

CHAPTER 1223

APPROPRIATIONS — EDUCATION

H.F. 2549

AN ACT relating to the funding of, operation of, and appropriation of moneys to the college student aid commission, the department of cultural affairs, the department of education, and the state board of regents, providing related statutory changes, and providing for retroactive applicability and effective dates.

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

COLLEGE STUDENT AID COMMISSION

Section 1. There is appropriated from the general fund of the state to the college student aid commission for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amounts, or so much thereof as may be necessary, to be used for the purposes designated:

1. GENERAL ADMINISTRATION

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

.....	\$	325,801
.....	FTEs	5.40

2. DES MOINES UNIVERSITY — OSTEOPATHIC MEDICAL CENTER

a. For forgivable loans to Iowa students attending the Des Moines university — osteopathic medical center under the forgivable loan program pursuant to section 261.19:

.....	\$	254,260
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b. For the Des Moines university — osteopathic medical center for an initiative in primary health care to direct primary care physicians to shortage areas in the state:

.....	\$	395,000
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3. STUDENT AID PROGRAMS

For payments to students for the Iowa grant program:

.....	\$	1,144,850
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4. NATIONAL GUARD EDUCATIONAL ASSISTANCE PROGRAM

For purposes of providing national guard educational assistance under the program established in section 261.86:

.....	\$	1,250,000
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5. CHIROPRACTIC GRADUATE STUDENT FORGIVABLE LOAN PROGRAM

For purposes of providing forgivable loans under the program established in section 261.71:

.....	\$	100,000
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6. TEACHER SHORTAGE FORGIVABLE LOAN PROGRAM

For the teacher shortage forgivable loan program established in section 261.111:

.....	\$	525,000
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DEPARTMENT OF CULTURAL AFFAIRS

Sec. 2. There is appropriated from the general fund of the state to the department of cultural affairs for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. ARTS DIVISION

For salaries, support, maintenance, miscellaneous purposes, including funds to match federal grants and for not more than the following full-time equivalent positions:

.....	\$	1,408,269
.....	FTEs	10.00

2. HISTORICAL DIVISION

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

.....	\$	3,264,561
.....	FTEs	65.70

Notwithstanding the full-time equivalent position limit established in this subsection, for the fiscal year ending June 30, 2001, if federal funding is received to pay the costs of an additional employee for the historical division, authorization to hire not more than 1.0 additional full-time equivalent employee is provided, the full-time equivalent position limit shall be exceeded, and the additional employee shall be hired by the division.

3. HISTORIC SITES

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

.....	\$	597,563
.....	FTEs	8.00

4. ADMINISTRATION

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

.....	\$	241,853
.....	FTEs	4.30

The department of cultural affairs shall coordinate activities with the tourism division of the department of economic development to promote attendance at the state historical building and at this state's historic sites.

5. COMMUNITY CULTURAL GRANTS

For planning and programming for the community cultural grants program established under section 303.3, and for not more than the following full-time equivalent position:

.....	\$	691,149
.....	FTEs	0.70

DEPARTMENT OF EDUCATION

Sec. 3. There is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amounts, or so much thereof as may be necessary, to be used for the purposes designated:

1. GENERAL ADMINISTRATION

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

.....	\$	5,875,863
.....	FTEs	98.45

The director of the department of education shall ensure that all school districts are aware of the state education resources available on the state website for listing teacher job openings and shall make every reasonable effort to enable qualified practitioners to post their resumes on the state website. The department shall administer the posting of job vacancies for school districts, accredited nonpublic schools, and area education agencies on the state website. The department may coordinate this activity with the Iowa school board association or other interested education associations in the state.

2. VOCATIONAL EDUCATION ADMINISTRATION

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

.....	\$	566,741
.....	FTEs	15.60

3. BOARD OF EDUCATIONAL EXAMINERS

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

.....	\$	200,454
.....	FTEs	6.00

4. VOCATIONAL REHABILITATION SERVICES DIVISION

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

.....	\$	4,878,700
.....	FTEs	302.25

From the funds appropriated in this lettered paragraph, up to \$2,000,000 shall be used to provide services to persons without regard to a waiting list. The division shall seek additional local matching funds in an amount sufficient to avoid any loss of federal funds.

The division of vocational rehabilitation services shall seek a waiver from the federal government to accept assessments of clients performed by area education agencies or any other governmental subdivision. The division shall also seek additional federal waivers to improve and increase the availability of supported employment services to Iowans.

The division of vocational rehabilitation services shall seek funds other than federal funds, which may include but are not limited to local funds from local provider entities, community colleges, area education agencies, and local education agencies, for purposes of matching federal vocational rehabilitation funds. The funds collected by the division may exceed the amount needed to match available federal vocational rehabilitation funds in an effort to qualify for additional federal funds when such funds become available.

Except where prohibited under federal law, the division of vocational rehabilitation services of the department of education shall accept client assessments, or assessments of potential clients, performed by other agencies in order to reduce duplication of effort.

Notwithstanding the full-time equivalent position limit established in this lettered paragraph, for the fiscal year ending June 30, 2001, if federal funding is received to pay the costs of additional employees for the vocational rehabilitation services division who would have duties relating to vocational rehabilitation services paid for through federal funding, authorization to hire not more than 4.00 additional full-time equivalent employees shall be provided, the full-time equivalent position limit shall be exceeded, and the additional employees shall be hired by the division.

b. For matching funds for programs to enable persons with severe physical or mental disabilities to function more independently, including salaries and support, and for not more than the following full-time equivalent position:

.....	\$	76,401
.....	FTEs	1.00

The highest priority use for the moneys appropriated under this lettered paragraph shall be for programs that emphasize employment and assist persons with severe physical or mental disabilities to find and maintain employment to enable them to function more independently.

5. STATE LIBRARY

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

.....	\$	3,131,600
.....	FTEs	20.00

Reimbursement of the institutions of higher learning under the state board of regents for participation in the access plus program during the fiscal year beginning July 1, 2000, and ending June 30, 2001, shall not exceed the total amount of reimbursement paid to the regents institutions of higher learning for participation in the access plus program during the fiscal year beginning July 1, 1999, and ending June 30, 2000.

b. For the enrich Iowa program:

.....	\$	1,000,000
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(1) Funds allocated for purposes of the enrich Iowa program as provided in this lettered paragraph shall be distributed by the division of libraries and information services to eligible public libraries that are in compliance with performance measures adopted by rule by the commission of libraries. The funds allocated as provided in this lettered paragraph shall not be used for the costs of administration by the division. The amount distributed to each eligible public library shall be based upon the following:

(a) The level of compliance by the eligible public library with the performance measures adopted by the commission as provided in this subparagraph.

(b) The number of people residing within an eligible library’s geographic service area for whom the library provides services.

(c) The amount of other funding the eligible public library received in the previous fiscal year for providing services to rural residents and to contracting communities.

