

immediately upon filing, unless a later date is specified in the rules. Any rules adopted in accordance with the provisions of this section shall also be published as a notice of intended action as provided in section 17A.4.

Sec. 34. **APPLICABILITY.** The amendment to section 217.12, subsection 4, in section 1 of this Act applies to demonstration program grants awarded on or after July 1, 1992. In addition, the requirements of section 217.12, subsection 4, Code 1991, which are stricken in this Act, shall no longer be applied to demonstration program grants on or after July 1, 1992.

Sec. 35. **EFFECTIVE DATE.** Section 30 of this Act, being deemed of immediate importance, takes effect upon enactment.

Approved June 3, 1992

CHAPTER 1230

STATE AID TO SCHOOL CORPORATIONS

S.F. 2320

AN ACT relating to state aid to school corporations and providing effective date and applicability provisions.

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

Section 1. Section 257.6, subsection 1, unnumbered paragraph 3, Code 1991, is amended to read as follows:

A school district shall certify its actual enrollment to the department of education by October 1 of each year, and the department shall promptly forward the information to the department of management. The department of management shall determine whether a district is entitled to an advance for increasing enrollment on the basis of its actual enrollment.

Sec. 2. Section 257.6, subsection 4, Code 1991, is amended by striking the subsection and inserting in lieu thereof the following:

4. **BUDGET ENROLLMENT.** Budget enrollment for the budget year is the basic enrollment for the budget year.

*Sec. 3. Section 257.8, subsection 1, unnumbered paragraph 2, Code 1991, is amended to read as follows:

On or before each ~~September~~ December 15 thereafter, the department of management shall compute a state percent of growth for the budget year next following the budget year. The state percents of growth shall be forwarded to the director of the department of education.*

*Sec. 4. Section 257.9, subsections 3 and 4, Code 1991, are amended to read as follows:

3. **SPECIAL EDUCATION SUPPORT SERVICES STATE COST PER PUPIL FOR 1991-1992 1992-1993.** For the budget year beginning July 1, ~~1991~~ 1992, for the special education support services state cost per pupil, the department of management shall divide the total of the approved budgets of the area education agencies for special education support services for that year as approved by the state board of education within the time frames specified under section 273.3, subsection 12, by the total of the weighted enrollment for special education support services in the state for the budget year. The special education support services state cost per pupil for the budget year is the amount calculated by the department of management under this subsection.

*Item veto; see message at end of the Act

4. *SPECIAL EDUCATION SUPPORT SERVICES STATE COST PER PUPIL FOR 1992-1993 1993-1994 AND SUCCEEDING YEARS.* For the budget year beginning July 1, 1992 1993, and succeeding budget years, the special education support services state cost per pupil for the budget year is the special education support services state cost per pupil for the base year plus the special education support services allowable growth for the budget year.*

*Sec. 5. Section 257.10, subsections 3 and 4, Code 1991, are amended to read as follows:

3. *SPECIAL EDUCATION SUPPORT SERVICES DISTRICT COST PER PUPIL FOR 1991-1992 1992-1993.* For the budget year beginning July 1, 1991 1992, for the special education support services district cost per pupil, the department of management shall divide the approved budget of each area education agency for special education support services for that year as approved by the state board of education, within the time frames specified under section 273.3, subsection 12, by the total of the weighted enrollment for special education support services in the area for that budget year.

The special education support services district cost per pupil for each school district in an area for the budget year is the amount calculated by the department of management under this subsection.

4. *SPECIAL EDUCATION SUPPORT SERVICES DISTRICT COST PER PUPIL FOR 1992-1993 1993-1994 AND SUCCEEDING YEARS.* For the budget year beginning July 1, 1992 1993, and succeeding budget years, the special education support services district cost per pupil for the budget year is the special education support services district cost per pupil for the base year plus the special education support services allowable growth for the budget year.

