

*3/19/98 Defeated & Placed on Unfinished Business Calendar*

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MAR 6 1998  
APPROPRIATIONS CALENDAR

HOUSE FILE **2533**  
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HSB 693)

Passed House, Date <sup>(p. 1046)</sup> 3/30/98 Passed Senate, Date <sup>p. 1309</sup> 4/15/98  
Vote: Ayes 93 Nays 4 Vote: Ayes 40 Nays 8  
Approved Item Retained 5/8/98

## A BILL FOR

1 An Act relating to the funding of, operation of, and  
2 appropriation of moneys to the college student aid commission,  
3 the department of cultural affairs, the department of  
4 education, and the state board of regents, providing related  
5 statutory changes, and providing effective dates.

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

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*111-2533*

1 COLLEGE STUDENT AID COMMISSION

2 Section 1. There is appropriated from the general fund of  
3 the state to the college student aid commission for the fiscal  
4 year beginning July 1, 1998, and ending June 30, 1999, the  
5 following amounts, or so much thereof as may be necessary, to  
6 be used for the purposes designated:

7 1. GENERAL ADMINISTRATION

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

11 .....	\$	319,936
12 .....	FTEs	5.40

13 2. UNIVERSITY OF OSTEOPATHIC MEDICINE AND HEALTH SCIENCES

14 a. For forgivable loans to Iowa students attending the  
15 university of osteopathic medicine and health sciences under  
16 the forgivable loan program pursuant to section 261.19:

17 .....	\$	379,260
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18 b. For the university of osteopathic medicine and health  
19 sciences for an initiative in primary health care to direct  
20 primary care physicians to shortage areas in the state:

21 .....	\$	395,000
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22 3. STUDENT AID PROGRAMS

23 For payments to students for the Iowa grant program:

24 .....	\$	1,161,850
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25 4. NATIONAL GUARD TUITION AID PROGRAM

26 For purposes of providing national guard tuition aid under  
27 the program established in section 261.21:

28 .....	\$	833,900
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29 5. CHIROPRACTIC GRADUATE STUDENT FORGIVABLE LOAN PROGRAM

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

32 .....	\$	71,400
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33 Sec. 2. There is appropriated from the loan reserve  
34 account to the college student aid commission for the fiscal  
35 year beginning July 1, 1998, and ending June 30, 1999, the

1 following amount, or so much thereof as may be necessary, to  
2 be used for the purpose designated:

3 For operating costs of the Stafford loan program including  
4 salaries, support, maintenance, miscellaneous purposes, and  
5 for not more than the following full-time equivalent  
6 positions:

7 .....	\$	5,151,983
8 .....	FTEs	34.60

9 Sec. 3. Notwithstanding the maximum allowed balance  
10 requirement of the scholarship and tuition grant reserve fund  
11 as provided in section 261.20, there is appropriated from the  
12 scholarship and tuition grant reserve fund to the college  
13 student aid commission for the fiscal year beginning July 1,  
14 1998, and ending June 30, 1999, the moneys remaining in the  
15 fund following transfer, pursuant to section 261.20 for the  
16 fiscal years ending June 30, 1997, and June 30, 1998, which  
17 are to be used for purposes of Iowa vocational-technical  
18 tuition grants in accordance with section 261.17. Funds  
19 appropriated in this section are in addition to funds  
20 appropriated in section 261.25, subsection 3.

21 Sec. 4. The department of revenue and finance shall  
22 deposit interest earned on the Pub. L. No. 105-33 recall  
23 account within the office of the treasurer of state during the  
24 fiscal year ending June 30, 1998, in the fund 61 default  
25 reduction account. Moneys in the fund 61 default reduction  
26 account are appropriated to the college student aid commission  
27 for the fiscal year beginning July 1, 1998, and ending June  
28 30, 1999, for purposes of issuing emergency loans to assist  
29 needy students in avoiding default on a guaranteed or parental  
30 loan made under chapter 261.

31 DEPARTMENT OF CULTURAL AFFAIRS

32 Sec. 5. There is appropriated from the general fund of the  
33 state to the department of cultural affairs for the fiscal  
34 year beginning July 1, 1998, and ending June 30, 1999, the  
35 following amounts, or so much thereof as is necessary, to be

1 used for the purposes designated:

2 1. ARTS DIVISION

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

6 .....	\$	1,328,615
7 .....	FTEs	10.00

8 2. HISTORICAL DIVISION

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

12 .....	\$	3,103,788
13 .....	FTEs	65.70

14 Of the full-time equivalent positions appropriated for in  
15 this subsection, 1.20 FTEs represent the transition of  
16 personnel services contracts to full-time equivalent  
17 positions. The merit system provisions of chapter 19A and the  
18 provisions of chapter 20 shall not govern this transition  
19 movement into these full-time equivalent positions during the  
20 period beginning July 1, 1998, and ending August 31, 1998.

21 3. HISTORIC SITES

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

25 .....	\$	587,040
26 .....	FTEs	8.00

27 4. ADMINISTRATION

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

31 .....	\$	230,571
32 .....	FTEs	4.30

33 The department of cultural affairs shall coordinate  
34 activities with the tourism division of the department of  
35 economic development to promote attendance at the state



1 historical building and at this state's historic sites.

2 5. LOCAL ARTS COMPREHENSIVE EDUCATIONAL STRATEGIES PROGRAM  
3 (LACES)

4 For contracting with the Iowa alliance for arts education  
5 to execute their local arts comprehensive educational  
6 strategies:

7 ..... \$ 25,000

8 6. COMMUNITY CULTURAL GRANTS

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

12 ..... \$ 711,757

13 ..... FTE .70

14 Sec. 6. HISTORIC SITES -- WESTERN TRAILS CENTER.

15 Notwithstanding section 8.33, the unencumbered or unobligated  
16 moneys remaining at the end of the fiscal year ending June 30,  
17 1998, from the appropriations made in 1997 Iowa Acts, chapter  
18 212, section 5, subsection 3, shall not revert but shall be  
19 available for expenditure during subsequent fiscal years for  
20 purposes of support, staffing, marketing, outreach, and  
21 programs at the western trails center in Council Bluffs.

22 Sec. 7. NATIONAL ARTS RANKING SURVEYS. The department of  
23 cultural affairs shall, when calculating the amount of state  
24 financial assistance for the arts in national ranking surveys,  
25 include the amount appropriated for the local arts  
26 comprehensive educational strategies program, as well as the  
27 total estimated cost of the fine arts elements included in a  
28 plan and specifications for a state building or group of state  
29 buildings in accordance with section 304A.10.

30 DEPARTMENT OF EDUCATION

31 Sec. 8. There is appropriated from the general fund of the  
32 state to the department of education for the fiscal year  
33 beginning July 1, 1998, and ending June 30, 1999, the  
34 following amounts, or so much thereof as may be necessary, to  
35 be used for the purposes designated:

1 1. GENERAL ADMINISTRATION

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

5 ..... \$ 5,586,130  
6 ..... FTEs 98.45

7 Of the full-time equivalent positions appropriated for in  
8 this section, 2.50 FTEs represent the transition of personnel  
9 services contractors to full-time equivalent positions. The  
10 merit system provisions of chapter 19A and the provisions of  
11 chapter 20 shall not govern this transition movement into  
12 these full-time equivalent positions during the period  
13 beginning July 1, 1998, and ending August 31, 1998.

14 2. VOCATIONAL EDUCATION ADMINISTRATION

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

18 ..... \$ 547,642  
19 ..... FTEs 15.60

20 3. BOARD OF EDUCATIONAL EXAMINERS

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

24 ..... \$ 201,973  
25 ..... FTEs 2.00

26 4. VOCATIONAL REHABILITATION SERVICES DIVISION

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

30 ..... \$ 4,458,972  
31 ..... FTEs 302.58

32 Of the full-time equivalent positions appropriated for in  
33 this section, .33 FTE represent the transition of personnel  
34 services contractors to full-time equivalent positions. The  
35 merit system provisions of chapter 19A and the provisions of

1 chapter 20 shall not govern this transition movement into  
2 these full-time equivalent positions during the period  
3 beginning July 1, 1998, and ending August 31, 1998.

4 From the funds appropriated in this subsection, up to  
5 \$2,000,000 shall be used to provide services to persons  
6 without regard to an order of selection. The division shall  
7 seek additional local matching funds in an amount sufficient  
8 to avoid any loss of federal funds.

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

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

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

30 Notwithstanding the full-time equivalent position limit  
31 established in this subsection, for the fiscal year ending  
32 June 30, 1999, if federal funding is received to pay the costs  
33 of additional employees for the vocational rehabilitation  
34 services division who would have duties relating to vocational  
35 rehabilitation services paid for through federal funding,

1 authorization to hire not more than four additional full-time  
2 equivalent employees shall be provided, the full-time  
3 equivalent position limit shall be exceeded, and the  
4 additional employees shall be hired by the division.

5 The division of vocational rehabilitation services shall  
6 enter into a chapter 28E agreement with the creative  
7 employment options program at the state university of Iowa to  
8 enable the division to count as a local match the state funds  
9 appropriated to the university for purposes of the creative  
10 employment options program.

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

15 .....	\$	75,631
16 .....	FTEs	1.50

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

22 5. STATE LIBRARY

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

26 .....	\$	2,937,098
27 .....	FTEs	21.00

28 From the funds appropriated in this subsection, the  
29 division of libraries and information services shall  
30 distribute \$50,000 to the public libraries of this state on a  
31 per capita basis.

32 Reimbursement of the institutions of higher learning under  
33 the state board of regents for participation in the access  
34 plus program during the fiscal year beginning July 1, 1998,  
35 and ending June 30, 1999, shall not exceed the total amount of

1 reimbursement paid to the regents institutions of higher  
2 learning for participation in the access plus program during  
3 the fiscal year beginning July 1, 1997, and ending June 30,  
4 1998.

5 6. REGIONAL LIBRARY

6 For state aid:

7 ..... \$ 1,537,000

8 7. PUBLIC BROADCASTING DIVISION

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

12 ..... \$ 7,374,296

13 ..... FTEs 105.80

14 Of the full-time equivalent positions appropriated for in  
15 this section, 5.80 FTEs represent the transition of personnel  
16 services contractors to full-time equivalent positions. The  
17 merit system provisions of chapter 19A and the provisions of  
18 chapter 20 shall not govern this transition movement into  
19 these full-time equivalent positions during the period  
20 beginning July 1, 1998, and ending August 31, 1998.

21 8. IOWA MATHEMATICS AND SCIENCE COALITION

22 For support of the Iowa mathematics and science coalition:

23 ..... \$ 50,000

24 9. VOCATIONAL EDUCATION TO SECONDARY SCHOOLS

25 For reimbursement for vocational education expenditures  
26 made by secondary schools:

27 ..... \$ 3,308,850

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

1 10. SCHOOL FOOD SERVICE

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

7 ..... \$ 2,716,859  
8 ..... FTEs 14.00

9 11. TEXTBOOKS OF NONPUBLIC SCHOOL PUPILS

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

15 ..... \$ 700,000

16 12. VOCATIONAL AGRICULTURE YOUTH ORGANIZATION

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

21 ..... \$ 107,900

22 13. FAMILY RESOURCE CENTERS

23 For support of the family resource center demonstration  
24 program established under chapter 256C:

25 ..... \$ 120,000

26 If House Study Bill 592 is enacted, funds shall not be  
27 appropriated for purposes of the family resource centers in  
28 fiscal years succeeding the fiscal year ending June 30, 1999.

29 14. READING RECOVERY PROGRAM

30 For allocation to assist school districts in developing  
31 reading recovery programs:

32 ..... \$ 200,000

33 From the moneys appropriated in this subsection, \$100,000  
34 shall be allocated to the area education agencies as provided  
35 in this subsection, and \$100,000 shall be allocated to the

1 reading recovery center.

2 Moneys appropriated to or paid to the department of  
3 education for purposes of the reading recovery program and  
4 that are allocated to area education agencies shall be  
5 allocated to area education agencies in the proportion that  
6 the number of children who are eligible for free or reduced  
7 price meals under the federal National School Lunch Act and  
8 the federal Child Nutrition Act of 1966, 42 U.S.C. § 1751-  
9 1785, in the basic enrollment of grades one through six in the  
10 area served by an agency, bears to the sum of the number of  
11 children who are eligible for free or reduced price meals  
12 under the federal National School Lunch Act and the federal  
13 Child Nutrition Act of 1966, 42 U.S.C. § 1751-1785, in the  
14 basic enrollments of grades one through six in all of the  
15 areas served by area education agencies in the state for the  
16 budget year.

17 15. LISTENING CURRICULUM

18 For purposes of developing and implementing a listening  
19 curriculum in the Sioux City community school district:

20 ..... \$ 35,000

21 Not later than August 1, 1998, the department shall  
22 transfer this allocation to the Sioux City community school  
23 district.

24 16. COMMUNITY COLLEGES

25 For general state financial aid, including general  
26 financial aid to merged areas in lieu of personal property tax  
27 replacement payments, to merged areas as defined in section  
28 260C.2, for vocational education programs in accordance with  
29 chapters 258 and 260C:

30 ..... \$135,366,156

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

- 33 a. Merged Area I ..... \$ 6,480,559
- 34 b. Merged Area II ..... \$ 7,622,742
- 35 c. Merged Area III ..... \$ 7,169,222

1	d. Merged Area IV .....	\$ 3,494,817
2	e. Merged Area V .....	\$ 7,303,720
3	f. Merged Area VI .....	\$ 6,784,474
4	g. Merged Area VII .....	\$ 9,696,919
5	h. Merged Area IX .....	\$ 11,891,522
6	i. Merged Area X .....	\$ 18,518,801
7	j. Merged Area XI .....	\$ 19,759,493
8	k. Merged Area XII .....	\$ 7,821,349
9	l. Merged Area XIII .....	\$ 8,011,904
10	m. Merged Area XIV .....	\$ 3,542,758
11	n. Merged Area XV .....	\$ 11,070,562
12	o. Merged Area XVI .....	\$ 6,197,314

13 Sec. 9. DISTRIBUTION OF FUNDS APPROPRIATED. For the  
14 fiscal year beginning July 1, 1998, and ending June 30, 1999,  
15 moneys appropriated by the general assembly from the general  
16 fund to the department of education for community colleges for  
17 a fiscal year shall be allocated to each community college by  
18 the department of education in the following manner:

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

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

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



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

4 Sec. 10. NONPUBLIC SCHOOL TEXTBOOKS AUDIT. The auditor of  
5 state shall conduct an audit of textbook services the boards  
6 of directors of school districts are required to provide to  
7 nonpublic school pupils pursuant to section 301.1, and of the  
8 payment of claims for textbook costs submitted by the school  
9 districts.

10 Sec. 11. READING RECOVERY. The department of education  
11 shall analyze the expenditures of the moneys appropriated  
12 during the fiscal year beginning July 1, 1997, for purposes of  
13 the reading recovery program, and shall provide the analysis  
14 to the general assembly and the legislative fiscal bureau in a  
15 report not later than January 1, 1999. The analysis shall  
16 include moneys appropriated for fiscal year 1997-1998 and  
17 fiscal year 1998-1999. The reading recovery center shall not  
18 train teachers employed out-of-state and shall not charge  
19 tuition. The department shall make every reasonable effort to  
20 publicize and promote the use of the center.

21 Sec. 12. Notwithstanding section 8.33 and 1997 Iowa Acts,  
22 chapter 209, section 10, the funds appropriated in 1997 Iowa  
23 Acts, chapter 209, section 10, subsection 11, to the  
24 department of education to develop an initiative to improve  
25 access to education through distance learning in postsecondary  
26 institutions, which remain unencumbered or unobligated on June  
27 30, 1998, shall not revert to the general fund of the state  
28 but shall be reallocated to the division of libraries and  
29 information services for purposes of providing state  
30 assistance to local public libraries. The division of  
31 libraries and information services shall distribute funds  
32 received in accordance with this section to public libraries  
33 in this state on a per capita basis.

34 Sec. 13. Notwithstanding section 8.33 and section 294A.25,  
35 subsection 5, of the funds appropriated and paid to the

1 department of education for participation in the national  
 2 assessment of education progress, that remain unencumbered or  
 3 unobligated on June 30, 1998, the amount remaining shall not  
 4 revert to the general fund of the state but shall be  
 5 reallocated to the division of libraries and information  
 6 services for purposes of providing state assistance to local  
 7 public libraries. The division of libraries and information  
 8 services shall distribute funds received in accordance with  
 9 this section to public libraries in this state on a per capita  
 10 basis.

11 Sec. 14. Notwithstanding section 8.33 and 1997 Iowa Acts,  
 12 chapter 212, section 7, subsection 15, the funds appropriated  
 13 to the department of education and allocated for  
 14 rehabilitating computers for schools and libraries, which  
 15 remain unencumbered or unobligated on June 30, 1998, shall not  
 16 revert to the general fund of the state but shall be  
 17 reallocated to merged areas as defined in section 260C.2. The  
 18 funds reallocated in this section shall be as follows:

19	1. Merged Area I .....	\$	2,745
20	2. Merged Area II .....	\$	2,803
21	3. Merged Area III .....	\$	1,987
22	4. Merged Area IV .....	\$	1,015
23	5. Merged Area V .....	\$	1,978
24	6. Merged Area VI .....	\$	2,204
25	7. Merged Area VII .....	\$	3,582
26	8. Merged Area IX .....	\$	4,439
27	9. Merged Area X .....	\$	8,303
28	10. Merged Area XI .....	\$	8,294
29	11. Merged Area XII .....	\$	2,672
30	12. Merged Area XIII .....	\$	3,016
31	13. Merged Area XIV .....	\$	1,087
32	14. Merged Area XV .....	\$	3,853
33	15. Merged Area XVI .....	\$	2,022

34 Sec. 15. BOARD OF EDUCATIONAL EXAMINERS LICENSING FEES.

35 Notwithstanding section 272.10, up to 85 percent of any funds

1 received resulting from an increase in fees approved and  
2 implemented for licensing by the state board of educational  
3 examiners after July 1, 1997, shall be available for the  
4 fiscal year beginning July 1, 1998, to the state board for  
5 purposes related to the state board's duties, including, but  
6 not limited to, additional full-time equivalent positions.  
7 The director of revenue and finance shall draw warrants upon  
8 the treasurer of state from the funds appropriated as provided  
9 in this section and shall make the funds resulting from the  
10 increase in fees available during the fiscal year to the state  
11 board on a monthly basis.

12 Sec. 16. DIGITAL TELEVISION CONVERSION. If 1998 Iowa  
13 Acts, House File 2395, section 5, relating to a study of  
14 digital television conversion by the public broadcasting  
15 division of the department of education, is enacted, the  
16 division shall include in the study a review of the  
17 feasibility of the conversion of all necessary associated  
18 equipment for transmission of public radio station broadcasts.

19 STATE BOARD OF REGENTS

20 Sec. 17. There is appropriated from the general fund of  
21 the state to the state board of regents for the fiscal year  
22 beginning July 1, 1998, and ending June 30, 1999, the  
23 following amounts, or so much thereof as may be necessary, to  
24 be used for the purposes designated:

25 1. OFFICE OF STATE BOARD OF REGENTS

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

29 .....	\$	1,177,174
30 .....	FTEs	15.63

31 If the funds appropriated in this section are  
32 insufficient to meet the costs of the office of the  
33 state board of regents, the board is prohibited from  
34 billing the institutions of higher learning under its  
35 control for any shortfall in office funding.

1 The state board of regents, the department of management,  
 2 and the legislative fiscal bureau shall cooperate to determine  
 3 and agree upon, by November 15, 1998, the amount that needs to  
 4 be appropriated for tuition replacement for the fiscal year  
 5 beginning July 1, 1999.

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

9 b. For allocation by the state board of regents to the  
 10 state university of Iowa, the Iowa state university of science  
 11 and technology, and the university of northern Iowa to  
 12 reimburse the institutions for deficiencies in their operating  
 13 funds resulting from the pledging of tuitions, student fees  
 14 and charges, and institutional income to finance the cost of  
 15 providing academic and administrative buildings and facilities  
 16 and utility services at the institutions:

17 ..... \$ 27,868,702

18 c. For funds to be allocated to the southwest Iowa  
 19 graduate studies center:

20 ..... \$ 108,562

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

24 ..... \$ 79,198

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

27 ..... \$ 162,570

28 2. STATE UNIVERSITY OF IOWA

29 a. General university, including lakeside laboratory

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

33 ..... \$225,760,397

34 ..... FTEs 4,039.17

35 b. University hospitals

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

6 ..... \$31,018,671  
7 ..... FTEs 5,505.98

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

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

25 (1) The attending physician certifies that continuing the  
26 pregnancy would endanger the life of the pregnant woman.

27 (2) The attending physician certifies that the fetus is  
28 physically deformed, mentally deficient, or afflicted with a  
29 congenital illness.

30 (3) The pregnancy is the result of a rape which is  
31 reported within 45 days of the incident to a law enforcement  
32 agency or public or private health agency which may include a  
33 family physician.

34 (4) The pregnancy is the result of incest which is  
35 reported within 150 days of the incident to a law enforcement

1 agency or public or private health agency which may include a  
2 family physician.

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

6 The total quota allocated to the counties for indigent  
7 patients for the fiscal year beginning July 1, 1998, shall not  
8 be lower than the total quota allocated to the counties for  
9 the fiscal year commencing July 1, 1997. The total quota  
10 shall be allocated among the counties on the basis of the 1990  
11 census pursuant to section 255.16.

12 c. Psychiatric hospital

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

18 .....	\$	7,715,297
19 .....	FTEs	291.55

20 d. Hospital-school

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

24 .....	\$	6,511,712
25 .....	FTEs	163.58

26 e. Oakdale campus

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

30 .....	\$	3,036,711
31 .....	FTEs	63.58

32 f. State hygienic laboratory

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

1 ..... \$ 3,683,664  
2 ..... FTEs 102.49

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

9 ..... \$ 2,225,663  
10 ..... FTEs 180.74

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

18 ..... \$ 520,184  
19 ..... FTEs 10.18

20 i. Agricultural health and safety programs  
21 For agricultural health and safety programs, and for not  
22 more than the following full-time equivalent positions:

23 ..... \$ 266,191  
24 ..... FTEs 3.48

25 j. Statewide cancer registry  
26 For the statewide cancer registry, and for not more than  
27 the following full-time equivalent positions:

28 ..... \$ 206,084  
29 ..... FTEs 3.07

30 k. Substance abuse consortium  
31 For funds to be allocated to the Iowa consortium for  
32 substance abuse research and evaluation, and for not more than  
33 the following full-time equivalent positions:

34 ..... \$ 69,241  
35 ..... FTEs 1.15

1 1. Center for biocatalysis

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

4 ..... \$ 1,040,426  
5 ..... FTEs 10.40

6 m. National advanced driving simulator

7 For the national advanced driving simulator, and for not  
8 more than the following full-time equivalent positions:

9 ..... \$ 273,115  
10 ..... FTEs 3.58

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

14 ..... \$ 831,776  
15 ..... FTEs 11.00

16 From the funds appropriated in this lettered paragraph,  
17 \$330,000 shall be allocated to the department of family  
18 practice at the state university of Iowa college of medicine  
19 for family practice faculty and support staff.

20 o. Birth defects registry

21 For the birth defects registry:

22 ..... \$ 50,000

23 p. Creative employment options

24 For creative employment options:

25 ..... \$ 200,000

26 3. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY

27 a. General university

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

31 ..... \$177,823,124  
32 ..... FTEs 3,598.44

33 From the funds appropriated in this lettered paragraph,  
34 \$40,000 shall be allocated for purposes of the institute for  
35 public leadership.



1 b. Agricultural experiment station

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

5 ..... \$ 33,859,639  
6 ..... FTEs 546.98

7 c. Cooperative extension service in agriculture and home  
8 economics

9 For salaries, support, maintenance, miscellaneous purposes,  
10 including salaries and support for the fire service institute,  
11 and for not more than the following full-time equivalent  
12 positions:

13 ..... \$ 21,596,852  
14 ..... FTEs 443.91

15 From the funds appropriated in this lettered paragraph,  
16 \$5,672 shall be used for salary annualization, \$150,000 shall  
17 be used for the food, fiber, and environmental science  
18 program, and \$766,000 shall be used for the value-added  
19 agricultural projects as part of the extension 21 program.

20 d. Leopold center

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

24 ..... \$ 573,488  
25 ..... FTEs 11.25

26 e. World food prize

27 ..... \$ 250,000

28 No funds appropriated in this lettered paragraph  
29 shall be retained by the university to administer the  
30 world food prize program.

31 f. Livestock disease research

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

35 ..... \$ 276,729

1 ..... FTEs 3.17

2 g. Bioinformatics

3 For salaries, support, maintenance, equipment,

4 miscellaneous purposes, and for not more than the following

5 full-time equivalent position:

6 ..... \$ 200,000

7 ..... FTE 1.00

8 4. UNIVERSITY OF NORTHERN IOWA

9 a. General university

10 For salaries, support, maintenance, equipment,

11 miscellaneous purposes, and for not more than the following

12 full-time equivalent positions:

13 ..... \$ 79,518,141

14 ..... FTEs 1,370.98

15 b. Recycling and reuse center

16 For purposes of the recycling and reuse center, and for not

17 more than the following full-time equivalent position:

18 ..... \$ 240,622

19 ..... FTE 1.00

20 5. STATE SCHOOL FOR THE DEAF

21 For salaries, support, maintenance, miscellaneous purposes,

22 and for not more than the following full-time equivalent

23 positions:

24 ..... \$ 7,230,884

25 ..... FTEs 124.14

26 6. IOWA BRAILLE AND SIGHT SAVING SCHOOL

27 For salaries, support, maintenance, miscellaneous purposes,

28 and for not more than the following full-time equivalent

29 positions:

30 ..... \$ 4,029,325

31 ..... FTEs 91.36

32 7. TUITION AND TRANSPORTATION COSTS

33 For payment to local school boards for the tuition and

34 transportation costs of students residing in the Iowa braille

35 and sight saving school and the state school for the deaf

1 pursuant to section 262.43 and for payment of certain clothing  
2 and transportation costs for students at these schools  
3 pursuant to section 270.5:

4 ..... \$ 16,941

5 Sec. 18. MEDICAL ASSISTANCE -- SUPPLEMENTAL AMOUNTS. For  
6 the fiscal year beginning July 1, 1998, and ending June 30,  
7 1999, the department of human services shall continue the  
8 supplemental disproportionate share and a supplemental  
9 indirect medical education adjustment applicable to state-  
10 owned acute care hospitals with more than 500 beds and shall  
11 reimburse qualifying hospitals pursuant to that adjustment  
12 with a supplemental amount for services provided medical  
13 assistance recipients. The adjustment shall generate  
14 supplemental payments intended to equal the state  
15 appropriation made to a qualifying hospital for treatment of  
16 indigent patients as provided in chapter 255. To the extent  
17 of the supplemental payments, a qualifying hospital shall,  
18 after receipt of the funds, transfer to the department of  
19 human services an amount equal to the actual supplemental  
20 payments that were made in that month. The aggregate amounts  
21 for the fiscal year shall not exceed the state appropriation  
22 made to the qualifying hospital for treatment of indigent  
23 patients as provided in chapter 255. The department of human  
24 services shall deposit the portion of these funds equal to the  
25 state share in the department's medical assistance account and  
26 the balance shall be credited to the general fund of the  
27 state. To the extent that state funds appropriated to a  
28 qualifying hospital for the treatment of indigent patients as  
29 provided in chapter 255 have been transferred to the  
30 department of human services as a result of these supplemental  
31 payments made to the qualifying hospital, the department shall  
32 not, directly or indirectly, recoup the supplemental payments  
33 made to a qualifying hospital for any reason, unless an  
34 equivalent amount of the funds transferred to the department  
35 of human services by a qualifying hospital pursuant to this

1 provision is transferred to the qualifying hospital by the  
2 department.

