

the licensee is under the age of seventeen years eleven months or age seventy or over, the license is effective for a period of two years from the licensee's birthday anniversary occurring in the year of issuance. Except as required in section 321.188, and except for a motorcycle instruction permit issued in accordance with section 321.180 or 321.180B, a driver's license is renewable without written examination or penalty within a period of sixty days after its expiration date and without a driving test within a period of one year after its expiration date. A person shall not be considered to be driving with an invalid license during a period of sixty days following the license expiration date. However, for a license renewed within the sixty-day period, the date of issuance shall be considered to be the previous birthday anniversary on which it expired. Applicants whose licenses are restricted due to vision or other physical deficiencies may be required to renew their licenses every two years. For the purposes of this section, the birthday anniversary of a person born on February 29 shall be deemed to occur on March 1. The department in its discretion may authorize the renewal of a valid driver's license other than a commercial driver's license upon application without an examination provided that the applicant satisfactorily passes a vision test as prescribed by the department; or files a vision report in accordance with section 321.186A which shows that the applicant's visual acuity level meets or exceeds those required by the department; ~~or is eligible for renewal by mail pursuant to rules adopted by the department. The department may assess an applicant a fee of no more than two dollars for administration and mailing expenses for providing for renewal of the applicant's driver's license by mail.~~

Approved May 24, 2001

CHAPTER 181

APPROPRIATIONS — EDUCATION

S.F. 535

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.

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, 2001, and ending June 30, 2002, 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:

.....	\$	317,282
.....	FTEs	5.40

2. STUDENT AID PROGRAMS

For payments to students for the Iowa grant program:

.....	\$	1,076,159
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3. 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:

..... \$ 100,000

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:

..... \$ 371,300

4. ACCELERATED CAREER EDUCATION GRANT PROGRAM

For the accelerated career education grant program established in section 261.22:

..... \$ 235,000

5. CHIROPRACTIC GRADUATE STUDENT FORGIVABLE LOAN PROGRAM

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

..... \$ 94,000

6. NATIONAL GUARD EDUCATIONAL ASSISTANCE PROGRAM

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

..... \$ 1,175,000

7. TEACHER SHORTAGE FORGIVABLE LOAN PROGRAM

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

..... \$ 493,500

Sec. 2. TRANSFER OF SCHOLARSHIP AND TUITION GRANT RESERVE FUND MONEYS BY TREASURER. Notwithstanding section 261.20, effective July 1, 2001, the treasurer of state shall transfer \$154,260 of the moneys credited to the scholarship and tuition grant reserve fund created in section 261.20 to the college student aid commission for forgivable loans pursuant to section 261.19, subsection 2.

Sec. 3. FUNDING REDUCTION DISTRIBUTION REQUIREMENT. For the fiscal year beginning July 1, 2001, and ending June 30, 2002, the college student aid commission shall reduce the amounts of grants, scholarships, loan repayments, and forgivable loan amounts provided in accordance with section 261.2, subsection 1, and sections 261.17, 261.19, 261.71, 261.93, and 261.111, rather than reduce the total number of grants, scholarships, loan repayments, and forgivable loans provided in accordance with those provisions.

Sec. 4. WORK-STUDY APPROPRIATION NULLIFICATION FOR FY 2001-2002. Notwithstanding section 261.85, for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the amount appropriated for the work-study program under section 261.85 shall be zero.

DEPARTMENT OF CULTURAL AFFAIRS

Sec. 5. There is appropriated from the general fund of the state to the department of cultural affairs for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. ADMINISTRATION

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

..... \$ 238,937

..... 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.

2. 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 positions:

.....	\$	649,680
.....	FTEs	0.70

3. HISTORICAL DIVISION

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

.....	\$	3,159,704
.....	FTEs	66.70

4. HISTORIC SITES

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

.....	\$	560,293
.....	FTEs	8.00

5. 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:

.....	\$	1,345,522
.....	FTEs	11.00

DEPARTMENT OF EDUCATION

Sec. 6. There is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following 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:

.....	\$	5,693,185
.....	FTEs	104.45

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:

.....	\$	577,628
.....	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:

.....	\$	50,907
.....	FTEs	9.00

4. VOCATIONAL REHABILITATION SERVICES DIVISION

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

.....	\$	4,698,441
.....	FTEs	294.00

The division of vocational rehabilitation services shall seek funding from other sources, such as local funds, for purposes of matching the state's federal vocational rehabilitation allocation, as well as for matching other federal vocational rehabilitation funding that may 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, 2002, 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 positions:

.....	\$	62,500
.....	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:

.....	\$	1,710,439
.....	FTEs	20.00

b. For the enrich Iowa program:

.....	\$	1,880,000
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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 provide support for Iowa's libraries. The commission of libraries shall develop rules governing the allocation of funds provided by the general assembly for the enrich Iowa program to provide direct state assistance to public libraries and to fund the open access and access plus programs. Direct state assistance to eligible public libraries is provided as an incentive to improve library services and to reduce inequities among communities in the delivery of library services based on recognized and adopted performance measures. Funds distributed as direct state assistance shall be distributed 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 of direct state assistance distributed under the enrich Iowa program for the fiscal year beginning July 1, 2001, shall not be lower than the amount distributed under the enrich Iowa program for the fiscal year commencing July 1, 2000. The amount of direct state assistance 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, 2002, 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.

(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.

(7) A public library that receives funds in accordance with this lettered paragraph shall provide open access, the reciprocal borrowing program, as a service to its patrons, at a reimbursement rate determined by the state library.

6. REGIONAL LIBRARY

For state aid:

..... \$ 1,585,780

7. PUBLIC BROADCASTING DIVISION

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

..... \$ 7,529,579

..... 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, and miscellaneous purposes:

..... \$ 2,716,859

10. IOWA EMPOWERMENT FUND

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

..... \$ 14,664,000

a. From the moneys deposited in the school ready children grants account for the fiscal year beginning July 1, 2001, and ending June 30, 2002, 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 Iowa 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 Iowa 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.

b. Notwithstanding any other provision of law to the contrary, for the fiscal year beginning July 1, 2001, the total amount available for distribution for that fiscal year from the school ready children grants account from the appropriation made in this subsection, in 2001 Iowa Acts, Senate File 537,¹ if enacted, and in any other appropriation made to the account for the fiscal year beginning July 1, 2001, shall be distributed as follows:

(1) The designated community empowerment areas that first received a school ready children grant in a fiscal year prior to fiscal year 2000-2001 shall receive 94 percent of the amount distributed to each area in fiscal year 2000-2001.

(2) The designated community empowerment areas that first received a school ready children grant in fiscal year 2000-2001 shall receive 74.185 percent of the amount distributed to each area in fiscal year 2000-2001, as adjusted for annualization.

c. As a condition of receiving funding appropriated in this subsection, each community empowerment area board shall report to the Iowa empowerment board progress on each of the state indicators approved by the state board, as well as progress on local indicators. The community empowerment area board must also submit a written plan amendment extending by one year the area's comprehensive school ready children grant plan developed for providing services for children from birth through five years of age and provide other information specified by the Iowa empowerment board. The amendment may also provide for changes in the programs and services provided under the plan. The Iowa empowerment board shall establish a submission deadline for the plan amendment that allows a reasonable period of time for preparation of the plan amendment and for review and approval or request for modification of the plan amendment by the Iowa empowerment board. In addition, the community empowerment board must continue to comply with reporting provisions and other requirements adopted by the Iowa empowerment board in implementing section 28.8.

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:

..... \$ 611,000

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:

..... \$ 88,736

13. 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:

..... \$ 197,400

..... FTEs 2.50

14. COMMUNITY COLLEGES

For general state financial aid, including general financial aid to merged areas in lieu of

¹ Chapter 184 herein

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:

.....	\$	142,722,759
The funds appropriated in this subsection shall be allocated as follows:		
a. Merged Area I	\$	6,849,351
b. Merged Area II	\$	8,045,485
c. Merged Area III	\$	7,474,072
d. Merged Area IV	\$	3,653,168
e. Merged Area V	\$	7,642,878
f. Merged Area VI	\$	7,080,981
g. Merged Area VII	\$	10,216,915
h. Merged Area IX	\$	12,566,066
i. Merged Area X	\$	19,720,863
j. Merged Area XI	\$	20,930,929
k. Merged Area XII	\$	8,246,174
l. Merged Area XIII	\$	8,479,556
m. Merged Area XIV	\$	3,696,728
n. Merged Area XV	\$	11,632,302
o. Merged Area XVI	\$	6,487,291

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, 2001, 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.

STATE BOARD OF REGENTS

Sec. 8. There is appropriated from the general fund of the state to the state board of regents for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amounts, or so much thereof as 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:

.....	\$	1,242,055
.....	FTEs	16.00

The state board of regents, the department of management, and the legislative fiscal bureau shall cooperate to determine and agree upon, by November 15, 2001, the amount that needs to be appropriated for tuition replacement for the fiscal year beginning July 1, 2002.