Notwithstanding the special education support services district cost per pupil for the budget year beginning July 1, 1991, calculated under subsection 3, for area education agencies that have fewer than three and five-tenths public school pupils per square mile, the special education support services district cost per pupil for the budget year beginning July 1, 1991, is one hundred forty-seven dollars.*

Sec. 6. Section 257.14, unnumbered paragraph 1, Code 1991, is amended to read as follows:

For the budget years commencing July 1, 1991, and July 1, 1992, and July 1, 1993, if the department of management determines that the regular program district cost of a school district for a budget year is less than the total of the regular program district cost plus any adjustment added under this section for the base year for that school district, the department of management shall provide a budget adjustment for that district for that budget year that is equal to the difference.

*Sec. 7. Section 257.16, unnumbered paragraph 2, Code Supplement 1991, is amended to read as follows:

All state aids paid under this chapter, unless otherwise stated, shall be paid in monthly installments beginning on September 15 of a budget year and ending on or about June 15 of the budget year and the installments shall be as nearly equal as possible as determined by the department of management, taking into consideration the relative budget and cash position of the state resources. However, the state aid paid to school districts under section 257.13 shall be paid in monthly installments beginning on December 15 and ending on June 15 of a budget year.*

Sec. 8. Section 257.20, unnumbered paragraph 1, Code Supplement 1991, is amended to read as follows:

In order to determine the amount of instructional support state aid and the amount of local funding for the instructional support program for a district, the department of management shall divide the total assessed valuation in the state by the total budget enrollment for the budget year in the state to determine a state assessed valuation per pupil and shall divide the assessed valuation in each district by the district's budget enrollment for the budget year to determine the district assessed valuation per pupil. The department of management shall

*Item veto; see message at end of the Act

multiply the ratio of the state's valuation per pupil to the district's valuation per pupil by twenty-five hundredths and subtract that result from one to determine the portion of the instructional support program budget that is local funding. The remaining portion of the budget shall be funded by instructional support state aid. However, for the budget year beginning July 1, 1992, only, the amount of state aid is three and one-quarter percent less than the amount computed under this paragraph for that budget year.

Sec. 9. Section 265.6, Code 1991, is amended to read as follows:

265.6 STATE AID APPLICABLE.

If the state board of regents has established a laboratory school, it shall receive state aid pursuant to chapters 257 and 281 for each pupil enrolled in the laboratory school in the same amount as the public school district in which the pupil resides would receive aid for that pupil and shall transmit the amount received to the institution of higher education at which the laboratory school has been established. If the board of a school district terminates a contract with the state board of regents for attendance of pupils in a laboratory school, the school district shall inform the department of management of the number of these pupils who are enrolled in the district on the third Friday of the following September. The department of management shall pay to the school district, from funds appropriated in section 257.16, an amount equal to the amount of state aid paid for each pupil in that school district for that school year in payments made as provided in section 257.16. However, payments shall not be made for pupils for which an advance is received by the district under section 257.13.

Sec. 10. NEW SECTION. 282.27 CHILDREN LIVING IN PSYCHIATRIC HOSPITALS OR INSTITUTIONS — PAYMENT.

The public school district in which is located a psychiatric unit of a hospital licensed under chapter 135B or a psychiatric medical institution for children licensed under chapter 135H, which is not operated by the state, shall be responsible for the provision of educational services to children residing in the unit or institution. Children residing in the unit or institution shall be included in the basic enrollment of their districts of residence, as defined in section 282.31, subsection 4.

The board of directors of each district of residence shall pay to the school district in which is located such psychiatric unit or institution, for the provision of educational services to the child, a portion of the district of residence's district cost per pupil for each of such children based upon the proportion that the time each child is provided educational services while in such unit or institution is to the total time for which the child is provided educational services during a normal school year.

Sec. 11. Section 299A.8, Code Supplement 1991, is amended to read as follows:

299A.8 DUAL ENROLLMENT.

If a parent, guardian, or legal custodian of a child who is receiving competent private instruction under this chapter submits a request, the child shall also be registered in a public school for dual enrollment purposes. If the child is enrolled in a public school district for dual enrollment purposes, the child shall be permitted to participate in any academic activities in the district and shall also be permitted to participate on the same basis as public school children in any extracurricular activities available to children in the child's grade or group, and the parent, guardian, or legal custodian shall not be required to pay the costs of any annual testing under this chapter. If the child is enrolled for dual enrollment purposes, the child shall be included in the public school's basic enrollment under ~~sections 442.4 and~~ section 257.6 and shall be counted as one pupil in the proportion that the time for which the child is enrolled and receives instruction from practitioners employed by the public school district for the school year is to the time that a full-time pupil carrying a normal course schedule, at the same grade level, in the same school district, and for the same school year, is enrolled and receives instruction.