3 If the state supplemental amount allotted to the state of  
4 Iowa for the federal fiscal year beginning October 1, 1998,  
5 and ending September 30, 1999, pursuant to section 1923(f)(3)  
6 of the federal Social Security Act, as amended, or pursuant to  
7 federal payments for indirect medical education is greater  
8 than the amount necessary to fund the federal share of the  
9 supplemental payments specified in the preceding paragraph,  
10 the department of human services shall increase the  
11 supplemental disproportionate share or supplemental indirect  
12 medical education adjustment by the lesser of the amount  
13 necessary to utilize fully the state supplemental amount or  
14 the amount of state funds appropriated to the state university  
15 of Iowa general education fund and allocated to the university  
16 for the college of medicine. The state university of Iowa  
17 shall transfer from the allocation for the college of medicine  
18 to the department of human services, on a monthly basis, an  
19 amount equal to the additional supplemental payments made  
20 during the previous month pursuant to this paragraph. A  
21 qualifying hospital receiving supplemental payments pursuant  
22 to this paragraph that are greater than the state  
23 appropriation made to the qualifying hospital for treatment of  
24 indigent patients as provided in chapter 255 shall be  
25 obligated as a condition of its participation in the medical  
26 assistance program to transfer to the state university of Iowa  
27 general education fund on a monthly basis an amount equal to  
28 the funds transferred by the state university of Iowa to the  
29 department of human services. To the extent that state funds  
30 appropriated to the state university of Iowa and allocated to  
31 the college of medicine have been transferred to the  
32 department of human services as a result of these supplemental  
33 payments made to the qualifying hospital, the department shall  
34 not, directly or indirectly, recoup these supplemental  
35 payments made to a qualifying hospital for any reason, unless

1 an equivalent amount of the funds transferred to the  
2 department of human services by the state university of Iowa  
3 pursuant to this paragraph is transferred to the qualifying  
4 hospital by the department.

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

12 The department of human services shall, in any compilation  
13 of data or other report distributed to the public concerning  
14 payments to providers under the medical assistance program,  
15 set forth reimbursements to a qualifying hospital through the  
16 supplemental disproportionate share and supplemental indirect  
17 medical education adjustment as a separate item and shall not  
18 include such payments in the amounts otherwise reported as the  
19 reimbursement to a qualifying hospital for services to medical  
20 assistance recipients.

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

24 Sec. 19. STATE UNIVERSITY OF IOWA -- DEPARTMENT OF HUMAN  
25 SERVICES. The department of human services shall transfer to  
26 the state university of Iowa for the purposes of the creative  
27 employment options program the same amount of moneys in the  
28 fiscal year beginning July 1, 1998, and ending June 30, 1999,  
29 as was transferred in the fiscal year beginning July 1, 1997,  
30 and ending June 30, 1998.

31 Sec. 20. GRADUATE PROGRAM -- ENROLLMENT REPORT. The state  
32 board of regents shall submit a report to the general assembly  
33 and the legislative fiscal bureau by December 1, 1998,  
34 detailing the total costs of all graduate programs at board of  
35 regents institutions, the tuition revenues from each program,

1 and the resident and nonresident enrollment in each program.

2 Sec. 21. For the fiscal year beginning July 1, 1998, and  
3 ending June 30, 1999, the state board of regents may use  
4 notes, bonds, or other evidences of indebtedness issued under  
5 section 262.48 to finance projects that will result in energy  
6 cost savings in an amount that will cause the state board to  
7 recover the cost of the projects within an average of six  
8 years.

9 Sec. 22. IOWA STATE UNIVERSITY COOPERATIVE EXTENSION  
10 SERVICE PROGRAM INTERIM STUDY. The legislative council is  
11 requested to establish an interim study committee to study the  
12 benefits provided by the Iowa state university cooperative  
13 extension service program in promoting community initiatives,  
14 developing extended and community educational opportunities,  
15 enhancing the value of agriculture and protecting natural  
16 resources, anticipating changes in business and industry,  
17 assisting communities in future strategies, providing  
18 assistance to families in Iowa, connecting 4-H programs with  
19 youth, and providing innovative technology assistance. The  
20 committee shall submit its findings, together with any  
21 recommendations, in a report to the general assembly convening  
22 in January 1999.

23 Sec. 23. Notwithstanding section 270.7, the department of  
24 revenue and finance shall pay the state school for the deaf  
25 and the Iowa braille and sight saving school the moneys  
26 collected from the counties during the fiscal year beginning  
27 July 1, 1998, for expenses relating to prescription drug costs  
28 for students attending the state school for the deaf and the  
29 Iowa braille and sight saving school.

30 Sec. 24. 1997 Iowa Acts, chapter 212, section 11,  
31 subsection 1, paragraph b, subparagraph (2), is amended to  
32 read as follows:

33 (2) ~~Notwithstanding section 8-337, funds~~ Funds appropriated  
34 in this lettered paragraph remaining unencumbered or  
35 unobligated on June 30, 1998, shall not revert to the general

1 fund of the state ~~but shall be available for expenditure for~~  
2 ~~the purposes listed in this lettered paragraph during the~~  
3 ~~subsequent fiscal year.~~

4 Sec. 25. Section 256.9, subsection 29, Code 1997, is  
5 amended by striking the subsection.

6 Sec. 26. Section 256.16, unnumbered paragraph 1, Code  
7 1997, is amended to read as follows:

8 Pursuant to section 256.7, subsection 5, the state board  
9 shall adopt rules requiring all higher education institutions  
10 providing practitioner preparation to include in the  
11 professional education program, preparation that contributes  
12 to education of students with disabilities and students who  
13 are gifted and talented, along with preparation in reading  
14 recovery and other reading programs, which must be  
15 successfully completed before graduation from the practitioner  
16 preparation program.

17 Sec. 27. Section 257B.1A, Code 1997, is amended by  
18 striking the section and inserting in lieu thereof the  
19 following:

20 257B.1A INTEREST FOR IOWA SCHOOLS FUND -- TRANSFER OF  
21 INTEREST.

22 An interest for Iowa schools fund is established in the  
23 office of treasurer of state. The department of revenue and  
24 finance shall deposit interest earned on the permanent school  
25 fund in the interest for Iowa schools fund. The treasurer  
26 shall transfer moneys in the interest for Iowa schools fund on  
27 a quarterly basis as follows:

28 1. Fifty-five percent of the moneys deposited in the fund  
29 to the department of education for allocation to the division  
30 of libraries and information services for purposes of  
31 providing state assistance to local public libraries. The  
32 division of libraries and information services shall  
33 distribute funds received in accordance with this subsection  
34 to public libraries in this state on a per capita basis.

35 2. Forty-five percent of the moneys deposited in the fund

1 to the credit of the international center endowment fund of  
2 the international center for gifted and talented education  
3 established in section 263.8A.

4 Sec. 28. Section 261.2, Code 1997, is amended by adding  
5 the following new subsection:

6 NEW SUBSECTION. 15. Be prohibited from expending interest  
7 moneys earned on accounts of the commission located within the  
8 office of the treasurer of state unless the general assembly  
9 specifically appropriates the interest moneys for use by the  
10 commission. If the general assembly appropriates interest  
11 moneys transferred from the Pub. L. No. 105-33 recall account  
12 within the office of the treasurer of state to the fund 61  
13 default reduction account, the commission shall adopt rules  
14 for the expenditure of the interest moneys for purposes of  
15 issuing emergency loans to assist needy students in avoiding  
16 default on a guaranteed or parental loan made under this  
17 chapter.

18 Sec. 29. Section 261.12, subsection 1, paragraph b, Code  
19 Supplement 1997, is amended to read as follows:

20 b. For the fiscal year beginning July 1, ~~1996~~ 1998, and  
21 for each following fiscal year, three thousand ~~four~~ six  
22 hundred fifty dollars.

23 Sec. 30. Section 261.17, subsection 6, Code Supplement  
24 1997, is amended by adding the following new paragraph:

25 NEW PARAGRAPH. e. Establish a late application deadline  
26 for new applicants which shall not be earlier than August 1 of  
27 the fiscal year in which the appropriation received pursuant  
28 to section 261.25, subsection 3, is made. From the funds  
29 appropriated by section 261.25, subsection 3, not less than  
30 sixty-three thousand dollars shall be used for tuition grants  
31 for late applicants as provided in this paragraph.

32 Sec. 31. NEW SECTION. 261.24 IOWA STATE FAIR  
33 SCHOLARSHIP.

34 The Iowa state fair scholarship fund is established in the  
35 office of treasurer of state to be administered by the



1 commission. The commission shall adopt rules pursuant to  
2 chapter 17A for the administration of this section. The rules  
3 shall provide, at a minimum, that only residents of Iowa who  
4 have actively participated in the Iowa state fair and  
5 graduated from an accredited secondary school in Iowa shall be  
6 eligible to receive an Iowa state fair scholarship for  
7 matriculation at an eligible institution as defined in section  
8 261.35. Notwithstanding section 12C.7, interest earned on  
9 money in the Iowa state fair scholarship fund shall be  
10 deposited into the fund and may be used by the commission only  
11 for Iowa state fair scholarship awards.

12 Sec. 32. Section 261.25, subsections 1 and 3, Code  
13 Supplement 1997, are amended to read as follows:

14 1. There is appropriated from the general fund of the  
15 state to the commission for each fiscal year the sum of ~~forty-~~  
16 one forty-four million six hundred sixty-four thousand seven  
17 hundred fifty dollars for tuition grants.

18 3. There is appropriated from the general fund of the  
19 state to the commission for each fiscal year the sum of ~~one~~  
20 two million six two hundred eight forty-four thousand ~~two one~~  
21 hundred ~~fifty-seven~~ ninety-seven dollars for vocational-  
22 technical tuition grants.

23 Sec. 33. Section 262.64A, Code 1997, is amended by adding  
24 the following new subsection:

25 NEW SUBSECTION. 4. Identification of the square footage  
26 information regarding academic and research space, total  
27 square footage of new construction for which state funds are  
28 sought, identification of all funding sources for construction  
29 costs of the total project for which an appropriation or  
30 approval of academic revenue bonds is sought, and the expected  
31 annual indirect cost revenues for use of new construction when  
32 the state board submits budget requests for the costs of  
33 opening new buildings.

34 Sec. 34. Section 262A.5, Code 1997, is amended by adding  
35 the following new unnumbered paragraph:

1 NEW UNNUMBERED PARAGRAPH. The board shall not refund bonds  
2 issued under this chapter in a manner that delays or alters  
3 the schedule of principal payments without the approval of the  
4 legislative council or the general assembly when in session.

5 Sec. 35. Section 279.51, subsection 4, Code Supplement  
6 1997, is amended to read as follows:

7 4. The department shall seek assistance from ~~the-first-in~~  
8 ~~the-nation-in-education-foundation-established-in-chapter-257A~~  
9 ~~and-other~~ foundations and public and private agencies in the  
10 evaluation of the programs funded under this section, and in  
11 the provision of support to school districts in developing and  
12 implementing the programs funded under this section.

13 Sec. 36. Section 294A.19, unnumbered paragraph 2, Code  
14 1997, is amended to read as follows:

15 Annually, by November 1, the department shall summarize the  
16 information contained in the phase III reports filed by the  
17 school districts and area education agencies. The reports  
18 summary shall be-available-upon-request contain information  
19 including the numbers of districts and area education agencies  
20 that have implemented a performance-based pay plan, a  
21 supplemental pay plan, a combination of a performance-based  
22 and supplemental pay plan, and the number of districts and  
23 area education agencies that have established comprehensive  
24 school transformation programs. The summary shall highlight  
25 and briefly describe innovative and successful uses of phase  
26 III funds that have had a positive effect on student  
27 achievement within the district as measured by means of a  
28 widely recognized educational assessment tool or test. The  
29 department, in conjunction with the legislative fiscal bureau,  
30 shall identify additional items to be reported. Copies of the  
31 annual summary shall be submitted to each school district, the  
32 general assembly, and the legislative fiscal bureau by  
33 December 1.

34 Sec. 37. Section 294A.25, subsection 5, Code Supplement  
35 1997, is amended by striking the subsection and inserting in

1 lieu thereof the following:

2 5. For the fiscal year beginning July 1, 1998, and for  
3 each succeeding fiscal year, the amount of fifty thousand  
4 dollars to be paid to the department of cultural affairs for  
5 contracting with the Iowa alliance for arts education to  
6 execute the local arts comprehensive educational strategies  
7 program.

8 Sec. 38. Section 294A.25, subsection 6, Code Supplement  
9 1997, is amended to read as follows:

10 6. For the fiscal year beginning July 1, ~~1997~~ 1998, and  
11 ~~ending-June-30,-1998~~ each succeeding fiscal year, the amount  
12 of fifty thousand dollars to the department of education for  
13 the geography alliance.

14 Sec. 39. Section 294A.25, subsection 9, Code Supplement  
15 1997, is amended by striking the subsection.

16 Sec. 40. Section 294A.25, subsection 10, Code Supplement  
17 1997, is amended to read as follows:

18 10. For the fiscal year beginning July 1, ~~1997~~ 1998, and  
19 ~~ending-June-30,-1998~~ for each succeeding fiscal year, the  
20 amount of seventy thousand dollars to the state board of  
21 regents for equal distribution to the Iowa braille and sight  
22 saving school and the Iowa state school for the deaf from  
23 phase III moneys.

24 Sec. 41. Section 294A.25, Code Supplement 1997, is amended  
25 by adding the following new subsection:

26 NEW SUBSECTION. 12. For the fiscal year beginning July 1,  
27 1998, and for each succeeding fiscal year, to the department  
28 of education from phase III moneys the amount of one hundred  
29 fifty thousand dollars to the Iowa public broadcasting  
30 division for overnight transmitter feeds.

31 Sec. 42. Section 303.1, subsection 2, Code 1997, is  
32 amended by adding the following new paragraph:

33 NEW PARAGRAPH. e. Encourage the use of volunteers  
34 throughout its divisions, especially for purposes of restoring  
35 books and manuscripts.

1     Sec. 43. NEW SECTION.   303.3A   ARTS AND CULTURAL  
2   CONFERENCES AND CAUCUSES.

3     1.   For the purposes of this section, the following  
4   definitions apply:

5     a.   "Arts" means music, dance, theater, opera and music  
6   theater, visual arts, literature, design arts, media arts, and  
7   folk and traditional arts.

8     b.   "Culture" or "cultural" means programs and activities  
9   which explore past and present human experience.

10    c.   "Department" means the department of cultural affairs.

11    d.   "Enhancement" means programs that allow arts and  
12   cultural organizations to improve or enhance the quality of  
13   programs currently offered, and increase and support  
14   professional and student artists and arts educators.

15    e.   "Outreach" means programs that increase rural access to  
16   cultural resources, social awareness, cultural diversity, and  
17   which serve special populations.

18    2.   The department shall administer regional conferences  
19   and a statewide caucus on arts and cultural enhancement. The  
20   purpose of the conferences and caucus is to encourage the  
21   development of the arts and culture in the state by  
22   identifying opportunities for programs involving education,  
23   outreach, and enhancement; by reviewing possible changes in  
24   enhancement program policies, programs, and funding; and by  
25   making recommendations to the department regarding funding  
26   allocations and priorities for arts and cultural enhancement.

27    3.   Every four years beginning in June 2001, the department  
28   shall convene a statewide caucus on arts and cultural  
29   enhancement.

30    a.   Prior to the statewide caucus, the department shall  
31   make arrangements to hold a conference in each of several  
32   regions of the state as determined by the Iowa arts council.  
33   The department shall promote attendance of interested persons  
34   at each conference. A designee of the department shall serve  
35   as temporary chairperson until persons attending the

1 conference elect a chairperson. The department shall provide  
2 persons attending the conference with current information  
3 regarding cultural programs and expenditures. Persons  
4 attending the conference shall identify opportunities for  
5 programs in the areas of education, outreach, and enhancement,  
6 and make recommendations in the form of a resolution. The  
7 persons attending the conference shall elect six persons from  
8 among the attendees to serve as regional, voting delegates to  
9 the statewide caucus. The conference attendees shall elect a  
10 chairperson from among the six representatives. Other  
11 interested persons are encouraged to attend the statewide  
12 caucus as nonvoting attendees.

13 b. The department shall charge a reasonable fee for  
14 attendance at the statewide caucus on arts and cultural  
15 enhancement.

16 c. A designee of the department shall call the statewide  
17 caucus to order and serve as temporary chairperson until  
18 persons attending the caucus elect a chairperson. Persons  
19 attending the caucus shall discuss the recommendations of the  
20 regional conferences and decide upon recommendations to be  
21 made to the department and the general assembly. Elected  
22 chairpersons of the regional conferences shall meet with  
23 representatives of the department and present the  
24 recommendations of the caucus.

25 Sec. 44. Section 304A.10, Code 1997, is amended to read as  
26 follows:

27 304A.10 COST OF FINE ARTS -- PERCENTAGE.

28 The total estimated cost of the fine arts elements included  
29 in a plan and specifications for a state building or group of  
30 state buildings in accordance with the purposes of this  
31 division shall in no case be less than one-half of one percent  
32 of the total estimated cost of such building or group of  
33 buildings. This percentage allocation shall not be diminished  
34 by professional fees. By September 1 annually, the  
35 contracting officer or principal user shall submit to the

1 department of cultural affairs the total amount of state  
2 financial assistance expended in accordance with this section  
3 during the previous fiscal year. If deemed in the best  
4 interests of the citizens, funds allocated for the acquisition  
5 of fine arts may be accumulated over more than one  
6 appropriation or fiscal period or combined to complete  
7 significant projects, however, this sentence does not  
8 authorize interproject transfers. The total estimated cost of  
9 the fine arts elements included in a plan and specifications  
10 for a state building or group of state buildings in accordance  
11 with this section shall be included by the department of  
12 cultural affairs in calculating the amount of state financial  
13 assistance for the arts for purposes of national ranking  
14 surveys. By January 1 annually, the department of cultural  
15 affairs shall submit a summary of the total amount of state  
16 financial assistance expended in accordance with this section  
17 and for which state buildings the assistance was expended.

18 Sec. 45. Chapters 257A and 303C, Code 1997, are repealed.

19 Sec. 46. Notwithstanding section 257A.4, Code 1997, with  
20 the repeal of chapter 257A pursuant to this Act, the rights  
21 and properties of the first in the nation in education  
22 foundation shall remain with the nonprofit corporation which  
23 shall continue its existence as a nonprofit corporation but  
24 shall no longer be a quasi-public instrumentality. However,  
25 debts and other financial obligations shall not succeed to the  
26 state.

27 Sec. 47. AUDIT OF AREA EDUCATION AGENCIES. The auditor of  
28 state shall audit area education agency finances, itemizing  
29 all revenues and expenditures of the area education agencies  
30 for the 1997-1998 fiscal year. The audit shall include, but  
31 shall not be limited to, an examination of the major areas of  
32 expenditure by area education agency districts, such as media  
33 services, special education services, additional services  
34 pursuant to section 273.7, services to school districts  
35 pursuant to section 273.7A, services for preschool children

1 with disabilities, juvenile shelter services, and detention  
2 home instruction; and a comparison by area education agency of  
3 staffing levels, number of students served, and purchase or  
4 lease of equipment and facilities. The auditor of state shall  
5 bill the area education agencies for the costs of the audits,  
6 and the area education agencies shall pay for the audits from  
7 state assistance provided to the area education agencies for  
8 the fiscal year beginning July 1, 1998. The audit results,  
9 and any recommendations, shall be submitted to the general  
10 assembly and the legislative fiscal bureau by January 1, 1999.

11 Sec. 48. EFFECTIVE DATES.

12 1. Section 6 of this Act, relating to historic sites and  
13 the western trails center, being deemed of immediate  
14 importance, takes effect upon enactment.

15 2. Sections 12 and 13 of this Act, relating to  
16 reallocation of moneys to the division of libraries and  
17 information services for purposes of providing state  
18 assistance to local public libraries, being deemed of  
19 immediate importance, take effect upon enactment.

20 3. Section 14 of this Act, relating to the nonreversion of  
21 funds appropriated for rehabilitating computers for school and  
22 libraries, being deemed of immediate importance, takes effect  
23 upon enactment.

24 4. Section 15 of this Act, relating to the state board of  
25 educational examiners licensing fees, being deemed of  
26 immediate importance, takes effect upon enactment.

27 5. Section 24 of this Act, relating to the reversion of  
28 funds appropriated for tuition replacement, being deemed of  
29 immediate importance, takes effect upon enactment.

30 Sec. 49. Sections 25 and 46 of this Act, relating to the  
31 first in the nation in education foundation, section 31 of  
32 this Act, relating to the Iowa state fair scholarship, and the  
33 portion of section 45 of this Act repealing chapter 257A, take  
34 effect December 31, 1998.

35

EXPLANATION

1 This bill appropriates moneys from the general fund of the  
2 state to the college student aid commission, the department of  
3 cultural affairs, the department of education, and the state  
4 board of regents and its institutions.

5 COLLEGE STUDENT AID COMMISSION. The bill appropriates  
6 moneys to the college student aid commission for general  
7 administrative purposes, forgivable loans to Iowa students  
8 attending the university of osteopathic medicine and health  
9 sciences, an initiative directing primary care physicians to  
10 areas of the state experiencing physician shortages, student  
11 aid programs, the national guard tuition aid program, and the  
12 Stafford loan program, and increases the maximum amount of a  
13 tuition grant to a qualified full-time student.

14 DEPARTMENT OF CULTURAL AFFAIRS. The bill funds the arts,  
15 historical, and administration divisions of the department of  
16 cultural affairs, historic sites, local arts and comprehensive  
17 educational strategies program, and community cultural grants.

18 DEPARTMENT OF EDUCATION. The bill appropriates moneys for  
19 purposes of the department of education's general  
20 administration, vocational education administration, the board  
21 of educational examiners, the division of vocational  
22 rehabilitation services, independent living, the state  
23 library, the regional library system, the public broadcasting  
24 division, the national assessment of educational progress, the  
25 Iowa mathematics and science coalition, vocational education  
26 to secondary schools, school food service, textbooks of  
27 nonpublic school pupils, the vocational agriculture youth  
28 organization and other youth activities, family resource  
29 centers, the reading recovery program, child development  
30 coordinating council, a listening curriculum for Sioux City,  
31 and community colleges.

32 STATE BOARD OF REGENTS. The bill appropriates moneys to  
33 the state board of regents for board operations, tuition  
34 replacement, the southwest Iowa graduate studies center, the  
35 tristate graduate center, the quad-cities graduate studies



1 center, and for the state university of Iowa, Iowa state  
2 university of science and technology, the university of  
3 northern Iowa, the state school for the deaf, the Iowa braille  
4 and sight saving school, and the tuition and transportation  
5 costs for students residing in the Iowa braille and sight  
6 saving school and the school for the deaf.

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## HOUSE FILE 2533

H-8494

1 Amend House File 2533 as follows:

2 1. Page 33, by striking lines 28 through 31 and  
3 inserting the following: "state shall analyze area  
4 education agency finances and operations for the 1996-  
5 1997 fiscal year. In conducting the analysis, the  
6 auditor of state shall utilize reports on audits of  
7 area education agencies conducted in accordance with  
8 section 11.6, information available from the  
9 department of education, the department of management,  
10 the area education agencies, and from any other source  
11 necessary. The auditor of state shall have access to  
12 all records of the area education agencies.

13 The analysis shall include, but shall not be  
14 limited to, major areas of".

15 2. Page 34, by striking lines 3 through 8 and  
16 inserting the following: "staffing levels, number of  
17 students served, purchase or lease of equipment and  
18 facilities, and funding from local school districts.  
19 The auditor of state shall bill the area education  
20 agencies for the costs of the analysis, determined  
21 according to the proportional enrollment served by  
22 each area education agency for the 1996-1997 fiscal  
23 year, and the area education agencies shall pay the  
24 amount billed from state assistance provided to the  
25 area education agencies for the fiscal year beginning  
26 July 1, 1998. The results of the analysis,".

27 3. Page 34, line 10, by inserting after the  
28 figure "1999" the following: ", and shall be utilized  
29 in the comprehensive study of school finance requested  
30 in accordance with House Concurrent Resolution 15, if  
31 resolved by the Seventy-seventh General Assembly".

By MEYER of Sac

H-8494 FILED MARCH 18, 1998

*Lost 3/30/98*  
*(p. 1038)*

HOUSE FILE 2533

H-8363

- 1 Amend House File 2533 as follows:
- 2 1. Page 14, line 29, by striking the figure
- 3 "1,177,174" and inserting the following: "1,188,254".
- 4 2. Page 20, by striking lines 28 through 30.

By MILLAGE of Scott

H-8363 FILED MARCH 12, 1998

*Adopted 3/30/98 (p. 1027)*

HOUSE FILE 2533

H-8364

- 1 Amend House File 2533 as follows:
- 2 1. Page 30, by inserting after line 23 the
- 3 following:
- 4 "Sec. \_\_\_\_ . Section 294A.25, subsection 11, Code
- 5 Supplement 1997, is amended to read as follows:
- 6 11. For the fiscal year beginning July 1, ~~1997~~
- 7 1998, and ending June 30, ~~1998~~ 1999, to the department
- 8 of education from phase III moneys the amount of one
- 9 million two hundred fifty thousand dollars for support
- 10 for the operations of the new Iowa schools development
- 11 corporation and for school transformation design and
- 12 implementation projects administered by the
- 13 corporation. Of the amount provided in this
- 14 subsection, one hundred fifty thousand dollars shall
- 15 be used for the school and community planning
- 16 initiative."
- 17 2. By renumbering, relettering, and redesignating
- 18 as necessary.

By HEATON of Henry  
WISE of Lee

H-8364 FILED MARCH 12, 1998

*Adopted 3/30/98 (p. 1036)*

HOUSE FILE 2533

H-8358

- 1 Amend House File 2533 as follows:
- 2 1. Page 24, by striking line 35 and inserting the
- 3 following: "regents institutions, including but not
- 4 limited to the southwest Iowa graduate studies center,
- 5 the tristate graduate center, and the quad cities
- 6 graduate studies center; the tuition revenues from
- 7 each program;"
- 8 2. By renumbering, relettering, and redesignating
- 9 as necessary.

By BRUNKHORST of Bremer

H-8358 FILED MARCH 12, 1998

*Adopted 3/30/98 (p. 1027)*

HOUSE FILE 2533

H-8420

- 1 Amend House File 2533 as follows:
- 2 1. Page 19, by inserting after line 25 the
- 3 following:
- 4 " \_\_\_\_ . HEALTH AND INDEPENDENCE OF ELDERLY IOWANS
- 5 INITIATIVE
- 6 For an initiative for the health and independence
- 7 of elderly Iowans in the Iowa center on aging:
- 8 ..... \$ 336,000"
- 9 2. By renumbering as necessary.

By MASCHER of Johnson

H-8420 FILED MARCH 16, 1998

*Lost  
3/30/98  
(p. 1027)*

## HOUSE FILE 2533

H-8569

1 Amend House File 2533 as follows:

2 1. Page 26, by inserting after line 5 the  
3 following:

4 "Sec. \_\_\_\_\_. Section 256.11, Code 1997, is amended  
5 by adding the following new subsection:

6 NEW SUBSECTION. 9. Unless a waiver has been  
7 obtained under section 256.11A, each school or school  
8 district shall have the following:

9 a. A media center in each attendance center which  
10 shall be accessible to students throughout the school  
11 day.

12 b. A qualified school media specialist who shall  
13 meet the licensing standards prescribed by the board  
14 of educational examiners and shall be responsible for  
15 supervision of the media centers.

16 c. An articulated sequential elementary-secondary  
17 guidance program for grades kindergarten through  
18 twelve. The guidance counselor shall meet the  
19 licensing standards prescribed by the board of  
20 educational examiners.

