the Genetic Counseling Program. (See page 35)

Sec. 17

Community Health Division - The bill appropriates supplemental funds of \$430,000 for FY 1981 and adds two staff to the deaf services program. Of the 5430,000 supplemental appropriation, 560,000 is allocated for deaf services. \$350,000 is allocated for the renal disease program and \$20,000 is allocated for the emergency medical services program. (See page 32)

Sec. 19.20

Allows a county board of supervisors to act as the county board of health in counties where a county health center has been established. it also allows either county health centers or local boards of health to receive in-house health care grants from the Department of Health.

Job Service, Department of Iowa Public Employee's Retirement System - IPERS

H.F. 2580
Sec. 33

Appropriates supplemental funds of \$97,330 to IPERS Administration from the IPERS Trust Fund for FY 1981. Of this amount \$22,330 will fund one full-time clerk and one retirement benefit specialist and \$75,000 will fund an outside consultant to update the existing computer system. (See page 48)

H.F. 2598

Administration, Benefits, and Funding of Certain Public Retirement Systems - This bill changes Sections 411 and 97 of the Iowa Code as follows:

1. Benefit increases are provided for retired IPERS members with up to a \$30/month increase in benefits for employees with 30 years or more of service. It guarantees that retirees will receive at least \$5/month per year of service. Beneficiaries and contingent annuitants will also receive an increase.
2. The bill provides that a member of the peace officers' retirement system or local police or fire retirement system who left the system and subsequently returned can count the previous years of service toward their total years of service.
3. A member of the peace officers' retirement system or local police or fire retirement system who is disabled after the member reaches the age of 55 will receive disability retirement allowance instead of normal retirement allowance.
4. Modifications are made in the method of computing some escalations for cost-of-living.
5. The bill allows members of the General Assembly to opt out of IPERS and members of certain boards and commissions to be exempt.
6. An increase is provided in the formula benefit for IPERS to 47% of the final five-year average covered wage for all persons retiring after January 1, 1976.
7. The bill provides early retirement at age 60 after 30 years of service for correctional officers after July 1, 1983. The Department of Social Services will provide from their appropriation an additional 1.715 of salary of such officers to be paid to the IPERS fund.
8. A reduction of the early retirement penalty is provided from .5% per month to .25% per month for persons retiring between the ages of 62 and 65.

Judicial Department

S.F. 2241
Sec. 23

Appropriates supplemental funds of \$83,557 for FY 1980 to fund the salary increase as provided by the Acts of the Sixty-Eighth General Assembly, 1979 Session, Chapter 2, Section 3 (See page 25)

H.F. 2580
Sec. 34

Appropriates supplemental funds of \$83,000 for FY 1981 to fund the salary increases of judges as provided by the acts of the Sixty-Eighth General Assembly. 1979 Session. Chapter 2 Section 2. (See page 42)

H.F. 2598
Sec.2

Court filing fees are increased by one dollar and the bill provides that the additional money will be deposited in the general fund of the state. The bill appropriates from the general fund to the Judicial retirement fund the sum of \$720,000 for FY 1981 which is approximately the amount that the increased fees will be for next year. (See page 43)

Law Enforcement Academy

S.F. 2241
Sec. 25

Appropriates supplemental funds of \$11,005 for FY 1980 to reimburse the professional development cost center for emergency repair expenses which were incurred. [See page 27]

H.F. 2530
Sec. 3E

Legislative Fiscal Bureau

Increases the FTE limit of the Program Evaluation Division by one.

S.F. 2241
Sec. 5

Medical Examiners, Board of

Appropriates supplemental funds of \$16,000 for FY 1980 to cover increased examination costs. (See page 14)

H.F.2580
Sec. 14

Appropriates supplemental funds of \$12,000 for FY 1981 to cover increased examination expenses. (See page 33)

H.F. 2580
sec.15.5

Mental Health Advisory Council

Appropriates \$50,000 for FY 1981 for council and staff expenses. (See page 33)

H.F. 2580
Sec. 15.4

Mental Health Authority

Appropriates supplemental funds of \$90,000 for FY 1981 to continue current operations. The bill also allows the Mental Health Authority and the Division of Mental Health Resources of the Department of Social Services to continue if legislation regarding a unified-state mental health agency has not been approved prior to July 1, 1980. (See page 33)

H.F. 2580
Sec. 39
Merit Employment
Appropriates supplemental funds of \$50,000 for FY 1981 to complete the computerization of the applicant and employee position files. (See page 43)

S.F. 2241
Sec. 11
Natural Resources Council, Iowa
Appropriates supplemental funds of \$16,030 for FY 1980 to fund the increased workload of the council due to increased hearing caseload. (See page 16)

H.F. 2580
***Sec. 36**
Planning and Programming, Office for
Amends the census data center coordinating unit section of the session law. The section designates the coordinating unit to negotiate a joint statistical agreement with the Bureau of the Census.

S.F. 2241
Sec. 26
Public Defense, Department of
Appropriates \$8,750 for FY 1980 to supplement the department's per capita allowance fund. (See page 27)

H.F. 2595
Sec. 10
Reduces the capital appropriation made to the department for the construction of a National Guard Armory in Dubuque by \$226,000. (See page 27)

Sec. 16.2
Appropriates \$226,000 to the Department of Public Defense for the construction of an Armory in Dubuque for the fiscal year beginning July 1, 1981.

S.F. 2374
Sec. 5
Appropriates \$2,063 for FY 1980 to the Office of Disaster Services for travel expenses incurred during that fiscal year. (See page 27)

H.F. 2580
Sec. 7
Public Instruction, Department of
Appropriates funds of 550,000 for FY 1981 for the operating costs of the radio station at Merged Area V in Fort Dodge. (See page 29)

H.F. 2551
Sec. 10
The state foundation base was held at the 1980-81 rather than being allowed to go to 78% as originally scheduled.
Fiscal Impact:
State aid originally estimated (\$12,000,000)
H.F. 2072 valuation limitation 4,700,000
Adjustment shown in Summary (\$7,300,000)
(See page 29)

S.F. 2241
Sec. 27
Public Safety, Department of
Appropriates supplemental funds of \$35,000 for FY 1980 to the Division of Criminal Investigation. Of this amount, \$45,000 is to be used to purchase laboratory supplies and \$40,000 is to be used for increased telephone expenses. (See page 27)

Sec. 28
Appropriates \$165,000 to the Iowa Highway Patrol for FY 1980 to supplement their vehicle depreciation account. (See page 27)

Sec. 29
Appropriate: \$60,000 for FY 1930 to supplement \$250,000 which the legislature appropriated during the First Session of the 68th General Assembly for the acquisition of land and construction of a departmental office building in the area of Cedar Rapids. (See page 27)

H.F. 2580
Sec. 50
Reflects the General Assembly's intent that the Department not dismantle the lower portion of the radio tower on Second Avenue in Des Moines.

S.F. 2374
Sec. 1
Provides for a FY 1980 appropriation to the State Comptroller a portion of which can be allocated to the Department for the purchase of fuel. (See page 13)

H.F. 2580
Sec. 3
Relents. Board of
Deletes the provision for board previously allowed as a part of the superintendent's salary at the Iowa School for the Deaf.

Sec. 8
Appropriates supplemental funds of \$400,000 for FY 1981 to replace federal funds for capitation grants lost in FY 1980. (See page 30)

H.F. 2595
Sec. 1
Reduces the capital appropriation to the board for FY 1980 by \$12,566,000 as noted below:

Sec. 1.2
The Iowa State University Library Addition project is reduced by \$4,200,000. (See page 11)

Sec. 1.4
The University of Iowa Planning Space Needs project is reduced by \$340,000. (See page 11)

Sec. 1.9
The Utility projects are reduced by \$4,251,000. (See page 11)

Sec. 1.10
The Energy Conservation programs are reduced by \$3,775,000. (See page 11)

Sec. 2
Appropriates \$500,000 for FY 1981 to the University of Northern Iowa to correct fire safety deficiencies. (See page 30)

Sec. 14
Appropriates \$12,566,000 for FY 1982 as noted below:

Sec. 14.1
The Iowa State University Library Addition is appropriated \$4,200,000.

Sec. 14.2
The University of Iowa Planning Space Needs project is appropriated \$340,000.

Sec. 14.3
The Utility Projects are appropriated \$4,251,000.

Sec. 14.4
The Energy Conservation Program is appropriated \$3,775,000.

• Item Vetoed

Regents, Board of

S.F. 2374
Sec. 3 **Appropriates** \$157,000 to the State Comptroller for allocation to the State Board of Regents to purchase fuel and electricity for FY 1980. The department must be developing or implementing an energy conservation plan. (See page 18)

S.F. 2374
Sec. 4 Appropriates to the State Board of Regents \$225,000 to pay excess costs incurred for fuel and electricity during fiscal year 1975. (See page 11)

Revenue, Department of

S.F. 2241
Sec. 13 **Appropriates** supplemental funds of \$18,000 for FY 1980 for a humidifier system within the Department of Revenue. (See page 19)

Sec. 14 **Appropriates** supplemental funds of \$100,000 for FY 1980 to further fund the capital assets pricing model program. This model defines the process by which prices are set within the capital markets for property owned by utility companies in the state. (See page 19)

H.F. 2580
Sec. 32 **Appropriates** supplemental funds of \$54,993 for FY 1981 to further fund the capital assets pricing model program. (See page 37)

H.F. 2072
Sec. 1 Increases the homestead tax credit by \$8,200,000 in FY 1981. (See page 37)

Social Services, Department of

S.F. 2241 **Appropriates a supplemental** of \$5,298,000 to operate the Department of Social Services during FY 1980, as noted below.

Sec. 17 **Community Based Adult Corrections** - The bill allows FY 1980 funds appropriated for community corrections and not expended to be carried forward and not revert until June 30, 1981.

Sec. 18,*30 **AFDC Program** - The bill appropriates a supplemental of 54,570,030 for FY 1980 to maintain the current program. The bill also contains language restricting the transferring of funds. (See page 21)

*Sec. 19 **Medical Assistance** - The bill reduces the FY 1980 appropriation by 5610,000. (See page 21)

Sec. 15.16 **Family and Childrens Services** - The bill allows funds appropriated for juvenile institutions for FY 1980 and not expended to be carried forward and not revert until June 30, 1981. Funds available due to the delayed revision shall be used to fund juvenile deinstitutionalization or to prevent institutionalization.

*Sec. 20.30 **Childrens Services** - The bill appropriates a supplemental of \$138,000 for FY 1980 to reimburse counties for juvenile services. (See page 21)

* Item Vetoed

Sec. 21.22 **Title XX, State Supplementation** - This bill appropriates a supplemental of \$1,200,000 for FY 1980 to maintain the current program. (See page 22)

H.F. 2580 The bill appropriates a supplemental of \$14,271,534 to operate the Department of Social Services during FY 1981. as noted below:

Sec. 52 **General Administration** - The bill appropriates a supplemental of \$408,584 for FY 1981. of this amount \$296,584 funds the ICF certification of contract with the Department of Health and \$112, funds the implementation of an integrated client information system. (See page 39)

Sec. 53.2 **Adult Corrections** - This bill allows the Department to increase their staff during FY 1921 at the State penitentiary by 11 FTEs for unitization staffing.

Sec. 53.3 The bill allows all correctional personnel to receive training

Sec. 53.8 The bill appropriates a supplemental of \$416,000 for FY 1981 to replace the loss of federal funding for the operations of three community based correctional facilities. (See page 39)

*Sec. 53.11 The bill authorizes the Citizens' Aide Office to pay from funds appropriated for legal assistance the cost of transporting inmates, secretarial support, and administrative oversight. The bill also clarifies the intent of the program.

Sec. 53.13 The bill deletes the FY 1981 appropriation of \$200,000 for substance abuse screening of inmates by TASC. (See page 39)

*Sec. 54 The bill directs the Department of Social Services to continue its study of alternative means of making further improvements in the salaries and benefits of correctional personnel.

Sec. 55.56 **Mental Health** - The bill reduces the FY 1981 mental health appropriation by \$100,000 which eliminates the mental health and mental retardation screening of inmates and juveniles by TASC. The bill also appropriates \$354,000 to reimburse counties who pay the cost of care and treatment of a mentally ill person admitted as an in-patient of an Iowa hospital other than a state mental health institution. (See page 39)

Sec. 57.67 **Mental Retardation** - The bill authorizes the department of Social Services to transfer funds from the personal account of a state patient at a hospital-school or mental health institution to provide community based care for mentally retarded or mentally ill persons not having a county of legal settlement. The bill also allows the Glenwood Hospital-School to retain all receipts attributable to billings for laundry services furnished the Iowa School for the Deaf.

* Item Vetoed

Sec. 58 AFDC - The bill appropriates a supplemental of \$9,000,000
62.63 for FY 1981 to maintain the program. The bill also contains
68.70 intent language relating to the child program. prior-month budgeting.
76.77 definition of a ~~needy~~ child, home visits and rule changes affect-
ing the AFDC program. (See page 39)

Sec. *59,64 Medical Assistance - The bill appropriates a supplemental
65.67 of \$2,400,000 for FY 1981. The bill also contains intent lan-
72.73 guage relating to the following: transfer of funds. ICF maximum
74.75 reimbursement study, exclusion of Title XIX recipients from
76.77 company insurance coverage and rule changes affecting the medical
assistance program. (Transfer of funds language item vetoed by
Governor.) (See page 38)

Sec. 60.5 Medical Carrier Services - The bill reduces the FY 1981
appropriation by \$112,000. (See page 39)

Sec. 60.6 Childrens Services - The bill appropriates a supplemental
*66 of \$780,000 for FY 1981. The supplemental funds rate increases
69 for subsidized adoptions, and foster residential and group homes
facilities. The bill also allows FY 1980 funds that are unencumbered
or unobligated for childrens services to be carried forward and
not revert until June 30, 1981. (See page 39)

Sec. 60.9 State Supplementary Assistance - The bill increases the
maximum cost-related reimbursement for residential care facilities
from \$13.53 to \$14.00 and the flat rate from \$8.20 to \$9.50 per
day.

Sec. 60.11 Child Support Recoveries - The bill appropriates a supplement .
of \$35,000 for FY 1981 to match federal funds for 16 FTEs. The
bill also authorizes the commissioner to hire additional staff
if the cost/benefit is favorable. (See page 39)

Sec. 61 Title XX. state supplementation - The bill appropriates a
supplemental of \$1,200,000 for FY 1981 to maintain the current
program. (See page 39)

Sec. 71 Aid to Indians residing on the Tama settlement - The bill
places the authority of administering the appropriation for Aid
to the Indians with the tribal council.

H.F. 2595 The bill appropriates \$2,000,000 for FY '81 for capital
Sec. 12.13 improvement projects deemed necessary by the DSS for institutions
under its jurisdiction including the renovation and installation
of security features at Hope Hall. continuation of planned repairs
at Clarinda MHI and other safety-related improvements at other
institutions. The bill allows prior years capital appropriations
not previously obligated to be used for the same purposes as
stated above. The bill also directs the Legislative Council to
appoint an interim study committee to review alternative uses of
the Clarinda Mental Health Institute. (See page 39)

• Item Vetoed

H.F. 2580
Sec. 27
Sec. 28
S.F. 2241
Sec. 4
H.F. 2580
Sec. 13
H.F. 2580
Sec. 24
H.F. 2584
Sec. 4-11
S.F. 2580
Sec. 42
Sec. 43
Sec. 44
Sec. 45
Sec. 46
Sec. 47
Sec. 48

Soil Conservation. Department of

Appropriates \$20,600 supplemental funds for FY 1981 for
reclassification of 101 Clerk-typist II to Clerk-typist 111. (See
page 35)

Appropriates \$979,400 supplemental funds for FY 1981 to be
used for permanent soil conservation practices instituted under
Chapter 467A. Five percent of these supplemental funds may be
used for compensation of production losses due to summer con-
struction projects. (See page 35)

Status of Women Commission on the

Appropriates supplemental funds of \$5.100 for FY 1980 and
increases the FTE by .25 to maintain current services. (See page
14)

Makes the necessary changes in the Acts of the Sixty-eighth
General Assembly, 1979 Session, to allow the Commission to add
.25 FTE in FY 1980.

Substance Abuse, Department of

Appropriates supplemental funds of \$210,000 for FY 1981 to
provide cost-of-living increases to grantee agencies. (See page
33)

Clarifies the responsibility of the state regarding payment
for treatment of substance abusers. It also specifies the respon-
sibilities of the substance abuser. The bill further requires that
the state will only be responsible for expenses incurred at a
facility having a grant from the Department.

Transportation, Department of

Transfers \$1,000,000 from the Genreal Fund of the State to
the Road Use Tax Fund to support the tax exempt status of Gasohol.
(See page 45)

Allows for the associated costs of title documents and
registration forms to be paid directly from the Road Use Tax
Fund.

Adds state park and institutional road maintenance agreements
to the list of contract maintenance items which are paid directly
from the Primary Road Fund.

Allows for the refund on aircrafts which are destroyed,
dismantled, or removed from the state to be paid directly from
the State Aviation fund.

Provides that Sections 43.44. and 45 will take effect July
1, 1981.

Allows for a temporary transfer of funds to meet claims for
construction costs against the Primary Road Fund or the Farm-to-
Market Fund.

Allows a governmental subdivision to be billed by the county
auditor for fees relating to a real estate transaction.

Sec. 49

Authorizes the Department to add an addition to the hanger in ~~Ames~~ from previously appropriated funds.

H.F. 2168

Sec. 1

~~Creates~~ a state functional classification review board to assist in the classification of the ~~State~~ highways.

Sec. 2

Provides for an annual credit from the Road Use Tax Fund to the ~~Primary~~ Road Fund of \$5,000 to pay the expenses of ~~some~~ board members of the functional classifications ~~review~~ board.

WAYS AND MEANS BILL SUMMARY

S.F. 2343	<u>Alcohol Manufacturer's Permit:</u> Exempts from obtaining a state alcohol manufacturers permit those persons who hold an experimental distilled spirits plant permit or the equivalent issued by the federal government. Fiscal impact not known.	
S.F. 2183	<u>Corn Promotion Law:</u> Redefines taxable corn to include all corn marketed in Iowa rather than grown and sold in Iowa and changes the corn promotion board to include representation of agri-industries. The assessments collected on corn marketing will now be sent to the promotion board rather than the Secretary of Agriculture. No fiscal impact.	
S.F. 2310	<u>County Boards of Supervisors:</u> Changes the length of term and election dates for Calhoun County supervisors in order to correct inaccurate transition from three to four year terms under the 63rd General Assembly, 1969 Session Laws, Chapter 218. No fiscal impact.	S.F. 2247
S.F. 2071	<u>Declarations of Value:</u> Makes declarations of value public information. exempts from declaration transfers of property due to eminent domain, and requires the Director of Revenue to provide the Secretary of State with the part of the declaration of value which identifies a corporation, limited partnership, trust, alien, or nonresident alien as a purchaser of agricultural land. No fiscal impact.	<u>Individual Income Tax:</u> Alters the method of indexing the state income tax by: 1) Changing the annual inflation factor from the change in the Consumer Price Index (CPI) to the change in the Gross National Product implicit price deflator (GNPD), 2) Extending indexing of the tax brackets and civil service annuity income deduction through tax year 1981, after which the income tax will revert to pre-indexing structures, 3) Changing the year which is used to calculate the necessary ending balance of \$60,000,000 from the current fiscal year to the preceding fiscal year. For example, the June 30, 1991 balance would have been used to determine 1981 tax year indexing, now the June 30, 1980 will be used to determine 1981 tax year indexing. Fiscal Impact: Assuming an FY 1980 ending balance of at least \$60,000,000, the provisions of S.F. 2247 are estimated to reduce 1980 individual income tax liability by \$24 million compared to no indexing liability and to reduce 1981 liabilities by \$52.3 million compared to no indexing liability.
S.F. 2243	<u>Family Farm Development Authority:</u> Creates an eleven-member board vested with the authority to undertake programs to assist beginning farmers in acquiring and improving agricultural property. Primary funding for these programs is provided through the power to issue bonds up to a total outstanding value of \$150,000,000. The bonds issued by the authority are not obligations of the state or its political sub-divisions. The authority may make loans to a beginning farmer for up to \$500,000 in order to purchase and improve agricultural land or up to \$125,000 to purchase and improve depreciable agricultural property. The authority may also make loans to or purchase loans from mortgage lenders for the purpose of assisting beginning farmers. The assets and liabilities of the former Iowa Rural Rehabilitation Corporation established under the Bankhead-Jones Farm Tenant Act are transferred to the jurisdiction of the Family Farm Authority. S.F. 2243 also amends Section 419.1 subsection 2, which allows political subdivisions to issue bonds to include issuing bonds for the purpose of assisting beginning businesspersons. Fiscal Impact: No State General Fund impact.	S.F. 2373
		<u>Individual Income Tax:</u> Authorizes the Director of Revenue to provide the Legislative Fiscal Bureau with sample information from income tax records to be used for statistical purposes. No fiscal impact.
		H.F. 2511
		<u>Individual Income Tax:</u> Allows the deduction from taxable income of certain travel expenses incurred while doing volunteer services. The allowable per mile deduction is increased from ten cents to the state employee mileage reimbursement rate, currently, 18 cents per mile. Fiscal Impact: Reduces state income tax revenues by an unknown amount.
		H.F. 2554
		<u>Individual Income Tax:</u> Sets procedures through which the Department of Social Services Child Support Recovery Unit may recover child support debts assigned to the department by setting off such debts against any income tax refund due to the debtor. Fiscal Impact: Expect to recover \$40,000 of State General Fund monies in FY 1981 and \$210,000 in each future year.
S.F. 2281	<u>Farm to Market Road Use Fund:</u> Allows county farm-to-market road use monies in excess of current needs to be transferred to other farm-to-market projects. Fiscal impact not known.	H.F. 2577
S.F. 500	<u>Franchise Tax:</u> Amends the franchise tax on financial institutions by 1) setting a flat tax rate of five percent of taxable income, 2) including interest income from securities of the State of Iowa and its political subdivisions in taxable income, 3) changing the current exemption from tax of 50 percent of interest and dividends from federal securities to no exemption, and 4) including franchise taxes paid or accrued during the taxable year to be included in net income. S.F. 500 also increases the maximum allowable interest rate on state and local government bonds. Fiscal Impact: The effects of the changes in the franchise law are expected to cancel out each other and thus leave total franchise tax revenue unchanged. The change in interest rates is expected to increase governmental financing costs. It is not known however if this increase will result in an overall governmental cost increase.	Individual Income Tax: Provides an exemption from taxable income of U.S. Civil Service annuity income received by a surviving spouse or an individual survivor having an insurable interest in an individual who would have qualified for the annuity income exemption. Fiscal Impact: Expected to reduce state income tax revenues by less than \$200,000.
		S.F. 2253
		<u>Income and Franchise Taxes:</u> Makes the sections of the Code concerning interest on overpayments of individual and corporate income and franchise taxes uniform. Fiscal Impact: Minimal.

- S.F. 2282 Interest Bearin Obligations: Changes the interest rate payable on public warrants: bonds and other legal obligations. A committee composed of the state treasurer, the banking superintendent, and the insurance commissioner are given the authority to set a maximum allowable annual interest rate for warrants and special assessments and a recommended rate for other obligations. Previously, all public interest rate maximums were set by law. Fiscal impact not known.
- H.F. 2470 Internal Revenue Code: Updates sections of the Iowa Internal Revenue Code prescribing the calculation of individual and corporate income taxes and franchise taxes. No fiscal impact.
- S.F. 2197 Liquor Control Licenses: Creates a special class "C" license for the sale of wine by the individual drink for on premise consumption. Fiscal Impact: Estimated to increase liquor revenues \$163,000 in FY 1981 and \$166,000 in FY 1982 and increase liquor license fees \$10,000 in FY 1981 and FY 1982.
- H.F. 2529 Liquor Control Licenses: Allows the sale of native wines under Class "A", Class "B", and Class "C" licenses for on the premise consumption, broadens the definition of native wines, and provides for the promulgation of rules by the Department of Revenue. Fiscal impact not known.
- S.F. 2376 Motor Fuel Excise Tax: Changes the tax on gasohol from the three percent sales tax to an excise tax of five cents per gallon beginning May 1, 1981, and ending June 30, 1983, after which gasohol will be taxed at the same rate as other motor fuel. This bill also creates a gasohol blenders license for persons other than distributors who blend motor fuel containing at least ten percent alcohol from agricultural products and clarifies the method for reporting, collection, and refunding taxes. Fiscal Impact: During the period May 1, 1981, to June 30, 1983, the five cent per gallon tax is expected to generate \$27.4 million in revenues to the Road Use tax Fund.
- H.F. 2587 Motor Fuel and Special Fuel Tax: Provides that carriers and distributors of motor and special fuels failing to register with the State by July 1 of each year shall have their registrations cancelled. Allows a person holding a special fuel distributor's license to dispense special fuel to a motor vehicle. Allows use of a single special fuel user's license for mobile fuel storage. Permits a special fuel distributor to supply up to 20 gallons of special fuel to a stranded motorist. Requires requests for refunds to be made within one month following the quarter in which overpayment occurred. Allows overpayments to be credited against future fuel tax or to set off other tax liabilities owed to the Department of Revenue. No fiscal impact.
- H.F. 2597 Personal Property Tax: This legislation delays for one year. FY 1981, the phase-out of personal property taxes. This delay freezes the level of state funding used to pay credits claimed by local governments at the fiscal 1980 level of \$42.4 million. After fiscal year 1981, the phase-out is reinstated. H.F. 2597 also changes the required assessment of personal property from every year to every other year (odd years). Fiscal Impact: Reduces fiscal 1981 state cost of funding personal property tax credits by \$3.8 million.
- S.F. 69 Property Tax: Allows medical and necessary care expenses to be deducted from income in the determination of qualification for abatement of special assessment taxes owed by a totally disabled person. Fiscal Impact: Minimal.
- S.F. 108 Property Tax: Allows school house levy monies to be used for major building repairs in addition to new building construction or improvements. Fiscal Impact: No state impact. local impact dependent upon local conditions.
- S.F. 2060 Property Tax: Permits food and beverages to be served on publically owned or operated property without changing property tax exemption status. No fiscal impact.
- S.F. 2072 Property Tax: Special Assessments. Allocates \$4,242.31 from the General Fund to the City of Boone to pay remaining assessments against Iowa National Guard property for street improvement project 1977 #1. Fiscal Impact: One-time cost of \$4,242.31 in fiscal year 1981.
- S.F. 2264 Property Tax: Creates a new section of the Code concerning notice appeal, and judicial review of property valuations and tax assessments made by the Director of Revenue. No fiscal impact.
- S.F. 2290 Property Tax: Clarifies the conditions for determining the taxable status of property that were unclear after the passage of S.F. 153 by the 1979 Session of the 68th General Assembly. No fiscal impact.
- S.F. 2369 Property Tax: This bill amends the exemption from property tax for nonprofit cemetery associations to include all cemetery associations devoted to the interment of human bodies and remains. S.F. 2369 also amends the assessment classification of commercial property to include locker plants which provides retail freezer storage facilities, custom slaughtering of livestock, and/or processing livestock to offer as retail processed meat products. Previously, locker plants were assessed under the industrial property classification. Fiscal Impact: Minimal.
- H.F. 733 Recapture of Property Tax: Repeals Section 445.64 of the 1971 Code retroactively to January 1, 1978, which provides for the recapture of property taxes when tax preferred property changes Classification due to a change in use. Fiscal Impact: Has no State fiscal effect. May reduce potential local tax revenues depending upon the amount of property changing from a tax preferred classification.
- H.F. 2072 Property Tax: H.F. 2072 has the following provisions:
 1) Increases the hoestead tax credit from the levy on the first \$4,500 of taxable valuation to the levy on the first \$4,850 of valuation.
 2) Increases the agricultural land tax fund from \$42 million to \$43.5 million.
 3) Limits annual statewide growth in taxable valuation of commercial and industrial property to six percent in 1979 and four percent in all subsequent years.

- 4) Limit annual statewide growth in taxable valuation of utility property excluding railroad property to 10 percent in 1979 and eight percent in all subsequent years.
- 5) Limits the valuation of railroad property as a percentage of market value to the percentage set for commercial or industrial property, whichever is lower.
- 6) Provides for counties and cities to exceed statutory levy rate limits through local special elections.
- 7) Creates a tax study committee of the Lieutenant Governor, eight members of the Legislature and 12 public appointees of the Governor.

Fiscal Impact:

State:

1) Homestead Credit Increase	\$ 8,200,000
2) Agricultural Land Tax Fund Increase	1,500,000
3) School Aid Foundation Increase	4,700,000

Total cost to General Fund 614,400,000

Local:

Reduces potential local property tax collection due to the limits on growth. The effect on any one locality depends upon the relationship of local to state valuation growth and the extent to which local governments are at statutory levy limits.

H.F. 2458 Property tax: Allows a school house levy in a reorganized district to be made with the approval of the voters or allows the minimum voter approved levy from the previously existing districts to be applied throughout the reorganized district without conducting a new election. Fiscal Impact: No state impact. local impact varies.

H.F. 2567 Property Tax: This bill amends the section of House File 2072 concerned with assessed valuations in tax increment financing districts by applying the rollback in total property values to reduce only the base property value in an urban renewal area instead of to both the base and increment values. H.F. 2567 also provides for tax revenue from urban renewal increments that are in excess of monies needed for debt repayment to be transferred to general use. Fiscal Impact: The added reduction in the property tax base used to calculate the state school foundation is estimated to increase the state share by \$80,000 in FY 1981. Future impacts are not known.

H.F. 2581 Property Tax: H.F. 2581 authorizes county boards of supervisors to levy a tax of not more than 27¢ per \$1,000 assessed valuation to support ambulance services if the county general fund levy is at the maximum rate permitted or if additional ambulance service support by the county or county hospital is not feasible. The tax can be levied only after obtaining public support through a referendum. The amount of tax collected in areas served by the ambulance must be proportional to the population distribution of those areas. Fiscal Impact: No state impact. Local impact depends upon local budget conditions and service needs.

S.F. 2378 Railway Finance Authority: Creates a five-member board with the authority to issue bonds worth up to \$100,000,000 in total outstanding value in order to aid in the construction, renovation, and repair of railway facilities. The State has no liability for the bonds issued by this authority. The act also provides a one-time appropriation to be used for salaries, support and maintenance of the railway authority until July 1, 1982. Fiscal Impact: Appropriates \$275,000 from the State General Fund in FY 1980.

H.F. 741 Real Estate Transfer Tax: Provides an exemption from the transfer tax for deed transfer of real property between a family corporation and its members in an incorporation or a corporate dissolution. Fiscal Impact: Minimal decrease in state and county revenues.

H.F. 747 Road Use Tax Fund: Allocates from the Road Use Tax Fund 34.4 million to the Primary Road Fund and \$1.5 million to the Farm-to-Market Road Fund. Provides for registration of special trucks for farm use. Increases truck registration fees based on gross weight. Increases allowable vehicle weight to 40 tons and limits length to 60 feet except vehicles used exclusively for transportation of passenger vehicles, light and panel delivery trucks, pickup trucks, and boats which are limited to 65 feet overall. Increases fines charged for over-weight violations. Fiscal Impact: Has no impact on the General Fund, reduces Road Use Tax Fund 55.9 million, and has local impact through increased weight violation fines which go to local school districts.

S.F. 2238 Soybean Promotion Law: Redefines taxable beans to include all soybeans marketed in Iowa instead of those grown and sold in the state, includes board representation of agri-industries, increases the maximum allowable assessment from one-half cent to one cent per bushel, allows a special referendum to be held to increase the assessment up to the one-cent limit upon the petition of the board by at least 100 producers and forwards the collected assessments directly to the promotion board rather than the Secretary of Agriculture. No fiscal impact.

S.F. 2361 Transportation fees and Registration: S.F. 2361 makes various changes in the registration of vehicles including motorized bicycles, church buses, and semitrailers; makes changes in requirements for minor school, motorcycle, motorized bicycle, and chauffeur's licenses; allows special registration plates for former POW's, members of the National Guard, and handicapped persons; and makes other changes in transportation regulations. Fiscal Impact: S.F. 2361 is expected to increase Road Use Tax Fund receipts by approximately \$160,000 each year.

BONDING BILL SUMMARY

- H.F. 2580 Beer and Liquor Control Department, Iowa: Authorizes the council to issue revenue bonds in an amount not to exceed \$4 million to finance a new liquor warehouse.
- S.F. 2343 Iowa Family Farm Development Authority: Establishes the authority, and authorizes the issuance of up to \$150 million revenue bonds for the acquisition of land, buildings, or improvements by beginning business-person, and provides that the Family Farm Development authority shall administer the Banhead-Jones Farm Tenant Act funds.
- H.F. 2410 Iowa Housing Finance kuthority: Increases the total amount of bonds or notes which may be outstanding at any one time from \$250 million to \$500 million, and authorizes \$50 million for property improvement loans to finance solar and other renewable energy systems.
- S.F. 2378 Iowa Railway Finance Authority: Creates the Railway Finance Authority, and authorizes the issuance of up to \$100 million bonds to aid in the construction, renovation and repair of railway facilities. It also provides that the Authority is exempt from state taxation, and appropriates \$275,000 for the salaries, support, and maintenance of the finance authorities staff.
- H.C.R. 111 University of Iowa, hospital addition: Authorizes the University of Iowa to issue bonds to finance up to \$18 million of an addition to the Roy J. Carver Pavilion to house outpatient clinics, inpatient facilities and to construct supporting mechanical facilities.

ENROLLED BILLS

HOUSE CONCURRENT RESOLUTION 111

By Committee on Appropriations

Whereas, chapter two hundred sixty-three A (263A) of the Code, provides that the state board of regents after authorization by a constitutional majority of the general assembly may carry out any project as defined in that chapter of the Code at the state university of Iowa; and

Whereas, chapter two hundred sixty-three A (263A) of the Code, authorizes the state board of regents to borrow money and to issue and sell negotiable bonds or notes to pay all or any part of the cost of carrying out such projects at the institution payable solely and only from and secured by an irrevocable pledge of a sufficient portion of the university hospital income; and

Whereas, many of the facilities of the hospitals at the state university of Iowa were built more than fifty years ago and are inadequate to meet present and future demands for statewide specialty care and teaching services; and

Whereas, three hundred seventy-six beds of the hospitals at the state university of Iowa have been determined by the state department of health to be "nonconforming" and no longer meet modern hospital building codes and standards and detailed studies have shown that upgrading these facilities to modern standards would be prohibitive because of the cost; and

Whereas, ninety-one pediatric beds of the three hundred seventy-six nonconforming beds are dispersed throughout the hospital and do not meet present day

standards of a modern tertiary level teaching hospital relating to infection control, patient privacy, and spatial requirements, including parent rooming-in for the optimal delivery of pediatric care; and

Whereas, the pediatric and surgical outpatient clinics are located in temporary metal structures that do not conform to codes and standards for patient care areas; and

Whereas, to alleviate these conditions, the state board of regents requests authorization to construct an addition to the south of the Roy J. Carver Pavilion of approximately one hundred sixty-three thousand gross square feet, to house outpatient clinics and inpatient facilities for ninety-one beds, and to construct supporting mechanical facilities at an estimated total cost of twenty-one million nine hundred forty-eight thousand (21,948,000) dollars of which not more than eighteen million (18,000,000) dollars would be financed by borrowing under the provisions of chapter two hundred sixty-three A (263A) of the Code, and the remainder to be financed by other funds; Now *Therefore*.

Be It Resolved by the House of Representatives. *The Senate Concurring*. That the state board of regents is authorized to construct an addition of one hundred sixty-three thousand gross square feet of floor space, more or less, to the south of the Roy J. Carver Pavilion of the general hospital of the state university of Iowa to house outpatient clinics and inpatient facilities and to construct supporting mechanical facilities at an estimated total cost of twenty-one million nine hundred forty-eight thousand (21,948,000) dollars of which not more than eighteen million (18,000,000) dollars would be financed by borrowing through the issuance of bonds as authorized by the provisions of chapter two hundred sixty-three A (263A) of the Code.

Grinnell Herald-Register, a newspaper published in Grinnell,
Iowa.

WILLIAM H. HARBOR
Speaker of the House

TERRY E. BRANSTAD
President of the Senate

I hereby certify that this bill originated in the House and
is known as House File 733, Sixty-eighth General Assembly.

BRUCE GRAHAM
Assistant Chief Clerk of the House

Approved _____, 1980

ROBERT D. RAY
Governor

HOUSE FILE 733

AN ACT

RELATING TO THE RECAPTURE OF TAXES ON CERTAIN CLASSES OF
PROPERTY WHEN A CHANGE IN USE OF THE PROPERTY OCCURS
AND MAKING THE ACT RETROACTIVE.

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

Section 1. Section four hundred forty-five point sixty-
three (445.63), Code 1979, is repealed.

Sec. 2. This Act is retroactive to January 1, 1978 for
additional taxes levied and payable on property on which a
change of use has occurred.

Sec. 3. This Act, being deemed of immediate importance,
shall take effect from and after its publication in The Hamburg
Reporter, a newspaper published in Hamburg, Iowa, and in the

their spouses and other lineal descendents of the grandparents or their spouses, or persons acting in a fiduciary capacity for persons so related and where all of its stockholders are' natural persons or persons acting in a fiduciary capacity for the benefit of natural persons.

HOUSE FILE 741

AN ACT

TO EXEMPT FROM THE REAL ESTATE TRANSFER TAX CERTAIN DEEDS BETWEEN FAMILY CORPORATIONS AND THEIR STOCKHOLDERS.

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

Section 1. Section four hundred twenty-eight A point two (428A.2), Code 1979, is amended by adding the following new subsection:

NEW SUBSECTION. Deeds between a family corporation and its stockholders for the purpose of transferring real property in an incorporation or corporate dissolution under the laws of this state, where the deeds are given for no actual consideration other than for shares of stock or for debt securities of the corporation. For purposes of this subsection a family corporation is a corporation where the majority of the voting stock is held by and the majority of the stockholders are persons related to each other as spouse, parent, grandparent, lineal ascendants of grandparents or

WILLIAM H. HARBOR
Speaker of the House

TERRY E. BRANSTAD
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 741, Sixty-eighth General Assembly.

DAVID L. WRAY
Chief Clerk of the House

Approved _____, 1980

ROBERT D. RAY
Governor

H.F. 741

HOUSE FILE 747

AN ACT

RELATING TO THE LENGTH, WEIGHT, AND ANNUAL REGISTRATION FEES
OF VEHICLES AND COMBINATIONS OF VEHICLES AND PROVIDING
PENALTIES FOR VIOLATIONS.

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

Section 1. Section three hundred twelve point two (312.2), Code 1979, is amended by adding the following new subsection:

NEW SUBSECTION. The treasurer of state, before making the other allotments provided for in this section, shall credit annually to the primary road fund from the road use tax fund the sum of four million four hundred thousand dollars and to the farm-to-market road fund from the road use tax fund the sum of one million five hundred thousand dollars for partial compensation of allowing trucks to operate on the roads of this state as provided in section three hundred twenty-one point four hundred sixty-three (321.463) of the Code.

Sec. 2. Section three hundred twenty-one point one (321.1), subsection one (1), paragraph c, Code 1979, as the section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter seventy (70), sections one (1) and two (2), and chapter seventy-four (74), section twenty-two (22), is amended by striking the paragraph.

Sec. 3. Section three hundred twenty-one point one (321.1), subsection sixty-nine (69). Code 1979, as the section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter seventy (70), sections one (1) and two (2), and chapter seventy-four (74), section twenty-two (22), is amended by striking the subsection.

Sec. 4. Section three hundred twenty-one point one hundred twenty-one (321.121), Code 1979, is amended to read as follows:

321.121 SPECIAL TRUCKS FOR FARM USE. The registration fee for a special truck shall be one hundred ~~twenty~~ dollars

for a gross weight of eight tons, and in addition, fifteen dollars for each ton over eight tons. Any person convicted of using a truck registered as a special truck for any purpose other than permitted by section 321.1, subsection 72, shall, in addition to any other penalty imposed by law, be required to pay regular motor truck registration fees upon such truck.

Sec. 5. Section three hundred twenty-one point one hundred twenty-two (321.122), subsection one (1), Code 1979, is amended by striking the subsection and inserting in lieu thereof the following:

1. The annual registration fee for truck tractors, road tractors, and motor trucks, except special trucks, shall be based on the combined gross weight of the vehicle or combination of vehicles. All trucks, truck tractors, or road tractors shall be registered for a gross weight equal to or in excess of the unladen weight of the vehicle or combination of vehicles. The annual registration fee for such vehicles or combination of vehicles shall be:

a. For a combined gross weight of three tons or less forty-five dollars and after ten full registrations thirty-five dollars.

b. For a combined gross weight exceeding three tons, the annual registration fee shall be as set forth in the following schedule:

For a combined gross weight exceeding:	And not exceeding:	The annual registra- tion fee shall be:
3 Tons	4 Tons	\$ 60
4 Tons	5 Tons	70
5 Tons	6 Tons	85
6 Tons	7 Tons	110
7 Tons	8 Tons	145
8 Tons	9 Tons	180
9 Tons	10 Tons	215
10 Tons	11 Tons	250
11 Tons	12 Tons	285
12 Tons	13 Tons	320
13 Tons	14 Tons	355

H.F. 747

14 Tons	15 Tons	\$ 445
15 Tons	16 Tons	\$ 485
16 Tons	17 Tons	\$ 525
17 Tons	18 Tons	\$ 565
18 Tons	19 Tons	\$ 610
19 Tons	20 Tons	\$ 675
20 Tons	21 Tons	\$ 715
21 Tons	22 Tons	\$ 755
22 Tons	23 Tons	\$ 795
23 Tons	24 Tons	\$ 835
24 Tons	25 Tons	\$ 965
25 Tons	26 Tons	\$ 1,010
26 Tons	27 Tons	\$ 1,060
27 Tons	28 Tons	\$ 1,105
28 Tons	29 Tons	\$ 1,150
29 Tons	30 Tons	\$ 1,200
30 Tons	31 Tons	\$ 1,245
31 Tons	32 Tons	\$ 1,295
32 Tons	33 Tons	\$ 1,340
33 Tons	34 Tons	\$ 1,415
34 Tons	35 Tons	\$ 1,465
35 Tons	36 Tons	\$ 1,510
36 Tons	37 Tons	\$ 1,555
37 Tons	38 Tons	\$ 1,605
38 Tons	39 Tons	\$ 1,650
39 Tons	40 Tons	\$ 1,695

c. For a combined gross weight exceeding forty tons, the annual registration fee shall be one thousand six hundred ninety-five dollars plus eighty dollars for each ton over forty tons.

Sec. 6. Section three hundred twenty-one point one hundred twenty-two (321.122), subsection four (4), Code 1979, is amended by striking the subsection and inserting in lieu thereof the following:

4. This subsection shall not be construed to require a license for the operation of a rubber-tired farm tractor not for hire upon the public highways.

Sec. 7. Section three hundred twenty-one point four hundred fifty-seven (321.457), subsection three (3), Code 1979, is amended by striking the subsection and inserting in lieu thereof the following:

3. Except for combinations of vehicles, provisions for which are otherwise made in this chapter, no combination of a truck tractor and a semitrailer coupled together unladen or with load, shall have an overall length, inclusive of front and rear bumpers, in excess of sixty feet.

Sec. 8. Section three hundred twenty-one point four hundred fifty-seven (321.457), subsection five (5), Code 1979, is amended by striking the subsection and inserting in lieu thereof the following:

5. Combinations of vehicles coupled together which are used exclusively for the transportation of passenger vehicles, light delivery trucks, panel delivery trucks, pickup trucks and boats may be permitted to extend the load up to three feet beyond the front and rear bumpers of the transporting vehicle when the overall length of the vehicle with load does not exceed sixty-five feet.

Sec. 9. Section three hundred twenty-one point four hundred fifty-seven (321.457), Code 1979, is amended by adding the following new subsection:

NEW SUBSECTION. A semitrailer shall not have a total length of more than forty-five feet nor a distance between the kingpin and the center of the rearmost axle of a semitrailer in excess of forty feet, except a semitrailer used principally for hauling livestock, a semitrailer used exclusively for the purposes of hauling self-propelled industrial and construction equipment, or a semitrailer used exclusively for the purposes described in subsection five (5) of this section. A nonexempt semitrailer in excess of forty-five feet in length which is a 1980 or older model year may be operated on the highways of this state if a special overlength permit is obtained from the department for the vehicle. The special overlength permit shall be valid until such time as the semitrailer is inoperable.

Sec. 10. section three hundred twenty-one point four hundred fifty-nine (321.459), Code 1979, is amended by striking the section and inserting in lieu thereof the following:

321.459 DUAL AXLE REQUIREMENT. Axles of a motor vehicle, trailer, or semitrailer which are less than forty inches apart center to center shall be considered as a single axle for the purpose of determining permissible gross weight under section three hundred twenty-one point four hundred sixty-three (321.463) of the Code.

Sec. 11. Section three hundred twenty-one point four hundred sixty-three (321.463), Code 1979, is amended by striking the section and inserting in lieu thereof the following:

321.463 MAXIMUM GROSS WEIGHT. An axle may be divided into two or more parts, except that all parts in the same vertical transverse plane shall be considered as one axle.

The gross weight on any one axle of a vehicle, or of a combination of vehicles, operated on the highways of this state, shall not exceed twenty thousand pounds on an axle equipped with pneumatic tires, and shall not exceed fourteen thousand pounds on an axle equipped with solid rubber tires. The gross weight on any tandem axle of a vehicle, or any combination of vehicles, shall not exceed thirty-four thousand pounds on an axle equipped with pneumatic tires.

A group of two or more consecutive axles of any vehicle or combination of vehicles, shall not carry a load in pounds in excess of the overall gross weight determined by application of the following formula: $W \text{ equals } 500 (LN/N-1 + 12N + 36)$ where W equals the overall gross weight on any group of two or more consecutive axles to the nearest five hundred pounds, L equals the distance in feet, rounded to the nearest whole foot, between the extreme of any group of two or more consecutive axles, and N equals the number of axles in the group under consideration, except that two consecutive sets of tandem axles may carry a gross load of thirty-four thousand pounds each providing the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six feet or more.

The maximum gross weight shall not exceed eighty thousand pounds.

The weight on any one axle, including a tandem axle, of a vehicle which is transporting livestock on highways not part of the interstate system may exceed the legal maximum weight given in this chapter providing that the gross weight on any particular group of axles on such vehicle does not exceed the gross weight allowable under this chapter for such groups of axles.

A person who operates a vehicle in violation of the provisions of this section, and an owner, or any other person, employing or otherwise directing the operator of a vehicle, who requires or knowingly permits the operation of a vehicle in violation of the provisions of this section shall be fined according to the following schedule:

AXLE, TANDEM AXLE, AND GROUP OF AXLES WEIGHT VIOLATIONS	
Pounds Overloaded	Amount of Fine
Up to and including 1,000 pounds	\$10 plus one-half cent per pound
Over 1,000 pounds to and including 2,000 pounds	\$15 plus one-half cent per pound
Over 2,000 pounds to and including 3,000 pounds	\$80 plus three cents per pound
Over 3,000 pounds to and including 4,000 pounds	\$100 plus four cents per pound
Over 4,000 pounds to and including 5,000 pounds	\$150 plus five cents per pound
Over 5,000 pounds to and including 6,000 pounds	\$200 plus seven cents per pound
Over 6,000 pounds	\$200 plus ten cents per pound

Fines for gross weight violations for vehicles or combinations of vehicles shall be assessed at one-half of the fine rate schedule for axle, tandem axle, and groups of axles weight violations.

The amount of the fine to be assessed shall be computed on the difference between the actual weight and the maximum

legal weight specified in this section by applying the, appropriate rate in the preceding schedule for the total amount of overload. . .

The schedule of fines may be assessed in addition to any other penalties provided for in this chapter.

Overloads on axles and tandem axles and overloads on groups of axles or on an entire vehicle or combination of vehicles shall be considered as separate violations of the provisions of this section.

A person who issues or executes, or causes to be issued or executed, a bill of lading, manifest, or shipping document of any kind which states a false weight of the cargo set forth on such bill, manifest, or document, which is less than the actual weight of the cargo, shall, upon conviction, be guilty of a simple misdemeanor.

Sec. 12. The department shall issue permits for the period beginning fifteen days following the effective date of this Act to December 31, 1980 to interstate and intrastate carriers that apply for registration authority at a weight higher than the current registered gross weight. The department shall assess a prorated fee from the schedule of fees set forth in section five (5) of *this* Act. Permit fees shall be payable on an annual basis. A minimum fee of ten dollars shall be collected by the department. Trucks, motor trucks, and truck tractors registered under the provisions of section three hundred twenty-one point one hundred twenty-two (321.122) of the Code on the effective date of this Act shall not be eligible to reregister under section three hundred twenty-one point one hundred twenty-one (321.121) of the Code during the 1980 registration year. The commission shall adopt temporary rules as are necessary to implement the provisions of this Act as it relates to revised registrations in 1980 and temporary rules adopted for this purpose are not rules as defined in section seventeen A point two (17A.2), subsection seven (7), of the Code and shall not be subject to chapter seventeen A (17A) of the Code.

Sec. 13. The director of the department of transportation shall give consideration to increasing the hours of operation and employees designated to operate permanent weigh stations as provided by section three hundred twenty-one point four hundred seventy-seven (321.477) of the Code.

Sec. 14. This Act, being deemed of immediate importance, takes effect from and after its publication in the *Globe-Gazette*, a newspaper published in Mason City, Iowa, and in *The Sioux City Journal*, a newspaper published in Sioux City, Iowa.

WILLIAM H. HARBOR
Speaker of the House

TERRY E. BRANSTAD
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 747, Sixty-eighth General Assembly.

DAVID L. WRAY
Chief Clerk of the House

Approved _____, 1980

ROBERT D. RAY
Governor

HOUSE FILE 2072

AN ACT

RELATING TO PROPERTY TAXATION BY PROVIDING ADDITIONAL, PROPERTY TAX CREDITS FOR PROPERTY OWNERS BY INCREASING THE HOMESTEAD TAX CREDIT AND THE AGRICULTURAL LAND TAX CREDIT, BY PROVIDING FOR THE VALUATION OF AGRICULTURAL STRUCTURES, COMMERCIAL PROPERTY, INDUSTRIAL PROPERTY, AND PROPERTY VALUED BY THE DEPARTMENT OF REVENUE AT A PERCENTAGE OF ITS ACTUAL VALUE FOR TAX PURPOSES, BY PROVIDING A PROCEDURE TO EXCEED LEVY LIMITS, BY ESTABLISHING AGRICULTURAL DWELLINGS AS ONE CLASS OF PROPERTY AND COMBINING AGRICULTURAL BUILDINGS WITH AGRICULTURAL LAND INTO ANOTHER CLASS OF PROPERTY, BY ALTERING THE QUALIFICATION FOR A COUNTY TO LEVY A PROPERTY TAX BECAUSE OF A FEDERAL ORDINANCE PLANT AND MAKING THE ACT RETROACTIVE.

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

Section 1. Section four hundred twenty-five point one (425.1), subsections two (2), four (4), and seven (7), Code 1979, are amended to read as follows:

2. The homestead credit fund shall be apportioned each year so as to give a credit against the tax on each eligible homestead in the state in an amount equal to the actual levy on the first four thousand ~~five~~ eight hundred fifty dollars of actual value for each homestead.

4. Annually the department of revenue shall estimate the credit not to exceed the actual levy on the first four thousand ~~five~~ eight hundred fifty dollars of actual value of each eligible homestead, and shall certify to the county auditor of each county ~~such the~~ credit and ~~the its~~ amount in dollars ~~thereof~~. Each county auditor shall then enter ~~such the~~ credit against the tax levied on each eligible homestead in each county payable during the ensuing year, designating on the tax lists ~~such the~~ credit as being from the homestead credit

fund, and credit shall then be given to the several taxing districts in which ~~such~~ eligible homesteads are located in an amount equal to the credits allowed on the taxes of ~~such the~~ homesteads. The amount of ~~said~~ credits shall be apportioned by each county treasurer to the several taxing districts as provided by law, in the same manner as though the amount of the credit had been paid by the owners of ~~maid the homesteads, provided, however, that.~~ However, the several taxing districts shall not ~~be-permitted-to~~ draw the funds so credited until after the semiannual allocations have been received by the county treasurer, as provided in this chapter. Each county treasurer shall show on each tax receipt the amount of credit received from the homestead credit fund.

7. Where any special charter city levies and collects its own taxes, the amount of the homestead tax credit allowed on eligible homesteads within the city shall be computed as follows:

a. In an amount equal to the tax levy by the special charter city on the first ~~forty-five-hundred~~ four thousand eight hundred fifty dollars of actual value for each eligible homestead.

b. In an amount equal to the remainder of the consolidated levy as established by the county auditor on the first ~~forty-five-hundred~~ four thousand eight hundred fifty dollars of actual value for each eligible homestead.

The homestead tax credit computed under this subsection shall be applicable for each homestead tax credit claimed between January 1 and July 1 of the year in which the valuation being taxed by the city and county respectively was established.

Sec. 2. Section four hundred twenty-six point one (426.1), Code 1979, is amended to read as follows:

426.1 AGRICULTURAL LAND CREDIT FUND. There is hereby created as a permanent fund in the office of the treasurer of state a fund to be known as the agricultural land credit fund, and for the purpose of establishing and maintaining said fund for each fiscal year there is appropriated thereto

from funds in the general fund not otherwise appropriated the sum of ~~forty-two~~ forty-three million five hundred thousand dollars. Any balance in paid fund on June 30 shall revert to the general fund.

Sec. 3. Section four hundred forty-one point twenty-one (441.21), subsection three,(3), unnumbered paragraph one (1), Code 1979, is amended to read as follows:

"Actual value", "taxable value", or "assessed value" as used in other sections of the Code in relation to assessment of property for taxation shall mean the valuations as determined by this section; however, other provisions of the Code providing special methods or formulas for assessing or valuing specified property shall remain in effect, but this section shall be applicable to the extent consistent with such provisions. The assessor and department of revenue shall disclose at the written request of the taxpayer all information in any formula or method used to determine the actual value of his property.

Sec. 4. Section four hundred forty-one point twenty-one (441.21), Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter twenty-five (25), sections three (3), four (4), five (5), and six (6), is amended by inserting after subsection five (5) the following new subsection:

NEW SUBSECTION. For valuations established as of January 1, 1979, commercial property and industrial property, excluding properties referred to in section four hundred twenty-seven A point one (427A.1), subsection six (6), of the Code, shall be assessed as a percentage of the actual value of each class of property. The percentage shall be determined for each class of property by the director of revenue for the state in accordance with the provisions of this section. For valuations established as of January 1, 1979, the percentage shall be the quotient of *the* dividend and divisor as defined in this section. The dividend for each class of property shall be the total actual valuation for each class of property established for 1978, plus six percent of the amount so

determined. The divisor for each class of property shall be the valuation for each class of property established for 1978, as reported ~~by~~ the assessors on the abstracts of assessment for 1978, plus the amount of value added to the total actual value by the revaluation of existing properties in 1979 as equalized by the director of revenue pursuant to section four hundred forty-one point forty-nine (441.49) of the Code. For valuations established as of January 1, 1979, property valued by the department of revenue pursuant to chapter four hundred twenty-eight (428), four hundred thirty-three (433), four hundred thirty-six (436), four hundred thirty-seven (437), and four hundred thirty-eight (438) of the Code shall be considered as one class of property and shall be assessed as a percentage of its actual value. The percentage shall be determined by the director of revenue in accordance with the provisions of this section. For valuations established as of January 1, 1979, the percentage shall be the quotient of the dividend and divisor as defined in this section. The dividend shall be the total actual valuation established for 1978 by the department of revenue, plus ten percent of the amount so determined. The divisor for property valued by the department of revenue pursuant to chapters four hundred twenty-eight (428), four hundred thirty-three (433), four hundred thirty-six (436), four hundred thirty-seven (437), and four hundred thirty-eight (438) of the Code shall be the valuation established for 1978, plus the amount of value added to the total actual value by the revaluation of the property by the department of revenue as of January 1, 1979. For valuations established as of January 1, 1980, commercial property and industrial property, excluding properties referred to in section four hundred twenty-seven A point one (427A.1), subsection six (6), of the Code, shall be assessed at a percentage of the actual value of each class of property. The percentage shall be determined for each class of property by the director of revenue for the state in accordance with the provisions of this section. For valuations established as of January 1, 1980, the percentage

shall be the quotient of the dividend and divisor as defined in this section. The dividend for each class of property shall be the dividend as determined for each class of property for valuations established as of January 1, 1979, adjusted by the product obtained by multiplying the percentage determined for that year by the amount of any additions or deletions to actual value, excluding those resulting from the revaluation of existing properties, as reported by the assessors on the abstracts of assessment for 1979, plus four percent of the amount so determined. The divisor for each class of property shall be the total actual value of all such property in 1979, as equalized by the director of revenue pursuant to section four hundred forty-one point forty-nine (441.49) of the Code, plus the amount of value added to the total actual value by the revaluation of existing properties in 1980. The director shall utilize information reported on the abstracts of assessment submitted pursuant to section four hundred forty-one point forty-five (441.45) of the Code in determining such percentage. For valuations established as of January 1, 1980, property valued by the department of revenue pursuant to chapters four hundred twenty-eight (428), four hundred thirty-three (433), four hundred thirty-six (436), four hundred thirty-seven (437), and four hundred thirty-eight (438) of the Code shall be assessed at a percentage of its actual value. The percentage shall be determined by the director of revenue in accordance with the provisions of this section. For valuations established as of January 1, 1980, the percentage shall be the quotient of the dividend and divisor as defined in this section. The dividend shall be the total actual valuation established for 1979 by the department of revenue, plus eight percent of the amount so determined. The divisor for property valued by the department of revenue pursuant to chapters four hundred twenty-eight (428), four hundred thirty-three (433), four hundred thirty-six (436), four hundred thirty-seven (437), and four hundred thirty-eight (438) of the Code shall be the valuation established for 1979, plus the amount of value added

to the total actual value by the revaluation of the property by the department of revenue as of January 1, 1980. For valuations established as of January 1, 1981, and each year thereafter, the percentage of actual value as equalized by the director of revenue as provided in section four hundred forty-one point forty-nine (441.49) of the Code at which commercial property and industrial property, excluding properties referred to in section four hundred twenty-seven A point one (427A.1), subsection six (6), of the Code, shall be assessed shall be calculated in accordance with the methods provided herein, except that any references to six percent in this subsection shall be four percent. For valuations established as of January 1, 1981, and each year thereafter, the percentage of actual value at which property valued by the department of revenue pursuant to chapters four hundred twenty-eight (428), four hundred thirty-three (433), four hundred thirty-six (436), four hundred thirty-seven (437), and four hundred thirty-eight (438) of the Code shall be assessed shall be calculated in accordance with the methods provided herein, except that any references to ten percent in this subsection shall be eight percent. Beginning with valuations established as of January 1, 1979, and each year thereafter, property valued by the department of revenue pursuant to chapter four hundred thirty-four (434) of the Code shall also be assessed at a percentage of its actual value which percentage shall be equal to the percentage determined by the director of revenue for commercial property, industrial property, or property valued by the department of revenue pursuant to chapters four hundred twenty-eight (428), four hundred thirty-three (433), four hundred thirty-six (436), four hundred thirty-seven (437), and four hundred thirty-eight (438) of the Code, whichever is lowest.

Sec. 5. Section four hundred forty-one point twenty-one (441.21), subsection six (6), Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter twenty-five (25), section six (6), is amended to read as follows:

6. Beginning with valuations established as of January 1, 1978, the assessors shall report the aggregate taxable values and the number of dwellings located on agricultural land and the aggregate taxable value of all other structures on agricultural land. Beginning with valuations established as of January 1, 1981, ~~such agricultural structures and the~~ agricultural dwellings located on agricultural land shall be valued at their market value as defined in this section ~~and agricultural structures and agricultural dwellings shall each constitute a separate class of~~ be valued as rural residential property and shall be assessed at the same percentage of actual value as is all other residential property.

Sec. 6. Section four hundred forty-one point twenty-one (441.21), Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter twenty-five (25), sections three (3), four (4), five (5), and six (6), is amended by inserting after subsection eight (8) the following new subsection:

NEW SUBSECTION. For valuations established as of January 1, 1980, against which taxes will be levied for the fiscal year beginning in the 1980 calendar year by any special charter city that levies and collects its own taxes, the percentage of actual value at which commercial and industrial property, excluding properties referred to in section four hundred twenty-seven A point one (427A.1), subsection six (6), of the Code, shall be assessed shall be the quotient of the dividend and divisor as defined in this section. The dividend for each class of property shall be the valuation for each class of property for valuations established as of January 1, 1979, and upon which any special charter city levied its taxes in 1979, plus four percent of the amount so determined. The divisor for each class of property shall be the total actual value of all such property for 1979, as equalized by the director of revenue pursuant to section four hundred forty-one point forty-nine (441.49) of the Code, plus the amount of value added to said total actual value by the

revaluation of existing properties in 1980. For valuations established as of January 1, 1980, property valued by the department of revenue pursuant to chapters four hundred twenty-eight (428), four hundred thirty-three (433), four hundred thirty-six (436), four hundred thirty-seven (437), and four hundred thirty-eight (438) of the Code shall be considered as one class of property and shall be assessed at a percentage of its actual value. The percentage shall be determined by the director of revenue in accordance with the provisions of this section. For valuations established as of January 1, 1980, the percentage shall be the quotient of the dividend and divisor as defined in this section. The dividend shall be the total actual valuation established for 1979 by the department of revenue, plus eight percent of the amount so determined. The divisor for property valued by the department of revenue pursuant to chapters four hundred twenty-eight (428), four hundred thirty-three (433), four hundred thirty-six (436), four hundred thirty-seven (437), and four hundred thirty-eight (438) of the Code shall be the valuation established for 1979, plus the amount of value added to the total actual value by the revaluation of the property by the department of revenue as of January 1, 1980. For valuations established as of January 1, 1980, and each year thereafter, property valued by the department of revenue pursuant to chapter four hundred thirty-four (434) of the Code shall also be assessed at a percentage of its actual value which shall be equal to the percentage determined by the director of revenue for commercial property, industrial property, or property valued by the department of revenue pursuant to chapters four hundred twenty-eight (428), four hundred thirty-three (433), four hundred thirty-six (436), four hundred thirty-seven (437), and four hundred thirty-eight (438) of the Code, whichever is lowest. The percentage at which commercial property, industrial property and property valued by the department of revenue pursuant to chapters four hundred twenty-eight (428), four hundred thirty-three (433), four hundred thirty-four (434), four hundred thirty-six (436),

four hundred thirty-seven (437), and four hundred thirty-eight (438) of the code shall be assessed will be certified by the director on or before May 31, 1980 to the appropriate city official in special charter cities that levy and collect their own taxes. The percentage so certified shall be applicable only to those valuations against which the special charter city levies its own tax. For valuations established as of January 1, 1981, and each year thereafter for any special charter city that levies and collects its own taxes, the percentage of actual value as equalized by the director of revenue as provided in section four hundred forty-one point forty-nine (441.49) at which commercial property and industrial property, excluding property referred to in section four hundred twenty-seven A point one (427A.1), subsection six (6), of the Code, shall be assessed shall be calculated in accordance with the methods provided herein adjusted to include the applicable and current values as equalized by the director of revenue, except that any references to six percent in this subsection shall be four percent. The assessor shall provide valuation information to the director of revenue sufficient for the computation of the assessment percentage by May fifteenth of each year on forms prescribed by the director of revenue. For valuations established as of January 1, 1981, and each year thereafter, in a special charter city which levies and collects its own taxes, the percentage of actual value at which property valued by the department of revenue pursuant to chapters four hundred twenty-eight (428), four hundred thirty-three (433), four hundred thirty-six (436), four hundred thirty-seven (437), and four hundred thirty-eight (438) of the Code shall be assessed shall be calculated in accordance with the methods provided herein, except that any references to ten percent in this subsection shall be eight percent.

Sec. 7. Section four hundred forty-one point twenty-one (441.21). subsection ten (10), Code 1979, is amended to read as follows:

10. For the purpose of computing the debt limitations for municipalities, political subdivisions and school districts, the term "actual value" means the "actual value" as determined by subsections one (1) through three (3) of this section without application of any percentage reduction and entered opposite each item, and as listed on the tax list as provided in section 443.2 as "actual value".

Whenever any board of review or other tribunal changes the assessed value of property, all applicable records of assessment shall be adjusted to reflect such change in both assessed value and actual value of such property.

Sec. 8. Section four hundred forty-one point twenty-one (441.21). subsection twelve (12), Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter twenty-five (25), section five (5), is amended to read as follows:

12. Not later than November 1, 1979, and November first of each subsequent year, the director shall certify to the county auditor of each county the percentages of actual value at which residential and property, agricultural property, commercial property, industrial property, and property valued by the department of revenue pursuant to chapters four hundred twenty-eight (428), four hundred thirty-three (433), four hundred thirty-four (434), four hundred thirty-six (436), four hundred thirty-seven (437), and four hundred thirty-eight (438) of the Code in each assessing jurisdiction in the county shall be assessed for taxation. The county auditor shall proceed to determine the assessed values of agricultural and property, residential property, commercial property, industrial property, and property valued by the department of revenue pursuant to chapters four hundred twenty-eight (428), four hundred thirty-three (433), four hundred thirty-four (434), four hundred thirty-six (436), four hundred thirty-seven (437), and four hundred thirty-eight (438) of the Code by applying such percentages to the current actual value of such property, as reported to the county auditor by the assessor, and the assessed values so determined shall be the taxable values of such properties upon which the levy shall be made.

Sec. 9. ~~Section~~ four hundred forty-one point twenty-one (441.21), subsection thirteen (13), Code 1979, is amended to read as follows:

13. The percentage of actual value computed by the director for agricultural ~~and property~~, residential property, commercial property, industrial property and property valued by the department of revenue pursuant to chapters four hundred twenty-eight (428), four hundred thirty-three (433), four hundred thirty-four (434), four hundred thirty-six (436), four hundred thirty-seven (437), and four hundred thirty-eight (438) of the Code and used to determine assessed values of those classes of property does not constitute a rule as defined in section 17A.2, subsection 7.

Sec. 10. Section four hundred forty-one point twenty-one (441.21), Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter twenty-five (25), sections three (3), four (4), five (5), and six (6), is amended by adding the following new subsection:

NEW SUBSECTION. The reduction of actual value provided in this section where applicable to property within an urban renewal area, shall be applied to reduce the initial assessed value under section four hundred three point nineteen (403.19), subsection one (1) of the Code, for the purpose of the division of revenue under that section.

Sec. 11. Section four hundred forty-three point two (443.2), Code 1979, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The county auditor shall list the aggregate actual value and the aggregate taxable value of all taxable property within the county and each political subdivision on the tax list in order that the actual value of the taxable property within the county ~~or~~ a political subdivision may ~~be~~ ascertained and shown by the tax list for the purpose of computing the debt-incurring capacity of the county ~~or~~ political subdivision. As used in this section and section four hundred forty-three point five (443.5) of the Code, "actual value" is the value determined under section

four hundred forty-one point twenty-one (441.21), subsection one (1) through three (3) of the Code, prior to the reduction to a percentage of actual value as otherwise provided in section four hundred forty-one point twenty-one (441.21) of the Code.

Sec. 12. Section four hundred forty-three point five (443.5), Code 1979, is amended to read as follows:

443.5 AGGREGATE VALUATIONS CERTIFIED. At the time of delivering the list to the treasurer, the auditor shall furnish to the director of revenue a certified statement showing separately the aggregate actual and taxable valuations of the real and personal property in the county, and also the aggregate amount of each separate tax as shown by the tax list.

Sec. 13. Section twenty-four point seventeen (24.17), unnumbered paragraph one (1), Code 1979, is amended to read as follows:

The local budgets of the various political subdivisions shall be certified by the chairman of the certifying board ~~or~~ levying board, as the case may be, in duplicate to the county auditor not later than March 15 of each year unless a city or county holds a special levy election, in which case certification shall not be later than fourteen days following the special levy election, on blanks prescribed by the state board, and according to the rules and instruction which shall be furnished all certifying and levying boards in printed form by the state board or city finance committee in the case of cities.

Sec. 14. Section twenty-four point forty-eight (24.48), Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter twenty-five (25), section one (1), is amended by adding the following new unnumbered paragraphs:

NEW UNNUMBERED PARAGRAPH. The city finance committee shall have officially notified any city of its approval, ~~modificati~~, or rejection of the city's request for a suspension of the statutory property tax levy limitation prior to thirty-five days before March fifteenth.

NEW UNNUMBERED PARAGRAPH. The state appeals board shall have officially notified ~~any~~ county of its approval, modification or rejection of the county's request for a suspension of the statutory property tax levy limitation prior to thirty-five days before March fifteenth.

Sec. 15. Section three hundred eighty-four point twelve (384.12), Code 1979, is amended by adding the following new Subsection:

NEW SUBSECTION. A tax that exceeds any tax levy limit within this chapter, provided; the question has been submitted at a special levy election and received a simple majority of the votes cast on the proposition to authorize the enumerated levy limit to be exceeded for the proposed budget year.

a. The election may be held as specified herein if notice is given by the city council, not later than February fifteenth, to the county commissioner of elections that the election is to be held.

b. An election under this subsection shall be held on the second Tuesday in March and be conducted by the county commissioner of elections in accordance with the law.

c. The proposition to be submitted shall be substantially in the following form:

Vote for only one of the following:

Shall the city of _____ levy a
(name of city)

tax for the purpose of _____
(state purpose of levy election)

at a rate of _____ which will provide \$ _____
(rate) (amount)

The city of _____ shall continue
under the maximum rate of _____ providing
\$ _____
(amount)

d. The commissioner of elections conducting the election shall notify the city officials and other county auditors where applicable, of the results within two days of the canvass

which shall be held beginning at one o'clock on the second day following the special levy election.

e. Notice of the election shall be published twice in accordance with the provisions of section three hundred sixty-two point three (362.3) of the Code, except that the first such notice shall be given at least two weeks before the election.

f. The cost of the election shall be borne by the city.

g. The election provisions of this subsection shall supersede other provisions for elections only to the extent necessary to comply with the provisions hereof.

h. The provisions of this subsection apply to all cities, however organized, including special charter cities which may adopt ordinances where necessary to carry out these provisions.

i. The council shall certify the city's budget with the tax askings not exceeding the amount approved by the special levy election.