(2) Moneys received by a public library under this lettered paragraph shall supplement, not supplant, any other funding received by the library.

(3) For purposes of this section, “eligible public library” means a public library that meets all of the following requirements:

(a) Submits to the division all of the following:

(i) The report provided for under section 256.51, subsection 1, paragraph “h”.

(ii) An application and accreditation report, in a format approved by the commission, that provides evidence of the library’s compliance with at least one level of the standards established in accordance with section 256.51, subsection 1, paragraph “k”.

(iii) Any other application or report the division deems necessary for the implementation of the enrich Iowa program.

(b) Participates in the library resource and information sharing programs established by the state library.

(c) Is a public library established by city ordinance or a county library as provided in chapter 336.

(4) Each eligible public library shall maintain a separate listing within its budget for payments received and expenditures made pursuant to this lettered paragraph, and shall annually submit this listing to the division.

(5) By January 15, 2001, the division shall submit a program evaluation report to the general assembly and the governor detailing the uses and the impacts of funds allocated under this lettered paragraph. It is the intent of the general assembly to address the continuation of the enrich Iowa program during the 2001 legislative session.

(6) A public library that receives funds in accordance with this lettered paragraph shall have an internet use policy in place, which may or may not include internet filtering. The library shall submit a report describing the library’s internet use efforts to the division.

6. REGIONAL LIBRARY

For state aid:

..... \$ 1,687,000

7. PUBLIC BROADCASTING DIVISION

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

..... \$ 8,048,155

..... FTEs 106.40

8. VOCATIONAL EDUCATION TO SECONDARY SCHOOLS

For reimbursement for vocational education expenditures made by secondary schools:

..... \$ 3,308,850

Funds appropriated in this subsection shall be used for expenditures made by school districts to meet the standards set in sections 256.11, 258.4, and 260C.14 as a result of the enactment of 1989 Iowa Acts, chapter 278. Funds shall be used as reimbursement for vocational education expenditures made by secondary schools in the manner provided by the department of education for implementation of the standards set in 1989 Iowa Acts, chapter 278.

9. SCHOOL FOOD SERVICE

For use as state matching funds for federal programs that shall be disbursed according to federal regulations, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	2,716,119
.....	FTEs	14.00

10. IOWA EMPOWERMENT FUND

For deposit in the school ready children grants account of the Iowa empowerment fund created in section 28.9:

.....	\$	15,600,000
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a. From the moneys deposited in the school ready children grants account for the fiscal year beginning July 1, 2000, and ending June 30, 2001, not more than \$200,000 is allocated for the community empowerment office and other technical assistance activities. It is the intent of the general assembly that regional technical assistance teams will be established and will include staff from various agencies, as appropriate, including the area education agencies, community colleges, and the Iowa state university of science and technology cooperative extension service in agriculture and home economics. The state empowerment board shall direct staff to work with the advisory council to inventory technical assistance needs. Funds allocated under this lettered paragraph may be used by the state empowerment board for the purpose of skills development and support for ongoing training of the regional technical assistance teams. However, funds shall not be used for additional staff or for the reimbursement of staff.

As a condition of receiving funding appropriated in this subsection, each local empowerment board shall report to the state empowerment board progress on each of the state indicators approved by the state board, as well as progress on local indicators.

School ready children grants account funds shall be distributed through a grant application process. Grant awards shall be contingent upon the availability of funds. The deadline for applications for school ready children grants in the fiscal year beginning July 1, 2000, shall be August 31, 2000, with grant awards to be made on or about October 2, 2000.

b. For the fiscal year beginning July 1, 2000, in awarding grants and establishing grant amounts for all designated community empowerment areas that have never been awarded a school ready children grant, the Iowa empowerment board shall give consideration to the future implementation of a funding formula for distribution of the grant moneys, anticipation of the state moving over a period of years to full funding of the grant program, and the reasonable expectations of community empowerment areas for a process of equitable distribution of funds.

c. The provisions of paragraph "b" are not applicable to those designated community empowerment areas that were awarded a school ready children grant prior to the fiscal year beginning July 1, 2000, and those areas shall be held harmless from the provisions implemented by the Iowa empowerment board pursuant to paragraph "b".

11. TEXTBOOKS OF NONPUBLIC SCHOOL PUPILS

To provide funds for costs of providing textbooks to each resident pupil who attends a nonpublic school as authorized by section 301.1. The funding is limited to \$20 per pupil and shall not exceed the comparable services offered to resident public school pupils:

.....	\$	650,000
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12. VOCATIONAL AGRICULTURE YOUTH ORGANIZATION

To assist a vocational agriculture youth organization sponsored by the schools to support the foundation established by that vocational agriculture youth organization and for other youth activities:

.....	\$	94,400
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13. NATIONAL BOARD CERTIFICATION

For the issuance of national board certification awards in accordance with section 256.44:

.....	\$	1,380,000
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Notwithstanding section 8.33, funds appropriated for purposes of this subsection which remain unencumbered or unobligated at the close of the fiscal year, shall not revert but shall

be available for expenditure for purposes of issuing national board certification awards during the succeeding fiscal year.

14. BEGINNING TEACHER INDUCTION PROGRAM

For purposes of the beginning teacher induction program as provided in section 256E.2: \$ 775,000

Notwithstanding section 8.33, moneys appropriated in this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

15. FAMILY RESOURCE CENTER DEMONSTRATION PROGRAM

For support of the family resource center demonstration program established under chapter 256C: \$ 90,000

16. EDUCATION INNOVATION PROJECT GRANTS

To support innovative research-based K-12 education projects: \$ 425,000

a. From the funds appropriated in this subsection, the sum of \$225,000 shall be used by the department of education for a study of methods to improve teacher compensation and to award education innovation project grants. Eligible projects shall demonstrate research-based innovative methods to improve the quality of teaching or promote attraction and retention of teachers in the teaching profession, identify measurable performance indicators and annually report results, and demonstrate how the project can be self-supporting within a three-year to five-year period. Notwithstanding section 8.33, unencumbered or unobligated funds remaining on June 30 of the fiscal year from funds allocated in this paragraph shall not revert but shall be available for expenditure for the following fiscal year for the purposes of this paragraph.

b. The department shall establish pilot regional academies in cooperation with school districts, area education agencies, and postsecondary institutions. From the funds appropriated in this subsection, not more than \$200,000 shall be used to plan and implement pilot regional academies to provide high school students with advanced level courses and technical courses not currently available within the curriculum in their district of attendance.

c. The department shall submit a report on the status of the projects receiving grants under this subsection to the senate and house standing committees on education and the joint appropriations subcommittee on education by December 1, 2000.