21 In determining the requirements of this subsection  
22 for nonpublic schools, the department shall evaluate  
23 the schools on a school system basis rather than on an  
24 individual school basis.

25 Sec. \_\_\_\_\_. Section 256.11A, subsections 1 and 2,  
26 Code 1997, are amended to read as follows:

27 1. Schools and school districts ~~unable to meet the~~  
28 ~~standard adopted by the state board requiring each~~  
29 ~~school or school district operating a kindergarten~~  
30 ~~through grade twelve program to provide an articulated~~  
31 ~~sequential elementary-secondary guidance program~~ may,  
32 not later than August 1, ~~1995~~ 1998, for the school  
33 year beginning July 1, ~~1995~~ 1998, file a written  
34 request to the department of education that the  
35 department waive the requirement, for established in  
36 section 256.11, subsection 9, that a school or school  
37 district operating a kindergarten through grade twelve  
38 program, provide an articulated sequential elementary-  
39 secondary guidance program. The procedures specified

40 in subsection 3 apply to the request. Not later than  
41 August 1, ~~1996~~ 1999, for the school year beginning  
42 July 1, ~~1996~~ 1999, the board of directors of a school  
43 district or the authorities in charge of a nonpublic  
44 school may request a one-year extension of the waiver.

45 2. Not later than August 1, ~~1995~~ 1998, for the  
46 school year beginning July 1, ~~1995~~ 1998, the board of  
47 directors of a school district, or authorities in  
48 charge of a nonpublic school, may file a written  
49 request with the department of education that the  
50 department waive the ~~rule adopted by the state board~~

H-8569

H-8569

Page 2

1 ~~to-establish-and-operate~~ requirement for a media  
2 services specialist and a media services program-to  
3 ~~support-the-total-curriculum-for-that-district-or~~  
4 school center, established under section 256.11,  
5 subsection 3, paragraphs "a" and "b". The procedures  
6 specified in subsection 3 apply to the request. Not  
7 later than August 1, ~~1996~~ 1999, for the school year  
8 beginning July 1, ~~1996~~ 1999, the board of directors of  
9 a school district or the authorities in charge of a  
10 nonpublic school may request an additional one-year  
11 extension of the waiver."  
12 2. By renumbering, relettering, and redesignating  
13 as necessary.

By MASCHER of Johnson

H-8569 FILED MARCH 23, 1998

*Not Done 3/30/98 (p. 1030)*

HOUSE FILE 2533

H-8571

1 Amend House File 2533 as follows:  
2 1. Page 10, by inserting after line 16 the  
3 following:  
4 "The reading recovery center is encouraged to  
5 utilize the Iowa communications network to provide  
6 instruction to participating teachers when possible."

By WITT of Black Hawk

H-8571 FILED MARCH 23, 1998

**WITHDRAWN***3/30/98**(p. 1020)*

HOUSE FILE 2533

H-8572

1 Amend House File 2533 as follows:

2 1. Page 1, by inserting after line 32 the  
3 following:

4 "\_\_\_\_. PRACTITIONER SHORTAGE LOAN PAYMENT PROGRAM

5 For purposes of providing forgivable loans under  
6 the program established in section 261.111, if  
7 enacted:

8 ..... \$ 300,000"

9 2. Page 28, by inserting after line 22 the  
10 following:

11 "Sec. \_\_\_\_ . NEW SECTION. 261.111 PRACTITIONER  
12 SHORTAGE LOAN PAYMENT PROGRAM.

13 1. A practitioner shortage loan payment program is  
14 established to be administered by the college student  
15 aid commission as provided in this section. The  
16 purpose of the loan payment program is to increase the  
17 number of qualified teachers and administrators in  
18 areas of the state experiencing a shortage of teachers  
19 or administrators. An individual is eligible for the  
20 program if the individual meets all of the following  
21 conditions:

22 a. Is a resident of this state who is enrolled at  
23 an institution of higher learning under the control of  
24 the state board of regents or an accredited private  
25 institution as defined in section 261.9.

26 b. Is enrolled in one or more of the subject areas  
27 determined by the department of education as  
28 experiencing a shortage of practitioners.

29 c. Has filed a loan application with the  
30 commission.

31 d. Meets the requirements for a practitioner  
32 shortage loan established in this chapter and by  
33 administrative rule.

34 2. A practitioner shortage loan shall be awarded  
35 for not more than the equivalent of two years and may  
36 be awarded to an eligible individual under this  
37 section if the individual agrees to serve as an  
38 administrator for two years, or agrees to teach for  
39 two years, in an area in this state that the  
40 department of education has determined is experiencing  
41 a shortage of practitioners. A loan awarded in  
42 accordance with this section, and the interest that  
43 accrues on the loan, shall not become due and payable  
44 until one year after the individual graduates. If a  
45 loan recipient submits evidence to the commission that  
46 the recipient was employed as a practitioner in a  
47 practitioner shortage area for a school year in  
48 accordance with this section, fifty percent of the  
49 principal amount of the loan and any interest accruing  
50 on fifty percent of the principal amount of the loan

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H-8572

Page 2

1 shall be canceled. If the recipient continues  
2 employment as a practitioner in a practitioner  
3 shortage area as provided in this section during the  
4 next succeeding school year and submits evidence to  
5 the commission of the continuation of employment as a  
6 practitioner as agreed to in accordance with this  
7 subsection, the recipient is not required to commence  
8 repayment during that school year and at the end of  
9 that school year the remaining principal amount of the  
10 loan, and any interest accruing on the principal  
11 amount of the loan, are canceled.

12 3. The interest rate on the loan shall be equal to  
13 the interest rate collected by an eligible lender  
14 under the Iowa guaranteed student loan program for the  
15 year in which the loan is made.

16 4. The commission shall prescribe by rule the  
17 terms of repayment. The commission shall set a final  
18 date for submission of applications each year and  
19 shall review the applications and inform the  
20 recipients within a reasonable time after the  
21 deadline.

22 5. The maximum loan a student is eligible to  
23 receive annually is an amount equal to the tuition  
24 rate established by institutions of higher learning  
25 under the control of the state board of regents as  
26 follows:

27 a. The annual resident undergraduate tuition rate  
28 if the individual is enrolled in an approved  
29 undergraduate practitioner preparation program.

30 b. The annual resident graduate tuition rate if  
31 the individual is enrolled in an approved graduate  
32 practitioner preparation program.

33 6. Eligible students may receive both a tuition  
34 grant under this chapter and a practitioner shortage  
35 loan.

36 7. A practitioner shortage loan payment fund is  
37 established in the office of the treasurer of state  
38 for deposit of payments made by loan recipients who do  
39 not fulfill the cancellation conditions of the loan  
40 program. Payments made by recipients on the loans  
41 shall be used to supplement moneys appropriated to the  
42 practitioner shortage loan payment program.

43 Notwithstanding section 8.33, moneys deposited in the  
44 practitioner shortage loan payment fund shall not  
45 revert to the general fund of the state at the end of  
46 a fiscal year, but shall remain in the practitioner  
47 shortage loan payment fund and be continuously  
48 available to make additional loans under the program."

49 3. By renumbering, relettering, and redesignating  
50 as necessary.

By MASCHER of Johnson

H-8572 FILED MARCH 23, 1998

Lost  
3/30/98  
(P. 10/15)

HOUSE FILE 2533

H-8576

1 Amend House File 2533 as follows:

2 1. Page 14, line 15, by inserting after the word  
3 "enacted," the following: "and upon the request of a  
4 public radio broadcaster".

5 2. Page 14, by striking lines 17 and 18 and  
6 inserting the following: "tower space availability  
7 and related cost efficiencies for broadcast antennas  
8 and associated equipment for the transmission of  
9 public radio station broadcasts."

By WITT of Black Hawk

H-8576 FILED MARCH 23, 1998

*adapted 3/30/98 (p.1027)*

HOUSE FILE 2533

H-8577

1 Amend House File 2533 as follows:

*A* 2 1. Page 10, by striking lines 17 through 23.

3 2. Page 12, by striking lines 17 through 19 and  
4 inserting the following: "fiscal year 1998-1999.

*B* 5 Priority for training shall be given to teachers  
6 employed by school districts and accredited nonpublic  
7 schools in Iowa. The department shall make every  
8 reasonable effort to".

9 3. Page 30, line 25, by striking the word  
10 "subsection" and inserting the following:  
11 "subsections".

12 4. Page 30, by inserting after line 25 the  
13 following:

*A* 14 "NEW SUBSECTION. 10A. For the fiscal year  
15 beginning July 1, 1998, and ending June 30, 1999, the  
16 amount of thirty-five thousand dollars from phase III  
17 moneys to the department of education for allocation  
18 to the Sioux City community school district for  
19 purposes of developing and implementing a listening  
20 curriculum."

21 5. By renumbering, relettering, and redesignating  
22 as necessary.

By MASCHER of Johnson

H-8577 FILED MARCH 23, 1998

*A. Withdrawn 3/30/98 (p.1021)*

*B. Adapted 3/30/98 (p.1026)*



## HOUSE FILE 2533

H-8573

1 Amend House File 2533 as follows:

2 1. Page 30, by inserting after line 30 the  
3 following:4 "Sec. \_\_\_\_ . Section 295.2, subsection 1, paragraph  
5 c, Code Supplement 1997, is amended to read as  
6 follows:7 c. There is appropriated from the general fund of  
8 the state to the department of education for each the  
9 fiscal year of-the-fiscal-period beginning July 1,  
10 1997, and ending-June-30,-2001 for each succeeding  
11 fiscal year, the sum of thirty million dollars for the  
12 school improvement technology program."13 2. Page 33, by inserting before line 18 the  
14 following:

15 "Sec. \_\_\_\_ . Section 295.5, Code 1997, is repealed."

16 3. By renumbering as necessary.

By FALCK of Fayette

H-8573 FILED MARCH 23, 1998

*Not Lerman 3/30/98 (p. 1037)*

## HOUSE FILE 2533

H-8574

1 Amend House File 2533 as follows:

2 1. Page 30, by inserting after line 30 the  
3 following:4 "Sec. \_\_\_\_ . Section 295.4, subsection 1, Code 1997,  
5 is amended to read as follows:6 1. School districts, as defined in section 295.2,  
7 subsection 8, shall expend funds received pursuant to  
8 section 295.2 for the acquisition, lease, lease-  
9 purchase, installation, and maintenance of  
10 instructional technology equipment, including hardware  
11 and software, materials and supplies related to  
12 instructional technology, and staff development and  
13 training related to instructional technology, and  
14 shall establish priorities for the use of the funds.  
15 However, funds received by a school district  
16 pursuant to section 295.2 shall not be expended to add  
17 a full-time equivalent position or otherwise increase  
18 staffing, unless the position added is that of  
19 computer systems analyst."

20 2. By renumbering as necessary.

By FALCK of Fayette

H-8574 FILED MARCH 23, 1998

*W/D 3/30/98 (p. 1037)*

## HOUSE FILE 2533

H-8575

1 Amend House File 2533 as follows:

2 1. Page 4, line 12, by striking the figure  
3 "711,757" and inserting the following: "1,000,000".

By WITT of Black Hawk

H-8575 FILED MARCH 23, 1998

*Witt 3/30/98 (p. 1016)*

HOUSE FILE 2533

H-8578

- 1 Amend House File 2533 as follows:
- 2 1. Page 3, line 12, by striking the figure
- 3 "3,103,788" and inserting the following: "3,128,788".
- 4 2. Page 3, by inserting after line 13 the
- 5 following:
- 6 "From the funds appropriated in this subsection,
- 7 \$25,000 shall be used to plan and coordinate with
- 8 local and state agencies, other states, and the
- 9 federal national parks service, to administer
- 10 activities and programs leading up to and through, the
- 11 celebration of the Lewis and Clark bicentennial of
- 12 2003 through 2006."
- 13 3. Page 8, line 23, by striking the figure
- 14 "50,000" and inserting the following: "25,000".
- 15 4. Page 30, by striking lines 14 and 15 and
- 16 inserting the following:
- 17 "Sec. \_\_\_\_ Section 294A.25, subsection 9, Code
- 18 Supplement 1997, is amended by striking the subsection
- 19 and inserting in lieu thereof the following:
- 20 9. For the fiscal year beginning July 1, 1998, and
- 21 ending June 30, 1999, the amount of twenty-five
- 22 thousand dollars for support of the Iowa mathematics
- 23 and science coalition from additional funds
- 24 transferred from phase I to phase III."
- 25 5. By renumbering, relettering, and redesignating
- 26 as necessary.

By WARNSTADT of Woodbury

H-8578 FILED MARCH 23, 1998

*Let 3/30/98 (P 1016)*

HOUSE FILE 2533

H-8610

- 1 Amend House File 2533 as follows:
- 2 1. Page 1, line 28, by striking the figure
- 3 "833,900" and inserting the following: "1,033,900".
- 4 2. Page 15, line 17, by striking the figure
- 5 "27,868,702" and inserting the following:
- 6 "27,668,702".
- 7 3. Page 25, line 33, by striking the words
- 8 "~~Notwithstanding-section-8-337-funds Funds~~" and
- 9 inserting the following: "Notwithstanding section
- 10 8.33, of the funds".
- 11 4. Page 25, line 35, by striking the figure and
- 12 words "1998, shall not" and inserting the following:
- 13 "1998, \$200,000 shall not".
- 14 5. Page 26, by striking lines 1 through 3 and
- 15 inserting the following: "fund of the state but shall
- 16 be available for expenditure for the purposes listed
- 17 in this lettered paragraph during the subsequent
- 18 fiscal year. Funds remaining unencumbered or
- 19 unobligated beyond this amount on June 30, 1998, shall
- 20 revert to the general fund of the state."

By DINKLA of Guthrie  
WARNSTADT of Woodbury

H-8610 FILED MARCH 24, 1998

*Adopted 3/30/98 (P. 1042) - Motion to R/C Prevailed 3/30/98  
H 8610 - LOST 3/30/98 (P. 1046)*

## HOUSE FILE 2533

H-8546

- 1 Amend House File 2533 as follows:  
2 1. Page 27, by inserting after line 22 the  
3 following:  
4 "Sec. \_\_\_\_ . Section 261.17, Code Supplement 1997,  
5 is amended by adding the following new subsection:  
6 NEW SUBSECTION. 1A. All classes, including  
7 liberal arts classes, identified by the community  
8 college as required for completion of the student's  
9 vocational-technical or career option program shall be  
10 considered a part of the student's vocational-  
11 technical or career option program for the purpose of  
12 determining the student's eligibility for a grant.  
13 Notwithstanding subsection 2, if a student is making  
14 satisfactory academic progress but the student cannot  
15 complete a vocational-technical or career option  
16 program in the time frame allowed for a student to  
17 receive a vocational-technical tuition grant as  
18 provided in subsection 2 because additional classes  
19 are required to complete the program, the student may  
20 continue to receive a vocational-technical tuition  
21 grant for not more than one additional enrollment  
22 period."  
23 2. By renumbering, relettering, and redesignating  
24 as necessary.

By GRUNDBERG of Polk  
FREVERT of Palo Alto

H-8546 FILED MARCH 23, 1998

*Adopted 3/30/98*

*(p.1035)*

HOUSE FILE 2533

H-8629

1 Amend House File 2533 as follows:

2 1. By striking page 10, line 30, through page 11,  
3 line 12, and inserting the following:

4 "..... \$137,566,337

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

7	a.	Merged Area I .....	\$ 6,601,368
8	b.	Merged Area II .....	\$ 7,746,097
9	c.	Merged Area III .....	\$ 7,256,677
10	d.	Merged Area IV .....	\$ 3,539,471
11	e.	Merged Area V .....	\$ 7,390,746
12	f.	Merged Area VI .....	\$ 6,881,443
13	g.	Merged Area VII .....	\$ 9,854,527
14	h.	Merged Area IX .....	\$ 12,086,845
15	i.	Merged Area X .....	\$ 18,884,153
16	j.	Merged Area XI .....	\$ 20,124,470
17	k.	Merged Area XII .....	\$ 7,938,929
18	l.	Merged Area XIII .....	\$ 8,144,630
19	m.	Merged Area XIV .....	\$ 3,590,602
20	n.	Merged Area XV .....	\$ 11,240,113
21	o.	Merged Area XVI .....	\$ 6,286,266"

By FREVERT of Palo Alto

KREIMAN of Davis

BELL of Jasper

LARKIN of Lee

BERNAU of Story

MASCHER of Johnson

BRAND of Tama

MAY of Worth

BUKTA of Clinton

MERTZ of Kossuth

BURNETT of Story

MORELAND of Wapello

CATALDO of Polk

MUNDIE of Webster

CHAPMAN of Linn

MURPHY of Dubuque

CHIODO of Polk

MYERS of Johnson

COHOON of Des Moines

O'BRIEN of Boone

CONNORS of Polk

OSTERHAUS of Jackson

DODERER of Johnson

REYNOLDS-KNIGHT of Van Buren

DOTZLER of Black Hawk

RICHARDSON of Warren

DREES of Carroll

SCHERRMAN of Dubuque

FALCK of Fayette

SCHRADER of Marion

FALLON of Polk

SHOULTZ of Black Hawk

FOEGE of Linn

TAYLOR of Linn

FORD of Polk

THOMAS of Clayton

HOLVECK of Polk

WARNSTADT of Woodbury

HUSER of Polk

WEIGEL of Chickasaw

JOCHUM of Dubuque

WHITEAD of Woodbury

KINZER of Scott

WISE of Lee

KOENIGS of Mitchell

WITT of Black Hawk

H-8629 FILED MARCH 24, 1998

*Last 3/30/98 (p. 1026)*

HOUSE FILE 2533

H-8630

1 Amend House File 2533 as follows:

2 1. Page 1, line 24, by striking the figure

3 "1,161,850" and inserting the following: "1,328,640".

By FREVERT of Palo Alto

H-8630 FILED MARCH 24, 1998

*Last 3/30/98 (p. 1012)*

## HOUSE FILE 2533

H-8611

1 Amend House File 2533 as follows:

2 1. Page 26, by inserting after line 16 the  
3 following:

4 "Sec. \_\_\_\_ . NEW SECTION. 256.57 ENRICH IOWA  
5 PROGRAM -- INTENT -- FUNDING.

6 1. The general assembly finds and declares that  
7 the public library is at the heart of each community,  
8 an integral component in this state's education  
9 system, and an invaluable source of wisdom and  
10 knowledge for this state's lifelong learners. It is  
11 therefore in the interest of the citizens of Iowa that  
12 a comprehensive initiative be undertaken to reduce  
13 inequities in library services throughout the state  
14 and provide public libraries with the funds necessary  
15 to meet the present and future needs of this state's  
16 citizens.

17 2. There is appropriated from the general fund of  
18 the state to the department of education for each  
19 fiscal year the sum of three million dollars, which  
20 shall be allocated to the division of libraries and  
21 information services for the following purposes and in  
22 the following amounts:

23 a. Of the funds allocated each year, the division  
24 shall distribute one million eight hundred thousand  
25 dollars to eligible public libraries that comply with  
26 the standards set forth in the in service to Iowa:  
27 public library measures of quality publication adopted  
28 by the commission of libraries. The amount  
29 distributed to each eligible public library shall be  
30 based upon the following:

31 (1) The level at which the eligible public library  
32 complies with the in service to Iowa publication  
33 adopted by the commission of libraries.

34 (2) The number of people residing within an  
35 eligible library's geographic area and for whom the  
36 library was established.

37 (3) The amount of funding the eligible public  
38 library received in the previous fiscal year for  
39 service to rural residents and to contracting  
40 communities.

41 Moneys received by a public library under this  
42 paragraph shall supplement, not supplant, local  
43 funding.

44 b. For purposes of technology development,  
45 coordination of technology, and resource sharing by  
46 the state and regional libraries, resulting in  
47 equitable access to library resources, the sum of six  
48 hundred fifty thousand dollars to be used by the  
49 division of libraries and information services.  
50 Moneys allocated under this subsection shall also be

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1 used to extend the availability of statewide on-line  
2 databases using the Internet and information  
3 resources. Moneys allocated to the division in this  
4 paragraph may be distributed to regional libraries.  
5 c. For purposes of establishing a grant program  
6 administered by the division, the sum of four hundred  
7 fifty thousand dollars. The division shall award  
8 grants on a competitive basis to eligible public  
9 libraries that submit to the division plans for  
10 innovative technologies and services, cooperative  
11 alliances between libraries, or for physical library  
12 facilities enhancement. An application submitted  
13 shall also contain a commitment of at least a dollar-  
14 for-dollar match of the grant assistance. The  
15 division shall appoint an advisory committee for  
16 purposes of recommending priorities and criteria for  
17 the awarding of grants under this paragraph. The  
18 advisory committee shall submit its report and  
19 recommendations annually to the state librarian and  
20 the commission of libraries by August 15.

21 d. For purposes of administering the enrich Iowa  
22 program, and assisting eligible public libraries to  
23 obtain funding under the program, the sum of one  
24 hundred thousand dollars.

25 3. For purposes of this section, "eligible public  
26 library" means a public library that meets at least  
27 all of the following requirements:

28 a. Submits to the division of libraries and  
29 information services all of the following:

30 (1) The report provided for under section 256.51,  
31 subsection 1, paragraph "h".

32 (2) An application and report form for  
33 accreditation that provides evidence of the library's  
34 compliance with at least one level of the standards  
35 established in accordance with section 256.51,  
36 subsection 1, paragraph "k".

37 (3) Any other application or report the division  
38 deems necessary for the implementation of this  
39 program.

40 b. Participates in the library resource and  
41 information sharing programs established by the state  
42 library.

43 4. By January 15 of each year, the division shall  
44 submit a program evaluation report to the general  
45 assembly and the governor detailing the uses and the  
46 impacts of funds appropriated under this section.

47 5. Notwithstanding section 8.33, unencumbered or  
48 unobligated funds remaining on June 30 of the fiscal  
49 year for which the funds were appropriated shall not  
50 revert but shall be available for expenditure for the

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1 following fiscal year for purposes of this section."

By SCHERRMAN of Dubuque  
HOLVECK of Polk

H-8611 FILED MARCH 24, 1998

*Lost 3/30/98 (p. 1033)*

HOUSE FILE 2533

H-8626

1 Amend House File 2533 as follows:

2 1. Page 26, by inserting after line 16 the  
3 following:4 "Sec. \_\_\_\_ . NEW SECTION. 256.57 STATE EMPLOYEES.5 Personnel employed by a regional library shall be  
6 considered state employees."

By FREVERT of Palo Alto

H-8626 FILED MARCH 24, 1998

*Lost 3/30/98 (p. 1033)*

HOUSE FILE 2533

H-8627

1 Amend House File 2533 as follows:

2 1. Page 3, by inserting after line 13 the  
3 following:4 "From the funds appropriated in this subsection,  
5 \$62,000 shall be used to supplement, not supplant, the  
6 amount budgeted by the department of cultural affairs  
7 for the fiscal year beginning July 1, 1998, for the  
8 historical resource development program established  
9 pursuant to section 303.16."

By CHIODO of Polk

H-8627 FILED MARCH 24, 1998

*W/D 3/30/98 (p. 1016)*

HOUSE FILE 2533

H-8628

1 Amend House File 2533 as follows:

2 1. Page 26, by striking lines 4 and 5.

3 2. By striking page 26, line 17, through page 27,  
4 line 3.5 3. By striking page 27, line 32, through page 28,  
6 line 11.

7 4. Page 29, by striking lines 5 through 12.

8 5. Page 33, by striking lines 18 through 26 and  
9 inserting the following:

10 "Sec. \_\_\_\_ . Chapter 303C, Code 1997, is repealed."

11 6. By renumbering, relettering, and redesignating  
12 as necessary.

By FREVERT of Palo Alto

H-8628 FILED MARCH 24, 1998

*Lost 3/30/98  
(p. 1029)*

## HOUSE FILE 2533

H-8644

1 Amend House File 2533 as follows:

2 1. Page 28, by inserting after line 22 the  
3 following:

4 "Sec. \_\_\_\_ . Section 262.9, subsection 21, Code  
5 Supplement 1997, is amended by adding the following  
6 new unnumbered paragraph:

7 NEW UNNUMBERED PARAGRAPH. The board shall work  
8 with the siouxland interstate metropolitan planning  
9 council to determine which of the institutions of  
10 higher learning under the board shall provide a master  
11 of social work program at the tristate graduate  
12 center. The board shall ensure that the program is  
13 offered to students beginning with the fiscal year  
14 commencing July 1, 1999."

15 2. By renumbering as necessary.

By WARNSTADT of Woodbury

H-8644 FILED MARCH 24, 1998

WITHDRAWN 3/30/98  
(P 1035)

## HOUSE FILE 2533

H-8664

1 Amend House File 2533 as follows:

2 1. Page 9, line 32, by striking the figure  
3 "200,000" and inserting the following: "400,000".

4 2. Page 9, line 35, by striking the figure  
5 "100,000" and inserting the following: "300,000".

By MASCHER of Johnson

H-8664 FILED MARCH 24, 1998

o/order 3/30/98 (P 1020)



HOUSE FILE 2533

H-8631

- 1 Amend House File 2533 as follows:
- 2 1. Page 14, by inserting after line 18 the
- 3 following:
- 4 "Sec. \_\_\_\_ INTERIM STUDY. The legislative council
- 5 is requested to establish an interim study committee
- 6 to study the resulting implications and effects if the
- 7 personnel currently employed by a regional library
- 8 become state employees. The committee shall report
- 9 its findings and recommendations to the general
- 10 assembly prior to the beginning of the 1999
- 11 legislative session."
- 12 2. By renumbering as necessary.

By FREVERT of Palo Alto

H-8631 FILED MARCH 24, 1998

*lost 3/30/98 (p. 1042)*

HOUSE FILE 2533

H-8634

- 1 Amend the amendment, H-8494, to House File 2533 as
- 2 follows:
- 3 1. Page 1, by striking lines 19 through 26 and
- 4 inserting the following: "The results of the
- 5 analysis, "."

By RANTS of Woodbury	THOMSON of Linn
GRIES of Crawford	NELSON of Marshall
GARMAN of Story	HEATON of Henry
GIPP of Winneshiek	MASCHER of Johnson
BLODGETT of Cerro Gordo	MURPHY of Dubuque
HANSEN of Pottawattamie	

H-8634 FILED MARCH 24, 1998

*adapted 3/30/98 (p. 1038)*

HOUSE FILE 2533

H-8643

- 1 Amend House File 2533 as follows:
- 2 1. Page 26, by striking lines 31 through 34 and
- 3 inserting the following: "providing support to the
- 4 state of Iowa libraries online (SILO) program, the
- 5 access plus program, and the open access program."
- 6 2. By renumbering as necessary.

By SCHERRMAN of Dubuque	BRAND of Tama
HOLVECK of Polk	MASCHER of Johnson

H-8643 FILED MARCH 24, 1998

*o/order 3/30/98 (p. 1019)*

## HOUSE FILE 2533

H-8658

1 Amend House File 2533 as follows:

2 1. Page 7, line 26, by striking the figure  
3 "2,937,098" and inserting the following: "3,137,098".

4 2. Page 7, line 30, by striking the figure  
5 "50,000" and inserting the following: "250,000".

6 3. Page 9, by striking line 26, and inserting the  
7 following:

8 "If legislation providing for the creation of an  
9 Iowa empowerment board, an Iowa empowerment fund, and  
10 for the appropriation of moneys to be administered by  
11 a community empowerment area, is enacted by the  
12 Seventy-seventh General Assembly, 1998 Session, funds  
13 shall not be".

14 4. By striking page 9, line 29 through page 10,  
15 line 1.

16 5. Page 12, line 5, by striking the words  
17 "conduct an audit" and inserting the following:  
18 "require that audits of public school districts,  
19 conducted in accordance with section 11.6, include an  
20 examination and reporting".