Sec. 16. Section four hundred forty-four point nine (444.9), subsection two (2), Code 1979, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Any county may exceed a tax levy limit contained in this chapter, provided: the proposition has been submitted at a special levy election and received a simple majority of the votes cast on the proposition to authorize the enumerated levy limit rate to be exceeded. The following provisions shall prevail for special levy elections.

1. The election may be held as specified herein if notice is given by the board of supervisors, not later than February fifteenth, to the county commissioner of elections that the election is to be held.

2. An election under this subsection shall be held on the second Tuesday in March and be conducted by the county commissioner of elections in accordance with the law.

3. The proposition to be submitted shall be substantially in the following form:

Vote for only one of the following:

Shall the county of _____ levy a

(name of county)

tax for the purpose of _____

(state purpose of levy election)

at a rate of _____ which will provide \$_____

(rate)

(amount)

The county of _____ shall continue
under the maximum rate of _____ providing

(amount)

4. The commissioner of elections conducting the election shall notify the board of supervisors of the results within two days of the canvass which shall be held beginning at one o'clock on the second day following the special levy election.

5. Notice of the special levy election shall be published at least twice in a newspaper having general circulation in the county prior to the date of the special levy election. The first notice shall appear as early as practicable after the county has decided to seek a special levy.

6. Election provisions conflicting with the provisions of the subsection shall not apply to a special **levy** election.

Sec. 17. Section four hundred forty-four point nine (444.9), subsection four (4), Code 1979, is amended to read as follows:

4. **DES MOINES COUNTY LEVY.** In all counties having a population of thirty-five thousand, or more, and not more than ~~forty~~ **fifty-five** thousand, and having an ordnance plant located therein owned by the United States government, the board of supervisors may, with the approval of the state comptroller, levy not to exceed fifty-four cents per thousand dollars of assessed value under the provisions of this section.

Sec. 18. Notwithstanding the provisions of section four hundred forty-one point twenty-one (441.21), subsection twelve (12), of the Code, as amended by section eight (6) of this Act, the director of revenue shall certify to the county auditor of each county the percentages of actual value at

which ~~commercial property~~, industrial property and property valued by the ~~department~~ of revenue pursuant to chapter ~~6~~ four hundred twenty-eight (428), four hundred thirty-three (433), four hundred thirty-four (434), four hundred thirty-six (436), **four** hundred thirty-seven (437), and four hundred thirty-eight (438) of the Code in each assessing jurisdiction in the county shall be assessed for taxation not later than fifteen days following the effective date of this Act. The county auditor shall immediately proceed to apply the percentages certified by the director of revenue in the manner provided under section four hundred forty-one point twenty-one (441.21), subsection twelve (12), of the Code.

Sec. 19. Notwithstanding the time limit provisions of section twenty-four point seventeen (24.17), unnumbered paragraph one (1), section twenty-four point forty-eight (24.48), section three hundred eighty-four point twelve (384.12), and section four hundred forty-four point nine (444.9), subsection two (2), of the Code as amended by this Act, a city or county wishing to exceed a tax levy limit for the fiscal year beginning July 1, 1980, shall notify the county commissioner of elections not later than thirty days following the effective date of this Act that a special levy election is to be held and the city or county holding such an election shall certify the local budget to the county auditor not later than fourteen days following the special levy election.

Sec. 20. The provisions of section one (1) of this Act are retroactive to January 1, 1979 for credits claimed on or after January 1, 1979 and approved under chapter four hundred twenty-five (425) of the Code for a homestead tax credit on ~~an~~ eligible homestead and to this extent the provisions of section one (1) of this Act are retroactive.

Sec. 21. The provisions of section four (4) and sections six (6), eight (8) and nine (9) of this Act are retroactive to January 1, 1979 for actual values determined as of January 1, 1979 for commercial property, industrial property, and property valued by the department of revenue pursuant to

chapters four hundred twenty-eight (428), four hundred thirty-three (433), four hundred ~~thirty-four~~ (434), four hundred thirty-six (436), four hundred thirty-seven (437), and four hundred thirty-eight (438) of the Code for which the assessed value shall be determined pursuant to the provisions of section four (4) and sections six (6), eight (8) and nine (9) of this Act and to this extent the provisions of section four (4) and sections six (6), eight (8) and nine (9) of this Act are retroactive.

NEW SECTION. The legislative council is directed to create a tax study committee to be composed of the following members: The lieutenant governor is to serve as chairman of this committee and the legislative council shall appoint four members of the senate and four members of the house, two from each political party, to serve on this committee. Twelve members shall be appointed from the public at large, two from each of Iowa's congressional districts. The governor shall appoint two members from each congressional district from lists submitted by the chair of the republican state party and the chair of the democratic state party. This committee shall conduct a comprehensive study of the present property tax structure. The study shall include, but not be limited to, the following:

1. How different types and classes of property should be valued for property tax assessment purposes.
2. The impact of property tax assessment limits on the distribution of state school aid under the foundation plan.
3. The impact of property tax assessment limits on city and county budgets.
4. The advisability of taxing improvements to land relatively less than unimproved land.
5. The feasibility of assessing additional classes of property on a capitalized potential income basis.
6. The impact of the failure to index the income tax to adjust for inflation.

Expenses of the study committee, including the cost for employing persons or business firms to assist the committee

in its study shall be paid from funds available under section two point twelve (2.12) of the Code.

The study shall transmit copies of its final report to the governor and the members of the Sixty-ninth General Assembly, not later than January 12, 1981. The final report shall include findings of fact and its recommendations.

Sec. 22. The provisions of section seventeen (17) of this Act are retroactive to January 1, 1980 for determination of the county property tax levy for budgets for the fiscal year beginning July 1, 1980 and to this extent the provision of section seventeen (17) of this Act is retroactive.

Sec. 23. This Act, being deemed of immediate importance, shall take effect from and after its publication in the Marshalltown Times-Republican, a newspaper published in Marshalltown, Iowa, and in the Globe-Gazette, a newspaper published in Mason City, Iowa.

FLOYD H. MILLEN
Speaker of the House

TERRY E. BRANSTAD
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2072, Sixty-eighth General Assembly.

DAVID L. WRAY
Chief Clerk of the House

Approved _____, 1980

ROBERT D. RAY
Governor

HOUSE FILE 2168

AN ACT

TO PROVIDE FOR THE REIMBURSEMENT OF EXPENSES INCURRED BY THE COUNTY ~~AND~~ CITY MEMBERS OF THE STATE FUNCTIONAL CLASSIFICATION REVIEW BOARD AND MAKING AN APPROPRIATION.

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

Section 1. Section three hundred six point six (306.6), subsection two (2), unnumbered paragraph one (1), Code 1979, is amended to read as follows:

There is created a state functional classification review board which shall consist of one state senator appointed by the president of the senate, one state representative appointed by the speaker of the house of representatives, one supervisor appointed by the Iowa state association of county supervisors, one engineer appointed by the Iowa county engineers' association, two persons appointed by the league of Iowa municipalities, one of whom shall be a licensed professional engineer, and two persons appointed by the department, one of whom shall be a commissioner and the other a staff member. This board shall select a permanent ~~chairman~~ chairperson from among its members by majority vote of the total membership. The ~~chairman~~ chairperson and all members of the board shall serve without additional compensation except that the supervisor appointed by the Iowa state association of county supervisors, the engineer appointed by the Iowa county engineers' association, and the two persons appointed by the league of Iowa municipalities shall be reimbursed for their actual and necessary expenses incurred in the performance of their official duties as members of the board. ~~All expenses shall be paid from funds allocated under section two (2) of this Act.~~

See. 2. Section three hundred twelve point two (312.2), Code 1979, is amended by adding the following new subsection:
NEW SUBSECTION. The treasurer of state, before making the allotments provided in this section, shall credit annually to the primary road fund from the road use tax fund the ~~sum~~ of five thousand dollars to be used by the state department of transportation for payment of expenses authorized under section three hundred six point six (306.6), subsection two (2), of the Code. The expense allowance shall be in accordance with the established expense reimbursement policy for employees of the state department of transportation. All unobligated funds shall at the end of each fiscal year revert to the road use tax fund.

WILLIAM H. HARBOR
Speaker of the House

TERRY E. BRANSTAD
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2168, Sixty-eighth General Assembly.

BRUCE GRAHAM
Assistant Chief Clerk of the House

Approved _____, 1980

ROBERT D. RAY
Governor

HOUSE FILE 2410

AN ACT

RELATING TO THE IOWA HOUSING FINANCE AUTHORITY BY AMENDING THE QUORUM PROVISION, INCREASING THE AMOUNT OF BONDS AND NOTES OF THE IOWA HOUSING FINANCE AUTHORITY WHICH MAY BE OUTSTANDING AT ANY TIME AND AUTHORIZING PROPERTY IMPROVEMENT LOANS FOR SOLAR AND OTHER RENEWABLE ENERGY SYSTEMS. AND RELATING TO THE AUTHORITY'S CONFLICT OF INTEREST PROVISION, INCLUDING A PENALTY.

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

Section 1. Section two hundred twenty point one (220.1), subsection twenty (20), Code 1979, is amended to read as follows:

20. "Housing sponsor" means any individual, joint venture, partnership, limited partnership, trust, corporation, housing co-operative, local public entity, governmental unit, or other legal entity, or any combination thereof, approved by the authority or pursuant to standards adopted by the authority as qualified to either own, construct, acquire, rehabilitate, operate, manage or maintain a housing program, whether for profit, nonprofit or limited profit, subject to the regulatory powers of the authority and other terms and conditions set forth in this chapter. ~~"Housing sponsor" does not include a low or moderate income family which is eligible to own or occupy a housing unit.~~

Sec. 2. Section two hundred twenty point two (220.2), subsection three (3), Code 1979, is amended to read as follows:

3. ~~Five~~ Five members of the authority constitute a quorum and the affirmative vote of at least five members is necessary for any substantive action taken by the authority. The majority shall not include any member who has a conflict of

interest and a statement by a member of a conflict of interest shall be conclusive for this purpose. A vacancy in the membership does not impair the right of a quorum to exercise all rights and perform all duties of the authority.

Sec. 3. Section two hundred twenty point twenty-four (220.24), Code 1979, is amended to read as follows:

220.24 CERTIFICATION OF AMORTIZATION PERIODS. Before the authority provides money, either directly or indirectly, for any mortgage loan including property improvement loans authorized under section six (6) of this Act, it must obtain the certificate of a competent appraiser to the effect that the economic lifespan of the property on which the mortgage loan or property improvement loan is to be made is in excess of the period of amortization of the mortgage loan or property improvement loan. If an appraiser is used for the purpose of this section or for valuation of property for which the authority will provide money, either directly or indirectly, the authority shall give preference to the use of a local appraiser.

Sec. 4. Section two hundred twenty point twenty-six (220.26), subsection one (1), Code 1979, is amended to read as follows:

1. The authority may issue its negotiable bonds and notes in principal amounts as, in the opinion of the authority, are necessary to provide sufficient funds for achievement of its corporate purposes, the payment of interest on its bonds and notes, the establishment of reserves to secure its bonds and notes, and all other expenditures of the authority incident to and necessary or convenient to carry out its purposes and powers. However, the authority may not have a total principal amount of bonds and notes outstanding at any time in excess of ~~two~~ **five** hundred ~~fifty~~ million dollars plus fifty million dollars for property improvement loans to finance solar and other renewable energy systems in housing as authorized by section six (6) of this Act. The bonds and

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notes shall be deemed to be investment securities and, negotiable instruments within the meaning of and for all purposes of the uniform commercial code.

Sec. 5. Section two hundred twenty point thirty-five (220.35), subsection one (1), Code 1979, is amended by adding the following new unnumbered paragraphs:

NEW UNNUMBERED PARAGRAPH. A violation of a provision of this subsection is misconduct in office under section seven hundred twenty-one point two (721.2) of the Code. However, a resolution of the authority is not invalid because of a vote cast by a member in violation of this subsection unless the vote was decisive in the passage of the resolution.

NEW UNNUMBERED PARAGRAPH. For the purposes of this subsection, "action of the authority with respect to that contract or mortgage lender" means only an action directly affecting a separate contract or mortgage lender, and does not include an action which benefits the general public or which affects all or a substantial portion of the contracts or mortgage lenders included in a program of the authority.

Sec. 6. Chapter two hundred twenty (220), Code 1979, is amended by adding the following new section:

NEW SECTION. SOLAR SYSTEM LOANS. The authority may make loans to mortgage lenders under section two hundred twenty point twenty (220.20) of the Code or purchase loans from mortgage lenders under section two hundred twenty point twenty-one (220.21) of the Code to be used to finance property improvement loans for solar and other renewable energy systems. These loans shall be limited to low or moderate income families.

Sec. 7. Chapter two hundred twenty (220). Code 1979, is amended by adding the following new section:

NEW SECTION. LIMITATION ON LOANS.

1. The borrower must occupy the property as his or her primary residence.

2. Only individuals who meet the principal requirements for an original mortgagor shall be eligible to assume a tax exempt mortgage loan issued under this chapter.

Sec. 8. This Act, being deemed of immediate importance, shall take effect from and after its publication in the Anita Tribune, a newspaper published in Anita, Iowa, and in the Pocahontas Record-Democrat, a newspaper published in Pocahontas, Iowa.

WILLIAM H. HARBOR .
Speaker of the House

TERRY E. BRANSTAD
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2410, Sixty-eighth General Assembly.

BRUCE GRAHAM
Assistant Chief clerk of the House

Approved _____, 1980

ROBERT D. RAY
Governor

HOUSE FILE 2458

AN ACT

RELATING TO THE AUTHORITY OF REORGANIZED SCHOOL DISTRICTS
TO LEVY THE SCHOOLHOUSE TAX.

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

Section 1. Section two hundred seventy-five point twelve (275.12), Code 1979, as the section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter sixty-one (61), section one (1), is amended by adding the following new subsection:

NEW SUBSECTION. The petition may also include a provision that the schoolhouse tax provided in section two hundred seventy-eight point one (278.1), subsection seven (7), of the Code will be voted upon at the election conducted under section two hundred seventy-five point eighteen (275.18) of the Code.

Sec. 2. Section two hundred seventy-five point twenty (275.20), Code 1979, is amended to read as follows:

275.20 SEPARATE VOTE IN EXISTING DISTRICTS. The voters shall vote separately in each existing school district affected and voters residing in the entire existing district are eligible to vote both upon the proposition to create ~~such~~ a new school corporation and the proposition to levy the schoolhouse tax under section two hundred seventy-eight point one (278.1), subsection seven (7), of the Code if the petition included a provision for a vote to levy the schoolhouse tax. If the a proposition receives a majority of the votes cast in each of at least seventy-five percent of the ~~said~~ districts, and also a majority of the total number of votes cast in all of ~~said~~ the districts, the proposition ~~shall be deemed is~~ carried.

Sec. 3. Section two hundred seventy-eight point one (278.1), subsection seven (7), Code 1979, as the section is amended by Acts of the Sixty-eighth General Assembly, 1979

Session, chapter sixty-one (61), section four (4), is amended to read as follows:

7. Vote a schoolhouse tax, not exceeding sixty-seven and one-half cents per thousand dollars of assessed value in any one year, for the purchase of grounds, ~~for~~ construction of schoolhouses or buildings, ~~for~~ the payment of debts contracted for the erection or construction of schoolhouses or buildings, not including interest on bonds, for procuring or acquisition of libraries, for opening roads to schoolhouses or buildings, for the purchase of buildings or equipment for buildings or schoolhouses, for the purpose of repairing, remodeling, reconstructing, improving or expanding the schoolhouses or buildings for the school district, for the purpose of landscaping, paving, or improving the schoolhouse or building grounds, or for the rental of facilities pursuant to chapter 28E. Interest earned from investments of these funds may be used for the purposes voted. The power to levy said a schoolhouse tax, when voted, shall continue for ~~such~~ the period of time ~~as may be~~ authorized by the voters and shall not be affected by any change in the boundaries of the school district, ~~in whatever manner effected~~, except ~~in case the school district is reorganized pursuant to sections 275.12~~ be-275722 as otherwise provided in this section. If each school district involved in a school reorganization under chapter two hundred seventy-five (275) of the Code has voted the schoolhouse tax and if the voters have not voted upon the proposition to levy the schoolhouse tax in the reorganized district, the schoolhouse tax is in effect for the reorganized district for the least amount and the shortest time for which. it is in effect in any of the districts. Authorized levies for the period of time presently approved shall not be affected as a result of a failure of a proposition proposed to expand the purposes for which the funds may be expended. As used in this subsection, "repair" means to restore the existing structure or thing to its original condition, as near as may be, after decay, waste, injury, or partial destruction, but does not include maintenance or customary repainting; and

"reconstruction" means to rebuild or to restore again as an entity the thing which was lost or destroyed.

Sec. 4. Section three (3) of this Act applies to school districts for which a reorganization under chapter two hundred seventy-five (275) of the Code takes effect July 1, 1980.

Sec. 5. This Act, being deemed of immediate importance, shall take effect from and after its publication in The Holstein Advance, a newspaper published in Holstein, Iowa, and in The Hartley Sentinel, a newspaper published in Hartley, Iowa.

WILLIAM H. HARBOR
Speaker of the House

TERRY E. BRANSTAD
President of the Senate

I hereby certify that this bill originated in the House **and** is known as House File 2458, Sixty-eighth General Assembly.

BRUCE GRAHAM
Assistant Chief Clerk of the House

Approved _____, 1980

ROBERT D. RAY
Governor

HOUSE FILE 2470

AN ACT

UPDATING REFERENCES TO THE INTERNAL REVENUE CODE FOR
PURPOSES OF COMPUTING INDIVIDUAL AND CORPORATE INCOME
TAXES AND FRANCHISE TAXES AND MAKING THE ACT RETROACTIVE.

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

Section 1. Section four hundred twenty-two point four (422.4), subsection seventeen (17), Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter ninety-two (92), section one (1), and as the section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter ninety-three (93), section one (1), is amended to read as follows:

17. "Internal Revenue Code of 1954" means the Internal Revenue Code of 1954, as amended to and including January 1, 1979 1980.

Sec. 2. Section four hundred twenty-two point seven (422.7), subsection nine (9), Code 1979, is amended to read as follows:

9. Subtract the amount of the new work incentive Programs credit allowable for the taxable year under section forty (40) or the Jobs tax credit allowable for the tax year under section 44B of the Internal Revenue Code of 1954 to the extent that the credit increased federal adjusted gross income.

Sec. 3. Section four hundred twenty-two point seven (422.7), Code 1979, is amended by adding the following new subsection:

NEW SUBSECTION. Married taxpayers, who file a joint federal income tax return and who elect to file separate returns or separate filing on a combined return for state income tax purposes, shall include in net income any unemployment compensation benefits received subject to the limitations for joint federal income tax return filers provided in section eighty-five (85) of the Internal Revenue Code of 1954.

Sec. 4. Section four hundred twenty-two point nine (422.9), subsection two (2), paragraph e, Code 1979, as the section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter ninety-three (93), section five (5), is amended by striking the paragraph.

Sec. 5. Section four hundred twenty-two point nine (422.9), subsection three (3), paragraph c, Code 1979, as the section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter ninety-three (93), section five (5), is amended to read as follows:

c. If the election under section 172(b)(3)~~(B)~~(C) of the Internal Revenue Code of 1954 is made, the Iowa net operating loss shall be carried forward seven taxable years.

Sec. 6. Section four hundred twenty-two point thirty-two (422.32), subsection four (4), Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter

ninety-two (92), section two (2), is amended to read as follows:

4. "Internal Revenue Code of 1954" means the Internal Revenue Code of 1954, as amended to and including January 1, ~~1979~~ 1980.

Sec. 7. Section four hundred twenty-two point thirty-five (422.35), subsection six (6). Code 1979, is amended to read as follows:

6. Subtract the amount of the new work incentive programs credit allowable for the tax year under section forty (40) or the jobs tax credit allowable for the tax year under section 44B of the Internal Revenue Code of 1954 to the extent that the credit increased federal taxable income.

Sec. 8. Section four hundred twenty-two point thirty-five (422.35), subsection seven (7), paragraph c, Code 1979, is amended to read as follows:

c. If the election under section 172(b)(3)~~(E)~~(C) of the Internal Revenue Code of 1954 is made, the Iowa net operating loss shall be carried forward seven taxable years.

Sec. 9. Section four hundred twenty-two point sixty-one (422.61), subsection four (4), Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter ninety-two (92). section three (3), is amended to read as follows:

4. "Net income" means the net income of the financial institution computed in accordance with section 422.35, with the exception that interest and dividends from federal securities shall not be subtracted and interest and dividends from evidences of indebtedness and securities of this state and its political subdivisions, exempt from federal income tax under the Internal Revenue Code of 1954 as amended to and including January 1, 1979 1980, shall not be added.

Sec. 10. This Act is retroactive to January 1, 1979 for tax years beginning on or after January 1, 1979 and to this extent the provisions of this Act are retroactive.

Sec. 11. This Act, being deemed of immediate importance, takes effect from and after its publication in the Farmer-

Labor Press, a newspaper published in Council Bluffs, Iowa, and in The Clinton Herald, a newspaper published in Clinton, Iowa.

WILLIAM H. HARBOR
Speaker of the House

TERRY E. BRANSTAD
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2470, Sixty-eighth General Assembly.

DAVID L. WRAY
Chief Clerk of the House

Approved _____, 1980

ROBERT D. RAY
Governor

HOUSE FILE 2477

AN ACT

AMENDING THE ACTS OF THE SIXTY-EIGHTH GENERAL ASSEMBLY, 1979 SESSION, CHAPTER FOUR (4), RELATING TO APPROPRIATIONS FOR COUNTY GOVERNMENT AND MUNICIPAL ASSISTANCE FUNDS BY INCREASING THE APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 1980.

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

Section 1. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter four (4), section four (4), is amended to read as follows:

SEC. 4. There is appropriated from the general fund of the state to the county government assistance fund, established in section three hundred thirty-four A point one (334A.1) of the Code, for each fiscal year of the fiscal biennium beginning July 1, 1979 and ending June 30, 1981, the following amounts, or so much thereof as may be necessary, to be used for state assistance to counties, with distribution in accordance with section three hundred thirty-four A point two (334A.2) of the Code.

1979-1980	1980-1981
<u>Fiscal Year</u>	<u>Fiscal Year</u>
\$ 5,000,000	\$ 5,000,000
	<u>5,350,000</u>

Sec. 2. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter four (4), section five (5), is amended to read as follows:

SEC. 5. There is appropriated from the general fund of the state to the municipal assistance fund, established in section four hundred five point one (405.1) of the Code, for each fiscal year of the fiscal biennium beginning July 1,

1979 and ending June 30, 1981, the following amounts, or so much thereof as may be necessary, to be used for state assistance to municipalities, with distribution in accordance with section four hundred five point one (405.1) of the Code.

1979-1980	1980-1981
<u>Fiscal Year</u>	<u>Fiscal Year</u>
\$13,000,000	\$ 13,000,000
	<u>14,650,000</u>

WILLIAM H. HARBOR
Speaker of the House

TERRY E. BRANSTAD
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2477, Sixty-eighth General Assembly.

DAVID L. WRAY
Chief Clerk of the House

Approved _____, 1980

ROBERT D. RAY
Governor

H.F. 2477

See. 2. This Act takes effect January first following enactment for tax years beginning on or after January first following enactment.

HOUSE FILE 2511

AN ACT

TO ALLOW AN INCOME TAX DEDUCTION FOR CERTAIN EXPENSES
INCURRED IN PERFORMING VOLUNTARY SERVICES.

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

Section 1. Section four hundred twenty-two point nine (422.9), subsection two (2), Code 1979, as the section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter ninety-three (93), section five (5), is amended by adding the following new lettered paragraph:
NEW LETTERED PARAGRAPH. Add an additional deduction for mileage incurred by the taxpayer in voluntary work for a charitable organization consisting of the excess of the state employee mileage reimbursement over the amount deductible for federal income tax purposes. The deduction shall be proven by the keeping of a contemporaneous diary by the person throughout the period of the voluntary work in the tax year.

WILLIAM H. HARBOR
Speaker of the House

TERRY E. BRANSTAD
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2511, Sixty-eighth General Assembly.

BRUCE GRAHAM
Assistant Chief Clerk of the House

Approved _____, 1980

ROBERT D. RAY
Governor

H.F. 2511

HOUSE FILE 2529

AN ACT

RELATING TO THE SALE OF NATIVE WINES TO CLASS "A", CLASS "B",
AND CLASS "C" LIQUOR CONTROL LICENSEES FOR CONSUMPTION ON
THE LICENSED PREMISES.

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

Section 1. Section one hundred twenty-three point twenty-six (123.26), Code 1979, is amended to read as follows:

123.26 RESTRICTIONS ON SALES--SEALS--LABELING. ~~No alcoholic~~ Alcoholic liquor shall ~~not~~ be sold by the department to any a purchaser except in a sealed container with such identifying markers as ~~shall-be~~ prescribed by the director and affixed on the premises of a state warehouse or store and no such container shall be opened upon the premises of any a state warehouse or store, Possession of alcoholic liquors which do not carry the prescribed identifying markers ~~shall-be is~~ a violation of this chapter except as provided in section 123.22, and except as authorized by the council pursuant to section one hundred twenty-three point fifty-six (123.56), subsection four (4) of the Code.

Sec. 2. Section one hundred twenty-three point twenty-seven (123.27), Code 1979, is amended to read as follows:

123.27 SALES PROHIBITED.

1. It ~~shall-be is~~ unlawful to transact the sale or delivery of any alcoholic liquor in, on, or from the premises of any a state liquor store or warehouse:

- 1 a. After the closing hour as established by the director.
- 2 b. On any legal holiday.
- 3 c. On any Sunday.
- 4 d. During ~~such~~ other periods or days as ~~may-be~~ designated by the director.

2. The director shall promulgate rules, subject to the approval of the council, concerning the days and hours that

manufacturers of native wines may sell native wines to class "A", class "B", and class "C" liquor control licensees pursuant to section one hundred twenty-three point fifty-six (123.56) of the Code.

Sec. 3. Section one hundred twenty-three point thirty (123.30), subsection three (3), paragraphs a. b, and c, are amended to read as follows:

a. Class "A". A class "A" liquor control license may be issued to a club and shall authorize the holder to purchase alcoholic liquors from only the department ~~only~~, and native wines from native wine manufacturers, and to sell such liquors, and beer, to bona fide members and their guests by the individual drink for consumption on the premises only.

b. Class "B". A class "B" liquor control license may be issued to a hotel or motel and shall authorize the holder to purchase alcoholic liquors from only the department ~~only~~, and native wines from native wine manufacturers, and to sell such liquors, and beer, to patrons by the individual drink for consumption on the premises only, however, beer may also be sold for consumption off the premises. Each ~~sueh~~ license shall be effective throughout the premises described in the application.

c. Class "C". A class "C" liquor control license may be issued to a commercial establishment but must be issued in the name of the ~~individual-or~~ individuals who actually own the entire business and shall authorize the holder ~~or holders~~ to purchase alcoholic liquors from only the department ~~only~~, and native wines from native wine manufacturers, and to sell such liquors, and beer, to patrons by the individual drink for consumption on the premises only, however, beer may also be sold for consumption off the premises.

Sec. 4. Section one hundred twenty-three point forty-nine (123.49), subsection two (2), paragraph d, Code 1979, is amended to read as follows:

d. Keep on ~~any~~ premises covered by a liquor control license any alcoholic liquor in any container except the original package purchased from the department or from a native wine

manufacturer, except still wines placed in dispensing or serving containers for temporary storage, and except mixed drinks or cocktails mixed on the premises for immediate consumption. This prohibition ~~shall~~ does not apply to common carriers holding a class "D" liquor control license.

Sec. 5. Section one hundred twenty-three point fifty-three (123.53), subsection one (1), Code 1979, is amended to read as follows:

1. There shall be established within the office of the treasurer of state a fund to be known as the beer and liquor control fund. The fund shall consist of any moneys appropriated by the general assembly for deposit in the fund and moneys received from the sale of alcoholic liquors by the department, from the issuance of permits and licenses, and of moneys and receipts received by the department from any other source.

Sec. 6. Section one hundred twenty-three point fifty-six (123.56), Code 1979, is amended to read as follows:

123.56 NATIVE WINES.

1. Notwithstanding any other provision of this chapter, but subject to section one hundred twenty-three point twenty-six (123.26), section one hundred twenty-three point twenty-seven (123.27), subsection two (2), section one hundred twenty-three point thirty (123.30), subsection three (3), paragraphs a, b, and c, section one hundred twenty-three point forty-nine (123.49), subsection two (2), paragraph d, and section one hundred twenty-three point ninety-six (123.96), subsection three (3), of the Code, and the rules of the department, manufacturers of native wines from grapes, cherries, other fruit juices, ~~or~~ vegetables, vegetable juices, dandelions, clover, honey, or any combination of these ingredients, may sell, keep, or offer for sale and deliver the same native wines in such quantities as may be permitted by the director for consumption off the premises.

2. A manufacturer of native wines shall not sell such wines otherwise than as permitted by this section or allow any wine so sold, ~~or any part thereof~~, to be drunk upon the

premises of such the manufacturer. Any person may manufacture native wine for consumption on his the person's own premises.

3. For the purposes of this section "manufacturer" includes only those persons who process the fruit ~~or~~, vegetables, dandelions, clover, honey or any combination of these ingredients ferment, and bottle native wines in Iowa.

4. The director shall promulgate rules, subject to the approval of the council, which permit manufacturers of native wines to sell those native wines to class "A", class "B", and class "C" liquor control licensees, for consumption on the licensed premises. The rules shall provide for the assessment, collection, reporting and payment by the native wine manufacturer of a tax in lieu of the tax provided in section one hundred twenty-three point ninety-six (123.96) of the Code. Sales to class "A", class "B", and class "C" liquor control licensees by a native wine manufacturer are exempt from other sales tax. A native wine manufacturer selling native wine to a class "A", class "B", or class "C" liquor control licensee shall assess, collect, report and pay to the state, the in-lieu tax specified in this subsection.

Sec. 7. Section one hundred twenty-three point ninety-six (123.96), subsections one (1) and two (2), Code 1979, are amended to read as follows:

1. ~~There~~ Except as provided by section one hundred twenty-three point fifty-six (123.56), subsection four (4), of the Code, there is imposed on every person licensed to sell alcoholic beverages for consumption on the premises where sold, a special tax equivalent to fifteen percent of the price established by the department on all alcoholic beverages for general sale to the public. ~~Such The~~ tax shall be paid by all licensees at the point of purchase from the state on all alcoholic beverages intended or used for resale for consumption on the premises of retail establishments. ~~Such The~~ tax ~~shall~~ Be is in lieu of any other sales tax applied at the state store and shall be shown as a separate item on special sales slips provided by the department for purchases by licensees.

2. Except as allowed under section 123.95 ~~no~~ and, ex-

cept as allowed under section one hundred twenty-three point fifty-six (123.56), subsection four (4), of the Code, a licensee shall not knowingly keep on the licensed premises nor use for resale purposes any alcoholic liquor on which the special tax has not been paid to the state. The conviction of a violation of this section shall cause the license held to automatically be revoked and the license shall immediately be surrendered by the holder, and the bond of the license holder shall be forfeited to the department.

WILLIAM H. HARBOR
Speaker of the House

TERRY E. BRANSTAD
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2529, Sixty-eighth General Assembly.

BRUCE GRAHAM
Assistant Chief Clerk of the House

Approved _____, 1980

ROBERT D. RAY
Governor

HOUSE FILE 2551:

AN ACT

RELATING TO SCHOOL FINANCE INCLUDING THE CALCULATION OF THE STATE PERCENT OF GROWTH, ALLOWABLE GROWTH PER PUPIL, AND THE STATE FOUNDATION BASE FOR SCHOOL FOUNDATION AID PURPOSES AND INCLUDING REIMBURSEMENT FOR PUBLIC AND NONPUBLIC PUPIL TRANSPORTATION.

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

Section 1. Section two hundred seventy-three point two (273.2), Code 1979, is amended by adding the following new subsection following subsection five (5):

NEW SUBSECTION. Assistance in establishing programs for gifted and talented children.

Sec. 2. Section two hundred seventy-three point three (273.3), subsection thirteen (13), Code 1979, as the section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter sixty (60), section one (1), is amended to read as follows:

13. Prepare an annual budget estimating income and expenditures for programs and services as provided in sections 273.1 to 273.9 and chapter 281 within the limits of funds provided under section two hundred eighty-one point nine 1281.9) and chapter four hundred forty-two (442) of the Code.

The board shall give notice of a public hearing on the proposed budget by publication in an official county newspaper in each county located wholly or partially in the merged area. The notice shall specify the date which shall be not later than November 10 of each year, time, and location of the public hearing. The proposed budget as approved by the board shall then be submitted to the state board of public instruction, on forms provided by the department, no later than December 1 preceding the next fiscal year for approval. ~~The shehe~~

~~board shall forward copies of the budgets of the area education agencies to the state comptroller. The state board and the state comptroller shall establish a maximum statewide amount for approved budgets for the area education agencies. If the state board and the state comptroller cannot agree upon a maximum statewide amount, that amount shall be established by the school budget review committee.~~ The state board shall review the proposed budget of each area education agency ~~with consideration given to the maximum statewide amount established pursuant to this subsection,~~ and shall prior to January 1 either grant approval or return the budget without approval with comments of the state board included. Any unapproved budget shall be resubmitted to the state board for final approval.

Sec. 3. Section two hundred seventy-three point five (273.5), subsection six (6), Code 1979, is amended to read as follows:

6. Submit to the department of public instruction special education instructional and support program ~~plans and applications including those for new or expanded programs and services,~~ subject to criteria listed in chapter 281 and this chapter, for approval by November 1 of each year for the school year commencing the following July 1. ~~For the school years subsequent to the school year beginning July 1, 1975, the director shall include in the program plans submitted to the department for support services the costs necessary to fund the newly identified nonpublic school pupils served by the area with support services not previously counted in the program plans for support services.~~

Sec. 4. Section two hundred eighty-five point one (285.1), subsections three (3) and four (4), Code 1979, are amended to read as follows:

3. In any a district where transportation by school bus is impracticable or where school bus service is not available, the board may require the parents or guardian guardians to transport furnish transportation for their children to the

~~school schools~~ designated for attendance. The parent or guardian shall be reimbursed for such transportation service for elementary public and nonpublic school pupils by the board of the resident district ~~for the distance one-way from the pupil's residence to the school designated for attendance at the rate of fifty-six cents per mile per day irrespective of number of children transported.~~ For high school pupils, the parent or guardian shall be reimbursed eighty dollars per pupil per year for such service, provided however no family shall receive more than one hundred sixty dollars per year for transporting the members of the family who attend high school. The provisions of this section shall apply to eligible nonpublic school pupils as well as to eligible public school pupils. However, reimbursement for nonpublic school pupils shall not exceed eighty dollars per pupil per year. The provisions of this subsection shall be effective for transportation of children commencing with the second semester of the school year beginning July 1, 1975, in an amount equal to eighty dollars plus the following percent of the difference between eighty dollars and the previous school year's statewide average per pupil transportation cost, as determined by the department of public instruction:

a. For the school year commencing July 1, 1980, twenty-five percent.

b. For the school year commencing July 1, 1981, fifty percent.

c. For the school year commencing July 1, 1982 and each school year thereafter, seventy-five percent.

However, a parent or guardian shall not receive reimbursement for furnishing transportation for more than two family members who attend high school.

4. In all districts where unsatisfactory roads or other conditions make it advisable, the board at its discretion may require the parent parents or guardian guardians of public and nonpublic school pupils to transport furnish transportation for their children up to two miles to connect with a vehicle

vehicles of transportation. The parent parents or guardian guardians shall be reimbursed for such transportation by the board boards of the resident district districts at the rate of twenty-eight cents per mile per day, one way, per family for the distance from the pupil's residence to the bus route.

Sec. 5. Section two hundred eighty-five point one (285.1), subsection sixteen (16), Code 1979, is amended to read as follows:

16. a. If the nonpublic school designated for attendance of a pupil is located outside the boundary line of the school district of the pupil's residence, the pupil may be transported by the district of residence to a public school or other location within the district of the pupil's residence. A public school district in which a nonpublic school is located may establish school bus collection locations within its district from which nonresident nonpublic school pupils may be transported to and from a nonpublic school located in the district. If a pupil receives such transportation, the district of the pupil's residence shall be relieved of any requirement to provide transportation.

b. As an alternative to the provisions enumerated in paragraph a of this subsection, subject to the provisions of section 285.9, subsection 3, where practicable, and at the option of the public school district in which a nonpublic school pupil resides, the school district may transport a nonpublic school pupil to a nonpublic school located outside the boundary lines of the public school district if the nonpublic school is located in a school district contiguous to the school district which is transporting the nonpublic school pupils, or may contract with the contiguous public school district in which a nonpublic school is located for the contiguous school district to transport the nonpublic school pupils to the nonpublic school of attendance within the boundary lines of the contiguous school district.

c. If the nonpublic school designated for attendance of a pupil is located outside the boundary line of the school

district of the pupil's residence and the district of residence meets the requirements of subsections fourteen (14) through sixteen (16) of this section by using subsection seventeen (17), paragraph c, of this section and the district in which the nonpublic school is located is contiguous to the district of the pupil's residence and is willing to provide transportation under subsection seventeen (17), paragraph a or b, of this section, the district in which the nonpublic school is located may provide transportation services, subject to section two hundred eighty-five point nine (285.9), subsection three (3), of the Code and may make the claim for reimbursement under section two hundred eighty-five point two (285.2) of the Code. The district in which the nonpublic school is located shall notify the district of the pupil's residence that it is making the claim for reimbursement, and the district of the pupil's residence shall be relieved of the requirement for providing transportation and shall not make a claim for reimbursement for those nonpublic school pupils for which a claim is filed by the district in which the nonpublic school is located.

Sec. 6. Section two hundred eighty-five point one (285.1), subsection seventeen (17), paragraph c, Code 1979, is amended to read as follows:

c. Utilizing the transportation reimbursement provision of subsection 3. ~~However, no reimbursement shall exceed eighty-dollars-per-nonpublic-school-pupil-per-year.~~

Sec. 7. Section two hundred eighty-five point fourteen (285.14), Code 1979, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. A vehicle used for an approved driver education course in which the driver education teacher transports driver education students from their residences for street or highway driving is not a school bus.

Sec. 8. Section two hundred eighty-five point sixteen (285.16), Code 1979, is amended to read as follows:

285.16 "NONPUBLIC SCHOOL" DEFINED. As used in this chapter, the term "nonpublic school" means those nonpublic schools approved by the department of public instruction as provided in section 257.25 and nonpublic institutions which comply with state board of public instruction standards for providing special education programs.

Sec. 9. Section four hundred forty-two point two (442.2), subsection two (2), Code 1979, is amended to read as follows:

2. The amount paid to each school district for the tax credit for livestock under section 427.17 shall be regarded as property tax. The portion of the payment which is foundation property tax shall be determined by applying the foundation property tax rate to the taxable value of livestock assessed for taxation in the district as of January 1, 1973, determined pursuant to section 427.17, and adjusted to actual value as provided in Acts of the Sixty-fifth General Assembly, chapter 1231, section 174. A school district is hereby authorized to levy a tax on all of the taxable property within the district in an amount equal to the difference between the amount due to a school district from the personal property tax replacement fund for the preceding year and the amount actually received during the preceding fiscal year from the personal property tax replacement fund.

Sec. 10. Section four hundred forty-two point three (442.3), Code 1979, is amended to read as follows:

442.3 STATE FOUNDATION BASE. The state foundation base for the school year beginning July 1, 1972, is seventy percent of the state cost per pupil. For each succeeding school year the state foundation base shall be increased by the amount of one percent of the state cost per pupil, up to a maximum of eighty percent of the state cost per pupil. However, for the school year beginning July 1, 1980, the state foundation base shall be the same as the state foundation base for the school year beginning July 1, 1979. The district foundation base is the larger of the state foundation base or the amount per pupil which the district will receive from foundation property tax and state school foundation aid.

Sec. 11. Section four hundred forty-two point seven (442.7), subsection one (1), unnumbered paragraph one (1), code 1979, as the section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter one hundred six (106), sections six (6) through ten (10), is amended to read as follows:

For school years subsequent to the school year beginning July 1, 1978, a state percent of growth for the budget year shall be computed by the state comptroller prior to September 15 in the base year and forwarded to the superintendent of public instruction. The state percent of growth shall be an average of the following four percentages of growth except as otherwise provided in paragraph c of this subsection:

Sec. 12. Section four hundred forty-two point seven (442.7), subsection one (1), paragraph a, subparagraphs one (1) and two (2), as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter one hundred six (106). section six (6). and as the section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter one hundred six (106), sections seven (7) through ten (10), are amended by striking the subparagraphs and inserting in lieu thereof the following:

(1) The percentage of change between the revenues received during the second year preceding the base year and the revenues received during the year preceding the base year.

(2) The percentage of change between the revenues received during the year preceding the base year and the revenues received during the base year.

Sec. 13. Section four hundred forty-two point seven (442.7), subsection one (1), paragraph b, Code 1979, as the section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter one hundred six (106), sections six (6) through ten (10), is amended by striking the paragraph and inserting in lieu thereof the following:

b. The difference in the gross national product implicit price deflator published by the bureau of economic analysis,

United States department of commerce, computed or estimated as a percentage of change for the following:

(1) From the value for the quarter ending December thirty-first eighteen months prior to the beginning of the base year to the value for the quarter ending December thirty-first six months prior to the beginning of the base year.

(2) From the value for the quarter ending December thirty-first six months prior to the beginning of the base year to the value for the quarter ending December thirty-first six months prior to the beginning of the budget year.

The computation of the percentage change in the gross national product implicit price deflator shall be based, to the extent possible, on the latest available values for these deflators published by the bureau of economic analysis.

Sec. 14. Section four hundred forty-two point seven (442.7), subsection one (1), Code 1979, as the section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter one hundred six (106), sections six (6) through ten (10), is amended by adding the following new paragraph as paragraph c:

NEW PARAGRAPH. c. If the average of the percentages computed or estimated under paragraph b of this subsection exceeds the average of the percentages computed or estimated under paragraph a of this subsection, the state percent of growth shall be the average of the two percentages of growth computed or estimated under paragraph a of this subsection.

Sec. 15. Section four hundred forty-two point seven (442.7), subsection five (5), paragraph a, Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter one hundred six (106), section ten (10), and as the section is amended but not as renumbered by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter one hundred six (106), sections six (6) through nine (9), is amended by striking the paragraph and inserting in lieu thereof the following:

a. If the state cost ~~per pupil~~ for the budget year exceeds, the district cost per pupil for the budget year, the basic allowable growth per pupil for the budget year is modified, to equal one hundred ten percent of the product of the state cost per pupil for the ~~base year~~ times the state percent of growth for the budget year. However, the basic allowable growth per pupil for the budget year under this paragraph shall not exceed the difference between the state cost per pupil for the budget year and the district cost per pupil for the budget year. For purposes of this paragraph the state cost per pupil and the district cost per pupil shall not include special education support service costs, and the district cost per pupil for the budget year shall not include that portion of the district cost per pupil created by additions or subtractions to the allowable growth per pupil for the budget year and for prior school years beginning with the school year commencing July 1, 1977, as provided under paragraph b of this subsection.

Sec. 16. Section four hundred forty-two point seven (442.7), subsection five (5), paragraphs d and e, Code 1979, as the section is amended but not as renumbered by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter one hundred six (106), sections six (6) through ten (10), are amended to read as follows:

d. For ~~each year following~~ the school year beginning July 1, ~~1975~~ 1976 and ending with the school year beginning July 1, 1980, by adding to the basic allowable growth an amount to compensate for the additional costs of special education support services provided through the area education agency. For the school years beginning July 1, 1978 and July 1, 1979 only, the total amount for each area shall be equal to the total amount approved for special education support services for the base year times one hundred percent plus the state percent of growth. In addition to the amount provided in this paragraph to each area for the school years beginning July 1, 1978 and July 1, 1979 to compensate for the additional

costs of special education support services, each area may be granted by the state board an additional amount to serve children newly-identified as requiring the services pursuant to plans submitted by the special education director of the area education agency as required by section 273.5. The total of additional amounts granted throughout the state by the state board for the school year beginning July 1, 1978 shall not exceed the total amount approved for special education support services for the school year beginning July 1, 1977 times four and eighty-seven hundredths percent, and for the school year beginning July 1, 1979 shall not exceed the total amount approved for special education support services for the school year beginning July 1, 1978 times three percent. For the school year beginning July 1, 1980 ~~and each school year thereafter~~ the total amount for the state for special education support services shall not exceed the total amount approved for special education support services for the base year times one hundred percent plus the state percent of growth, and the total amount for each area shall be determined by the state board of public instruction pursuant to plans submitted by the special education director of the area education agency as required by section 273.5, which shall be modified as necessary and approved by the state board of public instruction according to the criteria and limitations of section 273.5 and chapter 281 and within the total amount for the state provided in this paragraph. The amount of additional allowable growth per pupil for the budget year for each district in an area shall be determined by dividing the total amount for the area so determined by the weighted enrollment of the area for the budget year.

e. For the school years prior to the school year beginning July 1, 1981, for the additional allowable growth computed under paragraphs "c" and "d" of this subsection, the state board of public instruction, in co-operation with the appropriate personnel of the area education agency, shall determine the amounts for each area education agency, as

required and the state comptroller shall calculate the amounts of additional allowable growth for each district necessary to fund the total special education support services costs as increased for the budget year under paragraph "d" of this subsection, and shall calculate the amounts due from each district to its area education agency by multiplying the additional allowable growth per pupil necessary to fund the total special education support services costs as increased for the budget year under paragraph "d" of this subsection by the weighted enrollment in the district for the budget year. The state comptroller shall deduct the amounts so calculated for each school district from the state aid due to the district pursuant to this chapter and shall pay the amounts to the area education agencies on a quarterly basis during each school year. The state comptroller shall notify each school district of the amount of state aid deducted for this purpose and the balance of state aid will be paid to the district. If a district does not qualify for state aid under this chapter in an amount sufficient to cover its amount due to the area education agency as calculated by the state comptroller, the school district shall pay the deficiency to the area education agency from other moneys received by the district, on a quarterly basis during each school year.

Sec. 17. Section four hundred forty-two point seven (442.7), subsection five (5), Code 1979, as the section is amended but not as renumbered by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter one hundred six (106), sections six (6) through ten (10), is amended by adding the following new paragraph:

NEW PARAGRAPH. By the state comptroller under section four hundred forty-two point thirty-five (442.35) of the Code.

Sec. 18. Section four hundred forty-two point seven (442.7), Code 1979, as the section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter one hundred six (106), sections six (6) through ten (10), is amended by adding the following new subsection:

NEW SUBSECTION. ALLOWABLE GROW. For the school year beginning July 1, 1981, the state comptroller shall add to, the allowable growth of affected school districts, an amount equal to the difference between the amount per pupil in weighted enrollment for the approved budget for the school year beginning July 1, 1980 for special education support services in that area education agency and the amount per pupil in weighted enrollment for the amount certified to generate funds for the school year beginning July 1, 1980 for special education support services in the area education agency and shall adjust the state cost per pupil accordingly.

Sec. 19. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter one hundred six (106), sections eight (8) and nine (9), are amended to read as follows:

SEC. 8. Section four hundred forty-two point seven (442.7), Code 1979, is amended by adding the following new subsection after section one (1):

NEW SUBSECTION. Notwithstanding subsection one (1) of this section, for the school years year beginning July 1, 1980, ~~July 1, 1981, and July 1, 1982~~ only, the state percent of growth is the average of the two percentages of growth computed under subsection one (1), paragraph b, of this section.

SEC. 9. Section four hundred forty-two point seven (442.7), subsection three (3), Code 1979, is amended to read as follows:

3. Each year prior to September fifteenth the state comptroller shall recompute the state percent of growth for the previous year using adjusted estimates and the actual figures available. The difference between the recomputed state percent of growth for the base year and the original computation shall be added to or subtracted from the state percent of growth for the budget year, as applicable. However, for the budget school ~~years~~ year beginning July 1, 1980 only, ~~July 1, 1981, and July 1, 1982~~ the state comptroller shall recompute the state percent of growth for the previous year using adjusted estimates and the actual figures available based only upon the consumer price index.

With regard to values of ~~grbss~~ national product implicit price deflators, the recomputation of the state percent of growth for the previous year shall be ~~made~~ only with respect to the value of the deflator for the quarter which occurred subsequent to the calculation of the state percent of growth for the previous year. If subsection one (1), paragraph c, of this section is used in the calculation of the state percent of growth for the previous year, the calculation made in subsection one (1), paragraph b, of this subsection shall not be used in the recomputation of the state percent of growth for the previous year.

For the school year beginning July 1, 1981, the recomputation of the state percent of growth for the year beginning July 1, 1980 computed prior to September 15, 1980 and added to or subtracted from the state percent of growth for the school year beginning July 1, 1981 shall also include a percent equal to the difference between the estimate made of the percentage of growth in the receipts of state general fund revenue by the state comptroller prior to September 15, 1978 in computing the state percent of growth for the school year beginning July 1, 1979 and the actual figures of the percentage of growth in the receipts of state general fund revenue.

Sec. 20. Section four hundred forty-two point eight (442.8), unnumbered paragraph two (2). Code 1979, as the section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter one hundred six (106), section eleven (11), is amended to read as follows:

However, for the budget years beginning July 1, 1980, ~~July 1, 1981~~, July 1, 1982, and July 1, 1983, the state cost per pupil shall equal the base year's state cost per pupil plus the allowable growth for the budget year plus an adjustment to the state cost per pupil. For the budget years beginning July 1, 1980, ~~July 1, 1981~~, July 1, 1982, and July 1, 1983, the adjustment to the state cost per pupil is twenty dollars per pupil, ~~six-dollars-per-pupil~~, seven dollars per pupil, and eight dollars per pupil, respectively.

Sec. 21. Section four hundred forty-two point eight (442.8), unnumbered paragraph three (3), Code 1979, as the section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter one hundred six (106), section eleven (11), is amended to read as follows:

~~For each~~ Commencing with the school year ~~subsequent to the school year~~ beginning July 1, ~~1975~~ 1976, and ending with the school year beginning July 1, 1979, the allowable growth added to the state cost per pupil as otherwise computed under section 442.7 shall be the basic allowable growth increased by an amount equal to the average of the amounts of allowable growth added for each school district in the state for additional special education support services needed for that year to serve newly identified children who require the services, under sections 273.9, subsection 3 and 442.7, subsection 5, paragraph "d". The state comptroller shall compute the applicable amount of allowable growth to be added to the state cost per pupil for each school year.

Sec. 22. Section four hundred forty-two point nine (442.9), subsection one (1), paragraph a, Code 1979, is amended by adding the following new unlettered paragraph:

NEW UNLETTERED PARAGRAPH. However, district cost per pupil does not include additional allowable **growth** added for programs for gifted and talented children under this chapter and does not include additional allowable growth established by the school budget review committee for a single school year only.

Sec. 23. Chaptex four hundred forty-two (442), Code 1979, is amended by adding the following new section as section four hundred forty-two point twenty-five (442.25) of the Code:

NEW SECTION. 442.25 SPECIAL EDUCATION SUPPORT SERVICES PAYMENTS. The state comptroller shall deduct the amounts calculated for special education support services for each school district from the state aid due to the district pursuant to this chapter and shall pay the amounts to the respective area education agencies on a quarterly basis during each school year. The state comptroller shall notify each school

district of the amount of state aid deducted for this purpose and the balance of state bid shall be paid to the district. If a district does not qualify for state aid under this chapter in an amount sufficient to cover its amount due to the area education agency as calculated by the state comptroller, the school district shall pay the deficiency to the area education agency from other moneys received by the district, on a quarterly basis during each school year.

Sec. 24. Section four hundred forty-two point thirty-one (942.31). Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter thirteen (13), section twenty (20), and as amended by House File two thousand two hundred seventy-five (2275), section one (1), Sixty-eighth General Assembly, 1980 Session, is amended by striking the section and inserting in lieu thereof the following:

442.31 GIFTED AND TALENTED CHILDREN. For the school year beginning July 1, 1981 and succeeding school years, boards of school districts, individually or jointly with the boards of other school districts, may provide for gifted and talented children programs and annually submit program plans and budget costs, including requests for additional allowable growth for funding the programs, to the department of public instruction and to the applicable gifted and talented children advisory council, if an advisory council has been established, as provided in this chapter. A district shall not identify more than three percent of its budget enrollment for the budget year as gifted and talented.

The department of public instruction shall promulgate rules under chapter seventeen A (17A) of the Code relating to the administration of sections four hundred forty-two point thirty-one (442.31) through four hundred forty-two point thirty-five (442.35) of the Code and the new sections added to chapter four hundred forty-two (442) of the code by this Act. The rules shall prescribe the format of program plans submitted under section four hundred forty-two point thirty-two (442.32) of the Code and shall require that programs fulfill specified objectives.

Sec. 25. Section four hundred forty-two point thirty-two (442.32), Code 1979, is amended by striking the section and inserting in lieu thereof the following:

442.32 PROGRAM PLANS. The program plans submitted by school districts shall include all of the following:

1. Program goals, objectives, and activities to meet the needs of gifted and talented children.
2. Student identification criteria and procedures.
3. Staff in-service education design.
4. Staff utilization plans.
5. Evaluation criteria and procedures and performance measures.
6. Program budget.
7. Qualifications required of personnel administering the program.
8. Other factors the department requires.

Sec. 26. Section four hundred forty-two point thirty-three (442.33), Code 1979, is amended to read as follows:

442.33 DEFINED. "Gifted and talented children" are those identified as possessing outstanding abilities who are capable of high performance. Gifted and talented children are children who require ~~differentiated-educational-programs-or-services~~ appropriate instruction and educational services commensurate with their abilities and needs beyond those provided by the regular school program.

Gifted and talented children include those children with demonstrated achievement or potential ability, or both, in any ~~two-or-more~~ of the following areas or in combination:

1. General intellectual ability.
- ~~2~~ 2. Creative thinking.
- 2 3. Leadership ability.
- 3 4. Visual and performing arts ability.
- 4 5. Specific ability, aptitude.

~~5. Intellectual ability.~~

Sec. 27. Section four hundred forty-two point thirty-four (442.34), code 1979, as amended by Acts of the Sixty-eighth

General Assembly, 1979 Session, chapter thirteen (13), section twenty-one (21), and as amended by House File two thousand two hundred seventy-five (2275), section two (2), Sixty-eighth General Assembly, 1980 Session, is amended by striking the section and inserting in lieu thereof the following:

442.34 SUBMISSION OF PROGRAM PLANS. The board of directors of a school district shall submit applications for approval for gifted and talented children programs to the department not later than November first preceding the fiscal year during which the program will be offered. The board shall also submit a copy of the program plans to the gifted and talented children advisory council, if an advisory council has been established. The department shall review the program plans and shall prior to January fifteenth either grant approval for the program or return the request for approval with comments of the department included. Any unapproved request for a program may be resubmitted with modifications to the department not later than February first. Not later than February fifteenth the department shall notify the state comptroller and the school budget review committee of the names of the school districts for which gifted and talented children programs have been approved and the approved budget of each program listed separately for each school district having an approved program.

Sec. 28. Section four hundred forty-two point thirty-five (442.35), Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter thirteen (13), section twenty-two (22), and as amended by House File two thousand two hundred seventy-five (2275), section three (3), Sixty-eighth General Assembly, 1980 Session, is amended by striking the section and inserting in lieu thereof the following:

442.35 FUNDING. The budget of an approved gifted and talented children program for a school district, after subtracting funds received from other sources for that purpose, shall be funded annually on a basis of one-fourth or more from the district cost of the school district and up to three-

fourths by an increase in allowable growth as defined in section four hundred forty-two point seven (442.7) of the Code. Annually, the state comptroller shall establish a modified allowable growth for each such district equal to the difference between the approved budget for the gifted and talented children program for that district and the sum of the amount funded from the district cost of the school district plus funds received from other sources.

Sec. 29. Chapter four hundred forty-two (442), Code 1979, is amended by adding the following new sections:

NEW SECTION. ADVISORY COUNCIL. At the written request of one or more boards of school districts, in an area education agency, the area education agency board shall establish one or more gifted and talented children advisory councils and shall appoint members for four-year staggered terms. The terms of office of advisory council members shall commence on July first of each year. An advisory council shall consist of seven members including teachers, parents, school administrators, and other persons interested in education in the area. Except as otherwise provided in this section, members shall be eligible electors residing in the merged area. Members shall serve without compensation but shall be reimbursed for actual and necessary expenses and mileage incurred in the performance of their duties from funds available to the area education agency.

If an area education agency has a weighted enrollment of more than thirty-five thousand, the board may appoint additional advisory councils for each thirty-five thousand weighted enrollment or fraction of thirty-five thousand. If more than one advisory council is appointed by the board, the board shall divide the merged area along school district boundary lines for jurisdiction of the advisory councils, and membership of these advisory councils shall be appointed from the designated portion of the merged area.

NEW SECTION. DUTIES OF ADVISORY COUNCIL. The gifted and talented children advisory council shall:

1. Elect a chairperson and vice chairperson from the membership of the advisory council.

2. Meet as often as deemed necessary by the advisory council.

3. Advise and assist a local board of directors in the establishment of gifted and talented children programs, when requested by the local board.

4. Review program plans and proposed budgets for a gifted and talented children program, in consultation with a gifted and talented children consultant employed by the area education agency, when requested by a local board.

5. when requested by a local board, evaluate the results of a gifted and talented children program and file a written report together with recommendations for improvement or change with the board of directors of the applicable school district, the area education agency and the department of public instruction. The evaluation shall be conducted by three or more members of the advisory council.

Sec. 30. For the school year beginning July 1, 1981, an area education agency which requires additional money to provide special education support services to children requiring special education in the area may apply to the school budget review committee for additional funds. The school budget review committee shall review the requests submitted by area education agencies and may allocate additional funds to area education agencies on the basis of need from any funds appropriated to the department of public instruction for the use of the school budget review committee.

Sec. 31. This Act is effective for the school year beginning July 1, 1981, except that the sections amending chapter two hundred eighty-five (285), section four hundred forty-two point three (442.3) and section four hundred forty-two point seven (442.7), subsection five (5), paragraph a, of the Code are effective for the school year beginning July 1, 1980.

Sec. 32. This Act, being deemed of immediate importance, takes effect from and after its publication in The Record, a newspaper published in Cedar Falls, Iowa, and in The Garner Leader & Signal, a newspaper published in Garner, Iowa.

WILLIAM H. HARBOR
Speaker of the House

TERRY E. BRANSTAD
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2551, Sixty-eighth General Assembly.

BRUCE GRAHAM
Assistant Chief Clerk of the House

Approved _____, 1980

ROBERT D. RAY
Governor

HOUSE FILE 2567

AN ACT

RELATING TO THE DETERMINATION OF ACTUAL AND ASSESSED VALUE OF PROPERTY FOR TAX PURPOSES AND DEFINING THAT PROPERTY WHICH MAY BE INCLUDED WITHIN A TAX INCREMENT FINANCING DISTRICT ESTABLISHED PURSUANT TO SECTION FOUR HUNDRED THREE POINT NINETEEN (403.19) OF THE CODE.

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

Section 1. Section four hundred three point nineteen (403.19), Code 1979, is amended by adding the following new subsection:

NEW SUBSECTION. A city shall certify to the county auditor the amount of loans, advances, indebtedness or bonds which qualify for payment from the special fund referred to in subsection two (2) of this section. In any year, the county auditor shall, upon receipt of a certified request from a city filed prior to the date for certification of city taxes specified in section three hundred eighty-four point two (384.2) of the Code, increase the amount to be allocated under subsection one (1) of this section in order to reduce the amount to be allocated in the following fiscal year to the special fund, to the extent that the city does not request allocation to the special fund of the full portion of taxes which could be collected.

Sec. 2. Chapter four hundred three (403), Code 1979, is amended by adding the following new section:

NEW SECTION. In determining the assessed value of property within an urban renewal area which is subject to a division of tax revenues pursuant to section four hundred three point nineteen (403.19) of the Code, the difference between the actual value of the property as determined by the assessor each year and the percentage of adjustment certified for that year by the director of revenue on or before November first

pursuant to section four hundred forty-one point twenty-one (441.21), subsection twelve (12), of the Code multiplied by the actual value of the property as determined by the assessor, shall be subtracted from the actual value of the property as determined pursuant to section four hundred three point nineteen (403.19), subsection one (1), of the Code. If the assessed value of the property as determined pursuant to section four hundred three point nineteen (403.19), subsection one (1), of the Code is reduced to zero, the additional valuation reduction shall be subtracted from the actual value of the property as determined by the assessor.

Sec. 3. House File two thousand seventy-two (2072), section ten (10), enacted by the Sixty-eighth General Assembly, 1980 Session, is repealed.

WILLIAM H. HARBOR
Speaker of the House

TERRY E. BRANSTAD
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2567, Sixty-eighth General Assembly.

BRUCE GRAHAM
Assistant Chief Clerk of the House

Approved _____, 1980

ROBERT D. RAY
Governor

H.F. 2567

HOUSE FILE 2577

AN ACT

RELATING TO THE INCOME TAX EXEMPTION FOR ANNUITIES RECEIVED
FROM THE UNITED STATES CIVIL SERVICE RETIREMENT AND DIS-
ABILITY TRUST FUND AND MAKING THE ACT RETROACTIVE.

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

Section 1. Section four hundred twenty-two point five (422.5), unnumbered paragraph six (6). Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter ninety-three (93), section three (3), and as the section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter ninety-three (93), sections two (2) and four (4), is amended to read as follows:

A person who is disabled, ~~or~~ is sixty-two years of age or older or is the surviving spouse of an individual or survivor having an insurable interest in an individual who would have qualified for the exemption under this paragraph for this tax year and receives ~~an annuity or~~ one or more annuities from the United States civil service retirement and disability trust fund, and whose net income, as defined in section 422.7, is sufficient to require that the tax be imposed upon it under this section, may determine final taxable income for purposes of imposition of the tax by excluding the amount of ~~an annuity or~~ annuities received from the United States civil service retirement and disability trust fund, which are not already excluded in determining net income, as defined in section 422.7, up to a maximum each tax year of five thousand five hundred dollars for a person who files a separate state income tax return and eight thousand dollars total for a husband and wife who file a joint state income tax return. However, a surviving spouse who is not disabled or sixty-two years of age or older can only exclude the amount of annuities received as a result of the death of his or her spouse. The amount of the exemption shall be reduced by the

amount of any social security benefits received. For the purpose of this section, the amount of ~~an annuity or~~ annuities received from the United States civil service retirement and disability trust fund taxable under the Internal Revenue Code of 1954 shall be included in net income for purposes of determining eligibility under the ~~four~~ five thousand dollar or less exclusion.

Sec. 2. This Act ~~is~~ retroactive to January 1, 1980 for tax years beginning on or after January 1, 1980.

Sec. 3. This Act, being deemed of immediate importance, takes effect from and after its publication in The Cedar Valley Daily Times, a newspaper published in Vinton, Iowa, and in the Linn News-Letter, a newspaper published in Central City, Iowa.

WILLIAM H. HARBOR
Speaker of the House

TERRY E. BRANSTAD
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2577, Sixty-eighth General Assembly.

BRUCE GRAHAM
Assistant Chief Clerk of the House

Approved _____, 1980

ROBERT D. RAY
Governor

H.F. 2577

HOUSE FILE 2580

AN ACT

APPROPRIATING FUNDS TO FINANCE DESIGNATED STATE PROGRAMS AND ADDING PROCEDURES AND CRITERIA FOR ADMINISTERING DESIGNATED PROGRAMS OF THE STATE EDUCATIONAL RADIO AND TELEVISION FACILITY BOARD; THE SCHOOL FOR THE DEAF; THE IOWA COLLEGE AID COMMISSION; MERGED AREA V; THE STATE BOARD OF REGENTS FOR CAPITATION GRANTS; THE COMMISSION ON THE AGING; THE IOWA STATE CIVIL RIGHTS COMMISSION, THE SPANISH-SPEAKING PEOPLES COMMISSION; THE COMMISSION ON THE STATUS OF WOMEN; THE BOARD OF MEDICAL EXAMINERS; THE IOWA MENTAL HEALTH AUTHORITY; THE MENTAL HEALTH ADVISORY COUNCIL; THE HEALTH PLANNING AGENCY, PERSONAL AND FAMILY HEALTH SERVICES, THE COMMUNITY HEALTH DIVISION, AND IN-HOME HEALTH CARE GRANTS OF THE STATE DEPARTMENT OF HEALTH; THE ELDERLY CARE PROGRAM; THE IOWA DEPARTMENT OF SUBSTANCE ABUSE; THE EUROPEAN OFFICE OF THE IOWA DEVELOPMENT COMMISSION; THE ENERGY POLICY COUNCIL; THE DEPARTMENT OF SOIL CONSERVATION; THE GOVERNOR'S ECONOMY COMMITTEE RECOMMENDATIONS; THE STATE BOARD OF ENGINEERING EXAMINERS; THE IOWA BEER AND LIQUOR CONTROL DEPARTMENT; THE DEPARTMENT OF REVENUE; THE IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM; JUDICIAL SALARIES AND THE JUDICIAL RETIREMENT SYSTEM; TERRACE HILL; THE CENSUS DATA CENTER COORDINATING UNIT; THE COMMUNICATIONS DIVISION OF THE DEPARTMENT OF GENERAL SERVICES; THE LEGISLATIVE FISCAL BUREAU; THE IOWA CRIME COMMISSION;

THE ROAD USE TAX FUND; THE STATE DEPARTMENT OF TRANSPORTATION; GOVERNMENTAL SUBDIVISIONS AND AGENCIES REQUIRED TO RECORD INSTRUMENTS; THE DEPARTMENT OF PUBLIC SAFETY; AND THE GENERAL ADMINISTRATION, CORRECTIONAL PERSONNEL, COMMUNITY-BASED CORRECTIONS, LEGAL ASSISTANCE PROGRAM, SUBSTANCE ABUSE SCREENING, MENTAL HEALTH INSTITUTES, DIVISION OF MENTAL HEALTH RESOURCES, PATIENTS' PERSONAL DEPOSIT FUNDS, AID TO DEPENDENT CHILDREN, MEDICAL ASSISTANCE, CONTRACTUAL SERVICES-MEDICAL CAREER, CHILDREN'S SERVICES, STATE SUPPLEMENTARY ASSISTANCE, CHILD SUPPORT RECOVERIES, TITLE XX, FOSTER RESIDENTIAL CARE, SUBSIDIZED ADOPTION, THE GLENWOOD STATE HOSPITAL-SCHOOL, COST REIMBURSEMENT FOR SKILLED, RESIDENTIAL, AND INTERMEDIATE CARE FACILITIES, THE COMMUNITY INTEGRATED YOUTH SERVICES PROJECT, SUPPORT FOR THE POOR FOR INDIANS RESIDING ON THE TAMA COUNTY SETTLEMENT, AND VARIOUS RULES OF THE DEPARTMENT OF SOCIAL SERVICES, PROHIBITING GROUP POLICIES OF LIFE, ACCIDENT OR HEALTH INSURANCE FROM EXCLUDING FROM COVERAGE EMPLOYEES AND EMPLOYEES' SPOUSES AND DEPENDENTS ON THE BASIS OF THEIR ELIGIBILITY FOR MEDICAL ASSISTANCE UNDER CHAPTER TWO HUNDRED FORTY-NINE A (249A) OF THE CODE AND APPROPRIATING FUNDS FOR THE MERIT EMPLOYMENT COMMISSION AND THE OLDER IOWANS' LEGISLATURE.

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

DIVISION I

Section 1. Chapter eighteen (18), division five (V), Code 1979, is amended by adding the following new section:

NEW SECTION. CAPITAL EQUIPMENT REPLACEMENT REVOLVING FUND.

1. Notwithstanding section eighteen point one hundred fifty-one (18.151) of the Code, the state educational radio and television facility board may provide noncommercial production or reproduction services for other public agencies,

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nonprofit corporations or associations organized under state law, or other organizations which are not operated for a profit and shall collect the costs of providing such services from the public agency, nonprofit corporation, association, or organization plus a separate equipment usage fee in an amount determined by the board and based upon the equipment used. The costs shall be deposited to the credit of the state educational radio and television facility board. The separate equipment usage fee shall be deposited in the capital equipment replacement revolving fund.

2. The state educational radio and television facility board may establish a capital equipment replacement revolving fund into which shall be deposited equipment usage fees collected under subsection one (1) of this section and funds from other sources designated for deposit in the capital equipment replacement revolving fund. The state educational radio and television facility board may expend moneys from the capital equipment replacement revolving fund to purchase technical equipment for operating the educational radio and television facility.

Sec. 2. Chapter eighteen (18), division five (V), Code 1979, is amended by adding the following new section:

NEW SECTION. TRUSTS. Notwithstanding section six hundred thirty-three point sixty-three (633.63) of the Code, the state educational radio and television facility board may accept and administer trusts and may authorize nonprofit foundations acting solely for the support of the educational radio and television facility to accept and administer trusts deemed by the board to be beneficial to the operation of the educational radio and television facility. The board and such foundations may act as trustees in such instances.

Sec. 3. Section two hundred seventy point one (270.1), Code 1979, is amended to read as follows:

270.1 SUPERINTENDENT. The superintendent of the school for the deaf shall be a trained and experienced educator of the deaf. ~~His~~ The superintendent's salary may include residence in the institution ~~and-board-from-the-funds-or-supplies-thereof~~, but no such allowance shall be made except by express contract in advance.