17. LOCAL ARTS COMPREHENSIVE EDUCATIONAL STRATEGIES PROGRAM (LACES)

For contracting with the Iowa alliance for arts education to execute their local arts comprehensive educational strategies: \$ 25,000

18. CONNECTING EDUCATION AND WORKFORCE DEVELOPMENT

For purposes of providing support to statewide school-to-work implementation through professional development opportunities, employability skill revalidation, partnership capacity building, connecting to the department of workforce development's making connections system implementation, and the integration of academic and vocational education, and for not more than the following full-time equivalent positions: \$ 210,000

..... FTEs 2.00

19. EMPLOYABILITY SKILLS ASSESSMENTS REIMBURSEMENTS

For reimbursement of school district claims for the costs of acquiring and using employability skills assessment tools as provided in this subsection: \$ 200,000

a. The department of education shall reimburse school district claims for the costs of acquiring, administering, and scoring assessment tools to assess the employability skills of students. The director of education shall identify available employability skills assessment tools that school districts may use to meet the claim reimbursement requirements of this subsection.

b. In order to be eligible for reimbursement under this subsection, a school district shall submit a claim on forms provided by the department by July 15, 2001, and the claim shall state the actual costs incurred and shall be accompanied by an affidavit of an officer of the school district affirming the accuracy of the claim.

c. A school district that submits to the department a claim for reimbursement in accordance with this subsection shall develop and integrate specific employability skills goals and activities into the comprehensive school improvement plan required under section 256.7, subsection 21, paragraph "a".

d. The department of education shall certify to the department of revenue and finance the amounts of approved claims to be paid, and the department of revenue and finance shall draw warrants payable to school districts with approved claims, taking into consideration the relative budget and cash position of the state resources.

e. Moneys received under this subsection shall not be commingled with state aid payments made under section 257.16 to a school district and shall be accounted for by the school district separately from state aid payments. Payments made to a school district under this subsection are miscellaneous income for purposes of chapter 257.

f. If the funds appropriated in this subsection are insufficient to pay in full the claims submitted by school districts and approved by the department, the amounts of approved claims shall be prorated among all school districts with approved claims.

20. JOBS FOR AMERICA'S GRADUATES

For school districts to provide direct services to the most at-risk senior high school students enrolled in school districts through direct intervention by a "jobs for America's graduates" specialist:

..... \$ 333,000

21. AMERICORPS AFTER-SCHOOL INITIATIVE

For purposes of the americorps after-school initiative:

..... \$ 121,000

22. AMBASSADOR TO EDUCATION

For purposes of the ambassador to education program established in section 256.45:

..... \$ 75,000

23. COMMUNITY COLLEGES

For general state financial aid, including general financial aid to merged areas in lieu of personal property tax replacement payments, to merged areas as defined in section 260C.2, for vocational education programs in accordance with chapters 258 and 260C:

..... \$ 147,577,403

The funds appropriated in this subsection shall be allocated as follows:

a. Merged Area I	\$ 7,082,328
b. Merged Area II	\$ 8,319,148
c. Merged Area III	\$ 7,728,299
d. Merged Area IV	\$ 3,777,429
e. Merged Area V	\$ 7,902,847
f. Merged Area VI	\$ 7,321,837
g. Merged Area VII	\$ 10,564,438
h. Merged Area IX	\$ 12,993,495
i. Merged Area X	\$ 20,391,658
j. Merged Area XI	\$ 21,642,884
k. Merged Area XII	\$ 8,526,664
l. Merged Area XIII	\$ 8,767,984
m. Merged Area XIV	\$ 3,822,470
n. Merged Area XV	\$ 12,027,969
o. Merged Area XVI	\$ 6,707,953

Sec. 4. DISTRIBUTION OF FUNDS APPROPRIATED. For the fiscal year beginning July 1, 2000, and ending June 30, 2001, moneys appropriated by the general assembly from

the general fund of the state to the department of education for community colleges for a fiscal year shall be allocated to each community college by the department of education in the following manner:

1. **BASE FUNDING.** The base funding for a fiscal year shall be equal to the amount each community college received as an allocation from appropriations made from the general fund of the state in the most recent fiscal year.

2. **DISTRIBUTION FOR INFLATION.** First priority shall be to give each college an increase based upon inflation. The inflation increase shall be not less than 2 percent. However, the inflation increase shall be equal to the national inflation rate, if it exceeds 2 percent, if the amount of state aid appropriated is equal to or greater than the national inflation rate.

3. **DISTRIBUTION BASED ON PROPORTIONAL SHARE OF ENROLLMENT.** The balance of the growth in state aid appropriations, once the inflation increase has been satisfied, shall be distributed based on each college's proportional share of enrollment. However, a minimum of one percent of the total growth shall be distributed in this manner.

4. If the total appropriation made by the general assembly is less than 2 percent growth, the entire increase shall be distributed as inflation.

Sec. 5. PROVIDING LIMITED PHASE III MONEYS DISTRIBUTION AUTHORITY TO THE DIRECTOR. Notwithstanding the appropriations in section 294A.25, subsections 6, 9, and 14 for the fiscal year beginning July 1, 2000, the director of the department of education is authorized to determine the amount of phase III moneys which shall be distributed for the purposes described in section 294A.25, subsections 6, 9, and 14 for the fiscal year beginning July 1, 2000.

Sec. 6. AREA EDUCATION AGENCY REORGANIZATION STUDY. The department of education shall complete a study and make recommendations for the alignment of area education boundaries in the event of voluntary area education agency merger or restructuring to best ensure the equitable, effective, and efficient delivery of core area education agency services to students and schools. The study shall be conducted in conjunction with representative administrators and board members from area education agencies, and in consultation with other K-12 representatives as determined by the department. The study shall consider population projections of the merged areas, enrollment projections, number of school districts and schools served, financial resources, efficient and effective delivery of core services as required under area education agency accreditation under chapter 273, existing and possible regional collaborations, and possible reorganization incentives. The department shall forward recommendations and any possible reorganization plans to the area education agency boards no later than July 1, 2001. The department shall forward any recommendations for statutory changes that may be required to accomplish area education agency reorganization to the senate and house standing committees on education and the joint appropriations subcommittee on education not later than December 15, 2000.

Sec. 7. BOARD OF EDUCATIONAL EXAMINERS LICENSING FEES. Notwithstanding section 272.10, up to 85 percent of any funds received annually resulting from an increase in fees approved and implemented for licensing by the state board of educational examiners after July 1, 1997, shall be available for the fiscal year beginning July 1, 2000, to the state board for purposes related to the state board's duties, including, but not limited to, additional full-time equivalent positions. The director of revenue and finance shall draw warrants upon the treasurer of state from the funds appropriated as provided in this section and shall make the funds resulting from the increase in fees available during the fiscal year to the state board on a monthly basis.