21 6. Page 12, line 9, by inserting after the word  
22 "districts." the following: "The auditor of state  
23 shall compile information included in the individual  
24 audit reports for submission by January 15, 1999, to  
25 the general assembly."

26 7. Page 26, by striking lines 29 through 34 and  
27 inserting the following: "to the department of  
28 education for allocation to assist school districts in  
29 developing reading recovery programs. From the moneys  
30 allocated in this subsection, \$100,000 shall be  
31 distributed to the reading recovery center, and the  
32 remaining balance shall be distributed to the area  
33 education agencies in the proportion that the number  
34 of children who are eligible for free or reduced price  
35 meals under the federal National School Lunch Act and  
36 the federal Child Nutrition Act of 1966, 42 U.S.C. §  
37 1751-1785, in the basic enrollment of grades one  
38 through six in the area served by an agency, bears to  
39 the sum of the number of children who are eligible for  
40 free or reduced price meals under the federal National  
41 School Lunch Act and the federal Child Nutrition Act  
42 of 1966, 42 U.S.C. § 1751-1785, in the basic  
43 enrollments of grades one through six in all of the  
44 areas served by area education agencies in the state  
45 for the budget year."

46 8. Page 34, by inserting after line 10 the  
47 following:

48 "Sec. \_\_\_\_ . CONTINGENT APPROPRIATION. If the  
49 Seventy-seventh General Assembly, 1998 Session, does  
50 not provide for the transfer or allocation of moneys

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1 in the interest for Iowa schools fund, under section  
2 257B.1A, for purposes relating to the reading recovery  
3 program, in addition to the allocations provided for  
4 in section 294A.25, there is allocated to the  
5 department of education for the fiscal year beginning  
6 July 1, 1998, and ending June 30, 1999, from phase III  
7 moneys, \$200,000, or so much thereof as is necessary,  
8 for allocation to assist school districts in  
9 developing reading recovery programs. From the moneys  
10 allocated in this section, \$100,000 shall be  
11 distributed to the reading recovery center, and the  
12 remaining balance shall be distributed to the area  
13 education agencies in the proportion that the number  
14 of children who are eligible for free or reduced price  
15 meals under the federal National School Lunch Act and  
16 the federal Child Nutrition Act of 1966, 42 U.S.C. §  
17 1751-1785, in the basic enrollment of grades one  
18 through six in the area served by an agency, bears to  
19 the sum of the number of children who are eligible for  
20 free or reduced price meals under the federal National  
21 School Lunch Act and the federal Child Nutrition Act  
22 of 1966, 42 U.S.C. § 1751-1785, in the basic  
23 enrollments of grades one through six in all of the  
24 areas served by area education agencies in the state  
25 for the budget year."

26 9. By renumbering as necessary.

By GRUNDBERG of Polk

H-8658 FILED MARCH 24, 1998

*w/d 3/30/98 (p.1016)*

HOUSE FILE 2533

H-8661

1 Amend House File 2533 as follows:

2 1. Page 7, line 26, by striking the figure  
3 "2,937,098" and inserting the following: "3,254,098".

4 2. Page 7, by inserting after line 27 the  
5 following:

6 "From the funds appropriated in this subsection,  
7 \$437,000 shall be used in addition to the amounts  
8 budgeted by the division of libraries and information  
9 services for the fiscal year beginning July 1, 1998,  
10 and ending June 30, 1999, to fully fund the open  
11 access program, access plus program, and the state of  
12 Iowa libraries online (SILO) program."

By MASCHER of Johnson

H-8661 FILED MARCH 24, 1998

*Lost  
3/30/98  
(p.1017)*

## HOUSE FILE 2533

H-8676

1 Amend House File 2533 as follows:

2 1. Page 7, line 26, by striking the figure  
3 "2,937,098" and inserting the following: "3,137,098".

4 2. Page 7, line 30, by striking the figure  
5 "50,000" and inserting the following: "250,000".

6 3. Page 9, by striking line 26, and inserting the  
7 following:

8 "If legislation providing for the creation of an  
9 Iowa empowerment board, an Iowa empowerment fund, and  
10 for the appropriation of moneys to be administered by  
11 a community empowerment area, is enacted by the  
12 Seventy-seventh General Assembly, 1998 Session, funds  
13 shall not be".

14 4. By striking page 9, line 29 through page 10,  
15 line 1.

16 5. Page 12, line 5, by striking the words  
17 "conduct an audit" and inserting the following:  
18 "require that audits of public school districts,  
19 conducted in accordance with section 11.6, include an  
20 examination and reporting".

21 6. Page 12, line 9, by inserting after the word  
22 "districts." the following: "The auditor of state  
23 shall compile information included in the individual  
24 audit reports for submission by January 15, 1999, to  
25 the general assembly."

26 7. Page 26, by striking lines 29 through 34 and  
27 inserting the following: "to the department of  
28 education for allocation to assist school districts in  
29 developing reading recovery programs. From the moneys  
30 allocated in this subsection, \$100,000 shall be  
31 distributed to the reading recovery center, and the  
32 remaining balance shall be distributed to the area  
33 education agencies in the proportion that the number  
34 of children who are eligible for free or reduced price  
35 meals under the federal National School Lunch Act and  
36 the federal Child Nutrition Act of 1966, 42 U.S.C. §  
37 1751-1785, in the basic enrollment of grades one  
38 through six in the area served by an agency, bears to  
39 the sum of the number of children who are eligible for  
40 free or reduced price meals under the federal National  
41 School Lunch Act and the federal Child Nutrition Act  
42 of 1966, 42 U.S.C. § 1751-1785, in the basic  
43 enrollments of grades one through six in all of the  
44 areas served by area education agencies in the state  
45 for the budget year."

46 8. Page 34, by inserting after line 10 the  
47 following:

48 "Sec. \_\_\_\_ . CONTINGENT APPROPRIATION. In the event  
49 the funds appropriated in section 257B.1A are not  
50 received by the department of education in the fiscal

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1 year beginning July 1, 1998, and ending June 30, 1999,  
2 for allocation to assist school districts in  
3 developing reading recovery programs, in addition to  
4 the allocations provided for in section 294A.25, there  
5 is allocated to the department of education for the  
6 fiscal year beginning July 1, 1998, and ending June  
7 30, 1999, from phase III moneys, \$200,000, or so much  
8 thereof as is necessary, for allocation to assist  
9 school districts in developing reading recovery  
10 programs. From the moneys allocated in this section,  
11 \$100,000 shall be distributed to the reading recovery  
12 center, and the remaining balance shall be distributed  
13 to the area education agencies in the proportion that  
14 the number of children who are eligible for free or  
15 reduced price meals under the federal National School  
16 Lunch Act and the federal Child Nutrition Act of 1966,  
17 42 U.S.C. § 1751-1785, in the basic enrollment of  
18 grades one through six in the area served by an  
19 agency, bears to the sum of the number of children who  
20 are eligible for free or reduced price meals under the  
21 federal National School Lunch Act and the federal  
22 Child Nutrition Act of 1966, 42 U.S.C. § 1751-1785, in  
23 the basic enrollments of grades one through six in all  
24 of the areas served by area education agencies in the  
25 state for the budget year."  
26 9. By renumbering as necessary.

By GRUNDBERG of Polk

H-8676 FILED MARCH 25, 1998

**WITHDRAWN**

3/30/98

(p. 1017)

## HOUSE FILE 2533

H-8701

1 Amend House File 2533 as follows:

2 1. Page 27, by inserting after line 3 the  
3 following:

4 "Sec. \_\_\_\_ . Section 260C.14, Code Supplement 1997,  
5 is amended by adding the following new subsection:  
6 NEW SUBSECTION. 22. By July 1, 1999, adopt a  
7 written policy under which the community college shall  
8 carry out drug testing of student or prospective  
9 students prior to issuing state-supported loans,  
10 grants, or scholarships to a student or prospective  
11 student. The written policy shall be provided to a  
12 student or prospective student prior to drug testing  
13 carried out in accordance with this subsection. The  
14 community colleges shall require students or  
15 prospective students to submit to a test for the  
16 presence of drugs, as defined in section 730.5, prior  
17 to the issuance of a state-supported loan, grant, or  
18 scholarship. A positive result on the drug test makes  
19 the student ineligible for a state-sponsored loan,  
20 grant, or scholarship. Students and prospective  
21 students shall be provided an opportunity to provide  
22 any information that may be considered relevant to the  
23 test, including identification of prescription or  
24 nonprescription drugs currently or recently used, or  
25 other relevant medical information. To assist a  
26 student or prospective student in providing the  
27 information described in this subsection, the  
28 community college shall provide a student or  
29 prospective student with a list of the drugs to be  
30 tested. Drug testing shall include confirmation of  
31 any initial positive test results. For drug testing,  
32 confirmation shall be by use of a different chemical  
33 process than was used in the initial screen for drugs.  
34 The confirmatory drug test shall be a chromatographic  
35 technique such as gas chromatography or mass  
36 spectrometry, or another comparably reliable  
37 analytical method.

38 All communications received by the community  
39 college relevant to a student's or prospective  
40 student's drug test results, or otherwise received  
41 through the community college's drug testing program,  
42 are confidential communications and shall not be used  
43 or received in evidence, obtained in discovery, or  
44 disclosed in any public or private proceeding, except  
45 as otherwise provided or authorized by this  
46 subsection. A student or a prospective student, who  
47 is the subject of a drug test conducted under this  
48 subsection and for whom a confirmed positive test  
49 result is reported, shall, upon written request, have  
50 access to any records relating to the individual's

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1 drug test, including records of the laboratory where  
2 the testing was conducted and any records relating to  
3 the results of any relevant certification or review by  
4 a medical review officer. Except as necessary to  
5 conduct drug testing under this subsection and to file  
6 a report, a laboratory and a medical review officer  
7 conducting drug testing under this subsection shall  
8 not use or disclose to any person any personally  
9 identifiable information regarding such testing,  
10 including the names of individuals tested, even if  
11 unaccompanied by the results of the test."

12 2. Page 28, by inserting after line 22 the  
13 following:

14 "Sec. \_\_\_\_ . Section 262.9, Code Supplement 1997, is  
15 amended by adding the following new subsection:

16 NEW SUBSECTION. 30. Direct the institutions of  
17 higher learning under its control to carry out drug  
18 testing within the terms of a written policy each  
19 institution shall adopt by July 1, 1999, and provide  
20 to every student or prospective student prior to  
21 testing. The institutions shall require students to  
22 submit to a test for the presence of drugs, as defined  
23 in section 730.5, prior to the issuance of a state-  
24 supported loan, grant, or scholarship. A positive  
25 result on the drug test makes the student ineligible  
26 for a state-sponsored loan, grant, or scholarship.  
27 Students and prospective students shall be provided an  
28 opportunity to provide any information that may be  
29 considered relevant to the test, including  
30 identification of prescription or nonprescription  
31 drugs currently or recently used, or other relevant  
32 medical information. To assist a student or  
33 prospective student in providing the information  
34 described in this subsection, the institution shall  
35 provide a student or prospective student with a list  
36 of the drugs to be tested. Drug testing shall include  
37 confirmation of any initial positive test results.  
38 For drug testing, confirmation shall be by use of a  
39 different chemical process than was used in the  
40 initial screen for drugs. The confirmatory drug test  
41 shall be a chromatographic technique such as gas  
42 chromatography or mass spectrometry, or another  
43 comparably reliable analytical method.

44 All communications received by the institution  
45 relevant to a student's or prospective student's drug  
46 test results, or otherwise received through the  
47 institution's drug testing program, are confidential  
48 communications and shall not be used or received in  
49 evidence, obtained in discovery, or disclosed in any  
50 public or private proceeding, except as otherwise

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**WITHDRAWN**

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1 provided or authorized by this subsection. A student  
 2 or a prospective student, who is the subject of a drug  
 3 test conducted under this subsection and for whom a  
 4 confirmed positive test result is reported, shall,  
 5 upon written request, have access to any records  
 6 relating to the individual's drug test, including  
 7 records of the laboratory where the testing was  
 8 conducted and any records relating to the results of  
 9 any relevant certification or review by a medical  
 10 review officer. Except as necessary to conduct drug  
 11 testing under this subsection and to file a report, a  
 12 laboratory and a medical review officer conducting  
 13 drug testing under this subsection shall not use or  
 14 disclose to any person any personally identifiable  
 15 information regarding such testing, including the  
 16 names of individuals tested, even if unaccompanied by  
 17 the results of the test."

18 3. By renumbering as necessary.

By BRUNKHORST of Bremer  
THOMSON of Linn

H-8701 FILED MARCH 25, 1998

**WITHDRAWN** 3/30/98 (P. 1033)

HOUSE FILE 2533

H-8707

1 Amend House File 2533 as follows:  
 2 1. Page 27, by inserting after line 3 the  
 3 following:  
 4 "Sec. \_\_\_\_ . Section 260C.28, subsection 3, Code  
 5 1997, is amended to read as follows:  
 6 3. If the board of directors wishes to certify for  
 7 a levy under subsection 2, the board shall direct the  
 8 county commissioner of elections to call an election  
 9 to submit the question of such authorization for the  
 10 board at a regular or special election. If a majority  
 11 of those voting on the question at the election favors  
 12 authorization of the board to make such a levy, the  
 13 board may certify for a levy as provided under  
 14 subsection 2 during each of the ten years following  
 15 the election. If a majority of those voting on the  
 16 question at the election does not favor authorization  
 17 of the board to make a levy under subsection 2, the  
 18 board shall not submit the question to the voters  
 19 again until twelve-months three hundred fifty-five  
 20 days have ~~lapsed~~ elapsed from the election."

21 2. By renumbering as necessary.

By GIPP of Winneshiek

H-8707 FILED MARCH 25, 1998

*Adopted*  
3/30/98 (P. 1034)



## HOUSE FILE 2533

H-8698

- 1 Amend the amendment, H-8658, to House File 2533 as  
2 follows:
- 3 1. Page 1, line 3, by striking the figure  
4 "3,137,098" and inserting the following: "3,172,098".  
5 2. Page 1, line 5, by striking the figure  
6 "250,000" and inserting the following: "285,000".  
7 3. Page 1, by inserting after line 15, the  
8 following:  
9 "\_\_\_\_. Page 10, by striking lines 17 through 23."  
10 4. Page 1, line 24, by striking the figure "1999"  
11 and inserting the following: "2000".  
12 5. Page 1, by inserting after line 45 the  
13 following:  
14 "\_\_\_\_. Page 30, line 25, by striking the word  
15 "subsection" and inserting the following:  
16 "subsections".  
17 \_\_\_\_\_. Page 30, by inserting after line 25 the  
18 following:  
19 "NEW SUBSECTION. 10A. For the fiscal year  
20 beginning July 1, 1998, and ending June 30, 1999, the  
21 amount of thirty-five thousand dollars from phase III  
22 moneys to the department of education for allocation  
23 to the Sioux City community school district for  
24 purposes of developing and implementing a listening  
25 curriculum.""  
26 6. By striking page 1, line 48 through page 2,  
27 line 3, and inserting the following:  
28 "Sec. \_\_\_\_\_. CONTINGENT APPROPRIATION. In the event  
29 the funds transferred in accordance with section  
30 257B.1A, as amended by 1998 Iowa Acts, House File  
31 2533, if enacted, are not received by the department  
32 of education in the fiscal year beginning July 1,  
33 1998, and ending June 30, 1999, for allocation to  
34 assist school districts in developing reading recovery  
35 programs, in addition to the allocations provided  
36 for".  
37 7. By renumbering as necessary.

By GRUNDBERG of Polk

H-8698 FILED MARCH 25, 1998

*Order 3/30/98 (p.1016)*

## HOUSE FILE 2533

H-8721

1 Amend House File 2533 as follows:

2 1. Page 33, by striking lines 27 through 31 and  
3 inserting the following:

4 "Sec. \_\_\_\_ . AUDIT OF AREA EDUCATION AGENCIES.

5 Subject to an appropriation of sufficient funds by the  
6 general assembly, the auditor of state shall analyze  
7 area education agency finances and operations for the  
8 1996-1997 fiscal year. In conducting the analysis,  
9 the auditor of state shall utilize reports on audits  
10 of area education agencies conducted in accordance  
11 with section 11.6, information available from the  
12 department of education, the department of management,  
13 the area education agencies, and from any other source  
14 necessary. The auditor of state shall have access to  
15 all records of the area education agencies.

16 The analysis shall include, but shall not be  
17 limited to, major areas of".

18 2. Page 34, by striking lines 3 through 8 and  
19 inserting the following: "staffing levels, number of  
20 students served, purchase or lease of equipment and  
21 facilities, and funding from local school districts.  
22 The results of the analysis,".

23 3. Page 34, line 10, by inserting after the  
24 figure "1999" the following: ", and shall be utilized  
25 in the comprehensive study of school finance requested  
26 in accordance with House Concurrent Resolution 15, if  
27 resolved by the Seventy-seventh General Assembly".

28 4. By renumbering as necessary.

By RANTS of Woodbury

H-8721 FILED MARCH 25, 1998

*adopted*

*3/30/98*

*(P. 1039)*

## HOUSE FILE 2533

H-8716

- 1 Amend House File 2533 as follows:
- 2 1. Page 5, line 30, by striking the figure
- 3 "4,458,972" and inserting the following: "6,458,972".  
By MASCHER of Johnson

H-8716 FILED MARCH 25, 1998

*Lost 3/30/98 (p. 1016)*

## HOUSE FILE 2533

H-8720

- 1 Amend the amendment, H-8494, to House File 2533, as
- 2 follows:
- 3 1. Page 1, by inserting after line 1 the
- 4 following:
- 5 "\_\_\_\_. Page 33, line 27, by striking the word
- 6 "The" and inserting the following: "Subject to an
- 7 appropriation of sufficient funds by the general
- 8 assembly, the".
- 9 2. Page 1, by striking lines 19 through 26 and
- 10 inserting the following: "The results of the
- 11 analysis,"".
- 12 3. By renumbering as necessary.  
By RANTS of Woodbury

H-8720 FILED MARCH 25, 1998

*Lost 3/30/98 (p. 1038)*

HOUSE FILE 2533

H-8727

1 Amend House File 2533 as follows:

2 1. Page 10, line 25, by inserting before the word  
3 "For" the following: "a."

4 2. Page 11, by inserting after line 12 the  
5 following:

6 "b. For community colleges with limited English  
7 proficient student instruction program costs that the  
8 department of education determines are high relative  
9 to instruction program costs for other limited English  
10 proficient student instruction programs in the state:  
11 ..... \$ 1,000,000

12 A community college with a limited English  
13 proficient student instruction program may submit an  
14 application to the department of education, on a form  
15 developed by the department, for assistance pursuant  
16 to this paragraph by November 1 of the school year in  
17 which the community college seeks assistance. In  
18 distributing funds, the department shall consider the  
19 size, diversity, and enrollment trends of the school  
20 district, the relative economic wealth and property  
21 tax base of the community college district in  
22 comparison to other applying community college  
23 districts, and the efforts the community college has  
24 undertaken to develop and monitor limited English  
25 proficient student assimilation into the community  
26 college population. Preference shall be given to  
27 community colleges that have a limited English  
28 proficient student enrollment within the upper twenty-  
29 five percent of all limited English proficient student  
30 instruction program enrollments in the state's  
31 community colleges, as determined by the department of  
32 education.

33 Assistance payments shall be made to community  
34 colleges in accordance with this paragraph beginning  
35 with a December 15 payment. Funds shall be expended  
36 solely for purposes related to limited English  
37 proficient student program instruction.  
38 Notwithstanding section 8.33, the moneys appropriated  
39 in this paragraph that remain unencumbered and  
40 unobligated at the close of the fiscal year shall not  
41 revert to the general fund but shall remain available  
42 for expenditure for the purposes designated during the  
43 succeeding fiscal year."

44 3. Page 29, by inserting after line 12 the  
45 following:

46 "Sec. \_\_\_\_ . Section 280.4, Code 1997, is amended by  
47 adding the following new subsection:  
48 NEW SUBSECTION. 4. a. There is appropriated  
49 annually from the general fund of the state to the  
50 school budget review committee the sum of one million

H-8727

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Page 2

1 dollars, or so much thereof as is necessary, to be  
 2 awarded by the committee to school districts with  
 3 limited English proficient student instruction program  
 4 costs which, in the judgment of the committee, are  
 5 high relative to instruction program costs for other  
 6 limited English proficient student instruction  
 7 programs in the state. Amounts awarded shall be in  
 8 addition to any supplemental aid or modified allowable  
 9 growth provided to a school district pursuant to  
 10 subsection 3.

11 b. A school district with a limited English  
 12 proficient student instruction program may submit an  
 13 application, on a form developed by the department of  
 14 education, for assistance pursuant to this subsection  
 15 to the school budget review committee by November 1 of  
 16 the school year in which the school district seeks  
 17 assistance. In making awards, the committee shall  
 18 consider the size, diversity, and enrollment trends of  
 19 the school district, the relative economic wealth and  
 20 property tax base of the school district in comparison  
 21 to other applying school districts, and the efforts  
 22 the school district has undertaken to develop and  
 23 monitor limited English proficient student  
 24 assimilation into the school district population.  
 25 Preference shall be given to school districts which  
 26 have previously received or are currently receiving  
 27 supplemental aid or modified allowable growth from the  
 28 committee for a limited English proficient student  
 29 instruction program pursuant to subsection 3 and which  
 30 have a limited English proficient student enrollment  
 31 within the upper twenty-five percent of all limited  
 32 English proficient student instruction program  
 33 enrollments in the state, as determined by the  
 34 department of management.

35 c. Assistance payments shall be made to school  
 36 districts receiving an award in the manner provided in  
 37 section 257.16, beginning with a December 15 payment,  
 38 with the exception that funds shall be expended solely  
 39 for purposes related to limited English proficient  
 40 student program instruction. Notwithstanding section  
 41 8.33, the moneys appropriated in subsection 1 that  
 42 remain unencumbered and unobligated at the close of  
 43 the fiscal year shall not revert to the general fund  
 44 but shall remain available for expenditure for the  
 45 purposes designated during the succeeding fiscal  
 46 year."

47 4. By renumbering as necessary.

By SHOULTZ of Black Hawk

H-8727 FILED MARCH 25, 1998

A. Lost 3/30/98 (p. 1025)  
 B. Not Gerrome - Motion to Suspend Rules. Lost  
 3/30/98 p. (035)

*Div. B*

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## HOUSE FILE 2533

H-8728

1 Amend House File 2533 as follows:

2 1. Page 7, line 26, by striking the figure

3 "2,937,098" and inserting the following: "3,172,098".

4 2. Page 7, line 30, by striking the figure

5 "50,000" and inserting the following: "285,000".

6 3. Page 9, by striking line 26, and inserting the  
7 following:

8 "If legislation providing for the creation of an  
9 Iowa empowerment board, an Iowa empowerment fund, and  
10 for the appropriation of moneys to be administered by  
11 a community empowerment area, is enacted by the  
12 Seventy-seventh General Assembly, 1998 Session, funds  
13 shall not be".

14 4. By striking page 9, line 29 through page 10,  
15 line 1.

16 5. Page 10, by striking lines 17 through 23.

17 6. Page 12, line 5, by striking the words  
18 "conduct an audit" and inserting the following:  
19 "require that audits of public school districts,  
20 conducted in accordance with section 11.6, include an  
21 examination and reporting".

22 7. Page 12, line 9, by inserting after the word  
23 "districts." the following: "The auditor of state  
24 shall compile information included in the individual  
25 audit reports for submission by January 15, 2000, to  
26 the general assembly."

27 8. Page 26, by striking lines 29 through 34 and  
28 inserting the following: "to the department of  
29 education for allocation to assist school districts in  
30 developing reading recovery programs. From the moneys  
31 allocated in this subsection, \$100,000 shall be  
32 distributed to the reading recovery center, and the  
33 remaining balance shall be distributed to the area  
34 education agencies in the proportion that the number  
35 of children who are eligible for free or reduced price  
36 meals under the federal National School Lunch Act and  
37 the federal Child Nutrition Act of 1966, 42 U.S.C. §  
38 1751-1785, in the basic enrollment of grades one  
39 through six in the area served by an agency, bears to  
40 the sum of the number of children who are eligible for  
41 free or reduced price meals under the federal National  
42 School Lunch Act and the federal Child Nutrition Act  
43 of 1966, 42 U.S.C. § 1751-1785, in the basic  
44 enrollments of grades one through six in all of the  
45 areas served by area education agencies in the state  
46 for the budget year."

47 9. Page 30, line 25, by striking the word  
48 "subsection" and inserting the following:  
49 "subsections".

50 10. Page 30, by inserting after line 25 the

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Page 2

1 following:

2 "NEW SUBSECTION. 10A. For the fiscal year  
3 beginning July 1, 1998, and ending June 30, 1999, the  
4 amount of thirty-five thousand dollars from phase III  
5 moneys to the department of education for allocation  
6 to the Sioux City community school district for  
7 purposes of developing and implementing a listening  
8 curriculum."

9 11. Page 34, by inserting after line 10 the  
10 following:

11 "Sec. \_\_\_\_ . CONTINGENT APPROPRIATION. In the event  
12 the funds transferred in accordance with section  
13 257B.1A are not received by the department of  
14 education in the fiscal year beginning July 1, 1998,  
15 and ending June 30, 1999, for allocation to assist  
16 school districts in developing reading recovery  
17 programs, in addition to the allocations provided for  
18 in section 294A.25, there is allocated to the  
19 department of education for the fiscal year beginning  
20 July 1, 1998, and ending June 30, 1999, from phase III  
21 moneys, \$200,000, or so much thereof as is necessary,  
22 for allocation to assist school districts in  
23 developing reading recovery programs. From the moneys  
24 allocated in this section, \$100,000 shall be  
25 distributed to the reading recovery center, and the  
26 remaining balance shall be distributed to the area  
27 education agencies in the proportion that the number  
28 of children who are eligible for free or reduced price  
29 meals under the federal National School Lunch Act and  
30 the federal Child Nutrition Act of 1966, 42 U.S.C. §  
31 1751-1785, in the basic enrollment of grades one  
32 through six in the area served by an agency, bears to  
33 the sum of the number of children who are eligible for  
34 free or reduced price meals under the federal National  
35 School Lunch Act and the federal Child Nutrition Act  
36 of 1966, 42 U.S.C. § 1751-1785, in the basic  
37 enrollments of grades one through six in all of the  
38 areas served by area education agencies in the state  
39 for the budget year."

40 12. By renumbering as necessary.