If a child is receiving competent private instruction through a home school assistance program which provides instruction or instructional supervision through a public school district

by a teacher who is employed by the district, the child shall be registered in the public school district for dual enrollment purposes, included in the public school's basic enrollment under section 257.6, and counted as one pupil.

Sec. 12. Section 257.13, Code 1991, is repealed.

Sec. 13. If as a result of the provisions in this Act the amount of state foundation aid appropriated to a school district is reduced below the amount the school district would have otherwise received, that school district shall not reduce the amount that it is required to pay the area education agency for costs of special education support services in order to compensate for the reduced state aid.

Sec. 14. Sections 1, 2, 7, 8, 9, 10, 11, and 12 of this Act, being deemed of immediate importance, take effect upon enactment for the purpose of computations required for payment of state aid to and levying of property taxes by school districts for the budget year beginning July 1, 1992.

Sec. 15. Section 6 of this Act takes effect July 1, 1992, for the purpose of computations required for payment of state aid to and levying of property taxes by school districts for the budget year beginning July 1, 1993.

Sec. 16. Section 3 of this Act takes effect July 1, 1992, for the purpose of computing state percent of growth for the budget year beginning July 1, 1994.

Approved June 3, 1992, except the items which I hereby disapprove and which are designated as Sections 3, 4, and 5 in their entirety; Section 7 in its entirety; Section 13 in its entirety; and Section 16 in its entirety. My reasons for vetoing these items are delineated in the item veto message pertaining to this Act to the Secretary of State this same date, a copy of which is attached hereto.

Sincerely,
TERRY E. BRANSTAD, Governor

*Item veto; see message at end of the Act

Dear Madam Secretary:

I hereby transmit Senate File 2320, an Act relating to state aid to school corporations and providing effective date and applicability provisions.

Senate File 2320 is, therefore, approved on this date with the following exceptions which I hereby disapprove.

I am unable to approve the items designated as Section 3 and Section 16, in their entirety. These provisions would change the date on which the Department of Management is required to compute a state percent of growth under Chapter 257, the school foundation program. Because the provisions of Senate File 2351 establish a new method for determining the state percent of growth, and are in conflict with Senate File 2320, these items cannot be approved.

I am unable to approve the items designated as Section 4, Section 5, and Section 13, in their entirety. These sections would recalculate the special education support services cost per pupil based on the revised weighted enrollment established by this Act. The special education support services cost per pupil for the 1993 fiscal year should not be changed, and I am unable to approve these items. Notwithstanding the disapproval of these provisions, the budget for area education agency special education support services will increase by more than \$5 million in the 1993 fiscal year.

I am unable to approve the item designated as Section 7, in its entirety. Because the provisions of this section are inconsistent with the provisions of Senate File 2371, which has previously been approved, this item cannot be approved.

For the above reasons, I hereby respectfully disapprove these items in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in Senate File 2320 are hereby approved as of this date.

Sincerely,
TERRY E. BRANSTAD, Governor

CHAPTER 1231

JUVENILE AND CRIMINAL JUSTICE

H.F. 2452

AN ACT relating to juvenile and criminal justice, establishing a juvenile court judges commission, making appropriations, establishing and increasing penalties, granting the juvenile court jurisdiction over chronic runaways, expanding provisions for automatic waiver to adult court, establishing a youthful offender program, and altering provisions concerning the commission of burglary, providing implementation and effective date provisions, and providing for related matters.

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

**Section 1. COURT-ORDERED SERVICES PROVIDED TO JUVENILES. There is appropriated from the general fund of the state to the judicial department for the fiscal year beginning July 1, 1992, and ending June 30, 1993, in addition to other appropriations made to the department for that fiscal year, the following amount, or so much thereof as is necessary, to be used for the purpose designated:*

Payment of the expenses of court-ordered services provided to juveniles which are a charge upon the state pursuant to section 232.141, subsection 4:

..... \$ 3,990,000

*Item veto; see message at end of the Act