**Sec. 8. PROFESSIONAL DEVELOPMENT STUDY. The board of educational examiners shall conduct a study of the use of school days for the professional development of teachers by school districts and area education agencies. Each school district and area education*

agency shall submit to the board by August 1, 2000, in the manner required by the board, data relating to the use of school days for the professional development of teachers. The board shall develop and recommend alternatives to reduce the number of school days used for the professional development of teachers. The board shall submit its recommendations by December 1, 2000, in a report to the senate and house standing committees on education and the joint appropriations subcommittee on education.*

Sec. 9. LOCAL PUBLIC LIBRARIES SUPPORT SERVICES STUDY. The commission of libraries shall coordinate a study of the state library structure. The commission, the area education agencies, and the regional libraries jointly shall compile a list of the support functions currently provided to local libraries by the regional system, including but not limited to the continuation of consultation and educational programs for library staff and trustees concerning all facets of library management and operation and intraregional interlibrary loan and information services, and shall develop a plan to provide those support functions and services more effectively and efficiently. The plan shall be submitted by December 1, 2000, to the senate and house standing committees on education, the joint appropriations subcommittee on education, and the legislative fiscal bureau.

Sec. 10. 1999 Iowa Acts, chapter 205, section 7, subsections 13 and 15, are amended to read as follows:

13. NATIONAL BOARD CERTIFICATION

For the issuance of national board certification awards in accordance with section 256.44, if 1999 Iowa Acts, House File 766, is enacted:¹

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

Notwithstanding section 8.33, funds appropriated for purposes of this ~~section~~ subsection which remain unencumbered or unobligated at the close of the fiscal year, shall not revert but shall be available for expenditure for purposes of issuing national board certification awards during the succeeding fiscal year.

15. BEGINNING TEACHER INDUCTION PROGRAM

For purposes of the beginning teacher induction program as provided in section 256E.2:

..... \$ 300,000

Notwithstanding section 8.33, moneys appropriated in this ~~section~~ subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

STATE BOARD OF REGENTS

Sec. 11. There is appropriated from the general fund of the state to the state board of regents for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amounts, or so much thereof as may be necessary, to be used for the purposes designated:

1. OFFICE OF STATE BOARD OF REGENTS

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

..... \$ 1,284,586

..... FTEs 15.63

The state board of regents, the department of management, and the legislative fiscal bureau shall cooperate to determine and agree upon, by November 15, 2000, the amount that needs to be appropriated for tuition replacement for the fiscal year beginning July 1, 2001.

The state board of regents shall submit a monthly financial report in a format agreed upon by the state board of regents office and the legislative fiscal bureau.

b. For allocation by the state board of regents to the state university of Iowa, the Iowa state university of science and technology, and the university of northern Iowa to reimburse the institutions for deficiencies in their operating funds resulting from the pledging of tuitions,

* Item veto; see message at end of the Act

¹ 1999 Iowa Acts, chapter 142

student fees and charges, and institutional income to finance the cost of providing academic and administrative buildings and facilities and utility services at the institutions:

.....	\$	28,174,854
c. For funds to be allocated to the southwest Iowa graduate studies center:		
.....	\$	114,324
d. For funds to be allocated to the siouxland interstate metropolitan planning council for the tristate graduate center under section 262.9, subsection 21:		
.....	\$	83,778
e. For funds to be allocated to the quad-cities graduate studies center:		
.....	\$	171,382

2. STATE UNIVERSITY OF IOWA

a. General university, including lakeside laboratory

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

.....	\$	247,817,103
.....	FTEs	4,055.62

It is the intent of the general assembly that the university continue progress on the school of public health and the public health initiative for the purposes of establishing an accredited school of public health and for funding an initiative for the health and independence of elderly Iowans. From the funds appropriated in this lettered paragraph, the university may use up to \$2,100,000 for the school of public health and the public health initiative.

b. University hospitals

For salaries, support, maintenance, equipment, and miscellaneous purposes and for medical and surgical treatment of indigent patients as provided in chapter 255, for medical education, and for not more than the following full-time equivalent positions:

.....	\$	32,515,915
.....	FTEs	5,626.24

The university of Iowa hospitals and clinics shall, within the context of chapter 255 and when medically appropriate, make reasonable efforts to extend the university of Iowa hospitals and clinics' use of home telemedicine and other technologies to reduce the frequency of visits to the hospital required by indigent patients. The university of Iowa hospitals and clinics shall submit a report to the general assembly and the legislative fiscal bureau by January 15, 2001, describing its use of these technologies to accomplish this purpose.

The university of Iowa hospitals and clinics shall submit quarterly a report regarding the portion of the appropriation in this lettered paragraph expended on medical education. The report shall be submitted in a format jointly developed by the university of Iowa hospitals and clinics, the legislative fiscal bureau, and the department of management, and shall delineate the expenditures and purposes of the funds.

Funds appropriated in this lettered paragraph shall not be used to perform abortions except medically necessary abortions, and shall not be used to operate the early termination of pregnancy clinic except for the performance of medically necessary abortions. For the purpose of this lettered paragraph, an abortion is the purposeful interruption of pregnancy with the intention other than to produce a live-born infant or to remove a dead fetus, and a medically necessary abortion is one performed under one of the following conditions:

- (1) The attending physician certifies that continuing the pregnancy would endanger the life of the pregnant woman.
- (2) The attending physician certifies that the fetus is physically deformed, mentally deficient, or afflicted with a congenital illness.
- (3) The pregnancy is the result of a rape which is reported within 45 days of the incident to a law enforcement agency or public or private health agency which may include a family physician.
- (4) The pregnancy is the result of incest which is reported within 150 days of the incident to a law enforcement agency or public or private health agency which may include a family physician.

(5) The abortion is a spontaneous abortion, commonly known as a miscarriage, wherein not all of the products of conception are expelled.

The total quota allocated to the counties for indigent patients for the fiscal year beginning July 1, 2000, shall not be lower than the total quota allocated to the counties for the fiscal year commencing July 1, 1998. The total quota shall be allocated among the counties on the basis of the 1990 census pursuant to section 255.16.

c. Psychiatric hospital

For salaries, support, maintenance, equipment, miscellaneous purposes, for the care, treatment, and maintenance of committed and voluntary public patients, and for not more than the following full-time equivalent positions:

.....	\$	8,241,465
.....	FTEs	279.85

d. Hospital-school

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

.....	\$	7,305,037
.....	FTEs	157.69

From the funds appropriated in this lettered paragraph, \$200,000 shall be allocated for purposes of the creative employment options program.

e. Oakdale campus

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

.....	\$	3,169,417
.....	FTEs	43.25

f. State hygienic laboratory

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

.....	\$	4,074,514
.....	FTEs	102.49

g. Family practice program

For allocation by the dean of the college of medicine, with approval of the advisory board, to qualified participants, to carry out chapter 148D for the family practice program, including salaries and support, and for not more than the following full-time equivalent positions:

.....	\$	2,398,895
.....	FTEs	192.40

h. Child health care services

For specialized child health care services, including childhood cancer diagnostic and treatment network programs, rural comprehensive care for hemophilia patients, and the Iowa high-risk infant follow-up program, including salaries and support, and for not more than the following full-time equivalent positions:

.....	\$	655,199
.....	FTEs	9.22

i. Agricultural health and safety programs

For agricultural health and safety programs, and for not more than the following full-time equivalent positions:

.....	\$	279,690
.....	FTEs	3.48

j. Statewide cancer registry

For the statewide cancer registry, and for not more than the following full-time equivalent positions:

.....	\$	214,020
.....	FTEs	2.40

k. Substance abuse consortium

For funds to be allocated to the Iowa consortium for substance abuse research and evaluation, and for not more than the following full-time equivalent positions:

.....	\$	75,536
.....	FTEs	1.50

l. Center for biocatalysis

For the center for biocatalysis, and for not more than the following full-time equivalent positions:

.....	\$	1,074,259
.....	FTEs	5.20

m. Primary health care initiative

For the primary health care initiative in the college of medicine and for not more than the following full-time equivalent positions:

.....	\$	901,405
.....	FTEs	7.75

From the funds appropriated in this lettered paragraph, \$330,000 shall be allocated to the department of family practice at the state university of Iowa college of medicine for family practice faculty and support staff.

n. Birth defects registry

For the birth defects registry and for not more than the following full-time equivalent position:

.....	\$	51,984
.....	FTEs	1.30

3. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY

a. General university

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

.....	\$	196,418,464
.....	FTEs	3,607.44

It is the intent of the general assembly that the university continue progress on the center for excellence in fundamental plant sciences. From the funds appropriated in this lettered paragraph, the university may use up to \$4,670,000 for the center for excellence in fundamental plant sciences.

The general assembly declares that it is possible that a few large companies may be able to control all levels of the food chain, including production, because these companies own the genetics needed to participate in the food system of the future, and finds this possibility to be a major threat to the independence and profitability of Iowa's agricultural producers. To ensure public ownership of plant genetic material, all rights to the research products developed by the Iowa state university of science and technology's botany institute using state-appropriated funds will be made available to the extent practicable for commercialization, for the benefit of all Iowans, including Iowa's agricultural producers, through a public process which normally involves nonexclusive licensing of genes and germplasm.

b. Agricultural experiment station

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

.....	\$	36,184,371
.....	FTEs	546.98

c. Cooperative extension service in agriculture and home economics

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

.....	\$	22,821,278
.....	FTEs	430.91

From the funds appropriated in this lettered paragraph, \$150,000 shall be used for the food, fiber, and environmental science program, and \$1,066,000 shall be used for the value-added agricultural projects as part of the extension 21 program.

The cooperative extension service in agriculture and home economics at Iowa state university of science and technology shall conduct a study, in consultation with the department of human services, that identifies all educational materials, seminars, and assistance offered by the extension service which are duplicative, either directly or in subject area, of educational materials, seminars, and assistance offered by the department of human services. The cooperative extension service shall submit its findings in a report to the general assembly and the legislative fiscal bureau by January 15, 2001.

d. Leopold center

For agricultural research grants at Iowa state university under section 266.39B, and for not more than the following full-time equivalent positions:

.....	\$	576,969
.....	FTEs	11.25

e. Livestock disease research

For deposit in and the use of the livestock disease research fund under section 267.8, and for not more than the following full-time equivalent positions:

.....	\$	279,077
.....	FTEs	3.17

4. UNIVERSITY OF NORTHERN IOWA

a. General university

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

.....	\$	87,811,041
.....	FTEs	1,416.86

It is the intent of the general assembly that the university continue progress on the implementation of a masters in social work program. From the funds appropriated in this lettered paragraph, the university may use up to \$450,000 for the implementation of the masters in social work program, up to \$100,000 for the roadside vegetation project, and up to \$200,000 for the Iowa office for staff development.

b. Recycling and reuse center

For purposes of the recycling and reuse center, and for not more than the following full-time equivalent positions:

.....	\$	248,878
.....	FTEs	1.50

5. STATE SCHOOL FOR THE DEAF

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

.....	\$	7,964,367
.....	FTEs	126.60

6. IOWA BRAILLE AND SIGHT SAVING SCHOOL

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

.....	\$	4,447,925
.....	FTEs	91.05

7. TUITION AND TRANSPORTATION COSTS

For payment to local school boards for the tuition and transportation costs of students residing in the Iowa braille and sight saving school and the state school for the deaf pursuant to section 262.43 and for payment of certain clothing and transportation costs for students at these schools pursuant to section 270.5:

.....	\$	16,941
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* Item veto; see message at end of the Act

Sec. 12. MEDICAL ASSISTANCE — SUPPLEMENTAL AMOUNTS. For the fiscal year beginning July 1, 2000, and ending June 30, 2001, the department of human services shall continue the supplemental disproportionate share and a supplemental indirect medical education adjustment applicable to state-owned acute care hospitals with more than 500 beds and shall reimburse qualifying hospitals pursuant to that adjustment with a supplemental amount for services provided medical assistance recipients. The adjustment shall generate supplemental payments intended to equal the state appropriation made to a qualifying hospital for treatment of indigent patients as provided in chapter 255. To the extent of the supplemental payments, a qualifying hospital shall, after receipt of the funds, transfer to the department of human services an amount equal to the actual supplemental payments that were made in that month. The aggregate amounts for the fiscal year shall not exceed the state appropriation made to the qualifying hospital for treatment of indigent patients as provided in chapter 255. The department of human services shall deposit these funds in the department's medical assistance account. To the extent that state funds appropriated to a qualifying hospital for the treatment of indigent patients as provided in chapter 255 have been transferred to the department of human services as a result of these supplemental payments made to the qualifying hospital, the department shall not, directly or indirectly, recoup the supplemental payments made to a qualifying hospital for any reason, unless an equivalent amount of the funds transferred to the department of human services by a qualifying hospital pursuant to this provision is transferred to the qualifying hospital by the department.

If the state supplemental amount allotted to the state of Iowa for the federal fiscal year beginning October 1, 2000, and ending September 30, 2001, pursuant to section 1923(f)(3) of the federal Social Security Act, as amended, or pursuant to federal payments for indirect medical education is greater than the amount necessary to fund the federal share of the supplemental payments specified in the preceding paragraph, the department of human services shall increase the supplemental disproportionate share or supplemental indirect medical education adjustment by the lesser of the amount necessary to utilize fully the state supplemental amount or the amount of state funds appropriated to the state university of Iowa general education fund and allocated to the university for the college of medicine. The state university of Iowa shall transfer from the allocation for the college of medicine to the department of human services, on a monthly basis, an amount equal to the additional supplemental payments made during the previous month pursuant to this paragraph. A qualifying hospital receiving supplemental payments pursuant to this paragraph that are greater than the state appropriation made to the qualifying hospital for treatment of indigent patients as provided in chapter 255 shall be obligated as a condition of its participation in the medical assistance program to transfer to the state university of Iowa general education fund on a monthly basis an amount equal to the funds transferred by the state university of Iowa to the department of human services. To the extent that state funds appropriated to the state university of Iowa and allocated to the college of medicine have been transferred to the department of human services as a result of these supplemental payments made to the qualifying hospital, the department shall not, directly or indirectly, recoup these supplemental payments made to a qualifying hospital for any reason, unless an equivalent amount of the funds transferred to the department of human services by the state university of Iowa pursuant to this paragraph is transferred to the qualifying hospital by the department.