By GRUNDBERG of Polk

H-8728 FILED MARCH 25, 1998

*A. adopted  
3/30/98 P. 1019*  
*B. adopted  
3/30/98 (P. 1020)*

*Dw. A*

## HOUSE FILE 2533

3776

1 Amend House File 2533 as follows:  
2 1. Page 26, by inserting after line 16 the  
3 following:  
4 "Sec. \_\_\_\_\_. Section 257.1, subsection 2, Code 1997,  
5 is amended by adding the following new unnumbered  
6 paragraph:  
7 NEW UNNUMBERED PARAGRAPH. For the budget year  
8 commencing July 1, 1998, the department of management  
9 shall add the amount of the additional budget  
10 adjustment computed in section 257.14, subsection 3,  
11 to the combined foundation base.  
12 Sec. \_\_\_\_\_. Section 257.14, Code Supplement 1997, is  
13 amended by adding the following:

## HOUSE FILE 2533

4-8777

1 Amend House File 2533 as follows:  
2 1. Page 34, by inserting after line 10 the  
3 following:  
4 "Sec. \_\_\_\_\_. CONTINGENT APPROPRIATION -- TAXABLE  
5 VALUATION INCREASE -- TRANSPORTATION ASSISTANCE AID.  
6 1. For the fiscal year beginning July 1, 1998, and  
7 ending June 30, 1999, if the actual taxable valuation  
8 of real property located in this state, based upon  
9 January 1, 1997, assessments, which is used in the  
10 computation of property taxes payable in the fiscal  
11 year beginning July 1, 1998, increases from the  
12 estimate of such taxable valuation, there is  
13 appropriated from the general fund of the state to the  
14 department of education the lesser of \$4,000,000 or  
15 the amount of the reduction in state foundation aid  
16 under section 257.1 as a result of such increase in  
17 taxable valuation to be used to fund transportation  
18 assistance to school districts as provided in  
19 subsection 2.  
20 2. a. Subject to an appropriation of sufficient  
21 funds by the general assembly pursuant to subsection  
22 1, the department shall pay transportation assistance  
23 aid to school districts whose average transportation  
24 costs per pupil exceed one hundred twenty-five percent  
25 of the state average transportation costs per pupil  
26 determined under paragraph "b".  
27 b. A district's average transportation costs per  
28 pupil shall be determined by dividing the district's  
29 actual cost for all children transported in all school  
30 buses for a school year pursuant to section 285.8, by  
31 the district's actual enrollment for the school year,  
32 as defined in section 257.6. The state average  
33 transportation costs per pupil shall be determined by  
34 dividing the total actual costs for all children



## HOUSE FILE 2533

H-8732

- 1 Amend the amendment, H-8727, to House File 2533 as  
2 follows:
- 3 1. Page 1, line 20, by inserting after the word  
4 "district," the following: "the number of students  
5 served in the limited English proficient student  
6 instruction program at the community college,".  
7 2. Page 1, by striking lines 26 through 32 and  
8 inserting the following: "college population."  
9 3. Page 2, line 19, by inserting after the word  
10 "district," the following: "the number of students  
11 served in the limited English proficient student  
12 instruction program by the school district,".  
13 4. Page 2, by striking lines 25 through 34.  
By SHOULTZ of Black Hawk

H-8732 FILED MARCH 26, 1998

*Adopted*  
*3/30/98 (P. 1024)*

## HOUSE FILE 2533

H-8777

1 Amend House File 2533 as follows:

2 1. Page 34, by inserting after line 10 the  
3 following:

4 "Sec. \_\_\_\_ . CONTINGENT APPROPRIATION -- TAXABLE  
5 VALUATION INCREASE -- TRANSPORTATION ASSISTANCE AID.

6 1. For the fiscal year beginning July 1, 1998, and  
7 ending June 30, 1999, if the actual taxable valuation  
8 of real property located in this state, based upon  
9 January 1, 1997, assessments, which is used in the  
10 computation of property taxes payable in the fiscal  
11 year beginning July 1, 1998, increases from the  
12 estimate of such taxable valuation, there is  
13 appropriated from the general fund of the state to the  
14 department of education the lesser of \$4,000,000 or  
15 the amount of the reduction in state foundation aid  
16 under section 257.1 as a result of such increase in  
17 taxable valuation to be used to fund transportation  
18 assistance to school districts as provided in  
19 subsection 2.

20 2. a. Subject to an appropriation of sufficient  
21 funds by the general assembly pursuant to subsection  
22 1, the department shall pay transportation assistance  
23 aid to school districts whose average transportation  
24 costs per pupil exceed one hundred twenty-five percent  
25 of the state average transportation costs per pupil  
26 determined under paragraph "b".

27 b. A district's average transportation costs per  
28 pupil shall be determined by dividing the district's  
29 actual cost for all children transported in all school  
30 buses for a school year pursuant to section 285.8, by  
31 the district's actual enrollment for the school year,  
32 as defined in section 257.6. The state average  
33 transportation costs per pupil shall be determined by  
34 dividing the total actual costs for all children  
35 transported in all districts for a school year, by the  
36 total of all districts' actual enrollments for the  
37 school year.

38 c. A school district shall annually certify its  
39 actual cost for all children transported in all school  
40 buses by July 15 after each school year on forms  
41 prescribed by the department of education.

42 d. If a school district's average transportation  
43 costs per pupil are greater than one hundred twenty-  
44 five percent of the state average transportation costs  
45 per pupil, the department of education shall pay  
46 transportation assistance aid equal to the amount of  
47 the difference multiplied by the district's actual  
48 enrollment for the school year. However, if the funds  
49 appropriated for purposes of this section are  
50 insufficient to pay transportation assistance aid as

H-8777

H-8777

Page 2

1 provided in this section, the payments to school  
 2 districts determined by the department of education to  
 3 be eligible for transportation assistance as provided  
 4 in this section shall be prorated such that each  
 5 school district eligible for assistance aid under this  
 6 section shall receive an amount of transportation  
 7 assistance aid equal to the percentage that the  
 8 transportation assistance aid to be provided to the  
 9 district bears to the total amount of transportation  
 10 assistance aid to be provided to all school districts  
 11 determined by the department of education to be  
 12 eligible for transportation assistance aid in  
 13 accordance with this subsection.

14 e. Transportation assistance aid received by a  
 15 school district pursuant to this section is  
 16 miscellaneous income for purposes of chapter 257."

17 2. By renumbering as necessary.

By WEIGEL of Chickasaw  
 MERTZ of Kossuth  
 KOENIGS of Mitchell

SCHERRMAN of Dubuque  
 OSTERHAUS of Jackson  
 THOMAS of Clayton

H-8777 FILED MARCH 30, 1998

*Not Germore - Motion to Suspend Rules - lost  
 3/30/98 P. 1040-41*

## HOUSE FILE 2533

-8784

1 Amend the amendment, H-8701, to House File 2533 as  
2 follows:

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

5 "\_\_\_\_. Page 26, by inserting after line 3 the  
6 following:

7 "Sec. \_\_\_\_ Section 125.7, Code 1997, is amended by  
8 adding the following new subsection:

9 NEW SUBSECTION. 8. By July 1, 1999, adopt a  
10 written policy under which the Iowa board of substance  
11 abuse certification in the substance abuse and health  
12 promotion division of the department of public health  
13 shall carry out drug testing of applicants for  
14 certification, or renewal of certification, as a  
15 prevention specialist. The written policy shall be  
16 provided to an applicant prior to drug testing carried  
17 out in accordance with this subsection. The  
18 commission shall require applicants to submit to a  
19 test for the presence of drugs, as defined in section  
20 730.5, prior to receiving certification or renewal of  
21 certification as a prevention specialist. A positive  
22 result on the drug test makes the applicant ineligible  
23 for certification or renewal under this subsection.  
24 Applicants shall be provided an opportunity to provide  
25 any information that may be considered relevant to the  
26 test, including identification of prescription or  
27 nonprescription drugs currently or recently used, or  
28 other relevant medical information. To assist an  
29 applicant in providing the information described in  
30 this subsection, the Iowa board of substance abuse  
31 certification shall provide an applicant with a list  
32 of the drugs to be tested. Drug testing shall include  
33 confirmation of any initial positive test results.  
34 For drug testing, confirmation shall be by use of a  
35 different chemical process than was used in the  
36 initial screen for drugs. The confirmatory drug test  
37 shall be a chromatographic technique such as gas  
38 chromatography or mass spectrometry, or another  
39 comparably reliable analytical method.

40 All communications received by the Iowa board of  
41 substance abuse certification relevant to an  
42 applicant's drug test results, or otherwise received  
43 through the drug testing program, are confidential  
44 communications and shall not be used or received in  
45 evidence, obtained in discovery, or disclosed in any  
46 public or private proceeding, except as otherwise  
47 provided or authorized by this subsection. An  
48 applicant who is the subject of a drug test conducted  
49 under this subsection and for whom a confirmed  
50 positive test result is reported, shall, upon written

-8784

-1-

H-8784

Page 2

1 request, have access to any records relating to the  
 2 applicant's drug test, including records of the  
 3 laboratory where the testing was conducted and any  
 4 records relating to the results of any relevant  
 5 certification or review by a medical review officer.  
 6 Except as necessary to conduct drug testing under this  
 7 subsection and to file a report, a laboratory and a  
 8 medical review officer conducting drug testing under  
 9 this subsection shall not use or disclose to any  
 10 person any personally identifiable information  
 11 regarding such testing, including the names of  
 12 individuals tested, even if unaccompanied by the  
 13 results of the test."  
 14 2. By renumbering as necessary.

By WISE of Lee  
 MORELAND of Wapello

H-8784 FILED MARCH 30, 1998

*O/Order*  
*3/30/98*  
*(p. 033)*

## HOUSE FILE 2533

-8776

1 Amend House File 2533 as follows:

2 1. Page 26, by inserting after line 16 the  
3 following:

4 "Sec. \_\_\_\_\_. Section 257.1, subsection 2, Code 1997,  
5 is amended by adding the following new unnumbered  
6 paragraph:

7 NEW UNNUMBERED PARAGRAPH. For the budget year  
8 commencing July 1, 1998, the department of management  
9 shall add the amount of the additional budget  
10 adjustment computed in section 257.14, subsection 3,  
11 to the combined foundation base.

12 Sec. \_\_\_\_\_. Section 257.14, Code Supplement 1997, is  
13 amended by adding the following new subsection:

14 NEW SUBSECTION. 3. For the budget year beginning  
15 July 1, 1998, if the department of management  
16 determines that the regular program district cost plus  
17 the budget adjustment computed under subsection 1 of a  
18 school district is less than one hundred one percent  
19 of the total of the regular program district cost plus  
20 any adjustment added under this section for the base  
21 year for that school district, the department of  
22 management shall provide an additional budget  
23 adjustment for that budget year that is equal to the  
24 difference."

2. By renumbering as necessary.

By WEIGEL of Chickasaw

H-8776 FILED MARCH 30, 1998

*Not Hermane 3/30/98 (P. 1043)*  
*Motion to Suspend Rules (P. 1044)*

## HOUSE FILE 2533

H-8732

- 1 Amend the amendment, H-8727, to House File 2533 as  
2 follows:
- 3 1. Page 1, line 20, by inserting after the word  
4 "district," the following: "the number of students  
5 served in the limited English proficient student  
6 instruction program at the community college,".  
7 2. Page 1, by striking lines 26 through 32 and  
8 inserting the following: "college population."  
9 3. Page 2, line 19, by inserting after the word  
10 "district," the following: "the number of students  
11 served in the limited English proficient student  
12 instruction program by the school district,".  
13 4. Page 2, by striking lines 25 through 34.  
By SHOULTZ of Black Hawk

H-8732 FILED MARCH 26, 1998

*Adopted*  
*3/30/98 (P. 1024)*

S. 3/30/98 approp -  
S. 4/13/98 amend / Do Pass w/5631

HOUSE FILE **2533**  
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HSB 693)

(As Amended and Passed by the House, March 30, 1998)

Passed House, Date <sup>(p. 1726)</sup> 4-16-98 Passed Senate, Date <sup>(p. 1309)</sup> 4/15/98  
Vote: Ayes 78 Nays 20 Vote: Ayes 40 Nays 8  
Approved Item Vetoed 5/8/98

**A BILL FOR**

1 An Act relating to the funding of, operation of, and  
2 appropriation of moneys to the college student aid commission,  
3 the department of cultural affairs, the department of  
4 education, and the state board of regents, providing related  
5 statutory changes, and providing effective dates.

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

- 7
- 8
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New Language \_\_\_\_\_

Deleted Language \*



1 COLLEGE STUDENT AID COMMISSION

2 Section 1. There is appropriated from the general fund of  
3 the state to the college student aid commission for the fiscal  
4 year beginning July 1, 1998, and ending June 30, 1999, the  
5 following amounts, or so much thereof as may be necessary, to  
6 be used for the purposes designated:

7 1. GENERAL ADMINISTRATION

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

11 .....	\$	319,936
12 .....	FTEs	5.40

13 2. UNIVERSITY OF OSTEOPATHIC MEDICINE AND HEALTH SCIENCES

14 a. For forgivable loans to Iowa students attending the  
15 university of osteopathic medicine and health sciences under  
16 the forgivable loan program pursuant to section 261.19:

17 .....	\$	379,260
----------	----	---------

18 b. For the university of osteopathic medicine and health  
19 sciences for an initiative in primary health care to direct  
20 primary care physicians to shortage areas in the state:

21 .....	\$	395,000
----------	----	---------

22 3. STUDENT AID PROGRAMS

23 For payments to students for the Iowa grant program:

24 .....	\$	1,161,850
----------	----	-----------

25 4. NATIONAL GUARD TUITION AID PROGRAM

26 For purposes of providing national guard tuition aid under  
27 the program established in section 261.21:

28 .....	\$	833,900
----------	----	---------

29 5. CHIROPRACTIC GRADUATE STUDENT FORGIVABLE LOAN PROGRAM

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

32 .....	\$	71,400
----------	----	--------

33 Sec. 2. There is appropriated from the loan reserve  
34 account to the college student aid commission for the fiscal  
35 year beginning July 1, 1998, and ending June 30, 1999, the

1 following amount, or so much thereof as may be necessary, to  
2 be used for the purpose designated:

3 For operating costs of the Stafford loan program including  
4 salaries, support, maintenance, miscellaneous purposes, and  
5 for not more than the following full-time equivalent  
6 positions:

7 .....	\$	5,151,983
8 .....	FTEs	34.60

9 Sec. 3. Notwithstanding the maximum allowed balance  
10 requirement of the scholarship and tuition grant reserve fund  
11 as provided in section 261.20, there is appropriated from the  
12 scholarship and tuition grant reserve fund to the college  
13 student aid commission for the fiscal year beginning July 1,  
14 1998, and ending June 30, 1999, the moneys remaining in the  
15 fund following transfer, pursuant to section 261.20 for the  
16 fiscal years ending June 30, 1997, and June 30, 1998, which  
17 are to be used for purposes of Iowa vocational-technical  
18 tuition grants in accordance with section 261.17. Funds  
19 appropriated in this section are in addition to funds  
20 appropriated in section 261.25, subsection 3.

21 Sec. 4. The department of revenue and finance shall  
22 deposit interest earned on the Pub. L. No. 105-33 recall  
23 account within the office of the treasurer of state during the  
24 fiscal year ending June 30, 1998, in the fund 61 default  
25 reduction account. Moneys in the fund 61 default reduction  
26 account are appropriated to the college student aid commission  
27 for the fiscal year beginning July 1, 1998, and ending June  
28 30, 1999, for purposes of issuing emergency loans to assist  
29 needy students in avoiding default on a guaranteed or parental  
30 loan made under chapter 261.

31 DEPARTMENT OF CULTURAL AFFAIRS

32 Sec. 5. There is appropriated from the general fund of the  
33 state to the department of cultural affairs for the fiscal  
34 year beginning July 1, 1998, and ending June 30, 1999, the  
35 following amounts, or so much thereof as is necessary, to be

1 used for the purposes designated:

2 1. ARTS DIVISION

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

6 .....	\$	1,328,615
7 .....	FTEs	10.00

8 2. HISTORICAL DIVISION

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

12 .....	\$	3,103,788
13 .....	FTEs	65.70

14 Of the full-time equivalent positions appropriated for in  
15 this subsection, 1.20 FTEs represent the transition of  
16 personnel services contracts to full-time equivalent  
17 positions. The merit system provisions of chapter 19A and the  
18 provisions of chapter 20 shall not govern this transition  
19 movement into these full-time equivalent positions during the  
20 period beginning July 1, 1998, and ending August 31, 1998.

21 3. HISTORIC SITES

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

25 .....	\$	587,040
26 .....	FTEs	8.00

27 4. ADMINISTRATION

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

31 .....	\$	230,571
32 .....	FTEs	4.30

33 The department of cultural affairs shall coordinate  
34 activities with the tourism division of the department of  
35 economic development to promote attendance at the state

1 historical building and at this state's historic sites.

2 5. LOCAL ARTS COMPREHENSIVE EDUCATIONAL STRATEGIES PROGRAM  
3 (LACES)

4 For contracting with the Iowa alliance for arts education  
5 to execute their local arts comprehensive educational  
6 strategies:

7 ..... \$ 25,000

8 6. COMMUNITY CULTURAL GRANTS

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

12 ..... \$ 711,757

13 ..... FTE .70

14 Sec. 6. HISTORIC SITES -- WESTERN TRAILS CENTER.

15 Notwithstanding section 8.33, the unencumbered or unobligated  
16 moneys remaining at the end of the fiscal year ending June 30,  
17 1998, from the appropriations made in 1997 Iowa Acts, chapter  
18 212, section 5, subsection 3, shall not revert but shall be  
19 available for expenditure during subsequent fiscal years for  
20 purposes of support, staffing, marketing, outreach, and  
21 programs at the western trails center in Council Bluffs.

22 Sec. 7. NATIONAL ARTS RANKING SURVEYS. The department of  
23 cultural affairs shall, when calculating the amount of state  
24 financial assistance for the arts in national ranking surveys,  
25 include the amount appropriated for the local arts  
26 comprehensive educational strategies program, as well as the  
27 total estimated cost of the fine arts elements included in a  
28 plan and specifications for a state building or group of state  
29 buildings in accordance with section 304A.10.

30 DEPARTMENT OF EDUCATION

31 Sec. 8. There is appropriated from the general fund of the  
32 state to the department of education for the fiscal year  
33 beginning July 1, 1998, and ending June 30, 1999, the  
34 following amounts, or so much thereof as may be necessary, to  
35 be used for the purposes designated:

1 1. GENERAL ADMINISTRATION

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

5 .....	\$	5,586,130
6 .....	FTEs	98.45

7 Of the full-time equivalent positions appropriated for in  
8 this section, 2.50 FTEs represent the transition of personnel  
9 services contractors to full-time equivalent positions. The  
10 merit system provisions of chapter 19A and the provisions of  
11 chapter 20 shall not govern this transition movement into  
12 these full-time equivalent positions during the period  
13 beginning July 1, 1998, and ending August 31, 1998.

14 2. VOCATIONAL EDUCATION ADMINISTRATION

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

18 .....	\$	547,642
19 .....	FTEs	15.60

20 3. BOARD OF EDUCATIONAL EXAMINERS

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

24 .....	\$	201,973
25 .....	FTEs	2.00

26 4. VOCATIONAL REHABILITATION SERVICES DIVISION

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

30 .....	\$	4,458,972
31 .....	FTEs	302.58

32 Of the full-time equivalent positions appropriated for in  
33 this section, .33 FTE represent the transition of personnel  
34 services contractors to full-time equivalent positions. The  
35 merit system provisions of chapter 19A and the provisions of

1 chapter 20 shall not govern this transition movement into  
2 these full-time equivalent positions during the period  
3 beginning July 1, 1998, and ending August 31, 1998.

4 From the funds appropriated in this subsection, up to  
5 \$2,000,000 shall be used to provide services to persons  
6 without regard to an order of selection. The division shall  
7 seek additional local matching funds in an amount sufficient  
8 to avoid any loss of federal funds.

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

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

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

30 Notwithstanding the full-time equivalent position limit  
31 established in this subsection, for the fiscal year ending  
32 June 30, 1999, if federal funding is received to pay the costs  
33 of additional employees for the vocational rehabilitation  
34 services division who would have duties relating to vocational  
35 rehabilitation services paid for through federal funding,

1 authorization to hire not more than four additional full-time  
2 equivalent employees shall be provided, the full-time  
3 equivalent position limit shall be exceeded, and the  
4 additional employees shall be hired by the division.

5 The division of vocational rehabilitation services shall  
6 enter into a chapter 28E agreement with the creative  
7 employment options program at the state university of Iowa to  
8 enable the division to count as a local match the state funds  
9 appropriated to the university for purposes of the creative  
10 employment options program.

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

15 .....	\$	75,631
16 .....	FTEs	1.50

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

22 5. STATE LIBRARY

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

26 .....	\$	<u>3,172,098</u>
27 .....	FTEs	21.00

28 From the funds appropriated in this subsection, the  
29 division of libraries and information services shall  
30 distribute \$285,000 to the public libraries of this state on a  
31 per capita basis.

32 Reimbursement of the institutions of higher learning under  
33 the state board of regents for participation in the access  
34 plus program during the fiscal year beginning July 1, 1998,  
35 and ending June 30, 1999, shall not exceed the total amount of

1 reimbursement paid to the regents institutions of higher  
2 learning for participation in the access plus program during  
3 the fiscal year beginning July 1, 1997, and ending June 30,  
4 1998.

5 6. REGIONAL LIBRARY

6 For state aid:

7 ..... \$ 1,537,000

8 7. PUBLIC BROADCASTING DIVISION

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

12 ..... \$ 7,374,296

13 ..... FTEs 105.80

14 Of the full-time equivalent positions appropriated for in  
15 this section, 5.80 FTEs represent the transition of personnel  
16 services contractors to full-time equivalent positions. The  
17 merit system provisions of chapter 19A and the provisions of  
18 chapter 20 shall not govern this transition movement into  
19 these full-time equivalent positions during the period  
20 beginning July 1, 1998, and ending August 31, 1998.

21 8. IOWA MATHEMATICS AND SCIENCE COALITION

22 For support of the Iowa mathematics and science coalition:

23 ..... \$ 50,000

24 9. VOCATIONAL EDUCATION TO SECONDARY SCHOOLS

25 For reimbursement for vocational education expenditures  
26 made by secondary schools:

27 ..... \$ 3,308,850

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



1 10. SCHOOL FOOD SERVICE

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

7 ..... \$ 2,716,859  
8 ..... FTEs 14.00

9 11. TEXTBOOKS OF NONPUBLIC SCHOOL PUPILS

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

15 ..... \$ 700,000

16 12. VOCATIONAL AGRICULTURE YOUTH ORGANIZATION

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

21 ..... \$ 107,900

22 13. FAMILY RESOURCE CENTERS

23 For support of the family resource center demonstration  
24 program established under chapter 256C:

25 ..... \$ 120,000

26 If legislation providing for the creation of an Iowa  
27 empowerment board, an Iowa empowerment fund, and for the  
28 appropriation of moneys to be administered by a community  
29 empowerment area, is enacted by the Seventy-seventh General  
30 Assembly, 1998 Session, funds shall not be appropriated for  
31 purposes of the family resource centers in fiscal years  
32 succeeding the fiscal year ending June 30, 1999.

33 Moneys appropriated to or paid to the department of  
34 education for purposes of the reading recovery program and  
35 that are allocated to area education agencies shall be

1 allocated to area education agencies in the proportion that  
2 the number of children who are eligible for free or reduced  
3 price meals under the federal National School Lunch Act and  
4 the federal Child Nutrition Act of 1966, 42 U.S.C. § 1751-  
5 1785, in the basic enrollment of grades one through six in the  
6 area served by an agency, bears to the sum of the number of  
7 children who are eligible for free or reduced price meals  
8 under the federal National School Lunch Act and the federal  
9 Child Nutrition Act of 1966, 42 U.S.C. § 1751-1785, in the  
10 basic enrollments of grades one through six in all of the  
11 areas served by area education agencies in the state for the  
12 budget year.

\*

13 14. COMMUNITY COLLEGES

14 For general state financial aid, including general  
15 financial aid to merged areas in lieu of personal property tax  
16 replacement payments, to merged areas as defined in section  
17 260C.2, for vocational education programs in accordance with  
18 chapters 258 and 260C:

19 ..... \$135,366,156

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

22	a. Merged Area I .....	\$ 6,480,559
23	b. Merged Area II .....	\$ 7,622,742
24	c. Merged Area III .....	\$ 7,169,222
25	d. Merged Area IV .....	\$ 3,494,817
26	e. Merged Area V .....	\$ 7,303,720
27	f. Merged Area VI .....	\$ 6,784,474
28	g. Merged Area VII .....	\$ 9,696,919
29	h. Merged Area IX .....	\$ 11,891,522
30	i. Merged Area X .....	\$ 18,518,801
31	j. Merged Area XI .....	\$ 19,759,493
32	k. Merged Area XII .....	\$ 7,821,349
33	l. Merged Area XIII .....	\$ 8,011,904
34	m. Merged Area XIV .....	\$ 3,542,758
35	n. Merged Area XV .....	\$ 11,070,562

1 o. Merged Area XVI ..... \$ 6,197,314

2 Sec. 9. DISTRIBUTION OF FUNDS APPROPRIATED. For the  
3 fiscal year beginning July 1, 1998, and ending June 30, 1999,  
4 moneys appropriated by the general assembly from the general  
5 fund to the department of education for community colleges for  
6 a fiscal year shall be allocated to each community college by  
7 the department of education in the following manner:

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

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

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

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

28 Sec. 10. NONPUBLIC SCHOOL TEXTBOOKS AUDIT. The auditor of  
29 state shall require that audits of public school districts,  
30 conducted in accordance with section 11.6, include an  
31 examination and reporting of textbook services the boards of  
32 directors of school districts are required to provide to  
33 nonpublic school pupils pursuant to section 301.1, and of the  
34 payment of claims for textbook costs submitted by the school  
35 districts. The auditor of state shall compile information

1 included in the individual audit reports for submission by  
2 January 15, 2000, to the general assembly.

3     Sec. 11. READING RECOVERY. The department of education  
4 shall analyze the expenditures of the moneys appropriated  
5 during the fiscal year beginning July 1, 1997, for purposes of  
6 the reading recovery program, and shall provide the analysis  
7 to the general assembly and the legislative fiscal bureau in a  
8 report not later than January 1, 1999. The analysis shall  
9 include moneys appropriated for fiscal year 1997-1998 and  
10 fiscal year 1998-1999. Priority for training shall be given  
11 to teachers employed by school districts and accredited  
12 nonpublic schools in Iowa. The department shall make every  
13 reasonable effort to publicize and promote the use of the  
14 center.

15     Sec. 12. Notwithstanding section 8.33 and 1997 Iowa Acts,  
16 chapter 209, section 10, the funds appropriated in 1997 Iowa  
17 Acts, chapter 209, section 10, subsection 11, to the  
18 department of education to develop an initiative to improve  
19 access to education through distance learning in postsecondary  
20 institutions, which remain unencumbered or unobligated on June  
21 30, 1998, shall not revert to the general fund of the state  
22 but shall be reallocated to the division of libraries and  
23 information services for purposes of providing state  
24 assistance to local public libraries. The division of  
25 libraries and information services shall distribute funds  
26 received in accordance with this section to public libraries  
27 in this state on a per capita basis.

28     Sec. 13. Notwithstanding section 8.33 and section 294A.25,  
29 subsection 5, of the funds appropriated and paid to the  
30 department of education for participation in the national  
31 assessment of education progress, that remain unencumbered or  
32 unobligated on June 30, 1998, the amount remaining shall not  
33 revert to the general fund of the state but shall be  
34 reallocated to the division of libraries and information  
35 services for purposes of providing state assistance to local

1 public libraries. The division of libraries and information  
2 services shall distribute funds received in accordance with  
3 this section to public libraries in this state on a per capita  
4 basis.

5 Sec. 14. Notwithstanding section 8.33 and 1997 Iowa Acts,  
6 chapter 212, section 7, subsection 15, the funds appropriated  
7 to the department of education and allocated for  
8 rehabilitating computers for schools and libraries, which  
9 remain unencumbered or unobligated on June 30, 1998, shall not  
10 revert to the general fund of the state but shall be  
11 reallocated to merged areas as defined in section 260C.2. The  
12 funds reallocated in this section shall be as follows:

13	1. Merged Area I .....	\$	2,745
14	2. Merged Area II .....	\$	2,803
15	3. Merged Area III .....	\$	1,987
16	4. Merged Area IV .....	\$	1,015
17	5. Merged Area V .....	\$	1,978
18	6. Merged Area VI .....	\$	2,204
19	7. Merged Area VII .....	\$	3,582
20	8. Merged Area IX .....	\$	4,439
21	9. Merged Area X .....	\$	8,303
22	10. Merged Area XI .....	\$	8,294
23	11. Merged Area XII .....	\$	2,672
24	12. Merged Area XIII .....	\$	3,016
25	13. Merged Area XIV .....	\$	1,087
26	14. Merged Area XV .....	\$	3,853
27	15. Merged Area XVI .....	\$	2,022

28 Sec. 15. BOARD OF EDUCATIONAL EXAMINERS LICENSING FEES.  
29 Notwithstanding section 272.10, up to 85 percent of any funds  
30 received resulting from an increase in fees approved and  
31 implemented for licensing by the state board of educational  
32 examiners after July 1, 1997, shall be available for the  
33 fiscal year beginning July 1, 1998, to the state board for  
34 purposes related to the state board's duties, including, but  
35 not limited to, additional full-time equivalent positions.