Sec. 4. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter thirteen (13), section two (2), subsection one (1), paragraph b, is amended to read as follows:

b. For administration of Iowa guaranteed student loan program for not more than five full-time equivalent positions for fiscal year 1980-1981 \$ 204,000 \$ 284,000

Sec. 5. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter thirteen (13), section five (5), is amended to read as follows:

SEC. 5. There is appropriated from the general fund of the state to the Iowa college aid commission for the fiscal biennium beginning July 1, 1979, and ending June 30, 1981, the ~~sum~~ sum of fifty thousand (50,000) dollars, and for the fiscal year beginning July 1, 1980 and ending June 30, 1981, an additional sum of thirty thousand (30,000) dollars, or so much thereof as may be necessary, to provide for a national guard education program. Funds shall only be expended for Iowa residents who are enlisted members in good standing in the Iowa national guard and who are enrolled as an ~~undergraduate~~ undergraduates in ~~an~~ Iowa postsecondary educational ~~institution~~ institutions. Funds expended on behalf of each full-time undergraduate student shall not exceed two hundred fifty (250) dollars per year. Funds expended on behalf of each half-time undergraduate student shall not exceed one hundred twenty-five (125) dollars per year.

Sec. 6. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter thirteen (13), section six (6), is amended to read as follows:

SEC. 6. There is appropriated from the general fund of the state for each year of the fiscal biennium beginning July 1, 1979 and ending June 30, 1981 to the state educational radio and television facility the following amounts, or so much thereof as may be necessary, to be used for the purposes designated:

	1979-1980	1980-1981
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
For salaries, support, maintenance and miscellaneous purposes	\$ 4,492,000	\$ 4,597,000 <u>4,801,000</u>

Sec. 7. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter thirteen (13), section seven (7), subsection eleven (11), is amended by adding the following new paragraph:

NEW PARAGRAPH. For merged area V.

For operation of the radio station	\$	\$ 50,000
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Sec. 8. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter thirteen (13), section nine (9), is amended to read as follows:

SEC. 9. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1979 and ending June 30, 1980, to the state board of regents, subject to the conditions provided in this section, the **sum** of four hundred thousand (400,000) dollars, and for the fiscal year beginning July 1, 1980 and ending June 30, 1981, the sum of four hundred thousand (400,000) dollars, or so much thereof as may be necessary, to replace actual losses of federal funds for capitation grants by the colleges of dentistry, medicine,

veterinary medicine, pharmacy, and nursing. ~~The funds or any portion of the funds shall not be allocated unless there is actually a loss of federal funds for capitation grants and the state comptroller has reviewed the amount of the loss and approved the allocation of the funds appropriated by this section to replace the loss.~~

Sec. 9. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter thirteen (13) is amended by adding the following new section:

NEW SECTION. The department shall employ a consultant for gifted and talented children programs.

DIVISION II

Sec. 10. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter nine (9), section one (1), subsection one (1), is amended to read as follows:

1. For salaries and support of not more than ~~twenty-six~~ twenty-eight point twenty-five full-time equivalent positions annually, of which two care review positions are contingent upon the receipt of federal funds, maintenance and miscellaneous

purposes	\$ 171,051	\$ 167,900
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Sec. 11. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter nine (9), section one (1), is amended by adding the following new subsection:

5. For the older Iowans model legis-

lature	\$	\$ 14,000
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Sec. 12. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter nine (9), section two (2), subsection one

(1), is amended to read ~~as follows:~~

1. IOWA STATE CIVIL
RIGHTS COMMISSION

~~a.~~ For salaries and support of not more than thirty-five full-time equivalent positions annually, maintenance and miscellaneous purposes \$ 540,463 \$ ~~540,943~~
547,943

b. For salaries, support, maintenance, and miscellaneous purposes of the ~~Spanish-speaking~~ peoples commission, including not more than one full-time equivalent position and expenses of the commission \$ 31,000

Sec. 13. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter nine (9), section two (2), subsection four (4), is amended to read as follows:

4. COMMISSION ON THE
STATUS OF WOMEN

For salaries and support of not more than three point twenty-five full-time equivalent positions annually, maintenance and miscellaneous purposes \$ 76,100 \$ 76,570

Sec. 14. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter nine (9), section three (3). subsection one (1), is amended to read as follows:

1. BOARD OF MEDICAL
EXAMINERS

For salaries and support of not more than seven full-time equivalent positions annually, maintenance and miscellaneous purposes \$ 198,411 \$ ~~193,442~~
205,442

Sec. 15. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter nine (9), section three (3), subsections four (4) and five (5), are amended to read as follows:

4. IOWA MENTAL HEALTH
AUTHORITY.

For salaries and support of not more than eight point five full-time equivalent positions annually, maintenance and miscellaneous purposes \$ 136,081 \$ ~~140,004~~
238,084

If legislation prescribing the title, administrative

structure, and specific powers and duties of the unified state mental health agency has not been approved prior to July 1, 1980 and notwithstanding the provisions of sections two hundred twenty-five B point two (225B.2) and two hundred twenty-five B point eight (225B.8), Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter fifty-four (54), sections one (1) and two (2), the division of mental health resources of the department of social services and the Iowa mental health authority shall continue to be governed respectively by sections two hundred seventeen point ten (217.10) through two hundred seventeen point twelve (217.12), Code 1979 and chapter two hundred twenty-five B (225B), Code 1977, until July 1, 1981. The Iowa mental health authority shall continue to be the designated state agency

for the purpose of directing the benefits of United States Pub. L. No. 79-487, 60 Stat. L. 538 (1946) and amendments thereto.

5. MENTAL HEALTH ADVISORY COUNCIL

For salaries and support of not more than three full-time equivalent positions annually, maintenance and miscellaneous purposes \$ 64,269 \$ 50,000

Sec. 16. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter nine (9), section four (4), subsection two (2), paragraph b, is amended to read as follows:

b. Health planning agency.

For salaries and support of not more than ~~sixty~~ thirteen full-time equivalent positions annually, maintenance and miscellaneous purposes \$ 66,940 \$ 66,407

Sec. 17. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter nine (9), section four (4), subsection six (6), unnumbered paragraph one (1), is amended to read as follows:

For salaries and support of not more than sixty full-time equivalent positions annually, maintenance and miscellaneous purposes \$ 899,793 \$ ~~861,373~~ 881,373

Sec. 18. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter nine (9), section four (4), subsection seven

(7), paragraph a, is amended to read as follows:

a. Community health division.

(1) For salaries and support of not more than ~~forty-two~~ forty-four full-time equivalent positions annually of which two shall be for deaf services, maintenance and miscellaneous purposes \$ 982,111 \$ ~~1,701,376~~ 1,445,376

(2) Of the appropriation for the 1980-1981 fiscal year, the sum of sixty thousand (60,000) dollars is allocated for deaf services, the sum of three hundred fifty thousand (350,000) dollars is allocated for the renal disease program, and the sum of twenty thousand (20,000) dollars is allocated for the emergency medical service program.

Sec. 19. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter nine (9), section four (4), subsection seven (7), paragraph d, is amended to read as follows:

d. In-home health care grants. For grants to local boards of health or county health centers for programs to maintain or expand the availability of in-home health care to elderly persons in the state in accordance with section five (5) of this Act \$ 2,765,960 \$ 3,015,960

Sec. 20. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter nine (9), section five (5), subsection four (4), is amended to read as follows:

4. The state department of health shall make the money allocated for use in each county under subsection three (3) of this section available to be expended in that county as provided in this subsection. The local board of health or county health centers having jurisdiction, after consultation with other in-home health care provider agencies in the jurisdiction, shall prepare a proposal for the use of the funds available for that jurisdiction that will provide the maximum benefits of expanded home health care to elderly persons in the jurisdiction, and that shall include a statement assuring that the appropriate local agencies have participated in the formulation of the proposal. After approval of the proposal by the department, the department shall enter into a contract with the local board of health or county health centers. The local board of health or county health centers may subcontract with a nonprofit nurses' association, an independent nonprofit agency, the department of social services or a suitable local governmental or nongovernmental body to use the funds to expand or maintain in-home health services. Local boards of health or county health centers shall make an effort to subcontract with agencies that are currently providing services to prevent duplication of services. In counties where a county health center has been established under chapter three hundred forty-six A (346A) of the Code, the board of supervisors may appoint itself to act as the county board of health.

Sec. 21. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter nine (9), section nine (9), is amended to read as follows:

SEC. 9. Section sixteen point eight (16.8), Code 1979, is amended to read as follows:

16.8 ~~COMMISSION TERMINATION TRANSFERRED. Without affirmative action by the general assembly before June 30, 1980,~~ the ~~The~~ Spanish-speaking ~~people's~~ peoples commission shall

~~expire on June 30, 1981~~ be transferred to the Iowa state civil rights commission on July 1, 1980. The Spanish-speaking peoples commission shall continue to be appointed and function as provided in sections sixteen point one (16.1) through sixteen point seven (16.7) of the Code, but the Iowa state civil rights commission shall provide support services to the Spanish-speaking peoples commission including, but not limited to, office space, secretarial assistance, supplies, and similar services.

Sec. 22. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter sixteen (16), section one (1), is amended to read as follows:

SECTION 1. There is appropriated from the general fund to the commission on the aging eight hundred thousand (800,000) dollars, or so much thereof as may be necessary, for the 1979-1980 fiscal year and eight hundred thousand (800,000) dollars, or so much thereof as is necessary, for the 1980-1981 fiscal year, for the elderly care program to be used for chore, telephone reassurance, adult day care, and home repair services, including the winterizing of homes, and for the construction of entrance ramps which meet the requirements of section one hundred four A point four (104A.4) of the Code and make residences accessible to the physically handicapped, for citizens of Iowa over sixty-five years of age. All funds appropriated under this section shall be received and disbursed by the commission and shall not be used for administrative purposes.

Sec. 23. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter sixteen (16), section nine (9), is amended to read as follows:

SEC. 9. NEW SECTION. LOCAL MATCH. Funds appropriated to the commission from the general fund for the elderly care program shall only be awarded and distributed to local projects which provide significant matching effort either in cash or

used for compensation of production losses due to summer construction of permanent soil and water conservation practices.

DIVISION IV

Sec. 29. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter four (4), section one (1), subsection five (5), is amended to read as follows:

5. STATE BOARD OF ENGINEERING EXAMINERS

For salaries and wages for not more than two point fifty full-time equivalent positions and for support, maintenance, and other operational purposes \$ 88,044 \$ 92,771
96,771

It is the intent of the general assembly that the per diem and travel expenses of the members of the state board of engineering examiners be reduced to an amount not more than eighteen thousand eight hundred sixty-six (18,866) dollars for the fiscal year 1979-1980 and to not more than twenty thousand seven hundred fifty-three (20,753) dollars for the fiscal year 1980-1981.

The department of general services shall provide for security for the offices of the board of engineering examiners by providing the board with offices and file cabinets that can be locked to prevent unauthorized access to the files, documents and papers of the board of engineering examiners.

Sec. 30. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter four (4), section two (2), subsection three (3), is amended to read as follows:

3. IOWA BEER AND LIQUOR CONTROL DEPARTMENT

For salaries and wages

for not more than nine ~~hundred~~ five point four-teen full-time equivalent positions and for support, maintenance, and other operational purposes \$14,746,842 ~~\$14,860,474~~
15,135,474

It is the intent of the general assembly that two hundred seventy-five thousand (275,000) dollars, or so much thereof as is necessary, for the fiscal year beginning July 1, 1980 and ending June 30, 1981 be used for outside warehousing and rent.

It is the further intent of the general assembly that all state liquor stores in operation as of March 1, 1980 shall continue in operation. If there is more than one liquor store in a city only one must continue in operation. Hours of operation of each store shall remain substantially the same.

Sec. 31. Chapter one hundred twenty-three (123), Code 1979, is amended by adding the following new sections as a new division:

NEW SECTION. 123.153 DEFINITIONS. As used in this division, unless the context otherwise requires:

1. "Project" means acquisition, construction, reconstruction, improvement, repair and equipment of land, buildings, facilities and property of every kind except inventory, deemed necessary by the council for use as a warehouse, which shall include office space.

2. "Gross revenue" means all income or receipts derived from the operation of liquor sale activities.

3. "Net revenues" means gross revenues less operating expense.

4. "Operating expense" means salaries, wages, costs of maintenance and operation, materials, supplies, inventories, insurance, and other items in relation to liquor sale ac-

tivities included under recognized public agency accounting practices, but does not include allowances for depreciation in the value of physical property.

5. "Revenue bond" or "bond" means a negotiable bond issued by the state and payable from the net revenues of liquor sale activities or of any part or project thereof.

6. "Liquor sale activities" means any activities conducted by the council and the department with reference to the sale of alcoholic liquor.

NEW SECTION. 123.154 PROJECT--REVENUE BONDS. On behalf of the state, the council shall carry out a project, issue revenue bonds in an amount not to exceed four million dollars to pay all or part of the cost of the project, or refund at or before maturity a like principal amount of revenue bonds or other obligations issued under this division and sell revenue bonds at public or private sale in the discretion of the council. The cost of the project may include interest on the bonds during construction and for one year after completion, costs of sale and issuance of bonds, professional services and provision for contingencies.

NEW SECTION. 123.155 PROCEEDINGS. Revenue bonds shall be issued pursuant to one or more resolutions of the council adopted at a regular or special meeting by a majority of the members in attendance. Revenue bonds may bear interest at such rates, be in one or more series, bear such dates, mature at times not exceeding thirty years from their respective dates, be payable at places within or without the state, carry registration privileges, be subject to terms of redemption, with or without premium, be executed and contain terms, limitations, covenants and conditions as the resolution provides.

The bonds shall be executed by the governor and attested by the treasurer of state. The facsimile signature of either the governor or treasurer of state may be printed on the face

of each bond in lieu of the manual signature of the officer. Interest coupons, if any, shall be executed by the original or facsimile signature of the treasurer of state. Bonds bearing the original or facsimile signature of an officer in office on the date of the signing are valid for all purposes, notwithstanding that before delivery the signer has ceased to hold the office. Each bond shall state on its face that it is payable solely from the revenues pledged thereto and that it does not constitute a debt or charge against the state of Iowa within the meaning or application of any constitutional or statutory limitation or provision.

The proceedings authorizing the issuance of the bonds may provide for the establishment of reserve funds or sinking funds as deemed necessary for the application of surplus net revenues, and for the continuation of liquor sale activities on a revenue producing basis and the maintenance of net revenues at levels at least sufficient to pay principal of and interest on the revenue bonds as they become due and to maintain reserves or sinking funds therefor.

NEW SECTION. 123.156 BONDS NOT DEBT OF STATE. Revenue bonds shall not be a debt of or charge upon the state of Iowa within the meaning of any constitutional or statutory limitation. Taxes or appropriations shall not be pledged for the payment of the revenue bonds. The sole remedy for any breach or default of the terms of any revenue bonds or proceedings authorizing the bonds shall be a proceeding in law or equity, to which consent is given, to enforce and compel performance of the duties required by this division and the terms of the resolutions under which the bonds are issued.

NEW SECTION. 123.157 ANTICIPATORY NOTES. The council may borrow money and issue notes in anticipation of the receipt of proceeds of the sale of revenue bonds. Any such loan shall be paid within three years. Notes issued for moneys so

borrowed may be renewed from time to time within the three-year limitation. ~~Notes~~ shall be issued and sold in the same manner as provided for the issuance of bonds.

NEW SECTION. 123.158 NOTICE. The council may publish a notice of its intention to issue revenue bonds in a newspaper published in and with general circulation in the state. The notice shall include a statement of the maximum amount of bonds proposed to be issued, and in general, what net revenues will be pledged to pay the revenue bonds and interest thereon. **An** action which questions the legality of revenue bonds or the power of the council to issue the bonds or the effectiveness of any proceedings adopted **for** the authorization or issuance of the bonds shall not be brought after sixty days from the date of publication of the notice.

NEW SECTION. 123.159 EXEMPTION FROM TAXATION. Bonds or notes issued under this division are exempt from taxation by the state of Iowa and the interest thereon is exempt from state income tax.

NEW SECTION. 123.160 BONDS AS INVESTMENTS. All banks, trust companies, savings and loan associations, investment companies and other persons carrying on a banking or investment business, all insurance companies, insurance associations, and other persons carrying on an insurance business and all executors, administrators, guardians, trustees, and other fiduciaries may legally invest any sinking funds, moneys, or other funds belonging to them or within their control in bonds issued pursuant to this division. However, this section does not relieve any persons from a duty of exercising reasonable care in selecting securities for purchase or investment.

NEW SECTION. 123.161 INDEPENDENT AUTHORIZATION. This division provides an independent method for the carrying out of a project and for the sale and issuance of revenue bonds and notes without reference to any other statute and is not

subject to the provisions of any other law relating to the issuance of bonds.

NEW SECTION. 123.162 LIMITATION. The council shall not carry out more than one project under this division.

Sec. 32. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter four (4), section two (2), subsection fourteen (14), is amended to read as follows:

14. DEPARTMENT OF REVENUE

For salaries and wages
for not more than six
hundred seventy-eight
point sixty-four full-
time equivalent posi-
tions and for support,
maintenance, and other
operational purposes \$12,228,072 ~~\$12,145,839~~
12,200,832

It is the intent of the general assembly that fifty-five thousand (55,000) dollars, or so much thereof as is necessary, for the fiscal year beginning July 1, 1980 and ending June 30, 1981 be used for the capital assets pricing model program.

Sec. 33. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter four (4), section seven (7), is amended to read as follows:

SEC. 7. There is appropriated from the Iowa public employees' retirement system fund for each fiscal year of the biennium beginning July 1, 1979 and ending June 30, 1981 to the Iowa department of job service, the following amounts, or so much thereof as is necessary, to be used for the following purposes:

<u>1979-1980</u>	<u>1980-1981</u>
<u>Fiscal Year</u>	<u>Fiscal Year</u>

For salaries and wages for not more than ~~thirty-~~
~~sixty~~ forty point fifty full-time equivalent positions and for support, maintenance, and other operational purposes to pay the costs of administration of the Iowa public employees' retirement system \$ 1,535,755 \$ ~~1,622,074~~
1,719,404

It is the intent of the general assembly that seventy-five thousand (75,000) dollars, or so much thereof as may be necessary, for the fiscal year beginning July 1, 1980 and ending June 30, 1981 be used to establish a systems development program.

DIVISION V

Sec. 34. Acts of the Sixty-eighth General Assembly, 1979 session, chapter two (2), section three (3), is amended to read as follows:

SEC. 3. There is appropriated from the general fund of the state for each fiscal year of the fiscal biennium beginning July 1, 1979, and ending June 30, 1981, the following amounts, or so much thereof as is necessary, to be used to fund increases in judicial salaries as provided in section two (2) of this Act and for the state's contribution to the

judicial retirement system provided for in chapter six hundred five A (605A) of the Code required because of the increased salaries

	1979-1980	1980-1981
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
	\$ 650,000	\$ 650,000
		<u>733,000</u>

Sec. 35. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter three (3), section one (1), subsection three (3), is amended to read as follows:

3. For salaries and support of not more than eight point five full-time equivalent positions and maintenance of the Terrace Hill governor's mansion which shall be open for ~~the public tours by individuals or groups of ten or fewer persons~~ without prior appointment, and for groups of more than ten persons with a prior appointment' a minimum of twenty hours per week and a minimum of five days per week, ~~in-addition-to-arranged-special group-tours,-and.~~ The visiting hours and tour arrangements may be adjusted in order to provide access to Terrace Hill which will best serve the public and also cause the least inconvenience to the governor and the governor's family. The final tour in any day

when requested shall begin not earlier than 2:00 p.m.

Terrace Hill shall be closed during the months of January and February except for special tours which may be conducted at the discretion of the

Terrace Hill site coordinator \$ 174,570 \$ 171,580

Notwithstanding the provisions of subsection eight (8) of section eighteen point twelve (18.12) of the Code, proceeds received from the sale of excess Terrace Hill personal property to be disposed of by a public auction conducted by the department of general services shall be added to the funds appropriated by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter fourteen (14), section fifteen (15), subsection five (5), and shall be used for the restoration of Terrace Hill in the same manner as the funds appropriated in that subsection.

Sec. 36. Acts of the Sixty-eighth General Assembly, 1979 session, chapter three (3), section four (4), subsection three (3), unnumbered paragraph two (2), is amended to read as follows:

There is established a census data center coordinating unit composed of the state librarian, a representative of the office for planning and programming, and three representatives each representing one of the state universities. The census data center coordinating unit shall provide for not less than fifty census data training sessions throughout the state, and shall negotiate a joint statistical agreement with the United States bureau of the census. The census data center coordinating unit shall be the agency designated in Iowa to approve all such agreements with the bureau of the census.

Sec. 37. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter three (3), section ten (10), subsection one (1), paragraph f, is amended to read as follows:

f. COMMUNICATIONS

DIVISION

For salaries and support of not more than ~~seventeen~~ eighteen point seventy full-time equivalent positions, maintenance, and miscellaneous purposes

\$ 336,670 \$ ~~336,651~~
364,051

Sec. 38. Notwithstanding the Acts of the Sixty-eighth General Assembly, 1979 Session, chapter three (3), section six (6), subsection ten (10), the full-time equivalent positions for the legislative fiscal bureau for the fiscal year beginning July 1, 1980, shall be thirteen.

Sec. 39. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1980 and ending June 30, 1981 the **sum of** fifty thousand (50,000) dollars, or **so** much thereof as is necessary, to the Iowa merit employment department for conversion, design, testing, installation, and implementation of a data processing system.

Sec. 40. Section two point forty-three (2.43), unnumbered paragraph one (1), code 1979, is amended to read **as** follows:

The legislative council in co-operation with the officers of the senate and house shall have the duty and responsibility for preparing for each session of the general assembly. Pursuant to such duty and responsibility; the legislative council may assign areas in the state capitol or other state buildings, in consultation with the director of the department of general ~~services~~ and the capitol planning commission, for use of the general assembly or legislative agencies. The

legislative council may authorize the renovation, remodeling and preparation of the physical facilities used or to be used by the general assembly or legislative agencies subject to the jurisdiction of the legislative council and award contracts pursuant to such authority to carry out such preparation. The legislative council may purchase supplies and equipment deemed necessary for the proper functioning of the legislative branch of government.

DIVISION VI

Sec. 41. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eleven (11), section one (1), subsections one (1), two (2), and four (4), are amended to read as follows:

1. For the purpose of matching federal funds available to the Iowa crime commission for state and court planning programs, for salaries and support of not more than twenty-two full-time equivalent positions, and for maintenance and miscellaneous purposes

\$	110,000	\$	70,200
			<u>100,000</u>

2. For the purpose of providing funds for area planning purposes to the Iowa crime commission, and for salaries, support, maintenance and miscellaneous purposes

\$	100,000	\$	40,000
			<u>50,000</u>

a. It is the intent

of the general assembly that if federal law enforcement assistance administration planning funds are not appropriated for the fiscal year beginning October 1, 1980 and ending September 30, 1981, the appropriations subcommittee on transportation and law enforcement shall review the budget needs of the Iowa crime commission. If federal law enforcement assistance administration planning funds are appropriated, funds appropriated under subsections one (1) and two (2) of this section which are not required for matching federal funds shall revert to the general fund of the state.

4. For the purpose of matching federal funds available to the Iowa crime commission through the Juvenile Justice and Delinquency Prevention Act of 1974 as amended by the United States Congress for salaries and support of not more than one full-time

equivalent ~~position~~, and for
 maintenance and miscellaneous
 purposes \$ 6,600 \$ ~~14,000~~
19,000

Sec. 42. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eleven (11), is amended by adding the following new section:

NEW SECTION. There is appropriated from the general fund of the state to the road use tax fund for the fiscal year beginning July 1, 1980 and ending June 30, 1981 the amount of one million (1,000,000) dollars.

Sec. 43. Section three hundred twelve point two (312.2), subsection six (6), Code 1979, as the section is amended by Acts of the Sixty-eighth General Assembly, 1980 Session, House File seven hundred forty-seven (747), section one (1), is amended to read as follows:

6. The treasurer of state shall before making the allotments provided for in this section credit monthly to the ~~division of motor vehicle registration of the~~ state department of transportation funds sufficient in amount to pay the costs of purchasing certificate of title and registration forms, and supplies and materials and for the cost of prison labor used in manufacturing motor vehicle registration plates, decalcomania emblems, and validation stickers at the prison industries.

Sec. 44. section three hundred thirteen point five (313.5), unnumbered paragraph one (1), Code 1979, is amended to read as follows:

The department shall submit to the comptroller, as provided by chapter 8, a detailed estimate of the amount required by the department during each succeeding biennium for the support of the department and for engineering and administration of highway work and maintenance of the primary road system. Such estimate shall be in the ~~same~~ general form and detail

as is required by chapter 8 and said chapter shall apply to the budgeting, appropriation, and expenditure of funds in the primary road fund in the same manner as such chapter applies to other departments. However, the amount of contracts for bituminous resurfacing, bridge painting and repair, ~~concrete-paving~~ pavement and shoulder repair, and agreements with ~~municipalities~~ cities for maintenance on primary road extensions and agreements with counties, cities, and institutions for maintenance on state park, state institution, and other state land roads need not be included in the amount appropriated for maintenance.

Sec. 45. Section three hundred twenty-eight point twenty-four (328.24), Code 1979, is amended to read as follows:

328.24 REFUNDS OF FEES. If, during the year for which an aircraft, except nonresident aircraft used for the application of herbicides and pesticides, was registered and the required fee paid ~~therefor~~, ~~such the~~ aircraft is destroyed by fire or accident or junked, and its identity as an aircraft entirely eliminated, or it is removed and continuously used beyond the boundaries of the state, then the owner in whose name it was registered at the time of ~~such~~ destruction, dismantling, or removal from the state shall return the certificate of registration to the ~~commission~~ department within ten days and make affidavit of such destruction, dismantling, or removal and make claim for ~~such the~~ refund. The refund shall be paid from the state aviation fund.

The registration fee for the unexpired portion of the year shall ~~thereupon~~ be refunded pro rata to the nearest full calendar month.

Sec. 46. Sections forty-three (43), forty-four (44), and forty-five (45) of this Act take effect July 1, 1981.

Sec. 47. Notwithstanding the provisions of chapters three hundred ten (310) and three hundred thirteen (313) of the

Code, if in the judgment of the state department of transportation the anticipated ~~claims~~ against the primary road fund or ~~farm-to-market~~ road fund for any month are in excess of funds available, a temporary transfer for construction costs may be made between funds providing there will remain in the transferring fund a sufficient balance to meet the anticipated obligations. Fund transfers shall be repaid when anticipated balances for any month are in excess of anticipated obligations. All such transfers shall be repaid prior to January 31, 1981. Any transfer shall be made with the approval of the state comptroller and shall comply with the state comptroller's rules relating to the transfer of funds.

This section is applicable only for the period July 1, 1980 through January 31, 1981.

Sec. 48. Section five hundred fifty-eight point fifty-eight (558.58), Code 1979, is amended to read as follows:

558.58 RECORDER TO COLLECT AND DELIVER TO AUDITOR.

1. At the time of filing any a deed or other instrument mentioned in section 558.57, the recorder shall collect from the person filing the ~~same deed or instrument~~ the recording fee provided by ~~law-also and~~ the auditor's transfer fee, ~~and-forthwith except as provided in subsection two (2) of this section. The recorder shall deliver the deed or instrument~~ and the transfer fee to the county auditor, after endorsing upon said instrument the following:

Filed for record, indexed, and delivered to county auditor
this day of 19 ... at
o'clock ..M. Recorder's and auditor's fee \$ paid.

.....

Recorder

2. When the person required to pay a fee relating to a real estate transaction is a governmental subdivision or agency, the recorder, at the request of the governmental

subdivision or agency, shall bill the governmental subdivision or agency for the fees required to be paid. The governmental subdivision or agency shall pay the fees and taxes due within thirty days after the date of filing.

Sec. 49. It is the intent of the general assembly that the state department of transportation may construct a hangar addition if sufficient funds, not to exceed eighteen thousand (18,000) dollars, are available for transfer from any funds appropriated to the state department of transportation from the general fund of the state for the fiscal biennium beginning July 1, 1979 and ending June 30, 1981.

Sec. 50. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter fourteen (14), section eighteen (18), subsection two (2), paragraph b, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. It is the intent of the general assembly that the department of public safety shall not dismantle the lower portion of the radio tower located on second Avenue in Des Moines until further consideration by the general assembly. However, the department may expend the necessary funds to maintain the structural safety of the tower.

Sec. 51. The legislative council may create a crime commission study committee composed of three members of the senate and the house of representatives from the respective standing committees on state government, two members from the house transportation appropriations subcommittee and two members of the senate transportation and law enforcement appropriations subcommittee to review the recommendations of the governor's economy committee relating to the crime commission and the crime commission program evaluation report prepared by the legislative fiscal bureau. The committee shall include as advisory nonvoting members two representatives of the judicial branch of government, and two representatives of local law enforcement agencies. The study committee shall

report its findings and recommendations, with legislative bill drafts required to implement its recommendations to the respective standing committees on state government, the legislative council, and the general assembly convening in January, 1981.

DIVISION VII

Sec. 52. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section one (1), subsection one (1), is amended to read as follows:

1. For general administration, including salaries and support, maintenance and miscellaneous purposes

\$ 6,140,000	\$ 6,220,000
	<u>6,628,584</u>

It is the intent of the general assembly that up to one hundred twelve thousand (112,000) dollars of the fiscal year 1981 appropriation may be used to continue the implementation of an integrated client information system.

Sec. 53. Acts of the sixty-eighth General Assembly, 1979 Session, chapter eight (8), section five (5), subsections two (2), three (3), eight (8), eleven (11), and thirteen (13) are amended to read as follows:

2. During the fiscal year biennium beginning July 1, 1979 and ending June 30, 1981, the department is authorized to expand staffing, in order to provide additional correctional personnel required by unitization, by ~~twenty-five~~ thirty-six new positions at Fort Madison and thirty-three new positions at Anamosa. Within the limitations of the funds appropriated by this section and the provisions of Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section thirty (30) of this Act, the department may **expand** staffing at the John Bennett Center by adding seven new correctional personnel.

3. It is the intent of the general assembly that a concentrated training program for correctional ~~officers~~ personnel at Fort Madison be established as soon as possible, and ~~that~~ a continuing in-service training program be established for correctional ~~officers-at-all-correctional institutions~~ personnel under the division of adult corrections. There may be used for this purpose up to two hundred ten thousand (210,000) dollars of the appropriation made by subsection one (1) of this section for the fiscal year beginning July 1, 1979, and **up** to one hundred forty thousand (140,000) dollars of the appropriation made by subsection one (1) of this section for the fiscal year beginning July 1, 1980. The general assembly also recommends that in addition to using existing staff for training, the department utilize other community and state resources in the development and implementation of a comprehensive training program.

8. Community-based corrections	\$ 8,747.250	\$ 9,359,557
		<u>9,775,557</u>

Each judicial district which uses funds appropriated under this subsection may contract for services from or provide funds to private agencies which provide to ex-offenders education, job placement or counseling services intended to facilitate the transition of the ex-offenders from incarceration to free society.

11. For a legal assistance program to provide civil legal assistance to inmates of the Iowa correctional system in matters of child custody, bankruptcy and dis-

solution of marriage	\$ 25,000	\$ 25,000
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payer, or who is admitted for preliminary diagnostic evaluation under sections two hundred twenty-five B point four (225B.4) through two hundred twenty-five B point seven (225B.7) of the Code. The amount of reimbursement for the cost of care and treatment of a local inpatient to which a county is entitled under this subsection, on a per-patient-per-day basis, is an amount equal to twenty percent of the average daily patient costs in the most recent calendar quarter for the program in which the local inpatient would have been served if he or she had been admitted to a state mental health institute.

c. Each county may claim the reimbursement provided for by paragraph a of this subsection by filing with the department a claim in a form prescribed by the director of the division of mental health by administrative rule. Claims may be filed on a quarterly basis, and when received shall be verified expeditiously by the director. The director shall certify to the state comptroller the amount to which each county claiming reimbursement under this section is entitled, and the comptroller shall issue warrants to the respective counties drawn upon funds appropriated by the general assembly for the purpose of this subsection. Each county shall place funds received under this subsection in the county mental health and institutions fund. If the appropriation for any fiscal year is insufficient to pay all claims arising under this subsection, the comptroller shall prorate the funds appropriated for that year among the claimant counties so that an equal proportion of each county's claim is paid in each quarter for which proration is necessary.

d. There is appropriated from the general fund of the state to the department of social services, for the fiscal year beginning July 1, 1980, the sum of three hundred ninety-four thousand (394,000) dollars, or so much thereof as may be necessary, to be used to reimburse counties for a portion

of the cost of local inpatient mental health treatment as provided by this subsection.

Sec. 57. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section seven (7), is amended by adding the following new subsection:

NEW SUBSECTION. If more than two hundred dollars is on deposit to the credit of a patient at a hospital school or mental health institute, in a patients' personal deposit fund established pursuant to section two hundred twenty-two point eighty-six (222.86) or two hundred twenty-six point forty-three (226.43) of the Code, and that patient has no county of legal settlement in this state, the business manager of the hospital school or mental health institute may transfer from the patients' personal deposit fund to a central account all money in excess of two hundred dollars on deposit to the credit of that patient, up to an amount equal to the patient's accumulated liability to the state for the cost of that patient's care, support and maintenance. The funds transferred to a central account pursuant to this subsection may be used by the department of social services during the fiscal year beginning July 1, 1980 to provide community based care for mentally retarded or mentally ill persons who do not have a county of legal settlement in this state. Any funds transferred to a central account and not expended as authorized by this subsection shall revert to the general fund of the state on June 30, 1981.

Sec. 58. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section eight (8), subsection two (2), is amended to read as follows:

2. For aid to dependent children	\$47,130,000	\$47,100,000
		<u>55,100,000</u>

Sec. 59. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section eight (8), subsection

four (4), paragraph d, is amended to read as follows:

d. Any spontane-		
ous abortion, common-		
ly known as a miscar-		
riage, wherein not all		
of the products of con-		
ception are expelled	\$88,260,000	\$95,350,000
		97,750,000

Notwithstanding the provisions of section eight point thirty-nine (8.39) of the Code, funds appropriated under this section are not subject to transfer to any other department, institution or agency. Any unencumbered or unobligated balance of any appropriation made under this section which exists on June 30, 1981 shall revert to the fund from which it was appropriated.

Sec. 60. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section eight (8), subsections five (5), six (6), nine (9) and eleven (11) are amended to read as follows:

5. For contractual ser-		
vices-medical carrier	\$ 1,084,000	\$ 1,232,000
		1,120,000

6. For children's		
services	\$20,455,000	\$21,250,000
		22,030,000

Notwithstanding section eight point thirty-three (8.33) of the Code, unencumbered or unobligated funds remaining in the allocation made by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section seventeen (17), subsection two (2), from the appropriation made by this subsection for the fiscal year beginning July 1, 1979, shall not revert to the general fund of the state until June 30, 1981, and shall be governed by the provisions of Acts of the Sixty-eighth General Assembly, chapter eight (8), section

four (4), subsection two (2), as added by Acts of the Sixty-
eightth General Assembly, Senate File two thousand two hundred
forty-one (2241), section sixteen (16), which relate to use
by the department of social services of delayed reversion
funds.

9. For state supplementary assistance, including state supplementary assistance for the blind	\$ 6,090,000	\$ 6,520,000
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It is the intent of the general assembly that the department of social services shall increase the maximum cost-related reimbursement for residential care facility services for the fiscal year beginning July 1, 1980 to ~~thirteen~~ fourteen dollars and ~~fifty-cents~~ per day and the flat rate to ~~eight~~ nine dollars and ~~twenty~~ fifty cents per day.

11. For child support recoveries, including salary and support, maintenance and miscellaneous purposes	\$	428,219	\$	435,160
				520,160

The commissioner of social services, within the limitations of the funds appropriated in this subsection or funds transferred from the aid to dependent children program for this purpose, and subject to the staffing limitations imposed by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section thirty (30). may add additional child support recovery workers when the commissioner determines that additional workers can reasonably be expected to recover for the aid to dependent children program more than twice the amount of money required to pay the salary and support for those additional workers. . .

Sec. 61. Acts of the ~~Sixty-eighth~~ General Assembly, 1979 Session, chapter eight (8), section eight (8), subsection thirteen (13), as amended by Acts of the Sixty-eighth General Assembly, 1980 Session, Senate File two thousand two hundred forty-one (2241), section twenty-two (22), is amended to read as follows:

13. State supplementation to Title

XX	\$ 1,000,000	\$ 1,000,000
		2,200,000

It is the intent of the general assembly that funds appropriated under this subsection be used for local purchase of service contracts for services listed in the overall statewide Title XX plan.

Sec. 62. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section ten (10), is amended by adding the following new subsection:

NEW SUBSECTION. It is the intent of the general assembly that assistance shall be granted under chapter two hundred thirty-nine (239) of the Code to an expectant mother in the last trimester of pregnancy if she meets all other eligibility requirements of the aid to dependent children program. The mother and fetus together shall be treated as a one-person family with assistance payable to the expectant mother as an eligible group of one, and a payment of ten dollars per month shall also be made for the fetus. The department of social services shall continue in effect, or update as may be necessary, the rules adopted as required by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter seven (7), section one (1), subsection two (2).

Sec. 63. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section ten (10), subsection four (4) is amended to read as follows:

4. It is the intent of the general assembly that the department shall maintain a system of current needs budgeting in computing monthly assistance grants for ADC recipients until the department has presented to the governor and the joint social services appropriations subcommittee of the sixty-eighth General Assembly a study and report including a cost-benefit comparison and client impact comparison between prior-month budgeting and current needs budgeting. The report shall be submitted on December 3, 1979. Further, the department shall not implement a prior-month budgeting system on a statewide basis without first establishing its cost-effectiveness through at least a one-year pilot program employing prior-month budgeting in selected Iowa counties.

Sec. 64. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section twelve (12), is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Beginning July 1, 1980, the basis for establishing the maximum medical assistance reimbursement rate for intermediate care facilities shall be the seventy-fourth percentile of all facilities' per diems as calculated from the March 31, 1980 compilation of unaudited financial and statistical reports. This compilation is composed of facility cost reports received prior to February 1, 1980. **Beginning January 1, 1981,** the basis for establishing the maximum reimbursement rate for intermediate care facilities shall be the seventy-fourth percentile of all facilities' per diems as calculated from the December 31, 1980 compilation of unaudited financial and statistical reports. This compilation is composed of facility cost reports received prior to November 1, 1980.

Sec. 65. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), **section** fourteen (14). is amended to read as follows:

SEC. 14. It is the intent of the general assembly that medical assistance shall be made available to any person who is an inpatient of a hospital, skilled nursing facility or intermediate care facility; who is eligible for supplemental security income in all respects except income; and whose income does not exceed ~~six-hundred-dollars-per-month~~ three hundred percent of the maximum monthly payment to an individual who is a recipient under the federal supplementary security income program as defined in section two hundred forty-nine point one (249.1), subsection one (1), of the Code.

Sec. 66. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section sixteen (16), is amended to read as follows:

SEC. 16. It is the intent of the general assembly that, for the fiscal year beginning July 1, 1979, foster parent payments be increased by ten percent. It is further the intent of the general assembly that, for the fiscal year beginning July 1, 1980, foster residential care payments shall increase from fifty-five to fifty-eight dollars per day and foster group home payments shall increase from forty-four to forty-six dollars per day. It is also the intent of the general assembly that subsidized adoption rates shall be increased to the same level as the foster family home rates for the fiscal year beginning July 1, 1980.

Sec. 67. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), is amended by adding the following new sections:

NEW SECTION. Notwithstanding sections two hundred eighteen point seventy-eight (218.78) and two hundred eighteen point one hundred one (218.101) of the Code, all receipts of the Glenwood state hospital-school attributable to billings for laundry services furnished the Iowa school for the deaf shall be available to the hospital-school.

NEW SECTION. The department of social services shall arrange for a study of alternative methods of cost reimbursement for skilled, intermediate and residential care facilities and congregate housing and independent group residents. The study shall be conducted by an independent consulting firm which shall be employed by the department of social services after consultation with the governor, and the joint appropriations subcommittee on social services. The co-chairpersons of the joint appropriations subcommittee on social services shall select three members of that subcommittee to sit on a committee organized by the department of social services to set study parameters, receive consultant study proposals, select the consultant, and receive periodic progress reports. Progress reports shall be given to the governor, the commissioner of social services, and the joint appropriations subcommittee on social services at least twice prior to the final report which shall be submitted to the governor, the department of social services, and the joint appropriations subcommittee on social services no later than January 15, 1981. The department may use not more than seventy-five thousand dollars of the appropriation made by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section eight (8), subsection four (4), as amended by this Act, for the fiscal year beginning July 1, 1980 and ending June 30, 1981, to pay the costs of the study mandated by this section.

Sec. 68. Section two hundred thirty-nine point one (239.1), subsection three (3), Code 1979, is amended to read as follows:

3. A "dependent child" means a needy child under the age of ~~sixteen~~ eighteen years, ~~or under the age of twenty years who is a student regularly attending a high school in pursuance of a course of study leading to a high school diploma or its equivalent, or who is, in lieu of pursuing a course of study leading to a high school diploma or its equivalent, regularly~~

~~attending a course of vocational or technical training designed to fit him for gainful employment~~, who has been deprived of parental support and care by reason of death, continued absence from home, physical or mental incapacity or unfitness of either parent, or partial or total unemployment of the father, and who is living with his or her father or mother, or both, or with his or her grandfather, grandmother, brother, sister, stepfather, stepmother, stepbrother, stepsister, uncle or aunt, in a place of residence maintained by one or more of such relatives as his or her or their home or has been placed in a licensed foster home or with a public or nonprofit child care agency by the state division or by the county department of social welfare in lieu of living with any relative designated in this subsection.

Sec. 69. Acts of the Sixty-eighth General Assembly, 1980 Session, Senate File two thousand two hundred forty-one (2241), section twenty (20), is amended to read as follows:

SEC. 20. There is appropriated from the general fund of the state to the department of social services for the fiscal year beginning July 1, 1979 and ending June 30, 1980, the ~~sum~~ of one hundred thirty-eight thousand (138,000) dollars, ~~or so much thereof as may be necessary~~, to supplement funds appropriated by the Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section eight (8), subsection six (6). The money appropriated by this section shall be used for the purpose provided by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section seventeen (17), subsection two (2). Notwithstanding section eight point thirty-three (8.33) of the Code, unencumbered or unobligated funds appropriated by this section shall not revert to the general fund of the state until June 30, 1981, and shall be governed by the provisions of Acts of the Sixty-eighth General Assembly, chapter eight (8), section four (4), subsection two (2), as added by Acts of the Sixty-eighth

General Assembly, Senate File two thousand two hundred forty-one (2241), section sixteen (16), which relate to use by the, department of social services of delayed reversion funds.

Sec. 70. Section two hundred thirty-nine point four (239.4), unnumbered paragraph two (2), Code 1979, is amended by striking the unnumbered paragraph.

Sec. 71. Section two hundred fifty-two point forty-three (252.43), unnumbered paragraph three (3), Code 1979, is amended to read as follows:

The expense of support for the poor for Indians residing in the settlement ~~referred to in section 1.12~~ located in Tama county shall be paid from funds ~~of the state division of child and family services of~~ appropriated for that purpose to the department of social services. ~~To~~ The tribal council of the settlement shall administer such support for Indians residing on ~~a the settlement, such state division shall have the powers and duties assigned to county officials by this chapter, or the state division or director of same may designate the director of social welfare in the county where such Indians reside to administer such relief.~~ The tribal council shall submit a report annually to the department delineating program expenditures.

Sec. 72. Section five hundred nine point one (509.1), subsection one (1), Code 1979, is amended by adding the following new lettered paragraph:

NEW LETTERED PARAGRAPH. The policy shall not exclude from coverage an employee or an employee's spouse or dependents on the basis of the eligibility of the employee or the employee's spouse or dependents for medical assistance under chapter two hundred forty-nine A (249A) of the Code.

Sec. 73. Section five hundred nine point one (509.1), subsection four (4), Code 1979, is amended by adding the following new lettered paragraph:

NEW LETTERED PARAGRAPH. The policy shall not exclude from coverage a member or a member's spouse or dependents on the basis of the eligibility of the member or the member's spouse or dependents for medical assistance under chapter two hundred forty-nine A (249A) of the Code.

Sec. 74. Section five hundred nine point one (509.1), subsection five (5), Code 1979, is amended by adding the following new lettered paragraph:

NEW LETTERED PARAGRAPH. The policy shall not exclude from coverage an employee or member or an employee's or member's spouse or dependents on the basis of the eligibility of the employee or member or employee's or member's spouse or dependents for medical assistance under chapter two hundred forty-nine A (249A) of the Code.

Sec. 75. Section five hundred nine point one (509.1), subsection six (6), Code 1979, is amended by adding the following new lettered paragraph:

NEW LETTERED PARAGRAPH. The policy shall not exclude from coverage an employee or an employee's spouse or dependents on the basis of the eligibility of the employee or the employee's spouse or dependents for medical assistance under chapter two hundred forty-nine A (249A) of the Code. This paragraph shall also apply to corporations operating within the state who provide insurance coverage for their employees directly, and the commissioner shall have the authority to enforce the provisions of this paragraph.

Sec. 76. The department of social services shall adopt rules under section seventeen A point four (17A.4), subsection two (2) of the Code, which may become effective under section seventeen A point five (17A.5), subsection two (2), paragraph b of the Code as follows:

1. To change the effective date of assistance provided under chapter two hundred thirty-nine (239) of the Code, from the date of application to not more than seven days after the date of application.

2. To eliminate payment for laxative drugs.

3. To limit orthodontia and posterior dental bridgework, except that assistance shall be available for injuries requiring emergency treatment.

4. To limit the types of eyeglass frames provided.

5. To extend the time period which must elapse before a person may obtain new eyeglasses, except that provision shall be made for emergency needs.

6. To provide that dentures shall be replaced no oftener than once every five years, except that allowance shall be made for emergency needs.

7. To provide reimbursement for hearing aids at factory cost plus a dispensing fee covering ear mold fitting and service for six months, and payment for batteries as requested by recipient.

8. To provide co-payment for the following optional services--dental, optometry, optical, audiology, orthopedic shoes, hearing aids and medical equipment.

9. To provide for a fifty cent drug co-payment and to require that pharmacists who reduce the total cost, including the reduction of either the ingredient cost or the professional fee, or both, of a prescription drug or insulin to persons, as defined in section four point one (4.1), subsection thirteen (13) of the Code, participating in a private, third-party payor prescription drug insurance or benefit plan or to the insurance or benefit plan, also reduce by the same amount the total cost of the same prescription drug or insulin to persons participating in the medical assistance program established by chapter two hundred forty-nine A (249A) of the Code or to the program.

Sec. 77. The department of social services is authorized to promulgate rules under section seventy-six (76) of this Act subsequent to the approval of that section by the governor and prior to the effective date of this Act, and those rules

shall not be declared unlawful under section seventeen **A** point nineteen (17A.19), subsection eight **(8)**, paragraph d of the Code for failure to comply with section seventeen **A** point four (17A.4), subsections one (1) or two (2) or section seventeen **A** point five (17A.5) of the Code.

WILLIAM H. HARBOR
Speaker of the House

TERRY E. BRANSTAD
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2580, Sixty-eighth General Assembly.

BRUCE GRAHAM
Assistant Chief Clerk of the House

Approved _____, 1980

ROBERT D. RAY
Governor

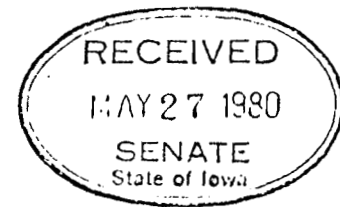


Office of the Governor

STATE OF IOWA
DES MOINES, IOWA 50319

ROBERT D. RAY
GOVERNOR

May 26, 1980



The Honorable Melvin D. Synhorst
Secretary of State
State Capitol Building
L O C A L

Dear Mr. Secretary:

I hereby transmit House File 2580, an act appropriating funds to finance designated state programs and adding procedures and criteria for administering designated programs of the State Educational Radio and Television Facility Board; the School for the Deaf; the Iowa College Aid Commission; merged Area V; the State Board of Regents for capitation grants; the Commission on the Aging; the Iowa State Civil Rights Commission; the Spanish-Speaking Peoples Commission, the Commission on the Status of Women; the Board of Medical Examiners; the Iowa Mental Health Authority; the Mental Health Advisory Council; the health planning agency, personal and family health services, the Community Health Division, and in-home health care grants of the State Department of Health; the elderly care program; the Iowa Department of Substance Abuse; the European Office of the Iowa Development Commission; the Energy Policy Council; the Department of Soil Conservation; the Governor's Economy Committee recommendations; the State Board of Engineering Examiners; the Iowa Beer and Liquor Control Department; the Department of Revenue; the Iowa Public Employees' Retirement System; judicial salaries and the judicial retirement system; Terrace Hill; the census data center coordinating unit; the Communications Division of the Department of General Services; the Legislative Fiscal Bureau; the Iowa Crime Commission; the road use tax fund; the State Department of Transportation; governmental subdivisions and agencies required to record instruments; the Department of Public Safety; and the general administration, correctional personnel, community-based corrections, legal assistance program, substance abuse screening, mental health institutes, Division of Mental Health Resources, patients' personal deposit funds, Aid to Dependent Children, medical assistance, contractual services-medical carrier, children's services, state supplementary assistance, child support recoveries, Title XX, foster residential care, subsidized adoption, the Glenwood State

May 26, 1980

Hospital-School, cost reimbursement for skilled, residential, and intermediate care facilities, the community integrated youth services project, support for the poor for Indians residing on the Tama County settlement, and various rules of the Department of Social Services, prohibiting group policies of life, accident or health insurance from excluding from coverage employees and employees' spouses and dependents on the basis of their eligibility for medical assistance under Chapter Two Hundred Forty-nine A (249A) of the Code, and appropriating funds for the Merit Employment Commission and the Older Iowans' Legislature.

House File 2580 is approved May 26, 1980, with the following exceptions which I hereby disapprove.

I am unable to approve the item designated in the Act as Section 36 which reads as follows:

Sec. 36. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter three (3), section four (4), subsection three (3), unnumbered paragraph two (2), is amended to read as follows:

There is established a census data center coordinating unit composed of the state librarian, a representative of the office for planning and programming, and three representatives each representing one of the state universities. The census data center coordinating unit shall provide for not less than fifty census data training sessions throughout the state, and shall negotiate a joint statistical agreement with the United States bureau of the census. The census data center coordinating unit shall be the agency designated in Iowa to approve all such agreements with the bureau of the census.

I am unable to approve that portion of Section 53 which reads as follows:

11. For a legal assistance program to provide civil legal assistance to inmates of the Iowa correctional system in matters of child custody, bankruptcy and dissolution of marriage \$ 25,000 \$ 25,000

May 26, 1980

Expenditures shall be authorized by the citizens' aide office, and may include the costs of transporting prisoners, secretarial support and administrative oversight.

It was and is the intent of the general assembly that this program was established for and be continued for, expenditure for civil matters of inmates, which matters occurred outside the state's institutions. Thus it is the intent of the general assembly that funds from the appropriation shall not be used for civil matters in which the inmate and the state of Iowa are adverse parties.

I am unable to approve the item designated in the Act as Section 54 which reads as follows:

Sec. 54. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section five (5), subsection six (6), is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The division of adult corrections, in conjunction with other appropriate state agencies, shall continue its study of alternative means of making further improvements in the salaries and retirement benefits of corrections officers and supporting personnel, and any job reclassifications necessary to implement such improvements. The department of social services shall include recommendations necessary to implement these improvements in its 1982-1983 budget requests.

I am unable to approve that portion of Section 59 which reads as follows:

Notwithstanding the provisions of section eight point thirty-nine (8.39) of the Code, funds appropriated under this section are not subject to transfer to any other department, institution or agency. Any unencumbered or unobligated balance of any appropriation made under this section which exists on June 30, 1981 shall revert to the fund from which it was appropriated.

I am unable to approve the item designated in the Act as Section 66 which reads as follows:

Sec. 66. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section sixteen (16), is amended to read as follows:

May 26, 1980

SEC. 16. It is the intent of the general assembly that, for the fiscal year beginning July 1, 1979, foster parent payments be increased by ten percent. It is further the intent of the general assembly that, for the fiscal year beginning July 1, 1980, foster residential care payments shall increase from fifty-five to fifty-eight dollars per day and foster group home payments shall increase from forty-four to forty-six dollars per day. It is also the intent of the general assembly that subsidized adoption rates shall be increased to the same level as the foster family home rates for the fiscal year beginning July 1, 1980.

Section 36 purports to grant to the census data center' coordinating unit created last year the right to negotiate a joint federal/state statistical agreement in conjunction with the current census. This provision is both illegal and moot. Federal Law provides that these agreements must be approved by the Governor--and state law cannot grant that authority to other officials. The issue is moot since such an agreement was executed by me on behalf of the State of Iowa and Daniel B. Levine, Acting Director, Bureau of the Census, U.S. Department of Commerce, on January 9, 1980. That agreement, which designated the Office for Planning and Programming as the agency to receive census information for public distribution in Iowa, cannot now be substituted with a new arrangement.

Section 53 revises several appropriations approved last year for adult corrections. One of these revisions would transfer certain administrative authority of an executive agency, the Department of Social Services, to a legislative agency, the Citizens' Aide Office, for the legal assistance program for inmates. Article III of the Iowa Constitution clearly sets forth the powers of each branch of state government. Granting administrative authority for the legal assistance program to a legislative agency would violate that separation. This item would remove from the Department of Social Services and its prison wardens a substantial amount of control over residents of their institutions.

In pursuing the civil legal assistance this section provides to inmates, the Citizens' Aide Office would be empowered to authorize expenditures for transporting prisoners, secretarial support and administrative oversight. An executive agency cannot operate effectively if it must first secure the approval of a legislative agency to carry out its day-to-day operations any more than the legislature could operate if an executive agency could step in daily to amend unilaterally bills that are being debated.

May 26, 1980

As the initiator of the Citizens' Aide Office, I support and encourage its work. However, I do not believe that its duties include administration of the executive agencies. The administrators of the Department of Social Services indicate that they will be amenable to recommendations from the Citizens' Aide Office for the use of the legal assistance fund. This item veto leaves the original appropriation for the legal assistance program intact. With cooperation between the agencies, hopefully we will have the results desired without violating the separation of power.

Section 54 would require the Division of Adult Corrections in the Department of Social Services to conduct a study on improving salaries and retirement benefits for corrections officers and supporting personnel. Furthermore, the section would mandate the Department to include the recommendations of the study in their upcoming biennial budget request to the Governor and the General Assembly. This study would directly concern mandatory subjects of collective bargaining under Iowa law. Corrections employees, whose salaries and pension benefits would be reviewed, are members of a certified bargaining unit and are represented at the bargaining table by the American Federation of State, County and Municipal Employees, Council 61. In the upcoming months, the State will be actively negotiating with that union for a collective bargaining agreement to become effective July 1, 1981. Since there is little doubt the union will demand that the State bargain on salaries, it would be inappropriate to conduct a study which concludes with an automatic request for an appropriation of funds totally outside the bargaining process. With the adoption of collective bargaining, our lawmakers must be sensitive to the fact that they cannot selectively intervene in the process without disrupting and possibly harming the negotiations. This could be the case unless the legislature exempted corrections personnel from collective bargaining--which it hasn't done, and I don't think it wants to.

In recognition of the important work corrections personnel do and the need to retain a high level of staff morale and because I do appreciate the concerns of the legislators, I am directing a study be made relative to these items. I will ask the Office of Employment Relations in the Comptroller's Office to conduct the review with the assistance of the Department of Social Services and the Merit Employment Department.

May 26, 1980

Section 59 would restrict the authority to transfer funds appropriated for Title XIX (medicaid). I have **vetoed** similar transfer limitations in previous appropriation bills, including the supplemental fiscal year 1979-80 appropriation bill for Title XIX.

As I have pointed out in other veto messages, current law contains safeguards giving the legislature the opportunity to review and comment on proposed transfers. We have been responsive to these comments--indeed, **several** transfers have been modified or eliminated following the receipt of recommendations from legislators.

As with the earlier item veto on Title XIX funds, we believe this provision to be severable from the appropriation. Its deletion will not in any manner alter the purposes of the original appropriation, the test suggested by the Supreme Court in reviewing the legality of item vetoes. We do not anticipate making transfers from the Title XIX appropriation. As a matter of fact, there are strong indications that, if anything, Title XIX has been underfunded by the legislature and will either require a transfer to the appropriation or a supplemental appropriation next year. Section 8.39 of the Code provides for the transfer authority by the Governor and the State Comptroller. This item's restriction is an attempt to circumvent the transfer law without following the proper legislative procedure.

Section 66 contains intent language to raise the maximum payments for foster residential care and foster group homes and to increase the rates paid for subsidized adoption. The Department of Social Services received from the General Assembly funds with the intent language to raise the rates to a maximum of \$58 per day for foster residential care, \$46 per day for foster group homes and by 10 percent for subsidized adoption.

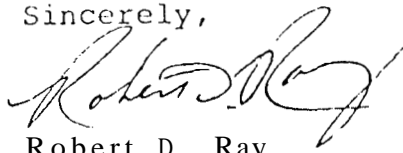
However, the wording in this section is ambiguous and probably would not accomplish the legislative intent. The language seems to establish uniform rates for the two foster care payments rather than maximum rates. These services currently have **widely** varying per diem rates based on their individual costs and charges. This cost-related reimbursement is appropriate and should continue. By deleting this provision, the Department, under existing authority, will follow the desired intent of the legislature and set the new maximum reimbursement rates effective July 1, 1980.

The Honorable Melvin D. Synho: ,
Page 7 .
May 26, 1980

The language which was intended to raise subsidized adoption rates by a percentage actually raises the rates to equal foster parent payments. The adoptive family's income is taken into consideration when determining the amount of subsidy payment, thus these payments do not and should not equal foster family payment rates, which are based on the needs of the child rather than on foster family income. Since it has the funds to raise subsidized adoption rates by 10 percent and has the authority to do so, the Department will establish rules implementing the increase **effective** July 1, 1980.

For these reasons, I hereby disapprove these items in accordance with Amendment 4 of the Amendments of 1368 to the Constitution of the State of Iowa. All other items of House File 2580 are hereby approved this date.

Sincerely,



Robert D. Ray
Governor

RDR:cg

cc: Secretary of the Senate
Chief Clerk of the House

HOUSE FILE 2581

AN ACT

TO AUTHORIZE COUNTY BOARDS OF SUPERVISORS TO LEVY A TAX FOR
SUPPORT OF AMBULANCE SERVICE, UNDER CERTAIN CIRCUMSTANCES.

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

Section 1. Chapter four hundred forty-four (444), Code
1979, is amended by adding the following new section:

NEW SECTION. OPTIONAL AMBULANCE SERVICE LEVY--REFERENDUM.

1. When ~~so~~ authorized pursuant to subsection two (2) of
this section, the board of supervisors may levy a tax of not
more than twenty-seven cents per thousand dollars of assessed
value of the taxable property in the county to support
ambulance service provided for the county under section three
hundred thirty-two point three (332.3), subsection twenty-
three (23) of the Code, or under section three hundred forty-
seven point fourteen (347.14), subsection thirteen (13) of
the Code, if the county general fund levy authorized by section
four hundred forty-four point nine (444.9), subsection two
(2) of the Code is at the maximum amount permitted by that
subsection, the board has exhausted its right of appeal under
section twenty-four point forty-eight (24.48) of the Code,
and the board finds by resolution that it is not feasible
to support ambulance service from the general fund. However:

a. If the board of supervisors has budgeted an amount
from the general fund to support ambulance service which is
less than the amount that would be raised in the county by
a levy of twenty-seven cents per thousand dollars of assessed
value, and the board finds by resolution that it is not
feasible to provide additional support for ambulance Service
from the general fund, the board may levy under this section
an amount not more than the difference between the proceeds

of a levy of twenty-seven cents per thousand dollars of
assessed value in the county and the amount budgeted from
the general fund to support ambulance service.

b. If the county has established a county general hospital
under chapter three hundred forty-seven (347) of the Code,
and the board of trustees of that hospital has budgeted for
support of ambulance service some part of the proceeds of
a **levy** for operation and maintenance of the hospital, made
under section three hundred forty-seven point twenty-seven
(347.27), unnumbered paragraph four (4) of the Code, and the
board of trustees finds by resolution that it is not feasible
to provide additional support for ambulance service from the
proceeds of that levy, the board of supervisors may levy under
this section an amount not more than the difference between
the proceeds of a levy of twenty-seven cents per thousand
dollars of assessed value in the county and the amount budgeted
to support ambulance service from the county general hospital
operation and maintenance levy. No tax levied under this
paragraph shall be applicable to a township in which ambulance
service is being provided by the township trustees pursuant
to section three hundred fifty-nine point forty-two (359.42)
of the Code.

2. A board of supervisors shall not make a levy under
this section unless authorized to do **so** by a referendum held
in the county concurrently with a general election. When
so directed by the board of supervisors, at least fifty-five
days before the next succeeding general election, the county
commissioner of elections shall submit to the voters of the
county at that general election, as provided by sections
forty-nine point forty-three (49.43) through forty-nine point
forty-five (49.45) of the Code, a question in substantially
the following form:

"Shall the board of supervisors of _____ county be
authorized to levy a tax of not more than twenty-seven cents

per thousand dollars of assessed value to support ambulance service, in the manner and subject to the restrictions provided in subsection one (1) of this section, each year for four years beginning next July first?"

If ~~the~~ question receives ~~the~~ affirmative vote of a majority of all electors voting for and against it, the board of supervisors may levy a tax as provided in subsection one (1) of this section in the county budget year beginning July first following the general election at which the referendum is held, and in each of the next four succeeding county budget years.

3. The support of the ambulance service authorized under this section shall be assessed on a proportionate basis by which each taxing unit shall bear its share in proportion that its population is to the total population of all taxing units receiving the ambulance service within the county. The board of supervisors shall estimate annually the amount necessary for the support of the ambulance service and shall transmit the estimate in dollars to the city councils within the county in which the ambulance service is provided. A city may be excluded from the ambulance service by resolution of the city council. The unincorporated area of the county, excluding any township which provides ambulance service as provided under section three hundred fifty-nine point forty-two (359.42) of the Code, is a separate taxing unit. Each city which receives ambulance service under this section is a separate taxing unit. The board of supervisors and the council of each city receiving ambulance service under this section shall certify or make the necessary levies as provided in this subsection for the support of the ambulance services, subject to the tax levy limitation and requirements of subsection one (1) or two (2) of this section.

4. As used in this section, ambulance service includes services provided by a rescue unit of a fire or public safety department.

Sec. 2. This Act takes effect January first following its enactment.

WILLIAM H. HARBOR
Speaker of the House

TERRY E. BRANSTAD
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2581, Sixty-eighth General Assembly.

BRUCE GRAHAM
Assistant Chief Clerk of the House

Approved _____, 1980

ROBERT D. RAY
Governor

HOUSE FILE 2583

AN ACT

RELATING TO THE DUTIES OF THE COUNTY FINANCE COMMITTEE AND
MAKING AN APPROPRIATION.

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

Section 1. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter twenty-five (25), is amended by inserting after section twenty (20) the following new section:

NEW SECTION. The committee may establish a pilot project, with the cooperation of selected counties, not to exceed five in number, to implement the budgeting and accounting system developed by the committee. In the selection of counties for the project, the committee shall select counties which currently have manual and computer budgeting and accounting capabilities in order to analyze the suitability and adaptability of the budgeting and accounting system.

A county selected to participate in the project shall not be required to participate but shall participate only upon approval of the request by the board of supervisors.

A county which has agreed to participate in the project shall not be required to comply with the budgeting and accounting requirements imposed by law but shall be subject to the supervision of the committee.

The committee may accept any federal funds or any grants or gifts for the purposes of the work of the committee as are within the jurisdiction of the committee. All federal funds, gifts and grants shall be deposited with the treasurer of state and shall be used only for the purposes agreed upon as conditions for receiving the federal funds, gifts, and grants.

Sec. 2. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter twenty-five (25), section twenty-one (21), is amended to read as follows:

SEC. 21. NEW SECTION. ADDITIONAL DUTIES. In addition to the powers and duties specified in ~~the preceding~~ section twenty (20) of this Act, the committee shall prepare legislation for submission to the general assembly in January, ~~1981~~ 1983, which would have as its principal purpose the consolidation of current county funds into not more than seven functional funds. The committee shall also make recommendations for appropriate budget or levy limitations for the proposed consolidated funds.

Sec. 3. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter twenty-five (25), section twenty-two (22), is amended to read as follows:

SEC. 22. NEW SECTION. The county finance committee established by this Act is abolished on July 1, ~~1981~~ 1983.

Sec. 4. There is appropriated from the general fund of the state to the office of the state comptroller for the use of the county finance committee for the fiscal period beginning July 1, 1980 and ending June 30, 1982, the ~~sum~~ of twenty

C.F. 2583

thousand (20,000) dollars, or so much thereof as is necessary,
to be used for the development of a uniform budget and
accounting system for use by the counties.

WILLIAM H. HARBOR
Speaker of the House

TERRY E. BRANSTAD
President of the Senate

I hereby certify that this bill originated in the House and
is known as House File 2583, Sixty-eighth General Assembly.

BRUCE GRAHAM
Assistant Chief Clerk of the House

Approved _____, 1980

ROBERT D. RAY
Governor

HOUSE FILE 2584 ,

AN ACT

RELATING TO CLAIMS AGAINST THE STATE OF IOWA BY PROVIDING
FOR PAYMENT OF CERTAIN SUBSTANCE ABUSE CLAIMS AND MAKING
APPROPRIATIONS TO CERTAIN PERSONS IN SETTLEMENT OF CLAIMS
MADE AGAINST THE STATE OF IOWA.

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

. Section 1. There is appropriated from the general fund
and road use tax fund of the state to the following persons
the amount set opposite their respective names in full settle-
ment of all claims which they may have against the state of
Iowa:

	claimant	Claim No.	Nature of Claim	Amount
1.	Johnson and Phelan Law Firm Fort Madison, Iowa	4149-67-25	Legal services	\$ 195.00
2.	Johnson and Phelan Law Firm Fort Madison, Iowa	4287-67-25	Legal services	150.00
3.	Michael Aloysius Fedler Fort Madison, Iowa	5002-68-25	Stolen property	34.00
4.	Northwest Iowa work Activity Center Sheldon, Iowa	5033-68-25	Title XX claim	13,230.62
5.	Gary Douglas	5110-68-25	Hospital bill	26.00

6.	Charlotte E. Noor Rockwell City, Iowa	5225-68-25	Day of pay	21.92
7.	Patrick Dean Wilson Cedar Falls, Iowa	5298-68-25	Property damage	86.52
8.	Lyle C. Haner Hastings, Iowa	5426-68-25	Lost wages and benefits	3,712.16
9.	Darla Arends Zearing, Iowa	5488-68-25	Medical costs	673.04
10.	Polk County Des Moines, Iowa	5616-68-25	Personal prop- erty credit refund	110,000.00
11.	Wall Lake Transfer Wall Lake, Iowa	5676-68-25	Prorate refund	342.84
12.	James P. Farnsworth Lehigh, Iowa	5758-68-25	Broken eyeglasses	50.00
13.	Wilbur Dean Durfey Clarinda, Iowa	5830-68-25	Prorate refund	155.69
14.	Barbara B. Lyons Cummings, Iowa	5903-68-25	Moving expenses	478.80
15.	Margaret Ward Bryon Grinnell, Iowa	5126-68-25	Retroactive merit pay	97.52
16.	Marion Health Center, St. Vincent Unit Sioux City, Iowa	5705-68-25	Alcoholism treatment reimbursement	1,862.50

Sec. 2. The amount of the claim against the state in sub-
sections eleven (11) and thirteen (13) of section one (1)

H.F. 2584

of this Act shall be paid from the road use tax fund. ~~The amount of the claim against the state in subsection fourteen (14) of section one (1) of this Act shall be paid from funds appropriated to the department of health. The remainder of the claims listed in section one (1) of this Act shall be paid from the general fund of the state.~~

Sec. 3. The general assembly disapproves of all other claims submitted to and considered by the state appeal board by and during the month of March, 1980.

Sec. 4. Section one hundred twenty-five point forty-four (125.44), unnumbered paragraph one (1), Code 1979, is amended to read as follows:

The director may, consistent with the comprehensive substance abuse program, enter into written agreements with a facility as defined in section 125.2 to pay for seventy-five percent of the cost of the care, maintenance and treatment of a substance abuser, except that the state's liability shall be one hundred percent of the total cost of care, maintenance and treatment when a substance abuser is a state patient. All payments for state patients shall be made in accordance with the limitations of this section. Such contracts shall be for a period of no more than one year. The commission shall review and evaluate at least once each year all such agreements and determine whether or not they shall be continued.

Sec. 5. Section one hundred twenty-five point forty-four (125.44), Code 1979, is amended by adding the following new subsections:

NEW SUBSECTION. The substance abuser is legally liable to the facility for the total amount of the cost of providing care, maintenance, and treatment for the substance abuser while a voluntary or committed patient in a facility. The substance abuser shall assign any claim for reimbursement under any contract of indemnity, by insurance or otherwise, providing for the abuser's care, maintenance, and treatment

in the facility to the department. This section does not prohibit any individual from paying any portion of the cost of treatment.

NEW SUBSECTION. The department is liable for the cost of care, treatment, and maintenance of a substance abuser admitted to the facility voluntarily or pursuant to section one hundred twenty-five point thirty-four (125.34), one hundred twenty-five point thirty-five (125.35), three hundred twenty-one point two hundred eighty-one (321.281), three hundred twenty-one point two hundred eighty-three (321.283), subsection three (3), two hundred four point four hundred nine (204.409), subsection two (2) or two hundred twenty-nine point fifty-two (229.52) of the Code only to those facilities that have a contract with the department under section one hundred twenty-five point forty-four (125.44) of the Code, only for the amount computed according to and within the limits of liability prescribed by this section, and only when the substance abuser is unable to pay such costs and there is no other person, firm, corporation or insurance company bound to pay such costs.

NEW SUBSECTION. The department's maximum liability for the costs of care, treatment and maintenance of substance abusers in a contracting facility is limited to the total amount agreed upon by the parties and specified in the contract under this section.

Sec. 6. Chapter one hundred twenty-five (125), Code 1979, is amended by adding the following new section:

NEW SECTION. LIST OF CONTRACTING FACILITIES. The department shall provide a current list of facilities that have a contract with the department to the clerk of each district court in the state. The clerk shall provide the list to all district court judges and judicial magistrates in the district.