Continuation of the supplemental disproportionate share and supplemental indirect medical education adjustment shall preserve the funds available to the university hospital for medical and surgical treatment of indigent patients as provided in chapter 255 and to the state university of Iowa for educational purposes at the same level as provided by the state funds initially appropriated for that purpose.

The department of human services shall, in any compilation of data or other report distributed to the public concerning payments to providers under the medical assistance program, set forth reimbursements to a qualifying hospital through the supplemental dispro-

portionate share and supplemental indirect medical education adjustment as a separate item and shall not include such payments in the amounts otherwise reported as the reimbursement to a qualifying hospital for services to medical assistance recipients.

For purposes of this section, "supplemental payment" means a supplemental payment amount paid for medical assistance to a hospital qualifying for that payment under this section.

Sec. 13. 2000 Iowa Acts, House File 2039,² section 24, is amended to read as follows:

SEC. 24. MEDICAL ASSISTANCE CLAIMING BY STATE BOARD OF REGENTS. The state shall enter into a contract to enhance claiming of medical assistance program reimbursement payable for services provided by the state university of Iowa hospitals and clinics. After payment of contract costs, the first ~~\$4,000,000~~ \$12,000,000 received in additional reimbursement from the enhanced claiming during the period beginning with the effective date of this Act, and ending June 30, 2001, shall be credited to the general fund of the state. The balance of the additional reimbursement received during the period is appropriated to the state board of regents for the state university of Iowa hospitals and clinics for other expenses associated with the enhanced claiming and for the provision of services. The state board of regents shall report quarterly during the period delineated in this section to the department of management and the legislative fiscal bureau concerning the enhanced claiming and reimbursement that is received and anticipated.

For purposes of this section, "enhanced claiming" does not include any process already being utilized by the state university of Iowa hospitals and clinics to identify and seek reimbursement from appropriate payors. Individual patient accounts shall not be eligible for participation in enhanced claiming activities until the state university of Iowa hospitals and clinics certifies that its internal processes to identify and seek reimbursement from appropriate payors have been completed. Should additional reimbursement from the enhanced claiming fail to equal the targeted amount to be credited to the general fund, the state university of Iowa hospitals and clinics shall not be held responsible for making up the shortfall.

Sec. 14. STATE UNIVERSITY OF IOWA — DEPARTMENT OF HUMAN SERVICES. The department of human services shall transfer to the state university of Iowa for the purposes of the creative employment options program the same amount of moneys in the fiscal year beginning July 1, 2000, and ending June 30, 2001, as was transferred in the fiscal year beginning July 1, 1997, and ending June 30, 1998.

Sec. 15. For the fiscal year beginning July 1, 2000, and ending June 30, 2001, the state board of regents may use notes, bonds, or other evidences of indebtedness issued under section 262.48 to finance projects that will result in energy cost savings in an amount that will cause the state board to recover the cost of the projects within an average of six years.

Sec. 16. Notwithstanding section 270.7, the department of revenue and finance shall pay the state school for the deaf and the Iowa braille and sight saving school the moneys collected from the counties during the fiscal year beginning July 1, 2000, for expenses relating to prescription drug costs for students attending the state school for the deaf and the Iowa braille and sight saving school.

Sec. 17. Section 28.3, subsection 2, Code Supplement 1999, is amended to read as follows:

2. The Iowa board shall consist of ~~fifteen~~ seventeen voting members with ~~twelve~~ thirteen citizen members and ~~three~~ four state agency members. The ~~three~~ four state agency members shall be the directors of the following departments: education, human rights, human services, and public health. The ~~twelve~~ thirteen citizen members shall be appointed by the governor, subject to confirmation by the senate. The governor's appointments of citizen members shall be made in a manner so that each of the state's congressional districts is

² Chapter 1214 herein

represented by two citizen members and so that all the appointments as a whole reflect the ethnic, cultural, social, and economic diversity of the state. The governor's appointees shall be selected from individuals nominated by community empowerment area boards. The nominations shall reflect the range of interests represented on the community boards so that the governor is able to appoint one or more members each for education, health, human services, business, faith, and public interests. At least one of the citizen members shall be a service consumer or the parent of a service consumer. Terms of office of all citizen members are three years. A vacancy on the board shall be filled in the same manner as the original appointment for the balance of the unexpired term.

Sec. 18. Section 135.11, subsection 18, Code Supplement 1999, is amended to read as follows:

18. Consult with the office of statewide clinical education programs at the university of Iowa college of medicine and annually submit a report to the general assembly by January 15 verifying the number of physicians in active practice in Iowa by county who are engaged in providing obstetrical care. To the extent data are readily available, the report shall include information concerning the number of deliveries per year by specialty and county, the age of physicians performing deliveries, and the number of current year graduates of the university of Iowa college of medicine and the Des Moines university of ~~— osteopathic medicine and health sciences~~ medical center entering into residency programs in obstetrics, gynecology, and family practice. The report may include additional data relating to access to obstetrical services that may be available.

*Sec. 19. NEW SECTION. 135.26 OBSTETRICAL BRACHIAL PLEXUS PALSY CONSULTATION.

*The university of Iowa hospitals and clinics shall develop and maintain a comprehensive database of information regarding obstetrical brachial plexus palsy treatment options and success rates. In every case where a diagnosis of obstetrical brachial plexus palsy is made, the parents or legal guardians of an infant so diagnosed shall be given the opportunity to consult with an obstetrical brachial plexus palsy specialist regarding treatment options and reported success rates currently documented in medical literature for obstetrical brachial plexus palsy. The objective of the consultation shall be to place a parent or legal guardian in the position of subsequently making an educated and informed decision regarding the pursuit of obstetrical brachial plexus palsy treatment.**

Sec. 20. Section 135.107, subsection 3, paragraph d, subparagraph (1), Code 1999, is amended to read as follows:

(1) The Iowa department of public health, in cooperation with a primary care collaborative effort including the university of Iowa college of medicine, the Des Moines university of ~~— osteopathic medicine and health sciences~~ medical center, and other primary care professional educational institutions in Iowa, shall develop and establish area health education centers. The effort shall involve making application for a federal grant under 42 U.S.C. § 293j, as prescribed by that section.