1 The director of revenue and finance shall draw warrants upon  
2 the treasurer of state from the funds appropriated as provided  
3 in this section and shall make the funds resulting from the  
4 increase in fees available during the fiscal year to the state  
5 board on a monthly basis.

6 Sec. 16. DIGITAL TELEVISION CONVERSION. If 1998 Iowa  
7 Acts, House File 2395, section 5, relating to a study of  
8 digital television conversion by the public broadcasting  
9 division of the department of education, is enacted, and upon  
10 the request of a public radio broadcaster the division shall  
11 include in the study a review of the tower space availability  
12 and related cost efficiencies for broadcast antennas and  
13 associated equipment for the transmission of public radio  
14 station broadcasts.

15 STATE BOARD OF REGENTS

16 Sec. 17. There is appropriated from the general fund of  
17 the state to the state board of regents for the fiscal year  
18 beginning July 1, 1998, and ending June 30, 1999, the  
19 following amounts, or so much thereof as may be necessary, to  
20 be used for the purposes designated:

- 21 1. OFFICE OF STATE BOARD OF REGENTS
- 22 a. For salaries, support, maintenance, miscellaneous
- 23 purposes, and for not more than the following full-time
- 24 equivalent positions:
- 25 ..... \$ 1,188,254
- 26 ..... FTEs 15.63

27 If the funds appropriated in this section are  
28 insufficient to meet the costs of the office of the  
29 state board of regents, the board is prohibited from  
30 billing the institutions of higher learning under its  
31 control for any shortfall in office funding.

32 The state board of regents, the department of management,  
33 and the legislative fiscal bureau shall cooperate to determine  
34 and agree upon, by November 15, 1998, the amount that needs to  
35 be appropriated for tuition replacement for the fiscal year

1 beginning July 1, 1999.

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

5 b. For allocation by the state board of regents to the  
6 state university of Iowa, the Iowa state university of science  
7 and technology, and the university of northern Iowa to  
8 reimburse the institutions for deficiencies in their operating  
9 funds resulting from the pledging of tuitions, student fees  
10 and charges, and institutional income to finance the cost of  
11 providing academic and administrative buildings and facilities  
12 and utility services at the institutions:

13 ..... \$ 27,868,702

14 c. For funds to be allocated to the southwest Iowa  
15 graduate studies center:

16 ..... \$ 108,562

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

20 ..... \$ 79,198

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

23 ..... \$ 162,570

24 2. STATE UNIVERSITY OF IOWA

25 a. General university, including lakeside laboratory

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

29 ..... \$225,760,397

30 ..... FTEs 4,039.17

31 b. University hospitals

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

1 equivalent positions:

2 ..... \$31,018,671

3 ..... FTEs 5,505.98

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

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

21 (1) The attending physician certifies that continuing the  
22 pregnancy would endanger the life of the pregnant woman.

23 (2) The attending physician certifies that the fetus is  
24 physically deformed, mentally deficient, or afflicted with a  
25 congenital illness.

26 (3) The pregnancy is the result of a rape which is  
27 reported within 45 days of the incident to a law enforcement  
28 agency or public or private health agency which may include a  
29 family physician.

30 (4) The pregnancy is the result of incest which is  
31 reported within 150 days of the incident to a law enforcement  
32 agency or public or private health agency which may include a  
33 family physician.

34 (5) The abortion is a spontaneous abortion, commonly known  
35 as a miscarriage, wherein not all of the products of



1 conception are expelled.

2 The total quota allocated to the counties for indigent  
3 patients for the fiscal year beginning July 1, 1998, shall not  
4 be lower than the total quota allocated to the counties for  
5 the fiscal year commencing July 1, 1997. The total quota  
6 shall be allocated among the counties on the basis of the 1990  
7 census pursuant to section 255.16.

8 c. Psychiatric hospital

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

14 .....	\$	7,715,297
15 .....	FTEs	291.55

16 d. Hospital-school

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

20 .....	\$	6,511,712
21 .....	FTEs	163.58

22 e. Oakdale campus

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

26 .....	\$	3,036,711
27 .....	FTEs	63.58

28 f. State hygienic laboratory

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

32 .....	\$	3,683,664
33 .....	FTEs	102.49

34 g. Family practice program

35 For allocation by the dean of the college of medicine, with

1 approval of the advisory board, to qualified participants, to  
2 carry out chapter 148D for the family practice program,  
3 including salaries and support, and for not more than the  
4 following full-time equivalent positions:

5 ..... \$ 2,225,663  
6 ..... FTEs 180.74

7 h. Child health care services

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

14 ..... \$ 520,184  
15 ..... FTEs 10.18

16 i. Agricultural health and safety programs

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

19 ..... \$ 266,191  
20 ..... FTEs 3.48

21 j. Statewide cancer registry

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

24 ..... \$ 206,084  
25 ..... FTEs 3.07

26 k. Substance abuse consortium

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

30 ..... \$ 69,241  
31 ..... FTEs 1.15

32 l. Center for biocatalysis

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

35 ..... \$ 1,040,426

1 ..... FTEs 10.40

2 m. National advanced driving simulator

3 For the national advanced driving simulator, and for not  
4 more than the following full-time equivalent positions:

5 ..... \$ 273,115

6 ..... FTEs 3.58

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

10 ..... \$ 831,776

11 ..... FTEs 11.00

12 From the funds appropriated in this lettered paragraph,  
13 \$330,000 shall be allocated to the department of family  
14 practice at the state university of Iowa college of medicine  
15 for family practice faculty and support staff.

16 o. Birth defects registry

17 For the birth defects registry:

18 ..... \$ 50,000

19 p. Creative employment options

20 For creative employment options:

21 ..... \$ 200,000

22 3. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY

23 a. General university

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

27 ..... \$177,823,124

28 ..... FTEs 3,598.44

29 From the funds appropriated in this lettered paragraph,  
30 \$40,000 shall be allocated for purposes of the institute for  
31 public leadership.

32 b. Agricultural experiment station

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

1 ..... \$ 33,859,639  
2 ..... FTEs 546.98

3 c. Cooperative extension service in agriculture and home  
4 economics

5 For salaries, support, maintenance, miscellaneous purposes,  
6 including salaries and support for the fire service institute,  
7 and for not more than the following full-time equivalent  
8 positions:

9 ..... \$ 21,596,852  
10 ..... FTEs 443.91

11 From the funds appropriated in this lettered paragraph,  
12 \$5,672 shall be used for salary annualization, \$150,000 shall  
13 be used for the food, fiber, and environmental science  
14 program, and \$766,000 shall be used for the value-added  
15 agricultural projects as part of the extension 21 program.

16 d. Leopold center

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

20 ..... \$ 573,488  
21 ..... FTEs 11.25

22 e. World food prize

\* 23 ..... \$ 250,000

24 f. Livestock disease research

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

28 ..... \$ 276,729  
29 ..... FTEs 3.17

30 g. Bioinformatics

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

34 ..... \$ 200,000  
35 ..... FTE 1.00

1 4. UNIVERSITY OF NORTHERN IOWA

2 a. General university

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

6 ..... \$ 79,518,141  
7 ..... FTEs 1,370.98

8 b. Recycling and reuse center

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

11 ..... \$ 240,622  
12 ..... FTE 1.00

13 5. STATE SCHOOL FOR THE DEAF

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

17 ..... \$ 7,230,884  
18 ..... FTEs 124.14

19 6. IOWA BRAILLE AND SIGHT SAVING SCHOOL

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

23 ..... \$ 4,029,325  
24 ..... FTEs 91.36

25 7. TUITION AND TRANSPORTATION COSTS

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

32 ..... \$ 16,941

33 Sec. 18. MEDICAL ASSISTANCE -- SUPPLEMENTAL AMOUNTS. For  
34 the fiscal year beginning July 1, 1998, and ending June 30,  
35 1999, the department of human services shall continue the

1 supplemental disproportionate share and a supplemental  
2 indirect medical education adjustment applicable to state-  
3 owned acute care hospitals with more than 500 beds and shall  
4 reimburse qualifying hospitals pursuant to that adjustment  
5 with a supplemental amount for services provided medical  
6 assistance recipients. The adjustment shall generate  
7 supplemental payments intended to equal the state  
8 appropriation made to a qualifying hospital for treatment of  
9 indigent patients as provided in chapter 255. To the extent  
10 of the supplemental payments, a qualifying hospital shall,  
11 after receipt of the funds, transfer to the department of  
12 human services an amount equal to the actual supplemental  
13 payments that were made in that month. The aggregate amounts  
14 for the fiscal year shall not exceed the state appropriation  
15 made to the qualifying hospital for treatment of indigent  
16 patients as provided in chapter 255. The department of human  
17 services shall deposit the portion of these funds equal to the  
18 state share in the department's medical assistance account and  
19 the balance shall be credited to the general fund of the  
20 state. To the extent that state funds appropriated to a  
21 qualifying hospital for the treatment of indigent patients as  
22 provided in chapter 255 have been transferred to the  
23 department of human services as a result of these supplemental  
24 payments made to the qualifying hospital, the department shall  
25 not, directly or indirectly, recoup the supplemental payments  
26 made to a qualifying hospital for any reason, unless an  
27 equivalent amount of the funds transferred to the department  
28 of human services by a qualifying hospital pursuant to this  
29 provision is transferred to the qualifying hospital by the  
30 department.

31 If the state supplemental amount allotted to the state of  
32 Iowa for the federal fiscal year beginning October 1, 1998,  
33 and ending September 30, 1999, pursuant to section 1923(f)(3)  
34 of the federal Social Security Act, as amended, or pursuant to  
35 federal payments for indirect medical education is greater

1 than the amount necessary to fund the federal share of the  
2 supplemental payments specified in the preceding paragraph,  
3 the department of human services shall increase the  
4 supplemental disproportionate share or supplemental indirect  
5 medical education adjustment by the lesser of the amount  
6 necessary to utilize fully the state supplemental amount or  
7 the amount of state funds appropriated to the state university  
8 of Iowa general education fund and allocated to the university  
9 for the college of medicine. The state university of Iowa  
10 shall transfer from the allocation for the college of medicine  
11 to the department of human services, on a monthly basis, an  
12 amount equal to the additional supplemental payments made  
13 during the previous month pursuant to this paragraph. A  
14 qualifying hospital receiving supplemental payments pursuant  
15 to this paragraph that are greater than the state  
16 appropriation made to the qualifying hospital for treatment of  
17 indigent patients as provided in chapter 255 shall be  
18 obligated as a condition of its participation in the medical  
19 assistance program to transfer to the state university of Iowa  
20 general education fund on a monthly basis an amount equal to  
21 the funds transferred by the state university of Iowa to the  
22 department of human services. To the extent that state funds  
23 appropriated to the state university of Iowa and allocated to  
24 the college of medicine have been transferred to the  
25 department of human services as a result of these supplemental  
26 payments made to the qualifying hospital, the department shall  
27 not, directly or indirectly, recoup these supplemental  
28 payments made to a qualifying hospital for any reason, unless  
29 an equivalent amount of the funds transferred to the  
30 department of human services by the state university of Iowa  
31 pursuant to this paragraph is transferred to the qualifying  
32 hospital by the department.

33 Continuation of the supplemental disproportionate share and  
34 supplemental indirect medical education adjustment shall  
35 preserve the funds available to the university hospital for

1 medical and surgical treatment of indigent patients as  
2 provided in chapter 255 and to the state university of Iowa  
3 for educational purposes at the same level as provided by the  
4 state funds initially appropriated for that purpose.

5 The department of human services shall, in any compilation  
6 of data or other report distributed to the public concerning  
7 payments to providers under the medical assistance program,  
8 set forth reimbursements to a qualifying hospital through the  
9 supplemental disproportionate share and supplemental indirect  
10 medical education adjustment as a separate item and shall not  
11 include such payments in the amounts otherwise reported as the  
12 reimbursement to a qualifying hospital for services to medical  
13 assistance recipients.

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

17 Sec. 19. STATE UNIVERSITY OF IOWA -- DEPARTMENT OF HUMAN  
18 SERVICES. The department of human services shall transfer to  
19 the state university of Iowa for the purposes of the creative  
20 employment options program the same amount of moneys in the  
21 fiscal year beginning July 1, 1998, and ending June 30, 1999,  
22 as was transferred in the fiscal year beginning July 1, 1997,  
23 and ending June 30, 1998.

24 Sec. 20. GRADUATE PROGRAM -- ENROLLMENT REPORT. The state  
25 board of regents shall submit a report to the general assembly  
26 and the legislative fiscal bureau by December 1, 1998,  
27 detailing the total costs of all graduate programs at board of  
28 regents institutions, including but not limited to the  
29 southwest Iowa graduate studies center, the tristate graduate  
30 center, and the quad cities graduate studies center; the  
31 tuition revenues from each program; and the resident and  
32 nonresident enrollment in each program.

33 Sec. 21. For the fiscal year beginning July 1, 1998, and  
34 ending June 30, 1999, the state board of regents may use  
35 notes, bonds, or other evidences of indebtedness issued under



1 section 262.48 to finance projects that will result in energy  
2 cost savings in an amount that will cause the state board to  
3 recover the cost of the projects within an average of six  
4 years.

5 Sec. 22. IOWA STATE UNIVERSITY COOPERATIVE EXTENSION  
6 SERVICE PROGRAM INTERIM STUDY. The legislative council is  
7 requested to establish an interim study committee to study the  
8 benefits provided by the Iowa state university cooperative  
9 extension service program in promoting community initiatives,  
10 developing extended and community educational opportunities,  
11 enhancing the value of agriculture and protecting natural  
12 resources, anticipating changes in business and industry,  
13 assisting communities in future strategies, providing  
14 assistance to families in Iowa, connecting 4-H programs with  
15 youth, and providing innovative technology assistance. The  
16 committee shall submit its findings, together with any  
17 recommendations, in a report to the general assembly convening  
18 in January 1999.

19 Sec. 23. Notwithstanding section 270.7, the department of  
20 revenue and finance shall pay the state school for the deaf  
21 and the Iowa braille and sight saving school the moneys  
22 collected from the counties during the fiscal year beginning  
23 July 1, 1998, for expenses relating to prescription drug costs  
24 for students attending the state school for the deaf and the  
25 Iowa braille and sight saving school.

26 Sec. 24. 1997 Iowa Acts, chapter 212, section 11,  
27 subsection 1, paragraph b, subparagraph (2), is amended to  
28 read as follows:

29 ~~(2) Notwithstanding section 8-337-funds~~ Funds appropriated  
30 in this lettered paragraph remaining unencumbered or  
31 unobligated on June 30, 1998, shall not revert to the general  
32 fund of the state ~~but shall be available for expenditure for~~  
33 ~~the purposes listed in this lettered paragraph during the~~  
34 ~~subsequent fiscal year.~~

35 Sec. 25. Section 256.9, subsection 29, Code 1997, is

1 amended by striking the subsection.

2 Sec. 26. Section 256.16, unnumbered paragraph 1, Code  
3 1997, is amended to read as follows:

4 Pursuant to section 256.7, subsection 5, the state board  
5 shall adopt rules requiring all higher education institutions  
6 providing practitioner preparation to include in the  
7 professional education program, preparation that contributes  
8 to education of students with disabilities and students who  
9 are gifted and talented, along with preparation in reading  
10 recovery and other reading programs, which must be  
11 successfully completed before graduation from the practitioner  
12 preparation program.

13 Sec. 27. Section 257B.1A, Code 1997, is amended by  
14 striking the section and inserting in lieu thereof the  
15 following:

16 257B.1A INTEREST FOR IOWA SCHOOLS FUND -- TRANSFER OF  
17 INTEREST.

18 An interest for Iowa schools fund is established in the  
19 office of treasurer of state. The department of revenue and  
20 finance shall deposit interest earned on the permanent school  
21 fund in the interest for Iowa schools fund. The treasurer  
22 shall transfer moneys in the interest for Iowa schools fund on  
23 a quarterly basis as follows:

24 1. Fifty-five percent of the moneys deposited in the fund  
25 to the department of education for allocation to assist school  
26 districts in developing reading recovery programs. From the  
27 moneys allocated in this subsection, \$100,000 shall be  
28 distributed to the reading recovery center, and the remaining  
29 balance shall be distributed to the area education agencies in  
30 the proportion that the number of children who are eligible  
31 for free or reduced price meals under the federal National  
32 School Lunch Act and the federal Child Nutrition Act of 1966,  
33 42 U.S.C. § 1751-1785, in the basic enrollment of grades one  
34 through six in the area served by an agency, bears to the sum  
35 of the number of children who are eligible for free or reduced

1 price meals under the federal National School Lunch Act and  
2 the federal Child Nutrition Act of 1966, 42 U.S.C. § 1751-  
3 1785, in the basic enrollments of grades one through six in  
4 all of the areas served by area education agencies in the  
5 state for the budget year.

6 2. Forty-five percent of the moneys deposited in the fund  
7 to the credit of the international center endowment fund of  
8 the international center for gifted and talented education  
9 established in section 263.8A.

10 Sec. 28. Section 260C.28, subsection 3, Code 1997, is  
11 amended to read as follows:

12 3. If the board of directors wishes to certify for a levy  
13 under subsection 2, the board shall direct the county  
14 commissioner of elections to call an election to submit the  
15 question of such authorization for the board at a regular or  
16 special election. If a majority of those voting on the  
17 question at the election favors authorization of the board to  
18 make such a levy, the board may certify for a levy as provided  
19 under subsection 2 during each of the ten years following the  
20 election. If a majority of those voting on the question at  
21 the election does not favor authorization of the board to make  
22 a levy under subsection 2, the board shall not submit the  
23 question to the voters again until ~~twelve-months~~ three hundred  
24 fifty-five days have ~~lapsed~~ elapsed from the election.

25 Sec. 29. Section 261.2, Code 1997, is amended by adding  
26 the following new subsection:

27 NEW SUBSECTION. 15. Be prohibited from expending interest  
28 moneys earned on accounts of the commission located within the  
29 office of the treasurer of state unless the general assembly  
30 specifically appropriates the interest moneys for use by the  
31 commission. If the general assembly appropriates interest  
32 moneys transferred from the Pub. L. No. 105-33 recall account  
33 within the office of the treasurer of state to the fund 61  
34 default reduction account, the commission shall adopt rules  
35 for the expenditure of the interest moneys for purposes of

1 issuing emergency loans to assist needy students in avoiding  
2 default on a guaranteed or parental loan made under this  
3 chapter.

4 Sec. 30. Section 261.12, subsection 1, paragraph b, Code  
5 Supplement 1997, is amended to read as follows:

6 b. For the fiscal year beginning July 1, ~~1996~~ 1998, and  
7 for each following fiscal year, three thousand ~~four~~ six  
8 hundred fifty dollars.

9 Sec. 31. Section 261.17, Code Supplement 1997, is amended  
10 by adding the following new subsection:

11 NEW SUBSECTION. 1A. All classes, including liberal arts  
12 classes, identified by the community college as required for  
13 completion of the student's vocational-technical or career  
14 option program shall be considered a part of the student's  
15 vocational-technical or career option program for the purpose  
16 of determining the student's eligibility for a grant.  
17 Notwithstanding subsection 2, if a student is making  
18 satisfactory academic progress but the student cannot complete  
19 a vocational-technical or career option program in the time  
20 frame allowed for a student to receive a vocational-technical  
21 tuition grant as provided in subsection 2 because additional  
22 classes are required to complete the program, the student may  
23 continue to receive a vocational-technical tuition grant for  
24 not more than one additional enrollment period.

25 Sec. 32. Section 261.17, subsection 6, Code Supplement  
26 1997, is amended by adding the following new paragraph:

27 NEW PARAGRAPH. e. Establish a late application deadline  
28 for new applicants which shall not be earlier than August 1 of  
29 the fiscal year in which the appropriation received pursuant  
30 to section 261.25, subsection 3, is made. From the funds  
31 appropriated by section 261.25, subsection 3, not less than  
32 sixty-three thousand dollars shall be used for tuition grants  
33 for late applicants as provided in this paragraph.

34 Sec. 33. NEW SECTION. 261.24 IOWA STATE FAIR  
35 SCHOLARSHIP.

1 The Iowa state fair scholarship fund is established in the  
2 office of treasurer of state to be administered by the  
3 commission. The commission shall adopt rules pursuant to  
4 chapter 17A for the administration of this section. The rules  
5 shall provide, at a minimum, that only residents of Iowa who  
6 have actively participated in the Iowa state fair and  
7 graduated from an accredited secondary school in Iowa shall be  
8 eligible to receive an Iowa state fair scholarship for  
9 matriculation at an eligible institution as defined in section  
10 261.35. Notwithstanding section 12C.7, interest earned on  
11 money in the Iowa state fair scholarship fund shall be  
12 deposited into the fund and may be used by the commission only  
13 for Iowa state fair scholarship awards.

14 Sec. 34. Section 261.25, subsections 1 and 3, Code  
15 Supplement 1997, are amended to read as follows:

16 1. There is appropriated from the general fund of the  
17 state to the commission for each fiscal year the sum of ~~forty-~~  
18 one forty-four million six hundred sixty-four thousand seven  
19 hundred fifty dollars for tuition grants.

20 3. There is appropriated from the general fund of the  
21 state to the commission for each fiscal year the sum of ~~one~~  
22 two million ~~six two~~ hundred ~~eight~~ forty-four thousand ~~two one~~  
23 hundred ~~fifty-seven~~ ninety-seven dollars for vocational-  
24 technical tuition grants.

25 Sec. 35. Section 262.64A, Code 1997, is amended by adding  
26 the following new subsection:

27 NEW SUBSECTION. 4. Identification of the square footage  
28 information regarding academic and research space, total  
29 square footage of new construction for which state funds are  
30 sought, identification of all funding sources for construction  
31 costs of the total project for which an appropriation or  
32 approval of academic revenue bonds is sought, and the expected  
33 annual indirect cost revenues for use of new construction when  
34 the state board submits budget requests for the costs of  
35 opening new buildings.

1       Sec. 36. Section 262A.5, Code 1997, is amended by adding  
2 the following new unnumbered paragraph:

3       NEW UNNUMBERED PARAGRAPH. The board shall not refund bonds  
4 issued under this chapter in a manner that delays or alters  
5 the schedule of principal payments without the approval of the  
6 legislative council or the general assembly when in session.

7       Sec. 37. Section 279.51, subsection 4, Code Supplement  
8 1997, is amended to read as follows:

9       4. The department shall seek assistance from ~~the-first-in~~  
10 ~~the-nation-in-education-foundation-established-in-chapter-257A~~  
11 ~~and-other~~ foundations and public and private agencies in the  
12 evaluation of the programs funded under this section, and in  
13 the provision of support to school districts in developing and  
14 implementing the programs funded under this section.

15       Sec. 38. Section 294A.19, unnumbered paragraph 2, Code  
16 1997, is amended to read as follows:

17       Annually, by November 1, the department shall summarize the  
18 information contained in the phase III reports filed by the  
19 school districts and area education agencies. The reports  
20 summary shall be-available-upon-request contain information  
21 including the numbers of districts and area education agencies  
22 that have implemented a performance-based pay plan, a  
23 supplemental pay plan, a combination of a performance-based  
24 and supplemental pay plan, and the number of districts and  
25 area education agencies that have established comprehensive  
26 school transformation programs. The summary shall highlight  
27 and briefly describe innovative and successful uses of phase  
28 III funds that have had a positive effect on student  
29 achievement within the district as measured by means of a  
30 widely recognized educational assessment tool or test. The  
31 department, in conjunction with the legislative fiscal bureau,  
32 shall identify additional items to be reported. Copies of the  
33 annual summary shall be submitted to each school district, the  
34 general assembly, and the legislative fiscal bureau by  
35 December 1.

1     Sec. 39. Section 294A.25, subsection 5, Code Supplement  
2 1997, is amended by striking the subsection and inserting in  
3 lieu thereof the following:

4     5. For the fiscal year beginning July 1, 1998, and for  
5 each succeeding fiscal year, the amount of fifty thousand  
6 dollars to be paid to the department of cultural affairs for  
7 contracting with the Iowa alliance for arts education to  
8 execute the local arts comprehensive educational strategies  
9 program.

10    Sec. 40. Section 294A.25, subsection 6, Code Supplement  
11 1997, is amended to read as follows:

12    6. For the fiscal year beginning July 1, ~~1997~~ 1998, and  
13 ~~ending June 30, 1998~~ each succeeding fiscal year, the amount  
14 of fifty thousand dollars to the department of education for  
15 the geography alliance.

16    Sec. 41. Section 294A.25, subsection 9, Code Supplement  
17 1997, is amended by striking the subsection.

18    Sec. 42. Section 294A.25, subsection 10, Code Supplement  
19 1997, is amended to read as follows:

20    10. For the fiscal year beginning July 1, ~~1997~~ 1998, and  
21 ~~ending June 30, 1998~~ for each succeeding fiscal year, the  
22 amount of seventy thousand dollars to the state board of  
23 regents for equal distribution to the Iowa braille and sight  
24 saving school and the Iowa state school for the deaf from  
25 phase III moneys.

26    Sec. 43. Section 294A.25, subsection 11, Code Supplement  
27 1997, is amended to read as follows:

28    11. For the fiscal year beginning July 1, 1997 1998, and  
29 ending June 30, 1998 1999, to the department of education from  
30 phase III moneys the amount of one million two hundred fifty  
31 thousand dollars for support for the operations of the new  
32 Iowa schools development corporation and for school  
33 transformation design and implementation projects administered  
34 by the corporation. Of the amount provided in this  
35 subsection, one hundred fifty thousand dollars shall be used

1 for the school and community planning initiative.

2 Sec. 44. Section 294A.25, Code Supplement 1997, is amended  
3 by adding the following new subsections:

4 NEW SUBSECTION. 10A. For the fiscal year beginning July  
5 1, 1998, and ending June 30, 1999, the amount of thirty-five  
6 thousand dollars from phase III moneys to the department of  
7 education for allocation to the Sioux City community school  
8 district for purposes of developing and implementing a  
9 listening curriculum.

10 NEW SUBSECTION. 12. For the fiscal year beginning July 1,  
11 1998, and for each succeeding fiscal year, to the department  
12 of education from phase III moneys the amount of one hundred  
13 fifty thousand dollars to the Iowa public broadcasting  
14 division for overnight transmitter feeds.

15 Sec. 45. Section 303.1, subsection 2, Code 1997, is  
16 amended by adding the following new paragraph:

17 NEW PARAGRAPH. e. Encourage the use of volunteers  
18 throughout its divisions, especially for purposes of restoring  
19 books and manuscripts.

20 Sec. 46. NEW SECTION. 303.3A ARTS AND CULTURAL  
21 CONFERENCES AND CAUCUSES.

22 1. For the purposes of this section, the following  
23 definitions apply:

24 a. "Arts" means music, dance, theater, opera and music  
25 theater, visual arts, literature, design arts, media arts, and  
26 folk and traditional arts.

27 b. "Culture" or "cultural" means programs and activities  
28 which explore past and present human experience.

29 c. "Department" means the department of cultural affairs.

30 d. "Enhancement" means programs that allow arts and  
31 cultural organizations to improve or enhance the quality of  
32 programs currently offered, and increase and support  
33 professional and student artists and arts educators.