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, 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:

.....	\$	26,681,714 ²
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c. For funds to be allocated to the southwest Iowa graduate studies center:

.....	\$	110,493
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² See chapter 176, §19 herein

d. For funds to be allocated to the siouxland interstate metropolitan planning council for the tristate graduate center under section 262.9, subsection 21:

..... \$ 80,780

e. For funds to be allocated to the quad-cities graduate studies center:

..... \$ 165,145

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:

..... \$ 241,123,493

..... 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 lowans. 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.

Funds appropriated in this lettered paragraph shall not be available for expenditure for medically induced termination of a pregnancy, including but not limited to usage of mifepristone or RU-486, offered or administered by the student health center.

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:

..... \$ 31,057,743

..... FTEs 5,485.57

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, 2002, 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, 2001, 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 2000 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:

.....	\$	7,906,831
.....	FTEs	273.19

d. Center for disabilities and development

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

.....	\$	7,038,688
.....	FTEs	148.91

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:

.....	\$	3,015,377
.....	FTEs	43.25

f. State hygienic laboratory

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

.....	\$	3,950,935
.....	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:

.....	\$	2,312,781
.....	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:

.....	\$	648,497
.....	FTEs	63.27

i. Statewide cancer registry

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

.....	\$	203,991
.....	FTEs	2.40

j. 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:

.....	\$	72,649
.....	FTEs	1.50

k. Center for biocatalysis

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

.....	\$	1,019,779
.....	FTEs	5.20

l. 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:

.....	\$	861,956
.....	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.

m. Birth defects registry

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

.....	\$	50,070
.....	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:

.....	\$	190,789,770
.....	FTEs	3,647.42

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.

Funds appropriated in this lettered paragraph shall not be available for expenditure for medically induced termination of a pregnancy, including but not limited to usage of mifepristone or RU-486, offered or administered by the student health center.

b. Agricultural experiment station

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

.....	\$	34,807,820
.....	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:

.....	\$	21,983,099
.....	FTEs	431.20

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:

.....	\$	545,052
.....	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:

.....	\$	262,987
.....	FTEs	3.16

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:

.....	\$	85,454,825
.....	FTEs	1,454.35

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.

Funds appropriated in this lettered paragraph shall not be available for expenditure for medically induced termination of a pregnancy, including but not limited to usage of mifepristone or RU-486, offered or administered by the student health center.

b. Recycling and reuse center

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

.....	\$	236,649
.....	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:

.....	\$	7,695,239
.....	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:

.....	\$	4,298,696
.....	FTEs	89.00

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:

.....	\$	15,941
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Sec. 9. MEDICAL ASSISTANCE — SUPPLEMENTAL AMOUNTS. For the fiscal year beginning July 1, 2001, and ending June 30, 2002, 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, 2001, and ending September 30, 2002, 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 disproportionate 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. 10. For the fiscal year beginning July 1, 2001, and ending June 30, 2002, 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. 11. 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, 2001, 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. 12. Section 256.9, subsection 46, Code 2001, is amended by striking the subsection.

*Sec. 13. Section 260C.14, Code 2001, is amended by adding the following new subsection:

NEW SUBSECTION. 21. Obtain authorization from the state board of education prior to entering into any agreement or contract for the sale of a radio broadcast license or station owned by the community college. The state board shall also determine whether state moneys were used to purchase, acquire, or support the radio broadcast station or license and, if state moneys were used, the board of directors shall also seek the prior approval of the executive council. Notwithstanding any provision of law to the contrary that may grant authority to sell an asset, the board of directors of a community college shall not sell, encumber, or transfer the ownership of a radio broadcast license or station except as provided in this subsection.*

*Sec. 14. Section 261.25, subsections 1 through 3, Code 2001, are 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-eight~~ forty-six million ~~eight~~ three hundred ~~thirty~~ fifty thousand ~~seventy-five~~ two hundred ~~seventy-one~~ one dollars for tuition grants.

2. There is appropriated from the general fund of the state to the commission for each fiscal year the sum of four hundred ~~ninety-eight~~ sixty-eight thousand ~~five~~ six hundred ~~forty~~ twenty-eight dollars for scholarships.