Sec. 7. Section two hundred four point four hundred nine (204.409), subsection two (2), Code 1979, is amended to read as follows:

2. Whenever the court finds that a person who is charged with a violation of section 204.401 and who consents thereto; or who has entered a plea of guilty to or been found guilty of a violation of ~~said that~~ section, ~~and who~~ is addicted to, dependent upon, or a chronic abuser of any controlled substance and that such person will be aided by proper medical treatment and rehabilitative services, it may order that he ~~the person~~ be committed as an in-patient or out-patient to a facility ~~approved licensed~~ by the state department of health ~~substance abuse~~ for such medical treatment and rehabilitative services. A person committed under this subsection who is not possessed of sufficient income or estate to enable him ~~or her~~ to make payment of the costs of such treatment in whole or in part shall be considered a state patient ~~and the costs of treatment shall be paid as provided in section one hundred twenty-five point forty-four (125.44) of the Code.~~ The determination of ability to pay shall be made by the court. The court shall require the patient, or his ~~the patient's~~ parent, guardian, or custodian to complete under oath a detailed financial statement. The court may enter appropriate orders requiring the patient or those legally liable for his ~~the patient's~~ support to reimburse the state with the costs, or any part thereof. In order to obtain the most effective results from such medical treatment and rehabilitative services, the court may commit ~~said~~ the person to the custody of a public or private agency or any other responsible person and impose such other conditions upon ~~said~~ the commitment as ~~is~~ necessary to insure compliance with the court's order and to insure that ~~said~~ the person will not, during even the period of treatment and rehabilitation, again violate ~~any provision~~ a provision of this chapter. If it is established thereafter to the satisfaction of the court that the person has ~~again~~ violated ~~any~~ a provision of this chapter, ~~he~~ the person may be returned to custody or sentenced upon ~~his~~ conviction as provided by law. The public or private agency or responsible

person to whom the ~~accused~~ person was committed by the court shall immediately ~~report~~ to the court when the person has received maximum benefit from the program or has recovered from his addiction, dependency, or tendency to chronically abuse any controlled substance. The person shall then be returned to the court for disposition of his the case. If the person has been charged or indicted, but not convicted, such charge shall proceed to trial or final disposition. If the person has been convicted or is thereafter convicted, the court shall sentence ~~him~~ the person as provided by law but may remit all or any part of ~~said~~ the sentence and place the person on probation upon such terms and conditions as the court may prescribe.

Sec. 8. Section two hundred twenty-nine point fifty-two (229.52), subsection three (3), Code 1979, is amended to read as follows:

3. A respondent committed under this section shall remain in the custody of a facility for treatment for a period of thirty days unless sooner discharged. The costs of treatment of a person committed under this division shall be paid as provided in section one hundred twenty-five point forty-four (125.44) of the Code subject to the qualifications of this subsection. This division shall not be construed to require the department to pay the cost of any medication or procedure provided the person during that period which is not necessary or appropriate to the specific objectives of detoxification and treatment of substance abuse. At the end of the thirty-day period, the respondent shall be discharged automatically unless the administrator of the facility before expiration of the period petitions the court for an order for the respondent's recommitment upon the grounds set forth in subsection 1 of section 229.51 for a further period not to exceed ninety days.

Sec. 9. Section three hundred twenty-one point two hundred eighty-one (321.281), unnumbered paragraph two (2), Code 1979, is amended to read as follows:

In lieu of, or prior to, imposition of, the punishment above described for second offense, third offense and each offense thereafter, the court upon hearing may commit the defendant for treatment of alcoholism or drug addiction or dependency to any hospital or institution in Iowa providing such treatment. The court may prescribe the length of time for such treatment or it may request that the hospital to which the person is committed immediately report to the court when the person has received maximum benefit from the program of the hospital or institution or has recovered from his or her addiction, dependency or tendency to chronically abuse alcohol or drugs. A person committed under this section who is not possessed of sufficient income or estate to enable him or her to make payment of the costs of such treatment in whole or in part shall be considered a state patient and the costs of treatment shall be paid as provided in section one hundred twenty-five point forty-four (125.44) of the Code.

Sec. 10. Section three hundred twenty-one point two hundred eighty-three (321.283), subsection three (3), Code 1979, is amended to read as follows:

3. REFERRED ON CONVICTION. After any conviction for operating a motor vehicle while under the influence of an alcoholic beverage under section 321.281, the court may refer the defendant for treatment at a facility as defined in sections 125.1 to 125.43 and designated by the ~~division-en~~ Iowa department of substance abuse. The court may prescribe the length of time for treatment or it may be left to the discretion of the facility to which the defendant was referred. A person referred under this section who is not possessed of sufficient income or estate to enable him or her to make payment of the costs of such treatment in whole or in part shall be considered a state patient, ~~and-charges~~ and costs for treatment shall be paid ~~for-in-the-manner provided-for-payment-for-treatment-of-alcoholics-who-have no-legal-residence-in-this-state as provided in section one hundred twenty-five point forty-four (125.44) of the Code.~~

Sec. 11. Section one hundred twenty-five point forty-eight (125.48), Code 1979, is repealed.

WILLIAM H. HARBOR
Speaker of the House

TERRY E. BRANSTAD
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2584, Sixty-eighth General Assembly.

BRUCE GRAHAM
Assistant Chief Clerk of the House

Approved _____, 1980

ROBERT D. RAY
Governor

HOUSE FILE 2587

AN ACT

RELATING TO THE ADMINISTRATION OF THE MOTOR FUEL AND SPECIAL FUEL TAX LAWS.

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

Section 1. Section three hundred twenty-four point three (324.3), unnumbered paragraph three (3), Code 1979, is amended by striking the unnumbered paragraph.

Sec. 2. Section three hundred twenty-four point eleven (324.11), subsection one (1), Code 1979, is amended to read as follows:

1. Any person operating as a common or contract carrier and any distributor who is also engaged in transportation within this state of motor fuel or special fuel for others, shall register with the state department of transportation as additional equipment is put to use, each vehicle used to transport motor fuel or special fuel in this state, except railroad, water-vessel or pipe-line equipment. The registration shall be on forms furnished by and shall contain such information as may reasonably be required by the state department of transportation. A fee of five dollars shall be paid to the state department of transportation for original registration of each vehicle. The state department of transportation shall furnish to the registrant for each vehicle

registered suitable identification which shall be permanently attached to the vehicle and shall be available for inspection at all times. When any registered vehicle's use for the transportation of motor fuel or special fuel for others is discontinued, the registrant shall notify the state department of transportation and shall either surrender to the state department of transportation or, subject to the approval of the state department of transportation, transfer the vehicle identification issued under this section to another vehicle. On or before the first day of July of each year, each carrier as aforesaid shall file with the state department of transportation a statement showing each registered vehicle then in use for transportation of motor fuel or special fuel for others. Failure to file the required statement by the specified date shall be cause for cancellation of a vehicle's registration. A registration so cancelled may be reinstated in the same manner as an original registration.

Sec. 3. Section three hundred twenty-four point thirty-six (324.36), subsections one (1) and two (2), Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter seventy-five (75), section ten (10), are amended to read as follows:

1. REQUIRED. It ~~shall be~~ is unlawful for My a person to act as a special fuel dealer in this state unless the person holds a special fuel dealer's license issued to the person by the department of revenue, except as Provided in section three (3) of this Act. A person who holds a special fuel distributor's license may dispense special fuel into a motor vehicle special fuel holding tank without obtaining a special fuel dealer's license. Except for special fuel which is delivered by a special fuel dealer into a fuel supply tank of ~~any a~~ motor vehicle or into a motor vehicle special fuel holding tank in this state or delivered by a special fuel distributor into a motor vehicle special fuel holding tank, the use, ~~as herein defined~~, of special fuel in this

state by ~~any~~ a person ~~shall-be is~~ unlawful unless the person holds a special fuel ~~user's~~ license issued to the person by the department of revenue. It ~~shall-be is~~ unlawful for ~~any~~ a person to sell special fuel in this state in bulk for highway use without first obtaining a special fuel ~~distributor~~ distributor's license.: The license shall be issued under the same procedure and subject to the same requirements and limitations as provided in section 324.4.

2. APPLICATION. Application for a special fuel dealer's license or a special fuel user's license shall be made to the department of revenue. A special fuel dealer's license or a special fuel user's license, whichever is applicable, shall be required for each separate place of business or location where special fuels are regularly delivered or placed into the fuel supply tank of a motor vehicle. Provided, that, if a special fuel dealer also operates one or more bulk plants from which the distribution of a special fuel is primarily by tank vehicle, the special fuel dealer need not obtain a separate license for any of these plants not provided with fixed equipment designed for fueling vehicles. Upon written application and at the discretion of the director, a special fuel user whose business operations require mobile special fuel storage may obtain a single special fuel user's license to be issued to the user's permanent principal place of business.

Sec. 4. Section three hundred twenty-four point thirty-eight (324.38), subsection five (5), Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter seventy-five (75). section twelve (12), is amended by adding the following new lettered paragraph:

NEW LETTERED PARAGRAPH. Special fuel delivered by a special fuel distributor into the fuel supply tank of a motor vehicle which is stranded, provided the delivery is limited to twenty gallons and the distributor collects and remits the tax to the department.

Sec. 5. Section three hundred twenty-four point fifty-four (324.54), ~~unnumbered~~ paragraph two (2), Code 1979, is amended to read as follows:

Notwithstanding any provision of this chapter to the contrary, the holder of a permanent permit may make application to the state department of transportation for a refund, not later than ~~thirty-days-after~~ the last day of the month following the quarter in which the overpayment of Iowa fuel tax paid on excess purchases of motor fuel or special fuel was reported as provided in section 324.8, and which application is supported by such proof as the state department of transportation may require. The state department of transportation shall refund Iowa fuel tax paid on motor fuel or special fuel purchased in excess of the amount consumed by such ~~commercial~~ motor vehicles in their operation on the highways of this state.

Sec. 6. Section three hundred twenty-four point fifty-seven (324.57), subsection three (3), Code 1979, is amended to read as follows:

3. "Mobile machinery and equipment* ~~shall-mean-and-include~~ means vehicles self-propelled by an internal combustion engine but not designed or used primarily for the transportation of persons or property on public highways and only incidentally operated or moved over a highway ~~such-as~~ including but not limited to corn shellers, truck-mounted feed grinders, roller mills, ditch digging apparatus, power shovels, drag lines, earth moving equipment and machinery, and road construction and maintenance machinery such as asphalt spreaders, bituminous mixers, bucket loaders, ditchers, leveling graders, finishing machines, motor graders, paving mixers, road rollers, scarifiers and earth moving scrapers. ~~The foregoing enumeration shall-not-operate-to-exclude-other-vehicles-which are-within-the-general-terms-of-this-definition---~~ "Mobile However, "mobile machinery and equipment" shall does not ~~however~~ include dump trucks or self-propelled vehicles

originally designed for the transportation of persons or property on public highways; and to which machinery, such as truck-mounted transit mixers, cranes, shovels, welders, air compressors, well-boring apparatus or lime spreaders, has been attached. ~~Mobile machinery or equipment originally designed as motor vehicles which are owned by the counties and cities of Iowa shall not be exempt from payment of fuel taxes on fuel used when operating on the public highways.~~

Sec. 7. Section three hundred twenty-four point seventy-two (324.72), Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter seventy-six (76), section three (3), is amended to read as follows:

324.72 REFUND OR CREDIT FOR FUEL TAXES ERRONEOUSLY OR ILLEGALLY COLLECTED OR PAID. If any fuel taxes, penalties, or interest have been erroneously or illegally collected by the appropriate state agency from a licensee, the department of revenue appropriate state agency may permit the licensee to take credit against a subsequent tax return for the amount of the erroneous or illegal overpayment, may apply the overpayment against any tax liability outstanding on the books of the department against the claimant, or shall certify the amount thereof to the state comptroller of this state, who shall thereupon draw his or her warrant for the certified amount on the treasurer of state payable to the licensee. The refund shall be paid to the licensee forthwith immediately.

Ve A refund or credit shall not be made under the provisions of this section unless a written claim therefor setting forth the circumstances by reason of which the refund or credit should be allowed, nor unless the claim is filed with the department of revenue appropriate state agency within one year from the date of the payment of the taxes erroneously or illegally collected or paid.

However, if it is found during an examination by the appropriate state agency that a licensee paid, as a result of a mistake, an amount of tax, penalty, or interest which was

not due, and the mistake is found within three years of the overpayment, the appropriate state agency shall credit the amount against any penalty, interest or taxes due, or to become due, or shall refund the amount to the person.

WILLIAM H. HARBOR
Speaker of the House

TERRY E. BRANSTAD
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2587, Sixty-eighth General Assembly.

BRUCE GRAHAM
Assistant Chief Clerk of the House

Approved _____, 1980

ROBERT D. RAY
Governor

HOUSE FILE 2595

AN ACT

RELATING TO CAPITAL APPROPRIATIONS BY REDUCING APPROPRIATIONS PREVIOUSLY MADE BY THE GENERAL ASSEMBLY, MAKING ADDITIONAL APPROPRIATIONS FOR FISCAL YEAR 1980-1981, AND RESTORING FUNDS FOR THE FISCAL YEAR 1981-1982 FOR CAPITAL IMPROVEMENTS REDUCED BY THIS ACT AND TO AUTHORIZE THE FAIR BOARD TO ACCEPT GIFTS AND TO AUTHORIZE A STUDY COMMITTEE TO BE APPOINTED BY THE LEGISLATIVE COUNCIL.

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

Section 1. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter fourteen (14), section one (1), subsections two (2), four (4), nine (9), and ten (10), are amended to read as follows:

2. For allocation to the Iowa state university of science and technology for construction of a library addition..... \$ 8,100,000 \$ 3,900,000

4. For allocation to the state university of Iowa for planning space needs for law, communications, and performing arts..... \$ 600,000 \$ 260,000

9. For allocation by the state board of regents to the state university of Iowa, the Iowa state university of science and technology, and the uni-

versity of northern Iowa in such amounts as may be necessary to complete the following utility projects:

a. Iowa state university of science and technology: pollution control plant share, utility maintenance and improvements, and storm sewer addition;

b. State university of Iowa: sludge handling facilities, campus electrical supply renovation, and power plant replacements, and general utility improvements: and

c. University of northern Iowa: turbine generator and general utility system update..... \$ 12,300,000 \$ 8,049,000

10. For allocation by the state board of regents to the universities under the board's jurisdiction for initiating planning and implementation of an energy conservation program..... \$ 4,675,000 \$ 900,000

Sec. 2. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter fourteen (14), section one (1), is amended by adding the following new subsection:

NEW SUBSECTION. For

allocation to the univer-
sity of northern Iowa to
correct certain fire safety
deficiencies..... \$, 500,000

Sec. 3. Acts of the Sixty-eighth General Assembly, 1979
Session, chapter fourteen (14), section six (6), subsection
four (4), paragraph a, is amended to read as follows:

a. For a determina-
tion of energy use and
for energy conservation
projects at state build-
ings..... \$ 3,000,000
1,000,000

Sec. 4. Acts of the Sixty-eighth General Assembly, 1979
Session, chapter fourteen (14), section twelve (12), subsec-
tion one (1) and subsection two (2), paragraph b, are amended
to read as follows:

1. OFFICE OF STATE
COMPTROLLER

For preparation of
site and purchase of
uninterruptible power
source for electronic
data processing equip-
ment; including provid-
ing uninterruptible power
for the department of
public safety's elec-
tronic data processing..... \$ 480,000 \$
2,000

b. For a new ware-
house addition at Camp
Dodge, upgrading exist-
ing warehouse, outside
railroad unloading dock

and to relocate central
administration, offices
to the warehouse site;
or to purchase an exist-
ing warehouse in Des
Moines, Iowa, or the im-
mediate surrounding area
which would adequately
provide warehouse space
and office space for the
department; or to pur-
chase an adequate build-
ing site with railroad
docking potential and
to erect a warehouse in-
cluding office space for
the department in Des
Moines, Iowa, or the im-
mediate surrounding area..... \$ \$3,500,000
300,000

Sec. 5. Acts of the Sixty-eighth General Assembly, 1979
Session, chapter fourteen (14), section fifteen (15), sub-
section one (1), paragraph a, subparagraph one (1), is amended
to read as follows:

(1) For the renova-
tion, and remodeling of
the Robert Lucas build-
ing..... \$ 3,000,000
2,000,000

The department of general services may expend not exceeding
two hundred sixty-seven thousand two hundred (267,200) dollars
for architectural fees for the renovation and remodeling
authorized by this subparagraph. The appropriation made in
this subparagraph is conditioned upon the employees located
in the east side of the corridor in the office of the auditor

of state being moved to the Robert Lucas building and that space being assigned to the legislative fiscal bureau.

Sec. 6. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter fourteen (14), section fifteen (15), subsection one (1), paragraph a, subparagraph four (4), is amended by striking the subparagraph.

Sec. 7. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter fourteen (14), section fifteen (15), subsection five (5), is amended to read as follows:

5. OFFICE OF THE
GOVERNOR

For matching funds
for the restoration of
Terrace Hill Mansion
on the basis of one
dollar provided by the
state for each two
dollars provided by
nonstate sources and
for the payment of
architects' fees at a
rate of not more than
six percent of the
cost of restoration.....

\$ ~~330,000~~

200,000

Sec. 8. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter fourteen (14), section seventeen (17), is amended to read as follows:

SEC. 17. There is appropriated from the general fund of the state to the department of general services for the fiscal biennium beginning July 1, 1979 and ending June 30, 1981, the sum of ~~ninety thirty thousand (\$90,000)~~ (30,000) dollars, or so much thereof as is necessary, for the purpose of remodeling the capitol cafeteria. Funds appropriated by this section are not to be used to close the rotunda opening and are contingent upon not closing such opening.

Sec. 9. Acts of the Sixty-seventh General Assembly, 1978 Session, chapter one thousand eleven (1011), section one (1), subsection two (2), paragraph b, is amended to read as follows:

b. For acquisition of
land within the boundaries
bounded by Des Moines Street
on the south, Interstate
1-235 on the north, East
Fourteenth Street on the
east, and Pennsylvania
Avenue on the west.....

... \$ ~~250,000~~

94,650

Sec. 10. Acts of the Sixty seventh General Assembly, 1978 Session, chapter one thousand nineteen (1019), section four (4), subsection three (3), is amended to read as follows:

3. For the construction
of a national guard armory at
Dubuque, the location of which
shall be determined by the
executive council.....

\$ ~~221,000~~

Sec. 11. Two million seventy-five thousand (2,075,000) dollars of the funds appropriated for the Brushy Creek project by Acts of the Sixty-fifth General Assembly, 1974 Session, chapter one thousand twenty-six (1026), section one (1), subsection four (4), and Acts of the Sixty-seventh General Assembly, 1978 Session, chapter one thousand nine (1009), section one (1), subsection two (2), paragraph a, which are unencumbered shall revert to the general fund of the state on the effective date of this Act.

Sec. 12. There is appropriated from the general fund of the state to the department of social services for the fiscal year beginning July 1, 1980, except as otherwise provided, the sum of two million (2,000,000) dollars, or so much thereof as is necessary, to be used for capital improvement projects

deemed necessary by the department for institutions under its jurisdiction or for maintenance of those institutions., The department shall include in the capital improvements to be carried out under this section the renovation and installation of security features in hope hall at the Clarinda mental health institute to serve as an adult corrections security facility primarily for chemically dependent, mentally retarded and socially inadequate offenders, the continuation of planned repairs and improvements at the Clarinda mental health institute, and needed safety and health-related improvements at other institutions under its jurisdiction. In addition, funds appropriated for projects referenced in Acts of the Sixty-seventh General Assembly, 1977 Session, chapter thirty-seven (37), section twenty-five (25), and Acts of the Sixty-seventh General Assembly, 1978 Session, chapter one thousand eighteen (1018). section seven (7), and Acts of the Sixty-eighth General Assembly, 1979 Session, chapter fourteen (14). section thirteen (13) which have not previously been obligated may be used for the same purposes as the funds appropriated by this section.

Sec. 13. The legislative council shall appoint an interim study committee to review alternative uses for the buildings at the Clarinda mental health institute, with emphasis upon the establishment of a multi-purpose community human resources center for southwest Iowa, which shall include a needs assessment for community mental health services and institutional mental health services for counties located within the catchment area for the Clarinda mental health institute.

Sec. 14. There is appropriated for the fiscal year beginning July 1, 1981 and ending June 30, 1982, the following amounts or so much thereof as is necessary, to be used for the purposes of funding programs designated in the Acts of the Sixty-eighth General Assembly, 1979 Session, chapter fourteen (14). as amended by this Act, as follows:

1. Section one (1), subsection two (2)..... \$ 4,200,000
2. Section one (1), subsection four (4)..... \$ 340,000
3. Section one (1), subsection nine (9)..... \$ 4,251,000
4. Section one (1), subsection ten (10)..... \$ 3,775,000
5. Section six (6), subsection four (4),
paragraph a..... \$ 2,000,000
6. Section twelve (12), subsection one (1)..... \$ 478,000
7. Section fifteen (15), subsection one (1),
paragraph a, subparagraph one (1)..... \$ 1,000,000
8. Section fifteen (15), subsection five (5)... \$ 130,000
9. Section seventeen (17)..... \$ 60,000

Sec. 15. There is appropriated from the general fund of the state to the department of general services, office of the director, for the fiscal year beginning July 1, 1981 and ending June 30, 1982, the sum of one hundred two thousand six hundred fifty (102,650) dollars, or so much thereof as is necessary, to be used for the purchase of land north of Grand avenue, south of 1-235 freeway, east of Pennsylvania avenue and west of east fourteenth street.

Sec. 16. There is appropriated for the fiscal year beginning July 1, 1981 and ending June 30, 1982, the following amounts or so much thereof as is necessary, to be used for the purposes of funding programs designated in Acts of the Sixty-seventh General Assembly, 1978 Session, as amended by this Act, as follows:

1. Chapter one thousand eleven (1011), section one (1), subsection two (2), paragraph b..... \$ 155,350
2. Chapter one thousand nineteen (1019), section four (4), subsection three (3)..... \$ 226,000

Sec. 17. There is appropriated to the state conservation commission for the fiscal year beginning July 1, 1981 and ending June 30, 1982, the sum of two million seventy-five thousand (2,075,000) dollars, or so much thereof as is necessary, for capital projects to be determined at the discretion of the state conservation commission.

It is the intent of the general assembly that in allowing, the funds originally appropriated for the Brushy Creek project now to be used for other capital projects, the general assembly is not canceling or abandoning the project. The general assembly intends to reappropriate funds for the completion of a project in the Brushy Creek area when the environmental impact statement for the existing project is completed and a final proposal is approved.

It is the intent of the general assembly that the state conservation commission give priority to the construction of impoundments on watersheds where permanent soil conservation practices have already been constructed above the proposed impoundment when approving capital projects which are to be funded with the funds made available by this section.

Sec. 18. The Iowa state fair board may accept gifts or grants from sources other than the state or its agencies for the purpose of implementing the redevelopment proposals prepared for the Iowa state fair master plan committee, and shall deposit the gifts or grants in the fair redevelopment fund which is created within the state treasury. The state comptroller shall issue warrants for claims against the fair redevelopment fund subject to the conditions contained in this section.

Sec. 19. Funds appropriated for the fiscal year beginning July 1, 1981 and ending June 30, 1982 by this Act are not obligated funds for the purpose of determining the unobligated state general fund balance under Acts of the Sixty-eighth General Assembly, 1979 Session, chapter ninety-three (93), section one (1), paragraph e with respect to the computation of the annual inflation factor for the 1980 and 1981 calendar years.

Sec. 20. Unobligated or unencumbered funds appropriated for the fiscal year beginning July 1, 1981 and ending June 30, 1982 by this Act remaining on June 30, 1985, shall revert to the general fund on September 30, 1985, however if after

completion of the project for which the funds were appropriated and before the June 30, 1985 date, there remain unobligated or unencumbered funds, such funds shall revert on September thirtieth following the end of the fiscal year in which the project is completed.

Sec. 21. This Act, being deemed of immediate importance, takes effect from and after its publication in the Osceola Tribune, a newspaper published in Osceola, Iowa, and in The Cedar Rapids Gazette, a newspaper published in Cedar Rapids, Iowa.

WILLIAM H. HARBOR
Speaker of the House

TERRY E. BRANSTAD
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2595, sixty-eighth General Assembly.

BRUCE GRAHAM
Assistant Chief Clerk of the House

Approved _____, 1980

ROBERT D. RAY
Governor

H.F. 2595



Office of the Governor

STATE CAPITOL
DES MOINES, IOWA 50319

ROBERT D. RAY
GOVERNOR

May 22, 1980

The Honorable Melvin D. Synhorst
Secretary of State
State Capitol Building
L O C A L

Dear Mr. Secretary:

I hereby transmit House File 2595, an act relating to capital appropriations by reducing appropriations previously made by the general assembly, making additional appropriations for fiscal year 1980-1981, and restoring funds for the fiscal year 1981-1982 for capital improvements reduced by this act and to authorize the fair board to accept gifts and to authorize a study committee to be appointed by the legislative council.

House File 2595 is approved May 22, 1980, with the following exception which I hereby disapprove.

I am unable to approve the item designated in the act as Section 5 which reads as follows:

Sec. 5. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter fourteen (14), section fifteen (15), subsection one (1), paragraph a, subparagraph one (1), is amended to read as follows:

(1) For the renovation, and remodeling of the Robert Lucas building

\$ 3,000,000
2,000,000

The department of general services may expend not exceeding two hundred sixty-seven thousand two hundred (267,000) dollars for architectural fees for the renovation and remodeling authorized by this subparagraph. The appropriation made in this subparagraph is conditioned upon the employees located in the east side of the corridor in the office of the auditor of state being moved to the Robert-Lucas building and that space being assigned to the legislative fiscal bureau.

The Honorable Melvin D. Synhorst
Page 2
May 22, 1980

This provision of the capitals bill reduces the appropriation for renovation of the Lucas Office Building on the Capitol Complex from \$3 to \$2 million. Because the architects for the renovation project have already completed their plans based on the larger appropriation, a provision was added to the Section which permitted the architects to be paid in full for their services rather than a reduced amount based on the second and lower appropriation amount. On the last day of the legislative session, legislators added a further condition to this appropriation mandating that a portion of the State Auditor's Office be moved from the State Capitol to the Lucas Building and the vacated space be assigned to the Legislative Fiscal Bureau.

The State Auditor has raised legitimate concerns on the impact this unanticipated, forced move would have on the operations of his office. The portion of the office that would be required to move is currently occupied by the administrative division of the Auditor's Office which has the responsibility for processing and assembling the audit reports. During the assembly process, it is important that the two Deputy Auditors of State have easy access to answer any questions about the audits being prepared. In addition, the administrative division serves as the coordination unit for the Auditor's Office. The Auditor has a sincere belief that physical separation of this division from the rest of his office would impair the effective administration and management of the Auditor's Office.

What makes the legislative decision to require the move baffling is the fact that there was a mutual agreement between the legislative, judicial and executive branches of government in 1978 on the allocation of space in the Capitol. In January, 1978, the Chairman of the Legislative Council, the Chief Justice of the Supreme Court, the Treasurer of the State of Iowa, and the Director of the Department of General Services concurred in a specific plan to provide substantially more space on the first floor of the Capitol to the legislature and the Court of Appeals. To resolve differences, the State Treasurer generously ceded his personal office to the legislature, a move which successfully brought an agreement among all parties. That agreement further recognized that adequate space within the Capitol remained a problem. It urged the participants to work together for any further adjustments of space allocation that might become necessary. Apparently, the legislators, who engineered this relocation of the Auditor's Office in favor of the Legislative Fiscal

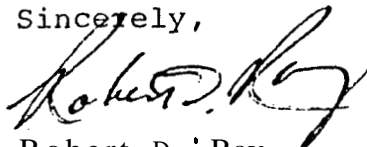
The Honorable Melvin D. Synhorst
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Bureau, have forgotten about this joint agreement. A surprising vote for this provision came from the former Chairman of the Legislative Council who signed the earlier agreement. One must ask himself whether it is productive to enter into negotiations with the legislature, if a signed agreement can be so easily cast aside when it suits a legislative desire. Fortunately the item veto is available to remove this section from the bill.

Vetoing Section 5 has the effect of restoring the full \$3 million appropriation for the Lucas Building renovation. In light of our continued decline of state revenues which prompted the other reductions to capital projects contained in the bill, I have indicated to the Director of the Department of General Services that he should proceed with the renovation project as if only \$2 million were available. This will accomplish basically the same purpose as the reduction called for in the bill but the Auditor will not be forced out of his offices.

For the above reasons, I hereby disapprove this item in accordance with Amendment 4 of the Amendments of 1968 to the Constitution of the State of Iowa. All other items of House File 2595 are hereby approved as of this date.

Sincerely,



Robert D. Ray
Governor

RDR: cg

cc: Secretary of the Senate
Chief Clerk of the House

HOUSE FILE: 2597

AN ACT

TO PROVIDE FOR A TEMPORARY ONE-YEAR DELAY IN THE PHASEOUT OF PERSONAL PROPERTY TAXES BY PROVIDING THAT THE AMOUNT OF THE PERSONAL PROPERTY TAX CREDIT FOR TAXES PAYABLE IN THE FISCAL YEAR BEGINNING JULY 1, 1980 AND ENDING JUNE 30, 1981 SHALL NOT EXCEED THE AMOUNT OF THE PERSONAL PROPERTY TAX CREDIT ALLOWED FOR TAXES PAYABLE IN THE FISCAL YEAR BEGINNING JULY 1, 1979 AND ENDING JUNE 30, 1980 INCLUDING THE DUTIES OF ASSESSORS IN VALUING PERSONAL PROPERTY AND COLLECTION OF AGRICULTURAL STATISTICS.

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

Section 1. Section one hundred fifty-nine point eleven (159.11), Code 1979, is amended to read as follows:

159.11 ASSESSOR. Agricultural statistics shall be collected each even-numbered year by the assessors under the supervision of the department, which shall design and distribute blank forms and instructions ~~therefor~~.

Sec. 2. Section one hundred fifty-nine point twelve (159.12), Code 1979, is amended to read as follows:

159.12 RETURNS BY ASSESSOR. The assessor shall require each person whose property is listed, to make answers to such inquiries as may be necessary to enable him to return allow the return of the foregoing statistics, carefully footed and summarized, to the department on or before the fifteenth day of April of each even-numbered year.

Sec. 3. Section four hundred twenty-seven & point nine (427A.9), unnumbered paragraph two (2), Code 1979, is amended to read as follows:

The amount of the additional personal property tax credit shall be a fixed amount for each tax year. The amount of the additional personal property tax credit shall be increased for the extended tax year beginning January 1, 1974, and ending June 30, 1975, and shall be increased for each tax year immediately following a tax year in which the growth of state general fund revenues, adjusted for changes in rate or basis, exceeds five and one-half percent, except that the amount of the additional personal property tax credit for taxes payable in each year of the fiscal period beginning July 1, 1977 and ending June 30, 1979 shall not exceed the amount of the additional personal property tax credit allowed for taxes payable in the fiscal year beginning July 1, 1976 and ending June 30, 1977 and the amount of the additional personal property tax credit for taxes payable in the fiscal year beginning July 1, 1980 and ending June 30, 1981 shall not exceed the amount of the additional personal property tax credit allowed for taxes payable in the fiscal year beginning July 1, 1979 and ending June 30, 1980. An increase in the additional personal property tax credit, once granted, shall continue for each succeeding tax year. For the purposes of this chapter the state comptroller may estimate the state percent of growth if necessary to avoid delay in the collection of taxes. After nine such increases have been made, all taxes on personal property shall be repealed as provided in the following section. The director of revenue and the state comptroller, jointly, shall determine the amount of the credit for each such tax year. Such amount shall be the maximum amount, rounded to the nearest ten dollars, which will permit complete funding of the replacement obligation under this division, including the replacement obligation for the tax credit granted pursuant to sections 427A.1 to 427A.5, out of the appropriation provided in this chapter.

Sec. 4. Section four hundred twenty-eight point four (428.4), unnumbered paragraph one (1), Code 1979, as amended

by Acts of the Sixty-eighth General Assembly, chapter twenty-five (25), section two (2), is amended to read as follows:

Property shall be assessed for taxation each year. Personal property shall be listed and assessed ~~each-year~~ ^{in 1981} in 1980 and every two years thereafter in the name of the owner of the personal property on the first day of January and the assessment made shall be the value of the personal property as of January first of the year of the assessment. Real estate shall be listed and assessed in 1981 and every two years thereafter. The assessment of real estate shall be the value of the real estate as of January first of the year of the assessment. The year 1981 and each odd-numbered year thereafter shall be a reassessment year. In any year, after the year in which an assessment has been made of all the real estate or personal property in any assessing jurisdiction, it shall be the duty of the assessor to value and assess or revalue and reassess, as the case may require, any real estate and personal property that the assessor finds was incorrectly valued or assessed, or was not listed, valued and assessed, in the ~~real-estate~~ assessment year immediately preceding, also any real estate or personal property the assessor finds has changed in value subsequent to January first of the preceding real estate or personal property assessment year. However, a percentage increase on a class of property shall not be made in a year not subject to an equalization order unless ordered by the department of revenue. The assessor shall determine the actual value and compute the taxable value thereof as of January first of the year of the revaluation and reassessment. The assessment shall be completed as specified in section 441.28, but no reduction or increase in actual value shall be made for prior years. If an assessor makes a change in the valuation of the real estate as provided for herein, the provisions of sections 441.23, 441.37, 441.38 and 441.39 shall apply.

Sec. 5. The provisions of section four (4) of this Act are retroactive to January 1, 1980, for the valuation and assessment of personal property as provided under section four (4) of this Act.

WILLIAM H. HARBOR
Speaker of the House

TERRY E. BRANSTAD
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2597, Sixty-eighth General Assembly.

BRUCE GRAHAM
Assistant Chief Clerk of the House

Approved _____, 1980

ROBERT D. RAY
Governor

HOUSE FILE '2598

AN ACT

RELATING TO ADMINISTRATION, BENEFITS, AND FUNDING OF CERTAIN
PUBLIC RETIREMENT SYSTEMS, AND TO MAKE APPROPRIATIONS.

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

Section 1. Chapter twelve (12), Code 1979, is amended by adding the following new section:

NEW SECTION. ANNUAL REPORT OF FILING FEES. The treasurer of state shall annually report to the governor and the general assembly the total amount of fees and costs received by the treasurer of state under section six hundred two point fifty-five (602.55), subsection one (1), and section six hundred six point fifteen (606.15), subsection one (1), of the Code for the fiscal year ending June thirtieth. The report shall be submitted within ninety days following the completion of the fiscal year.

Sec. 2. There is appropriated from the general fund of the state to the judicial retirement fund the sum of seven hundred twenty thousand (720,000) dollars for the fiscal year beginning July 1, 1980 and ending June 30, 1981.

Sec. 3. Section ninety-seven point fifty-one (97.51), Code 1979, is amended by adding the following new subsection:

NEW SUBSECTION. Effective July 1, 1980 a person receiving benefits, or who becomes eligible to receive benefits, on

or after July 1, 1980, under chapter ninety-seven (97) of the Code, shall receive the monthly increase in benefits provided in section twenty-one (21) of this Act.

Sec. 4. section ninety-seven A point four (97A.4), Code 1979, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The board of trustees shall credit as service for a member of the system a previous period of service for which the member had withdrawn the member's accumulated contributions, as defined in section ninety-seven A point fifteen (97A.15) of the Code.

Sec. 5. Section ninety-seven A point six (97A.6), subsections four (4) and six (6), Code 1979, as the section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter thirty-four (34), sections two (2) and three (3), and chapter thirty-five (35), section two (2), are amended to read as follows:

4. ALLOWANCE ON ORDINARY DISABILITY RETIREMENT. Upon retirement for ordinary disability a member shall receive ~~a service retirement allowance if the member has attained the age of fifty-five, otherwise the member shall receive~~ an ordinary disability retirement allowance which shall consist of a pension which shall equal forty percent of the member's average final compensation except if the member has not had five or more years of membership service, the member shall receive a pension equal to one-fourth of the member's average final compensation.

6. RETIREMENT AFTER ACCIDENT. Upon retirement for accidental disability a member shall receive ~~a service retirement allowance if the member has attained the age of fifty-five, otherwise the member shall receive~~ an accidental disability retirement allowance which shall consist of a pension equal to sixty-six and two-thirds percent of the member's average final compensation.

Sec. 6. Section ninety-seven A point six (97A.6), subsection fourteen (14), paragraph a, unnumbered paragraph one (1), Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter thirty-four (34), section two (2), ~~and as the section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter thirty-five (35), section two (2), and chapter thirty-four (34), section three (3), is amended to read as follows:~~

~~As-of-the-first-of-July-of-each-year-for-members-who-retire on-or-after-July-1,-1979~~ Effective July 1, 1980 and on each July first thereafter, the monthly pensions authorized in this section payable to retired members and to beneficiaries, except children of a deceased member, shall be adjusted as provided in this paragraph. An amount equal to the following percentages of the difference between the monthly earnable compensation ~~received-by~~ payable to an active member of the department, of the same rank and position on the salary scale as was held by the retired or deceased member at the time of the member's retirement or death, for July of the preceding year and the monthly earnable compensation payable to an active member of the department of the same rank and position on the salary scale for July of the year just beginning shall be added to the monthly pension of each retired member and each beneficiary as follows:

(1) Twenty-five percent for members ~~eligible-for receiving~~ a service retirement allowance ~~or-their~~ and for beneficiaries ~~receiving a pension under subsection nine (9) of this section.~~

(2) Twenty percent for members with five or more years of membership service who are ~~eligible-for receiving~~ an ordinary disability retirement allowance ~~or-their~~ beneficiaries.

(3) Twelve and one-half percent for members with less than five years of membership service who are ~~eligible-for receiving~~ an ordinary disability retirement allowance ~~or their~~, and for beneficiaries ~~receiving a pension under subsection eight (8) of this section.~~

(4) Thirty-three and one-third percent for members ~~eligible for receiving~~ an accidental disability allowance ~~or-their~~ beneficiaries.

The adjusted monthly pension shall not be less than the amount which was paid at the time of the member's retirement or death.

The amount added to the monthly pension of a surviving spouse receiving a pension under subsection twelve (12), paragraph a of this section shall be equal to one-half the amount that would have been added to the monthly pension of the retired member.

Sec. 7. Section ninety-seven A point fifteen (97A.15), subsection two (2), Code 1979, is amended by adding the following new paragraph:

NEW PARAGRAPH "Member who became vested" and "vested member" mean a member who has been a member of the retirement system fifteen or more years and is entitled to benefits under this chapter.

Sec. 8. Section ninety-seven A point fifteen (97A.15), subsections five (5) and seven (7), Code 1979, are amended to read as follows:

5. A member of the retirement system prior to July 1, 1979 with fifteen or more years of service whose employment was terminated prior to retirement, other than by death or disability, ~~shall-be is~~ entitled to receipt of his or her accumulated contributions upon retirement together with other retirement benefits provided in the law on the date of the member's retirement. ~~However,-the-member-shall-not-be-eligible for-a-service-retirement-allowance-under-section-97A.6-if he-or-she-has-chosen-to-withdraw-his-or-her-accumulated contributions-from-the-annuity-savings-fund-prior-to-the member's-retirement.~~

7. Notwithstanding ~~the-provisions-of~~ subsections 1, 3, 4, 5, and 6 of this section, an active or vested member may request in writing and receive from the board of trustees,

his or her accumulated contributions from the annuity savings fund at the discretion of the board of trustees, ~~except that and remain eligible to receive benefits under section ninety-seven A point six (97A.6) of the Code. However, a member with fifteen or more years of service prior to July 1, 1979, is not eligible for a service retirement allowance under section ninety-seven A point six (97A.6) of the Code if he or she withdrew his or her accumulated contributions from the annuity savings fund prior to July 1, 1979, except as provided in section ninety-seven A point four (97A.4) of the Code.~~ However, the board shall not liquidate securities at a loss for the sole purpose of returning the accumulated contributions to the members. All requested accumulated contributions shall be returned prior to July 1, 1984.

Sec. 9. Section ninety-seven B point forty-one (97B.41), subsection three (3), paragraph a, Code 1979, as the section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter thirty-four (34), section five (5), is amended to read as follows:

3. a. "Employer" means the state of Iowa, the counties, municipalities, and public school districts ~~therein~~ and all of the political subdivisions ~~thereof~~ and all of their departments and instrumentalities, including joint planning commissions created under the provisions of chapter 473A, ~~all hereinafter called political subdivisions, as of July 4, 1953.~~

If an interstate agency is established under chapter twenty-eight E (28E) of the Code and similar enabling legislation in an adjoining state, and a city had made contributions to the system for employees performing functions which are transferred to the interstate agency, the employees of the interstate agency who perform those functions shall be considered to be employees of the city for the sole purpose of membership in the system, although the employer contributions for those employees are made by the interstate agency.

Sec. 10. Section ninety-seven B point forty-one (97B.41), subsection three (3), paragraph b, subparagraph two (2), Code 1979, as the section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter thirty-four (34), section five (5), is amended to read as follows:

(2) Members of the general assembly of Iowa and temporary employees of the general assembly of Iowa unless such members or employees shall make an application to the department to be covered under the provisions of this chapter. A member of the general assembly or temporary employee of the general assembly who made an application to the department to be covered under this chapter may terminate membership under this chapter by informing the department in writing of the member's or temporary employee's termination.

Sec. 11. Section ninety-seven B point forty-one (97B.41), subsection three (3), paragraph b, Code 1979, as the section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter thirty-four (34), section five (5), is amended by adding the following new subparagraph:

NEW SUBPARAGRAPH. Members of the state transportation commission, the board of parole, and the state health facilities council unless a member elects by filing an application with the department to be covered under this chapter.

Sec. 12. Section ninety-seven B point forty-one (97B.41), subsection eleven (11), Code 1979, as that section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter thirty-four (34), section five (5), is amended to read as follows:

11. "Vested member" means a member who ~~had~~ terminated employment in accordance with one of the following paragraphs:

a. Prior to July 1, 1965, after having attained the age of forty-eight and completed at least eight years of service.

a b. ~~Prior to July 1~~ Between July 1, 1965 and June 30, 1973, after having completed at least eight years of service,

b c. On or after July 1, 1973, after having completed at least four years of service ~~or~~.

e d. After having attained the age of fifty-five.

Sec. 13. Section ninety-seven B point forty-one (97B.41), Code 1979, as that section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter thirty-four (34), section five (5), is amended by adding the following new subsection:

NEW SUBSECTION. "Inactive vested member" means an inactive member who was a vested member at the time of termination of employment.

Sec. 14. Section ninety-seven B point forty-three (97B.43), unnumbered paragraph two (2), Code 1979, as the section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter thirty-four (34), section six (6), is amended to read as follows:

Any person with a record of thirty years as a public employee in the state of Iowa prior to July 1, 1947, and who is not eligible for prior service credit under other provisions of this section, ~~shall be~~ is entitled to a credit for years of prior service in the determination of the retirement allowance payment under ~~any of the provisions of~~ this chapter, provided ~~such the~~ public employee makes application to the department of job service for ~~such~~ credit for prior public service, accompanied by such verification of the person's claim as the department may require. The person's allowance for prior service credits shall be computed in the same manner as otherwise provided in this section, but shall not exceed the sum of four hundred fifty dollars nor be less than three hundred dollars per annum. Any such person ~~shall be~~ is entitled to receive retirement allowances computed as provided by this chapter, effective from the date of application to the department, provided such application is approved. ~~Beginning~~ However, beginning July 1, 1975 the amount of such person's retirement allowance payment received during June,

1975, as computed under this section shall be increased by two hundred percent and the allowance for prior service credits shall not exceed one thousand three hundred fifty dollars nor be less than nine hundred dollars per annum. There is appropriated from the general fund of the state to the Iowa department of job service from funds not otherwise appropriated an amount sufficient to fund the provisions of this paragraph. Effective July 1, 1980, a person with a record of thirty years as a Public employee in the state of Iowa prior to July 1, 1947 receiving retirement allowances under this chapter shall receive the monthly increase in benefits provided in section twenty-one (21) of this Act.

Sec. 15. Section ninety-seven B point forty-nine (97B.49), unnumbered paragraph one (1), Code 1979, as that section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter thirty-four (34), sections seven (7), eight (8) and nine (9), is amended to read as follows:

Each member ~~shall~~, upon retirement on or after his or her normal retirement date, ~~be~~ is entitled to receive a monthly retirement allowance determined under this section. For an inactive vested member the monthly retirement allowance shall be determined on the basis of this section and section ninety-seven B point fifty (97B.50) of the Code as they are in effect on the date of the member's retirement.

Sec. 16. Section ninety-seven B point forty-nine (97B.49), subsection one (1), Code 1979, as that section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter thirty-four (34), sections seven (7), eight (8) and nine (9), is amended to read as follows:

1. For each active member employed before January 1, 1976, and retiring on or after January 1, 1976, and for each member who ~~became-vested~~ was a vested member before January 1, 1976, with four or more complete years of service, a formula benefit shall be determined equal to the larger of the benefit determined under this subsection and subsection 3 of this

section as applicable, or the benefit determined under subsection 5 of this section. The amount of the monthly formula benefit for each such active or vested member who retired on or after January 1, 1976, shall be equal to one-twelfth of one and fifty-seven hundredths percent per year of membership service multiplied by his the member's average annual covered wages; but in no case shall the amount of monthly formula benefit accrued for membership service prior to July 1, 1967, be less than the monthly annuity at the normal retirement date determined by applying the sum of the member's accumulated contributions, ~~including~~ plus the member's employer's accumulated contributions on or before June 30, 1967, and any retirement dividends standing to his the member's credit on or before December 31, 1966, to the annuity tables in use by the department with due regard to the benefits payable from such accumulated contributions under sections 97B.52 and 97B.53.

Sec. 17. Section ninety-seven B point forty-nine (97B.49), subsection five (5), unnumbered paragraph one (1), Code 1979, as that section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter thirty-four (34), sections seven (7), eight (8), and nine (9), is amended to read as follows:

5. For each active member retiring ~~between July 1, 1978 and June 30, 1979~~ on or after January 1, 1976, with four or more complete years of service, a monthly benefit shall be computed which is equal to one-twelfth of an amount equal to ~~forty-four~~ forty-seven percent of the five-year average covered wage multiplied by a fraction of years of service. ~~For each active member retiring on or after July 1, 1979 the monthly benefit computed under this subsection shall be equal to one-twelfth of an amount equal to forty-six percent of the five-year average covered wage multiplied by a fraction of years of service.~~ For the purposes of this subsection, "fraction of years of service" means a number, not to exceed

one, equal to the sum of the years of membership service and the number of years of prior service divided by thirty years

Sec. 18. Section ninety-seven B point forty-nine (97B.49), subsection seven (7), Code 1979, as that section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter thirty-four (34), sections seven (7), eight (8), and nine (9), is amended to read as follows:

7. Notwithstanding the provisions of this chapter a member who is or has been employed as a conservation peace officer under the provisions of section 107.13 and who retires ~~between~~ on or after July 1, 1978 and June 30, 1979 and at the time of retirement is at least sixty years of age and has completed at least twenty-five years of membership service as a conservation peace officer, may elect to receive, in lieu of the receipt of any benefits under subsection 5 of this section, a monthly retirement allowance equal to one-twelfth of ~~forty-four~~ forty-seven percent of the member's five-year average covered wage as a conservation peace officer multiplied by a fraction of years of service, with benefits payable during the member's lifetime. ~~For each such member retiring on or after July 1, 1979, the monthly benefit computed under this subsection shall be equal to one-twelfth of an amount equal to forty-six percent of the five-year average covered wage as a conservation peace officer multiplied by a fraction of years of service.~~ There is appropriated from the general fund of the state to the Iowa department of job service from funds not otherwise appropriated an amount sufficient to pay eight and forty-three hundredths percent of the covered wages of each conservation peace officer, in addition to the contribution paid by the employer under section 97B.11, to finance increased benefits to conservation peace officers under this subsection.

Sec. 19. Section ninety-seven B point forty-nine (97B.49), subsection eight (8), paragraph a, Code 1979, as that section is amended by Acts of the Sixty-eighth General Assembly, 1979

session, chapter thirty-four (34), sections seven (7), eight (8), and nine (9), is amended to read as follows:

a. Notwithstanding the provisions of this chapter, ~~effective-July-17-1979-to-be-included-in-county-budgets-for-the-fiscal-year-beginning-July-17-1979~~ a member who is or has been employed as a county sheriff, as defined in section 39.17, or as a deputy sheriff appointed pursuant to chapter 341, and who retires ~~between~~ on or after January 1, 1978 and June 30, 1979, and at the time of retirement is at least sixty years of age and has completed at least twenty-five years of membership service as a county sheriff or deputy sheriff, may elect to receive, in lieu of the ~~receipt-of-any~~ benefits under subsection 5 of this section, a monthly retirement allowance equal to one-twelfth of ~~forty-four~~ forty-seven percent of the member's five-year average covered wage as a sheriff or deputy sheriff multiplied by a fraction of years of service, with benefits payable during the member's lifetime.

~~For each member eligible for a monthly retirement allowance under this subsection who retires on or after July 1, 1979, the monthly benefit computed under this subsection shall be equal to one-twelfth of forty-six percent of the member's five-year average covered wage.~~

Sec. 20. Section ninety-seven B point forty-nine (97B.49), Code 1979, as that section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter thirty-four (34), sections seven (7), eight (8), and nine (9), is amended by adding the following new subsection:

NEW SUBSECTION. Notwithstanding sections of this chapter relating to eligibility for and determination of retirement benefits, a vested member who is or has been employed as a correctional officer by the department of social services and who retires on or after July 1, 1983 and at the time of retirement is at least sixty years of age and has completed at least thirty years of membership service as a correctional officer, may elect to receive, in lieu of the receipt of

benefits ~~under~~ subsection five (5) of this section, a monthly retirement allowance equal to one-twelfth of forty-seven percent of the member's five-year average covered wages as a correctional officer multiplied by a fraction of years of service, with benefits payable during the member's lifetime.

The department of social services and the department of merit employment shall jointly ~~determine~~ the applicable merit system job classifications of correctional officers.

The department of social services shall pay to the Iowa department of job service, from funds appropriated to the department of social services, an amount sufficient to pay one and seventy-one hundredths percent of the covered wages of each correctional officer, in addition to the employer contributions required in section ninety-seven B point eleven (97B.11) of the Code to pay for the lower retirement age for correctional officers provided in this subsection.

Sec. 21. Section ninety-seven B point forty-nine (97B.49), Code 1979, as that section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter thirty-four (34), sections seven (7), eight (8), and nine (9), is amended by adding the following new subsection:

NEW SUBSECTION. Effective July 1, 1980, for each member who retired from the system prior to January 1, 1976, and for each member who retired from the system on or after January 1, 1976 under subsection one (1) of this section, the amount of regular monthly retirement allowance attributable to membership service and prior service that was payable to the member for June 1980 is increased as follows:

- a. For the first ten years of service, fifty cents per month for each complete year of service.
- b. For the eleventh through the twentieth years of service, one dollar per month for each complete year of service.
- c. For the twenty-first through the thirtieth years of service, one dollar and fifty cents per month for each complete year of service.

d. The amount of ~~monthly increase~~ payable to a member under this subsection is also payable to a beneficiary and a contingent annuitant and shall be reduced by an amount based upon the actuarial equivalent of the option selected in section ninety-seven B point fifty-one (97B.51) or section ninety-seven B point fifty-two (97B.52) of the Code compared to the full monthly benefit provided in this section.

However, effective July 1, 1980 the monthly retirement allowance attributable to membership service and prior service of a member, contingent annuitant and beneficiary shall not be less than five dollars times the number of complete years of service of the member, not to exceed thirty, reduced by an amount based upon the actuarial equivalent of the option selected in section ninety-seven B point fifty-one (97B.51) or section ninety-seven B point fifty-two (97B.52) of the Code, compared to the full monthly retirement benefit provided in this section.

Sec. 22. Section ninety-seven B point fifty (97B.50), subsection one (1), Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter thirty-four (34), section ten (10), is amended to read as follows:

1. Except as otherwise provided in this section, a member, upon retirement prior to the normal retirement date, is entitled to receive a monthly retirement allowance determined in the same manner as provided for normal retirement in subsections 1, 4 and 5 of section 97B.49 reduced by as follows:

a. For a member who is less than sixty-two years of age, by five-tenths of one percent per month for each month that the member's early retirement date precedes the normal retirement date.

b. For a member who is at least sixty-two years of age and less than sixty-five years of age, by twenty-five hundredths of one percent per month for each month that the early retirement date precedes the normal retirement date.

Sec. 23. Section ninety-seven B point fifty-one (97B.51), subsection one (1), Code 1979, is amended to read as follows:

1. A member may elect to receive a decreased retirement allowance during has the member's lifetime and have such the decreased retirement allowance (or a designated fraction thereof) continued after his the member's death to another person, called a contingent annuitant, during the lifetime of the contingent annuitant. The member cannot change the contingent annuitant after the member's retirement. In case of ~~such-an~~ the election of a contingent annuitant, no death benefits, as might otherwise be provided by this chapter, will be payable upon the death of either the member or the contingent annuitant after the member's retirement.

Sec. 24. Section ninety-seven B point fifty-three (97B.53), subsection two (2), Code 1979, is amended to read as follows:

2. If bhe a vested member's employment ~~with the employer of a member~~ is terminated prior to the member's retirement, other than by death ~~but after the member has either~~

~~a--Completed-at-least-four-years-of-service, or~~

~~b--Has-attained-the-age-of-fifty-five,~~ the member shall receive a monthly retirement allowance commencing on the first day of the month in which the member attains the age of sixty-five years, if the member is then alive, or, if the member so elects in accordance with section 97B.47, commencing on the first day of the month in which the member attains the age of fifty-five and or any month thereafter prior to the date the member attains the age of sixty-five years, and continuing on the first day of each month thereafter during the member's lifetime, provided the member does not receive prior to the date the member's retirement allowance is to commence a refund of accumulated contributions under any of the provisions of this chapter. The amount of each such monthly retirement allowance shall be determined as provided in either section 97B.49 or in section 97B.50, whichever is applicable.

Sec. 25. Section ninety-seven B point fifty-nine (97B.59), Code 1979, is amended to read as follows:

978.59 ACTUARY EMPLOYED. The ~~department~~ legislative council shall employ an actuary for the department to serve as its technical advisor. The compensation of the actuary and of other employees shall be fixed by the department within the appropriations made therefor and subject to the approval of the legislative council.

Sec. 26. Section ninety-seven B point sixty-seven (97B.67), Code 1979, is amended by adding the following new subsection:

NEW SUBSECTION. It is the intent of the general assembly that the general assembly meeting in 1982 review whether there is sufficient unobligated revenue in the general fund of the state to appropriate funds to pay the benefit increases provided in sections three (3), fourteen (14) and twenty-one (21) of this Act from the general fund of the state, and if sufficient revenue is available, the general assembly shall appropriate the funds necessary.

Sec. 27. Section ninety-seven B point seventy-three (97B.73), Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter thirty-four (34), section eleven (11), is amended to read as follows:

97B.73 MEMBERS FROM OTHER PUBLIC SYSTEMS. A vested or retired member who was ~~not~~ a ~~vested~~ member of ~~a public retirement system established under sections 294.8, 294.9, and 294.10 or~~ a public retirement system in another state but was not vested or retired under that system may, upon submitting verification of membership and service in the other public retirement system to the department not later than July 1, 1979 for members vested on July 1, 1978 or within one year after the member becomes vested, make employer and employee contributions to the system for the period of service in the other public retirement system and receive credit for membership service in this system equivalent to the number of years of service in the other public retirement system. The contributions paid by the vested or retired member for service in the other public retirement system shall be equal

to the accumulated contributions as defined in section 97B.41, subsection 13, by the member for that period of ~~membership~~ service and the ~~contributions of the~~ employer ~~which would have been contributed~~ contribution for that period of ~~membership~~ service that would have been contributed by the vested or retired member and the employer plus interest on the contributions that would have accrued if the member had been a member of this system earning the same wages earned under the other system for the period from the date of service of the member in the other public retirement system to the date of payment of the contributions by the member equal to two percent plus the interest dividend rate applicable for each year.

This section is applicable to a vested or retired member who was a member of a public retirement system established in section two hundred ninety-four point eight (294.8), two hundred ninety-four point nine (294.9), and two hundred ninety-four point ten (294.10) of the Code but was not vested or retired under that system. However, the verification and contributions must be submitted not later than July 1, 1981 for members who were vested members on July 1, 1980 or within one year after the member becomes a vested member of this system.

Sec. 28. Section ninety-seven C point eleven (97C.11), Code 1979, is amended to read as follows:

97C.11 PAYMENT--ADJUSTMENT OR REFUND. ~~Such taxes as~~ Taxes deducted by the employer from the earnings of employees or upon the employers shall be paid in ~~such a~~ manner, at ~~such~~ times and under ~~such~~ conditions as may be prescribed by the state agency. However, the taxes shall be remitted monthly by the employer. If more or less than the correct amount of the tax imposed upon the employer is paid or deducted, proper adjustments or refund, if adjustment is impracticable, shall be made in ~~such a~~ manner and at ~~such~~ times as the state agency ~~shall prescribe~~ prescribes.

Sec. 29. Section three hundred eighty-four point six (384.6), subsection one (1), Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter thirty-four (34), ~~section thirteen (13)~~, and chapter eighty-five (85), section one (1), is amended to read as follows:

1. Accounting for pension and related employee benefit funds as provided by the city finance committee. A city may make contributions to a retirement system other than the Iowa public employees' retirement system for its city manager, or city administrator performing the duties of city manager, in an annual amount not to exceed the amount that would have been contributed by the employer under ~~the provisions of~~ section 97B.11. If a police chief or fire chief has submitted a written request to the board of trustees to be exempt from chapter four hundred eleven (411) of the Code, authorized in section four hundred eleven point three (411.3), subsection one (1) of the Code, a city shall make contributions for the chief, in an amount not to exceed the amount that would have been contributed by the city under section four hundred eleven point eight (411.8), subsection one (1), paragraph a, of the Code, to the international city management association/retirement corporation. A city may certify taxes to be levied for a trust and agency fund in the amount necessary to meet its obligations.

Sec. 30. Section four hundred eleven point three (411.3), subsection one (1), Code 1979, is amended to read as follows:

1. All persons who become police officers or fire fighters after the date the retirement systems are established by this chapter, shall become members thereof as a condition of their employment, except that a police chief or a fire chief who would not complete twenty-two years of service under ~~chapter~~ by the time the chief attains fifty-five years of age shall, upon written request to the board of trustees, be exempt from this chapter. Notwithstanding section ninety-seven B point forty-one (97B.41) of the Code, a police chief

or fire chief who is exempt from this chapter is exempt from chapter ninety-seven B (97B) of the Code. Such members Members of the system established in this chapter shall not be required to make contributions under any other pension or retirement system of city, county, or state of Iowa, anything to the contrary notwithstanding.

Sec. 31. Section four hundred eleven point four (411.4), Code 1979, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The board of trustees shall credit as service for a member of the system a previous period of service for which the member had withdrawn the member's accumulated contributions, as defined in section four hundred eleven point twenty-one (411.21) of the Code.

Sec. 32. Section four hundred eleven point six (411.6), subsections four (4) and six (6), Code 1979, as the section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter thirty-four (34), sections sixteen (16) and seventeen (17), and chapter thirty-five (35), section nine (9), is amended to read as follows:

4. ALLOWANCE ON ORDINARY DISABILITY RETIREMENT. Upon retirement for ordinary disability a member shall receive ~~a service retirement allowance if the member has attained the age of fifty-five, otherwise the member shall receive~~ an ordinary disability retirement allowance which shall consist of a pension which shall equal forty percent of the member's average final compensation except if the member has not had five or more years of membership service the member shall receive a pension equal to one-fourth of the member's average final compensation.

6. RETIREMENT AFTER ACCIDENT. Upon retirement for accidental disability a member shall receive ~~a sewage retirement allowance if the member has attained the age of fifty-five, otherwise the member shall receive~~ an accidental disability retirement allowance which shall consist of a

pension equal to $66 \frac{2}{3}$ percent of the member's average final compensation.

Sec. 33. Section four hundred eleven point six (411.6), subsection twelve (12), paragraph a, unnumbered paragraph one (1), Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter thirty-four (34), section sixteen (16), and as the section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter thirty-five (35), section nine (9), and chapter thirty-four (34), section seventeen (17), is amended to read as follows:

~~As of the first of July of each year for members who retire on or after July 1, 1979~~ Effective July 1, 1980 and on each July first thereafter, the monthly pensions authorized in this section payable to retired members and to beneficiaries, except children of a deceased member, shall be adjusted as provided in this paragraph. An amount equal to the following percentages of the difference between the monthly earnable compensation ~~received by~~ payable to an active member of the department, of the same rank and position on the salary scale as was held by the retired or deceased member at the time of the member's retirement or death, for July of the preceding year and the monthly earnable compensation payable to an active member of the department of the same rank and position on the salary scale for July of the year just beginning shall be added to the monthly pension of each retired member and each beneficiary as follows:

(1) Twenty-five percent for members ~~eligible for~~ receiving a service retirement allowance ~~or their~~ and for beneficiaries receiving a pension under subsection nine (9) of this section.

(2) Twenty percent for members with five or more years of membership service who are ~~eligible for~~ receiving an ordinary disability retirement allowance ~~or their~~ beneficiaries.

(3) Twelve and one-half percent for members with less than five years of membership service who are ~~eligible for~~

receiving an ordinary disability retirement allowance or their, and for beneficiaries receiving a pension under subsection eight (8) of this section.

(4) Thirty-three and one-third percent for members ~~eligible for~~ receiving an accidental disability allowance ~~or their~~ beneficiaries.

The adjusted monthly pension shall not be less than the amount which was paid at the time of the member's retirement or death.

The amount added to the monthly pension of a surviving spouse receiving a pension under subsection twelve (12), paragraph a of this section shall be equal to one-half the amount that would have been added to the monthly pension of the retired member.

Sec. 34. Section four hundred eleven point twenty-one (411.21), subsection two (2), Code 1979, as the section is amended by Acts of the sixty-eighth General Assembly, 1979 session, chapter thirty-four (34), section nineteen (19), is amended by adding the following new paragraph:

NEW PARAGRAPH. "Member who became vested" and "vested member" mean a member who has been a member of the retirement system fifteen or more years and is entitled to benefits under this chapter.

Sec. 35. Section four hundred eleven point twenty-one (411.21), subsection five (5), Code 1979, as the section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter thirty-four (34), section nineteen (19), is amended to read as follows:

5. A member of the retirement system prior to July 1, 1979 with fifteen or more years of service whose employment was terminated prior to retirement, other than by death or disability, ~~shall be~~ is entitled to receipt of his or her accumulated contributions upon retirement together with other retirement benefits provided in the law on the date of the member's retirement. ~~However, the member shall not be eligible~~

~~for a service retirement allowance under section 411.6 if he or she has chosen to withdraw his or her accumulated contributions from the annuity savings fund.~~

Sec. 36. Section four hundred eleven point twenty-one (411.21), subsection seven (7), unnumbered paragraph one (1), Code 1979, as the subsection is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter thirty-four (34), section nineteen (19), is amended to read as follows:

7. Notwithstanding ~~the provisions of~~ subsections 1, 3, 4, 5, 6 of this section, beginning January 1, 1981, an active or vested member may request in writing and receive from the board of trustees, his or her accumulated contributions from the annuity savings fund and remain eligible to receive benefits under section four hundred eleven point six (411.6) of the Code. However, a member with fifteen or more years of service prior to July 1, 1979, is not eligible for a service retirement allowance under section four hundred eleven point six (411.6) of the Code if he or she withdrew his or her accumulated contributions from the annuity savings fund prior to July 1, 1979, except as provided in section four hundred eleven point four (411.4) of the Code. Accumulated contributions shall be paid according to the following schedule:

Sec. 37. Section six hundred two point fifty-five (602.55). Code 1979, is amended to read as follows:

602.55 FUNDS, REPORTS. Each month each judicial magistrate and district associate judge shall file with the clerk of the district court of the proper county a sworn, itemized statement, of all cases disposed of and all funds received and disbursed per case, and at least monthly shall remit to the clerk all funds received by him or her. The clerk shall provide adequate clerical assistance to judicial magistrates and district associate judges to carry out this section. The clerk shall remit ninety percent of all fines and forfeited bail received from a magistrate or district associate judge

to the city that was the plaintiff in any action, and shall provide that city with a statement showing the total number of such cases, ~~the~~ total of all fines and forfeited bail collected and the total of all cases dismissed. The clerk shall remit the remaining ten percent to ~~the~~ county treasurer for deposit in the county general fund. The clerk shall remit to the treasurer of the county, for the benefit of the school fund, all other fines and forfeited bail received from a magistrate. All fees and costs for the filing of a complaint or information or upon forfeiture of bail received from a magistrate shall be remitted monthly by the clerk as follows:

1. ~~Three-fifths~~ Two-thirds to the ~~state~~ treasurer of state to be credited to the general fund of the state.

2. ~~Two-fifths~~ One-third to the county treasurer to be credited to the general fund of the county.

Sec. 38. Section six hundred two point sixty-three (602.63), Code 1979, is amended to read as follows:

602.63 DOCKETS, JUDGMENTS, COSTS. The clerk of the district court of the county in which a judicial magistrate resides shall furnish the judicial magistrate, district associate judge, or district judge acting as judicial magistrate, a docket in which shall be entered all proceedings except small claims. Such docket shall be indexed and shall contain in each case the title and nature of the action; place of hearing; appearances; and notations of the documents filed with the judicial magistrate, of the proceedings in the case and orders made, of the verdict and judgment including costs, of any satisfaction of the judgment, of whether the judgment was certified to the clerk of the district court, of whether ~~an~~ appeal was taken, and of the amount of the appeal bond. All costs in criminal cases shall be assessed and distributed as in chapter 606, except that the cost of filing and docketing of a complaint or information for a nonindictable misdemeanor shall be ~~five~~ six dollars which shall be distributed pursuant to section 602.55. The ~~dive~~ six dollar cost for filing and

docketing a complaint or information for a nonindictable misdemeanor shall not apply in cases of overtime parking. If the judgment and costs are not fully and immediately satisfied in criminal cases, the judicial magistrate shall promptly certify a copy of the judgment to the clerk of the district court indicating thereon the portion unsatisfied; and the clerk shall index and file the judgment, whereupon it shall be a judgment of the district court without recording.

The chief judge of a district may order that criminal proceedings which are within the jurisdiction of judicial magistrates and district associate judges be combined into centralized dockets for the county if the chief judge determines that administration could be improved thereby. When so ordered, a centralized docket shall be in lieu of individual dockets otherwise prescribed, and the clerk shall compile a centralized docket in the manner prescribed for an individual docket. The chief judge may assign actions and proceedings on centralized dockets to judicial magistrates and district associate judges as he or she deems necessary.

Sec. 39. Chapter six hundred five A (605A), Code 1979, is amended by adding the following new section:

NEW SECTION. ACTUARIAL VALUATION. The court administrator shall cause an actuarial valuation to be made of the assets and liabilities of the judicial retirement fund at least once every four years commencing with the fiscal year beginning July 1, 1981. The court administrator shall adopt mortality tables and other necessary factors for use in the actuarial calculations required for the valuation upon the recommendation of the actuary. Following the actuarial valuation, the court administrator shall determine the condition of the system and shall report its findings and recommendations to the general assembly.

The cost of the actuarial valuation shall be paid from the judicial retirement fund.

Sec. 40. Section six hundred six point fifteen (606.15), subsection one (1), code 1979, is amended to read as follows:

1. For filing any petition, appeal, or writ of error and docketing the same, seven eight dollars. Four dollars of such fee shall remain in the county treasury for the use of the county, and ~~three~~ four dollars of such fee shall be paid into the state treasury and deposited in the general fund of the state. In counties having a population of one hundred thousand or over, an additional one dollar shall be charged and collected, to be known as the journal publication fee and to be used for the purposes provided for in section 618.13.

Sec. 41. Section eight hundred five point six (805.6), subsection one (1), paragraph a, Code 1979, is amended to read as follows:

a. The commissioner of public safety and the state conservation director, acting jointly, shall adopt a uniform, combined citation and complaint which shall be used for charging all traffic violations in Iowa under state law or local regulation or ordinance, and which shall be used for charging all other violations which are designated by section 805.8 to be scheduled violations. This subsection shall not be deemed to prevent the charging of any of those violations by information, by private complaint filed under the provisions of chapter 804, or by a simple notice of fine where permitted by section 321.236, subsection 1. Each uniform citation and complaint shall be serially numbered and shall be in quintuplicate, and the officer shall deliver the original and a copy to the court where the defendant is to appear, two copies to the defendant, and a copy to the law enforcement agency of the officer. The court shall forward the copy of the uniform citation and complaint in accordance with section 321.207 when applicable. The uniform citation and complaint shall contain spaces for the parties names; the address of the alleged offender; the registration number of the offender's vehicle; the information required by section 805.2; a promise

to appear as provided in section 805.3 and a place where the cited person may sign the promise to appear; a list of the scheduled fines prescribed by section 805.8, either separately or by group, and a statement that the court costs in scheduled offense cases, whether or not a court appearance is required or is demanded, shall be five ~~six~~ dollars; a brief explanation of sections 805.9 and 805.10; a space where the defendant may sign an admission of the violation when permitted by section 805.9; and the uniform citation and complaint shall require that the defendant appear before a court at a specified time and place. The uniform citation and complaint also may contain a space for the imprint of a credit card, and may contain any other information which the commissioner of public safety and the state conservation director may determine.

Sec. 42. The legislative council is requested to establish an interim study committee composed of members of the house and senate committees on state government for the purpose of studying the public retirement systems of this state, including but not limited to a definition of ~~earnable~~ compensation for members of the peace officers' retirement system and local police and fire retirement systems, the status of former members of the peace officers' retirement system and local police and fire retirement systems who withdrew their accumulated contributions prior to July 1, 1979, the advisability of retaining outside income limits for persons receiving disability retirement allowances under the peace officers' retirement system and local police and fire retirement systems and a method of funding retirement increases in the future.