34 e. "Outreach" means programs that increase rural access to  
35 cultural resources, social awareness, cultural diversity, and



1 which serve special populations.

2 2. The department shall administer regional conferences  
3 and a statewide caucus on arts and cultural enhancement. The  
4 purpose of the conferences and caucus is to encourage the  
5 development of the arts and culture in the state by  
6 identifying opportunities for programs involving education,  
7 outreach, and enhancement; by reviewing possible changes in  
8 enhancement program policies, programs, and funding; and by  
9 making recommendations to the department regarding funding  
10 allocations and priorities for arts and cultural enhancement.

11 3. Every four years beginning in June 2001, the department  
12 shall convene a statewide caucus on arts and cultural  
13 enhancement.

14 a. Prior to the statewide caucus, the department shall  
15 make arrangements to hold a conference in each of several  
16 regions of the state as determined by the Iowa arts council.  
17 The department shall promote attendance of interested persons  
18 at each conference. A designee of the department shall serve  
19 as temporary chairperson until persons attending the  
20 conference elect a chairperson. The department shall provide  
21 persons attending the conference with current information  
22 regarding cultural programs and expenditures. Persons  
23 attending the conference shall identify opportunities for  
24 programs in the areas of education, outreach, and enhancement,  
25 and make recommendations in the form of a resolution. The  
26 persons attending the conference shall elect six persons from  
27 among the attendees to serve as regional, voting delegates to  
28 the statewide caucus. The conference attendees shall elect a  
29 chairperson from among the six representatives. Other  
30 interested persons are encouraged to attend the statewide  
31 caucus as nonvoting attendees.

32 b. The department shall charge a reasonable fee for  
33 attendance at the statewide caucus on arts and cultural  
34 enhancement.

35 c. A designee of the department shall call the statewide

1 caucus to order and serve as temporary chairperson until  
2 persons attending the caucus elect a chairperson. Persons  
3 attending the caucus shall discuss the recommendations of the  
4 regional conferences and decide upon recommendations to be  
5 made to the department and the general assembly. Elected  
6 chairpersons of the regional conferences shall meet with  
7 representatives of the department and present the  
8 recommendations of the caucus.

9 Sec. 47. Section 304A.10, Code 1997, is amended to read as  
10 follows:

11 304A.10 COST OF FINE ARTS -- PERCENTAGE.

12 The total estimated cost of the fine arts elements included  
13 in a plan and specifications for a state building or group of  
14 state buildings in accordance with the purposes of this  
15 division shall in no case be less than one-half of one percent  
16 of the total estimated cost of such building or group of  
17 buildings. This percentage allocation shall not be diminished  
18 by professional fees. By September 1 annually, the  
19 contracting officer or principal user shall submit to the  
20 department of cultural affairs the total amount of state  
21 financial assistance expended in accordance with this section  
22 during the previous fiscal year. If deemed in the best  
23 interests of the citizens, funds allocated for the acquisition  
24 of fine arts may be accumulated over more than one  
25 appropriation or fiscal period or combined to complete  
26 significant projects, however, this sentence does not  
27 authorize interproject transfers. The total estimated cost of  
28 the fine arts elements included in a plan and specifications  
29 for a state building or group of state buildings in accordance  
30 with this section shall be included by the department of  
31 cultural affairs in calculating the amount of state financial  
32 assistance for the arts for purposes of national ranking  
33 surveys. By January 1 annually, the department of cultural  
34 affairs shall submit a summary of the total amount of state  
35 financial assistance expended in accordance with this section

1 and for which state buildings the assistance was expended.

2 Sec. 48. Chapters 257A and 303C, Code 1997, are repealed.

3 Sec. 49. Notwithstanding section 257A.4, Code 1997, with  
4 the repeal of chapter 257A pursuant to this Act, the rights  
5 and properties of the first in the nation in education  
6 foundation shall remain with the nonprofit corporation which  
7 shall continue its existence as a nonprofit corporation but  
8 shall no longer be a quasi-public instrumentality. However,  
9 debts and other financial obligations shall not succeed to the  
10 state.

11 Sec. 50. AUDIT OF AREA EDUCATION AGENCIES. Subject to an  
12 appropriation of sufficient funds by the general assembly, the  
13 auditor of state shall analyze area education agency finances  
14 and operations for the 1996-1997 fiscal year. In conducting  
15 the analysis, the auditor of state shall utilize reports on  
16 audits of area education agencies conducted in accordance with  
17 section 11.6, information available from the department of  
18 education, the department of management, the area education  
19 agencies, and from any other source necessary. The auditor of  
20 state shall have access to all records of the area education  
21 agencies.

22 The analysis shall include, but shall not be limited to,  
23 major areas of expenditure by area education agency districts,  
24 such as media services, special education services, additional  
25 services pursuant to section 273.7, services to school  
26 districts pursuant to section 273.7A, services for preschool  
27 children with disabilities, juvenile shelter services, and  
28 detention home instruction; and a comparison by area education  
29 agency of staffing levels, number of students served, purchase  
30 or lease of equipment and facilities, and funding from local  
31 school districts. The results of the analysis, and any  
32 recommendations, shall be submitted to the general assembly  
33 and the legislative fiscal bureau by January 1, 1999, and  
34 shall be utilized in the comprehensive study of school finance  
35 requested in accordance with House Concurrent Resolution 15,

1 if resolved by the Seventy-seventh General Assembly.  
2 Sec. 51. CONTINGENT APPROPRIATION. In the event the funds  
3 transferred in accordance with section 257B.1A are not  
4 received by the department of education in the fiscal year  
5 beginning July 1, 1998, and ending June 30, 1999, for  
6 allocation to assist school districts in developing reading  
7 recovery programs, in addition to the allocations provided for  
8 in section 294A.25, there is allocated to the department of  
9 education for the fiscal year beginning July 1, 1998, and  
10 ending June 30, 1999, from phase III moneys, \$200,000, or so  
11 much thereof as is necessary, for allocation to assist school  
12 districts in developing reading recovery programs. From the  
13 moneys allocated in this section, \$100,000 shall be  
14 distributed to the reading recovery center, and the remaining  
15 balance shall be distributed to the area education agencies in  
16 the proportion that the number of children who are eligible  
17 for free or reduced price meals under the federal National  
18 School Lunch Act and the federal Child Nutrition Act of 1966,  
19 42 U.S.C. § 1751-1785, in the basic enrollment of grades one  
20 through six in the area served by an agency, bears to the sum  
21 of the number of children who are eligible for free or reduced  
22 price meals under the federal National School Lunch Act and  
23 the federal Child Nutrition Act of 1966, 42 U.S.C. § 1751-  
24 1785, in the basic enrollments of grades one through six in  
25 all of the areas served by area education agencies in the  
26 state for the budget year.

27 Sec. 52. EFFECTIVE DATES.

28 1. Section 6 of this Act, relating to historic sites and  
29 the western trails center, being deemed of immediate  
30 importance, takes effect upon enactment.

31 2. Sections 12 and 13 of this Act, relating to  
32 reallocation of moneys to the division of libraries and  
33 information services for purposes of providing state  
34 assistance to local public libraries, being deemed of  
35 immediate importance, take effect upon enactment.

1        3. Section 14 of this Act, relating to the nonreversion of  
2 funds appropriated for rehabilitating computers for school and  
3 libraries, being deemed of immediate importance, takes effect  
4 upon enactment.

5        4. Section 15 of this Act, relating to the state board of  
6 educational examiners licensing fees, being deemed of  
7 immediate importance, takes effect upon enactment.

8        5. Section 24 of this Act, relating to the reversion of  
9 funds appropriated for tuition replacement, being deemed of  
10 immediate importance, takes effect upon enactment.

11       Sec. 53. Sections 25 and 49 of this Act, relating to the  
12 first in the nation in education foundation, section 33 of  
13 this Act, relating to the Iowa state fair scholarship, and the  
14 portion of section 48 of this Act repealing chapter 257A, take  
15 effect December 31, 1998.

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## HOUSE FILE 2533

S-5475

1 Amend House File 2533, as amended, passed, and  
2 reprinted by the House, as follows:

3 1. Page 30, by inserting after line 14 the  
4 following:

5 "Sec. \_\_\_\_\_. Section 280.4, Code 1997, is amended by  
6 adding the following new subsection:

7 NEW SUBSECTION. 4. a. There is appropriated  
8 annually from the general fund of the state to the  
9 school budget review committee the sum of one million  
10 dollars, or so much thereof as is necessary, to be  
11 awarded by the committee to school districts with  
12 limited English proficient student instruction program  
13 costs which, in the judgment of the committee, are  
14 high relative to instruction program costs for other  
15 limited English proficient student instruction  
16 programs in the state. Amounts awarded shall be in  
17 addition to any supplemental aid or modified allowable  
18 growth provided to a school district pursuant to  
19 subsection 3.

20 b. A school district with a limited English  
21 proficient student instruction program may submit an  
22 application, on a form developed by the department of  
23 education, for assistance pursuant to this subsection  
24 to the school budget review committee by November 1 of  
25 the school year in which the school district seeks  
26 assistance. In making awards, the committee shall  
27 consider the size, diversity, and enrollment trends of  
28 the school district, the relative economic wealth and  
29 property tax base of the school district in comparison  
30 to other applying school districts, and the efforts  
31 the school district has undertaken to develop and  
32 monitor limited English proficient student  
33 assimilation into the school district population.  
34 Preference shall be given to school districts which  
35 have previously received or are currently receiving  
36 supplemental aid or modified allowable growth from the  
37 committee for a limited English proficient student  
38 instruction program pursuant to subsection 3 and which  
39 have a limited English proficient student enrollment  
40 within the upper twenty-five percent of all limited  
41 English proficient student instruction program  
42 enrollments in the state, as determined by the  
43 department of management.

44 c. Assistance payments shall be made to school  
45 districts receiving an award in the manner provided in  
46 section 257.16, beginning with a December 15 payment,  
47 with the exception that funds shall be expended solely  
48 for purposes related to limited English proficient  
49 student program instruction. Notwithstanding section  
50 8.33, the moneys appropriated in subsection 1 that

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1 remain unencumbered and unobligated at the close of  
2 the fiscal year shall not revert to the general fund  
3 but shall remain available for expenditure for the  
4 purposes designated during the succeeding fiscal  
5 year."

6 2. By renumbering as necessary.

By PATRICIA HARPER

S-5475 FILED APRIL 1, 1998

*Order*  
*4/15/98 (p. 1308)*

HOUSE FILE 2533

S-5542

1 Amend House File 2533, as amended, passed, and  
2 reprinted by the House, as follows:  
3 1. Page 11, by inserting after line 1 the  
4 following:

5 " . LIMITED ENGLISH PROFICIENT STUDENT  
6 INSTRUCTION PROGRAM AID.

7 For community colleges with limited English  
8 proficient student instruction program costs that the  
9 department of education determines are high relative  
10 to instruction program costs for other limited English  
11 proficient student instruction programs in the state:  
12 ..... \$ 1,000,000

13 A community college with a limited English  
14 proficient student instruction program may submit an  
15 application to the department of education, on a form  
16 developed by the department, for assistance pursuant  
17 to this subsection by November 1 of the school year in  
18 which the community college seeks assistance. In  
19 distributing funds, the department shall consider the  
20 size, diversity, and enrollment trends of the school  
21 district, the relative economic wealth and property  
22 tax base of the community college district in  
23 comparison to other applying community college  
24 districts, and the efforts the community college has  
25 undertaken to develop and monitor limited English  
26 proficient student assimilation into the community  
27 college population. Preference shall be given to  
28 community colleges that have a limited English  
29 proficient student enrollment within the upper twenty-  
30 five percent of all limited English proficient student  
31 instruction program enrollments in the state's  
32 community colleges, as determined by the department of  
33 education.

34 Assistance payments shall be made to community  
35 colleges in accordance with this subsection beginning  
36 with a December 15 payment. Funds shall be expended  
37 solely for purposes related to limited English  
38 proficient student program instruction.  
39 Notwithstanding section 8.33, the moneys appropriated  
40 in this subsection that remain unencumbered and  
41 unobligated at the close of the fiscal year shall not  
42 revert to the general fund but shall remain available  
43 for expenditure for the purposes designated during the  
44 succeeding fiscal year."

45 2. By renumbering as necessary.

By ELAINE SZYMONIAK  
DICK L. DEARDEN  
MATT McCOY

WILLIAM D. PALMER  
STEVEN D. HANSEN

S-5542 FILED APRIL 7, 1998

*d/orden*  
*4/15/98*  
*(P.1308)*



HOUSE FILE 2533

S-5591

- 1 Amend House File 2533, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 1, line 28, by striking the figure
- 4 "833,900" and inserting the following: "1,042,800".
- 5 2. By renumbering as necessary.

By DENNIS H. BLACK

*O/Order*  
*4-15-98*  
*(P. 1300)*

S-5591 FILED APRIL 8, 1998

HOUSE FILE 2533

S-5631

- 1 Amend House File 2533, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 3, line 12, by striking the figure
- 4 "3,103,788" and inserting the following: "3,078,788".
- 5 2. Page 7, line 26, by striking the figure
- 6 "3,172,098" and inserting the following: "3,072,098".
- 7 3. By striking page 7, lines 28 through 31.
- 8 4. Page 8, line 7, by striking the figure
- 9 "1,537,000" and inserting the following: "1,637,000".
- 10 5. Page 8, by striking lines 21 through 23.
- 11 6. Page 10, by inserting after line 12 the

12 following:

13 "\_\_\_\_. AREA EDUCATION AGENCY AUDIT

14 For allocation to the auditor of state for the  
15 costs of conducting the audit of area education  
16 agencies as provided in section 50 of this Act, if  
17 enacted:

18 ..... \$ 75,000"

19 7. By striking page 11, line 28, through page 12,  
20 line 2.

21 8. Page 12, by striking lines 10 through 12 and  
22 inserting the following: "fiscal year 1998-1999.  
23 Reading recovery training shall be provided free of  
24 tuition to teachers who are employed by school  
25 districts or accredited nonpublic schools in Iowa.  
26 Out-of-state teachers may be charged tuition for the  
27 training. However, reading recovery training shall be  
28 limited to participation by teachers employed by  
29 school districts or accredited nonpublic schools in  
30 Iowa unless training capacity exceeds the number of  
31 teachers employed by school districts or accredited  
32 nonpublic schools in Iowa who are willing and able to  
33 participate in the program. The department shall make  
34 every".

35 9. Page 12, by striking lines 23 through 27 and  
36 inserting the following: "information services for  
37 purposes of the open access program."

38 10. By striking page 12, line 35, through page  
39 13, line 4, and inserting the following: "services  
40 for purposes of the open access program."

41 11. Page 14, by striking lines 27 through 31.

42 12. Page 24, by striking lines 24 through 32.

43 13. Page 25, by striking lines 5 through 18.

44 14. Page 26, by inserting after line 12 the

45 following:

46 "Sec. \_\_\_\_\_. Section 257.6, subsection 1, Code 1997,  
47 is amended by adding the following new unnumbered  
48 paragraph:

49 NEW UNNUMBERED PARAGRAPH. A child who is not a  
50 resident of Iowa shall be considered a resident pupil

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1 for purposes of paragraph "a" if the child's parent or  
2 legal guardian is a resident of a contiguous state and  
3 is employed as a teacher in an Iowa school district  
4 with an enrollment of fewer than four hundred pupils  
5 and that borders two other states, if the contiguous  
6 state statutorily authorizes reciprocity in  
7 substantial accord with this section, and if the board  
8 of directors of the school district approves the  
9 enrollment of the child in the school district."

10 15. Page 27, by inserting after line 9 the  
11 following:

12 "Sec. \_\_\_\_ . Section 260C.15, subsection 1, Code  
13 1997, is amended to read as follows:

14 1. Regular elections held annually by the merged  
15 area for the election of members of the board of  
16 directors as required by section 260C.11, for the  
17 renewal of the ~~twenty-and-one-fourth~~ twenty-seven  
18 cents per thousand dollars of assessed valuation levy  
19 authorized in section 260C.22, or for any other matter  
20 authorized by law and designated for election by the  
21 board of directors of the merged area, shall be held  
22 on the date of the school election as fixed by section  
23 277.1. The election notice shall be made a part of  
24 the local school election notice published as provided  
25 in section 49.53 in each local school district where  
26 voting is to occur in the merged area election and the  
27 election shall be conducted by the county commissioner  
28 of elections pursuant to chapters 39 to 53 and section  
29 277.20."

30 16. Page 27, by inserting after line 9 the  
31 following:

32 "Sec. \_\_\_\_ . Section 260C.17, Code 1997, is amended  
33 to read as follows:

34 260C.17 PREPARATION AND APPROVAL OF BUDGET -- TAX.  
35 The board of directors of each merged area shall  
36 prepare an annual budget designating the proposed  
37 expenditures for operation of the community college.  
38 The board shall further designate the amounts which  
39 are to be raised by local taxation and the amounts  
40 which are to be raised by other sources of revenue for  
41 the operation. The budget of each merged area shall  
42 be submitted to the state board no later than May 1  
43 preceding the next fiscal year for approval. The  
44 state board shall review the proposed budget and  
45 shall, prior to June 1, either grant its approval or  
46 return the budget without approval with the comments  
47 of the state board attached to it. Any unapproved  
48 budget shall be resubmitted to the state board for  
49 final approval. Upon approval of the budget by the  
50 state board, the board of directors shall certify the

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1 amount to the respective county auditors and the  
2 boards of supervisors annually shall levy a tax of  
3 ~~twenty-and-one-fourth~~ twenty-seven cents per thousand  
4 dollars of assessed value on taxable property in a  
5 merged area for the operation of a community college.  
6 Taxes collected pursuant to the levy shall be paid by  
7 the respective county treasurers to the treasurer of  
8 the merged area as provided in section 331.552,  
9 subsection 29.

10 It is the policy of this state that the property  
11 tax for the operation of community colleges shall not  
12 in any event exceed ~~twenty-and-one-fourth~~ twenty-seven  
13 cents per thousand dollars of assessed value, and that  
14 the present and future costs of such operation in  
15 excess of the funds raised by such levy shall be the  
16 responsibility of the state and shall not be paid from  
17 property tax."

18 17. Page 27, by inserting before line 10 the  
19 following:

20 "Sec. \_\_\_\_ . Section 260C.22, subsection 1,  
21 paragraph a, Code 1997, is amended to read as follows:  
22 a. In addition to the tax authorized under section  
23 260C.17, the voters in any merged area may at the  
24 annual school election vote a tax not exceeding twenty  
25 ~~and-one-fourth~~ twenty-seven cents per thousand dollars  
26 of assessed value in any one year for a period not to  
27 exceed ten years for the purchase of grounds,  
28 construction of buildings, payment of debts contracted  
29 for the construction of buildings, purchase of  
30 buildings and equipment for buildings, and the  
31 acquisition of libraries, for the purpose of paying  
32 costs of utilities, and for the purpose of  
33 maintaining, remodeling, improving, or expanding the  
34 community college of the merged area. If the tax levy  
35 is approved under this section, the costs of utilities  
36 shall be paid from the proceeds of the levy. The tax  
37 shall be collected by the county treasurers and  
38 remitted to the treasurer of the merged area as  
39 provided in section 331.552, subsection 29. The  
40 proceeds of the tax shall be deposited in a separate  
41 and distinct fund to be known as the voted tax fund,  
42 to be paid out upon warrants drawn by the president  
43 and secretary of the board of directors of the merged  
44 area district for the payment of costs incurred in  
45 providing the school facilities for which the tax was  
46 voted."

47 18. By striking page 29, line 25, through page  
48 30, line 6.

49 19. Page 31, by striking line 17 and inserting  
50 the following: "1997, is amended by striking the

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Page 4

- 1 subsection and inserting in lieu thereof the  
2 following:  
3 9. For the fiscal year beginning July 1, 1998, and  
4 for each succeeding fiscal year, the amount of fifty  
5 thousand dollars to the department of education for  
6 the Iowa mathematics and science coalition from phase  
7 III moneys."  
8 20. Page 36, by striking lines 33 and 34 and  
9 inserting the following: "information services for  
10 purposes of the open access program, being deemed of".  
11 21. By renumbering as necessary.

By COMMITTEE ON APPROPRIATIONS  
DERRYL McLAREN, Chairperson

S-5631 FILED APRIL 13, 1998

*adopted*  
*4-15-98*  
*(R1308)*

HOUSE FILE 2533

S-5668

1 Amend the amendment, S-5631, to House File 2533, as  
2 amended, passed, and reprinted by the House, as  
3 follows:

4 1. Page 1, by inserting after line 18 the  
5 following:

6 "\_\_\_\_\_. Page 11, by inserting after line 1 the  
7 following:

8 "\_\_\_\_\_. LIMITED ENGLISH PROFICIENT STUDENT  
9 INSTRUCTION PROGRAM AID.

10 For community colleges with limited English  
11 proficient student instruction program costs that the  
12 department of education determines are high relative  
13 to instruction program costs for other limited English  
14 proficient student instruction programs in the state:  
15 ..... \$ 1,000,000

16 A community college with a limited English  
17 proficient student instruction program may submit an  
18 application to the department of education, on a form  
19 developed by the department, for assistance pursuant  
20 to this subsection by November 1 of the school year in  
21 which the community college seeks assistance. In  
22 distributing funds, the department shall consider the  
23 size, diversity, and enrollment trends of the school  
24 district, the relative economic wealth and property  
25 tax base of the community college district in  
26 comparison to other applying community college  
27 districts, and the efforts the community college has  
28 undertaken to develop and monitor limited English  
29 proficient student assimilation into the community  
30 college population. Preference shall be given to  
31 community colleges that have a limited English  
32 proficient student enrollment within the upper twenty-  
33 five percent of all limited English proficient student  
34 instruction program enrollments in the state's  
35 community colleges, as determined by the department of  
36 education.

37 Assistance payments shall be made to community  
38 colleges in accordance with this subsection beginning  
39 with a December 15 payment. Funds shall be expended  
40 solely for purposes related to limited English  
41 proficient student program instruction.  
42 Notwithstanding section 8.33, the moneys appropriated  
43 in this subsection that remain unencumbered and  
44 unobligated at the close of the fiscal year shall not  
45 revert to the general fund but shall remain available  
46 for expenditure for the purposes designated during the  
47 succeeding fiscal year."

48 2. By renumbering as necessary.

By ELAINE SZYMONIAK  
DICK L. DEARDEN  
MATT McCOY

WILLIAM D. PALMER  
STEVEN D. HANSEN

S-5668 FILED APRIL 14, 1998

*Last 4/15/98  
(P. 1297)*

## HOUSE FILE 2533

S-5660

1 Amend the amendment, S-5631, to House File 2533, as  
2 amended, passed, and reprinted by the House, as  
3 follows:

4 1. Page 3, by inserting after line 48 the  
5 following:

6 "\_\_\_\_. Page 30, by inserting after line 14 the  
7 following:

8 "Sec. \_\_\_\_ Section 280.4, Code 1997, is amended by  
9 adding the following new subsection:

10 NEW SUBSECTION. 4. a. There is appropriated  
11 annually from the general fund of the state to the  
12 school budget review committee the sum of one million  
13 dollars, or so much thereof as is necessary, to be  
14 awarded by the committee to school districts with  
15 limited English proficient student instruction program  
16 costs which, in the judgment of the committee, are  
17 high relative to instruction program costs for other  
18 limited English proficient student instruction  
19 programs in the state. Amounts awarded shall be in  
20 addition to any supplemental aid or modified allowable  
21 growth provided to a school district pursuant to  
22 subsection 3.

23 b. A school district with a limited English  
24 proficient student instruction program may submit an  
25 application, on a form developed by the department of  
26 education, for assistance pursuant to this subsection  
27 to the school budget review committee by November 1 of  
28 the school year in which the school district seeks  
29 assistance. In making awards, the committee shall  
30 consider the size, diversity, and enrollment trends of  
31 the school district, the relative economic wealth and  
32 property tax base of the school district in comparison  
33 to other applying school districts, and the efforts  
34 the school district has undertaken to develop and  
35 monitor limited English proficient student  
36 assimilation into the school district population.  
37 Preference shall be given to school districts which  
38 have previously received or are currently receiving  
39 supplemental aid or modified allowable growth from the  
40 committee for a limited English proficient student  
41 instruction program pursuant to subsection 3 and which  
42 have a limited English proficient student enrollment  
43 within the upper twenty-five percent of all limited  
44 English proficient student instruction program  
45 enrollments in the state, as determined by the  
46 department of management.

47 c. Assistance payments shall be made to school  
48 districts receiving an award in the manner provided in  
49 section 257.16, beginning with a December 15 payment,  
50 with the exception that funds shall be expended solely

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1 for purposes related to limited English proficient  
2 student program instruction. Notwithstanding section  
3 8.33, the moneys appropriated in subsection 1 that  
4 remain unencumbered and unobligated at the close of  
5 the fiscal year shall not revert to the general fund  
6 but shall remain available for expenditure for the  
7 purposes designated during the succeeding fiscal  
8 year.""

9 2. By renumbering as necessary.

By PATRICIA HARPER

S-5660 FILED APRIL 14, 1998

*lost*  
*4-15-98*  
*(P. 1305)*



HOUSE FILE 2533

S-5659

1 Amend the amendment, S-5631, to House File 2533, as  
2 amended, passed, and reprinted by the House, as  
3 follows:

4 1. Page 1, by inserting after line 2 the  
5 following:

6 "\_\_\_\_\_. Page 1, by inserting after line 32 the  
7 following:

8 "\_\_\_\_\_. PRACTITIONER SHORTAGE LOAN PAYMENT PROGRAM

9 For purposes of providing forgivable loans under  
10 the program established in section 261.111, if  
11 enacted:

12 ..... \$ 300,000"

13 2. Page 3, by inserting after line 46 the  
14 following:

15 "\_\_\_\_\_. Page 28, by inserting after line 3 the  
16 following:

17 "Sec. \_\_\_\_\_. NEW SECTION. 261.111 PRACTITIONER  
18 SHORTAGE LOAN PAYMENT PROGRAM.

19 1. A practitioner shortage loan payment program is  
20 established to be administered by the college student  
21 aid commission as provided in this section. The  
22 purpose of the loan payment program is to increase the  
23 number of qualified teachers and administrators in  
24 areas of the state experiencing a shortage of teachers  
25 or administrators. An individual is eligible for the  
26 program if the individual meets all of the following  
27 conditions:

28 a. Is a resident of this state who is enrolled at  
29 an institution of higher learning under the control of  
30 the state board of regents or an accredited private  
31 institution as defined in section 261.9.

32 b. Is enrolled in one or more of the subject areas  
33 determined by the department of education as  
34 experiencing a shortage of practitioners.

35 c. Has filed a loan application with the  
36 commission.

37 d. Meets the requirements for a practitioner  
38 shortage loan established in this chapter and by  
39 administrative rule.

40 2. A practitioner shortage loan shall be awarded  
41 for not more than the equivalent of two years and may  
42 be awarded to an eligible individual under this  
43 section if the individual agrees to serve as an  
44 administrator for two years, or agrees to teach for  
45 two years, in an area in this state that the  
46 department of education has determined is experiencing  
47 a shortage of practitioners. A loan awarded in  
48 accordance with this section, and the interest that  
49 accrues on the loan, shall not become due and payable  
50 until one year after the individual graduates. If a

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Page 2

1 loan recipient submits evidence to the commission that  
2 the recipient was employed as a practitioner in a  
3 practitioner shortage area for a school year in  
4 accordance with this section, fifty percent of the  
5 principal amount of the loan and any interest accruing  
6 on fifty percent of the principal amount of the loan  
7 shall be canceled. If the recipient continues  
8 employment as a practitioner in a practitioner  
9 shortage area as provided in this section during the  
10 next succeeding school year and submits evidence to  
11 the commission of the continuation of employment as a  
12 practitioner as agreed to in accordance with this  
13 subsection, the recipient is not required to commence  
14 repayment during that school year and at the end of  
15 that school year the remaining principal amount of the  
16 loan, and any interest accruing on the principal  
17 amount of the loan, are canceled.