3. There is appropriated from the general fund of the state to the commission for each fiscal year the sum of two million ~~four~~ three hundred ~~eighty-two~~ thirty-three thousand ~~four~~ hundred ~~fifty-six~~ one dollars for vocational-technical tuition grants.*

Sec. 15. Section 262.7, subsection 7, Code 2001, is amended to read as follows:

7. The ~~state hospital school~~ university of Iowa hospitals and clinic's center for disabilities and development.

*Sec. 16. Section 262.9, Code 2001, is amended by adding the following new subsection:

NEW SUBSECTION. 30. Obtain authorization from the executive council prior to entering into any agreement or contract for the sale of a radio broadcast license or station owned by an institution of higher learning. Notwithstanding any provision of law to the contrary that may grant authority to sell an asset, neither the state board of regents nor the institutions of higher learning under the state board's control shall sell, encumber or transfer the ownership of a radio broadcast license or station except as provided in this subsection.*

Sec. 17. Section 263.9, Code 2001, is amended to read as follows:

263.9 ESTABLISHMENT AND OBJECTIVES.

The state board of regents is hereby authorized to establish and maintain in reasonable proximity to Iowa City and in conjunction with the state university of Iowa and the university hospital, a ~~hospital school~~ center for disabilities and development having as its objects the education and treatment of children with severe disabilities. ~~Such hospital schools~~ The center shall be conducted in conjunction with the activities of the university of Iowa children's hospital. Insofar as is practicable, the facilities of the university children's hospital shall be utilized.

Sec. 18. Section 263.10, Code 2001, is amended to read as follows:

263.10 PERSONS ADMITTED.

Every resident of the state who is not more than twenty-one years of age, who has such severe disabilities as to be unable to acquire an education in the common schools, and every such person who is twenty-one and under thirty-five years of age who has the consent of the state board of regents, shall be entitled to receive an education, care, and training in the ~~institution~~ center for disabilities and development, and nonresidents similarly situated may be entitled to an education and care ~~therein~~ at the center upon such terms as may be fixed by

the state board of regents. The fee for nonresidents shall be not less than the average expense of resident pupils and shall be paid in advance. Residents and persons under the care and control of a director of a division of the department of human services who have severe disabilities may be transferred to the ~~hospital-school center~~ upon such terms as may be agreed upon by the state board of regents and the director.

Sec. 19. Section 263.12, Code 2001, is amended to read as follows:

263.12 PAYMENT BY COUNTIES.

The provisions of sections 270.4 to 270.8, inclusive, are hereby made applicable to the ~~state hospital-school~~ university of Iowa hospitals and clinics, center for disabilities and development.

Sec. 20. Section 263.13, Code 2001, is amended to read as follows:

263.13 GIFTS ACCEPTED.

The state board of regents is authorized to accept, for the benefit of ~~such hospital-schools~~ the center for disabilities and development, gifts, devises, or bequests of property, real or personal including grants from the federal government. ~~Said~~ The state board of regents may exercise such powers with reference to the management, sale, disposition, investment, or control of property so given, devised, or bequeathed, as may be deemed essential to its preservation and the purposes for which made. No contribution or grant shall be received or accepted if any condition is attached as to its use or administration other than it be used for aid to ~~such hospital-schools~~ the center as provided in this division.

Sec. 21. Section 294A.25, subsection 5, Code 2001, is amended to read as follows:

5. For the fiscal year beginning July 1, ~~1997~~ 2001, and ending June 30, ~~1998~~ 2002, the amount of fifty thousand dollars to be paid to the department of education for participation in a state and national project, the national assessment of education progress, to determine the academic achievement of Iowa students in math, reading, science, United States history, or geography.

Sec. 22. Section 294A.25, subsection 6, Code 2001, is amended by striking the subsection and inserting in lieu thereof the following:

6. For the fiscal year beginning July 1, 2001, and ending June 30, 2002, to the department of education from phase III moneys, the amount of seventy-five thousand dollars to administer the ambassador to education position in accordance with section 256.45.

Sec. 23. Section 294A.25, subsections 10 through 12, Code 2001, are amended by striking the subsections.

Sec. 24. Section 294A.25, subsection 13, Code 2001, is amended to read as follows:

13. For the fiscal year beginning July 1, ~~2000~~ 2001, and ending June 30, ~~2001~~ 2002, to the department of education from phase III moneys the amount of ~~fifty~~ forty-seven thousand dollars for the Iowa mathematics and science coalition.

Sec. 25. Section 331.424, subsection 1, paragraph a, subparagraph (3), Code 2001, is amended to read as follows:

(3) Clothing, transportation, medical, or other services provided persons attending the Iowa braille and sight saving school, the Iowa school for the deaf, or the ~~state hospital-school~~ university of Iowa hospitals and clinics, center for disabilities and development for children with severe disabilities at Iowa City, for which the county becomes obligated to pay pursuant to sections 263.12, 269.2, and 270.4 through 270.7.