The study committee shall make periodic reports to the legislative council and a final report to the committees on state government, the legislative council, and the general assembly meeting in the year 1981, accompanied by any bill drafts required to implement the recommendations of the study committee.

Sec. 43. Retirement allowance changes granted in this Act take effect on July 1, 1980 unless otherwise specified in this Act, except that changes for members of the general assembly take effect January 12, 1981.

WILLIAM E. HARBOR
Speaker of the House

TERRY E. BRANSTAD
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2598, Sixty-eighth General Assembly.

BRUCE GRAHAM
Assistant Chief Clerk of the House

Approved _____, 1980

ROBERT D. RAY
Governor



Office of the Governor

STATE CAPITOL
DES MOINES IOWA 50319

ROBERT D. RAY
GOVERNOR

May 20, 1980

The Honorable Melvin D. Synhorst
Secretary of State
State Capitol Building
L O C A L

Dear Mr. Secretary:

I hereby transmit House File 2598, an act relating to administration, benefits, and funding of certain public retirement systems, and to make appropriations.

House File 2598 is approved May 20, 1980, with the following exceptions which I hereby disapprove.

I am unable to approve the item designated in the Act as Section 25 which reads as follows:

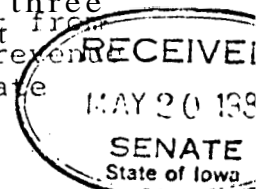
Sec. 25. Section ninety-seven B point fifty-nine (97B.59), Code 1979, is amended to read as follows:

97B.59 ACTUARY EMPLOYED. The department legislative council shall employ an actuary for the department to serve as its technical advisor. The compensation of the actuary and of other employees shall be fixed by the department within the appropriations made therefor and subject to the approval of the legislative council.

I am unable to approve the item designated in the Act as Section 26 which reads as follows:

Sec. 26. Section ninety-seven B point sixty-seven (97B.67), Code 1979, is amended by adding the following new subsection:

NEW SUBSECTION. It is the intent of the general assembly that the general assembly meeting in 1982 review whether there is sufficient unobligated revenue in the general fund of the state to appropriate funds to pay the benefit increases provided in sections three (3), fourteen (14) and twenty-one (21) of this Act from the general fund of the state, and if sufficient revenue is available, the general assembly shall appropriate the funds necessary.



The Honorable Melvin D. Synhorst
Page 2
May 20, 1980

Currently the law authorizes the Department of Job Service, which administers the IPERS system, to hire an actuary for the pension plan. Section 25 would transfer that authority to the Legislative Council and further Provides that the Legislative Council must approve the compensation to be paid not only to the actuary, but all the other IPERS employees as well.

This is clearly a very blatant attempt by the legislature to assume executive authority contrary to the Constitution. The administration of IPERS requires the ability for the Executive Branch to evaluate the soundness of the system and protect its long-standing, financial integrity. An actuary is needed to do the actuarial investigations and annual actuarial valuations required by law. The actuary employed for these purposes must be free from political pressure, which employment by the legislature could jeopardize.

The legislature obviously has need for expert advice when it considers complex and technical pension legislation. It has that through the IPERS actuary. If it believes that yet another view apart from the IPERS actuary is needed, the legislature could hire its own expert. Although it does not seem needed, such an arrangement would provide for an independent analysis of reports from the IPERS office and their actuary, much like the current arrangement between the State Comptroller and the Legislative Fiscal Director.

Beyond the issue of separate actuaries, I am also concerned with the provision for determining the compensation for all employees in the IPERS office by the Legislative Council. The legislature has complete power today to review, revise and approve the budget for the IPERS office. However, the power of the purse does not provide the legislature with the right to invade the administration of an executive agency, hire its employees and determine the salaries of all its employees. As legislators are quick to point out apparent intrusions by agencies into the legislative arena through rule-making, they should also be mindful of their tendencies to encroach into the Executive Branch of government. The setting of salaries is basic to any administration and should not be delegated to another branch of government.

Section 26 of the bill provides legislative intent to reconsider in 1982 the question of funding certain benefits this bill authorizes from the state's general fund rather than from the IPERS trust fund. The latter arrangement was finally agreed to this year after long debate and was influenced by the decline in state general fund revenues experienced late in the session.

The Honorable Melvin D. Synhorst

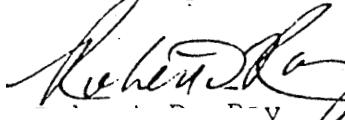
Page 3

May 20, 1980

Since the question of which source of funds should be used can always be raised with or without this section and the fact that we must continue to be cautious about incurring future obligations to the general fund, I believe it is inappropriate to keep this language in the bill. We may be hard pressed in the next biennium to meet the needs of existing state programs and responsibilities already financed from the general fund. Since actuaries have assured us that the IPERS trust fund has sufficient funds to finance all the IPERS improvements included in the bill, it appears that we can accept the arrangement approved this year. It would be unfair to mislead people into believing the source of funding will be easily changed, especially when there are so many other pressing, unmet needs.

For the above reasons, I hereby disapprove these items in accordance with Amendment 4 of the Amendments of 1968 to the Constitution of the State of Iowa. All other items of House File 2598 are hereby approved as of this date.

Sincerely,



Governor

RDR:cg

cc: Secretary of the Senate
Chief Clerk of the House

SENATE FILE 69

AN ACT

RELATING TO THE INCOME REQUIREMENT OF A TOTALLY DISABLED PERSON SEEKING A SPECIAL ASSESSMENT TAX ABATEMENT.

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

Section 1. Section four hundred twenty-five point twenty-three (425.23), subsection three (3), Code 1979 as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter forty-three (43), section nine (9), is amended to read as follows:

3. a. Any person who is eligible to file a claim for credit for property taxes due and who has a household income of five thousand dollars or less and who has a special assessment levied against the homestead may file a claim with the county treasurer that the claimant had a household income of five thousand dollars or less and that a special assessment is presently levied against the homestead. The department shall provide to the respective county treasurers such forms as are necessary for the administration of this subsection. The claim shall be filed not later than September thirtieth of each year. Upon the filing of the claim, no penalty or

interest for late payment shall accrue against the amount of the special assessment due and payable. The claim filed by the claimant shall constitute a claim for credit of an amount equal to the actual amount due and payable upon the special assessment payable during the fiscal year against the homestead of the claimant or an amount equal to the annual payment of the special assessment levied against the homestead of the claimant and payable in annual installments through the period of years provided by the governing body of the city, whichever is less. The department of revenue shall, upon the filing of the claim with the department by the county treasurer, pay that amount of the special assessment during the current fiscal year to the county treasurer. The county treasurer shall submit the claims to the director of revenue not later than October fifteenth of each year. The director of revenue shall certify to the state comptroller the amount of reimbursement due each county for special assessment credits allowed under this subsection. The amount of reimbursement due each county shall be paid by the state comptroller on November fifteenth of each year, drawn upon warrants payable to the respective county treasurer. There is appropriated annually from the general fund of the state to the department of revenue an amount sufficient to carry out the provisions of this subsection. The county treasurer shall credit any moneys received from the department against the amount Of the special assessment due and payable on the homestead of the claimant.

b. For purposes of this subsection, a totally disabled person in computing household income shall deduct all medical and necessary care expenses paid during the twelve-month income tax accounting periods used in computing household income which are attributable to the person's total disability. "Medical and necessary care expenses" are those used in computing the federal income tax deduction under section 213 of the Internal Revenue Code of 1954 as defined in section four hundred twenty-two point four (422.4) of the Code.

Sec. 2. This Act is effective January first following enactment.

TERRY E. BRANSTAD
President of the Senate

WILLIAM H. HARBOR
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 69, Sixty-eighth General Assembly.

FRANK J. STORK
Secretary of the Senate

Approved _____, 1980

ROBERT D. RAY
Governor

SENATE FILE 108

AN ACT

RELATING TO THE CONSTRUCTION AND MAINTENANCE OF SCHOOL HOUSES
BY ALLOWING THE TAX LEVIED UNDER SECTION TWO HUNDRED NINETY-
SEVEN POINT FIVE (297.5) OF THE CODE AND THE UNEXPENDED
CASH BALANCE OF A SCHOOL DISTRICT TO BE SPENT FOR MAJOR
BUILDING REPAIRS.

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

section 1. Section two hundred ninety-seven point five (297.5). Code 1979, is amended to read as follows:

297.5 TAX. The directors in any a high school district maintaining a program kindergarten through grade twelve may, by March ~~15~~ fifteenth of each year certify an amount not exceeding twenty-seven cents per thousand dollars of assessed value to the board of supervisors, who shall levy the amount so certified, and the tax so levied shall be placed in the schoolhouse fund and to be used for the purchase and improvement of sites or for major building repairs used-only ~~for-the-purchase-and-improvement-of-sites-in-and-for-said school-district-as-specified-by-the-directors. Any funds expended by a school district for new construction of school buildings or school administration buildings must first be approved by the voters of the district.~~

For the purpose of this section, "improvement of sites" includes: grading, landscaping, seeding and planting of shrubs and trees; constructing new sidewalks, roadways,

retaining walls, sewers and storm drains, and installing hydrants; original surfacing and soil treatment of athletic fields and tennis courts; furnishing and installing for the first time, flagpoles, gateways, fences and underground storage tanks which are not parts of building service systems; demolition work; and special assessments against the school district for capital improvements such as streets, curbs, and drains.

For the purpose of this section, "purchase of sites" includes legal costs relating to the site acquisition, costs of surveys of the sites, costs of relocation assistance under state and federal law, and other costs incidental to the site acquisition.

For purposes of this section, "major building repairs" includes reconstruction, repair, improvement or remodeling of an existing schoolhouse and additions to an existing schoolhouse and expenditures for energy conservation.

Sec. 2. Section four hundred forty-two point thirteen (442.13), subsection seven (7). Code 1979, is amended to read as follows:

7. The committee may authorize a district to spend a reasonable and specified amount from its unexpended cash balance for the ~~sole~~ purpose or purposes of furnishing, equipping, and contributing to the construction of a new building or structure for which the voters of the district have approved a bond issue as provided by law or a tax as provided in chapter 278 and for major building repairs as defined in section two hundred ninety-seven point five (297.5) of the Code. No other expenditure, including but not limited to expenditures for salaries or recurring costs, shall be authorized under this subsection. Expenditures authorized under this subsection shall not be included in allowable growth or district cost, and the portion of the unexpended cash balance which is authorized to be spent shall be regarded as if it were miscellaneous income. Any part of such amount

which is not actually spent for the authorized purpose shall revert to its former status as part of the unexpended cash balance.

TERRY E. BRANSTAD
President of the Senate

WILLIAM H. HARBOR
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 108, Sixty-eighth General Assembly.

FRANK J. STORK
Secretary of the Senate

Approved: _____, 1980

ROBERT D. RAY
Governor

SENATE FILE 500

1.1.1.1

AN ACT

RELATING TO THE FRANCHISE TAX ON FINANCIAL INSTITUTIONS, ITS IMPOSITION AND RATES, THE DEFINITION OF NET INCOME, PROVIDING A CORRESPONDING ADJUSTMENT IN INTEREST RATES FOR GOVERNMENT BONDS AND MAKING CERTAIN PROVISIONS OF THE ACT RETROACTIVE.

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

Section 1. Section four hundred twenty-two point sixty (422.60), Code 1979, is amended to read as follows:

422.60 IMPOSITION OF TAX. A franchise tax according to and measured by net income is hereby imposed on financial institutions for the privilege of doing business in this state as financial institutions.

Sec. 2. Section four hundred twenty-two point sixty-one (422.61), subsection four (4), Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter ninety-two (92), section three (3), is amended to read as follows:

4. "Net income" means the net income of the financial institution computed in accordance with section 422.35, with the exception that interest and dividends from federal securities shall not be subtracted ~~and interest and dividends from evidences of indebtedness and securities of this state and its political subdivisions, exempt from federal income tax under the Internal Revenue Code of 1954 as amended to and including January 1, 1979, no federal income taxes paid or accrued shall be subtracted, and notwithstanding the provisions of sections two hundred sixty-two point forty-one (262.41) and two hundred sixty-two point fifty-one (262.51) or any other provisions of the law, income from obligations of the state and its political subdivisions and any amount of franchise taxes paid or accrued under this division during the taxable year shall not be added.~~

Sec. 3. Section four hundred twenty-two point sixty-three (422.63), Code 1979, is amended by striking the section and inserting in lieu thereof the following:

422.63 AMOUNT OF TAX. The franchise tax is imposed annually in an amount equal to five percent of the net income received or accrued during the taxable year. If the net income of the financial institution is derived from its business carried on entirely within the state, the tax shall be imposed on the entire net income, but if the business is carried on partly within and partly without the state, the portion of net income reasonably attributable to the business within the state shall be specifically allocated or equitably apportioned within and without the state under rules of the director.

Sec. 4. Franchise taxes voluntarily paid shall not be refunded to the extent that the refund claim is based upon an alleged mistake of law regarding the validity or legality under the laws or Constitution of the United States, of the tax imposed by this division. This section prevails over any other statutes authorizing franchise tax refunds.

Sec. 5. The provisions of sections one (1), two (2) and three (3) of this Act are applicable to taxable years beginning on or after January 1, 1980, and to this extent are retroactive. To the extent that the enactment of this Act requires the filing of an amended franchise tax return by a financial institution for a taxable year beginning in 1980, no interest or penalty shall accrue because of an additional tax due by reason of the provisions of this Act, if the amended return is filed within sixty days of the effective date of this Act.

Sec. 6. NEW SECTION. TEMPORARY RATES.

1. Notwithstanding the interest rate or interest-rate limitation specified in a provision of the Code referred to in subsection two (2) of this section, the interest rate or interest-rate limitation in effect in a provision of the Code referred to in subsection two (2) of this section is a rate

of interest which is equal to the sum of the rate actually specified in that provision plus three percentage points, except that if the ~~bond~~ issue voted at an election or approved by the governing body of a political subdivision is for an amount equal to five million dollars or more, then the provisions of this subsection and subsection two (2) of this section shall not be applicable and those bonds when sold under any of the sections enumerated in subsection two (2) of this section shall not be subject to any interest rate limitations.

2. Subsection one (1) of this section applies to the following sections of the Code: Section nineteen point eight (19.8), Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter twenty-four (24), section one (1); section twenty-eight F point eight (28F.8), and section thirty-seven point six (37.6), Code 1979; section thirty-seven point twenty-eight (37.28), Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter twenty-four (24), section two (2); section seventy-four point two (74.2), Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter twenty-four (24), section three (3); section seventy-five point twelve (75.12), subsections one (I), two (2) and three (3), section one hundred eleven A point six (111A.6), unnumbered paragraph two (2), section one hundred forty-five A point seventeen (145A.17), and section two hundred two point five (202.5), Code 1979; section two hundred two point six (202.6), Code 1979, as amended by Acts of the Sixty-erghth General Assembly, 1979 Session, chapter twenty-four (24), section four (4); section two hundred eighty A point twenty-two (280A.22), unnumbered paragraph two (2), section two hundred ninety-six point one (296.1), section two hundred ninety-eight point twenty-two (298.22), unnumbered paragraph one (1), section three hundred two point twelve (302.12), section three hundred nine point forty-seven (309.47), subsection four (4) and section three hundred nine point seventy-three (309.73),

unnumbered paragraph three (3), Code 1979; section three hundred eleven point sixteen (311.16), unnumbered paragraph two (2), Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter sixty-eight (68), section one (1); section three hundred eleven point seventeen (311.17), unnumbered paragraph one (1), Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter sixty-eight (68), section two (2); section three hundred eleven point twenty-eight (311.28), section three hundred thirty point seven (330.7), unnumbered paragraph five (5), section three hundred thirty point fourteen (330.14), section three hundred thirty point sixteen (330.16), unnumbered paragraph two (2), section three hundred thirty A point nine (330A.9), subsection one (1), section three hundred thirty-two point forty-four (332.44), subsection eight (8), unnumbered paragraph two (2), section three hundred forty-five point sixteen (345.16), section three hundred forty-six point three (346.3), unnumbered paragraph one (1), section three hundred forty-six point twenty-three (346.23), unnumbered paragraph two (2), section three hundred forty-six point twenty-six (346.26), subsection three (3), section three hundred forty-six point twenty-seven (346.27), subsection fourteen (14), section three hundred forty-six A pofnt three (346A.3), unnumbered paragraph two (2), section three hundred forty-seven point five (347.5), section three hundred forty-seven point twenty-seven (347.27), unnumbered paragraphs one (1) and three (3), section three hundred forty-seven A point two (347A.2), section three hundred forty-seven A point seven (347A.7), unnumbered paragraph one (1), section three hundred fifty-seven point twenty (357.20), section three hundred fifty-seven A point eleven (357A.11), subsection eight (8), section three hundred fifty-seven B point four (357B.4), section three hundred fifty-seven C point ten (357C.10), section three hundred eighty-five point twenty-one (385.21), unnumbered paragraph four (4), section three hundred fifty-nine point forty-five (359.45), section three hundred eighty-

four point fifty-seven (384.57), section three hundred eighty-four point sixty (384.60), subsections three (3) and five (5), section three hundred eighty-four point sixty-eight (384.68), subsection two (2), section three hundred eighty-four point eighty-three (384.83), subsection six (6), section three hundred eighty-six point twelve (386.12), subsection four (4), section three hundred ninety-four point one (394.1), unnumbered paragraph two (2), section four hundred three point nine (403.9), subsection three (3), and section four hundred three A point thirteen (403A.13), unnumbered paragraph one (1), Code 1979; section four hundred fifty-four point twenty (454.20), Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter twenty-four (24), section five (5); and section four hundred fifty-five point sixty-four (455.64), subsections one (1) and two (2), section four hundred fifty-five point seventy-seven (455.77), unnumbered paragraph one (1), section four hundred fifty-five point seventy-nine (455.79), section four hundred fifty-five point eighty-three (455.83), section four hundred fifty-five point one hundred seventy-five (455.175), section four hundred fifty-five point one hundred ninety-eight (455.198), section four hundred fifty-five point two hundred thirteen (455.213), section four hundred sixty-one point fourteen (461.14), and section four hundred sixty-three point ten (463.10), Code 1979.

3. Notwithstanding the interest-rate limitation specified in sections four hundred sixty point seven (460.7), four hundred sixty-seven A point thirty-three (467A.33), unnumbered paragraph one (1), and four hundred sixty-seven A point thirty-five (467A.35), subsections one (1) and two (2). Code 1979, the interest-rate limitation which is in effect under each one of those provisions is a rate of interest equal to the sum of the rate of interest actually specified plus four percentage points.

4. Bonds sold on or after the effective date of this Act to finance an improvement for which a final assessment schedule

was adopted prior to the effective date of this Act may bear a rate of interest not to exceed ten percent per annum, and section seventy-five point eleven (75.11) of the Code and any other similar statutory restriction does not apply to these bonds.

Sec. 7. This Act, being deemed of immediate importance, shall take effect from and after its publication in the Muscatine Journal, a newspaper published in Muscatine, Iowa, and in the Carroll Daily Times-Herald, a newspaper published in Carroll, Iowa.

TERRY E. BRANSTAD
President of the Senate

WILLIAM H. HARBOR
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 500, Sixty-eighth General Assembly.

FRANK J. STORK
Secretary of the Senate

Approved _____, 1980

ROBERT D. RAY
Governor

SENATE FILE 2060

AN ACT

TO PERMIT THE SERVING OF FOOD AND BEVERAGES ON THE PREMISES
OF CERTAIN TAX EXEMPT PROPERTY.

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

Section 1. Section four hundred twenty-seven point one (427.1), subsections two (2), eleven (11), and twenty-five (25), Code 1979, are amended to read as follows:

2. MUNICIPAL AND MILITARY PROPERTY. The property of a county, township, city, school corporation, levee district, drainage district or military company of the state of Iowa, when devoted to public use and not held for pecuniary profit except property of a municipally owned electric utility held under joint ownership which shall be subject to assessment and taxation under provisions of chapters 428 and 437. The exemption for property owned by a city or county also applies to property which is operated by a city or county as a library, art gallery or museum, conservatory, botanical garden or display, observatory or science museum, or as a location for holding athletic contests, sports or entertainment events, expositions, meetings or conventions, or leased from the city or county for any such purposes. Food and beverages may be served at the events or locations without affecting the exemptions, provided the city has approved the serving of food and beverages on the property if the property is owned by the city or the county has approved the serving of food and beverages on the property if the property is owned by the county.

11. PROPERTY OF EDUCATIONAL INSTITUTIONS. Real estate owned by any educational institution of this state as a part of its endowment fund, to the extent of one hundred sixty acres in any civil township except any real property acquired

after January 1, 1965, by any educational institution as a part of its endowment fund or upon which any income is derived or used, directly or indirectly, for full or partial payment for services rendered, shall be taxed beginning with the levies applied for taxes payable in the year 1967, at the same rate as all other property of the same class in the taxing district ~~or-districts~~ in which such the real property is located. Such The property acquired prior to January 1, 1965, and held or owned as part of the endowment fund of an educational institution shall be subject to assessment and levy in the assessment year 1974 for taxes payable in 1975. All such the property shall be listed on the assessment rolls in the district ~~or-districts~~ in which such the property is located and an actual fair market value and an assessed or taxable value be ascribed to it, as contemplated by section 441.21, irrespective of whether an exemption under this subsection may be or is affirmed, and such the information shall be open to public inspection; it being the intent of this section that such the property be valued whether or not it be is subject to a levy. Every educational institution claiming an exemption under ~~the-provisions-of~~ this subsection shall file with the assessor not later than February 1 of the year for which such the exemption is requested, a statement upon forms to be prescribed by the director of revenue, describing and locating the property upon which such the exemption is claimed. Property which is located on the campus grounds and used for student union purposes may serve food and beverages without affecting its exemption received pursuant to subsection nine (9) or this subsection.

25. MANDATORY DENIAL. No exemption shall be granted upon any property which is the location of ~~a-federal-retail-liquor sales-permit-or-in-which~~ federally licensed devices not lawfully permitted to operate under the laws of the state ~~of-iowa-are-located~~.

See. 2. This Act, being deemed of immediate importance, takes effect from and after its publication in the West Des Moines Express, a newspaper published in West Des Moines, Iowa, and in the Urbandale News, a newspaper published in Urbandale, Iowa.

TERRY E. BRANSTAD
President of the Senate

WILLIAM H. HARBOR
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2060, Sixty-eighth General Assembly.

FRANK J. STORK
Secretary of the Senate

Approved _____, 1980

ROBERT D. RAY
Governor

SENATE FILE 2071

AN ACT

TO PROVIDE THAT DECLARATIONS OF VALUE SHALL BE PUBLIC INFORMATION.

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

Section 1. Section four hundred twenty-eight A point one (428A.1), unnumbered paragraph two (2), Code 1979, is amended to read as follows:

At the time each deed, instrument, or writing by which any real property in this state shall be granted, assigned, transferred, or otherwise conveyed is presented for recording to the county recorder, a declaration of value signed by at least one of the sellers or one of the buyers or their agents shall be submitted to the county recorder. A declaration of value shall not be required for those instruments described in section 428A.2, subsections 2 to 13, or where any transfer is the result of acquisition of lands, whether by contract or condemnation, for public purposes through an exercise of the power of eminent domain. The declaration of value shall state the full consideration paid for the real property

transferred. If agricultural land, as defined in section 172C.1, is purchased by a corporation, limited partnership, trust, alien or nonresident alien, ~~that-portion-of~~ the declaration of value ~~which-lists~~ shall include the name and address of the buyer, the name and address of the seller, a legal description of the agricultural land, and ~~identifying~~ identify the buyer as a corporation, limited partnership, trust, alien, or nonresident alien ~~shall-be-a-public-record~~. The county recorder shall not record the declaration of value, but shall enter on the declaration of value such information as the director of revenue may require for the production of the sales/assessment ratio study and transmit all declarations of value to the city or county assessor in whose jurisdiction the property is located. The city or county assessor shall enter on the declaration of value such information as the director of revenue may require for the production of the sales/assessment ratio study and transmit all declarations of value to the director of revenue, at such times as directed by the director of revenue. The director of revenue shall, upon receipt of the information required to be filed under the provisions of this chapter by the city or county assessor, send to the office of the secretary of state that part of the declaration of value which ~~is-public record~~ identifies a corporation, limited partnership, trust, alien, or nonresident alien as a purchaser of agricultural land as defined in section one hundred seventy-two C point one (172C.1) of the Code. The county recorder shall ~~not~~ retain any ~~a~~ copy of a ~~the~~ declaration of value for the recorder's records, ~~except-that-the-county-recorder~~ shall ~~retain~~ be available for public inspection ~~a-copy-of that-portion-of-the-declaration-of-value-which-is-public record~~.

Sec. 2. Section four hundred twenty-eight A point fifteen (428A.15), unnumbered paragraphs two (2) and three (3). Code 1979, are amended by striking the unnumbered paragraphs.

Sec. 3. This Act shall take effect and be in force on and retroactive to January 1, 1980, after its publication

in the Adair County Free-Press, a newspaper published in Greenfield, Iowa, and in the Cherokee Daily Times, a newspaper published in Cherokee, Iowa.

TERRY E. BRANSTAD
President of the Senate

WILLIAM H. HARBOR
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2071, Sixty-eighth General Assembly.

FRANK J. STORK
Secretary of the Senate

Approved _____, 1980

ROBERT D. RAY
Governor

AN ACT

APPROPRIATING **FUNDS FROM** THE GENERAL FUND TO PAY **FOR** SPECIAL
ASSESSMENTS RELATING TO A PAVING PROJECT IN THE CITY OF
BOONE, IOWA.

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

Section 1. There is appropriated from the general fund to the executive council for the fiscal year beginning July 1, **1980** and ending June 30, **1981**, the **sum of** four thousand two hundred forty-two dollars and thirty-one cents **(\$4,242.31)**, or so much thereof as is necessary, to pay the city of Boone, Iowa, for assessments remaining against Iowa national guard property for street improvement project, number **1977** #1. Funds appropriated by this Act shall be allocated by the treasurer of state before making the allotments provided for in section three hundred twelve point two **(312.2)** of the Code.

TERRY E. **BRANSTAD**
President **of** the Senate

WILLIAM H. **HARBOR**
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2072, Sixty-eighth General Assembly.

FRANK J. **STORK**
Secretary of the Senate

Approved _____, 1980

ROBERT D. **RAY**
Governor

SENATE FILE 2088

AN ACT

ALLOCATING FUNDS FROM MONIES APPROPRIATED TO THE IOWA BEER AND LIQUOR CONTROL DEPARTMENT FOR THE PURCHASE OF A SITE FOR A WAREHOUSE.

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

Section 1. Notwithstanding the provisions of Acts of the Sixty-eighth General Assembly, 1979 Session, chapter fourteen (14), section twelve (12), subsection two (2), paragraphs b and c, there shall be allocated on the effective date of this Act from funds appropriated pursuant to the Acts of the Sixty-eighth General Assembly, 1979 Session, chapter fourteen (14), section twelve (12), subsection two (2), paragraph b, an amount not exceeding three hundred thousand (300,000) dollars to be used by the Iowa beer and liquor control department to purchase land described as lot 13, Ankeny Industrial Park, which is located in Ankeny, Iowa, and for closing costs related to the purchase of the land and for any preliminary architectural fees incurred and payable between the time of the effective date of this Act and July 1, 1980. The attorney general and the executive council shall provide assistance to the Iowa beer and liquor control department if such assistance is needed in carrying out the provisions of this Act.

This Act shall constitute the legislative directive to the beer and liquor control department required by the Acts of the Sixty-eighth General Assembly, 1979 Session, chapter fourteen (14), section twelve (12), subsection two (2), paragraph c.

Sec. 2. This Act, being deemed of immediate importance, takes effect from and after its publication in The Council

Bluffs Nonpareil, a newspaper published in Council Bluffs, Iowa, and in The DeWitt Observer, a newspaper published in DeWitt, Iowa.

TERRY E. BRANSTAD
President of the Senate

FLOYD H. MILLEN
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2088, Sixty-eighth General Assembly.

FRANK 3. STORK
Secretary of the Senate

Approved _____, 1980

ROBERT D. RAY
Governor

SENATE FILE 2183

AN ACT

PROVIDING THAT THE IOWA CORN PROMOTION BOARD SHALL COLLECT THE ASSESSMENT ON CORN MARKETED IN THIS STATE AND MAKE REFUNDS, AND ADDING A NEW DEFINITION.

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

Section 1. Section one hundred eighty-five C point one (185C.1), subsections nine (9) and eleven (11), Code 1979, are amended to read as follows:

9. "Corn" means and includes all kinds of varieties of corn ~~grown-in-this-state-and~~ marketed or sold as corn by the producer but shall not include sweet corn, or popcorn or seed corn.

11. "Assessment" means an excise tax on each bushel of corn ~~raised-and-sold~~ marketed in this state as provided in this chapter.

Sec. 2. Section one hundred eighty-five C point one (185C.1), Code 1979, is amended by adding the following new subsection:

NEW SUBSECTION. 12. "Marketed in this state" refers to a sale of corn to a first purchaser who is a resident of or doing business in this state where actual delivery of the corn occurs in this state.

Sec. 3. Section one hundred eighty-five C point ten (185C.10), Code 1979, is amended to read as follows:

185C.10 EX OFFICIO MEMBERS. The secretary, the dean of the college of agriculture of Iowa State University of science and technology, and the director of the Iowa development commission, or their designees, and two representatives of first purchaser organizations shall serve on the board as ex officio members. One each of the two first purchaser representatives shall be appointed by, and serve at the

pleasure of, the ~~Iowa~~ grain and feed association and ~~the farmers-grain-dealers-association-of-Iowa~~ agri-industries.

Sec. 4. Section one hundred eighty-five C point thirteen (185C.13), subsection four (4), Code 1979, is amended to read as follows:

4. Enter into arrangements for collection of the assessment on ~~Iowa-grown~~ corn ~~from persons purchasing corn at the side-of-Iowa~~ marketed in this state.

Sec. 5. Section one hundred eighty-five C point twenty-one (185C.21), Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter forty-nine (49), section one (1), is amended to read as follows:

185C.21 ASSESSMENT. The board shall set the assessment rate. Assessments pursuant to the promotional order shall be paid into the corn promotion fund established in section 185C.26. An assessment shall not exceed one-quarter of one cent per bushel upon corn ~~produced~~ marketed in this state ~~and-sold-to-a-first-purchaser~~. The rate of assessment shall be determined by the board but shall not be changed, once established, during a marketing year.

Sec. 6. Section one hundred eighty-five C point twenty-three (185C.23), Code 1979, is amended to read as follows:

185C.23 DEDUCTION OF ASSESSMENT. The assessment shall be deducted from the purchase price of corn at the time of sale, and forwarded to the ~~secretary board~~ by the first purchaser in the manner and at intervals determined by the board.

Sec. 7. Section one hundred eighty-five C point twenty-six (185C.26), Code 1979, is amended to read as follows:

185C.26 DEPOSIT OF FUNDS. Assessments collected by the ~~secretary board~~ from a sale of corn shall be deposited in the office of the treasurer of state together with any gifts, or any federal or state grant as may be received by the board, and placed in a special fund to be known as the corn promotion fund. Moneys collected shall be subject to audit by the

auditor of state. From moneys collected, the board shall first pay all the direct and indirect costs incurred by the secretary and the costs of referendums, elections and other expenses incurred in the administration of this chapter, and thereafter moneys may be expended for the purpose of market development. The fund shall be subject at all times to warrants by the state comptroller, drawn upon the written requisition of the ~~chairman~~ chairperson of the board and attested to by the secretary of the board.

Sec. 8. Section one hundred eighty-five C point twenty-seven (185C.27), Code 1979, is amended to read as follows:

185C.27 REFUND OF ASSESSMENT. A producer who has sold corn and had an assessment deducted from the sale price may, by application in writing to the secretary board, secure a refund in the amount deducted. The refund shall be payable only when the application shall have been made to the secretary board within sixty days after the deduction. Application forms shall be given by the board to each first purchaser when requested and the first purchaser shall make the applications available to any producer. Each application for refund by a producer shall have attached thereto proof of assessment deducted. The proof of assessment may be in the form of a duplicate or certified copy of the purchase invoice by the first purchaser. The secretary board shall have thirty days from the date the application for refund is received to remit the refund to the producer.

Sec. 9. Section one hundred eighty-five C point thirty-two (185C.32), Code 1979, is amended to read as follows:

185C.32 FIRST PURCHASER INFORMATION. Every first purchaser shall upon request furnish the secretary with such information as is necessary to enable the secretary and the board to carry out the provisions of this chapter. Such information shall be provided as prescribed by the secretary. The secretary may examine any records relating to the purchase or assessment of corn by any first purchaser. The secretary may hold

hearings, take testimony, administer oaths, subpoena witnesses, and issue subpoenas as may be necessary ~~to carry out the provisions for the proper administration of this chapter.~~ When requested by the board, the secretary shall employ these powers in the manner requested.

Sec. 10. Section one hundred eighty-five C point thirty-three (185C.33), Code 1979, is amended to read as follows:

185C.33 ANNUAL REPORT. The secretary board shall make an annual report to the secretary on or before December 1 of each year, showing all income and expenses and other relevant information concerning assessments collected and expended under the provisions of this chapter.

TERRY E. BXANSTAD
President of the Senate

WILLIAM H. HARBOR
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2183, Sixty-eighth General Assembly.

FRANK J. STORK
Secretary of the Senate

Approved _____, 1980

ROBERT D. RAY
Governor

SENATE FILE 2197

AN ACT

RELATING TO THE SALE OF WINE AND CREATING A LICENSE THEREFOR.

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

Section 1. Section one hundred twenty-three point thirty (123.30), subsection three (3), paragraph c, is amended to read as follows:

c. CLASS "C". A class "C" liquor control license may be issued to a commercial establishment but must be issued in the name of the individual or individuals who actually own the entire business and shall authorize the holder or holders to purchase alcoholic liquors from the department only, and to sell such liquors, and beer, to patrons by the individual drink for consumption on the premises only, however, beer may also be sold for consumption off the premises.

A special class "C" liquor control license may be issued and shall authorize the holder or holders to purchase wine containing not more than seventeen percent alcohol by weight from the department only, and to sell such wine, and beer, to patrons by the individual drink for consumption on the premises only, however, beer may also be sold for consumption off the premises. The license issued to holders of a special class "C" license shall clearly state on its face "alcoholic liquor, limited to wine only."

Sec. 2. Section one hundred twenty-three point thirty-six (123.36), Code 1979, is amended by adding the following new subsection:

NEW SUBSECTION. Class "C" liquor control licenses which limit sales of alcoholic liquor to wine containing not more than seventeen percent alcohol by weight, a sum as follows:

a. Commercial establishments located within the corporate limits of cities of ten thousand population and over, four hundred fifty dollars.

b. Commercial establishments located within the corporate limits of cities of over fifteen hundred and less than ten thousand population, three hundred dollars.

c. Commercial establishments located within the corporate limits of cities of fifteen hundred population or less, one hundred fifty dollars.

d. Commercial establishments located outside the corporate limits of any city, a sum equal to that charged in the incorporated city located nearest the premises to be licensed, and in case there is doubt as to which of two or more differing corporate limits are the nearest, the license fee which is the larger shall prevail.

Sec. 3. Section one hundred twenty-three point thirty-six (123.36), subsection seven (7), Code 1979, is amended to read as follows:

7. The department shall credit all fees to the beer and liquor control fund ~~and~~. The department shall remit to the appropriate local authority, a sum equal to sixty-five percent of the fees collected for each class "A", class "B", or class "C" license except special class "C" licenses, covering premises located within their respective jurisdictions. The department shall remit to the appropriate local authority a sum equal to seventy-five percent of the fees collected for each special class "C" license covering premises located within their respective jurisdictions. However, that amount remitted to the ~~The~~ appropriate local authority out-of to receive the fee collected for the privilege authorized under subsection 6 shall-be-deposited is the appropriate county which shall deposit the fee in the county mental health and

institutions fund to be used *only* for the care and treatment of persons admitted or committed to the alcoholic treatment center at Oakdale or any facilities as provided in chapter 125.

TERRY E. BRANSTAD

President of the Senate

WILLIAM H. HARBOR

Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2197, Sixty-eighth General Assembly.

FRANK J. STORK

Secretary of the Senate

Approved _____, 1980

ROBERT D. RAY

Governor

SENATE FILE 2238

, ANACT

RELATING TO THE IOWA SOYBEAN PROMOTION LAW BY INCREASING THE MAXIMUM SOYBEAN ASSESSMENT, REQUIRING THE IOWA SOYBEAN PROMOTION BOARD TO COLLECT THE STATUTORY SOYBEAN ASSESSMENT AND TO PAY REFUNDS, MAKING THE EX OFFICIO BOARD MEMBERS NONVOTING, DELETING CERTAIN REFERENCES TO THE AMERICAN SOYBEAN ASSOCIATION AND AMERICAN SOYBEAN INSTITUTE, AND ADDING A NEW DEFINITION.

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

Section 1. Section one hundred eighty-five point one (185.1), subsections nine (9) and eleven (11), Code 1979, are amended to read as follows:

9. "Soybeans" means and includes all kinds of varieties of soybeans ~~grown-in-this-state-and~~ marketed or sold as soybeans by the producer.

11. "Assessment" means an excise tax on each bushel of soybeans ~~raised-and-sold~~ marketed in this state as provided in this chapter.

Sec. 2. Section one hundred eighty-five point one (185.1), Code 1979, is amended by adding the following new subsection:

NEW SUBSECTION. "Marketed in this state" refers to a sale of soybeans to a first purchaser who is a resident of or doing business in this state where actual delivery of the soybeans occurs in this state.

Sec. 3. Section one hundred eighty-five point ten (185.10), Code 1979, is amended to read as follows:

185.10 EX OFFICIO MEMBERS. The secretary, the dean of the college of agriculture of Iowa State University of science and technology, and the director of the Iowa development commission, or their designees, and two representatives of first purchaser organizations shall serve on the board as nonvoting ex officio members. One each of the two first purchaser representatives shall be appointed by, and serve at the pleasure of, the Iowa grain and feed association and ~~the-farmers-grain-dealers-association-of-Iowa~~ agri-industries.

Sec. 4. Section one hundred eighty-five point thirteen (185.13), subsection four (4), Code 1979, is amended to read as follows:

4. Enter into arrangements for collection of the assessment ~~on Iowa-grown soybeans from persons purchasing soybeans outside of Iowa~~ marketed in this state.

Sec. 5. Section one hundred eighty-five point twenty-one (185.21), Code 1979, is amended to read as follows:

185.21 ASSESSMENT. The board shall set the assessment rate. Assessments pursuant to the promotional order shall be paid into the soybean promotion fund established in section 185.26. An assessment shall not exceed ~~one-half~~ one cent per bushel upon soybeans produced marketed in this state and sold to a first purchaser. The rate of assessment shall be determined by the board but shall not be changed, once established, during a marketing year.

Sec. 6. Chapter one hundred eighty-five (185), Code 1979, is amended by adding the following new section:

NEW SECTION. SPECIAL REFERENDUM. At any time prior to expiration of the four-year promotional order which commenced December 15, 1979 and upon the petition of one hundred producers, the secretary shall call a special referendum on the question whether an increase of the assessment above the statutory maximum of one-half cent per bushel in effect prior to July 1, 1980. shall be authorized. The special referendum shall be conducted as provided in this chapter for referendum elections and shall not affect the existence or length of the promotional order in effect. If a majority of the producers voting in the special referendum approve, the board may at the end of a marketing year increase the assessment to the amount approved in the special referendum, not to exceed one cent per bushel. This section is repealed effective December 15, 1983.

Sec. 7. Section one hundred eighty-five point twenty-three (185.23), Code 1979, is amended to read as follows:

185.23 DEDUCTION OF ASSESSMENT. The assessment shall be deducted from the purchase price of soybeans at the time of sale, and forwarded to the eeefebary board by the first

purchaser in the manner and at intervals determined by the board.

Sec. 8. Section one hundred eighty-five point twenty-four (185.24), Code 1979, is amended to read as follows:

185.24 CANCELLATION OF ORDER. If a promotional order has been canceled by a referendum, and all funds expended, the board shall cease to function. Any funds remaining one year following the termination of a promotional order shall be disbursed by the board to the Iowa soybean association, ~~American-soybean-association, or the American-soybean-institute for-market-development-activities.~~ However, if a future referendum passes, the board shall be reorganized by the secretary and members shall serve out their terms as though there had been no lapse of time between effective orders.

Sec. 9. Section one hundred eighty-five point twenty-six (185.26), Code 1979, is amended to read as follows:

185.26 DEPOSIT OF FUNDS. Assessments collected by the ~~secretary~~ board from a sale of soybeans shall be deposited in the office of the treasurer of state together with any gifts, or any federal or state grant as may be received by the board, and placed in a special fund to be known as the soybean promotion fund. Moneys collected shall be subject to audit by the auditor of state. From moneys collected, the board shall first pay the costs of referendums, elections and other expenses incurred in the administration of this chapter, and thereafter moneys may be expended for the purpose of market development. The fund shall be subject at all times to warrants by the state comptroller, drawn upon the written requisition of the chairman of the board and attested to by the secretary of the board.

Sec. 10. Section one hundred eighty-five point twenty-seven (185.27), Code 1979, is amended to read as follows:

185.27 REFUND OF ASSESSMENT. A producer who has sold soybeans and had an assessment deducted from the sale price may, by application in writing to the ~~secretary~~ board, secure a refund in the amount deducted. The refund shall be payable only when the application shall have been made to the secretary board within sixty days after the deduction. Application

forms shall be given by the board to each first purchaser when requested and the first purchaser shall make the applications available to any producer. Each application for refund by a producer shall have attached thereto proof of assessment deducted. The proof of assessment may be in the form of a duplicate or certified copy of the purchase invoice by the first purchaser. The ~~secretary~~ board shall have thirty days from the date the application for refund is received to remit the refund to the producer.

Sec. 11. Section one hundred eighty-five point twenty-nine (185.29), Code 1979, is amended to read as follows:

185.29 REMISSION OF EXCESS FUNDS. After the costs of elections, referendum, necessary board expenses and administrative costs have been paid, at least seventy-five percent of the remaining funds in the soybean promotion fund shall be ~~remitted to such organizations as the Iowa Soybean Association and the American Soybean Association~~ expended for market development activities to include developing and expanding new markets for soybeans and soybean products worldwide. The funds can only be used for research, promotion, and education in co-operation with agencies who are equipped to do this kind of work.

~~Notwithstanding the provisions of this section, not more than three hundred thousand dollars of the funds in the soybean promotion fund may be made available for relocating the American Soybean Association within the state of Iowa.~~

Sec. 12. Section one hundred eighty-five point thirty-two (185.32), Code 1979, is amended to read as follows:

185.32 FIRST PURCHASER INFORMATION. Every first purchaser shall upon request furnish the secretary with such information as is necessary to enable the secretary and the board to carry out the provisions of this chapter. Such information shall be provided as prescribed by the secretary. The secretary may examine any records relating to the purchase, sale, storage, processing, handling, or assessment of soybeans by any first purchaser. The secretary may hold hearings, take testimony, administer oaths, subpoena witnesses, and issue subpoena: ~~as may be necessary to carry out the provisions~~ for the proper administration of this chapter.

Sec. 13. Section one hundred eighty-five point thirty-three (185.33), Code 1979, is amended to read as follows:

185.33 ANNUAL REPORT. The ~~secretary~~ board shall make an annual report to the secretary on or before November 1 of each year, showing all income and expenses and other relevant information concerning assessments collected and expended under the provisions of this chapter.

TERRY E. BRANSTAD

President of the Senate

WILLIAM H. HARBOR

Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2238, Sixty-eighth General Assembly.

FRANK J. STORK

Secretary of the Senate

Approved _____, 1980

ROBERT D. RAY

Governor

S.F. 2238

SENATE FILE 2241

AN ACT

RELATING TO APPROPRIATIONS FOR THE FISCAL YEARS BEGINNING JULY 1, 1979 AND 1980, BY SUPPLEMENTING AND ADJUSTING APPROPRIATIONS AND AMENDING RESTRICTIONS CONTAINED IN THE ACTS OF THE SIXTY-EIGHTH GENERAL ASSEMBLY, 1979 SESSION, AND MAKING ADDITIONAL APPROPRIATIONS.

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

Section 1. The appropriation from the general fund of the state to the Iowa commission for the blind made for the fiscal year beginning July 1, 1979 and ending June 30, 1980 by the Acts of the Sixty-eighth General Assembly, 1979 Session, chapter thirteen (13), section one (1), is reduced by twenty-two thousand four hundred (22,400) dollars.

Sec. 2. There is appropriated from the general fund of the state to the state educational radio and television facility for the fiscal year beginning July 1, 1979 and ending June 30, 1980, the sum of eighty-seven thousand (87,000) dollars, or so much thereof as may be necessary, to supplement funds appropriated by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter thirteen (13), section six (6).

Sec. 3. There is appropriated from the general fund of the state to the Iowa state civil rights commission for the fiscal year beginning July 1, 1979 and ending June 30, 1980, the sum of nine thousand (9,000) dollars, or so much thereof as may be necessary, to be used for the same purposes and to supplement funds appropriated by the Acts of the Sixty-eighth General Assembly, 1979 Session, chapter nine (9), section two (2), subsection one (1).

Sec. 4. There is appropriated from the general fund of the state to the commission on the status of women for the

fiscal year beginning July 1, 1979 and ending June 30, 1980, the sum of five thousand one hundred (5,100) dollars, or so much thereof as may be necessary, to be used for the same purposes and to supplement funds appropriated by the Acts of the Sixty-eighth General Assembly, 1979 Session, chapter nine (9), section two (2), subsection four (4). Notwithstanding the provisions of the Acts of the Sixty-eighth General Assembly, 1979 Session, chapter nine (9), section two (2), subsection four (4), the full-time equivalent positions shall be three point twenty-five for the fiscal year beginning July 1, 1979.

Sec. 5. There is appropriated from the general fund of the state to the board of medical examiners for the fiscal year beginning July 1, 1979 and ending June 30, 1980, the sum of sixteen thousand (16,000) dollars, or so much thereof as may be necessary, to be used for the same purposes and to supplement funds appropriated by the Acts of the Sixty-eighth General Assembly, 1979 Session, chapter nine (9), section three (3), subsection one (1).

Sec. 6. There is appropriated from the general fund of the state to the state department of health, community health division, for the fiscal year beginning July 1, 1979 and ending June 30, 1980 the sum of five hundred twenty-eight thousand (578,000) dollars, or so much thereof as may be necessary, to be used for the same purposes and to supplement funds appropriated by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter nine (9), section four (4), subsection seven (7), paragraph a. However, from the funds appropriated by this section ninety-four thousand (94,000) dollars, or so much thereof as may be necessary, shall be used to pay bills which were outstanding prior to July 1, 1979.

Sec. 7. There is appropriated from the general fund of the state to the state department of health, health facilities division, for the fiscal year beginning July 1, 1979 and ending June 30, 1980 the sum of one hundred sixty-seven

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thousand (167,000) dollars, or so much thereof as may be necessary, to be used for the same purposes and to supplement funds appropriated by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter nine (9), section four (4), subsection two (2), paragraph a.

Sec. 8. Notwithstanding the provisions of the Acts of the Sixty-eighth General Assembly, 1979 Session, chapter nine (9), section four (4), subsection two (2), paragraph b, the full-time equivalent positions for the health planning agency shall be thirteen for the fiscal year beginning July 1, 1979.

Sec. 9. Notwithstanding the provisions of the Acts of the Sixty-eighth General Assembly, 1979 Session, chapter nine (9), section one (1), subsection one (1), the full-time equivalent positions for the commission on aging shall be twenty-eight point twenty-five for the fiscal year beginning July 1, 1979. Two full-time equivalent positions are approved for care review activities contingent upon the receipt of federal funds.

Sec. 10. There is appropriated from the general fund of the state to the energy policy council for the fiscal year beginning July 1, 1979 and ending June 30, 1980 the sum of forty thousand (40,000) dollars, or so much thereof as may be necessary, to be used for the same purposes and to supplement funds appropriated by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter twelve (12), section thirteen (13), subsection one (1). The limit on full-time equivalent positions contained in that subsection shall not apply during the fiscal year beginning July 1, 1979.

Sec. 11. There is appropriated from the general fund of the state to the Iowa natural resources council for the fiscal year beginning July 1, 1979 and ending June 30, 1980 the sum of sixteen thousand (16,000) dollars, or so much thereof as may be necessary, to be used for the same purposes and to supplement funds appropriated by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter twelve (12), section eighteen (18), subsection two (2).

Sec. 12. There is appropriated from the general fund of the state to the state board of engineering examiners for the fiscal year beginning July 1, 1979 and ending June 30, 1980, the sum of two thousand (2,000) dollars, or so much thereof as may be necessary, to be used for the same purposes and to supplement funds appropriated by the Acts of the Sixty-eighth General Assembly, 1979 Session, chapter four (4), section one (1), subsection five (5). Notwithstanding the number of full-time equivalent positions specified in Acts of the Sixty-eighth General Assembly, 1979 Session, chapter four (4), section one (1), subsection five (5), the maximum number of full-time equivalent positions for the state board of engineering examiners for the 1979-80 fiscal year is two point one hundred twenty-five.

Sec. 13. There is appropriated from the general fund of the state to the department of revenue for the fiscal year beginning July 1, 1979 and ending June 30, 1980, the sum of eighteen thousand (18,000) dollars, or so much thereof as may be necessary, to be used for a humidifier system and to supplement funds appropriated by the Acts of the Sixty-eighth General Assembly, 1979 Session, chapter four (4), section two (2), subsection fourteen (14).

Sec. 14. There is appropriated from the general fund of the state to the department of revenue for the fiscal year beginning July 1, 1979 and ending June 30, 1980, the sum of one hundred thousand (100,000) dollars, or so much thereof as may be necessary, to be used for its capital assets pricing model program and to supplement funds appropriated by the Acts of the Sixty-eighth General Assembly, 1979 Session, chapter four (4), section two (2), subsection fourteen (14).

Sec. 15. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section three (3), subsection one (1) is amended to read as follows:

1. For the operation of the Eldora training school, Mitchell-

ville training school and ~~state~~
juvenile home, including salaries
and support, maintenance and mis-
cellaneous purposes \$ 7,000,000 \$ 6,900,000

Notwithstanding section eight point thirty-three (8.331 of the Code, unencumbered or unobligated funds appropriated by this subsection for the fiscal year beginning July 1, 1979 and ending June 30, 1980 shall not revert to the general fund of the state until June 30, 1981. It is the intent of the general assembly that funds not expended under this subsection be expended to provide juvenile services pursuant to Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section four (4).

Sec. 16. Act 8 of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8). section four (4) is amended to read as follows:

SEC. 4. There is appropriated from the general fund of the state for each fiscal year of the biennium beginning July 1, 1979 and ending June 30, 1981 to the department of social services for juvenile community-based ~~corrections~~ services designed to deinstitutionalize individuals or to prevent their institutionalization the following amounts, or so much thereof as may be necessary:

1979-1980	1980-1981
<u>Fiscal Year</u>	<u>Fiscal Year</u>
\$ 320,000	\$ 320,000

1. The department of social services shall continue the program of project grants to communities which are developing community-based juvenile services designed to deinstitutionalize individuals or to prevent their institutionalization, including but not limited to community-based correctional services and community-based residential correctional programs services. It shall work with local communities and the Iowa crime commission to provide incentives to make maximum use of available federal funds. Insofar as

practical, the department shall provide technical assistance to local groups which intend to establish or improve community-based juvenile ~~residential-correctional-programs~~ services designed to deinstitutionalize individuals or prevent their institutionalization.

2. Service specifications shall be developed by the department to meet the goals of deinstitutionalization of individuals and prevention of their institutionalization, with special emphasis given to services needed by localities. During the fiscal year beginning July 1, 1980 and ending June 30, 1981, the department may use up to forty percent of the funds available to it pursuant to the delayed reversion provided for by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section ~~three (3)~~, subsection one (1), as amended by section fifteen (15) of this Act, but in no event more than one hundred fifty thousand (150,000) dollars, to stimulate, develop and operate such programs in areas for which service needs have been clearly identified but for which there is no community service Provider capable of providing a needed service.

Sec. 17. Act 8 of the Sixty-seventh General Assembly, 1978 Session, chapter one thousand eighteen (1018), section six (6), subsection one (1), paragraph c, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section five (5), subsection nine (9), is amended to read as follows:

c. Community-based corrections \$ 8,175,000

Notwithstanding section eight point thirty-three (8.33) of the Code, unencumbered or unobligated funds appropriated by this paragraph shall not revert to the general fund until June 30, ~~1980~~ 1981.

Sec. 18. There is appropriated from the general fund of the state to the department of social services for the fiscal year beginning July 1, 1979 and ending June 30, 1980, the

sum of four million ~~five hundred~~ seventy thousand (4,570,900) dollars, or so much thereof as may be necessary, to be used for the same purposes and to supplement funds appropriated by the Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section eight (8), subsection two (2).

Sec. 19. The appropriation from the general fund of the state to the department of social services made for the fiscal year beginning July 1, 1979 and ending June 30, 1980 by the Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section eight (8), subsection four (4), is reduced by six hundred ~~ten~~ thousand (610,000) dollars.

Sec. 20. There is appropriated from the general fund of the state to the department of social services for the fiscal year beginning July 1, 1979 and ending June 30, 1980, the sum of one hundred thirty-eight thousand (138,000) dollars, or so much thereof as may be necessary, to supplement funds appropriated by the Acts of the sixty-eighth General Assembly, 1979 Session, chapter eight (8), section eight (8), subsection six (6). The money appropriated by this section shall be used far the purpose provided by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section seventeen (17), subsection two (2).

Sec. 21. There is appropriated from the general fund of the state to the department of social services for the fiscal year beginning July 1, 1979 and ending June 30, 1980, the sum of one million two hundred thousand (1,200,000) dollars, or so much thereof as may be necessary, to be used for the same purposes and to supplement funds appropriated by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section eight (8), subsection thirteen (13).

Sec. 22. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section eight (8), subsection ~~thirteen~~ (13), unnumbered paragraph two (2) is amended to read as follows:

It is the intent of the general assembly that funds appropriated under this subsection be used for local purchase of service contracts, ~~and primarily to help avoid the institutionalization of individuals and to provide child care.~~

Sec. 23. There is appropriated from the general fund of the state to the courts of this state for the fiscal year beginning July 1, 1979 and ending June 30, 1980, the sum of eighty-three thousand five hundred fifty-seven (83,557) dollars, or so much thereof as may be necessary, to be used for the same purposes and to supplement funds appropriated by the Acts of the Sixty-eighth General Assembly, 1979 Session, chapter two (2), section three (3).

Sec. 24. There is appropriated from the general fund of the state to the department of general services for the fiscal year beginning July 1, 1979 and ending June 30, 1980 for the remodeling of executive hills for the use of the Iowa arts council and other departments the sum of twenty-five thousand (25,000) dollars, or so much thereof as may be necessary. The director of the Iowa arts council shall select the coloring of the carpet to be installed in that portion of executive hills which contains offices of the Iowa arts council.

Sec. 25. There is appropriated from the general fund of the state to the Iowa law enforcement academy for the fiscal year beginning July 1, 1979 and ending June 30, 1980, the sum of eleven thousand (11,000) dollars, or so much thereof as may be necessary, to be used for the same purposes and to supplement funds appropriated by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eleven (11), section two (2), subsection one (1), paragraph a.

Sec. 26. There is appropriated from the general fund of the state to the department of public defense for the fiscal year beginning July 1, 1979 and ending June 30, 1980, the sum of eight thousand seven hundred fifty (8,750) dollars, or so much thereof as may be necessary, to be used for the same purposes and to supplement funds appropriated by Acts

of the Sixty-eighth General Assembly, 1979 Session, chapter eleven (11), section two (2), ~~subsection two (2), paragraph a.~~

Sec. 27. There is appropriated from the general fund of the state to the department of public safety for the fiscal year beginning July 1, 1979 and ending June 30, 1980, the sum of eighty-five thousand (85,000) dollars, or so much thereof as may be necessary, to be used for the same purposes and to supplement funds appropriated by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eleven (11), section three (3), subsection three (3), paragraph a.

Sec. 28. There is appropriated from the general fund of the state to the department of public safety for the fiscal year beginning July 1, 1979 and ending June 30, 1980, the sum of one hundred sixty-five thousand (165,000) dollars, or so much thereof as may be necessary, to be used for the same purposes and to supplement funds appropriated by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eleven (11), section three (3), subsection four (4), paragraph a.

Sec. 29. There is appropriated from the general fund of the state to the department of public safety for the fiscal year beginning July 1, 1979 and ending June 30, 1980 the sum of sixty thousand (60,000) dollars, or so much thereof as may be necessary, for the acquisition of land and construction of a departmental office building in the area of post eleven.

Any unencumbered balance remaining as of June 30, 1982, of the funds appropriated by this section shall revert to the general fund of the state on September 30, 1982.

Sec. 30. Notwithstanding the provisions of section eight point thirty-nine (8.39) of the Code, funds appropriated under sections eighteen (18) and twenty (20) of this Act shall not be subject to transfer to any other department, institution or agency. Any unencumbered or unobligated balance of any appropriation made under sections eighteen (18) or twenty

(20) of this Act which exists on June 30, 1980 shall revert to the fund from which it was appropriated.

Sec. 31. This Act, being deemed of immediate importance, takes effect from and after its publication in The Independent, a newspaper published in Hawarden, Iowa, and in the Oskaloosa Daily Herald, a newspaper published in Oskaloosa, Iowa.

TERRY E. BRANSTAD
President of the Senate

WILLIAM H. HARBOR
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2241, Sixty-eighth General Assembly.

FRANK J. STORK
Secretary of the Senate

Approved _____, 1980

ROBERT D. RAY
Governor

S.F. 2241

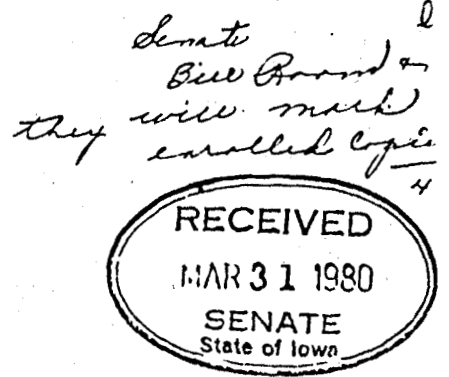


ROBERT D. RAY
GOVERNOR

Office of the Governor

STATE CAPITOL
DES MOINES, IOWA 50319

March 28, 1980



The Honorable Melvin D. Synhorst
Secretary of State
State Capitol Building
LOCAL

Dear Mr. Secretary:

I hereby transmit Senate **File** 2241, an act relating to appropriations for the fiscal years beginning July 1, 1979 and 1980, by supplementing and adjusting appropriations and amending restrictions contained in the Acts of the Sixty-eighth General Assembly, 1979 Session, and making additional appropriations.

Senate File 2241 is approved March 28, 1980, with the following exceptions which I hereby disapprove.

I am unable to approve the item designated as Section 19 which reads as follows:

- ✓ Sec. 19. The appropriation from the general fund of the state to the department of social services made for the fiscal year beginning July 1, 1979 and ending June 30, 1980 by the Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section eight (8), subsection four (4), is reduced by six hundred ten thousand (610,000) dollars.

I am unable to approve the item designated as Section 30 which reads as follows:

- ✓ Sec. 30. Notwithstanding the provisions of section eight point thirty-nine (8.39) of the Cdde, funds appropriated under sections eighteen (18) and **twenty** (20) of this **Act** shall not be subject to transfer to any other department, institution or agency. Any unencumbered or unobligated balance of any appropriation made under sections eighteen (18) or twenty (20) of this Act which exists on June 30, 1980 shall revert to the fund from which it was appropriated.

The Honorable Melvin D. Synhorst
Page '2
March 28, 1980

As reasons for this disapproval I submit the following:

The purpose of Section 19 of this bill is to reduce the FY 1980 medical assistance (Title XIX) appropriation by \$610,000. The Department of Social Services believes that such a reduction can be made without adversely affecting this medical assistance program.

On the other hand, this bill does not appropriate sufficient funds to cover the anticipated increase in the Aid to Dependent Children caseload. This deficiency can be partially met by retaining the \$610,000 in this bill and making a fund transfer under Section 8.39 of the Iowa Code. The Chairmen of the Social Services Appropriations Subcommittees concur in this course of action.

While as Governor I have used this transfer authority sparingly and have not used it at all during this fiscal year, I do believe it should be employed on occasion when a mandated program must be funded and the appropriation is insufficient. This option needs to be available in this case.

It is difficult to estimate accurately the costs of the medical assistance and the Aid to Dependent Children programs. The legislature has tended to regard these two appropriations as though they were standing unlimited appropriations due to the difficulty in estimating their final costs. While it is always hoped that adjustments at the end of the year will not be necessary for the ADC and medical assistance programs, it seldom happens.

Since the time I submitted our budget recommendations to the General Assembly and the Social Services Appropriations Subcommittees acted upon the requests, the Department of Social Services has reported that the current caseload is 102,300, which is 4,000 persons more on a per-month average than was estimated in January. In addition to the \$4,570,000 contained in this bill, the Department of Social Services estimates that slightly more than \$1,000,000 will be necessary to maintain current benefit levels for the remainder of this fiscal year.

The under-funding in ADC and the surplus in medical assistance just discussed underscores the need for flexibility in the executive branch once legislative appropriations have been made. Section 30 of this bill restricts the Governor and State Comptroller's authority to transfer funds from one agency to another when the original appropriation has proven

The Honorable Melvin D. Synhorst
Page 3
March 28, 1980

to be insufficient to meet the legitimate expenses of the receiving agency. The transfer authority provides flexibility to make necessary adjustments when unforeseen or changing circumstances arise.

previously, I have vetoed limitations on the transfer authority. The law contains safeguards giving the legislature an opportunity to review and comment on any proposed transfer. We have accepted and respected such comments, and, indeed, several transfers have been modified or eliminated following receipt of recommendations from legislators.

In 1969 the people of this State voted to amend the Constitution of the State of Iowa to allow the Governor to "disapprove any item" of an appropriation bill. Since then there have been several court cases and a number of Attorney General opinions which have attempted to demarcate this gubernatorial authority. Throughout those discussions runs the thread of separability, that is, will the vetoed item alter positively or negatively the function of the appropriation to which it is purportably attached? If there remains no "scar tissue" from excising such a provision, then assuredly it is an item within the meaning of the Iowa Constitution.

In this bill, 'Section 30 is totally unrelated to Sections 18 and 20. Its deletion will not in any manner effect the purposes of those appropriations. While we do not anticipate making transfers from the appropriations affected by Section 30, nonetheless, the restriction violates the transfer authority established by law and sets a bad precedent. I would hope that the legislative branch would want to work with the executive branch in determining budget policy without circumventing a statutory authority allowing limited flexibility which is indeed desirable to implement the budget effectively.

For these reasons, I hereby disapprove these items in accordance with Amendment 4 of the Amendments of 1968 to the Constitution of the State of Iowa. All other items of Senate File 2241 are hereby approved this date.

Sincerely,

Robert D. Ray
Governor

RDR:cg
cc: Secretary of the State
Chief Clerk of the House

SENATE FILE 2243

AN ACT

PROVIDING FOR ASSISTANCE TO BEGINNING FARMERS AND BUSINESS-
PERSONS BY ESTABLISHING THE IOWA FAMILY FARM DEVELOPMENT
AUTHORITY, AUTHORIZING THE ISSUANCE OF BONDS, PRESCRIBING
ITS POWERS AND DUTIES AND PROVIDING FOR ITS ADMINISTRA-
TION OF THE BANKHEAD-JONES FARM TENANT ACT FUNDS AND
AUTHORIZING THE ISSUANCE OF REVENUE BONDS UNDER CHAPTER
FOUR HUNDRED NINETEEN (419) OF THE CODE BY MUNICIPALITIES
FOR ACQUISITION OF LAND, BUILDINGS OR IMPROVEMENTS BY
BEGINNING BUSINESSPERSONS.

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

Section 1. NEW SECTION. SHORT TITLE. This Act shall
be called and may be cited as the "Iowa Family Farm Development
Act".

Sec. 2. NEW SECTION. DEFINITIONS. As used in sections
one (1) through thirty-two (32) of this Act, unless the context
otherwise requires:

1. "Agricultural land" means land suitable for use in
farming.

2. "Agricultural improvements" means any improvements,
buildings, structures or fixtures suitable for use in farming
which are located on agricultural land. "Agricultural
improvements" includes a single-family dwelling located on
agricultural land which is or will be occupied by the beginning
farmer and structures attached to or incidental to the use
of the dwelling.

3. "Authority" means the Iowa family farm development
authority established in section three (3) of this Act.

4. "Bankhead-Jones Farm Tenant Act" means the Act cited
as 50 Stat. 522(1937), formerly codified as 7 U.S.C. § 1000
et seq., repealed by Pub. L. No. 87-128 (1961).

5. "Beginning farmer" means an individual with a low or
moderate net worth who engages in farming or wishes to engage
in farming.

6. "Bonds" means bonds issued by the authority pursuant
to sections one (1) through thirty-two (32) of this Act.

7. "Depreciable agricultural property" means personal
property suitable for use in farming for which an income tax
deduction for depreciation is allowable in computing federal
income tax under the Internal Revenue Code of 1954 as defined
in section four hundred twenty-two point four (422.4) of the
Code.

8. "Farming" means farming as defined in section one
hundred seventy-two C point one (172C.1), subsection six (6),
of the Code.

9. "Low or moderate net worth" means an aggregate net
worth of an individual and the individual's spouse and
children, if any, of less than one hundred thousand dollars.

10. "Mortgage" means a mortgage, mortgage deed, deed of
trust, or other instrument creating a first lien, subject
only to title exceptions and encumbrances acceptable to the
authority, including any other mortgage liens of equal standing
with or subordinate to the mortgage loan retained by a seller
or conveyed to a mortgage lender, on a fee interest in
agricultural land and agricultural improvements.

11. "Mortgage lender" means a bank, trust company, mortgage
company, national banking association, savings and loan
association, life insurance company, any state or federal
governmental agency of instrumentality, including without
limitation the federal land bank or any of its local
associations, or any other financial institution or entity
authorized to make mortgage loans in this state.

12. "Mortgage loan" means a financial obligation secured by a mortgage.

13. "Net worth" means total assets minus total liabilities as determined in accordance with generally accepted accounting principles with appropriate exceptions and exemptions reasonably related to an equitable determination of the family's net worth.

14. "Note" means a bond anticipation note issued by the authority pursuant to sections one (1) through thirty-two (32) of this Act.

15. "Secured loan" means a financial obligation secured by a chattel mortgage, security agreement or other instrument creating a lien on an interest in depreciable agricultural property.

16. "State agency" means any board, commission, department, public officer, or other agency or authority of the state of Iowa.

The authority may establish by rule further definitions applicable to sections one (1) through thirty-two (32) of this Act and clarification of the definitions in this section, as necessary to assure eligibility for funds, insurance or guarantees available under federal laws and to carry out the public purposes of sections one (1) through thirty-two (32) of this Act.

Sec. 3. NEW SECTION. ESTABLISHMENT OF AUTHORITY.

1. The Iowa family farm development authority is established, and constituted a public instrumentality and agency of the state exercising public and essential governmental functions. The authority is established to undertake programs which assist beginning farmers in purchasing agricultural land and agricultural improvements and depreciable agricultural property for the purpose of farming. The powers of the authority shall be vested in and exercised by a board of eleven members with nine members appointed by the governor with the approval of two-thirds of the members of the senate.

The treasurer of the state and the state secretary of agriculture are ex officio nonvoting members. No more than five members shall belong to the same political party. As far as possible the governor shall include within the membership persons who represent financial institutions experienced in agricultural lending, the real estate sales industry, farmers, beginning farmers, average taxpayers, local government, and any other person specially interested in family farm development.

2. The appointed members of the authority shall be appointed by the governor for terms of six years except that, of the first appointments, three members shall be appointed for terms of two years and three members shall be appointed for a term of four years. A person appointed to fill a vacancy shall serve only for the unexpired portion of the term. A member is eligible for reappointment. An appointed member of the authority may be removed from office by the governor for misfeasance, malfeasance or willful neglect of duty or other just cause, after notice and hearing, unless the notice and hearing is expressly waived in writing. An appointed member of the authority may also serve as a member of the Iowa housing finance authority.

3. Six members of the authority constitute a quorum and the affirmative vote of a majority of the voting members is necessary for any substantive action taken by the authority. The majority shall not include any member who has a conflict of interest and a statement by a member of a conflict of interest shall be conclusive for this purpose. A vacancy in the membership does not impair the right of a quorum to exercise all rights and perform all duties of the authority.

4. The appointed members of the authority are entitled to receive forty dollars per diem for each day spent in performance of duties as members, and shall be reimbursed for all actual and necessary expenses incurred in the performance of duties as members.

5. The appointed members of the authority and the executive director shall give bond as required for public officers in chapter sixty-four (64) of the Code.

6. Meetings of the authority shall be held at the call of the chairperson or whenever two members so request.

7. The appointed members shall elect a chairperson and vice chairperson annually, and other officers as they determine, but the executive director shall serve as secretary to the authority.

8. The net earnings of the authority, beyond that necessary for retirement of its notes, bonds or other obligations or to implement the public purposes and programs authorized, shall not inure to the benefit of any person other than the state. Upon termination of the existence of the authority, title to all property owned by the authority including any net earnings shall vest in the state.

Sec. 4. NEW SECTION. LEGISLATIVE FINDINGS. The general assembly finds and declares as follows:

1. The establishment of the authority is in all respects for the benefit of the people of the state of Iowa, for the improvement of their health and welfare and for the promotion of the economy, which are public purposes.

2. The authority will be performing an essential governmental function in the exercise of the powers and duties conferred upon it by sections one (1) through thirty-two (32) of this Act.

3. There exists a serious problem in this state regarding the ability of nonestablished farmers to acquire agricultural land and agricultural improvements and depreciable agricultural property in order to enter farming.

4. This barrier to entry into farming is conducive to consolidation of acreage of agricultural land with fewer individuals resulting in a grave threat to the traditional family farm.

5. These conditions result in a loss in population, unemployment and a movement of persons from rural communities to urban areas accompanied by added costs to communities for creation of new public facilities and services.

6. One major cause of this condition has been recurrent shortages of funds in private channels and the high interest cost of borrowing.