Sec. 21. Section 135.107, subsection 4, Code 1999, is amended to read as follows:

4. The director of public health shall establish a primary care collaborative work group to coordinate all statewide recruitment and retention activities established pursuant to this section and to make recommendations to the department and the center for rural health and primary care relating to the implementation of subsection 3. Membership of the work group shall consist, at a minimum, of representatives from the university of Iowa college of medicine, Des Moines university of ~~— osteopathic medicine and health sciences~~ medical center, university of Iowa physician assistant school, university of Iowa nurse practitioner school, Des Moines university of ~~— osteopathic medicine and health sciences~~ medical center physician assistant program, Iowa-Nebraska primary care association, Iowa medical society,

* Item veto; see message at end of the Act

Iowa osteopathic medical association, Iowa chapter of American college of osteopathic family physicians, Iowa academy of family physicians, nurse practitioner association, Iowa nurses association, association of Iowa hospitals and health systems, and Iowa physicians assistants association.

Sec. 22. Section 235C.3, subsection 2, paragraph b, Code Supplement 1999, is amended to read as follows:

b. A health professional training campaign, including recommendations concerning the curriculum offered at the college of medicine at the state university of Iowa and the Des Moines university of — osteopathic medicine and health sciences medical center, providing assistance in the identification of women at risk of substance abuse during pregnancy and strategies to be employed in assisting those women to maintain healthy lifestyles during pregnancy. This education campaign shall offer information to health professionals on assessment, laboratory testing, and referrals.

Sec. 23. Section 256.42, subsection 4, Code 1999, is amended by striking the subsection.

Sec. 24. Section 256B.15, subsection 7, paragraph a, Code 1999, is amended to read as follows:

a. The treasurer of the state shall credit receipts received under this section to the department of human services to pay contractual fees incurred by the department to maximize federal funding for special education services. All remaining receipts in excess of the amount necessary to pay contractual fees shall be credited to the general fund of the state department of human services medical assistance account.

Sec. 25. Section 256C.2, unnumbered paragraph 2, Code 1999, is amended to read as follows:

A district applying for a grant under this section shall agree, for each dollar of grant funds, to provide twenty cents in matching cash or in-kind resources. Grants may be awarded for four years, beginning July 1, 1994, and ending June 30, 1998. ~~Up to ten percent of the moneys appropriated for the grant program may be used by the council for staffing, technical assistance, and external evaluation development.~~ Notwithstanding section 8.33, unencumbered or unobligated funds remaining on June 30 of the fiscal year for which the funds were appropriated shall not revert but shall be available for expenditure for the following fiscal year for the purposes of this section.

Sec. 26. Section 261.12, subsection 1, paragraph b, Code Supplement 1999, is amended to read as follows:

b. For the fiscal year beginning July 1, ~~1999~~ 2000, and for each following fiscal year, ~~three~~ four thousand ~~nine hundred~~ dollars.

Sec. 27. Section 261.19, subsections 1 through 4, Code 1999, are amended to read as follows:

1. A physician recruitment program is established, to be administered by the college student aid commission, for the Des Moines university of — osteopathic medicine and health sciences of Des Moines, Iowa medical center. The program shall consist of a forgivable loan program and a tuition scholarship program for students and a loan repayment program for physicians. The commission shall regularly adjust the physician service requirement under each aspect of the program to provide, to the extent possible, an equal financial benefit for each period of service required. From funds appropriated for purposes of the program by the general assembly, the commission shall pay a fee to the Des Moines university of — osteopathic medicine and health sciences medical center for the administration of the program. A portion of the fee shall be paid by the commission to the university based upon the number of physicians recruited under subsection 4.

2. A forgivable loan may be awarded to a resident of Iowa who is enrolled at the Des Moines university of ~~— osteopathic medicine and health sciences~~ medical center if the student agrees to practice in this state for a period of time to be determined by the commission at the time the loan is awarded. Forgivable loans to eligible students shall not become due and interest on the loan shall not accrue until after the student completes a residency program. If the student completes the period of practice established by the commission and agreed to by the student, the loan amount shall be forgiven. The loan amount shall not be forgiven if the osteopathic physician fails to complete the required time period of practice in this state or fails to satisfactorily continue in the university's program of medical education.

3. A student enrolled at the Des Moines university of ~~— osteopathic medicine and health sciences~~ medical center shall be eligible for a tuition scholarship for the student's study at the university. The scholarship shall be for an amount not to exceed the annual tuition at the university. A student who receives a tuition scholarship shall not be eligible for the loan repayment program provided for by this section. A student who receives a tuition scholarship shall agree to practice in an eligible rural community in this state for a period of time to be determined by the commission at the time the scholarship is awarded. The student shall repay the scholarship to the commission if the student fails to practice in a medically underserved rural community in this state for the required period of time.

4. A physician shall be eligible for the physician loan repayment program if the physician agrees to practice in an eligible rural community in this state. The Des Moines university of ~~— osteopathic medicine and health sciences~~ medical center shall recruit and place physicians in rural communities which have agreed to provide additional funds for the physician's loan repayment. The contract for the loan repayment shall stipulate the time period the physician shall practice in an eligible rural community in this state. In addition, the contract shall stipulate that the physician repay any funds paid on the physician's loan by the commission if the physician fails to practice in an eligible rural community in this state for the required period of time. For purposes of this subsection, "eligible rural community" means a medically underserved rural community which agrees to match state funds provided on at least a dollar-for-dollar basis for the loan repayment of a physician who practices in the community.

Sec. 28. Section 261.25, subsection 1, Code Supplement 1999, is amended to read as follows:

1. There is appropriated from the general fund of the state to the commission for each fiscal year the sum of ~~forty-seven~~ forty-eight million ~~six~~ eight hundred ~~sixty-four~~ thirty thousand ~~seven hundred fifty~~ seventy-five dollars for tuition grants.

Sec. 29. Section 261.85, unnumbered paragraph 1, Code 1999, is amended to read as follows:

There is appropriated from the general fund of the state to the commission for each fiscal year the sum of two million ~~nine~~ seven hundred fifty thousand dollars for the work-study program.

Sec. 30. Section 266.39C, subsection 3, unnumbered paragraph 1, Code 1999, is amended to read as follows:

Iowa state university of science and technology shall employ a director for the center, who shall be appointed by the president of Iowa state university of science and technology. The director of the center shall employ necessary research and support staff. The director and staff shall be employees of Iowa state university of science and technology. No more than five ~~seven~~ hundred thousand dollars of the funds made available by appropriation from state revenues in any one year shall be expended by the center for the salaries and benefits of the employees of the center, including the salary and benefits of the director. The remainder of the funds appropriated from state funds shall be used to sponsor research grants and projects

submitted on a competitive basis by Iowa colleges and universities and private nonprofit agencies and foundations. The center may also solicit additional grants and funding from public and private nonprofit agencies and foundations.