Sec. 26. Chapter 256C, Code 2001, is repealed.

Approved May 24, 2001, with exceptions noted.

THOMAS J. VILSACK, Governor

Dear Secretary Culver:

I hereby transmit Senate File 535, 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.

While I will allow much of Senate File 535 to become law, I do so with many reservations. This bill as passed by the Legislature does not fully meet the needs of the citizens of Iowa. Reductions in the College Student Aid Commission budget will impact approximately 7,000 students in all three sectors of higher education by either reducing the amount of the grants they receive or in the case of the Iowa Work Study Program, eliminating all state funding which assists 4,300 working students. The impact to the cultural community will be felt in many areas but the most significant will be in the reduced availability of grants to communities throughout Iowa. Several other education programs were either eliminated or drastically reduced. Tuition at the Community Colleges will increase and programs may be reduced as a result of the significant funding reductions. The Regents institutions will experience hiring stoppages, furloughs, layoffs, and possible program eliminations which will impact the quality of education offered at our state institutions of higher education.

If I had any assurance from legislative leaders that they would seriously address these matters in the upcoming special session, I would simply return the bill and ask it be improved substantially by the House and Senate. In the absence of such assurances, I will utilize my authority to the extent possible to minimize the problems that will be created by the bill as submitted. I do not have the flexibility within the expenditure limitation I must follow, however, to rectify many of the problems that will result from the education budget decisions taken by Republican legislators.

I will reluctantly sign this bill with the exceptions noted below.

I am unable to approve Section 13 in its entirety. This section requires the Community Colleges to obtain authorization from the State Board of Education prior to the sale of a radio broadcast license or station. Given the structure of local board control our Community Colleges successfully operate under, I have not been persuaded it is necessary to restrict their authority in this way at this time.

I do not approve Section 14 in its entirety.

Subsection 1 of Section 14 reduces funding for the Iowa Tuition Grant. The Iowa Tuition Grant provides need-based assistance to almost 15,000 Iowa families attending independent colleges and universities. The program gives working families the opportunity to attend Iowa's fine independent colleges and universities. The proposed reduction in this program below the current year level undermines that opportunity and breaks faith with working families who depend on these annual awards, and our local independent colleges, who help distribute this needed aid to students and families all across Iowa.

Subsection 2 of Section 14 reduces funding for the State of Iowa Scholarship. The State of Iowa Scholarship program encourages Iowa's best and brightest students to remain in the state to study at Iowa colleges and universities. We need to continue to reward their past performance and encourage them to study in Iowa, and not reduce this program.

Subsection 3 of Section 14 reduces funding for the Iowa Vocational-Technical Tuition Grant. The Iowa Vocational-Technical Tuition Grant program supports almost 6,000 Iowa students at community colleges who will help meet our state's need for highly skilled workers.

It is important to keep faith with families who look to vocational education as a means to prosper in Iowa, rather than reduce their grants. This is especially important in light of other cuts in community college funding elsewhere in this bill.

I am unable to approve Section 16 in its entirety. This section requires the authorization of the executive council, prior to the sale of a radio broadcast license or station owned by an institution of higher learning. I believe the Board of Regents current governance system provides adequate oversight and stewardship of the Regent radio stations. The Board has a statewide plan and written operating procedures regarding its radio stations. It also receives biennial governance reports on the radio stations as well as requires a series of approvals for any changes in its radio stations. Therefore, I am unconvinced that additional approvals are warranted.

I hereby approve Senate File 535, with the exceptions noted.

Sincerely,
THOMAS J. VILSACK, Governor

CHAPTER 182

APPROPRIATIONS — HEALTH AND HUMAN RIGHTS

H.F. 726

AN ACT relating to and making appropriations to the department for the blind, the Iowa state civil rights commission, the department of elder affairs, the Iowa department of public health, the department of human rights, the governor’s office of drug control policy, and the commission of veterans affairs, providing a criminal surcharge increase, and providing an effective date.

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

Section 1. DEPARTMENT FOR THE BLIND. There is appropriated from the general fund of the state to the department for the blind for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

.....	\$	1,790,993
.....	FTEs	106.50

Sec. 2. CIVIL RIGHTS COMMISSION. There is appropriated from the general fund of the state to the Iowa state civil rights commission for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

.....	\$	1,082,743
.....	FTEs	38.05

If the anticipated amount of federal funding from the federal equal employment opportunity commission and the federal department of housing and urban development exceeds