7. These shortages and costs have made the sale and purchase of agricultural land to beginning farmers a virtual impossibility in many parts of the state.

8. The ordinary operations of private enterprise have not in the past corrected these conditions.

9. A stable supply of adequate funds for agricultural financing is required to encourage beginning farmers in an orderly and sustained manner and to reduce the problems described in this section.

10. Article nine (IX), section three (3), of the Constitution of the State of Iowa requires that, "The General Assembly shall encourage, by all suitable means, the promotion of intellectual, scientific, moral, and agricultural improvement," and agricultural improvement and the public good are served by a policy of facilitating access to capital by beginning farmers unable to obtain capital elsewhere in order to preserve, encourage and protect the family farm which has been the economic, political and social backbone of rural Iowa.

11. It is necessary to create a state family farm development authority to encourage ownership of farms by beginning farmers by providing purchase money loans to beginning farmers who are not able to obtain adequate capital elsewhere to provide such funds and to lower costs through the use of public financing.

12. All of the purposes stated in this section are public purposes and uses for which public moneys may be borrowed, expended, advanced, loaned or granted.

Sec. 5. NEW SECTION. GUIDING PRINCIPLES. In the performance of its duties, implementation of its powers, selection of specific programs and projects to receive its assistance, the authority shall be guided by the following principles:

1. The authority shall not become an owner of real or depreciable property, except on a temporary basis where necessary in order to implement its programs, to protect its investments by means of foreclosure or other means, or to facilitate transfer of real or depreciable property for the use of beginning farmers.
2. The authority shall exercise diligence and care in selection of projects to receive its assistance and shall apply customary and acceptable business and lending standards in selection and subsequent implementation of the projects. The authority may delegate primary responsibility for determination and implementation of the projects to any federal governmental agency which assumes any obligation to repay the loan, either directly or by insurance or guarantee.
3. The authority shall establish a beginning farmer loan program to aid beginning farmers in the acquisition of agricultural land and improvements and depreciable agricultural property.

Sec. 6. NEW SECTION. GENERAL POWERS. The authority has all of the general powers needed to carry out its purposes and duties, and to exercise its specific powers, including but not limited to the power to:

1. Issue its negotiable bonds and notes as provided in sections one (1) through thirty-two (32) of this Act in order to finance its programs.
2. Sue and be sued in its own name.
3. Have and alter a corporate seal.
4. Make and alter bylaws for its management consistent with the provisions of sections one (1) through thirty-two (32) of this Act.

5. Make and execute agreements, contracts and other instruments, with any public or private entity, including but not limited to, any federal governmental agency or instrumentality. The authority may make and execute contracts with any firm of independent certified public accountants to prepare an annual report on behalf of the authority. The authority may make and execute contracts with mortgage lenders for the servicing of mortgage and secured loans. All political subdivisions, other public agencies and state agencies may enter into contracts and otherwise cooperate with the authority.

6. Acquire, hold, improve, mortgage, lease and dispose of real and personal property, including but not limited to, the power to sell at public or private sale, with or without public bidding, any property, mortgage or secured loan or other obligation held by it.

7. Procure insurance against any loss in connection with its operations and property interests, including pool insurance on any group of mortgage or secured loans.

8. Fix and collect fees and charges for its services.

9. Subject to any agreement with bondholders or noteholders, invest or deposit moneys of the authority in any manner determined by the authority, notwithstanding the provisions of chapters four hundred fifty-two (452), four hundred fifty-three (453) or four hundred fifty-four (454) of the Code.

10. Accept appropriations, gifts, grants, loans, or other aid from public or private entities. A record of all gifts or grants, stating the type, amount and donor, shall be clearly set out in the authority's annual report along with the record of other receipts.

11. Provide to public and private entities technical assistance and counseling related to the authority's purposes.

12. In cooperation with other local, state or federal governmental agencies or instrumentalities, conduct studies

of beginning farmer agricultural needs, and gather and compile, data useful to facilitate decision making.

13. Contract with architects, engineers, attorneys, accountants, housing construction and finance experts, and other advisors or enter into contracts or agreements for such services with local, state or federal governmental agencies.

14. Make, alter and repeal rules consistent with the provisions of sections one (1) through thirty-two (32) of this Act, and subject to chapter seventeen A (17A) of the Code.

Sec. 7. NEW SECTION. STAFF.

1. The executive director and staff of the Iowa housing finance authority shall also serve as executive director and staff of the authority, respectively. The executive director shall not, directly or indirectly, exert influence to induce any other officers or employees of the state to adopt a political view, or to favor a political candidate for office.

2. The executive director shall advise the authority on matters relating to agricultural land and property and agricultural finance, and carry out all directives from the authority, and may hire and supervise additional staff pursuant to its directions and under the provisions of chapter nineteen A (19A), of the Code, except that principal administrative assistants with responsibilities in beginning farm loan programs, accounting, mortgage loan processing, and investment portfolio management are exempt from that chapter.

3. The executive director, as secretary of the authority, shall be custodian of all books, documents and papers filed with the authority and of its minute book and seal. The executive director may cause to be made copies of all minutes and other records and documents of the authority and give certificates under the seal of the authority to the effect that the copies are true copies and all persons dealing with the authority may rely upon the certificates.

Sec. a. NEW SECTION. ANNUAL REPORT.

1. The authority shall submit to the governor and to the members of the general assembly as request it, not later than January fifteenth of each year, a complete and economically designed and reproduced report setting forth:

- a. Its operations and accomplishments.
- b. Its receipts and expenditures during the fiscal year, in accordance with the classifications it establishes for its operating and capital accounts.
- c. Its assets and liabilities at the end of its fiscal year and the status of reserve, special and other funds.
- d. A schedule of its bonds and notes outstanding at the end of its fiscal year, together with a statement of the amounts redeemed and issued during its fiscal year.
- e. A statement of its proposed and projected activities.
- f. Recommendations to the general assembly, as it deems necessary.

g. An analysis of beginning farmer needs in the state.

2. The annual report shall identify performance goals of the authority, and clearly indicate the extent of progress during the reporting period, in attaining the goals. Where possible, results shall be expressed in terms of number of loans and acres of agricultural land.

Sec. 9. NEW SECTION. NONDISCRIMINATION.

1. The opportunity to acquire agricultural land and agricultural improvements and depreciable agricultural property financed or otherwise assisted by the authority, directly or indirectly, is open to all persons regardless of race, creed, color, sex, national origin, age, physical or mental impairment, or religion.

2. The authority shall promote marketing plans for its programs under sections one (1) through thirty-two (32) of this Act.

Sec. 10. NEW SECTION. SURPLUS MONEYS. Moneys declared by the authority to be surplus moneys which are not required

to service bonds and notes, to pay administrative expenses of the authority or to accumulate necessary operating or loss reserves, shall be used by the authority to provide loans, grants, subsidies, and services to beginning farmers through any of the programs authorized in sections one (1) through thirty-two (32) of this Act.

Sec. 11. NEW SECTION. COMBINATION PROGRAMS. Programs authorized in sections one (1) through thirty-two (32) of this Act may be combined with any other programs authorized in sections one (1) through thirty-two (32) of this Act, under chapter two hundred twenty (220) of the Code or under a federal program in order to facilitate as far as practicable the acquisition of agricultural land and property by beginning farmers.

Sec. 12. NEW SECTION. BEGINNING FARMER PROGRAM.

1. The authority shall develop a beginning farmer loan program to facilitate the acquisition of agricultural land and improvements and depreciable agricultural property by beginning farmers. The authority shall exercise the powers granted to it in sections one (1) through thirty-two (32) of this Act in order to fulfill the goal of providing financial assistance to beginning farmers in the acquisition of agricultural land and agricultural improvements and depreciable agricultural property. The authority may participate in and cooperate with programs of the farmers home administration, federal land bank or any other agency or instrumentality of the federal government or with any program of any other state agency in the administration of the beginning farmer loan program and in the making or purchasing of mortgage or secured loans pursuant to sections one (1) through thirty-two (32) of this Act.

2. The authority may participate in any federal programs designed to assist beginning farmers or in any related federal or state programs.

3. The authority shall provide in a beginning farmer loan program that a mortgage or secured loan to or on behalf of a beginning farmer shall be provided only if the following criteria are satisfied:

- a. The beginning farmer is a resident of the state.
- b. The agricultural land and agricultural improvements or depreciable agricultural property the beginning farmer proposes to purchase will be located in the state.
- c. The beginning farmer has sufficient education, training, or experience in the type of farming for which the beginning farmer requests the mortgage or secured loan.
- d. The authority is financing the acquisition by that beginning farmer of agricultural land and agricultural improvements totaling no more than five hundred thousand (500,000) dollars in value or of depreciable agricultural property totaling no more than one hundred twenty-five thousand (125,000) dollars in value.
- e. If the loan is for the acquisition of agricultural land, the beginning farmer has or will have access to adequate working capital, farm equipment, machinery or livestock. If the loan is for the acquisition of depreciable agricultural property, the beginning farmer has or will have access to adequate working capital or agricultural land.
- f. The authority determines that the beginning farmer is unable to secure financing from conventional sources upon terms and conditions which the beginning farmer reasonably could be expected to fulfill.
- g. The agricultural land and agricultural improvements shall only be used for farming by the beginning farmer or his or her family.
- h. The beginning farmer has not previously received financing under the program for the acquisition of property similar in nature to the property for which the loan is sought. However, this restriction shall not apply if the amount previously received plus the amount of the loan sought does

not exceed five hundred thousand dollars in the case of agricultural land and improvements or one hundred twenty-five thousand dollars in the case of depreciable agricultural property.

i. Other criteria as the authority prescribes by rule.

4. The authority may provide in a mortgage or secured loan made or purchased pursuant to sections one (1) through thirty-two (32) of this Act that the loan may not be assumed or any interest in the agricultural land or improvements or depreciable agricultural property may not be leased, sold or otherwise conveyed without its prior written consent and may provide a due-on-sale clause with respect to the occurrence of any of the foregoing events without its prior written consent. The authority may provide by rule the grounds for permitted assumptions of a mortgage or for the leasing, sale or other conveyance of any interest in the agricultural land or improvements. However, the authority shall provide and state in a mortgage or secured loan that the authority has the power to raise the interest rate of the loan to the prevailing market rate if the mortgage or secured loan is assumed by a fanner who is already established in that field at the time of the assumption of the loan. This provision controls with respect to a mortgage loan made or purchased pursuant to sections one (1) through thirty-two (32) of this Act notwithstanding the provisions of chapter five hundred thirty-five (535) of the Code.

5. The authority may participate in any interest in any mortgage loan made or purchased pursuant to sections one (1) through thirty-two (32) of this Act with a mortgage lender. The participation interest may be on a parity with the interest in the mortgage loan retained by the authority, equally and ratably secured by the mortgage securing the mortgage loan.

Sec. 13. NEW SECTION. LOANS TO BEGINNING FARMERS..

1. The authority may make mortgage or secured loans, including but not limited to mortgage or secured loans insured,

guaranteed, or otherwise secured by the federal government or a federal governmental agency or instrumentality, a state agency or private mortgage insurers, to beginning fanners to provide financing for agricultural land and agricultural improvements or depreciable agricultural property.

2. Mortgage or secured loans shall contain terms and provisions, including interest rates, and be in a form established by rules of the authority. The authority may require the beginning farmer to execute a note, loan agreement or other evidence of indebtedness and furnish additional assurances and guarantees, including insurance, reasonably related to protecting the security of the mortgage or secured loan, as the authority deems necessary.

Sec. 14. NEW SECTION. MANS TO MORTGAGE LENDERS.

1. The authority may make and contract to make loans to mortgage lenders on terms and conditions it determines are reasonably related to protecting the security of the authority's investment and to implementing the purposes of sections one (1) through thirty-two (32) of this Act. Mortgage lenders are authorized to borrow from the authority in accordance with the provisions of this section and the rules of the authority.

2. The authority shall require as a condition of each loan to a mortgage lender that the mortgage lender, within a reasonable period after receipt of the loan proceeds as the authority prescribes by rule, shall have entered into written commitments to make and, within a reasonable period thereafter as the authority prescribes by rule, shall have disbursed the loan proceeds in new mortgage or secured loans to beginning farmers in an aggregate principal amount of not less than the amount of the loan. New mortgage or secured loans shall have terms and conditions as the authority prescribes by rules which are reasonably related to implementing the purposes of sections one (1) through thirty-two (32) of this Act.

3. The authority shall require the submission to it by each mortgage lender to which the authority has made a loan, of evidence satisfactory to the authority of the making of new mortgage or secured loans to beginning farmers as required by this section and in that connection may, through its members, employees or agents, inspect the books and records of a mortgage lender.

4. Compliance by a mortgage lender with the terms of its agreement with the authority with respect to the making of new mortgage or secured loans to beginning farmers may be enforced by decree of any district court of this state. The authority may require as a condition of a loan to a national banking association or a federally chartered savings and loan association, the consent of the association to the jurisdiction of courts of this state over any enforcement proceeding. The authority may also require, as a condition of a loan to a mortgage lender, agreement by the mortgage lender to the payment of penalties to the authority for violation by the mortgage lender of its agreement with the authority, and the penalties shall be recoverable at the suit of the authority.

5. The authority shall require that each mortgage lender receiving a loan pursuant to this section shall issue and deliver to the authority evidence of its indebtedness to the authority which shall constitute a general obligation of the mortgage lender and shall bear a date, mature at a time, be subject to prepayment and contain other provisions consistent with this section and reasonably related to protecting the security of the authority's investment, as the authority determines.

6. Notwithstanding any other provision of this section, the interest rate and other terms of loans to mortgage lenders made from the proceeds of an issue of bonds or notes of the authority shall be at least sufficient to assure the payment of the bonds or notes and the interest on them as they become due.

7. The authority may require that loans to mortgage lenders are additionally secured as to payment of both principal and interest by a pledge of and lien upon collateral security by special escrow funds or other forms of guarantee and in amounts and forms as the authority by resolution determines to be necessary to assure the payment of the loans and the interest as they become due. Collateral security shall consist of direct obligations of or obligations guaranteed by the United States or one of its agencies, obligations satisfactory to the authority which are issued by other federal agencies, direct obligations of or obligations guaranteed by a state or a political subdivision of a state or investment quality obligations approved by the authority.

8. The authority may require that collateral for loans be deposited with a bank, trust company or other financial institution acceptable to the authority located in this state and designated by the authority as custodian. In the absence of that requirement, each mortgage lender shall enter into an agreement with the authority containing provisions the authority deems necessary to adequately identify and maintain the collateral, service the collateral and require the mortgage lender to hold the collateral as an agent for the authority and be accountable to the authority as the trustee of an express trust for the application and disposition of the collateral and the income from it. The authority may also establish additional requirements it deems necessary with respect to the pledging, assigning, setting aside or holding of collateral and the making of substitutions for it or additions to it and the disposition of income and receipts from it.

9. The authority may require as a condition of loans to mortgage lenders any representations and warranties it determines are necessary to secure the loans and carry out the purposes of this section.

10. The authority may require the beginning farmer to satisfy conditions and requirements normally imposed by mortgage lenders in making similar loans, including but not limited to, the purchase of capital stock in the federal land bank.

11. If a provision of this section is inconsistent with a provision of law of this state governing mortgage lenders, the provision of this section controls for the purposes of this section.

Sec. 15. NEW SECTION. PURCHASE OF LOANS.

1. The authority may purchase and make advance commitments to purchase mortgage or secured loans from mortgage lenders at prices and upon terms and conditions as it determines. However, the total purchase price for all mortgage or secured loans which the authority commits to purchase from a mortgage lender at any one time shall not exceed the total of the unpaid principal balances of the mortgage or secured loans purchased. Mortgage lenders are authorized to sell mortgage or secured loans to the authority in accordance with the provisions of this section and the rules of the authority.

2. The authority shall require as a condition of purchase of mortgage or secured loans from mortgage lenders that the mortgage lenders certify that the mortgage or secured loans purchased are loans made to beginning farmers. Mortgage or secured loans to be made by mortgage lenders shall have terms and conditions as the authority prescribes by rule. The authority may make a commitment to purchase mortgage or secured loans from mortgage lenders in advance of the time the loans are made by mortgage lenders. The authority shall require as a condition of a commitment that mortgage lenders certify in writing that all mortgage or secured loans represented by the commitment will be made to beginning farmers and that the mortgage lender will comply with other authority specifications.

3. The authority shall require the submission to it by each mortgage lender from which the authority has purchased loans of evidence satisfactory to the authority of the making of mortgage or secured loans to beginning farmers as required by this section and in that connection may, through its members, employees or agents, inspect the books and records of a mortgage lender.

4. Compliance by a mortgage lender with the terms of its agreement with the authority with respect to the making of mortgage or secured loans to beginning farmers may be enforced by decree of any district court of this state. The authority may require as a condition of purchase of mortgage or secured loans from any national banking association or federally chartered savings and loan association the consent of the association to the jurisdiction of courts of this state over any enforcement proceeding. The authority may also require as a condition of the purchase of mortgage or secured loans from a mortgage lender agreement by the mortgage lender to the payment of penalties to the authority for violation by the mortgage lender of its agreement with the authority and the penalties shall be recoverable at the suit of the authority.

5. The authority may require as a condition of purchase of a mortgage or secured loan from a mortgage lender that the mortgage lender make representations and warranties the authority requires. A mortgage lender is liable to the authority for damages suffered by the authority by reason of the untruth of a representation or the breach of a warranty and, in the event that a representation proves to be untrue when made or in the event of a breach of warranty, the mortgage lender shall, at the option of the authority, repurchase the mortgage or secured loan for the original purchase price adjusted for amounts subsequently paid on it, as the authority determines.

6. The authority shall require the recording of an assignment of a mortgage loan purchased by it from a mortgage lender and is not required to notify the mortgagor of its purchase of the mortgage loan. The authority is not required to inspect or take possession of the mortgage documents if the mortgage lender from which the mortgage loan is purchased enters into a contract to service the mortgage loan and account to the authority for it.

7. If a provision of this section is inconsistent with another provision of law of this state governing mortgage lenders, the provision of this section controls for the purposes of this section.

Sec. 16. NEW SECTION. POWERS RELATING TO LOANS. Subject to any agreement with bondholders or noteholders, the authority may renegotiate a mortgage or secured loan or a loan to a mortgage lender in default, waive a default or consent to the modification of the terms of a mortgage or secured loan or a loan to a mortgage lender, forgive or forbear all or part of a mortgage or secured loan or a loan to a mortgage lender and commence, prosecute and enforce a judgment in any action, including but not limited to a foreclosure action, to protect or enforce any right conferred upon it by law, mortgage or secured loan agreement, contract or other agreement and in connection with any action, bid for and purchase the property or acquire or take possession of it, complete, administer, pay the principal of and interest on any obligations incurred in connection with the property and dispose of and otherwise deal with the property in a manner the authority deems advisable to protect its interests.

Sec. 17. NEW SECTION. BONDS AND NOTES.

1. The authority may issue its negotiable bonds and notes in principal amounts which, in the opinion of the authority, are necessary to provide sufficient funds for achievement of its corporate purposes, the payment of interest on its bonds and notes, the establishment of reserves to secure its

bonds and notes and all other expenditures of the authority incident to and necessary or convenient to carry out its purposes and powers. However, the authority may not have a total principal amount of bonds and notes outstanding at any time in excess of one hundred fifty million dollars. The bonds and notes shall be deemed to be investment securities and negotiable instruments within the meaning of and for all purposes of the uniform commercial code.

2. Bonds and notes are payable solely and only out of the moneys, assets or revenues of the authority and as provided in the agreement with bondholders or noteholders pledging any particular moneys, assets or revenues. Bonds or notes are not an obligation of this state or any political subdivision of this state other than the authority within the meaning of any constitutional or statutory debt limitations, but are special obligations of the authority payable solely and only from the sources provided in sections one (1) through thirty-two (32) of this Act, and the authority shall not pledge the credit or taxing power of this state or any political subdivision of this state other than the authority or make its debts payable out of any moneys except those of the authority.

3. Bonds and notes must be authorized by a resolution of the authority. However, a resolution authorizing the issuance of bonds or notes may delegate to an officer of the authority the power to negotiate and fix the details of an issue of bonds or notes by an appropriate certificate of the authorized officer.

4. Bonds shall:

a. State the date and series of the issue, be consecutively numbered and state on their face that they are payable both as to principal and interest solely out of the assets of the authority and do not constitute an indebtedness of this state or any political subdivision of this state other than the authority within the meaning of any constitutional or statutory debt limit.

b. Be either registered, registered as to principal only, or in coupon form, issued in denominations as the authority prescribes, fully negotiable instruments under the laws of this state, signed on behalf of the authority with the 'manual or facsimile signature of the chairperson or vice chairperson, attested by the manual or facsimile signature of the secretary, have impressed or imprinted thereon the seal of the authority or a facsimile of it,' and the coupons attached shall be signed with the facsimile signature of the chairperson or vice chairperson, be payable as to interest at rates and at times as the authority determines, be payable as to principal at times over a period not to exceed fifty years from the date of issuance, at places and with reserved rights of prior redemption, as the authority prescribes, be sold at prices, at public or private sale, and in a manner as the authority prescribes, and the authority may pay all expenses, premiums and commissions which it deems necessary or advantageous in connection with the issuance and sale, and be issued under and subject to the terms, conditions and covenants providing for the payment of the principal, redemption premiums, if any, interest and other terms, conditions, covenants and protective provisions safeguarding payment, not inconsistent with sections one (1) through thirty-two (32) of this Act, as are found to be necessary by the authority for the most advantageous sale, which may include, but are not limited to, covenants with the holders of the bonds as to those matters set forth in section two hundred twenty point twenty-six (220.261, subsection four (4), paragraph b, of the Code.

5. The authority may issue its bonds for the purpose of refunding any bonds or notes of the authority then outstanding, including the payment of any redemption premiums and any interest accrued or to accrue to the date of redemption of the outstanding bonds or notes. Until the proceeds of bonds issued for the purpose of refunding outstanding bonds or notes are applied to the purchase or retirement of outstanding bonds

or notes or the redemption of outstanding bonds or notes, the proceeds may be placed in escrow and be invested and reinvested in accordance with the provisions of sections one (1) through thirty-two (32) of this Act. The interest, income and profits earned or realized on an investment may also be applied to the payment of the outstanding bonds or notes to be refunded by purchase, retirement or redemption. After the terms of the escrow have been fully satisfied and carried out, any balance of proceeds and interest earned or realized on the investments may be returned to the authority for use by it in any lawful manner. All refunding bonds shall be issued and secured and subject to the provisions of sections one (1) through thirty-two (32) of this Act in the same manner and to the same extent as other bonds.

6. The authority may issue negotiable bond anticipation notes and may renew them from time to time but the maximum maturity of the notes, including renewals, shall not exceed ten years from the date of issue of the original notes. Notes are payable from any available moneys of the authority not otherwise pledged or from the proceeds of the sale of bonds in anticipation of which the notes were issued. Notes may be issued for any corporate purpose of the authority. Notes shall be issued in the same manner as bonds and notes and the resolution authorizing them may contain any provisions, conditions or limitations, not inconsistent with the provisions of this subsection, which the bonds or a bond resolution of the authority may contain. Notes may be sold at public or private sale. In case of default on its notes or violation of any obligations of the authority to the noteholders, the noteholders shall have all the remedies provided in sections one (1) through thirty-two (32) of this Act for bondholders. Notes shall be as fully negotiable as bonds of the authority.

7. A copy of each pledge agreement by or to the authority, including without limitation each bond resolution, indenture of trust or similar agreement, or any revisions or supplements

to it shall be ~~filed with~~ the secretary of state and no further filing or other action under article nine (9) of the uniform commercial code, ~~or any~~ other law of the state shall be required to perfect the security interest in the collateral or any additions to it or substitutions for it and the lien and trust so created shall be binding from and after the time made against all parties having claims of any kind in tort, contract or otherwise against the pledgor.

8. Members of the authority and any person executing its bonds, notes or other obligations are not liable personally on the bonds, notes or other obligations or subject to personal liability or accountability by reason of the issuance of the authority's bonds or notes.

9. The authority shall publish a notice of intention to issue bonds or notes in a newspaper published and of general circulation in the state. The notice shall include a statement of the maximum amount of bonds or notes proposed to be issued, and in general, what net revenues will be pledged to pay the bonds or notes and interest thereon. An action shall not be brought questioning the legality of the bonds or notes or the power of the authority to issue the bonds or notes or to the legality of any proceedings in connection with the authorization or issuance of the bonds or notes after sixty days from the date of publication of the notice.

Sec. 18. NEW SECTION. RESERVE FUNDS AND APPROPRIATIONS.

1. The authority may create and establish one or more special funds, each to be known as a "bond reserve fund" and shall pay into each bond reserve fund any moneys appropriated and made available by the state for the purpose of the fund, any proceeds of sale of notes or bonds to the extent provided in the resolutions of the authority authorizing their issuance and any other moneys which are available to the authority for the purpose of the fund from any other sources. Moneys held in a bond reserve fund, except as otherwise provided in sections one (1) through thirty-two (32) of this Act, shall

be used ~~as required~~ solely for the payment of the principal of bonds secured in whole or in part by the fund or of the sinking fund payments with respect to the bonds, the purchase or redemption of the bonds, the payment of interest on the bonds or the payments of any redemption premium required to be paid when the bonds are redeemed prior to maturity.

2. Moneys in a bond reserve fund shall not be withdrawn from it in an amount that will reduce the amount of the fund to less than the bond reserve fund requirement established for the fund, as provided in this section, except for the purpose of making payment when due of principal, interest, redemption premiums and the sinking fund payments with respect to the bonds for the payment of which other moneys of the authority are not available. Any income or interest earned by, or incremental to, a bond reserve fund due to the investment of it may be transferred by the authority to other funds or accounts of the authority to the extent the transfer does not reduce the amount of that bond reserve fund below the bond reserve fund requirement for it.

3. The authority shall not at any time issue bonds, secured in whole or in part by a bond reserve fund if, upon the issuance of the bonds, the amount in the bond reserve fund will be less than the bond reserve fund requirement for the fund, unless the authority at the time of issuance of the bonds deposits in the fund from the proceeds of the bonds issued or from other sources an amount which, together with the amount then in the fund will not be less than the bond reserve fund requirement for the fund. For the purposes of this section, the term "bond reserve fund requirement" means, as of any particular date of computation, an amount of money, as provided in the resolutions of the authority authorizing the bonds with respect to which the fund is established, equal to not more than ten percent of the outstanding principal amount of bonds secured by the fund.

4. To assure the continued operation and solvency of the authority for the carrying out of its corporate purposes, provision is made in subsection one (1) of this section for the accumulation in each bond reserve fund of an amount equal to the bond reserve fund requirement for the fund. In order further to assure maintenance of the bond reserve funds, the chairperson of the authority shall, on or before July first of each calendar year, make and deliver to the governor a certificate stating the sum, if any, required to restore each bond reserve fund to its bond reserve fund requirement. Within thirty days after the beginning of the session of the general assembly next following the delivery of the certificate, the governor may submit to both houses printed copies of a budget including any sum required to restore each bond reserve fund to its bond reserve fund requirement. Sums appropriated by the general assembly and paid to the authority pursuant to this section shall be deposited by the authority in the applicable bond reserve fund.

5. Amounts paid over to the authority by the state pursuant to the provisions of this section shall constitute and be accounted for as advances by the state to the authority and, subject to the rights of the holders of any bonds or notes of the authority, shall be repaid to the state without interest from all available operating revenues of the authority in excess of amounts required for the payment of bonds, notes or obligations of the authority, the bond reserve fund and operating expenses.

6. The authority shall cause to be delivered to the legislative fiscal committee within ninety days of the close of its fiscal year its annual report certified by an independent certified public accountant, who may be the accountant or a member of the firm of accountants who regularly audits the books and accounts of the authority selected by the authority. In the event that the principal amount of any bonds or notes deposited in a bond reserve fund is

withdrawn for payment of principal or interest thereby reducing the amount of that fund to less than the bond reserve fund requirement, the authority shall immediately notify the general assembly of this event and shall take steps to restore the fund to its bond reserve fund requirement from any amounts available, other than principal of a bond issue, which are not pledged to the payment of other bonds or notes.

Sec. 19. NEW SECTION. REMEDIES OF BONDHOLDERS AND NOTEHOLDERS.

1. If the authority defaults in the payment of principal or interest on an issue of bonds or notes at maturity or upon call for redemption and the default continues for a period of thirty days or if the authority fails or refuses to comply with the provisions of sections one (1) through thirty-two (32) of this Act, or defaults in an agreement made with the holders of an issue of bonds or notes, the holders of twenty-five percent in aggregate principal amount of bonds or notes of the issue then outstanding, by instrument filed in the office of the clerk of the county in which the principal office of the authority is located and proved or acknowledged in the same manner as a deed to be recorded, may appoint a trustee to represent the holders of the bonds or notes for the purposes provided in this section.

2. The authority or any trustee appointed under the indenture under which the bonds are issued may, but upon written request of the holders of twenty-five percent in aggregate principal amount of the issue of bonds or notes then outstanding shall:

- a. Enforce all rights of the bondholders or noteholders including the right to require the authority to carry out its agreements with the holders and to perform its duties under sections one (1) through thirty-two (32) of this Act.
- b. Bring suit upon the bonds or notes.
- c. By action require the authority to account as if it were the trustee of an express trust for the holders.

d. By action enjoin^{ing} any acts or things which are unlawful or in violation of the rights of the holders.

e. Declare all the bonds or notes due and payable, and if all defaults are made good then with the consent of the holders of twenty-five percent of the aggregate principal amount of the issue of bonds or notes then outstanding, annul the declaration and its consequences.

3. The trustee shall also have all powers necessary or appropriate for the exercise of functions specifically set forth or incident to the general representation of bondholders or noteholders in the enforcement and protection of their rights.

4. Before declaring the principal of bonds or notes due and payable, the trustee shall first give thirty days notice in writing to the governor, to the authority and to the attorney general of the state.

5. The district court has jurisdiction of any action by the trustee on behalf of bondholders or noteholders. The venue of the action shall be in the county in which the principal office of the authority is located.

Sec. 20. NEW SECTION. AGREEMENT OF THE STATE. The state pledges and agrees with the holders of any bonds or notes that the state will not limit or alter the rights vested in the authority to fulfill the terms of agreements made with the holders or in any way to impair the rights and remedies of the holders until the bonds or notes together with the interest on them, plus interest on unpaid installments of interest, and all costs and expenses in connection with an action by or on behalf of the holders are fully met and discharged. The authority may include this pledge and agreement of the state in any agreement with the holders of bonds or notes.

Sec. 21. NEW SECTION. BONDS AND NOTES AS LEGAL INVESTMENTS. Bonds and notes are securities in which public officers, state departments and agencies, political

subdivisions, insurance companies and other persons carrying on an insurance business, banks, trust companies, savings and loan associations, investment companies and other persons carrying on a banking business, administrators, executors, guardians, conservators, trustees and other fiduciaries and other persons authorized to invest in bonds or other obligations of this state may properly and legally invest funds including capital in their control or belonging to them. The bonds and notes are also securities which may be deposited with and may be received by public officers, state departments and agencies and political subdivisions for any purpose for which the deposit of bonds or other obligations of this state is authorized.

Sec. 22. NEW SECTION. MONEYS OF THE AUTHORITY.

1. Moneys of the authority, except as otherwise provided in sections one (1) through thirty-two (32) of this Act, shall be paid to the authority and shall be deposited in a bank or other financial institution designated by the authority. The moneys shall be withdrawn on the order of the person authorized by the authority. Deposits shall be secured in the manner determined by the authority. The auditor of state or the auditor's legally authorized representatives may periodically examine the accounts and books of the authority, including its receipts, disbursements, contracts, leases, sinking funds, investments and any other records and papers relating to its financial standing, and the authority shall not be required to pay a fee for the examination.

2. The authority may contract with holders of its bonds or notes as to the custody, collection, security, investment and payment of moneys of the authority, of moneys held in trust or otherwise for the payment of bonds or notes and to carry out the contract. Moneys held in trust or otherwise for the payment of bonds or notes or in any way to secure bonds or notes and deposits of the moneys may be secured in the same manner as moneys of the authority and banks and trust companies may give security for the deposits.

3. Subject to the provisions of any contract with bondholders or noteholders and to the approval of the state comptroller, the authority shall prescribe a system of accounts.

4. The authority shall submit to the governor, the auditor of state and the state comptroller, within thirty days of its receipt, a copy of the report of every external examination of the books and accounts of the authority other than copies of the reports of examinations made by the auditor of state.

Sec. 23. NEW SECTION. LIHITATION OF LIABILITY. Members of the authority and persons acting in its behalf, while acting within the scope of their employment or agency, are not subject to personal liability resulting from carrying out the powers and duties given in sections one (1) through thirty-two (32) of this Act.

Sec. 24. NEW SECTION. ASSISTANCE BY STATE OFFICERS, AGENCIES AND DEPARTMENTS. State officers and state departments and agencies may render services to the authority within their respective functions as requested by the authority.

Sec. 25. NEW SECTION. LIBERAL INTERPRETATION. Sections one (1) through thirty-two (32) of this Act, being necessary for the welfare of this state and its inhabitants, shall be liberally construed to effect its purposes.

Sec. 26. NEW SECTION. CONFLICTS OF INTEREST.

1. If a member or employee other than the executive director of the authority has an interest, either direct or indirect, in a contract to which the authority is or is to be a party or in a mortgage lender requesting a loan from or offering to sell mortgage or secured loans to the authority, the interest shall be disclosed to the authority in writing and shall be set forth in the minutes of the authority. The member or employee having the interest shall not participate in action by the authority with respect to that contract or mortgage lender.

2. This section does not limit the right of a member, officer or employee of the authority to acquire an interest in bonds or notes, or to limit the right of a member or employee other than the ~~executive~~ director to have an interest in a bank or other financial institution in which the funds of the authority are deposited or which is acting as trustee or paying agent under a trust indenture to which the authority is a party.

3. The executive director shall not have an interest in a bank or other financial institution in which the funds of the authority are deposited or which is acting as trustee or paying agent under a trust indenture to which the authority is a party. The executive director shall not receive, in addition to fixed salary or compensation, any money or valuable thing, either directly or indirectly, or through any substantial interest in any other corporation or business unit, for negotiating, procuring, recommending or aiding in any purchase or sale of property or loan made by the authority, nor shall the executive director be pecuniarily interested, either as principal, co-principal, agent or beneficiary, either directly or indirectly or through any substantial interest in any other corporation or business unit, in any purchase, sale or loan.

Sec. 27. NEW SECTION. EXEMPTION FROM COMPETITIVE BID LAWS. The authority and all contracts made by it in carrying out its public and essential governmental functions under sections fourteen (14) and fifteen (15) of this Act, shall be exempt from the laws of the state which provide for competitive bids in connection with such contracts.

Sec. 28. NEW SECTION. AGENCY. The authority shall make application to and receive from the secretary of agriculture of the United States, or any other proper federal official, pursuant and subject to the provisions of Pub. L. No. 499, 64 Stat. 152 (1950), (formerly codified 40 U.S.C. 440 et seq. (1976)) all of the trust assets held by the United States

in trust for the ~~Iowa~~ rural rehabilitation corporation now dissolved.

Sec. 29. NEW SECTION. AGREEMENTS. The authority may enter into agreements with the secretary of agriculture of the United States pursuant to Pub. L. No. 499 s. 2(f) (1950) upon terms and conditions and for periods of time as mutually agreeable, authorizing the authority to accept, administer, expend and use in the state of Iowa all or any part of the trust assets or other funds in the state of Iowa which have been appropriated for use in carrying out the purposes of the Bankhead-Jones Farm Tenant Act and to do any and all things necessary to effectuate and carry out the purposes of said agreements.

Sec. 30. NEW SECTION. ASSETS--ACCOUNT. The trust assets received under the application made pursuant to section twenty-eight (28) of *this* Act other than cash shall be taken on proper transfer or assignment from the department of social services to the authority and administered as provided in sections one (1) through thirty-two (32) of this Act. These funds may be used for any of the purposes of sections one (1) through thirty-two (32) of this Act, including but not limited to costs of administration and insuring or guaranteeing payment of all or a portion of loans made pursuant to sections one (1) through thirty-two (32) of this Act.

Sec. 31. NEW SECTION. PROGRAMS IN PROGRESS. The authority shall complete the administration of programs in progress on the effective date of this Act to the extent that funds were committed, obligations incurred or rights accrued prior to the effective date of this Act under the programs authorized under sections two hundred thirty-four point fifteen (234.15) through two hundred thirty-four point twenty (234.20) of the Code prior to the repeal of those sections by this Act. Moneys received under this section shall be deposited to the authority.

Sec. 32. NEW SECTION. LIABILITY. The United States, the authority and the secretary of agriculture of the United States shall be held free from liability by virtue of the transfer of the assets to the authority. The authority and persons acting in its behalf, while acting within the scope of their employment or agency, are not subject to personal liability resulting from carrying out their powers and duties under sections one (1) through thirty-two (32) of this Act.

Sec. 33. Section two hundred twenty point ten (220.10), subsection one (1), Code 1979, is amended to read as follows:

1. All moneys declared by the authority to be surplus moneys which are not required to service bonds and notes issued by the authority, to pay administrative expenses of the authority, or to accumulate necessary operating or loss reserves, shall be used by the authority to pay administrative expenses of or provide loans to the Iowa family farm development authority in connection with the programs authorized in the Iowa family farm development Act or to provide grants, subsidies, and services to lower income families and very low income families through any of the programs authorized in this chapter.

Sec. 34. Section two hundred twenty point eleven (220.11), Code 1979, is amended to read as follows:

220.11 COMBINATION PROGRAMS. Any programs authorized in this chapter may be combined with any other programs authorized in this chapter or in the Iowa family farm development Act in order to facilitate as far as practicable the provision of adequate housing to low and moderate income families.

Sec. 35. Section four hundred nineteen point one (419.1), subsection two (2), Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eighty-nine (89), section one (1), and chapter ninety (90), section one (1), is amended to read as follows:

2. "Project" means all or any part of, or any interest in, (a) any land, buildings or improvements, whether or not in existence at the time of issuance of the bonds issued under authority of this chapter, which shall be suitable for the use of any voluntary nonprofit hospital, clinic or health care facility as defined in section 135C.1, subsection 4, or of any private college or university, or any state institution governed under chapter 262, whether for the establishment or maintenance of such college or university, or of any industry or industries for the manufacturing, processing or assembling of any agricultural or manufactured products, even though such processed products may require further treatment before delivery to the ultimate consumer, or of any commercial enterprise engaged in storing, warehousing or distributing products of agriculture, mining or industry including but not limited to barge facilities and river-front improvements useful and convenient for the handling and storage of goods and products, or of a national, regional or divisional headquarters facility of a company that does multistate business, or of a beginning businessperson for any purpose or (b) pollution control facilities which shall be suitable for use by any industry, commercial enterprise or utility. "Pollution control facilities" means any land, buildings, structures, equipment, pipes, pumps, dams, reservoirs, improvements, or other facilities useful for the purpose of reducing, preventing, or eliminating pollution of the water or air by reason of the operations of any industry, commercial enterprise or utility. "Improve", "improving" and "improvements" shall embrace any real property, personal property or mixed property of any and every kind that can be used or that will be useful in connection with a project, including, without limiting the generality of the foregoing, rights-of-way, roads, streets, sidings, trackage, foundations, tanks, structures, pipes, pipelines, reservoirs, utilities, materials, equipment, fixtures, machinery, furniture,

furnishings, improvements, instrumentalities and other real, personal or mixed property of every kind, whether above or below ground level.

Sec. 36. Section four hundred nineteen point one (419.1), Code 1979, as the section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eighty-nine (89), section one (1), and chapter ninety (90), section one (1), is amended by adding the following new subsection:

NEW SUBSECTION. "Beginning businessperson" means an individual with an aggregate net worth of the individual and the individual's spouse and children of less than one hundred thousand dollars. Net worth means total assets minus total liabilities as determined in accordance with generally accepted accounting principles.

Sec. 37. Section four hundred nineteen point two (419.2), subsection five (5), Code 1979, as the section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eighty-nine (89), section two (2), and chapter ninety-one (91), section one (1), is amended to read as follows:

5. To issue revenue bonds for the purpose of defraying the cost of any project and to secure payment of such bonds as provided in this chapter. However, in the case of a project suitable for the use of a beginning businessperson, the bonds may not exceed the aggregate principal amount of five hundred thousand dollars.

Sec. 38. Section five hundred two point two hundred two (502.202), Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter one hundred twenty (120), sections five (5) and six (6), is amended by adding the following new subsection:

NEW SUBSECTION. Any security issued by the Iowa family farm development authority under sections one (1) through thirty-two (32) of this Act.

Sec. 39. TRANSFER OF EXISTING ASSETS AND LIABILITIES. The trust assets and liabilities of the former Iowa rural

rehabilitation corporation under the jurisdiction of the department of social services shall be transferred to the jurisdiction of the authority on the effective date of this Act. The authority shall be the successor in interest to the agreements in effect between the United States government and the department of social services on behalf of the state of Iowa on the effective date of this Act.

Sec. 40. Sections two hundred thirty-four point fifteen (234.15), through two hundred thirty-four point twenty (234.20), Code 1979, are repealed.

TERRY E. BRANSTAD
President of the Senate

WILLIAM H. HARBOR
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2243, Sixty-eighth General Assembly.

FRANK J. STORK
Secretary of the Senate

Approved: _____, 1980

ROBERT D. RAY
Governor

SENATE FILE 2247

AN ACT

RELATING TO THE INDEXING OF THE STATE INDIVIDUAL INCOME TAX.

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

Section 1. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter ninety-three (93), section one (1), is amended to read as follows:

SECTION 1. Section four hundred twenty-two point four (422.4), Code 1979, is amended by adding the following new subsection:

NEW SUBSECTION.

a. "Annual inflation factor" means an index, expressed as a percentage, determined by the department each year to reflect the purchasing power of the dollar as a result of inflation ~~or deflation~~ during the preceding calendar year. For the 1981 calendar year, "annual inflation factor" means an index, expressed as a percentage, determined by the department by October fifteenth of the calendar year preceding the calendar year for which the factor is determined to reflect the purchasing power of the dollar as a result of inflation during the fiscal year ending in the calendar year preceding the calendar year for which the factor is determined. In determining the annual inflation factor, the department shall use the annual percent change, but not less than zero percent, in the ~~consumer-price-index-produced-by-the-bureau-of-labor statistics~~ implicit price deflator for the gross national product computed for the whole calendar year or for the second quarter of the calendar year, in the case of the annual inflation factor for the 1981 calendar year, by the bureau of economic analysis of the United States department of labor commerce and shall add one-fourth-for-the-1979-calendar-year and two-fourths for the 1980 and 1981 calendar year years of that percent change to one hundred percent, ~~except that~~

~~the amount of the percent change added to the one hundred percent shall not exceed the greater of zero or the difference between the percent change and three percent.~~ The annual inflation factor for the 1979 calendar year is one hundred two point three percent. The annual inflation factor and the cumulative inflation factor shall each be expressed as a percentage rounded to the nearest one-tenth of one percent. The annual inflation factor shall not be less than one hundred percent.

b. "Cumulative inflation factor" means the product of the annual inflation factor for the 1978 calendar year and all annual inflation factors for subsequent calendar years as determined pursuant to this subsection. The cumulative inflation factor ~~shall apply~~ applies to all tax years beginning on or after January first of the calendar year in ~~for~~ which the latest annual inflation factor has been determined. For calendar years beginning on or after January 1, 1982, the cumulative inflation factor shall be one hundred percent.

c. The annual inflation factor for the 1978 calendar year is one hundred percent.

~~d. --The annual inflation factor and the cumulative inflation factor shall only be computed for the 1979 and 1980 calendar years.~~

~~e d.~~ Notwithstanding the computation of the annual inflation factor under paragraph a of this subsection, the annual inflation factor is one hundred percent for any calendar year in which the unobligated state general fund balance on June thirtieth as certified by the state comptroller by September tenth of the fiscal year beginning in that calendar year is less than sixty million dollars. However, for the 1981 calendar year, the annual inflation factor is one hundred percent for any calendar year if the unobligated state general fund balance on June thirtieth of the calendar year preceding the calendar year for which the factor is determined, as certified by the state comptroller by October tenth, is less than sixty million dollars.

Sec. 2. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter ninety-three (93), section four (4), is amended to read as follows:

SEC. 4. Section four hundred twenty-two point five (422.5), Code 1979, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Upon determination of the latest cumulative inflation factor, the director of revenue shall multiply each dollar amount set forth in subsections 1 through 13 of this section and each dollar amount specified in unnumbered paragraph 6 of this section as the maximum amount of annuities received which may be excluded in determining final taxable income by this cumulative inflation factor, shall round off the resulting product to the nearest one dollar and incorporate the result into the income tax forms and instructions for each tax year. ~~The director shall not alter the dollar amounts specified in subsections 1 through 13 of this section for any tax year beginning on or after January 1, 1981. However, the resulting product shall not reduce the dollar amounts set forth in subsections 1 through 13 and unnumbered paragraph 6 of section 422.5 below those specified on January 1, 1979.~~

Sec. 3. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter ninety-three (93), section eight (8), is amended to read as follows:

SEC. 8. Section four hundred twenty-two point twenty-one (422.21), Code 1979, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The director shall determine for the 1979 and ~~1980~~ subsequent calendar years the annual and cumulative inflation factors for those calendar years to be applied to tax years beginning on or after January first of that calendar year. The director shall ~~compute~~ the new dollar amounts as specified therein to be adjusted in section 422.5 by the latest cumulative inflation factor and round off the result to the nearest one dollar. ~~The director shall~~

~~not compute new dollar amounts specified in subsections 1 through 13 of section 422.5 for any tax year beginning on or after January 1, 1981.~~ The annual and cumulative inflation factors determined by the director are not rules as defined in section 17A.2, subsection 7.

Sec. 4. This Act is retroactive to January 1, 1980 for tax years beginning on or after January 1, 1980 and to this extent is retroactive.

TERRY E. BRANSTAD
President of the Senate

WILLIAM B. HARBOR
Speaker of the Rouse

I hereby certify that this bill originated in the Senate and is known as Senate File 2247, Sixty-eighth General Assembly.

FRANK J. STORK
Secretary of the Senate

Approved _____, 1980

ROBERT D. RAY
Governor

SENATE FILE 2253

AN ACT

PROVIDING FOR UNIFORMITY IN ~~THE~~ COMPUTATION OF INTEREST ON OVERPAYMENTS MADE UNDER ~~THE~~ INDIVIDUAL AND CORPORATE INCOME AND FRANCHISE TAXES.

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

Section 1. Section four hundred twenty-two point twenty-five (422.25), subsection three (3), Code 1979, is amended to read as follows:

3. If the amount of the tax as determined by the department ~~shall be is~~ less than the amount ~~theretofore~~ paid, the excess shall be refunded with interest after ~~sixty thirty~~ days from the date of payment or the date the return was due to be filed, whichever is the later at the rate of three-fourths of one percent per month counting each fraction of a month as an entire month under the ~~provisions-of-such~~ rules ~~as may~~ be prescribed by the director. If an overpayment of tax results from a net operating loss or net capital loss which is carried back to a prior year, the overpayment for purposes of computing interest on refunds, shall be considered as having been made at the close of the taxable year in which the net operating loss or net capital loss occurred or ~~sixty~~ thirty days from the date of the actual payment of the tax, whichever is later. However, when the net operating loss or net capital loss carry back to a prior year ~~eliminates~~ or reduces an underpayment of tax due for an earlier year, the full amount of the underpayment of tax shall bear interest at the rate of three-fourths of one percent per month counting each fraction of a month as an entire month from the due date of the tax for the earlier year to the last day of the taxable year in which the net operating loss or net capital loss occurred.

Sec. 2. Section four hundred twenty-two point ninety-one (422.91), unnumbered paragraph one (1), Code 1979, is amended to read as follows:

Any amount of tax paid on a declaration of estimated tax shall be a credit ~~against~~ the amount of tax due on a final, completed return, and any overpayment of five dollars or more shall be refunded to the taxpayer with interest after thirty days from the date of payment or the date the return was due to be filed, whichever is the later, at the rate of three-fourths of one percent per month or fraction of a month and such the return shall constitute a claim for refund for this purpose. Amounts less than five dollars shall be refunded to the taxpayer only upon written application in accordance with section 422.73, but only if ~~such the~~ application is filed within twelve months after the due date for the return.

TERRY E. BRANSTAD

President of the Senate

WILLIAM H. HARBOR

Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2253, Sixty-eighth General Assembly.

FRANK J. STORK

Secretary of the senate

Approved _____, 1980

ROBERT D. RAY

Governor

S.F. 2253

SENATE FILE 2264

AN ACT

RELATING TO THE NOTICE, APPEAL AND JUDICIAL REVIEW OF VALUATIONS AND TAX ASSESSMENTS MADE BY THE DIRECTOR OF REVENUE.

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

Section 1. Sections two (2), three (3) and four (4) of this Act shall be codified as a new chapter of the Code.

Sec. 2. NEW SECTION. NOTICE OF ASSESSMENT. The director of revenue shall, at the time of making the assessment of property as provided in chapters four hundred twenty-eight (428), four hundred thirty-three (433), four hundred thirty-four (434), four hundred thirty-six (436), four hundred thirty-seven (437), and four hundred thirty-eight (438) of the Code, inform the person assessed, by certified mail, of the valuation put upon the taxpayer's property. The notice shall contain a notice of the taxpayer's right of appeal to the state board of tax review as provided in section three (3) of this Act.

Sec. 3. NEW SECTION. APPEAL. Notwithstanding the provisions of chapter seventeen A (17A) of the Code, the taxpayer shall have thirty days from the date of postmark of the notice of assessment to appeal the assessment to the state board of tax review. Thereafter, the proceedings before the state board of tax review shall conform to section four hundred twenty-one point one (421.1), subsection four (4) and chapter seventeen A (17A) of the Code.

Sec. 4. NEW SECTION. JUDICIAL REVIEW. Judicial review of the action of the state board of tax review may be sought by the taxpayer in accordance with the terms of chapter seventeen A (17A) of the Code.

Sec. 5. Section four hundred thirty-five point six (435.6), Code 1979, is amended by adding after unnumbered paragraph two (2) the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. If the tax due is greater than the amount paid, the department shall compute the amount due, together with interest and penalties as provided in section four hundred thirty-five point five (435.5) of the Code, and shall notify the taxpayer by certified mail of the total if paid on or before the last day of the month in which the notice is postmarked.

Sec. 6. Sections four hundred twenty-eight point thirty (428.30) and four hundred twenty-eight point thirty-one (428.31), Code 1979, are repealed.

TERRY E. BRANSTAD
President of the Senate

WILLIAMH. HARBOR
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2264, Sixty-eighth General Assembly.

FRANK J. STORK
Secretary of the Senate

Approved _____, 1980

ROBERT D. RAY
Governor

S.F. 2264

SENATE FILE 2281

AN ACT

PROVIDING FOR TEMPORARY ALLOCATION OF FARM-TO-MARKET ROAD USE FUNDS.

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

Section 1. Section three hundred ten point twenty-seven (310.27), unnumbered paragraph two (2), Code 1979, is amended to read as follows:

For the purposes of this section, any sums of the farm-to-market road fund allotted to any county shall be presumed to have been "expended" when a contract ~~shall have~~ has been awarded obligating ~~said the~~ sums. ~~if a county does not plan to utilize its allotted funds in any period up to one year, the funds may be temporarily allocated to another county, at no interest, by written agreement between the counties involved. The total of the temporarily allocated funds received by a county shall not exceed the total anticipated funds to that particular county's farm-to-market fund in the succeeding fiscal year and total reimbursement shall be completed by the end of the succeeding fiscal year. When~~ projects and their estimated costs, which are proposed to be funded from the farm-to-market road fund, are submitted to the department for approval, the department shall estimate the total funding necessary and the period during which claims for the projects will be filed. After anticipating the funding necessary for approved projects, the department may, at its discretion, temporarily allocate additional moneys from the farm-to-market road fund for use in any other farm-to-market projects. However, a county shall not be temporarily allocated funds for projects in excess of the county's anticipated farm-

to-market road fund allocation for the current fiscal year plus the two succeeding fiscal years.

TERRY E. BRANSTAD
President of the Senate

WILLIAM H. HARBOR
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2281, Sixty-eighth General Assembly.

FRANK J. STORK
Secretary of the Senate

Approved _____, 1980

ROBERT D. RAY
Governor

S.F. 2281

SENATE FILE 2282

AN ACT

RELATING TO THE RATES OF INTEREST PAYABLE ON INTEREST-BEARING OBLIGATIONS ISSUED BY PUBLIC AGENCIES AND ON SPECIAL ASSESSMENTS LEVIED BY PUBLIC AGENCIES, AND INCLUDING A CORRELATING AMENDMENT REMOVING THE LIMITATION ON THE TAX LEVY AUTHORIZED BY SECTION THREE HUNDRED FIFTY-EIGHT POINT TWENTY-ONE (358.21) OF THE CODE WITH RESPECT TO INTEREST-BEARING OBLIGATIONS ISSUED UNDER THAT SECTION.

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

DIVISION I

Section 1. Section seventy-four point one (74.1), Code 1979, is amended to read as follows:

74.1 APPLICABILITY.

1. ~~This~~ The procedures of this chapter ~~shall~~ apply to all warrants which are legally drawn on a public treasury, including the treasury of a city, and which, when presented for payment, are not paid for want of funds.

2. ~~This~~ The procedures of this chapter ~~and its procedures shall~~ also apply whenever a municipality, as defined in section 24.2, or a city shall determine that there are not or will not be sufficient funds on hand to pay the legal obligations of a fund. Said municipality ~~Each of these municipalities~~

and cities is authorized to provide for the payment of such present and future obligations by drawing one or more anticipatory warrants payable to a bank or other business entity authorized by law to loan money in an amount or amounts legally available and believed to be sufficient to cover the anticipated deficiencies. The duties imposed on the treasurer by this chapter may be assigned by ~~the~~ a city council to another city officer.

3. The procedures of this chapter also apply to the issuance of anticipatory warrants by the state under section nineteen point eight (19.8) of the Code.

4. The procedures of this chapter also apply to anticipatory warrants, pledge orders, improvement certificates, anticipatory certificates or similar obligations payable from special assessments against benefited properties, or payable from charges, fees or other operating income from a publicly owned enterprise or utility.

Sec. 2. Section seventy-four point two (74.2), Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter twenty-four (24), section three (3), is amended to read as follows:

74.2 ENDORSEMENT AND INTEREST. ~~Except as provided in section 74.8, when any such~~ If a warrant other than an anticipatory warrant is presented for payment, and is not paid for want of funds, or is only partially paid, the treasurer shall endorse the fact thereon, with the date of presentation, and sign the endorsement, and thereafter the warrant or the balance due thereon, shall draw bear interest at ~~six percent per annum on state and county warrants, and six percent per annum on city and school warrants, unless the treasurer arranges for the sale of said warrant at par at a lower rate of interest~~ the rate specified in section ten (10) of this Act.

An anticipatory warrant issued under the authority of section seventy-four point one (74.1), subsection one (1) of

the Code shall bear interest at a rate determined by the issuing governmental body, but not exceeding that permitted by chapter seventy-four A (74A) of the Code.

Sec. 3. Section seventy-four point three (74.3), Code 1979, is amended to read as follows:

74.3 RECORD OF WARRANTS OBLIGATIONS. The treasurer shall keep a record of ~~all warrants so endorsed, each interest-bearing obligation which record~~ shall show the number and amount, the date ~~of presentation~~ interest commences, the rate of interest, and the name and post-office address of the ~~holder of each warrant of the obligation.~~

Sec. 4. Section seventy-four point four (74.4), Code 1979, is amended to read as follows:

74.4 ASSIGNMENT OF WARRANT OBLIGATION. When ~~any warrant shall be a nonnegotiable interest-bearing obligation is assigned or transferred after being so endorsed, the assignee or transferee shall be under duty, for his own protection, to shall~~ notify the treasurer in writing of such the assignment or transfer and of his the post-office address of the assignee or transferee. Upon receiving such notification, the treasurer accordingly shall correct ~~the aforesaid record accordingly~~ the record maintained under section three (3) of this Act.

Sec. 5. section seventy-four point five (74.5), Code 1979, is amended by striking the section and inserting in lieu thereof the following:

74.5 CALL FOR PAYMENT. When a fund contains sufficient money to pay one or more interest-bearing obligations which are outstanding against the fund, the treasurer shall call those obligations for payment. Obligations may be paid in the order of presentation. This section does not authorize a fixed-term obligation to be called at a date earlier than is provided by the conditions and terms upon which it was issued.

Sec. 6. Section seventy-four point six (74.6), Code 1979, is amended by striking the section and inserting in lieu thereof the following:

74.6 NOTICE OF CALL--TERMINATION OF INTEREST.

1. The treasurer shall make a call for payment under section five (5) of this Act by mailing to the holder of the obligation, as shown in the records maintained under section three (3) ~~of this Act~~, a notice of call which describes the obligation by number and amount, and which specifies a date, not more than ten days thereafter when interest ceases to accrue on the obligation. The treasurer shall enter the date of mailing of the notice in the records maintained under section three (3) of this Act.

2. Interest on an interest-bearing obligation shall cease to accrue as of the date specified in the notice of call issued under subsection one (1) of this section.

3. This section does not apply if the parties have otherwise agreed in writing.

Sec. 7. Section seventy-four point seven (74.7), Code 1979, is amended to read as follows:

74.7 ENDORSEMENT OF INTEREST. When ~~a warrant~~ an obligation which legally draws interest is paid, the treasurer shall endorse upon it the date of payment, and the amount of interest ~~allowed~~ paid. The treasurer also shall enter into the records maintained under section three (3) of this Act the date of payment and the amount of interest paid.

Sec. 8. Sections nine (9) through fifteen (15) of this Act are enacted as a new chapter seventy-four A (74A) of the Code, which shall be entitled "INTEREST RATES FOR PUBLIC OBLIGATIONS AND ASSESSMENTS".

Sec. 9. NEW SECTION. APPLICABILITY.

1. Except as otherwise provided by law, this chapter establishes the interest rates which are applicable to all bonds, warrants, anticipatory warrants, pledge orders, improvement certificates, and anticipation certificates issued by a governmental body or agency under the laws of this state, and the interest rates which are applicable to assessments levied by a governmental body or agency under the laws of

this state against benefited properties for the retirement of public debt.

2. This chapter does not authorize the issuance of a public obligation or the levying of an assessment, and does not create an obligation to pay interest, and does not determine when interest commences or ceases to accrue.

3. This chapter does not impose an interest rate or interest rate limitation where by law the rate of interest payable on an obligation is within the discretion of the governmental body or agency. unless that discretion is expressly made subject to the limitations contained in this chapter.

Sec. 10. NEW SECTION. UNPAID WARRANTS. A warrant not paid upon presentation for want of funds bears interest on unpaid balances at the rate in effect at the time the warrant is first presented for payment, as established by rule pursuant to section fourteen (14). subsection two (2) of this Act. This section does not apply to an obligation which by law bears interest from the time it is issued.

Sec. 11. NEW SECTION. INTEREST RATES FOR PUBLIC OBLIGATIONS. Except as otherwise provided by law, the rates of interest on obligations issued by this state, or by a county, school district, city special improvement district, or any other governmental body or agency are as follows:

1. General obligation bonds, warrants, or other evidences of indebtedness which are payable from general taxation or from the state's sinking fund for public deposits may bear interest at a rate to be set by the issuing governmental body or agency.

2. Revenue bonds, warrants, pledge orders or other obligations, the principal and interest of which are to be paid solely from the revenue derived from the operations of the publicly owned enterprise or utility or which the bonds or obligations are issued, may bear interest at a rate to be set by the issuing governmental body or agency.

3. Special assessment bonds, certificates, warrants or other obligations, the principal and interest of which are payable from special assessments levied against benefited property may bear interest at a rate to be set by the issuing governmental body or agency.

Sec. 12. NEW SECTION. MAXIMUM RATES ON SPECIAL ASSESSMENTS. Except as otherwise provided by law, the rate of interest payable on unpaid balances of special assessments levied against benefited properties shall not exceed the maximum rate in effect at the time of adoption of the final assessment schedule, as established by rule pursuant to section fourteen (14), subsection two (2) of this Act.

Sec. 13. NEW SECTION. RELATIVE RATE ON ASSESSMENT BONDS. Bonds payable from special assessments shall not be sold bearing a higher rate of interest than is payable on the assessments from which those bonds are made payable.

Sec. 14. NEW SECTION. RULES TO ESTABLISH RATES.

1. The rule-making authority contained in this section shall be exercised by a committee composed of the treasurer of state, the superintendent of banking and the commissioner of insurance.

2. The committee shall adopt rules pursuant to chapter seventeen A (17A) of the Code establishing the annual interest rate to be applicable to obligations referred to in section ten (10) of this Act, and the maximum annual interest rate to be applicable to obligations referred to in section twelve (12) of this Act.

3. The committee shall adopt rules pursuant to section seventeen A (17A) of the Code establishing recommended rates, or formulae for determining recommended rates, to be applicable to obligations referred to in sections eleven (11) and fifteen (15) of this Act.

4. The committee shall establish and from time to time modify one or more of the interest rates referred to in subsections two (2) and three (3) of this section as may be

necessary in the opinion of the committee to permit the orderly financing of governmental activities, and to minimize interest costs to governmental bodies while permitting a fair return to persons whose funds are used to finance governmental activities. The committee shall consider relevant indices of actual interest rates in the economy when establishing rates under this section, including but not necessarily limited to maximum lawful interest rates payable by depository financial institutions on customer deposits, interest rates payable on obligations issued by the United States government, and interest rates payable on obligations issued by governmental bodies other than those of this state.

5. An interest rate established by the committee under this section shall be in effect commencing on the date specified in the rule, and until superseded by a subsequent rule.

6. The committee shall not establish interest rates for types or categories of obligations other than as specified in this section.

Sec. 15. NEW SECTION. SCHOOL DISTRICT WARRANTS.

1. The treasurer of a school district shall sell anticipatory warrants authorized by section one (1), subsection two (2) of this Act at a rate of interest to be determined by the board of the school district.

2. The treasurer may offer the warrants for public sale at par, by publishing notice of the sale for two consecutive weeks in a newspaper of general circulation in the jurisdiction of the school district issuing the warrants, giving not less than ten days' notice of the time and place of the sale. The notice shall include a statement of the amount of the warrants offered for sale.

3. Sealed bids may be received at any time up to the time all bids are opened. The treasurer shall sell the warrants to the bidder offering the lowest interest rate, provided that the treasurer may reject all bids and readvertise the

sale of the warrants pursuant to the provisions of this section.

4. This section applies only to school districts whose anticipated receipts allocable to the current budget are at least equal to their legally approved budget for the current year.

DIVISION II

Sec. 16. Section nineteen point eight (19.8), Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter twenty-four (24), section one (1), is amended to read as follows:

19.8 ANTICIPATION OF REVENUES. The executive council may anticipate the revenues for any year, when the current revenues for that year are insufficient to pay all warrants issued in that year, by causing state warrants, in an amount not exceeding the estimated state revenues for that year, and ~~drawing not to exceed six percent per annum~~ bearing interest at a rate not exceeding that permitted by chapter seventy-four A (74A) of the Code, to be issued, advertised, and sold on sealed bids, and to the highest bidder offering the lowest interest rate. All bids and all records pertaining thereto ~~and the names of all purchasers~~ shall be kept on file. The treasurer of state shall comply with the provisions of chapter seventy-four (74) of the code.

Sec. 17. Section twenty-eight F point eight (28F.8), Code 1979, is amended to read as follows:

28F.8 DETAILS OF REVENUE BONDS. Revenue bonds issued pursuant to the provisions of this chapter shall bear interest at a rate or rates not exceeding ~~seven percentum per annum~~ that permitted by chapter seventy-four A (74A) of the Code, may be in one or more series, may bear such date or dates, may mature at such time or times not exceeding forty years from their respective dates, may be payable in such medium of payment, at such place or places within the state, may carry such registration privileges, may be subject to such

terms of prior redemption, with or without premium, may be , executed in such manner, may contain such terms, covenants and conditions, and may be in such form otherwise, as such resolution or subsequent resolutions shall provide.

Sec. 18. Section thirty-seven point six (37.6), Code 1979, is amended to read as follows:

37.6 BONDS. For the purpose of providing funds for the acquisition of necessary ground therefor, and for purchasing, erecting, constructing, or reconstructing such building or monument, and for the necessary equipment therefor, the county may issue bonds to be known as liberty memorial bonds, to be issued and sold as provided by law relative to general county bonds; it shall provide for portions of such bonds to become due at different, definite periods, but none in more than twenty years from date. In issuing such bonds, such county may become indebted in an amount which, added to all other indebtedness, shall not exceed five percent of the actual value of the taxable property in such county as determined by the last state and county tax lists. Such bonds shall bear interest at a rate not ~~exceeding seven-percent per-annum~~ that permitted by chapter seventy-four A (74A) of the Code. Bonds issued by a city must be issued in accordance with provisions of law relating to general corporate purpose bonds of a city.

Sec. 19. Section thirty-seven point twenty-eight (37.28), Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter twenty-four (24), section two (2), is amended to read as follows:

37.28 ANTICIPATORY WARRANTS. If the funds raised under the provisions of this chapter are insufficient for any fiscal year to pay the principal and interest due in that year on any bonds issued for hospital purposes under section 37.6 and to pay the expenses of the operation and maintenance of the hospital and any other hospital expenses authorized by this chapter for the fiscal year, the commission may issue

tax anticipatory warrants *drawn* on the funds to be raised by the taxes levied under sections 37.7 and 37.8. The warrants shall be in denominations of one hundred, five hundred and one thousand dollars and shall draw interest at a rate not ~~to exceed six-percent-per-annum~~ exceeding that permitted by chapter seventy-four A (74A) of the Code. These warrants shall not be a general obligation of any political subdivision which owns the hospital.

Sec. 20. Section one hundred eleven A point six (111A.6), unnumbered paragraph two (2), Code 1979, is amended to read as follows:

In order to make immediately available to the county conservation board the proceeds of the annual tax hereinbefore authorized to be levied for recreation and conservation purposes, bonds of any county may be issued in anticipation of the collection of such tax in the manner hereinafter provided. Upon the filing of a petition by the conservation board with the county board of supervisors asking that bonds be issued in a specified amount for the purpose of paying the cost of acquiring land and developing the same for public museum, park, parkway, preserve, playground, or other recreation or conservation purposes within the county, then the board of supervisors may call a special election to be held in the county to vote on the proposition of issuing such bonds. Notice of such election shall be published once each week for at least four consecutive weeks in one of the official county newspapers, and the election shall be held on a day not less than five nor more than twenty days after the last publication of such notice. Voting machines may be used for the purpose of voting on said proposition or, in the discretion of the board of supervisors, the proposition may be submitted to the voters on paper ballots. The proposition shall be submitted in substantially the following form:

"Shall County, Iowa, issue its bonds in the amount of \$..... for the purpose of?"

The expenses incurred in connection with the conduct of such election shall be paid by the conservation board from the county conservation fund. If the vote in favor of issuing the bonds is equal to at least sixty percent of the total votes cast for and ~~against~~ the proposition, the board of supervisors shall issue the bonds in the amount voted, and shall provide for the ~~levy~~ of an annual tax, within the limits of the special ~~tax~~ hereinbefore authorized, sufficient to pay said bonds and the interest thereon as the same respectively become due. Said bonds shall mature in not more than twenty years, shall bear interest at a rate or rates not exceeding ~~seven-percent-per-annum~~ that permitted by chapter seventy-four A (74A) of the Code, shall be in such form as the board of supervisors shall by resolution provide, and shall be payable as to both principal and interest from the proceeds of the annual levy of the tax hereinbefore authorized to be levied for recreation and conservation purposes, or so much thereof as will be sufficient to pay the principal thereof and interest thereon, and prior to the authorization and issuance of such bond~~s~~ the board of supervisors may, with or without notice, negotiate and enter into an agreement or agreements with any bank, investment banker, trust company or insurance company or group thereof whereunder the marketing of such bonds may be assured and consummated. The proceeds of such bonds shall be deposited in a special fund, to be kept separate and apart from all other funds of the county, and shall be paid out upon warrants drawn by the county auditor upon requisition of the conservation board to pay the cost of acquiring land and developing the same for recreation and conservation purposes as specified in the election proposition.

Sec. 21. Section one hundred forty-five A point seventeen (145A.17), Code 1979, is amended to read as follows:

145A.17 INDEBTEDNESS AND BONDS. Boards; of hospital trustees may acquire sites and erect and equip buildings for use by area hospitals and may contract indebtedness and issue

bonds bearing interest at a rate not exceeding ~~seven-percent per-annum~~ that permitted by chapter seventy-four A (74A) of the Code to raise funds for such purposes in accordance with chapter 75.

Sec. 22. Section two hundred two point five (202.5), Code 1979, is amended to read as follows:

202.5 INTEREST ON INSTALLMENTS. All unpaid installments of the special assessment tax levied against the property described in section 202.4 shall bear interest at ~~the rate of six-percent~~ a rate not exceeding that permitted by chapter seventy-four A (74A) of the Code and all delinquent installments shall be subject to the same penalties as are now applied to delinquent general taxes.

Sec. 23. Section two hundred two point six (202.6), Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter twenty-four (24), section four (4), is amended to read as follows:

202.6 ANTICIPATORY WARRANTS. The board shall have the authority for the purpose of financing and carrying out the provisions of this chapter to issue anticipatory warrants drawn on the county, in denominations of one hundred dollars, five hundred dollars and one thousand dollars, which anticipatory warrants shall draw interest at ~~not more than six-percent-per-annum~~ a rate not exceeding that permitted by chapter seventy-four A (74A) of the Code; and shall not be a general obligation on the county and be secured only by the special assessment tax levy as herein provided.