Sec. 31. Section 272.12, Code 1999, as amended by 2000 Iowa Acts, House File 2146,³ section 5, if enacted, is amended to read as follows:

272.12 PARA-EDUCATOR CERTIFICATES.

The board of educational examiners shall adopt rules pursuant to chapter 17A relating to a voluntary certification system for para-educators. The rules shall specify rights, responsibilities, levels, and qualifications for the certificate. Applicants shall be disqualified for any reason specified in section 272.6 or in administrative rule. Notwithstanding section 272.6, subsection 1, paragraph "a", the board may issue a para-educator certificate to a person who is at least eighteen years of age. A person holding a para-educator certificate shall not perform the duties of a licensed practitioner. A certificate issued pursuant to this chapter shall not be considered a teacher or administrator license for any purpose specified by law, including the purposes specified under this chapter or chapter 279.

Sec. 32. Section 283A.2, subsection 2, paragraph b, unnumbered paragraph 1, and paragraph c, as enacted by 1999 Iowa Acts, chapter 147, section 1, are amended to read as follows:

The board of directors of a school district that wishes to provide safe, reasonable student access to a school breakfast program, rather than operate or provide for the operation of a school breakfast program at a specific attendance center within the school district shall develop an alternative site plan to operate the school breakfast program at another attendance center or other site within the school district and shall annually certify to the department that the plan meets the following criteria:

c. The board of directors of a school district that wishes to provide access to a school breakfast program in accordance with paragraph "b", shall notify the parent, guardian, or legal or actual custodian of a child enrolled in the school district of the school district's intention to develop and implement a plan to provide school breakfast programs ~~only in certain attendance centers~~ at an alternative site. At any time in which the school district proposes to make substantive changes to a plan certified with the department of education, the notification requirements of this paragraph shall apply.

Sec. 33. Section 294A.25, subsections 6, 10, and 14, Code Supplement 1999, are amended to read as follows:

6. For the fiscal year beginning July 1, ~~1999 2000~~, and ending June 30, ~~2000 2001~~, from phase III moneys the amount of fifty thousand dollars to the department of education for the geography alliance.

10. For the fiscal year beginning July 1, ~~1998 2000~~, and for each succeeding fiscal year, the amount of one hundred seventy thousand dollars to the state board of regents for ~~equal~~ distribution in the amount of sixty-eight thousand dollars to the Iowa braille and sight saving school and in the amount of one hundred two thousand dollars to the Iowa state school for the deaf from phase III moneys.

14. For the fiscal year beginning July 1, ~~1999 2000~~, and ending June 30, ~~2000 2001~~, to the department of education from phase III moneys the amount of fifty thousand dollars for the Iowa mathematics and science coalition.

Sec. 34. Section 294A.25, subsection 7, Code Supplement 1999, is amended by striking the subsection.

Sec. 35. RETROACTIVE APPLICABILITY. Section 256C.2, unnumbered paragraph 2, as amended in this Act, is retroactively applicable to July 1, 1999. Any moneys retained by

³ Chapter 1098 herein

the child development coordinating council for the fiscal year beginning July 1, 1999, for staffing, technical assistance, and external evaluation development shall be awarded in demonstration program grants as provided in chapter 256C.

Sec. 36. EFFECTIVE DATE. Section 10 of this Act, relating to 1999 Iowa Acts, chapter 205; section 25, amending section 256C.2; and section 35, relating to retroactive applicability, being deemed of immediate importance, take effect upon enactment.

Approved May 10, 2000, with exceptions as noted.

THOMAS J. VILSACK, Governor

Dear Mr. Secretary:

I hereby transmit House File 2549, relating to the funding of, operation of, and appropriation of moneys to the college student aid commission, the department of cultural affairs, the department of education, and the state board of regents, providing related statutory changes, and providing for retroactive applicability and effective dates.

House File 2549 provides funding to help Iowans attain their educational goals. I am particularly pleased with the commitment to early childhood education through local empowerment areas, the Jobs for America's Graduates program, Americorps afterschool plans, teacher induction and mentoring, National Board certified teachers support, vocational/technical student grants, Iowa Tuition Grants, national guard education assistance, the UNI masters in social work program, and the ISU plant science initiative, which were approved as I had recommended.

Significant additional support contained in House File 2549 for teacher shortage loans, local libraries, education innovations, community colleges, the UI college of public health, and public television is also worthy of note, although it fell short of the level of support I recommended.

Clearly, there are shortcomings in this legislation in some other areas, which I hope can be better addressed in the future. I am disappointed that funding in this bill for state universities fell significantly below my recommended level. While we were able to improve these allocations in negotiation with legislative leaders late in the session, they clearly fell short of our goals, and will need more attention in the year ahead, along with several other issues.

I am hopeful that legislators will work with me in the coming year to provide the resources necessary to further enhance educational opportunities for all Iowans. House File 2549 is, therefore, approved on this date, with the following exceptions, which I hereby disapprove.

I am unable to approve the item designated as Section 8 in its entirety. This language requires the Board of Educational Examiners to conduct a study of the use of school days for the professional development of teachers. Requiring school districts and Area Education Agencies to submit to the Board, by August 1, data relating to the use of school days for professional development is unrealistic. Additionally, I am concerned that the scope of the proposed study would require the BOEE to divert resources from the critical task of licensing teaching professionals, since no additional resources were allocated for the study. I believe the BOEE should focus on their core function rather than this study in the coming year.

I am unable to approve the item designated as Section 9 in its entirety. This language requires the Commission of Libraries to conduct a study of the state library structure. The Commission has voted to undertake a study of library service, inclusive of all types of libraries in Iowa. In the next few weeks, I understand the Commission will appoint a task force, representative of the Iowa library community and other stakeholders, to undertake the study. I anticipate this study will be completed prior to the next legislative session. Based on this information, I believe a useful study of library services in the state will be accomplished without the necessity of the legislative mandate contained in this bill.

I am unable to approve the designated portion of Section 11, subsection 3, paragraph c, last unnumbered paragraph. This would direct the cooperative extension service at Iowa State University, in consultation with the department of human services, to identify educational materials, seminars, and assistance which are duplicative, directly or in subject areas, of educational materials, seminars, and assistance offered by the department of human services. In the absence of additional resources provided for either agency to conduct this study, I am concerned the completion of this project would result in the diversion of time and resources from the core services these agencies provide to Iowans. I believe it is more appropriate for the extension service and the human services department to focus on the delivery of services to Iowans rather than to perform the study requested in this bill.

I am unable to approve the item designated as Section 19 in its entirety. This language directs the University of Iowa to develop and maintain a comprehensive data base regarding treatment options and success rates related to neonatal brachial plexus injury and treatment. It is my understanding that the University officials have held discussions on these treatment options with interested parties, and have indicated to me their willingness to continue discussions that could lead to better communication with concerned families. I have encouraged them to continue such efforts in the coming year, and based on their assurances that they will do so, I believe the language contained in Section 19 is unnecessary.

For the above reasons, I hereby respectfully approve House File 2549 with the exceptions noted above.

Sincerely,
THOMAS J. VILSACK, *Governor*