Sec. 24. Section two hundred eighty A point twenty-two (280A.22), unnumbered paragraph two (2), Code 1979, is amended to read as follows:

In order to make immediately available to the merged area the proceeds of the voted tax hereinbefore authorized to be levied, the board of directors of any such merged area is hereby authorized, without the necessity for any further election, to borrow money and enter into loan agreements in

anticipation of the collection of such tax, and such board, shall, by resolution, provide for the levy of an annual tax, within the limits of the special voted tax hereinbefore authorized, sufficient to pay the amount of any such loan and the interest thereon to maturity as the same becomes due. A certified copy of this resolution shall be filed with the county auditors of the counties in which such merged area is located, and the filing thereof shall make it a duty of such auditors to enter annually this levy for collection until funds are realized to repay the loan and interest thereon in full. Said loan must mature within the number of years for which the tax has been voted and shall bear interest at a rate or rates not exceeding ~~seven-percent-per-annum~~ that permitted by chapter seventy-four A (74A) of the Code. Any loan agreement entered into pursuant to authority herein contained shall be in such form as the board of directors shall by resolution provide and the loan shall be payable as to both principal and interest from the proceeds of the annual levy of the voted tax hereinbefore authorized, or so much thereof as will be sufficient to pay the loan and interest thereon. In furtherance of the foregoing the board of directors of such merged area may, with or without notice, negotiate and enter into a loan agreement or agreements with any bank, investment banker, trust company, insurance company or group thereof, whereunder the borrowing of the necessary funds may be assured and consummated. The proceeds of such loan shall be deposited in a special fund, to be kept separate and apart from all other funds of the merged area, and shall be paid out upon warrants drawn by the president and secretary of the board of directors to pay the cost of acquiring the school facilities for which the tax was voted.

Sec. 25. Section two hundred eighty-five point ten (285.10). subsection seven (7), paragraph b, Code 1979, is amended to read as follows:

b. May purchase buses and enter into contract to pay for such buses over a five-year period as follows: One-fourth of the cost when bus is delivered and the balance in equal annual installments, plus simple interest due. The interest rate shall be the lowest rate available and shall not exceed ~~four-percent-simple-interest~~ the rate in effect under section ten (10) of this Act. The bus shall serve as security for balance due. Bus bodies and chassis shall be purchased on separate contracts unless the bus is constructed as an integral unit, inseparable as to body and chassis, by the manufacturer or is a used or demonstrator bus.

Sec. 26. Section two hundred ninety-six point one (296.1), Code 1979, is amended to read as follows:

296.1 INDEBTEDNESS AUTHORIZED. Subject to the approval of the voters thereof, school districts are hereby authorized to contract indebtedness and to issue general obligation bonds to provide funds to defray the cost of purchasing, building, furnishing, reconstructing, repairing, improving or remodeling a schoolhouse or schoolhouses and additions thereto, gymnasium, stadium, field house, school bus garage, teachers' or superintendent's home or homes, and procuring a site or sites therefor, or purchasing land to add to a site already owned, or procuring and improving a site for an athletic field, or improving a site already owned for an athletic field, and for any one or more of such purposes. Taxes for the payment of said bonds shall be levied in accordance with chapter 76, and said bonds shall mature within a period not exceeding twenty years from date of issue, shall bear interest at a rate or rates not exceeding ~~seven-percent-per-annum~~ that permitted by chapter seventy-four A (74A) of the Code and shall be of such form as the board of directors of such school district shall by resolution provide, but the aggregate indebtedness of any school district shall not exceed five percent of the actual value of the taxable property within said school district, as ascertained by the last preceding state and county tax lists.

Sec. 27. Section two hundred ninety-eight point twenty-two (298.22), unnumbered paragraph one (1), Code 1979, is amended to read as follows:

All of said bonds shall be substantially in the form provided for county bonds, but subject to changes that will conform them to the action of the board providing therefor; shall run not more than twenty years, and may be sooner paid if so nominated in the bond; bear a rate of interest not exceeding seven-percent-per-annum that permitted by chapter seventy-four A (74A) of the Code, payable semiannually; be signed by the president and countersigned by the secretary of the board of directors; and shall not be disposed of for less than par value, nor issued for other purposes than this chapter provides.

Sec. 28. Section three hundred two point twelve (302.12), Code 1979, is amended to read as follows:

302.12 BONDS TO COVER MSSSES. When any sum not less than one thousand dollars shall be so audited and so become a debt of the state to the fund, as provided by the Constitution, the auditor of state shall issue the bond or bonds of the state in favor of the fund, bearing six-percent interest at a rate not exceeding that permitted by chapter seventy-four A (74A) of the Code, payable semiannually on the first day of January and July after issuance, and the amount to pay the interest as it becomes due is appropriated out of any funds in the state treasury.

Sec. 29. Section three hundred nine point forty-seven (309.47), subsection four (4), Code 1979, is amended to read as follows:

4. The rate of interest which each certificate shall bear which shall not exceed five-percent-per-annum that permitted by chapter seventy-four A (74A) of the Code, payable annually.

Sec. 30. Section three hundred nine point seventy-three (309.73), unnumbered paragraph three (3), Code 1979, is amended to read as follows:

Taxes for the payment of county bonds shall be levied in accordance with chapter 76 and said bonds shall be payable in not more than twenty years and bear interest at a rate not exceeding five-percent-per-annum that permitted by chapter seventy-four A (74A) of the Code, and shall be of such form as the respective councils or board of supervisors shall by resolution provide, but no city or county shall become indebted in excess of five percent of the actual value of taxable property within its taxing jurisdiction as shown by the last preceding state and county tax lists. The indebtedness incurred for the purpose provided in this section shall not be considered an indebtedness incurred for general or ordinary purposes.

Sec. 31. Section three hundred eleven point sixteen (311.16), unnumbered paragraph two (2), Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter sixty-eight (68), section one (1), is amended to read as follows:

On the final determination the board shall levy the assessments and all installments thereof upon the real estate within the district as finally established. The entire amount of the assessment shall be then due and payable, and bear interest at six-percent-per-annum a rate not exceeding that permitted by chapter seventy-four A (74A) of the Code commencing twenty days from the date of the levy, and shall be collected at the succeeding September semiannual payment of ordinary taxes.

Sec. 32. Section three hundred eleven point seventeen (311.17), unnumbered paragraph one (1), Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter sixty-eight (68), section two (2), is amended to read as follows:

If an owner other than the state or a county or city, of any tracts of land on which the assessment is more than ten dollars, shall, within twenty days from the date of the

assessment, agree in writing filed in the office of the county auditor, that in consideration of the owner having the right to pay the assessment in installments, the owner will not make any objection of illegality or irregularity as to the assessment upon the real estate, and will pay the assessment plus ~~six-percent-annual~~ interest, the assessment shall be payable in ten equal installments. The first installment shall be payable on the date of the agreement. The other installments with interest on the whole amount unpaid shall be paid annually at the same time and in the same manner as the September semiannual payment of ordinary taxes. The rate of interest shall be as established by the board, but not exceeding that permitted by chapter seventy-four A (74A) of the Code.

Sec. 33. Section three hundred eleven point twenty-eight (311.28), Code 1979, is amended to read as follows:

311.28 CERTIFICATES ANTICIPATING ASSESSMENTS. In order to render immediately available that amount of the estimated cost of an improvement which has been specially assessed, the board may issue road certificates in the name of the county in an aggregate amount not exceeding the then unpaid amount of the special assessment levied in said district. Each issue of certificates shall be under, and in accordance with, a duly adopted resolution of the board and which shall recite (1) the name or designation of the road district on account of which the certificates are issued; (2) that a stated amount (naming the amount) has been specially assessed against the lands within said district; (3) that a stated amount of said aggregate special assessment has not yet been paid (naming the unpaid amount); (4) that it is necessary to render such unpaid amount immediately available; (5) the number of road certificates authorized and the specific amount of each certificate; (6) the specific numbering or designation of such certificates; (7) the rate of interest which each certificate shall bear from date, ~~to-wit, not to exceed six~~

~~percent-per-annum~~ exceeding that permitted by chapter ~~seventy-four A (74A)~~ of the Code: (8) the fact that said certificates are payable solely from the proceeds of the special assessments which have been levied on the lands within said districts; (9) that each certificate shall be payable on or before the first day of January of the first year following the maturity of the last installment of such special assessments, and that interest thereon shall be paid annually; (10) the authorization to the chairman of the board, and to the county auditor, respectively, to sign and countersign each of said certificates.

Sec. 34. Section three hundred thirty point seven (330.71), unnumbered paragraph five (5), Code 1979, is amended to read as follows:

Taxes for the payment of said bonds shall be levied in accordance with chapter 76 and said bonds shall be payable in not more than twenty years and bear interest at a rate not exceeding ~~seven-percent-per-annum~~ that permitted by chapter seventy-four A (74A) of the Code and shall be of such form as the governing body shall by resolution provide, but no county or township shall become indebted in excess of five percent of ~~the~~ actual value of its taxable property, as shown by the last preceding state and county tax lists. The indebtedness incurred for the purpose provided in this section shall not be considered an indebtedness incurred for general or ordinary purposes.

Sec. 35. section three hundred thirty point fourteen (330.14). Code 1979. is amended to read as follows:

330.14 PAYMENT FROM EARNINGS. All political subdivisions authorized by this chapter to acquire, establish, improve, maintain, and operate airports may, in connection therewith, purchase or construct, or contract for the construction of, and maintain and operate, hangars, administration and office buildings and other aeronautical and commercial facilities for which fees are charged, and pay for the same solely and

only out of the earnings thereof. Such political subdivisions are authorized to borrow money for the purpose of purchasing or constructing the improvements herein authorized, and as evidence of such money borrowed to issue their bonds payable solely and only from the ~~revenues~~ derived from such improvements. Such bonds may be issued in such amounts as may be necessary to provide sufficient funds to pay all the costs of construction and operation of such improvement, including engineering and other expenses, together with interest to a date six months subsequent to the estimated date of completion. Bonds issued under the provisions of this section are declared to be negotiable instruments. The principal and interest of said bonds shall be payable solely and only from the special fund herein provided for such payments, and said bonds shall not in any respect be a general obligation of such political subdivision, nor shall they be payable in any manner by taxation. All details pertaining to the issuance of such bonds and the terms and conditions thereof shall be determined by ordinance or resolution duly adopted by the governing body of such political subdivision, which may pledge the property purchased or constructed, and the net earnings thereof, to the payment of said bonds and the interest thereon, and provide that the net earnings thereof shall be set apart as a sinking fund for that purpose. Such political subdivision is authorized and directed to charge the users of such improvements at rates which at all time, shall be sufficient to pay the principal and interest on the bonds issued under the provisions of this chapter, and the cost of operation and maintenance, and to provide an adequate depreciation fund. Bonds issued pursuant to the provisions of this section shall bear interest at a rate not exceeding ~~seven-percent-per-annum~~ that permitted by chapter seventy-four A (74A) of the Code. This section shall be construed as granting additional power, without limiting the power already existing in political subdivisions.

Sec. 36. Section three hundred thirty point sixteen (330.16), unnumbered paragraph two (2), Code 1979, is amended to read as follows:

Taxes for the payment of said bonds shall be levied in accordance with chapter 76 and said bonds shall be payable in not more than twenty years and bear interest: at a rate not exceeding ~~seven-percent-per-annum~~ that permitted by chapter seventy-four A (74A) of the Code and shall be of such form as the governing body shall by resolution provide, but no county or township shall become indebted in excess of five percent of the actual value of its taxable property, as shown by the last preceding state and county tax lists. The indebtedness incurred for the purpose provided in this section shall not be considered an indebtedness incurred for general or ordinary purposes.

Sec. 37. Section three hundred thirty A point nine (330A.9), subsection one (1), Code 1979, is amended to read as follows:

1. The bonds issued by an authority pursuant to this chapter shall be authorized by resolution of the board thereof and shall be either term or serial bonds, shall bear such date or dates, mature at such time or times, not exceeding - forty years from their respective dates, bear interest at such rate or rates, not exceeding ~~eight-per-centum-per-annum~~ that permitted by chapter seventy-four A (74A) of the Code, payable semiannually, be in such denominations, be in such form, either coupon or fully registered, shall carry such registration, exchangeability and interchangeability privileges, be payable in such medium of payment and at such place or places, within or without the state, be subject to such terms of redemption and be entitled to such priorities on the revenues, rates, fees, rentals, or other charges or receipts of the authority as such resolution or any resolution subsequent thereto may provide. The bonds shall be executed either by manual or facsimile signature by such officers as

an authority shall determine; provided that such bonds shall bear at least one signature which is manually executed thereon, and the coupons attached to such bonds shall bear the facsimile signature or signatures of such officer or officers as shall be designated by an authority and the bonds shall have the seal of the authority, affixed, imprinted, reproduced, or lithographed thereon, all as may be prescribed in such resolution or resolutions. Said bonds shall be sold at public sale at such price or prices as the authority shall determine to be in the best interests of the authority provided that such bonds shall not be sold at less than the par value thereof, plus accrued interest and provided that the net interest cost shall not exceed ~~eight-per-centum-per-annum~~ that permitted by chapter seventy-four A (74A) of the Code. Pending the preparation of definitive bonds, interim certificates or temporary bonds may be issued to the purchaser or purchasers of such bonds, and may contain such terms and conditions as the authority may determine.

Sec. 38. Section three hundred thirty-two point forty-four (332.44), subsection eight (8), unnumbered paragraph two (2), Code 1979, is amended to read as follows:

Bonds issued pursuant to the provisions of this section shall bear interest at a rate not exceeding ~~seven-percent per-annum~~ that permitted by chapter seventy-four A (74A) of the Code.

Sec. 39. section three hundred forty-five point sixteen (345.16), Code 1979, is amended to read as follows:

345.16 INTEREST RATE ON BONDS. Bonds issued pursuant to the provisions of this chapter shall bear interest at a rate not exceeding ~~seven-percent-per-annum~~ that permitted by chapter seventy-four A (74A) of the Code.

Sec. 40. Section three hundred forty-six point three (346.31, unnumbered paragraph one (1), Code 1979, is amended to read as follows:

Said bonds shall bear interest ~~not-exceeding-seven-percent per-annum~~ at a rate not exceeding that permitted by chapter seventy-four A (74A) of the Code, payable semiannually, and be substantially in the following form, but subject to changes that will conform them to the resolution of said board, to wit:

Sec. 41. Section three hundred forty-six point twenty-three (346.23), unnumbered paragraph two (2), Code 1979, is amended to read as follows:

Such bonds shall be in denominations of not less than one hundred dollars nor more than ten thousand dollars, and shall draw interest at a rate not ~~to-exceed-seven-percent-per-annum~~ exceeding that permitted by chapter seventy-four A (74A) of the Code, payable annually or semiannually. Such bonds shall be due and payable in not more than twenty years from the date of issuance but may be made subject to redemption in such manner and upon such terms as is stated on the face thereof, shall be in such form as the board of supervisors shall by resolution provide, and shall show on their face that they are county sanitary disposal bonds payable from the fund hereinafter provided. Funds available pursuant to the levy authorized by section 455B.81 shall be used to pay the interest and principal of such bonds as they become due. The limitation referred to in section 455B.81 shall not limit the source of payment of bonds and interest but shall only restrict the amount of bonds which may be issued. The money arising from such levies shall be known as the sanitary disposal bond fund and shall be used for the payment of such bonds and interest thereon only; and the treasurer shall open and keep in his or her books a separate account thereof, which shall show the exact condition of such fund. Such bonds shall be sold at public sale and the county treasurer shall comply with and be governed by all provisions of chapter 75.

Sec. 42. Section three hundred forty-six point twenty-six (346.26), subsection three (3), code 1979, is amended to read as follows:

3. County bonds may bear interest at a rate not exceeding ~~seven-percent-per-annum~~ that permitted by chapter seventy-four A (74A) of the Code payable semiannually and the principal shall be scheduled to mature in not more than twenty years from the date of the bonds. When a county has issued bonds, it shall annually levy on all taxable property in the county, a tax sufficient to pay the interest and principal of the bonds as they become due, and each county may levy taxes: sufficient to pay its portion of the cost of operating, maintaining, and keeping insured the building acquired or constructed under this section.

Sec. 43. Section three hundred forty-six point twenty-seven (346.27), subsection fourteen (14), Code 1979, is amended to read as follows:

14. Bonds issued under this section may be issued as serial or term bonds, shall be of such denomination or denominations and form, including interest coupons to be attached, shall be payable at such place or places and bear such date as the board of commissioners fix by the resolution authorizing the bonds, shall mature within a period not to exceed fifty years, and may be redeemable prior to maturity with or without premium, at the option of the board of commissioners, upon terms and conditions the board shall fix by the resolution authorizing the issuance of bonds. The board of commissioners may provide for the registration of bonds in the name of the owner as to the principal alone or as to both principal and interest upon terms and conditions the board determines. All bonds issued by an authority shall be sold at a price so that the interest cost to the commission of the proceeds of the bonds shall not exceed ~~seven-percent per-annum~~ that permitted by chapter seventy-four A (74A) of the Code, payable semiannually, computed to maturity, and shall be sold in the manner and at the time the board of commissioners determines.

Sec. 44. Section three hundred forty-six A point three (346A.3), unnumbered paragraph two (2), Code 1979, is amended to read as follows:

"Shall the county of, in the state of Iowa issue bonds in the amount of for the purpose of?" No such proposition shall be declared carried unless the vote in favor of the issuance of the bonds is equal to at least sixty percent of the total vote cast for and against the proposition at the election. Before the issuance of bonds under this chapter, the board shall adopt a resolution providing for the levy of annual taxes sufficient to pay maturing installments of the principal of and interest on said bonds in accordance with the provisions of chapter 76, and said bonds shall mature within a period not exceeding twenty years from date of issue, shall bear interest at a rate or rates not exceeding ~~seven-percent-per-annum~~ that permitted by chapter seventy-four A (74A) of the Code and shall be of such form as the board shall by resolution provide, but the aggregate indebtedness of any such county shall not exceed five percent of the actual value of the taxable property within the county as ascertained by the last preceding state and county tax lists.

Sec. 45. Section three hundred forty-seven point five (347.5), Code 1979, is amended to read as follows:

347.5 BONDS. Should a majority of all the votes cast upon the proposition at a general election be in favor of establishing such hospital, the board of supervisors shall proceed to issue bonds of the county not to exceed the amount specified in said proposition, in denominations of not less than one hundred dollars nor more than one thousand dollars, drawing interest at a rate not ~~to exceed seven-percent-per annum~~ exceeding that permitted by chapter seventy-four A (74A) of the Code, payable annually or semiannually. Said bonds shall be due and payable in twenty years from date of issuance, but at the option of the county payable at any time after

ten years from such date, and shall be substantially in the form provided for county bonds, and shall show on their face that they are county public hospital bonds payable only from the county public hospital fund as provided for in section 347.7.

Sec. 46. Section three hundred forty-seven point twenty-seven (347.271, unnumbered paragraphs one (1) and three (3), Code 1979, are amended to read as follows:

Any county having theretofore established a county public hospital being operated under the provisions of this chapter may equip, enlarge, and improve the county public hospital and acquire the necessary lands, rights of way, and other property. For the purpose of equipping, enlarging, and improving any such county public hospital, including the acquisition of the necessary lands, rights of way, and other property, any county may, pursuant to resolution of the board of supervisors of the county and after it has been determined by the board of hospital trustees to be advisable, from time to time issue and dispose of its negotiable interest-bearing revenue bonds, payable solely as to both principal and interest from the revenues derived from the operation of the county public hospital. All such bonds may bear such date or dates, may mature at such time or times not exceeding thirty years from their respective dates, may bear interest at such rate or rates not exceeding seven-percent-per-annum that permitted by chapter seventy-four A (74A) of the Code payable semiannually, may be in such form and payable at such place or places, and may be subject to such redemption privileges as are stated on the face thereof and as may be provided in the resolution.

Under no circumstances shall any revenue bond issued under the provisions of this section be or become an indebtedness of the county within the purview of any constitutional or statutory limitation or provision. It shall be plainly stated on the face of each bond that it does not constitute such

an indebtedness, but is payable solely from revenues derived from the operation of the county hospital. All the bonds shall be sold in a manner and upon terms prescribed by the resolution authorizing the issuance of the bonds, however no bonds shall be sold upon terms that will result in an interest cost computed to maturity of the bonds according to standard tables of bond values ~~of more than seven percent per annum~~ which exceeds that permitted by chapter seventy-four A (74A) of the Code. The resolution authorizing the revenue bonds may contain any covenants determined by the board of supervisors to be desirable in connection with the use and application of the bond proceeds, the operation of the county public hospital, and the custody and application of the revenues from this operation. The sole remedy for any breach or default of the terms of any bonds or proceedings for their issuance shall be by mandamus in a court of competent jurisdiction to compel performance and compliance therewith.

Sec. 47. Section three hundred forty-seven A point two (347A.2), Code 1979, is amended to read as follows:

347A.2 **BONDS--AUTHORIZATION--PAYMENT.** For the purpose of acquiring, constructing, equipping, enlarging or improving such hospital or any part thereof, any such county may, pursuant to resolution of the board of supervisors of such county, from time to time issue and dispose of its negotiable interest-bearing revenue bonds payable solely as to both principal and interest from the revenues to be derived from the operation of such hospital. All such bonds may bear such date or dates, may mature at such time or times not exceeding thirty years from their respective dates, may bear interest at such rate or rates not exceeding seven-percent-per-annum that permitted by chapter seventy-four A (74A) of the Code payable semiannually, may be in such form and payable at such place or places, and may be subject to such redemption privileges as is stated on the face thereof and as may be provided in such resolution. After a resolution authorizing

such revenue bonds has been adopted the county auditor shall publish notice of such adoption in at least one newspaper of general circulation in the county at least once each week for two consecutive weeks. Such notice shall identify the resolution by the date of its adoption and shall specify the amount of bonds proposed to be issued, and if within twenty days following the date of the first publication of such notice a petition is filed with the county auditor signed by qualified voters of said county in number equal to or exceeding twenty percent of the total number of votes cast in such county for governor at the last preceding regular election whereat a governor was elected then the bonds authorized by such resolution shall not be issued unless and until the proposition to issue same shall have been submitted at an election throughout the county and approved by not less than sixty percent of the votes cast for and against the proposition. When any such petition is filed it shall be referred to the board of supervisors at its next meeting and thereupon the board of supervisors may either repeal the bond resolution or order the election which shall be called and conducted in the manner provided by chapter 345. If there be no petition filed within the time hereinbefore provided or if there be a petition filed and the proposition of issuing such bonds is approved at such election then the board of supervisors may proceed with the acquisition, construction, equipment, operation and maintenance of the county hospital and the issuance of bonds in connection therewith, all as in this chapter permitted and provided. Under no circumstances shall any revenue bonds issued under the provisions of this chapter be or become an indebtedness of the county within the purview of any constitutional or statutory limitation or provision, and it shall be plainly stated on the face of each bond that it does not constitute such an indebtedness, but is payable solely from the revenues as aforesaid. All such bonds shall be sold in such manner and upon such terms

as is prescribed by the resolution authorizing the issuance thereof, provided, that no bonds shall be sold upon terms that will result in an interest cost computed to maturity of the bonds according to standard tables of bond values of ~~more-than-seven-percent-per-annum~~ which exceeds that permitted by chapter seventy-four A (74A) of the Code. The resolution authorizing such revenue bonds may contain such covenants as are determined by the board of supervisors to be desirable in connection with the use and application of the bond proceeds, the operation of the county hospital and the custody and application of the revenues from such operation. The sole remedy for any breach or default of the terms of any such bonds or proceedings for their issuance shall be by mandamus in a court of competent jurisdiction to compel performance and compliance therewith.

Sec. 48. Section three hundred forty-seven A point seven (347A.7), unnumbered paragraph one (1), Code 1979, is amended to read as follows:

For the purpose of enlarging and improving any county hospital or hospitals theretofore acquired and being operated under the provisions of this chapter, any such county, upon petition and recommendation of the board of hospital trustees, and pursuant to resolution of the board of supervisors of such county, may from time to time incur indebtedness and issue and sell the negotiable interest-bearing general obligation bonds of said county, provided that the principal amount of all such bonds which may be issued and outstanding under this section shall not be in excess of two percent of the assessed value of the taxable property in such county as shown by the latest state and county tax lists. All such bonds may bear such date or dates, may mature at such time or times not exceeding twenty years from their respective dates, may bear interest at such rate or rates not exceeding ~~seven-percent-per-annum~~ that Permitted by chapter seventy-four A (74A) of the Code payable semiannually, may be in such

form and payable at such place or places, and may be made subject to such privileges of redemption prior to maturity and upon such terms of redemption as are stated on the face of such bonds and as may be provided in such resolution.

Sec. 49. Section three hundred fifty-seven point twenty (357.20), Code 1979, is amended to read as follows:

357.20 DUE DATE-BONDS. Assessments of less than ten dollars will come due at the first tax-paying date after the approval of the final assessment, and assessments of ten dollars or more may be paid in ten annual installments with interest ~~at six percent on~~ the unpaid balance at a rate not exceeding that permitted by chapter seventy-four A (74A) of the Code. The board of supervisors shall issue bonds against the completed assessment in an amount equal to the total cost of the project, so that the amount of the assessment will be approximately ten percent greater than the amount of the bonds.

Sec. 50. Section three hundred fifty-seven A point eleven (357A.11), subsection eight (8), Code 1979, is amended to read as follows:

8. Have power to finance up to ninety-five percent of the cost of the construction or purchase of any project necessary to carry out the purposes for which the district is incorporated, provided the balance of the cost of construction or purchase is acquired by subscription, donation, gift, or otherwise than through the medium of loans, or to refinance up to ninety-five percent of the original cost of any such project, and to evidence such financing by issuance of revenue bonds or notes which shall mature in a period not to exceed forty years from date of issuance, shall bear interest, or combined interest and insurance charges, at a rate not to exceed ~~six percent-per-annum that permitted by chapter seventy-four A (74A) of the Code~~, shall be payable only from revenue derived from sale of water by the district, and shall never become or be construed to be a debt against

the state of Iowa or any of its political subdivisions other than the district issuing the bonds. A statutory mortgage lien shall exist upon the water system and appurtenances and extensions so acquired in favor of the holders of the bonds and notes.

Sec. 51. Section three hundred fifty-seven B point four (357B.4), code 1979, is amended to read as follows:

357B.4 ANTICIPATION OF TAX. The board of trustees of a benefited fire district may anticipate the collection of taxes authorized under section 357B.3 and, for the purpose of providing fire protection, may issue bonds payable in not more than ten equal installments at an interest rate not exceeding ~~seven percent-per-annum that permitted by chapter seventy-four A (74A) of the Code~~. The bonds shall be in such form and payable at such place as specified by resolution of the board of trustees. The provisions of sections 23.12 to 23.16 and chapter 384 shall apply to such bonds to the extent applicable.

Sec. 52. Section three hundred fifty-seven C point ten (357C.10), Code 1979, is amended to read as follows:

357C.10 BONDS IN ANTICIPATION OF REVENUE. Benefited street lighting districts may anticipate the collection of taxes by the levy herein provided, and to carry out the purposes of this chapter may issue bonds payable in not more than ten equal installments, with the rate of interest thereon ~~to not exceed seven percent-per-annum exceeding that permitted by chapter seventy-four A (74A) of the Code~~. No indebtedness shall be incurred under this Act until authorized by an election. Such election shall be held and notice given in the same manner as the election provided herein for the authorization of a tax levy, and the same sixty percent vote shall be necessary to authorize indebtedness. Both

propositions may be submitted to the voters in the same election:

Sec. 53. Section three hundred fifty-eight point twenty-one (353.213, unnumbered paragraph four (4), Code 1979, is amended to read as follows:

The proceeds of any bond issue made under the provisions of this section shall be used only for the purpose of acquiring, locating, laying out, establishing and construction of drainage facilities, conduits, treatment plants, pumping plants, works, ditches, channels and outlets of such capacity and character as may be required for the treatment, carrying off and disposal of the sewage and industrial wastes and other drainage incidental thereto of such district, or to repair, change, enlarge and add to such facilities as may be necessary or proper to meet the requirements present and future for the purposes aforesaid. Proceeds from such bond issue may also be used for the payment of special assessment deficiencies. Said bonds shall be payable in not more than forty annual installments and ~~at interest not exceeding seven percent-per-annum with interest at a rate not exceeding that permitted by Chapter seventy-four A (74A) of the Code,~~ and shall be made payable at such place and be of such form as the board of trustees shall by resolution designate. Any sanitary district issuing bonds as authorized in this section is hereby granted authority to pledge the future avails of a tax levy ~~not exceeding one-dollar-and-thirty-five-cents per-thousand-dollars-of-assessed-value-of-taxable-property per-annum~~ to the payment of the principal and interest of such bonds after the same come due, and the power to impose and certify said levy is hereby granted to the trustees of sanitary districts organized under the provisions of this chapter.

Sec. 54. Section three hundred fifty-nine point forty-five (359.45), Code 1979, is amended to read as follows:

359.45 **ANTICIPATORY BONDS.** Townships may anticipate the collection of taxes authorized by section 359.43 and for such purposes may issue bonds payable in not more than ten equal

annual installments and at a rate of interest not exceeding ~~seven-percent-per-annum~~ that permitted by chapter seventy-four A (74A) of the Code and payable at such place and be in such form as the board of trustees shall designate by resolution. Sections ~~23.12~~ to 23.16, inclusive, and provisions of law relating to essential corporate purpose bonds of a city, so far as applicable, shall apply to such bonds.

Sec. 55. Section three hundred eighty-four point fifty-seven (384.57). Code 1979, is amended to read as follows:

384.57 **MONTHLY PAYMENTS.** The city may contract to pay not to exceed ninety percent of the engineer's estimated value of the acceptable work completed during the month to the contractor at the end of each month. Payment may be made in warrants drawn on any fund or funds from which payment for the work may be made. ~~The warrants, unless paid upon presentation, draw interest at a rate not to exceed seven percent-per-annum from and after the date of presentation for payment.~~ If such funds are depleted, anticipatory warrants may be issued bearing a rate of interest not exceeding that permitted by chapter seventy-four A (74A) of the Code, which do not constitute a violation of section 384.10, even if the collection of taxes or special assessments or income from the sale of bonds applicable to the public improvement is after the end of the fiscal year in which the warrants are issued. If the city arranges for the private sale of anticipatory warrants, they may be sold and the proceeds used to pay the contractor. Such warrants may also be used to pay other persons furnishing services constituting a part of the cost of the public improvement.

Sec. 56. Section three hundred eighty-four point sixty (384.60), subsections three (3) and five (5), Code 1979, are amended to read as follows:

3. Provide for interest on all unpaid installments at ~~not more than seven-percent-per-annum~~ a rate not exceeding that permitted by Chapter seventy-four A (74A) of the Code.

5. Direct the clerk to certify the final schedule to the auditor of the county or counties in which the assessed property is located, and to publish notice thereof once each week for two consecutive weeks in the manner provided in section 362.3, the first publication of which shall be not more than fifteen days from the date of filing of the final schedule. On or before the second publication of the notice, the clerk shall send by certified mail to each property owner whose property is subject to assessment for the improvement, as shown by the records in the office of the county auditor, a copy of the notice. Such notice shall also include a statement in substance that assessments may be paid in full or in part without interest within thirty days after the date of certification, and thereafter all unpaid special assessments ~~will draw annual interest at seven percent~~ bear interest at the rate specified by the board, but not exceeding that permitted by chapter seventy-four A (74A) of the Code, computed to the December 1 next following the due dates of the respective installments, and each installment will be delinquent on September 30 following its due date, and will draw additionally the same delinquent interest and the same penalties as ordinary taxes. Such notice shall also state substantially that property owners may elect to pay any installment semiannually in advance. If a property is shown by the records to be in the name of more than one owner at the same mailing address, a single notice may be mailed to all owners at that address. Failure to receive a mailed notice is not a defense to the special assessment.

The county auditor shall place on the tax list the amounts to be assessed against each lot within the assessment district, as certified.

Sec. 57. Section three hundred eighty-four point sixty-eight (384.68), subsections two (2) and four (4), Code 1979, are amended to read as follows:

2. All special assessment bonds are negotiable, must state on their face that they are issued under the provisions of this division, and are payable as to both principal and interest from the proceeds of the special assessments levied for the public improvement. Such bonds may bear interest at a rate not exceeding ~~seven percent per annum~~ that permitted by chapter seventy-four A (74A) of the Code payable annually or semiannually, must mature serially on December 1 of the years in which any of the principal is scheduled to become due, and may contain a provision that the city reserves the right and option of calling and redeeming any or all of the bonds prior to maturity on any interest payment date or within forty-five days thereafter upon the terms specified therein. Such bonds must be called "improvement bonds", must designate the general type of improvement or improvements for which issued, and may be issued in any denomination, not exceeding ten thousand dollars. Bonds issued for a public improvement authorized in section 384.38, subsection 2, must be named in a way to distinguish them from other improvement bonds of the city, and to designate the property specially assessed for the improvement. Improvement bonds issued for any one levy must bear the same date and be divided into as many series as there are years in which installments of the special assessment mature, and each series must be as nearly equal in amount as practicable.

4. special assessment bonds must be sold at public or private sale in the manner provided by chapter 75, and may not be sold for less than par value with accrued interest from date to the time of delivery, or if no bids are received at public sale, bonds bearing the same rate of interest as the special assessment may be delivered to the contractor in payment of the cost of the public improvement. The proceeds of the sale must be applied to the payment of the cost of the public improvement.

Sec. 58. Section three hundred eighty-four point eighty-three (384.83), subsections three (3) and six (6), Code 1979, are amended to read as follows:

3. Revenue bonds may bear dates, bear interest at rates not exceeding ~~any limitations imposed by chapter 75 that~~ permitted by chapter seventy-four A (74A) of the Code, mature in one or more installments, be in either coupon or registered form, carry registration and conversion privileges, be payable as to principal and interest at times and places, be subject to terms of redemption prior to maturity with or without premium, and be in one or more denominations, all as provided by the resolution of the governing body authorizing their issuance. The resolution may also prescribe additional provisions, terms, conditions, and covenants which the governing body deems advisable, consistent with the provisions of the city code, including provisions for creating and maintaining reserve funds, the issuance of additional revenue bonds ranking on a parity with such revenue bonds and additional revenue bonds junior and subordinate to such revenue bonds, and that such revenue bonds shall rank on a parity with or be junior and subordinate to any revenue bonds which may be then outstanding. Revenue bonds are a contract between the city and holders and the resolution is a part of the contract.

6. A city may issue pledge orders pursuant to a resolution of the governing body of the city utility, combined utility system, city enterprise, or combined city enterprise, adopted by a majority of the total number of members to which the governing body is entitled, at a regular or special meeting, ordering their issuance and delivery in payment for all or part of the cost of a project. Pledge orders may bear interest at rates not exceeding ~~eight-percent-per-annum that permitted~~ by chapter seventy-four A (74A) of the Code.

Sec. 59. Section three hundred eighty-six point twelve (386.12), subsection four (4), Code 1979, is amended to read as follows:

4. Payment for the costs of an improvement may also be made in warrants drawn on any fund from which payment for the improvement may be made. ~~The warrants, unless paid upon presentation, draw interest at a rate not to exceed seven percent-per-annum from the date of presentation for payment.~~ If such funds are depleted, anticipatory warrants may be issued ~~bearing a rate of interest not exceeding that permitted~~ by chapter seventy-four A (74A) of the Code, which do not constitute a violation of section 384.10, even if the collection of taxes or income from the sale of bonds applicable to the improvement is after the end of the fiscal year in which the warrants are issued. If the city arranges for the private sale of anticipatory warrants, they may be sold and the proceeds used to pay the cost of the improvement. Such warrants may be used to pay other persons furnishing services constituting a part of the cost of the improvement.

Sec. 60. Section three hundred ninety-four point one (394.1), unnumbered paragraph two (2), Code 1979, is amended to read as follows:

Taxes for the payment of said bonds shall be levied in accordance with chapter 76, and said bonds shall be payable through the debt service fund in not more than twenty years, and bear interest at a rate not exceeding ~~seven-percent-per-annum that permitted by chapter seventy-four A (74A) of the~~ Code, and shall be of such form as the city council shall by resolution provide, but no city shall become indebted in excess of five percent of the actual value of the taxable property within said city, as shown by the last preceding state and county tax lists. The indebtedness incurred for the purpose provided in this section shall not be considered an indebtedness incurred for general or ordinary purposes.

Sec. 61. Section four hundred three point nine (403.9), subsection three (3), Code 1979, is amended to read as follows:

3. Bonds issued under this section shall be authorized by resolution or ordinance of the local governing body and

may be issued in one or more series and shall bear such date or dates, be payable upon demand or mature at such time or times, bear interest at such rate or rates not exceeding ~~seven per-centum-per-annum~~ that permitted by chapter seventy-four A (74A) of the Code, be in such denomination or denominations, be in such form either coupon or registered, carry such conversion or registration privileges, have such rank or priority, be executed in such manner, be payable in such medium of payment, at such place or places, and be subject to such terms of redemption, with or without premium, be secured in such manner, and have such other characteristics, as may be provided by such resolution or trust indenture or mortgage issued pursuant thereto.

Sec. 62. Section four hundred three A point thirteen (403A.13), unnumbered paragraph one (1), Code 1979, is amended to read as follows:

Bonds of a municipality shall be authorized by its resolution and may be issued in one or more series and shall bear such date or dates, mature at such time or times, bear interest at such rate or rates, not exceeding ~~seven-per-centum per-annum~~ that permitted by chapter seventy-four A (74A) of the Code, be in such denomination or denominations, be in such form either coupon or registered, carry such conversion or registration privileges, have such rank or priority, be executed in such manner, be payable in such medium of payment, at such place or places, and be subject to such terms of redemption (with or without premium) as such resolution, its trust indenture or mortgage may provide.

Sec. 63. Section four hundred fifty-four point twenty (454.20), Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter twenty-four (24), section five (5), is amended to read as follows:

454.20 INTEREST. The warrants shall bear interest from date at a rate not to exceed ~~six-percent~~ that permitted by chapter seventy-four A (74A) of the Code, which interest shall

be payable at the end of each year, or for such shorter period as the warrants may remain unpaid.

Sec. 64. Section four hundred fifty-five point sixty-four (455.641, subsections one (1) and two (2), Code 1979, are amended to read as follows:

1. To pay one-third of the amount of such assessment at the time of filing such agreement; one-third within twenty days after the engineer in charge shall certify to the auditor that the improvement is one-half completed; and the remaining one-third within twenty days after the improvement has been completed and accepted by the board. All such installments shall be without interest if paid at said times, otherwise said assessments shall bear interest from the date of the levy at ~~the rate of not to exceed seven-percent-per-annum~~ a rate not exceeding that permitted by chapter seventy-four A (74A) of the Code, payable annually, and be collected as other taxes on real estate, with like penalty for delinquency.

2. To pay such assessments in not less than ten nor more than twenty equal installments, the number to be fixed by the board and interest at the rate fixed by the board, not exceeding ~~seven-percent-per-annum~~ that permitted by chapter seventy-four A (74A) of the code. One such installment shall be payable at the September semiannual taxpaying date in each year; provided, however, that the county treasurer shall, at the September semiannual taxpaying date, require only the payment of a sufficient portion of the assessments to meet the interest and the amount maturing on bonds or certificates prior to the regular time for the payment of the second installment of taxes and the balance shall be collected with such second installment and without penalty.

Sec. 65. Section four hundred fifty-five point seventy-seven (455.77), unnumbered paragraph one (1), Code 1979, is amended to read as follows:

The board may provide by resolution for the payment of assessments in not more than twenty annual installments with

interest at ~~not-to-exceed-seven-percent-per-annum~~ a rate not exceeding that permitted by chapter seventy-four A (74A) of the Code. The board may issue warrants bearing interest at the same rate, which warrants shall be numbered and state a maturity date in ~~which event~~ they shall bear interest from the date of issuance without being presented for payment and marked unpaid for want of funds. The warrants may be sold by the board for cash in an amount not less than the face value thereof, together with accrued interest, if any.

Sec. 66. Section four hundred fifty-five point seventy-nine (455.79), Code 1979, is amended to read as follows:

455.79 INTEREST--PLACE OF PAYMENT. Such certificates shall bear interest ~~not-to-exceed-seven-percent-per-annum~~ at a rate not exceeding that permitted by chapter seventy-four A (74A) of the Code, payable annually, and shall be paid by the taxpayer to the county treasurer, who shall receipt for the same and cause the amount to be credited on the certificates issued therefor.

Sec. 67. Section four hundred fifty-five point eighty-three (455.83), Code 1979, is amended to read as follows:

455.83 AMOUNT--INTEREST--MATURITY. In no case shall the aggregate amount of all bonds issued exceed the benefits assessed. ~~Such The~~ bonds shall not be issued for a greater amount than the aggregate amount of assessments for the payment of which they are issued, nor for a longer period of maturity than twenty years, ~~and bear a rate of interest not to exceed seven-percent-per-annum.~~ The bonds shall bear interest at ~~a rate not exceeding that permitted by chapter seventy-four A (74A) of the Code,~~ payable semiannually, on June 1 and December 1 of each year. ~~Whenever the interest on bonds issued pursuant to the provisions of this chapter exceeds four-percent-per-annum the interest on unpaid assessments shall equal the interest on such bonds but not to exceed seven percent-per-annum, the provisions of sections 455.57 and 455.64 to the contrary notwithstanding. The interest on~~

unpaid assessments shall be at a rate not exceeding that pennitted by chapter seventy-four A (74A) of the Code.

Sec. 68. Section four hundred fifty-five point one hundred seventy-five (~~455.175~~), Code 1979, is amended to read as follows:

455.175 FUNDS. Payment to the county auditor for such certificate shall be from the fund of said drainage or levee district, or subdistrict, on a warrant issued against that fund which shall have precedence over all other outstanding warrants drawn against that fund in the order of their payment. Should there not be a sufficient amount in the fund of said district, or subdistrict, to pay said warrant then the board of supervisors, or the trustees of the district, as the case may be, are authorized to borrow a sum of money sufficient for that purpose on a warrant for that amount on the fund of the district, or subdistrict; which warrant shall bear interest from date at ~~six-percent-per-annum~~ a rate not exceeding that permitted by chapter seventy-four A (74A) of the Code and shall have preference in payment over all other unpaid warrants on said fund, and the county treasurer shall so enter the same on the list of warrants in his office and call the same for payment as soon as there is sufficient money in said fund.

Sec. 69. Section four hundred fifty-five point one hundred ninety-eight (~~455.198~~), Code 1979, is amended to read as follows:

455.198 WARRANTS NOT PAID FOR WANT OF FUNDS. Chapter 74 shall be applicable to all warrants which are legally drawn on levee and drainage district funds and are not paid for want of funds, ~~except that such warrants shall bear interest at not to exceed seven-percent-per-annum.~~

Sec. 70. Section four hundred fifty-five point two hundred thirteen (455.213), Code 1979, is amended to read as follows:

455.213 ~~INSTALLMENTS--WARRANTS.~~ The board shall levy the costs contemplated in section 455.202 upon all of the lands of the district on the basis of the classification for benefits as finally established and the assessments so levied shall be paid in one installment unless the board in its discretion shall provide for the payment thereof in not more than twenty equal installments with interest at ~~not-to-exceed seven-percent-per-annum~~ a rate not exceeding that permitted by chapter seventy-four A (74A) of the Code. The board may issue anticipatory warrants bearing interest at ~~not-to-exceed seven-percent-per-annum-against-assessments~~ a rate not exceeding that permitted by chapter seventy-four A (74A) of the Code. The warrants may be numbered and state a maturity date ~~in-which-event-they-shall-bear-interest-from-the-date-of-issue-without-being-presented-for-payment-and-marked-unpaid-for-want-of-funds.~~ The warrants may be sold by the board for cash in an amount not less than the face value thereof, together with accrued interest, if any.

Sec. 71. Section four hundred sixty point seven (460.7), Code 1979, is amended to read as follows:

460.7 ~~ADVANCED PAYMENTS.~~ The board on construction of such improvement may advance out of the secondary road construction fund or the secondary road maintenance fund, or out of both of said funds that portion to be collected by special assessment, the amount so advanced to be replaced in said road funds as the first special assessments are collected. The board may in lieu of making such advancements, issue warrants to be known as "Drainage Warrants", said warrants to ~~draw-not-to-exceed-four-percent-interest-per-annum~~ bear interest at a rate not exceeding that permitted by chapter seventy-four A (74A) of the Code payable annually from the date of issue and to be paid out of the special assessments levied therefor, when the same are collected.

Sec. 72. Section four hundred sixty-one point fourteen (461.14), Code 1979, is amended to read as follows:

461.14 ~~FORM OF BONDS.~~ Such bonds shall be issued in sums of not less than one hundred dollars or more than one thousand dollars each, running not more than twenty years, bearing interest not exceeding ~~six-percent-per-annum~~ that permitted by chapter seventy-four A (74A) of the Code, payable annually or semiannually. and shall be substantially in the form provided by law for funding bonds issued for drainage purposes.

Sec. 73. Section four hundred sixty-three point ten (463.10), Code 1979, is amended to read as follows:

463.10 ~~FORM OF BONDS.~~ Drainage refunding bonds shall be issued in denominations of not less than one hundred dollars nor more than one thousand dollars, each, running not more than forty years, bearing interest ~~not-exceeding-six-percent-per-annum~~ at a rate not exceeding that permitted by chapter seventy-four A (74A) of the code, payable semiannually, and shall be substantially in the form provided by law relating to drainage bonds, with such changes as shall be necessary to conform with this chapter.

Sec. 74. Section four hundred sixty-four point nine (464.9), Code 1979, is amended to read as follows:

464.9 ~~REFUNDING BONDS.~~ The court shall direct the board of supervisors to issue bonds in lieu of the outstanding drainage bonds for said drainage district, and additional bonds for the accrued interest and other indebtedness of said drainage district. Said bonds shall be payable in amounts, and at the time and manner, and with priority of payments as has been determined by order of court, as provided by section 464.8, and shall be called "conservator's drainage district bonds". Each bond shall be numbered and shall state on its face that it is a conservator's drainage district bond; that it is issued in pursuance of a resolution adopted by the board of supervisors, under order of court, and giving the name of the court and the county where such court is held; that it is issued to pay indebtedness of the drainage district; shall state the county where such district is located, and

the number of the drainage district for which it is issued; shall state the date of maturity of the bond, the rate of interest thereon, which rate shall not ~~be less than three and one-half percent per annum~~ exceed that permitted by chapter seventy-four A (74A) of the Code, and that the bond is to be paid only from taxes assessed, levied and collected on the lands within the drainage district for which the bond is issued subject to the provisions of section 464.8. All bonds shall be signed by the chairman of the board of supervisors and countersigned by the conservator designated as such. The interest coupons attached to said bonds shall be attested by the signature of the conservator or a facsimile thereof. When the bonds have been executed as herein required, the conservator may sell said bonds at not less than par with accrued interest thereon, and pay the indebtedness of said drainage district, or may exchange said bonds with the creditors of said drainage district in amounts as have been fixed and determined by the court, and the conservator shall cancel all drainage bonds, improvement certificates, warrants or other evidence of indebtedness received by him in lieu of the conservator's bonds.

Sec. 75. Section four hundred sixty-seven A point thirty-three (467A.33), unnumbered paragraph one (1), Code 1979, is amended to read as follows:

The governing body upon receiving the reports from three appointed appraisers and after holding the hearings shall transmit and certify the amounts of assessments to the respective boards of supervisors which upon receipt of certification from the governing body of the district, make the necessary levy of such assessments as fixed by the governing body upon the land within such subdistrict and all assessments shall be levied at that time as a tax and shall bear interest at ~~not more than four percent per annum~~ a rate not exceeding that permitted by chapter seventy-four A (74A) of the Code from that date payable annually except as hereafter

provided as to cash payments therefor within a specified time. The assessment so levied shall be kept in a separate account by the appropriate county treasurer or treasurers, identified by the official name of the subdistrict and expenditures therefrom shall be made on requisition of the chairman and secretary of the governing body of the subdistrict.

Sec. 76. Section four hundred sixty-seven A point thirty-five (467A.35), subsections one (1) and two (2), Code 1979, are amended to read as follows:

1. To pay one half of the amount of such assessment at the time of filing such agreement and the remaining one half shall become due and payable one year from the date of filing such agreement. All such installments shall be without interest if paid at said times, otherwise said assessments shall bear interest from the date of the levy at ~~the rate of four percent per annum~~ a rate fixed by the governing body of the subdistrict, but not exceeding that permitted by chapter seventy-four A (74A) of the Code, payable annually, and be collected as other taxes on real estate, with like penalty for delinquency.

2. To pay such assessments in not less than ten nor more than forty equal installments, the number to be fixed by the governing body of the subdistrict and interest at the rate fixed by the governing body of the subdistrict, not exceeding ~~four percent per annum~~ that permitted by chapter seventy-four A (74A) of the Code. The first installment of each assessment shall become due and payable at the October semiannual tax paying date after the date of filing such agreement, unless the agreement is filed with the county auditor less than thirty days prior to such October semiannual tax paying date, in that event, the first installment shall become due and payable at the next succeeding October semiannual tax paying date. The second and each subsequent installment shall become due and payable at the October semiannual tax paying date each year thereafter. All such installments shall be collected

with interest accrued on the unpaid balance to the October semiannual tax paying date and as other taxes on real estate, with like penalty for delinquency.

Sec. 77. Sections seventy-four point eight (74.8), seventy-five point eleven (75.11) and seventy-five point twelve (75.12). Code 1979, are repealed. It is the intent of the general assembly that the repeal of these sections, and the enactment of sections eleven (11), thirteen (13) and fifteen (15) of this Act shall be construed as a continuation of prior law, except to the extent amended by sections eleven (11) and fifteen (15) of this Act.

Sec. 78. Bonds sold on or after the effective date of this Act to finance an improvement for which a final assessment schedule was adopted prior to the effective date of this Act may bear any rate of interest permitted by section eleven (11) of this Act, and section thirteen (13) of this Act and any similar statutory restrictions do not apply to these bonds.

Sec. 79. Commencing on December 1, 1980, the rate of interest payable on the unpaid balance of a special assessment which was levied on or after November 1, 1979, and prior to the effective date of Acts of the Sixty-eighth General Assembly, 1980 Session, Senate File 500, shall be increased to the rate of ten percent per annum.

Sec. 80. The provisions of this Act which remove limitations on rates of interest supersede limitations on rates of interest established by Acts of the Sixty-eighth General Assembly, 1980 Session, Senate File five hundred (500), section six (6). Rules adopted pursuant to this Act which establish rates of interest applicable under sections ten (10) and twelve (12) of this Act supersede any rates of interest established by Acts of the Sixty-eighth General Assembly, 1980 Session, Senate File five hundred (500), section six (6).

Sec. 81. This Act, being deemed of immediate importance, shall take effect from and after its publication in the Muscatine Journal, a newspaper published in Muscatine, Iowa, and in the Carroll Daily Times-Herald, a newspaper published in Carroll, Iowa.

TERRY E. BRANSTAD
President of the Senate

WILLIAM H. HARBOR
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2282, Sixty-eighth General Assembly.

FRANK J. STORK
Secretary of the Senate

Approved _____, 1980

ROBERT D. RAY
Governor

SENATE FILE 2298

AN ACT

RELATING TO THE TAXABLE STATUS OF PROPERTY.

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

Section 1. Section four hundred twenty-seven point thirteen (427.13), unnumbered paragraph three (3), Code 1979, is amended by striking the unnumbered paragraph.

Sec. 2. Section four hundred forty-one point forty-six (441.46), unnumbered paragraph one (1), Code 1979, is amended to read as follows:

The assessment date of January 1 is the first date of an assessment year period which constitutes a calendar year commencing January 1 and ending December 31. All property tax statutes providing for tax exemptions or credits and ~~requiring--as-a-prerequisite-thereto,~~ that a claim be filed, shall be construed to require ~~such the~~ claims to be filed ~~during by July first of~~ the assessment year. ~~in-the-event that if~~ no claim is required to be filed to procure an

exemption or credit, the status of the property as ~~exempt~~ or taxable on ~~the-levy-date~~ July first of the fiscal year which commences during the assessment year determines its eligibility for exemption or credit. Any statute requiring proration of property taxes for any purpose shall be for the ~~assessment fiscal~~ year, ~~unless-otherwise-stated,~~ and ~~such the~~ proration shall be based on the status of the property during the ~~assessment fiscal~~ year.

Sec. 3. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter sixty-eight (68), section six (6), is amended to read as follows:

SEC. 6. Chapter four hundred twenty-seven (427). Code 1979, is amended by adding the following new sections:

NEW SECTION. ~~Taxable-property-on-the-tax-rolls-on-July first-of-each-year-is-subject-to-all-property-taxes-levied and-payable-during-the-fiscal-year.~~ If property which may

be exempt from taxation is acquired after July first by a person or the state or any of its political subdivisions ~~and the-person-or-the-state-or-any-of-its-political-subdivisions files-for-a-tax-exemption-for-the-property,~~ the exemption shall ~~not~~ be ~~denied~~ allowed for that fiscal year and the person or the state or any of its political subdivisions shall pay the property taxes levied against the property for that fiscal year, and payable in the following fiscal year.

However, the seller and the purchaser may designate, by written agreement, the party responsible for payment of the property taxes due.

NEW SECTION. All credits for and exemptions from property taxes for which an application is required shall be granted on the basis of eligibility in the fiscal year ~~in for~~ which the application ~~is filed,--unless-otherwise-provided-by-law.~~ If the property which has received a credit or exemption becomes ineligible for the credit or exemption during the fiscal year for which it was granted, the property ~~shall-be~~ is subject to the taxes in a prorated amount for that part

of the fiscal year for which the property was ineligible for
the credit or ~~exemption, unless otherwise provided by law.~~

TERRY E. BRANSTAD

President of the Senate

WILLIAM H. HARBOR

Speaker of the House

I hereby certify that this bill originated in the Senate and
is known as Senate File 2298, Sixty-eighth General Assembly.

FRANK J. STORK

Secretary of the Senate

Approved _____, 1980

ROBERT D. RAY

Governor

SENATE FILE 2343

AN ACT

EXEMPTING HOLDERS OF FEDERAL PERMITS TO PRODUCE ALCOHOL FOR
USE AS FUEL FROM OBTAINING A MANUFACTURER'S PERMIT UNDER
CHAPTER ONE HUNDRED TWENTY-THREE (123) OF THE CODE.

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

Section 1. Section one hundred twenty-three point three
(123.3), subsection eight (8), Code 1979, is amended to read
as follows:

8. "Alcoholic liquor", "alcoholic beverage" or
"intoxicating liquor" includes the three varieties of liquor
defined in subsections 5, 6, and 7, except beer as defined
in subsection 9 but including all beverages made as described
in such subsection which contain more than four percent of
alcohol by weight, and every liquid or solid, patented or
not, containing alcohol, spirits, or wine, and susceptible
of being consumed by a human being, for beverage purposes.
Alcohol manufactured in this state for use as fuel pursuant
to an experimental distilled spirits plant permit or its
equivalent issued by the federal bureau of alcohol, tobacco
and firearms is not an "alcoholic liquor".

Sec. 2. Section one hundred twenty-three point forty-one
(123.41). Code 1979, is amended to read as follows:

123.41 MANUFACTURER'S LICENSE.

1. Upon application in the prescribed form and accompanied
by a fee of three hundred fifty dollars, the director may
in accordance with this chapter grant and issue a license,
valid for a one-year period after date of issuance, to a
manufacturer which shall allow the manufacture, storage, and
wholesale disposition and sale of alcoholic liquors to the
department and to customers outside of the state.

2. A Person who holds an experimental distilled spirits
plant permit or its equivalent issued by the federal bureau
of alcohol, tobacco and firearms may produce alcohol for use
as fuel without obtaining a manufacturer's license from the
department.

Sec. 3. This Act, being deemed of immediate importance,
takes effect from and after its publication in the Osceola
Sentinel, a newspaper published in Osceola, Iowa, and in the
Urbandale News, a newspaper published in Urbandale, Iowa.

TERRY E. BRANSTAD

President of the Senate

WILLIAM H. HARBOR

Speaker of the House

I hereby certify that this bill originated in the Senate and
is known as Senate File 2343, Sixty-eighth General Assembly.

FRANK J. STORK

Secretary of the Senate

Approved _____, 1980

ROBERT D. RAY

Governor

S.F. 2343

SENATE FILE 2361

AN ACT

RELATING TO TRANSPORTATION BY REDEFINING MOTORIZED BICYCLES, REPEALING **MULTIYEAR** TRAILER AND SEMITRAILER REGISTRATION PLATES, PROVIDING FOR RELEASE OF SECURITY INTEREST ON A MOTOR VEHICLE TO APPEAR **ON THE** TITLE, PROVIDING FOR THE ISSUANCE OF SPECIAL REGISTRATION PLATES TO **FORMER** PRISONERS OF WAR AND **MEMBERS** OF THE NATIONAL GUARD, PROVIDING UNIFORM APPLICATION FEES FOR MOTOR **VEHICLE DEALERS** AND TRANSPORTERS FOR SPECIAL PLATES, PROVIDING FOR **THE** CREDITING OF MONEYS RECEIVED FROM THE AUCTION OF **ABANDONED** VEHICLES IN THE ROAD USE TAX FUND, PROVIDING FOR THE FILING OF A STATEMENT **UPON** APPLYING FOR **REFUND** OF REGISTRATION FEES **WHEN** A VEHICLE IS **JUNKED**, RELATING TO MINOR SCHOOL LICENSES, PROVIDING FOR **THE** OPERATION OF MOTORCYCLES AND MOTORIZED BICYCLES, INCREASING CERTAIN WITNESS FEES, RELATING TO **THE** USE OF LIGHTING DEVICES ON VEHICLES, **—** LATING TO CROSSING OF **—**LAN STRIPS, INSPECTION OF LOG BOOKS, REGULATING MOTOR VEHICLE DEALERS, RELATING TO DUTIES OF SHERIFFS IN COLLECTING MOTOR VEHICLE FEES. REPEALING THE LAW RELATING TO ITINERANT **MERCHANTS**, SETTING THE REGISTRATION **FEE** FOR **CHURCH** BUSES, RELATING TO MOTOR VEHICLE INSPECTIONS, RELATING TO SPECIAL REGISTRATION PLATES ISSUED TO MOTOR **VEHICLE DEALERS**, RELATING TO **THE** AGE OF PERSONS LICENSED TO OPERATE **MOTORIZED** BICYCLES, PROVIDING FOR **THE** ISSUANCE OF SPECIAL REGISTRATION PLATES TO HANDICAPPED PERSONS, **MAKING** TECHNICAL CORRECTIONS, AND PROVIDING PENALTIES.

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

Section 1. Section three hundred seven point twelve (307.12), Code 1979, is amended by adding the following new subsection:

NEW SUBSECTION. Enter into reciprocal agreements relating to motor **vehicle** inspections with authorized officials of, any other state, subject to approval by the commission. The director may exempt or impose requirements upon nonresident motor vehicles consistent with those imposed upon vehicles of Iowa residents operated in other states.

Sec. 2. Section three hundred twenty-one point one (321.1), subsection one (1), Code 1979, as amended by House File seven hundred forty-seven (747), section two (2), enacted by the Sixty-eighth General Assembly, 1980 Session and as the section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter seventy (70), sections one (1) and two (2), and chapter seventy-four (74), section twenty-two (22), is amended by adding the following new paragraph:

NEW PARAGRAPH. Any steering axle, dolly, auxiliary axle or other integral part of another vehicle which in and of itself is incapable of commercially transporting any person or property but is used primarily to support another vehicle.

Sec. 3. Section three hundred twenty-one point one (321.1), subsection three (3), paragraph b, Code 1979, as the section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter seventy (70), sections one (1) and two (2), and chapter seventy-four (74), section twenty-two (22), is amended to read as follows:

b. "Motorized bicycle" or "motor bicycle" means a two-wheeled motor vehicle having a saddle or a seat for the use of a rider and designed to travel on not more than three wheels in contact with the ground, with an engine having a displacement no greater than fifty cubic centimeters as-fixed by-the-department and not capable of operation operating at a speed in excess of twenty-five miles per hour on level ground unassisted by human power.

Sec. 4. Section three hundred twenty-one point twenty-three (321.23), subsection four (4), Code 1979, as the section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter seventy-one (71), section one (1), is amended to read as follows:

4. Any vehicle which does not meet the equipment requirement6 of this chapter due to the particular use for which it is designed or intended, may be registered by the department upon payment of appropriate fees and after inspection and certification by the department that the vehicle is not in an unsafe condition and will not endanger any person. A person is not required to have a certificate of title to register a vehicle under this subsection. If the owner elects to have a certificate of title issued for the vehicle, a fee of two dollars shall be paid by the person making the application upon issuance of a certificate of title. If the department's inspection reveals that that vehicle may be safely operated only under certain conditions or on certain types of roadways, the department may restrict the registration to limit operation of the vehicle to the appropriate conditions or roadways. This subsection shall not apply to snowmobiles as defined in section 321G.1. Section three hundred twenty-one point three hundred eighty-two (321.382) of the Code does not apply to a vehicle registered under this subsection which is operated exclusively by a handicapped person who has obtained a special identification device as provided in section six hundred one E point six (601E.6) of the Code, providing the special identification device is carried in the vehicle and shown to any peace officer on request.

Sec. 5. Section three hundred twenty-one point thirty-four (321.34), subsection five (5), Code 1979, as the section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter seventy-one (71). section three (3), is amended to read as follows:

5. MULTIYEAR PLATES. In lieu of issuing annual registration plates for trailers and semitrailers, the ~~county~~ ~~treasurer-or~~ department may issue • multiyear registration ~~plate plates~~ for a three-year period for trailers and semitrailers licensed under chapter three hundred twenty-six (326) of the Code upon payment of the appropriate registration fee. Fees from three-year payments shall not be reduced or prorated ~~under the provisions of chapter 326.~~

Sec. 6. Section three hundred twenty-one point thirty-four (321.341, Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter seventy-one (71), section three (3), is amended by adding the following new subsections:

NEW SUBSECTION. HANDICAPPED PLATES. The owner of a motor vehicle subject to registration pursuant to section three hundred twenty-one point one hundred nine (321.109), subsection one (1), of the Code, light delivery truck, panel delivery truck or pickup who is a handicapped or paraplegic person as defined in section six hundred one E point one (601E.1) of the Code, may upon written application to the department, order special registration plates designed by the department bearing the international symbol of accessibility. The application shall be approved by the department and the special registration plates shall be issued to the applicant in exchange for the previous registration plates issued to the person. The fee for the special plates shall be five dollars which shall be in addition to the regular annual registration fee. The department shall validate the special plates in the same manner as regular registration plates are validated under this section at the regular annual registration fee. However, the special plates shall not be renewed without the applicant furnishing evidence to the department that the owner of the motor vehicle is still a handicapped or paraplegic person as defined in section six hundred one E point one (601E.1) of the Code. The special registration plates shall be surrendered in exchange for regular registration plates when the owner of the motor vehicle no longer qualifies as a handicapped or paraplegic person as defined in section six hundred one E point one (601E.1) of the Code.

NEW SUBSECTION. The owner of a motor vehicle subject to registration under section three hundred twenty-one point one hundred nine (321.109), subsection one (1), of the Code, light delivery truck, panel delivery truck or pickup who was a prisoner of war during the second world war at any time

between December 7, 1941 and December 31, 1946, the Korean conflict at any time ~~between~~ June 25, 1950 and January 31, 1955 or the Vietnam conflict at any time between August 5, 1964 and June 30, 1973, all dates inclusive, may upon written application to the department, order special registration plates designed by the department in cooperation with the adjutant general which plates signify that the applicant was a prisoner of war as defined in this subsection. The application shall be approved by the department, in consultation with the adjutant general, and the special registration plates shall be issued to the applicant in exchange for the registration plates previously issued to the person. The fee for the special plates shall be five dollars which shall be in addition to the regular annual registration fee. The department shall validate the special plates in the same manner as regular registration plates are validated under this section at the regular annual registration fee.

NEW SUBSECTION. The owner of a motor vehicle subject to registration pursuant to section three hundred twenty-one point one hundred nine (321.109), subsection one (1), of the Code, light delivery truck, panel delivery truck or pickup who is a member of the national guard, as defined in chapter twenty-nine A (29A) of the Code, may upon written application to the department, order special registration plates designed by the department in cooperation with the adjutant general which plates signify that the applicant is a member of the national guard. The application shall be approved by the department, in consultation with the adjutant general, and the special registration plates shall be issued to the applicant in exchange for the registration plates previously issued to the person. The fee for the special plates shall be five dollars which shall be in addition to the regular annual registration fee. The department shall validate the special plates in the same manner as regular registration plates are validated under this section at the regular annual

registration fee. Special registration plates shall be surrendered in exchange for regular registration plates upon termination of the owner's membership in the active national guard.

Sec. 7. Section three hundred twenty-one point forty-nine (321.49), subsection one (1), Code 1979, is amended to read as follows:

1. Except as provided in section 321.52, if an application for transfer of registration and certificate of title is not submitted to the county treasurer of the residence of the transferee within seven days of the date of assignment or transfer of title, a penalty of five ten dollars shall accrue against ~~said vehicle~~, the applicant and no registration card or certificate of title shall ~~thereafter~~ be issued to the applicant for the vehicle until the penalty is paid.

Sec. 8. Section three hundred twenty-one point fifty (321.50), subsection four (4), Code 1979, is amended to read as follows:

4. When a security interest is discharged, the holder ~~thereof shall execute a release within fifteen days after payment is received, such release to contain the certificate of title number, the date of the notation, and the name and address of the person to whom the title shall be delivered when such delivery is requested as hereinafter provided.~~ The holder shall also note a cancellation of same on the face of the certificate of title over the holder's signature, and deliver the ~~release and~~ certificate of title to the county treasurer where title was issued. The county treasurer shall immediately note the cancellation of ~~said the~~ security interest on the face of the certificate of title and in the county records system. The county treasurer shall on the same day deliver the certificate of title to the then first secured party or, if there is no such person, to the person as ~~directed on the security interest release~~ directed by the owner, in writing, on a form prescribed by the department or, if there is no such person designated, then to the owner. ~~Said The~~

cancellation of the security interest shall be noted on the certificate of title by the county treasurer without charge. The holder of a security interest discharged by payment who fails to release such the security interest ~~as herein provided~~ within fifteen days after being requested in writing to do so shall forfeit to the person making such the payment the sum of twenty-five dollars. ~~Such request shall be on the release form as prescribed by the department and shall contain a statement signed by the owner setting forth the name and address of the person to whom the title shall be delivered.~~

Sec. 9. Section three hundred twenty-one point fifty-seven (321.57), Code 1979, is amended by inserting the following new unnumbered paragraph after unnumbered paragraph one (1):

NEW UNNUMBERED PARAGRAPH. In addition, while a service customer is having his or her own vehicle serviced or repaired by the dealer, the service customer of the dealer may operate upon the highways a motor vehicle owned by the dealer, except a motor truck or truck tractor, upon which there is displayed a special plate issued to the dealer, provided all of the requirements of this section are complied with.

Sec. 10. Section three hundred twenty-one point fifty-eight (321.58), Code 1979, is amended to read as follows:

321.58 APPLICATION. ~~Any dealer in new or used cars~~ All dealers and transporters may, upon payment of a fee of thirty-five dollars, make application to the department upon the appropriate form for a certificate containing a general distinguishing number and for one or more special plates as appropriate to various types of vehicles subject to registration, ~~and all other dealers or transporters may, upon the payment of a fee of twenty-five dollars, make an application to the department in a like manner for a like certificate and number and plates as appropriate to various types of vehicles subject to registration.~~ The applicant shall also submit proof of the applicant's status as a bona fide transporter or dealer as may reasonably be required by the department. Dealers in new vehicles shall furnish

satisfactory evidence of a valid franchise with the manufacturer of such the vehicles authorizing such the dealership.

Sec. 11. Section three hundred twenty-one point eighty-nine (321.89), subsection four (4), Code 1979, is amended to read as follows:

4. AUCTION OF ABANDONED VEHICLES. If an abandoned vehicle has not been reclaimed as provided for in subsection 3, the police authority shall make a determination as to whether or not the vehicle shall be sold for use upon the highways. If it is to be sold as a vehicle for use upon the highways, it shall first be inspected as required by section 321.238 and have a valid certificate of inspection affixed. If the vehicle is not sold for use upon the highways, it shall be sold for junk, or demolished and sold as scrap or sold as provided in section ~~321.58~~ three hundred twenty-one point fifty-one (321.51) of the Code with a restricted certificate of title and not for use upon the highways. The police authority shall sell the vehicle at public auction. Notwithstanding any other provision of this section, any police authority, which has taken into possession any abandoned vehicle which lacks an engine or two or more wheels or other part which renders the vehicle totally inoperable may dispose of such the vehicle to a demolisher for junk after complying with the notification procedures enumerated in subsection 3 and without public auction. The purchaser of the vehicle shall take title free and clear of all liens and claims of ownership, shall receive a sales receipt from the police authority, and shall be entitled to register the vehicle and receive a certificate of title if sold for use upon the highways or a restricted certificate of title ~~as the case may be.~~ However, if the vehicle is sold or disposed of to a demolisher for junk, the sales receipt by itself shall be sufficient title only for purposes of transferring the vehicle to such the demolisher for demolition, wrecking, or dismantling and, when so transferred, no further titling of the vehicle

shall be permitted. From the proceeds of the sale of an abandoned vehicle the police authority shall reimburse itself for the expenses of the auction, the costs of towing, preserving, and storing which resulted from placing the abandoned vehicle in custody, all notice and publication costs incurred pursuant to subsection 3, the cost of inspection, and any other costs incurred except costs of bookkeeping and other administrative costs. Any remainder from the proceeds of a sale shall be held for the owner of the vehicle or entitled lienholder for ninety days, and shall then be deposited in the ~~reimbursement road use tax fund received by the department pursuant to section 321.145, subsection~~

a. The costs to police authorities of auction, towing, preserving, storage, and all notice and publication costs, inspection costs and all other costs which result from placing abandoned vehicles in custody, whenever the proceeds from a sale of ~~such the~~ abandoned vehicles are insufficient to meet these expenses and costs, shall be paid from the ~~reimbursement road use tax fund of the department under section 321.145, subsection 2. In the event the reimbursement fund is temporarily exhausted, payment shall be deferred until the reimbursement fund contains sufficient funds to meet the claims.~~

The state comptroller shall establish by rule a claims procedure to be followed by police authorities in obtaining expenses and costs from the fund.

Sec. 12. Section three hundred twenty-one point one hundred nine (321.109), subsection two (2), Code 1979, as the section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter seventy (70), section four (4), is amended to read as follows:

2. Dealers may, in addition to other provisions of this section, purchase from the department in-transit stickers, for which a fee of two dollars per sticker shall be paid at time of purchase. One such sticker shall be displayed on each vehicle purchased from a dealer by a nonresident for

removal to the state of his or her residence, and one such sticker shall also be displayed on each vehicle not currently registered in Iowa and purchased by an Iowa dealer for removal to his the dealer's place of business in this state, ~~such~~ The stickers shall be void three days after issuance by the selling dealer. Each sticker shall ~~be at least five and one-half inches by eight inches and shall~~ contain the following information:

- a. The words "in-transit" in ~~at least two-inch~~ bold type.
- b. The dealer's license number.
- c. The date issued.
- d. The purchaser's name and address.
- e. The word "Iowa" in ~~at least one-inch~~ bold type.
- f. The words "good for three days after the date of issuance".
- g. ~~Such other~~ Other information as the director may require requires.

This information shall be on the gummed side of the sticker and the sticker shall be made of ~~such a~~ type of material ~~am~~ to be which is self-destructive when the sticker is removed. The sales invoice verifying the sale shall be in the possession of the driver of the vehicle in transit and shall be signed by the owner or an authorized individual of the issuing dealership.

Motor vehicles brought into the state on a transit sticker for the purpose of installation of special equipment may also be subject to the provisions of this subsection.

Sec. 13. Chapter three hundred twenty-one (321), Code 1979, is amended by adding the following new section as section three hundred twenty-one point one hundred nineteen (321.119) of the Code:

NEW SECTION. 321.119 **CHURCH BUSES.** For motor vehicles designed to carry nine passengers ~~or~~ more which are owned and used exclusively by a church or religious organization to transport passengers to add from activities of or sponsored by the church or religious organization and not operated for

rent or hire for purposes unrelated to the activities of the church or religious organization, the annual fee shall be twenty-five dollars. At the initial registration and at every other annual registration thereafter, the county treasurer shall not register a motor vehicle under this section unless there is affixed to the motor vehicle a valid certificate of inspection issued for the motor vehicle within the last sixty days.

Sec. 14. Section three hundred twenty-one point one hundred twenty-two (321.122), subsection four (4), Code 1979, as amended by House File seven hundred forty-seven (747), section six (6), enacted by the Sixty-eighth General Assembly, 1980 Session, is amended by striking the subsection and inserting in lieu thereof the following:

4. This section shall not apply to a rubber-tired farm tractor not operated for hire upon the public highways.

Sec. 15. Section three hundred twenty-one point one hundred twenty-three (321.123), subsection one (1), unnumbered paragraph two (2), Code 1979, is amended to read as follows:

Travel trailers and fifth-wheel travel trailers, except those in manufacturer's or dealer's stock, an annual fee of twenty cents per square foot of floor space computed on the exterior overall measurements, but excluding three feet occupied by any trailer hitch as provided by and certified to by the owner, to the nearest whole dollar, which amount shall not be prorated or refunded; except the annual fee for travel trailers of any type, when registered in Iowa for the first time or when removed from a manufacturer's or dealer's stock, shall be prorated on a monthly basis. The registrant of a travel trailer of any type shall be issued a "travel trailer" plate. It is further provided the annual fee thus computed shall be limited to seventy-five percent of the full fee after the sixth registration.

Sec. 16. Section three hundred twenty-one point one hundred twenty-six (321.126), subsections one (1), two (2), and three (3), Code 1979, are amended to read as follows:

1. If the motor vehicle is destroyed by fire or accident, or junked and its identity as a motor vehicle entirely **eliminated**, or removed and continuously used beyond the boundaries of this state, the owner in whose name the motor vehicle was registered at the time of **such destruction**, dismantling or removal from the state shall **return** the plates to the county treasurer or the department, **unless the** registration plates are retained and properly attached to another motor vehicle, and within thirty days **thereafter** make **affidavit a statement** of such destruction, dismantling, or removal and make claim for refund. With reference to the destruction or dismantling of a vehicle, **the-affidavit no refund** shall be **accompanied-by-the** allowed unless a junking certificate of title, if titled in Iowa has been issued, as provided in section 321.52. With reference to the removal of a vehicle from this state **em-provided-herein**, the **affidavit statement** shall **contain-a-statement-indicating** indicate the foreign registration number of **such the** vehicle, the name and address of the official of the foreign state to whom the Iowa certificate of title, if any, has been surrendered, and the number of the foreign certificate of title issued for **such the** vehicle if registered in a title law state.

2. If the motor vehicle is stolen, the owner shall give notice of **such the** theft to the county treasurer within five days, who in turn shall notify the department. If the motor vehicle is not recovered by the owner before December 1 of the year for which the registration fee was paid, the owner shall **make affidavit a statement** of **such the** theft and make claim for refund.

3. If the motor vehicle is placed in storage by the owner upon **his the owner's** entry into the military service of the United States, the owner shall return the plates to the county treasurer or the department and **make affidavit a statement** regarding such storage and military service and make claim for refund. Whenever the owner of a motor vehicle so placed in storage desires to again register **such vehicle**, the county

treasurer or department shall compute and collect the fees for ~~such~~ registration in accordance with section 321.106.

Sec. 17. Section ~~three hundred~~ twenty-one point one hundred seventy-seven (321.177), subsection one (1), Code 1979, is amended to read as follows:

1. To any person, as an operator, who is under the age of eighteen years, without his or her first having successfully completed an approved driver education course, in which case, the minimum age shall be sixteen years. However, the department may issue a restricted license as provided in section 321.194, or an instruction permit as provided in section 321.180, to any person who is at least fourteen years of age. The department may issue a license restricted only for use for motorized bicycles as provided in section 321.189, subsection 2, ~~to any person fourteen years of age or older who has successfully completed a written examination on the rules of the road and a vision test.~~

Sec. 18. Section three hundred twenty-one point one hundred eighty (321.180), subsection one (1), Code 1979, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. If the permit holder is driving a motorcycle, the qualified operator must be within audible and visual communications distance from the permit holder and is accompanying the permit holder on or in a different motor vehicle. However, only one permit holder shall be under the immediate supervision of an accompanying qualified operator, unless the qualified operator is an approved motorcycle or driver education instructor or a prospective driver or motorcycle education instructor, and the permit holder is enrolled in an approved motorcycle or driver education course, in which case no more than three students shall be under the immediate supervision of each instructor while on the highway.

Sec. 19. Section three hundred twenty-one point one hundred eighty-nine (321.189), subsection one (1), Code 1979, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. After July 1, 1981, a person under the age of eighteen applying for a motor vehicle license valid for the operation of a motorcycle shall be required to successfully complete a motorcycle education course approved and established by the department of public instruction or successfully complete an approved motorcycle education course at a private or commercial driver education school licensed by the department. A public school district may charge a student a fee which shall not exceed the actual cost of instruction.

Sec. 20. Section three hundred twenty-one point one hundred eighty-nine (321.189), subsection two (2), paragraph a, Code 1979, is amended to read as follows:

a. The department may issue a motorized bicycle license to any a person fourteen years of age or older who has passed a vision test and a written examination on the rules of the road. After July 1, 1981, persons under the age of sixteen applying for a motorized bicycle license shall also be required to successfully complete a motorized bicycle education course approved and established by the department of public instruction or successfully complete an approved motorized bicycle education course at a private or commercial driver education school licensed by the department. A public school district may charge a student a fee which shall not exceed the actual cost of instruction. A motorized bicycle license ~~shall entitle~~ entitles the licensee to operate a motorized bicycle upon the highway while having the license in the licensee's immediate possession ~~on the highways of the state for a period of two years.~~ The license is valid for a period of two years, subject to termination or cancellation as provided in this section.

Sec. 21. Section three hundred twenty-one point one hundred ninety-four (321.194), Code 1979, is amended to read as follows:

321.194 MINORS' SCHOOL LICENSES. ~~Whenever the necessity therefor is shown, a restricted license may be issued~~ Upon

certification of a special need by the school board or the superintendent of the applicant's school, the department may issue a restricted license to any person between the ages of fourteen and eighteen years which license shall entitle the holder thereof, while having such the license in his or her immediate possession, to operate a motor vehicle during the hours of 7 six a.m. to 6 nine p.m. over the most direct and accessible route between the licensee's residence and his school of enrollment for the purpose of attending duly scheduled courses of instruction and extracurricular activities at such school or at any time when accompanied by a parent or guardian, driver education instructor, or prospective driver education instructor who is a holder of a valid operator's or chauffeur's license, and who is actually occupying a seat beside the driver. Such The license shall expire on the licensee's eighteenth birthday or upon issuance of a temporary-driver's-permit probationary operator's or operator's license. ~~For the purpose of establishing a need for the license provided for in this section, each~~ Each application shall be accompanied by an affidavit a statement from the school board or superintendent of the applicant's school which affidavit. The statement shall be upon a form provided by the department and shall state the facts deemed to justify the issuance of a license to the applicant. Neither such affidavit nor the inability to obtain the same shall be binding on the department but may be considered by the department in its determining of whether or not to grant the application. The department of public instruction shall adopt rules pursuant to chapter seventeen A (17A) of the Code establishing criteria for issuing a statement of necessity. Upon receipt of a statement of necessity, the department shall issue a restricted license. The fact that the applicant resides at a distance less than one mile from his or her school shall be is prima-facie evidence of the nonexistence of any necessity for the issuance of such a license. A license issued hereunder under this section is subject to suspension

or revocation in like manner as any other license or permit issued under any law of this state and ~~in addition thereto~~ the department may also suspend such license upon receiving satisfactory evidence that the licensee has violated the restrictions of such the license or has been involved in two one or more accidents chargeable to such the licensee and the. The department shall-revoke may suspend any license issued hereunder under this section upon receiving a record of such the licensee's conviction for one violation and shall revoke the license upon receiving a record of conviction for two or more violations of any law of this state or city ordinance, other than parking regulations, regulating the operation of motor vehicles on highways and after revoking a license hereunder under this section the department shall not grant application for any new license or permit until the expiration of one year or until the licensee attains his or her sixteenth birthday whichever is the longer period.

Sec. 22. Section three hundred twenty-one point two hundred ten (321.210), subsection four (4), Code 1979, is amended to read as follows:

4. ~~is incompetent to drive a motor vehicle~~ Is physically or mentally incapable of safely operating a motor vehicle.

Sec. 23. Section three hundred twenty-one point two hundred ten (321.210), unnumbered paragraph seven (7), Code 1979, is amended to read as follows:

The director may, on application, issue a temporary restricted license to any person convicted whose regular employment is the operation of a motor vehicle or who cannot perform his or her regular occupation without the use of a motor vehicle, but such person shall not operate a vehicle for pleasure while holding such restricted license. However, this paragraph shall not apply to any person whose license is revoked under the provisions of subsections one (1) through six (6) of section 321.209. A temporary restricted license may be issued to any person whose license is revoked under section three hundred twenty-one point two hundred nine

(321.209), subsection seven (7) of the Code if the person has no previous drag racing convictions.

Sec. 24. Section ~~three hundred~~ twenty-one point two hundred twelve (321.212), Code 1979, is amended by adding the following new unnumbered paragraph: ,

NEW UNNUMBERED PARAGRAPHE. The department shall revoke a license for six months for a first offense under the provisions of section three hundred twenty-one point two hundred nine (321.209), subsection seven (7), of the Code, where the violation charged did not result in a personal injury or damage to property.

Sec. 25. Section three hundred twenty-one point two hundred thirty-three (321.233), Code 1979, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPHE. A chauffeur's license shall not be required for a person to operate road construction and maintenance equipment while engaged in road construction and maintenance work, including the movement of the road construction and maintenance equipment to and from the work site under its own power. The department shall adopt rules pursuant to chapter seventeen A (17A) of the Code specifying each type of road construction and maintenance equipment for which a chauffeur's license is not required for the operation of the equipment.

Sec. 26. Section three hundred twenty-one point two hundred thirty-eight (321.238), subsection twenty-one (21). unnumbered paragraph six (6), Code 1979, is amended to read as follows:

Witnesses shall receive ~~three-dollars-for-each-day's attendance-and-ten-cents-per-mile-for-each-mile-actually traveled--Witnesses-shall-be-compensated~~ compensation at the rates specified in section six hundred twenty-two point sixty-nine (622.69) of the Code from funds appropriated to the department. ~~The-treasurer-of-state-may-make-rules-setting forth-the-procedure-for-such-reimbursement.~~

Sec. 27. section three hundred twenty-one point two hundred thirty-eight (321.238), subsection twenty-five (25), paragraph

a, Code 1979, is amended by striking paragraph a and inserting in lieu thereof the following:

a. "Authorized officer" means a peace officer as defined in section eight hundred one point four (801.4), subsection seven (7), paragraphs'a, c, and h of the Code.

Sec. 28. Section three hundred twenty-one point two hundred seventy-five (321.275), Code 1979, is amended by striking the section and inserting in lieu thereof the following:

321.275 OPERATION OF MOTORCYCLES AND MOTORIZED BICYCLES.

1. GENERAL. The motor vehicle laws apply to the operators of motorcycles and motorized bicycles to the extent practically applicable.

2. RIDERS.

a. MOTORIZED BICYCLES. A person operating a motorized bicycle on the highways shall not carry any other person on the vehicle.

b. MOTORCYCLES. A person shall not operate or ride a motorcycle on the highways with another person on the motorcycle unless the motorcycle is designed to carry more than one person. The additional passenger may ride upon the permanent and regular seat if designed for two persons. or upon another seat firmly attached to the motorcycle at the rear of the operator. The motorcycle shall be equipped with footrests for the passenger unless the passenger is riding in a sidecar or enclosed cab. The motorcycle operator shall not carry any person nor shall any other person ride in a position that will interfere with the operation or control of the motorcycle or the view of the operator.

3. SITTING POSITION. A person operating a motorcycle or motorized bicycle shall ride only upon the vehicle's permanent and regular attached seat. Every person riding upon the vehicle shall be sitting astride the seat, facing forward with one leg on either side of the vehicle.

4. USE OF TRAFFIC LANES. Persons shall not operate motorcycles or motorized bicycles more than two abreast in a single lane. Except for persons operating such vehicles

two abreast, a motor vehicle shall not be operated in a manner depriving a motorcycle or motorized bicycle operator of the full use of a lane. A motorcycle or motorized bicycle shall not be operated between lanes of traffic or between adjacent lines or rows of vehicles. The operator of a motorcycle or motorized bicycle shall not overtake and pass in the same lane occupied by the vehicle being overtaken unless the vehicle being overtaken is a motorcycle or motorized bicycle.

5. HEADLIGHTS ON. A person shall not operate a 1977 or later model year motorcycle or any model year motorized bicycle upon the highways without displaying at least one lighted headlamp of the type described in section three hundred twenty-one point four hundred nine (321.409) of the Code. However, this subsection is subject to the exceptions with respect to parked vehicles as provided in this chapter.

6. PACKAGES. The operator of a motorcycle or motorized bicycle shall not carry any package, bundle, or other article which prevents the operator from keeping both hands on the handlebars.

7. HANDLEBARS. A person shall not operate a motorcycle or motorized bicycle with handlebars more than fifteen inches in height above that portion of the seat occupied by the operator.

8. PARADES. The provisions of this section do not apply to motorcycles or motorized bicycles when used in a parade authorized by proper permit from local authorities.

Sec. 29. Section three hundred twenty-one point three hundred seventeen (321.317), subsections three (3) and five (5), Code 1979, are amended to read as follows:

3. ~~After the thirty-first day of December, 1953, it shall be~~ It is unlawful for any person to sell or offer for sale or operate on the highways of the state of Iowa any vehicle subject to registration under the provisions of this chapter which has never been registered in this or any other state prior to January 1, 1954, unless ~~such~~ the vehicle is equipped with a directional signal device of a type approved by the

department and is in compliance with the provisions of subsection 2 of this section. Motorcycles, ~~motor-scooters~~ motorized bicycles and semitrailers and trailers less than forty inches in width are exempt from the provisions of this section.

5. Whenever any vehicle or combination of vehicles is disabled or for other reason may present a vehicular traffic hazard requiring unusual care in approaching, overtaking or passing ~~during the hours of darkness~~, the operator of ~~such vehicles then~~ the vehicle or combination of vehicles four directional signals of a type complying with the provisions of this section relating to directional signal devices in simultaneous operation. ~~The provisions of this~~ This subsection shall does not be construed to exempt any vehicle or combination of vehicles from compliance with the provisions of sections 321.447 and 321.448.

Sec. 30. Section three hundred twenty-one point three hundred sixty-six (321.366), Code 1979, is amended to read as follows:

321.366 CROSSING MEDIAN STRIP OR PARKING ON FULLY CONTROLLED-ACCESS FACILITIES. It is unlawful for any person ~~(1)-to-drive, except a person operating highway maintenance equipment or an authorized emergency vehicle, to do any of the following:~~

1. Drive a vehicle over, upon, or across any curb, central dividing section, or other separation or dividing line on fully controlled-access facilities; ~~(2)-to-make facility.~~

2. Make a left turn or a semicircular or U-turn at a maintenance ~~cross-overs except by maintenance vehicles and authorized emergency vehicles;~~ ~~(3)-to-drive cross-over where an official sign prohibits the turn.~~

3. Drive any vehicle except in the proper lane provided for that purpose and in the proper direction and ~~to the right of the central dividing curb, separation, section, or line;~~ ~~(4)-to-drive line.~~

4. Drive any vehicle into the fully controlled-access facility from a local service road ~~except through an opening provided for that purpose in the dividing curb or dividing section or dividing line which separates such service road from the controlled-access facility property,--(5)--to stop.~~

5. Stop, park, or leave standing any vehicle, whether attended or unattended, upon the paved portion, the shoulders, or the right of way except at designated rest areas or in case of an emergency or other dire necessity, ~~or in the case of an authorized emergency vehicle.~~

For the purpose of this section, fully controlled-access facility shall have the same meaning as the meaning prescribed in section 306A.2 is a highway which gives preference to through traffic by providing access connections at interchanges with selected public roads only and by prohibiting crossings at grade or direct access at driveway connections.

Violations of this section shall be are punishable as provided in section 321.482.

Sec. 31. section three hundred twenty-one point three hundred seventy-two (321.372), subsection four (4), and unnumbered paragraph four (4), Code 1979, is amended to read as follows:

4. The driver of a vehicle upon a highway providing two or more lanes in each direction need not stop upon meeting a school bus which is traveling in the opposite direction even though ~~said~~ the school bus is stopped.

~~This section shall not apply to "business" and "residence" districts, unless so provided by ordinance, but shall apply in suburban districts of cities where the speed limit is in excess of thirty-five miles per hour.~~

Sec. 32. Section three hundred twenty-one point three hundred eighty-six (321.386), Code 1979, is amended to read as follows:

321.386 HEAD LAMPS ON MOTORCYCLES AND MOTORIZED BICYCLES. Every motorcycle and motorized bicycle shall be equipped with at least one and not more than two head lamps which shall comply with the requirements and limitations of this chapter.

Sec. 33. Section three hundred twenty-one point four hundred nine (321.409), Code 1979, is amended to read as follows:

321.409 MANDATORY LIGHTING EQUIPMENT. Except as hereinafter provided, the head lamps or the auxiliary driving lamp or the auxiliary passing lamp or combination thereof on motor vehicles other than motorcycles or ~~motor-driven~~ eyes ~~eyes~~ motorized bicycles shall be so arranged that the driver may select at will between distributions of light projected to different elevations and ~~such~~ the lamps may, in addition, be so arranged that ~~such~~ selection can be made automatically, subject to the following limitations:

1. There shall be an uppermost distribution of light, or composite beam, so aimed and of ~~such~~ sufficient intensity ~~as~~ to reveal persons and vehicles at a distance of at least three hundred fifty feet ahead for all conditions.

2. There shall be a lowermost distribution of light, or composite beam so aimed and of sufficient intensity to reveal persons and vehicles at a distance of at least one hundred feet ahead, ~~and on.~~ On a straight level road under any condition of loading none of the high-intensity portion of the beam shall be directed to strike the eyes of an approaching driver.

3. Every new motor vehicle, other than a motorcycle or ~~motor-driven cycle, registered in this state after January 17, 1956,~~ motorized bicycle which has multiple-beam road-lighting equipment shall be equipped with a beam indicator, which shall be lighted whenever the uppermost distribution of light from the head lamps is in use, and shall not otherwise be lighted. ~~6aid~~ The indicator shall be so designed and located that when lighted it will be readily visible without glare to the driver of ~~the~~ vehicle ~~so equipped.~~

Sec. 34. Section three hundred twenty-one point four hundred fifteen (321.415), Code 1979, is amended to read as follows:

321.415 REQUIRED USAGE OF LIGHTING DEVICES. Whenever a motor vehicle is being operated on a roadway or shoulder adjacent-thereto during the times specified in section 321.384, the driver shall use a distribution of light, or composite beam, directed high enough and of sufficient intensity to reveal persons and vehicles at a safe distance in advance of the vehicle, subject to the following requirements and limitations:

1. Whenever a driver of a vehicle approaches an oncoming vehicle within five hundred feet, ~~such the~~ driver shall use a distribution of light, or composite beam, so aimed that the glaring rays are not projected into the eyes of the oncoming driver. The lowermost distribution of light, or composite beam, specified in section 321.409, subsection 2, shall be deemed to avoid glare at all times, regardless of road contour and loading.

2. Whenever the driver of a vehicle follows another vehicle within two hundred feet to the rear, except when engaged in the act of overtaking and passing, ~~such the~~ driver shall use a distribution of light permissible under this chapter other than the uppermost distribution of light specified in section 321.409, subsection 1.

3. The provisions of subsections one (1) and two (2) of this section do not apply to motorcycles or motorized bicycles being operated between sunrise and sunset.

Sec. 35. Section three hundred twenty-one point four hundred thirty (321.430), subsection two (2), Code 1979, is amended to read as follows:

2. Every motorcycle, and ~~motorized~~ bicycle ~~with-motor~~ attached, when operated upon a highway shall be equipped with at least one brake, which may be operated by hand or foot.

Sec. 36. Section three hundred twenty-one point four hundred ninety-two (321.492), Code 1979, is amended to read as follows:

321.492 PEACE OFFICERS' AUTHORITY. Any peace officer is authorized to stop any vehicle to require exhibition of

the driver's ~~operator-or-chauffeur~~ motor vehicle license, to serve a summons or memorandum of traffic violation, to inspect the condition of the vehicle, to inspect the vehicle with reference to size, weight, cargo, log book, bills of lading or other manifest of employment, tires and safety equipment, or to inspect the registration certificate, the compensation certificate, travel order, or permit of ~~such the~~ vehicle.

Sec. 37. Chapter three hundred twenty-one H (321H), Code 1979, is amended by adding the following new section:

NEW SECTION. PENALTIES. A person convicted of violating a provision of this chapter is guilty of a simple misdemeanor.

Sec. 38. Section three hundred twenty-two point two (322.2), subsection seven (7), Code 1979, is amended to read as follows:

7. "Motor vehicle" means any self-propelled vehicle subject to registration under ~~the-laws-of-this-state~~ chapter three hundred twenty-one (321) of the Code.

Sec. 39. Section three hundred twenty-two point four (322.4), subsection seven (7), Code 1979, is amended to read as follows:

7. Before the issuance of a motor vehicle dealer's license to a dealer engaged in the sale of vehicles for which a certificate of title is required, under ~~the-provisions-of~~ chapter 321, the applicant ~~for-such-license~~ shall furnish a surety bond executed by the applicant as principal and executed by a corporate surety company, licensed and qualified to do business within this state, which bond shall run to the state of Iowa, be in the amount of twenty-five thousand dollars and be conditioned upon the faithful compliance by said ~~the~~ applicant as a dealer, ~~if-the-license-be-issued-to it-or-him,-that-such-dealer-will-comply~~ with all of the statutes of this state regulating or being applicable to the business of ~~said-dealer-as~~ a dealer in motor vehicles, and indemnifying any person ~~dealing-or-transacting-business-with said~~ who buys a motor vehicle from the dealer in-econnection

~~with any motor vehicle~~ from any loss or damage occasioned by the failure of ~~such the~~ dealer to comply with any of the provisions of chapter 321 and this chapter, including, but not limited to, the furnishing of a proper and valid certificate of title to the motor vehicle involved in any ~~such a~~ transaction, ~~and that such~~. The bond shall be filed with the department prior to the issuance of a license provided by law. The aggregate liability of the surety ~~of all persons~~, however, shall in no event not exceed the amount of said the bond.

Sec. 40. Section three hundred twenty-two point six (322.6), subsection nine (9), Code 1979, is amended to read as follows:

9. Has violated any of the provisions of sections ~~321.77, 321.78, 321.80, 321.81, 321.92, 321.97, 321.98, 321.99, 321.100, 539.4, seven hundred fourteen point one (714.1)~~ and 714.16; or

Sec. 41. Section three hundred twenty-two point nine (322.9), unnumbered paragraph one (1), Code 1979, is amended to read as follows:

The department ~~is hereby authorized to may~~ revoke or suspend the license of any retail motor vehicle dealer if, after notice and hearing, it finds that ~~such the~~ licensee has been guilty of any act which would have been a ground for the denial of a license under section 322.6. Witnesses shall receive the same compensation provided in section six hundred twenty-two point sixty-nine (622.69) of the Code and shall be compensated from funds appropriated to the department.

Sec. 42. House File seven hundred forty-seven (747), section twelve (12), enacted by the Sixty-eighth General Assembly, 1980 Session, is amended to read as follows:

SEC. 12. The department shall issue permits for the period beginning fifteen days following the effective date of this Act to December 31, 1980 to interstate and intrastate carriers that apply for registration authority at a weight higher than the current registered gross weight. The department shall

assess a prorated fee from the schedule of fees set forth in section five (5) of this Act. Permit fees shall be payable on an annual basis. A minimum fee of ten dollars shall be collected by the department. ~~Trucks, motor trucks, and truck tractors registered under the provisions of section three hundred twenty-one point one hundred twenty-two (321.122) of the Code on the effective date of this Act shall not be eligible to reregister under section three hundred twenty-one point one hundred twenty-one (321.121) of the Code during the 1980 registration year.~~ The commission shall adopt temporary rules as are necessary to implement the provisions of this Act as it relates to revised registrations in 1980 and temporary rules adopted for *this* purpose are not rules as defined in section seventeen A point two (17A.2), subsection seven (7), of the Code and shall not be subject to chapter seventeen A (17A) of the Code.

Sec. 43. Section eight hundred five point eight (805.8), Subsection two (2), paragraph b, Code 1979, is amended to read as follows:

b. For registration violations under sections ~~321.17, 321.32, 321.34, 321.37, 321.38, 321.41, and 321.189~~, subsection 3, the scheduled fine is five dollars. For violations of sections 321.32 and 321.189, subsection 3, the case shall be dismissed without imposition of fine or Costs if a license or registration valid at the time of the issuance of the citation is presented by the defendant to the magistrate or scheduled violations office.

Sec. 44. Section eight hundred five point eight (805.8), subsection two (2), paragraph n, Code 1979, is amended to read as follows:

n. For violation of registration provisions under section three hundred twenty-one point seventeen (321.17); For violation of intrastate hauling on foreign registration under sections 321.54 and 321.55; use of registration under section 321.99; and display of registration or plates under 321.98, the scheduled fine is twenty dollars.

Sec. 45. A multiyear registration plate issued by the county treasurer for a trailer or semitrailer prior to the effective date of this Act shall be valid for the period for which it was issued and the requirement of obtaining an annual registration plate for a trailer or semitrailer with a valid multiyear registration plate shall not be applicable until the valid multiyear registration plate has expired.

Sec. 46. The director of transportation shall investigate the inspection requirements imposed by other states on Iowa vehicles displaying a valid certificate of inspection issued in Iowa. The director may recommend to the Sixty-ninth General Assembly, 1981 Session, legislation to encourage other states to afford equitable treatment to motor vehicles displaying a valid certificate of inspection issued in Iowa.

Sec. 47. The provisions of section six (6) of this Act are effective December first following enactment of this Act for registration fees payable on or after December first following enactment of this Act for vehicle registrations for the succeeding calendar year.

Sec. 48. Section three hundred twenty-one point one hundred nineteen (321.119) of the Code takes effect December first following enactment of this Act for vehicles registered for the 1981 or succeeding calendar years.

Sec. 49. Sections two (2), fourteen (14) and forty-two (42) of this Act, being deemed of immediate importance, take effect from and after their publication in the Fort Dodge Messenger, a newspaper published in Fort Dodge, Iowa, and in The Humboldt Independent, a newspaper published in Humboldt, Iowa.

Sec. 50. Chapter eighty-one (81), Code 1979, is repealed.

Sec. 51. Sections one hundred thirty-five D point twenty-seven (135D.27), three hundred twenty-one point one hundred thirty-six (321.136), three hundred twenty-one point one hundred thirty-seven (321.137), three hundred twenty-one point one hundred thirty-eight (321.138), three hundred twenty-one point one hundred thirty-nine (321.139), three hundred twenty-

one point one hundred forty (321.140), three hundred twenty-one point one hundred forty-one (321.141), three hundred twenty-one point; one hundred forty-two (321.142), three hundred twenty-one point one hundred forty-three (321.143) and three hundred twenty-one point one hundred forty-four (321.144), Code 1979, are repealed.

TERRY E. BRANSTAD

President of the Senate

WILLIAM H. HARBOR

Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2361, Sixty-eighth General Assembly.

FRANK J. STORK

Secretary of the Senate

Approved _____, 1980

ROBERT D. RAY

Governor

SENATE FILE 2369

AN ACT

RELATING TO THE TAXATION OF PROPERTY OF CEMETERY ASSOCIATIONS
AND LOCKER PLANTS AND MAKING THE ACT RETROACTIVE.

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

Section 1. Section four hundred twenty-seven point one (427.1), subsection seven (7), Code 1979, is amended to read as follows:

7. PROPERTY OF ~~NONPROFIT~~ CEMETERY ASSOCIATIONS. Burial grounds, mausoleums, buildings and equipment owned and operated by ~~nonprofit~~ cemetery associations and used exclusively for the maintenance and care of the cemeteries devoted to interment of human bodies and human remains. The exemption granted by this subsection shall not apply to any property used for the practice of mortuary science.

Sec. 2. Chapter four hundred twenty-eight (428), Code 1979, is amended by adding the following new section:

NEW SECTION. For purposes of valuing and assessing property for tax purposes, locker plants shall be valued and assessed as commercial property. For purposes of this section, "locker plants" means any property used primarily for any or all of the following purposes:

1. To provide, as a part of its business operations, locker facilities which are rented at retail to consumers to be used for the storage of frozen meats, fish, or fowl owned by the person renting the locker.

-2. To custom slaughter livestock under contract for a natural person and to process the carcass for the natural person by cutting, wrapping, and freezing the meat.

3. To process an animal carcass to offer at retail processed meat products to a natural person after the facility has purchased the livestock or carcass.

Sec. 3. This Act is retroactive to January 1, 1980 for the valuation of property on or after January 1, 1980.

TERRY E. BRANSTAD
President of the Senate

WILLIAM H. HARBOR
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2369, Sixty-eighth General Assembly.

FRANK J. STORK
Secretary of the Senate

Approved _____, 1980

ROBERT D. RAY
Governor

S.F. 2369

one point twenty-six (331.261, subsection four (4) of the Code.

SENATE FILE 2370

AN ACT

RELATING TO THE TERM OF OFFICE OF CERTAIN COUNTY SUPERVISORS.

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

Section 1. Notwithstanding sections thirty-nine point eight (39.8), thirty-nine point eighteen (39.18) and three hundred thirty-one point one (331.1) of the Code, the term of office of a county supervisor elected to that office in November, 1976, for a four-year term which commenced in January, 1978, shall expire on the first day of January, 1982, which is not a Sunday or legal holiday. A successor to that office of county supervisor shall be elected at the general election in November, 1980, for a three-year term which shall commence in January, 1982, and expire on the first day of January, 1985, which is not a Sunday or legal holiday. Thereafter, the term of office of a successor to that office of county supervisor shall be four years, except as otherwise provided by section three hundred thirty-one point twenty-five (331.25), subsection two (2) or three hundred thirty-

TERRY E. BRANSTAD
President of the Senate

WILLIAM E. HARBOR
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2370, Sixty-eighth General Assembly.

FRANK J. STORK
Secretary of the Senate

Approved _____, 1980

ROBERT D. RAY
Governor

S.F. 2370

SENATE FILE 2373

AN ACT

AUTHORIZING THE LEGISLATIVE FISCAL BUREAU TO OBTAIN INDIVIDUAL INCOME TAX INFORMATION FROM THE DEPARTMENT OF REVENUE FOR STATISTICAL PURPOSES.

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

Section 1. Section four hundred twenty-two point seventy-two (422.72), subsection one (1), Code 1979, as amended by Acts Of the Sixty-eighth General Assembly, 1979 Session, chapter ninety-four (94), section two (2), is amended to read as follows:

1. It ~~shall be~~ is unlawful for the director, or any person having an administrative duty under this chapter, or any present or former officer or other employee of the state authorized by the director to examine returns, to divulge or to make known in any manner whatever, the business affairs, operations, or information obtained by an investigation under this chapter of records and equipment of any person or corporation visited or examined in the discharge of official duty, or the amount or source of income, profits, losses, expenditures or any particular thereof, set forth or disclosed in any return, or to permit any return or copy thereof or any book containing any abstract or particulars thereof to be seen or examined by any person except as provided by law. However, the director may authorize examination of ~~such~~ state returns and other state information which is confidential under this section, if a reciprocal arrangement exists, by tax officers of another state or the federal government.

The director may, by rules adopted pursuant to chapter 17A, authorize examination of state information and returns by other officers or employees of this state to the extent required by their official duties and responsibilities. Disclosure of state information to tax officers of another state shall be limited to those disclosures which have a tax administrative purpose and only to officers of those states which have laws that are as strict as the laws of this state protecting the confidentiality of such returns and information. The director shall place upon the state tax form a notice to the taxpayer that state tax information may be disclosed to tax officials of another state or of the United States for tax administrative purposes. The department shall not authorize the examination of tax information by officers and employees of this state, another state, or of the United States if the officers or employees would otherwise be required to obtain a judicial order to examine the information if it were to be obtained from another source, and if the purpose of the examination is other than for tax administration. However, the director of revenue may provide sample individual income tax information to be used for statistical purposes to the legislative fiscal bureau. The information shall not include the name or mailing address of the taxpayer or the taxpayer's social security number. Any information contained in an individual income tax return which is provided by the director shall only be used as a part of a data base which contains similar information from a number of returns. The legislative fiscal bureau shall not have access to the income tax returns of individuals. Each request for individual income tax information shall contain a statement by the director of the legislative fiscal bureau that the individual income tax information received by the bureau shall be used solely for statistical purposes. Nothing-in-this subsection shall does not prevent the department from authorizing the examination of state returns and state

information ~~when-provided~~ under the provisions of section 252B.9. This subsection ~~shall-prevail~~ prevails over ~~the provisions-of~~ any general law of this state relating to public records.

TERRY E. BRANSTAD
President of the Senate

WILLIAM H. HARBOR
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2373, Sixty-eighth General Assembly.

FRANK J. STORK
Secretary of the Senate

Approved _____, 1980

ROBERT D. RAY
Governor

SENATE FILE 2374

AN ACT

APPROPRIATING FUNDS TO DESIGNATED AGENCIES FOR THE 1978-1979
OR 1979-1980 FISCAL YEARS, TO SUPPLEMENT THEIR BUDGETS BE-
CAUSE OF INCREASED FUEL OR ELECTRICITY COSTS AND FOR OTHER
SUPPLEMENTARY PURPOSES.

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

1979-1980
Fiscal Year

Section 1.

1. There is appropriated from the general fund of the state to the state comptroller for the fiscal year designated, for allocation to the agencies specified in this section, the following amount, or so much thereof as is necessary, to pay actual costs for the purchase of fuel and electricity which exceed funds budgeted for fuel or electricity purposes. The funds, or any portion of the funds,

shall not be allocated unless the state comptroller determines that actual costs for the purchase of fuel or electricity exceed funds budgeted for fuel or electricity purposes, the specific agency is either developing an energy conservation plan in consultation with the energy policy council or is implementing an energy conservation plan which has been approved by the energy policy council, and the state comptroller determines that other money is not available to the agency for fuel or electricity purposes \$ 495,000

2. The agencies which may apply to the comptroller for funds appropriated by this section are the state educational radio and television facilities board, the state conservation commission and the department of public safety.

1979-1980
Fiscal Year

Sec. 2. There is appropriated from the state fish and game protection fund to the state conservation commission for the fiscal year designated, the following amount, or so much thereof as is necessary, to pay actual costs for the purchase of fuel and electricity which exceed funds budgeted for fuel or electricity purposes. The funds, or any portion of the funds, shall not be allocated unless the state comptroller determines that actual costs for the purchase of fuel or electricity ex-

S.F. 2374

ceed funds budgeted for fuel or electricity purposes, the commission is either developing an energy conservation plan for the state conservation commission in consultation with the energy policy council or is implementing an energy conservation plan which has been approved by the energy policy council, and the state comptroller determines that other money is not available to the commission for fuel or electricity purposes \$ 138,000

1979-1980

Fiscal Year

Sec. 3. There is appropriated from the general fund of the state to the state comptroller for the fiscal year designated. for allocation to the state board of regents, the following amount, or so much thereof as is necessary, to pay actual costs for the purchase of fuel and electricity for institutions subject to the control of the board, which exceed funds budgeted for fuel or electricity purposes. The funds, or any portion of the funds, shall not be allocated for use of a specific institution unless the state comptroller determines that actual costs for the purchase of fuel or electricity exceed funds budgeted for fuel or electricity purposes for that specific

institution, the specific institution is either developing an energy conservation plan for the specific institution in consultation with the energy policy council or is implementing an energy conservation plan which has been approved by the energy policy council, and the state comptroller determine that other money for utilities is not available to the board for fuel or electricity purposes \$ 157,000

Sec. 4. There is appropriated from the general fund of the state to the state board of regents the sum of two hundred twenty-five thousand (225.000) dollars to pay excess costs incurred for the purchase of fuel and electricity during the fiscal year beginning July 1, 1978 and ending June 30, 1979, at the institutions listed in the Acts of the Sixty-seventh General Assembly, 1978 Session, chapter one thousand one (1001), section seven (7).

1979-1980

Fiscal Year

Sec. 5. There is appropriated from the general fund of the state to the department of public defense, office of disaster services, for the fiscal year designated, the following amount, or so much thereof as is necessary, for the purpose of supplementing funds appropriated to the office \$ 2,063

Sec. 6. The funds appropriated by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter twelve (12), section four (4), subsection two (2), paragraph b shall be transferred from the contingency fund established by that paragraph to the state fish and game protection fund.

Sec. 7. This Act, being deemed of immediate importance, takes effect from and after its publication in the Ames Daily Tribune, a newspaper published in Ames, Iowa, and in The Record-Herald and Indianola Tribune, a newspaper published in Indianola, Iowa.

TERRY E. BRANSTAD
President of the Senate

WILLIAM H. HARBOR
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2374, Sixty-eighth General Assembly.

FRANK 3. STORK
Secretary of the Senate

Approved _____, 1980

ROBERT D. RAY
Governor

SENATE FILE 2378

AN ACT

CREATING THE IOWA RAILWAY FINANCE AUTHORITY TO AID IN THE CONSTRUCTION, RENOVATION AND REPAIR OF RAILWAY FACILITIES, PROVIDING FOR THE AUTHORITY TO ISSUE REVENUE BONDS AND PROVIDING FOR THE COLLECTION OF DELINQUENT PROPERTY TAXES OF RAILWAY COMPANIES BY THE DEPARTMENT OF TRANSPORTATION AND MAKING AN APPROPRIATION.

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

Section 1. NEW SECTION. SHORT TITLE. This Act may be referred to and cited as the "Iowa Railway Finance Authority Act".

Sec. 2. NEW SECTION. DECLARATION OF NECESSITY AND PURPOSE. The purpose of this Act is to benefit the citizens of Iowa by improving their general health, welfare and prosperity and insuring the economic and commercial development of the state. Access to adequate railway transportation facilities is essential to the economic welfare of the state. This Act is intended to preserve for the citizens of Iowa those railway facilities now in existence in the state which have a viable future but which for a variety of economic and legal reasons may well go out of service if the state does not provide the financing mechanism contained in this Act. It is the intent of the Act that ownership and control of railway facilities be transferred to private ownership as promptly as economically practicable. It is further intended that the authority created herein be vested with all powers to enable it to accomplish its purposes except the power to operate rolling stock except as incidental to the repair or renovation of a railway facility.

Sec. 3. NEW SECTION. LEGISLATIVE FINDINGS. The general assembly finds and declares as follows:

1. The establishment of the authority is in all respects for the benefit of the people of the state of Iowa, for the improvement of their health and welfare, and for the promotion of the economy, which are public purposes.

2. The authority will be performing an essential governmental function in the exercise of the powers and duties conferred upon it by this chapter.

3. There will exist a serious shortage of viable rail lines and railway facilities serving the rural and agricultural communities of the state.

4. There exists a serious problem in this state regarding the ability of agricultural producers to transport economically farm products to traditional markets because of the abandonment and possible abandonment of railway facilities within the state.

5. These conditions are making it more and more difficult for farmers and farm related businesses to survive in the present state of the economy thus threatening the very heart blood of Iowa.

6. One major cause of this condition has been recurrent shortages of funds in private channels and the high interest cost of borrowing.

7. These shortages have contributed to reductions in construction of new railway facilities, and have made the sale, purchase and repair of existing railway facilities a virtual impossibility in many parts of the state.

8. Iowa faces the possible consequences of two railroad bankruptcies and further reductions in service by other railroads due to deteriorating rail facilities. The loss of rail service on three thousand ninety miles may be the immediate consequence of the bankruptcies, With a resultant increase in transportation costs. This will be accompanied by a reduction in Iowa farm income. Any prolonged loss of service on the essential portions of these rail facilities means the loss of jobs in Iowa and a loss to the state economy.

9. A stable supply of adequate funds for financing of

railway facilities ~~is required~~ to encourage construction of railway facilities, the rehabilitation of existing facilities and to prevent the abandonment of others in an orderly and sustained manner and to reduce the problems described in this section.

10. It is necessary to create a railway finance authority to encourage the investment of private capital and stimulate the construction, rehabilitation and repair of railway facilities and to prevent the abandonment of others through the use of public financing.

11. All of the purposes stated in this section are public purposes and ~~uses~~ for which public moneys may be borrowed, expended, advanced, loaned or granted.

Sec. 4. NEW SECTION. DEFINITIONS. For purposes of this Act, unless the context otherwise requires:

1. "Authority" means the Iowa railway finance authority created by this Act.

2. "Railway facilities" means land, structures, fixtures, buildings and equipment, except rolling stock, necessary or useful in providing railroad transportation services, including, but not limited to, roadbeds, track, trestle, depot, switching and signaling equipment and all necessary, useful and related equipment and appurtenances and all franchises, easements and other interests in land and rights-of-way necessary or convenient as a site or sites for any of the foregoing.

3. "Project costs" as applied to railway facilities financed under the provisions of this Act means the total of all reasonable or necessary costs for or incidental to the acquisition, construction, reconstruction, repair, alteration, improvement or extension of any railway facilities including, but not limited to, the cost of studies and surveys, plans, specifications, architectural and engineering services, legal, organizational, marketing or other special services, financing, acquisition, demolition, construction, equipment and site development of new and rehabilitated buildings and facilities,

rehabilitation, reconstruction, repair or remodeling of, existing buildings and facilities and all other necessary and incidental expenses including, but not limited to, an initial bond and interest reserve together with interest on bonds issued to finance the railway facilities to a date six months subsequent to the estimated date of completion.

4. "Department" means the Iowa department of transportation.

5. "Governing board" or "board" means the governing board of the authority created by section six (6) of this Act.

6. "Bonds" means negotiable bonds, notes or other obligations, except those obligations to the federal government, issued under this Act.

Sec. 5. NEW SECTION. IOWA RAILWAY FINANCE AUTHORITY. There is created an Iowa railway finance authority for the purpose of financing railway facilities as provided in this Act.

Sec. 6. NEW SECTION. GOVERNING BOARD--STAFF.

1. The powers of the authority shall be vested in and exercised by a governing board consisting of five members appointed by the governor subject to confirmation by the senate.

2. The members of the governing board shall be appointed by the governor for staggered terms of six years beginning and ending as provided in Senate File two thousand three hundred one (2301) as enacted by the Sixty-eighth General Assembly, 1980 Session, section three (3). A person appointed to fill a vacancy shall serve only for the unexpired portion of the term. A member is eligible for reappointment. A member of the board may be removed from office by the governor for misfeasance, malfeasance or willful neglect of duty or other just cause, after notice and hearing, unless the notice and hearing is expressly waived in writing. A member of the board shall not also serve concurrently as a member of the state transportation commission or as an official or employee of the department.

3. Three members of the board constitute a quorum and the affirmative vote of ~~at least~~ three members is necessary for any recommendation ~~made by the~~ board. The majority ~~shall~~ not include any member who has a conflict of interest and a statement by a member of ~~a~~ conflict of interest is conclusive for this purpose. A vacancy in the membership does not impair the right of a quorum to perform the functions and duties of the board.

4. Members of the board are entitled to receive forty dollars per diem for each day spent in performance of their functions and duties as members and reimbursement for all actual and necessary expenses incurred in the performance of their functions and duties as members.

5. Meetings of the board shall be held at the call of the chairperson ~~or~~ when two members ~~so~~ request.

6. Members shall elect a chairperson and vice chairperson annually, and other officers as they determine. However, the director of the department shall be the secretary of the board.

7. The members of the board shall give bond as required for public officers in chapter sixty-four (64) of the Code.

8. The members of the board shall be subject to and be officials within the meaning of chapter sixty-eight B (68B) of the Code.

9. The director and staff of the department shall serve as the staff of the authority. The director ~~of~~ the department ~~shall~~ advise the board on matters relating to railroad transportation and carry out all directives from the board, and ~~may~~ employ professional expertise when not available on the department staff.

10. The counsel of the transportation regulation board and the attorney general's office shall provide legal services for the authority and the board unless a majority of the board deems outside counsel is required in a particular instance.

Sec. 7. NEW SECTION. POWERS OF THE AUTHORITY. The authority shall have all powers necessary for the performance

of its purposes and duties, including but not limited to, the power to:

1. Have ~~perpetual~~ succession as a public authority.
2. Adopt rules for the regulation of its affairs ~~and to~~ carry out its duties and responsibilities.
3. Sue and be sued in its own name.
4. Exercise the power of eminent domain.
5. Acquire railway facilities, whether located within Iowa ~~or~~ a contiguous state, directly ~~or~~ through an agent, by purchase, lease, gift, devise ~~or~~ otherwise.
6. Determine the location and construction of any railway facility to be financed under the provisions of this Act and to construct, reconstruct, renovate, replace, maintain, repair and lease the same, and to enter into contracts for any of these purposes.
7. Enter into contracts with any person, federal ~~or~~ state government ~~or~~ subdivision of a state for the operation, management or use of a railway facility.
8. Designate an agent to determine the location and construction of a railway facility under the provisions of this Act and as agent of the authority, to construct, reconstruct, renovate, replace, maintain, repair, and lease the same and to enter into contracts for any of these purposes including contracts for the operation, management ~~or~~ use of the railway facility.
9. The authority ~~may~~ sell ~~or~~ convey any of the railway facilities upon terms and Considerations acceptable to the governing board.
10. Issue bonds, notes ~~or~~ other obligations for any of its purposes and to refund the same, all as provided for in this Act. However, total outstanding principal amount of bonds shall not exceed one hundred million dollars at any one time.
11. Invest ~~or~~ deposit moneys of the authority, subject to any agreement with bondholders or noteholders, in any manner determined by the authority, notwithstanding the

provisions of ~~chapter four~~ hundred fifty-two (452), ~~four~~ hundred fifty-three (453) or four hundred fifty-four (454) of the Code.

12. Fix and revise and charge and collect rates, rents, fees and charges for the use of any railway facility or any portion of a facility and to contract with any person, firm or corporation or other public or private body in respect to a facility.

13. Mortgage all or any portion of its railway facilities and the sites, whether then owned or thereafter acquired, to finance the railway facility or any portion of the facility.

14. Extend loans for the purpose of financing project costs of a railway facility.

15. Extend loans to refund bonds, obligations to the federal government, mortgages or advances issued, made or given for the cost of a railway facility including the issuing of bonds and making loans to refinance indebtedness incurred for railway facilities undertaken and completed prior to or after the enactment of this Act when the governing board finds that this financing is in the public interest.

16. Have and alter a corporate seal.

17. Receive and accept from any public agency loans or grants for or in aid of project costs and to receive and accept grants, gifts and other contributions from any source.

18. Own a railway facility under this Act if necessary to preserve part of a railway system, upon the determination, after consultation with the department, that the railway facility is necessary to the system, and then shall be relinquished to private ownership or operation as soon as economically practicable.

19. Temporarily operate a railway facility under this Act if sufficient need exists or there is an emergency situation as determined by a majority of the board.

Sec. 8. NEW SECTION. DUTIES OF GOVERNING BOARD. The specific duties of the governing board shall be to:

1. Keep accurate records of all its proceedings and make them available to the public.

2. Exercise its powers and duties consistent with the policies and plans of the state transportation commission submitted by it to the general assembly as required under section three hundred seven point ten (307.10), subsection one (1) of the Code.

3. Issue a public declaration before the issuance of bonds as to the need for and use of the proceeds from the issuance of bonds.

4. Provide a prospectus in connection with the offering for sale of bonds.

5. Establish a maximum interest rate which the bonds of an issue may bear.

6. Establish one or more bond reserve funds.

7. When issuing bonds, issue bonds the interest of which will be tax exempt for federal income tax purposes, whenever possible.

8. Contract for services through the department when practicable.

9. Provide an economically designed and reproduced annual report to the members of the general assembly who request it containing information as directed by the legislative council.

Sec. 9. NEW SECTION. BONDS. All bonds issued by the authority shall be payable solely out of the revenues and receipts derived from the lease or sale by the authority of its railway facilities or as may be designated in the proceedings of the governing board under which the bonds shall be authorized to be issued by the governing board, or derived from any loan agreement between the authority and the borrower with respect to railway facilities or any other funds of the authority which the board may designate except that no tax funds which the authority may receive from the state or any political subdivision shall be used for payment of the bonds. The proceedings of the governing board authorizing the issuance

SENATE FILE 2376

AN ACT

TO IMPOSE AN EXCISE TAX ON MOTOR FUEL CONTAINING AT LEAST TEN PERCENT ALCOHOL DISTILLED FROM AGRICULTURAL PRODUCTS, INCLUDING A SALES TAX EXEMPTION FOR MOTOR FUEL CONTAINING AT LEAST TEN PERCENT ALCOHOL DISTILLED FROM AGRICULTURAL PRODUCTS, SUBJECT TO PENALTIES PROVIDED BY LAW.

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

Section 1. Section three hundred twenty-four point two (324.2), Code 1979, as the section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter seventy-five (75), section one (1), is amended by adding the following new subsection:

NEW SUBSECTION. "Gasohol" means motor fuel containing at least ten percent alcohol distilled from agricultural products.

Sec. 2. Section three hundred twenty-four point three (324.31, Code 1979, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. For the privilege of operating motor vehicles in this state an excise tax of five cents per gallon for the period beginning May 1, 1981 and ending June 30, 1983, is hereby imposed upon the use of gasohol used for any purpose except as otherwise provided in this division.

Sec. 3. Chapter three hundred twenty-four (324), Code 1979, is amended by inserting after section three hundred twenty-four point five (324.5), Code 1979, the following new section:

324.6 GASOROL BLENDERS LICWSE. Any person other than a distributor licensed under this division who blends motor fuel containing at least ten percent alcohol distilled from agricultural products shall obtain a blender's license. The

license shall be obtained by following the procedure as set forth in section three hundred twenty-four point four (324.4) of the Code and the license shall be subject to the same restrictions as contained therein. Each blender shall maintain records as required by section three hundred twenty-four point ten (324.10) of the Code as to motor fuel, alcohol and gasohol.

Sec. 4. Section three hundred twenty-four point eight (324.81, subsections four (4) and five (5), Code 1979, are amended to read as follows:

4. From the total number of invoiced gallons of motor fuel "received" by the distributor within the state during the next preceding calendar month shall be made the following deductions:

First, the gallonage of motor fuel received and thereafter sold within the exemptions provided for in section 324.3; and second, the number of gallons of motor fuel equal to three per centum of the first three hundred thousand gallons and one and one-quarter per centum of all gallonage in excess of three hundred thousand gallons of invoiced gallons of motor fuel received by the distributor within this state during the next preceding calendar month after deduction provided in this subsection, this percentage being a flat allowance to cover evaporation, shrinkage, and losses, ~~other than those provided for in section 324.3~~, and the distributor's expenses and losses in collection, accounting for, and paying over the motor fuel tax.

5. The number of invoiced gallons remaining after the deductions hereinabove set forth shall be multiplied by the per gallon motor fuel tax rate ~~and resulting figure shall be the amount of motor fuel tax in dollars and cents due from the distributor for the next preceding calendar month. -- Any outstanding credit memoranda issued by the department of revenue to the distributor may be applied against the amount due.~~

Sec. 5. Chapter three hundred twenty-four point eight (324.8), Code 1979, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. For the purpose of determining the amount of the tax liability on alcohol blended to produce gasohol, each licensed blender shall, not later than thirty-one days following the last day of each month, file with the department of revenue a monthly report, signed under penalty for false certificate, which shall include the following: The number of gallons of gasoline blended into gasohol, the number of gallons of alcohol blended into gasohol. The amount of alcohol blended shall be multiplied by the per gallon motor fuel tax rate applicable to gasohol.

Sec. 6. Section three hundred twenty-four point eight (324.8), Code 1979, is amended by adding the following new subsection:

NEW SUBSECTION. The sum of the number of invoiced gallons of gasohol which are received tax free by the distributor during the next preceding calendar month and the number of gallons of gasohol blended by the distributor during the next preceding calendar month shall be multiplied by the per gallon motor fuel tax rate applicable to gasohol.

Sec. 7. Section three hundred twenty-four point eight (324.8), Code 1979, is amended by adding the following new subsection:

NEW SUBSECTION. The sum of the tax due under subsection five (5) of this section and section six (6) of this Act shall be the amount of motor fuel tax in dollars and cents due from the distributor for the next preceding calendar month. Any Outstanding credit memoranda issued by the department of revenue to the distributor may be applied against the amount due.

Sec. 8. Section three hundred twenty-four point eighteen (324.18), Code 1979, is amended to read as follows:

324.18 REFUND PERMIT. No person may claim a refund under section 324.17 or section nine (9) of this Act until he the person shall have obtained a refund permit from the department of revenue and paid the fee therefor. A special permit shall be obtained by applicants claiming a refund under the provisions of this chapter on account of motor fuel used for the purpose of operating aircraft or used to blend gasohol. Application for a refund permit shall be made to the department of revenue on a form provided by the department of revenue, shall be certified by the applicant under penalty for false certificate and shall contain among other things, the name, the address and occupation of the applicant, the nature of his the applicant's business and a sufficient description for identification of the machines and equipment in which is to be used motor fuel for which refund may be claimed under the permit. Each permit shall bear a separate number and each claim for refund shall bear the number of the permit under which it is made. The department of revenue shall keep a permanent record of all permits issued and a cumulative record of the amount of refund claimed and paid under each. A fee of one dollar shall be collected by the department of revenue from each person to whom a refund permit is issued. A refund permit shall continue in effect until revoked as hereinafter-provided or until the claimant shall have moved from the county with which his the claimant's refund permit is identified.

Sec. 9. Chapter three hundred twenty-four (324). division one (I), Code 1979, is amended by adding the following new section:

NEW SECTION. **GASOHOL REFUND--CREDIT.** Persons other than distributors licensed under this division who blend motor fuel and alcohol to produce gasohol may file for a refund for the difference between taxes paid on the motor fuel purchased to produce gasohol and the tax due on the gasohol blended. If, during any month, a person licensed as a

3. Three members of the board constitute a quorum and the affirmative vote of at least three members is necessary for any recommendation made by the board. The majority shall not include any member who has a conflict of interest and a statement by a member of a conflict of interest is conclusive for this purpose. A vacancy in the membership does not impair the right of a quorum to perform the functions and duties of the board.

4. Members of the board are entitled to receive forty dollars per diem for each day spent in performance of their functions and duties as members and reimbursement for all actual and necessary expenses incurred in the performance of their functions and duties as members.

5. Meetings of the board shall be held at the call of the chairperson or when two members so request.

6. Members shall elect a chairperson and vice chairperson annually, and other officers as they determine. However, the director of the department shall be the secretary of the board.

7. The members of the board shall give bond as required for public officers in chapter sixty-four (64) of the Code.

8. The members of the board shall be subject to and be officials within the meaning of chapter sixty-eight B (68B) of the Code.

9. The director and staff of the department shall serve as the staff of the authority. The director of the department shall advise the board on matters relating to railroad transportation and carry out all directives from the board, and may employ professional expertise when not available on the department staff.

10. The counsel of the transportation regulation board and the attorney general's office shall provide legal services for the authority and the board unless a majority of the board deems outside counsel is required in a particular instance.

Sec. 7. NEW SECTION. POWERS OF THE AUTHORITY. The authority shall have all powers necessary for the performance

of its purposes and duties, including but not limited to, the power to:

1. Have perpetual succession as a public authority.
2. Adopt rules for the regulation of its affairs and to carry out its duties and responsibilities.
3. Sue and be sued in its own name.
4. Exercise the power of eminent domain.
5. Acquire railway facilities, whether located within Iowa or a contiguous state, directly or through an agent, by purchase, lease, gift, devise or otherwise.
6. Determine the location and construction of any railway facility to be financed under the provisions of this Act and to construct, reconstruct, renovate, replace, maintain, repair and lease the same, and to enter into contracts for any of these purposes.
7. Enter into contracts with any person, federal or state government or subdivision of a state for the operation, management or use of a railway facility.
8. Designate an agent to determine the location and construction of a railway facility under the provisions of this Act and as agent of the authority, to construct, reconstruct, renovate, replace, maintain, repair, and lease the same and to enter into contracts for any of these purposes including contracts for the operation, management or use of the railway facility.
9. The authority may sell or convey any of the railway facilities upon terms and considerations acceptable to the governing board.
10. Issue bonds, notes or other obligations for any of its purposes and to refund the same, all as provided for in this Act. However, total outstanding principal amount of bonds shall not exceed one hundred million dollars at any one time.
11. Invest or deposit moneys of the authority, subject to any agreement with bondholders or noteholders, in any manner determined by the authority, notwithstanding the

provisions of chapter four hundred fifty-two (452), ~~four hundred fifty-three (453) or four hundred fifty-four (454)~~ of the Code.

12. Fix and ~~revise~~ and charge and collect rates, rents, fees and charges for the use of any railway facility or any portion of a facility and to contract with any person, firm or corporation or other public or private body in respect to a facility.

13. Mortgage all or any portion of its railway facilities and the sites, whether then owned or thereafter acquired, to finance the railway facility or any portion of the facility.

14. Extend loans for the purpose of financing project costs of a railway facility.

15. Extend loans to refund bonds, obligations to the federal government, mortgages or advances issued, made or given for the cost of a railway facility including the issuing of bonds and making loans to refinance indebtedness incurred for railway facilities undertaken and completed prior to or after the enactment of this Act when the governing board finds that this financing is in the public interest.

16. Have and alter a corporate seal.

17. Receive and accept from any public agency loans or grants for or in aid of project costs and to receive and accept grants, gifts and other contributions from any source.

18. Own a railway facility under this Act if necessary to preserve part of a railway system, upon the determination, after consultation with the department, that the railway facility is necessary to the system, and then shall be relinquished to private ownership or operation as soon as economically practicable.

19. Temporarily operate a railway facility under this Act if sufficient need exists or there is an emergency situation as determined by a majority of the board.

Sec. 8. NEW SECTION. DUTIES OF GOVERNING BOARD. The specific duties of the governing board shall be to:

1. Keep accurate records of all its proceedings, and make them available to the public.

2. Exercise its powers and duties consistent with the policies and plans of the state transportation commission submitted by it to the general assembly as required under section three hundred seven point ten (307.10), subsection one (1) of the Code.

3. Issue a public declaration before the issuance of bonds as to the need for and use of the proceeds from the issuance of bonds.

4. Provide a prospectus in connection with the offering for sale of bonds.

5. Establish a maximum interest rate which the bonds of an issue may bear.

6. Establish one or more bond reserve funds.

7. When issuing bonds, issue bonds the interest of which will be tax exempt for federal income tax purposes, whenever possible.

8. Contract for services through the department when practicable.

9. Provide an economically designed and reproduced annual report to the members of the general assembly who request it containing information as directed by the legislative council.

Sec. 9. NEW SECTION. BONDS. All bonds issued by the authority shall be payable solely out of the revenues and receipts derived from the lease or sale by the authority of its railway facilities or as may be designated in the proceedings of the governing board under which the bonds shall be authorized to be issued by the governing board, or derived from any loan agreement between the authority and the borrower with respect to railway-facilities or any other funds of the authority which the board may designate except that no tax funds which the authority may receive from the state or any political subdivision shall be used for payment of the bonds. The proceedings of the governing board authorizing the issuance

of the bonds shall provide, for the manner of execution, delivery, form, terms, investment and disbursement of the, proceeds, and security for the payment of the bonds. Before any bonds of the authority may be offered for sale, the authority shall issue a prospectus in connection with the offering. The bonds shall be either registered, registered as to principal only or in coupon form, be payable as to principal at times over a period not to exceed thirty-five years. Any bonds of the authority may be sold at public or private sale at the price, in the manner and at the time as may be determined by the governing board. The proceedings under which bonds may be issued shall recognize and protect any prior pledge or mortgage made for any prior issue of bonds as they shall relate to the same facility. Chapter seventy-five (75) and sections twenty-three point twelve (23.12) through twenty-three point sixteen (23.16) of the Code do not apply to bonds issued under this Act. All bonds and interest coupons issued under this Act are negotiable instruments.

Sec. 10. NEW SECTION. REFUNDING OF BONDS. Any bonds of the authority at any time outstanding may be refunded with the consent of the bondholders or as provided in call provisions of the original issue by the authority by the issuance of its refunding bonds in an amount as it deems necessary but not exceeding an amount sufficient to refund the principal of the bonds to be refunded, together with any unpaid interest premiums, commissions, service fees and other expenses necessary to be paid. Any refunding may be effected whether the bonds to be refunded have matured or shall mature, either by sale of the refunding bonds and the application of the proceeds for the payment of the bonds to be refunded, or by the exchange of the refunding bonds for the bonds to be refunded with the consent of the holders of the bonds to be refunded. Refunding may be made without regard to whether or not the bonds to be refunded were issued in connection with the same railway facility or separate railway facilities

or for any other purpose, and without regard to whether or not the bonds proposed to be refunded shall be payable on the same date or different dates or due serially or otherwise.

Sec. 11. NEW SECTION. SECURITY FOR BONDS. The principal of and interest on any bonds issued by the authority shall be secured by a pledge of revenues, rentals and receipts out of which the same shall be made payable and may be secured by any federal funds, a trust indenture, mortgage or deed of trust including assignment of leases or other contract rights of the authority, contract rights of the authority or any person, firm, corporation or other business entity acquiring, leasing or operating a railway facility under this Act with third parties' which may cover all or any part of the railway facilities for which the revenues, rentals or receipts pledged may be derived, including, but not limited to, any enlargements of or additions to any facilities.

Each such pledge shall continue effective until the principal and interest on the bonds shall have been fully paid or provision for the payment duly made.

Sec. 12. NEW SECTION. PAYMENT OF BONDS--NONLIABILITY OF STATE. Bonds issued under the provisions of this Act, and judgments based on contract or tort arising from the activities of the authority or persons acting on its behalf, shall not constitute a debt or liability of the state or of any political subdivision within the meaning of any constitutional or statutory debt limitation and no appropriation shall be made, directly or indirectly, by the state or any political subdivision for the payment of the bonds or judgments, or for the indemnification of a person subject to a judgment arising from that person's actions on the authority's behalf, but are special obligations of the authority payable solely and only from the sources provided in this Act.

Sec. 13. NEW SECTION. REMEDIES OF BONDHOLDERS AND NOTEHOLDERS.

1. If the authority defaults in the payment of principal or interest on an issue of bonds or notes after they become due, whether at maturity or upon call for redemption, and the default continues for a period of thirty days, or if the authority fails or refuses to comply with the provisions of this Act, or defaults in an agreement made with the holders of an issue of bonds or notes, the holders of twenty-five percent in aggregate principal amount of bonds or notes of the issue then outstanding, by instrument filed in the office of the clerk of the county in which the principal office of the authority is located, and proved or acknowledged in the same manner as a deed to be recorded, may appoint a trustee to represent the holders of the bonds or notes for the purposes provided in this section.

2. The authority or any trustee appointed under the indenture under which the bonds are issued may, and upon written request of the holders of twenty-five percent in aggregate principal amount of the issue of bonds or notes then outstanding shall:

- a. Enforce all rights of the bondholders or noteholders, including the right to require the authority to carry out its agreements with the holders and to perform its duties under this Act.
- b. Bring suit upon the bonds or notes.
- c. By action require the authority to account as if it were the trustee of an express trust for the holders.
- d. By action enjoin any acts or things which are unlawful or in violation of the rights of the holders.
- e. Declare all the bonds or notes due and payable and if all defaults are made good then with the consent of the holders of twenty-five percent of the aggregate principal amount of the issue of bonds or notes then outstanding, annul the declaration and its consequences.

3. The trustee shall also have and possess all powers necessary or appropriate for the exercise of functions specifically set forth or incident to the general

representation of bondholders or noteholders in the enforcement and protection of their rights.

4. Before declaring the principal of bonds or notes due and payable, the trustee shall first give thirty days' notice in writing to the governor, to the authority and to the attorney general of the state.

5. The district court has jurisdiction of any action by the trustee on behalf of bondholders or noteholders. The venue of the action shall be in the county in which the principal office of the authority is located.

Sec. 14. NEW SECTION. AUTHORITY AS PUBLIC INSTRUMENTALITY. The authority is performing a public function on behalf of the state and is a public instrumentality of the state. Income of the authority and all properties owned or leased by the authority shall be exempt from all taxation in the state of Iowa. This Act shall not be construed as exempting from taxation properties comprising railway facilities financed under any of the provisions of this Act which are owned by persons or entities other than the authority except those leased by the authority.

Sec. 15. NEW SECTION. POWERS NOT RESTRICTED--LAW COMPLETE IN ITSELF. This Act shall not be construed as a restriction or limitation upon any powers which the authority might otherwise have under any laws of this state, but shall be construed as cumulative of any such powers. No proceedings, referendum, notice or approval shall be required for the creation of the authority or the issuance of any bonds or any instrument as security except as herein provided, any other law to the contrary notwithstanding; provided, that nothing herein shall be construed to deprive the state and its governmental subdivisions of their respective police powers over properties of the authority or to impair any power thereof of any official or agency of the state and its governmental subdivisions which may be otherwise provided by law.

Sec. 16. NEW SECTION. LIMITATION OF LIABILITY. The members of the board and persons acting in the board's behalf, while acting within the ~~scope~~ of their employment or agency, shall be employees of the state within the meaning of chapter twenty-five A (25A) of the Code and the provisions, except section twenty-five A point eleven (25A.11) of the Code, of that chapter shall apply to such members and persons. Any awards to a claimant under chapter twenty-five A (25A) of the Code resulting from actions involving the board or a person acting in the board's behalf shall be payable solely from funds of the authority and funds received from the state shall not be used to pay such awards.

Sec. 17. NEW SECTION. EXEMPTION FROM CONSTRUCTION AND BIDDING REQUIREMENTS FOR PUBLIC BUILDINGS. A railway facility is not subject to any requirements relating to public buildings, structures, grounds, works or improvements imposed by any other law, except as determined by the governing board, or any other similar requirements which may be lawfully waived by this section and any requirement of competitive bidding or other restriction imposed on the procedure for awarding contracts for such purpose or the lease, sale, or other disposition of property of the authority is not applicable to any action taken under the provisions of this Act.

Sec. 18. NEW SECTION. LIBERAL INTERPRETATION. This Act, being necessary for the welfare of this state and its inhabitants, shall be liberally construed to effect its purposes.

Sec. 19. The governor shall appoint all members of the governing board under section six (6) of this Act within eight weeks from the effective date of this Act.

Sec. 20. Of the first appointments to the governing body under section six (6) of this Act, two members shall be appointed for terms ending in 1982, two members shall be appointed for terms ending in 1984 and one member shall be appointed for a term ending in 1986. The terms of the first appointments shall end at 12:00 o'clock midnight on April thirtieth of the year of expiration.

Sec. 21. Chapter three hundred seven (307), Code 1979, is amended by adding the following new section:

NEW SECTION. COLLECTION OF DELINQUENT RAILWAY TAXES--
COMPROMISE.

1. Sixty days after the tax obligations of a railway company which are owed to a political subdivision of this state become delinquent as provided in section four hundred forty-five point thirty-seven (445.37) of the Code and remain unpaid, the state department of transportation shall become responsible for collection of the delinquent taxes. The county treasurer of each affected county shall transmit the unpaid tax statement of the railway company to the state department of transportation.

2. The transportation regulation board shall consolidate and collect all delinquent tax obligations of a railway company received from the counties. The transportation regulation board may compromise the delinquent taxes against the railway company property and by written agreement with the railway company agree to the payment of a stipulated sum in full liquidation of all delinquent taxes included in the agreement and may accept title to any right-of-way or other real estate in this state owned by the railway company in payment for the delinquent taxes.

3. Upon the acquisition by the department of payment from the railway company in full liquidation of the delinquent taxes including payment by means of transfer of title to rights of way or other real estate, any tax lien existing prior to such acquisition on the property on which the taxes were delinquent shall be null and void and the department shall not pay any of those delinquent taxes to the county treasurer.

Sec. 22. There is appropriated from the general fund of the state for the use of the Iowa railway finance authority the sum of two hundred seventy-five thousand (275,000) dollars, or so much thereof as is necessary, to be used for salaries, support, maintenance and miscellaneous purposes and to