18 3. The interest rate on the loan shall be equal to  
19 the interest rate collected by an eligible lender  
20 under the Iowa guaranteed student loan program for the  
21 year in which the loan is made.

22 4. The commission shall prescribe by rule the  
23 terms of repayment. The commission shall set a final  
24 date for submission of applications each year and  
25 shall review the applications and inform the  
26 recipients within a reasonable time after the  
27 deadline.

28 5. The maximum loan a student is eligible to  
29 receive annually is an amount equal to the tuition  
30 rate established by institutions of higher learning  
31 under the control of the state board of regents as  
32 follows:

33 a. The annual resident undergraduate tuition rate  
34 if the individual is enrolled in an approved  
35 undergraduate practitioner preparation program.

36 b. The annual resident graduate tuition rate if  
37 the individual is enrolled in an approved graduate  
38 practitioner preparation program.

39 6. Eligible students may receive both a tuition  
40 grant under this chapter and a practitioner shortage  
41 loan.

42 7. A practitioner shortage loan payment fund is  
43 established in the office of the treasurer of state  
44 for deposit of payments made by loan recipients who do  
45 not fulfill the cancellation conditions of the loan  
46 program. Payments made by recipients on the loans  
47 shall be used to supplement moneys appropriated to the  
48 practitioner shortage loan payment program.  
49 Notwithstanding section 8.33, moneys deposited in the  
50 practitioner shortage loan payment fund shall not

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Page 3

1 revert to the general fund of the state at the end of  
2 a fiscal year, but shall remain in the practitioner  
3 shortage loan payment fund and be continuously  
4 available to make additional loans under the  
5 program.""  
6 3. By renumbering, relettering, and redesignating  
7 as necessary.

*Lost 4/15/98 (P.1293)* By TOM VILSACK

S-5659 FILED APRIL 14, 1998

## HOUSE FILE 2533

S-5650

1 Amend the Senate amendment, S-5631, to House File  
2 2533, as amended, passed, and reprinted by the House,  
3 as follows:  
4 1. Page 2, by inserting after line 9 the  
5 following:  
6 "\_\_\_\_\_. By striking page 26, line 29, through page  
7 27, line 5, and inserting the following: "balance  
8 shall be divided equally between the area education  
9 agencies.""

By MIKE CONNOLLY

S-5650 FILED APRIL 14, 1998

*Lost 4/15/98*  
*(P.1304)*

HOUSE FILE 2533

S-5678

1 Amend the amendment, S-5631, to House File 2533, as  
2 amended, passed, and reprinted by the House, as  
3 follows:

DIV 4 1. Page 1, by inserting after line 10 the  
A 5 following:

6 "\_\_\_\_\_. By striking page 9, line 33, through page  
7 10, line 12."

DIV 8 2. Page 1, by striking lines 21 through 34.

B 9 3. By striking page 1, line 44, through page 3,  
10 line 46.

11 4. By renumbering as necessary.

By KITTY REHBERG

S-5678 FILED APRIL 15, 1998

DIV A - ADOPTED, DIV B - ADOPTED

(P. 1295)

HOUSE FILE 2533

S-5693

1 Amend the amendment, S-5631, to House File 2533, as  
2 amended, passed, and reprinted by the House, as  
3 follows:

4 1. By striking page 1, lines 11 through 18 and  
5 inserting the following:

6 "\_\_\_\_\_. By striking page 9, line 33, through page  
7 10, line 12, and inserting the following:

8 "\_\_\_\_\_. READING RECOVERY PROGRAM

9 For allocation to assist school districts in  
10 developing reading recovery programs:

11 ..... \$ 75,000

12 Moneys allocated to the department of education for  
13 purposes of the reading recovery program pursuant to  
14 this subsection shall be distributed to area education  
15 agencies in the proportion that the number of children  
16 who are eligible for free or reduced price meals under  
17 the federal National School Lunch Act and the federal  
18 Child Nutrition Act of 1966, 42 U.S.C. § 1751-1785, in  
19 the basic enrollment of grades one through six in the  
20 area served by an agency, bears to the sum of the  
21 number of children who are eligible for free or  
22 reduced price meals under the federal National School  
23 Lunch Act and the federal Child Nutrition Act of 1966,  
24 42 U.S.C. § 1751-1785, in the basic enrollments of  
25 grades one through six in all of the areas served by  
26 area education agencies in the state for the budget  
27 year.""

28 2. By renumbering as necessary.

By ROBERT E. DVORSKY

S-5693 FILED APRIL 15, 1998

RULED OUT OR ORDER

(P. 1296)

## HOUSE FILE 2533

S-5699

1 Amend the amendment, S-5631, to House File 2533, as  
2 amended, passed, and reprinted by the House, as  
3 follows:

4 1. Page 1, by inserting after line 40 the  
5 following:

6 "\_\_\_\_. Page 14, by inserting after line 14 the  
7 following:

8 "Sec. \_\_\_\_\_. 1998 Iowa Acts, Senate File 2366,  
9 section 1, subsection 1, unnumbered paragraphs 2 and  
10 3, if enacted, are amended by striking the unnumbered  
11 paragraphs.""

12 2. Page 1, by inserting after line 43 the  
13 following:

14 "\_\_\_\_. Page 26, by inserting after line 12 the  
15 following:

16 "Sec. \_\_\_\_\_. Section 256.22, subsection 1,  
17 unnumbered paragraph 1, if enacted by 1998 Iowa Acts,  
18 Senate File 2366, is amended to read as follows:

19 Subject to an appropriation of sufficient funds by  
20 the general assembly, the department shall establish a  
21 frontier school and extended year school grant program  
22 to provide for the allocation of grants to school  
23 districts, or a collaboration of school districts, to  
24 provide technical assistance for conversion of an  
25 existing school to a frontier school or to an extended  
26 school year calendar, or for investigating the  
27 possibility of converting an existing school within a  
28 district to a frontier school or to an extended school  
29 year calendar. A district that wants to participate  
30 in the program shall submit to the department a  
31 written request for a grant by ~~September~~ October 17  
32 ~~1998~~. The school district or collaboration of school  
33 districts shall agree to appoint a planning committee  
34 composed of parents, guardians, teachers,  
35 administrators, and individuals representing business,  
36 and the local community. The school district or  
37 collaboration shall also indicate in its request its  
38 intention to use any grant moneys received under this  
39 section to examine, at a minimum, all of the  
40 following:

41 Sec. \_\_\_\_\_. Section 256.22, subsections 2 and 5, if  
42 enacted by 1998 Iowa Acts, Senate File 2366, are  
43 amended to read as follows:

44 2. Grant moneys shall be distributed to qualifying  
45 school districts by the department no later than  
46 ~~October 15, 1998~~ October 30 annually. Grant amounts shall be  
47 distributed as determined by the department. Not more  
48 than fifteen of the grants awarded per year in  
49 accordance with this section shall be used for  
50 purposes of frontier school planning or conversion. A

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1 grant awarded to a school district under this section  
2 shall not exceed twenty-five thousand dollars.  
3 Notwithstanding the other provisions of this section,  
4 the department shall not award grant moneys for  
5 technical assistance for conversion of an existing  
6 school to a frontier school or to an extended school  
7 year calendar prior to July 1, 1999.

8 5. Except as provided in this subsection, frontier  
9 schools are exempt from all statutes and rules  
10 applicable to a school, a school board, or a school  
11 district, although a frontier school may elect to  
12 comply with one or more provisions of statute or rule.  
13 However, a frontier school shall meet all applicable  
14 state and local health and safety requirements; the  
15 ~~frontier-school-shall-be-organized-and-operated-as-a~~  
16 ~~nonprofit-cooperative-association-under-chapter-498-or~~  
17 ~~nonprofit-corporation-under-chapter-504A;~~ the  
18 provisions of chapters 21 and 22 shall apply to  
19 meetings and records of the frontier school board; and  
20 frontier schools are subject to and shall comply with  
21 chapters 216 and 216A relating to civil and human  
22 rights, and sections 275.55A, 279.9A, 280.17B,  
23 280.21B, and 282.4, relating to suspension and  
24 expulsion of a student. The frontier school shall  
25 employ or contract with necessary teachers, as defined  
26 in section 272.1, who hold a valid license with an  
27 endorsement for the type of service for which the  
28 teacher is employed. Frontier schools are subject to  
29 the same financial audits, audit procedures, and audit  
30 requirements as a school district. The audits shall  
31 be consistent with the requirements of sections 11.6,  
32 11.14, 11.19, 256.9, subsection 19, and section  
33 279.29, except to the extent deviations are necessary  
34 because of the program at the school. The department,  
35 auditor of state, or the legislative fiscal bureau may  
36 conduct financial, program, or compliance audits. The  
37 provisions of chapter 20 shall not apply to the board  
38 of directors of a frontier school or its employees.

39 Sec. \_\_\_\_\_. Section 256.22, if enacted by 1998 Iowa  
40 Acts, Senate File 2366, section 4, is amended by  
41 adding the following new subsection:

42 NEW SUBSECTION. 6. Notwithstanding section 8.33,  
43 unencumbered or unobligated funds remaining on June 30  
44 of the fiscal year for which the funds were  
45 appropriated shall not revert but shall be available  
46 for expenditure for the following fiscal year for  
47 purposes of this section.

48 Sec. \_\_\_\_\_. NEW SECTION. 256.24 MATHEMATICS PILOT  
49 PROGRAMS.

50 1. The Iowa mathematics and science coalition

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1 shall administer a two-year mathematics pilot program  
2 to help teachers become aware of possibilities for  
3 mathematics instruction other than traditional  
4 approaches and discuss those approaches with other  
5 teachers, employ new problem-centered approaches,  
6 develop routines that create an environment that  
7 promotes problem solving and student autonomy, and  
8 integrate new approaches to teaching mathematics in  
9 the regular mathematics curriculum.

10 2. The Iowa mathematics and science coalition  
11 shall locate the pilot programs in at least four  
12 public school districts, one located in a large school  
13 district, one located in a medium-sized school  
14 district, and two located in small school districts.  
15 In the case of a large school district, the district  
16 shall apply for a secondary school in the district  
17 provided that the middle and elementary schools within  
18 the secondary school attendance area shall be  
19 represented in the application. Districts  
20 participating in the program shall require all  
21 teachers employed by the district who teach  
22 mathematics to participate in the pilot program.  
23 However, in the case of a large district, only  
24 teachers employed to teach mathematics in the  
25 secondary school for which the application was made,  
26 and the teachers employed to teach mathematics in the  
27 middle and elementary schools within the secondary  
28 school attendance area, shall be required to  
29 participate in the pilot program. For purposes of  
30 this section, a large school district is a district  
31 with an actual enrollment of five thousand or more  
32 pupils; a medium-sized school district is a district  
33 with an actual enrollment that is greater than one  
34 thousand one hundred ninety-nine pupils, but less than  
35 five thousand pupils; and a small school district is a  
36 district with an actual enrollment of one thousand one  
37 hundred ninety-nine or fewer pupils.

38 3. Funds appropriated for purposes of this section  
39 may be used for administrative costs of the program  
40 and shall be used to provide partial financial  
41 assistance to a participating school district. The  
42 portion of the program costs for which a district does  
43 not receive financial assistance pursuant to this  
44 section shall be paid by the district. However, the  
45 district may use phase III funds to pay this portion  
46 of the program costs.

47 Sec. \_\_\_\_\_. Section 256.44, subsection 3, if enacted  
48 by 1998 Iowa Acts, Senate File 2366, section 5, is  
49 amended to read as follows:

50 3. To receive a five-year annual award for

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1 achieving certification by the national board of  
2 professional teaching standards, a teacher shall apply  
3 to the department within one year of eligibility.  
4 Payment for awards shall be made only upon  
5 departmental approval of an application or  
6 recertification of eligibility. A nonrenewable term  
7 of eligibility shall be for five years or for the  
8 years the certificate is valid, whichever time period  
9 is shorter. In order to continue receipt of payments,  
10 a recipient shall annually recertify eligibility. It  
11 is the intent of the general assembly to appropriate  
12 not more than one million dollars from the general  
13 fund for purposes of this program during the lifetime  
14 of this program."

15 3. Page 3, by striking line 48 and inserting the  
16 following: "30, line 6, and inserting the following:

17 "Sec. \_\_\_\_ . Section 261.25, Code Supplement 1997,  
18 is amended by adding the following new subsection:

19 NEW SUBSECTION. 3A. There is appropriated from  
20 the general fund of the state to the commission for  
21 each fiscal year the sum of ninety thousand dollars  
22 for the industrial technology forgivable loan program  
23 established in section 261.111.

24 Sec. \_\_\_\_ . NEW SECTION. 261.111 INDUSTRIAL  
25 TECHNOLOGY FORGIVABLE LOAN PROGRAM.

26 1. There is established an industrial technology  
27 forgivable loan program to be administered by the  
28 college student aid commission. An individual is  
29 eligible for the forgivable loan program if the  
30 individual meets all of the following conditions:

31 a. Is a resident of this state who is enrolled as  
32 a sophomore, junior, or senior in the area of  
33 industrial technology education at an institution of  
34 higher learning under the control of the state board  
35 of regents or an accredited private institution as  
36 defined in section 261.9, or, is a resident of this  
37 state who is enrolled in the area of industrial  
38 technology at a community college in the state and the  
39 credits for the coursework in industrial technology  
40 are transferable to an institution of higher learning  
41 under the control of the state board of regents, or to  
42 an accredited private institution as defined in  
43 section 261.9.

44 b. Completes and files an application for an  
45 industrial technology forgivable loan. The individual  
46 shall be responsible for the submission of the  
47 parents' confidential statement for processing to both  
48 the commission and the institution in which the  
49 applicant is enrolling.

50 c. Reports promptly to the commission any

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1 information requested.

2 d. Files a new application and parents'  
3 confidential statement annually on the basis of which  
4 the applicant's eligibility for a renewed industrial  
5 technology forgivable loan will be evaluated and  
6 determined.

7 2. Forgivable loans to eligible students shall not  
8 become due until after the student graduates or leaves  
9 school. The individual's total loan amount, including  
10 principal and interest, shall be reduced by twenty  
11 percent for each year in which the individual remains  
12 an Iowa resident and is employed by a school district  
13 or an accredited nonpublic school as an industrial  
14 technology teacher. If the commission determines that  
15 the person does not meet the criteria for forgiveness  
16 of the principal and interest payments, the commission  
17 shall establish a plan for repayment of the principal  
18 and interest over a ten-year period. If a person  
19 required to make the repayment does not make the  
20 required payments, the commission shall provide for  
21 payment collection.

22 3. There is created an industrial technology  
23 forgivable loan repayment fund for deposit of payments  
24 made by forgivable loan recipients who do not fulfill  
25 the conditions of the forgivable loan program.  
26 Notwithstanding section 8.33, moneys deposited in the  
27 industrial technology forgivable loan repayment fund  
28 shall not revert to the general fund of the state at  
29 the end of any fiscal year but shall remain in the  
30 industrial technology forgivable loan repayment fund  
31 and be continuously available to make additional loans  
32 under the program.

33 Sec. \_\_\_\_ . NEW SECTION. 261.112 INDUSTRIAL  
34 TECHNOLOGY FORGIVABLE LOAN ADMINISTRATION.

35 1. The college student aid commission shall  
36 administer the industrial technology forgivable loan  
37 program. The amount of an industrial technology  
38 forgivable loan shall not exceed three thousand  
39 dollars annually, or the amount of the student's  
40 established financial need, whichever is less.

41 2. The interest rate for the forgivable loan shall  
42 be equal to the interest rate collected by an eligible  
43 lender under the Iowa guaranteed student loan program  
44 for the year in which the forgivable loan is made.

45 Sec. \_\_\_\_ . NEW SECTION. 262.72 TEACHER INTERNSHIP  
46 PILOT PROGRAM.

47 1. If the general assembly appropriates moneys for  
48 a teacher internship pilot program, the state board of  
49 regents shall, by November 1, 1998, establish at an  
50 institution of higher learning under its control a

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1 teacher internship pilot program. The regents  
2 institution selected by the state board of regents  
3 shall be responsible for the administration of the  
4 pilot program. The regents institution shall develop  
5 the pilot program in consultation with the state board  
6 of education, the board of educational examiners, the  
7 other institutions of higher learning under the  
8 control of the state board of regents, and, as  
9 practicable, any other institutions offering  
10 practitioner preparation programs approved by the  
11 state board of education.

12 2. The pilot program developed and administered by  
13 the regents institution shall, at a minimum, include  
14 the following:

15 a. Student interns enrolled in the program shall  
16 complete a one-year teaching experience conducted in a  
17 collaborating school district. A student intern shall  
18 be under contract for employment for the term of  
19 internship with the participating school district.  
20 The amount of money a school district shall pay to a  
21 student intern shall be negotiated by the school  
22 district and the regents institution in consultation  
23 with the state board of regents.

24 b. Application of the best teaching practices in  
25 diverse settings and in responding to diverse student  
26 needs under the supervision of selected district  
27 teachers and personnel employed by the regents  
28 institution.

29 c. Seminars and special projects designed to meet  
30 student intern needs.

31 d. Collaboration and support from a participating  
32 school district relating to supervision and assessment  
33 of the student intern's performance.

34 e. Collaboration and support from the regents  
35 institution in developing rigorous graduate coursework  
36 and in matters relating to supervision, instruction,  
37 and evaluation of the student intern in conjunction  
38 with personnel employed by the participating school  
39 district.

40 3. Student interns who enroll in the program shall  
41 receive graduate credit for successful completion of  
42 teacher internship program coursework. The successful  
43 completion of a one-year teacher internship under the  
44 program shall be recognized as the equivalent of one  
45 year of teaching experience.

46 4. A teacher who is employed by a school district  
47 and who acts as a clinical supervisor for the teacher  
48 internship pilot program shall be eligible for a  
49 stipend of one thousand dollars per semester of  
50 participation in the program. The stipend and the

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1 costs of the employer's share of contributions to  
2 federal social security and the Iowa public employees'  
3 retirement system, or a pension and annuity retirement  
4 system established under chapter 294, for such amounts  
5 paid by the district, shall be paid from moneys  
6 received by the participating school district from  
7 moneys appropriated to the state board of regents  
8 pursuant to this section.

9 5. Moneys received by a school district under this  
10 section shall not be commingled with state aid  
11 payments made under section 257.16 to a school  
12 district and shall be accounted for by the school  
13 district separately from state aid payments.

14 6. Payments made to school districts under this  
15 section are miscellaneous income for purposes of  
16 chapter 257 and are considered encumbered. A school  
17 district shall maintain a separate budget listing for  
18 payments received and expenditures made pursuant to  
19 this section.

20 7. Moneys received by a school district under this  
21 section shall not be used for payment of any  
22 collective bargaining agreement or arbitrator's  
23 decision negotiated or awarded under chapter 20.

24 8. Annually on or before January 15, the regents  
25 institution shall submit a report describing  
26 activities associated with the program to the state  
27 board of regents, which shall summarize the reports  
28 received and submit the summary to the chairpersons  
29 and ranking members of the standing house of  
30 representatives and senate education committees.

31 9. For purposes of this section, "regents  
32 institution" means the institution of higher learning  
33 under the control of the state board of regents  
34 selected by the board to administer the teacher  
35 internship pilot program.

36 10. a. There is appropriated from the general  
37 fund of the state to the state board of regents for  
38 the fiscal year beginning July 1, 1998, and ending  
39 June 30, 1999, the sum of two hundred twenty thousand  
40 dollars for the teacher internship pilot program.

41 b. There is appropriated from the general fund of  
42 the state to the state board of regents for each  
43 fiscal year of the fiscal period beginning July 1,  
44 1999, and ending June 30, 2001, the sum of five  
45 hundred seventy-five thousand dollars for the teacher  
46 internship pilot program.

47 Sec. \_\_\_\_ . Section 279.14, subsection 2, if enacted  
48 by 1998 Iowa Acts, Senate File 2366, is amended by  
49 striking the subsection and inserting in lieu thereof  
50 the following:

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1 2. The determination of standards of performance  
2 expected of school district personnel shall be  
3 reserved as an exclusive management right of the  
4 school board and shall not be subject to mandatory  
5 negotiations under chapter 20. Notwithstanding  
6 chapter 20, objections to the procedures, use, or  
7 content of an evaluation in a teacher termination  
8 proceeding brought before the school board in a  
9 hearing held in accordance with section 279.16 or  
10 279.27 shall not be subject to the grievance  
11 procedures negotiated in accordance with chapter 20.  
12 A school district shall not be obligated to process  
13 any evaluation grievance after service of a notice and  
14 recommendation to terminate an individual's continuing  
15 teaching contract in accordance with chapter 279.

16 Sec. \_\_\_\_\_. Section 279.14A, subsection 1, if  
17 enacted by 1998 Iowa Acts, Senate File 2366, is  
18 amended to read as follows:

19 1. The department of education shall establish and  
20 implement a voluntary practitioner performance  
21 improvement program that shall provide technical  
22 assistance to teachers and administrators from each  
23 public school district and area education agency.  
24 Individuals under contract with a school district may  
25 receive technical assistance in accordance with this  
26 subsection. The department shall consult with the  
27 Iowa state education association, the Iowa association  
28 of school boards, the school administrators of Iowa,  
29 the professional educators of Iowa, and, as  
30 practicable, other entities providing similar  
31 programs, in developing the program. At a minimum,  
32 the program shall provide administrators with  
33 training, including but not limited to, seminars and  
34 written materials, relating to the areas of employment  
35 policies and procedures, employment documentation,  
36 performance evaluations, corrective performance  
37 techniques, discipline, termination, and support by  
38 qualified individuals for implementation of the  
39 program. The program shall not be used to provide  
40 consultation or assistance on specific employment  
41 situations. Training received by an administrator in  
42 accordance with this section shall apply toward an  
43 administrator's evaluator approval renewal.

44 Sec. \_\_\_\_\_. Section 279.19, Code 1997, is amended by  
45 adding the following new unnumbered paragraph:

46 NEW UNNUMBERED PARAGRAPH. Notwithstanding any  
47 provision to the contrary, the grievance procedures of  
48 section 20.18 relating to job performance or job  
49 retention shall not apply to a teacher during the  
50 first two years of the teacher's probationary period.

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1 However, this paragraph shall not apply to a teacher  
2 who has successfully completed a probationary period  
3 in a school district in Iowa."

4 4. Page 3, by inserting after line 48 the  
5 following:

6 "\_\_\_\_. Page 30, by inserting after line 14 the  
7 following:

8 "Sec. \_\_\_\_\_. Section 279.60, subsection 5, if  
9 enacted by 1998 Iowa Acts, Senate File 2366, section  
10 29, is amended to read as follows:

11 5. The ranked list of nominees shall be submitted  
12 to the board of directors of the school district for  
13 review and approval. The board of directors shall be  
14 responsible for determining the number of awards and  
15 the amount of the awards based upon the moneys  
16 received by the school district pursuant to section  
17 279.61. The board of directors shall also consult  
18 with practitioners to plan appropriate recognition  
19 events within the school district for presentation of  
20 the awards."

21 5. Page 4, by inserting after line 7 the  
22 following:

23 "\_\_\_\_. Page 32, by inserting after line 3 the  
24 following:

25 NEW SUBSECTION. 6A. For each fiscal year of the  
26 fiscal period beginning July 1, 1998, and ending June  
27 30, 2000, the amount of seventy-five thousand dollars  
28 from phase III moneys to the department of education  
29 for distribution to the Iowa mathematics and science  
30 coalition for purposes of mathematics pilot programs  
31 in accordance with section 256.24."

32 \_\_\_\_\_. Page 35, by inserting after line 1 the  
33 following:

34 "Sec. 101. Section 256.17A, if enacted by 1998  
35 Iowa Acts, Senate File 2366, section 3, is repealed."

36 \_\_\_\_\_. Page 35, by inserting after line 2 the  
37 following:

38 "Sec. \_\_\_\_\_. 1998 Iowa Acts, Senate File 2366,  
39 section 40, if enacted, is amended to read as follows:

40 Sec. 40. EMERGENCY RULES. The department may  
41 adopt emergency rules as necessary for the  
42 administration of chapter 256E and sections ~~256.17A~~  
43 256.22, 257.13, and 279.60, if enacted."

44 6. Page 4, by inserting after line 10 the  
45 following:

46 "\_\_\_\_. Page 37, by inserting after line 15 the  
47 following:

48 "Section 101 of this Act, relating to the repeal of  
49 section 256.17A, being deemed of immediate importance,  
50 takes effect upon enactment."

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1 7. By renumbering as necessary.

By DONALD B. REDFERN

S-5699 FILED APRIL 15, 1998

WITHDRAWN

(P.1298)

HOUSE FILE 2533

S-5700

1 Amend the amendment, S-5631, to House File 2533, as  
2 amended, passed, and reprinted by the House, as  
3 follows:

4 1. Page 1, by inserting after line 10 the  
5 following:

6 "\_\_\_\_". Page 9, line 25, by striking the figure  
7 "120,000" and inserting the following: "1,000,000".

8 2. By renumbering as necessary.

By MIKE CONNOLLY

S-5700 FILED APRIL 15, 1998

RULED OUT OF ORDER

(P.1296)

HOUSE FILE 2533

S-5701

1 Amend the amendment, S-5631, to House File 2533, as  
2 amended, passed, and reprinted by the House, as  
3 follows:

4 1. Page 1, by inserting after line 10 the  
5 following:

6 "\_\_\_\_". By striking page 9, line 33, through page  
7 10, line 12, and inserting the following:

8 "\_\_\_\_. READING RECOVERY PROGRAM

9 For allocation to assist school districts in  
10 developing reading recovery programs:

11 ..... \$ 1,000,000

12 Moneys allocated to the department of education for  
13 purposes of the reading recovery program pursuant to  
14 this subsection shall be divided evenly between the  
15 area education agencies."

16 2. By renumbering as necessary.

By MIKE CONNOLLY

S-5701 FILED APRIL 15, 1998

RULED OUT OF ORDER

(P.1296)

## HOUSE FILE 2533

S-5702

1 Amend the amendment, S-5631, to House File 2533, as  
2 amended, passed, and reprinted by the House, as  
3 follows:

4 1. Page 1, by inserting after line 43 the  
5 following:

6 "\_\_\_\_\_. By striking page 25, line 35 through page  
7 26, line 1."

8 2. Page 2, by inserting after line 9 the  
9 following:

10 "\_\_\_\_\_. By striking page 26, line 24, through page  
11 27, line 6, and inserting the following:

12 "1. The amount of one hundred seventy-four  
13 thousand dollars shall be transferred annually by the  
14 treasurer of state from the interest for Iowa schools  
15 fund to the credit of the first in the nation in  
16 education foundation.

17 2. The interest remaining in the interest for Iowa  
18 schools fund after the transfer of funds in accordance  
19 with subsection 1 shall be transferred by the  
20 treasurer of state."

21 3. Page 3, by inserting after line 48 the  
22 following:

23 "\_\_\_\_\_. Page 30, by striking lines 7 through 14."

24 4. Page 4, by inserting after line 7 the  
25 following:

26 "\_\_\_\_\_. Page 32, by inserting after line 3 the  
27 following:

28 "NEW SUBSECTION. 9A. For the fiscal year  
29 beginning July 1, 1998, and ending June 30, 1999, from  
30 phase III moneys, the amount of two hundred thousand  
31 dollars, to the department of education for allocation  
32 to assist school districts in developing reading  
33 recovery programs. From the moneys allocated in this  
34 section, one hundred thousand dollars shall be  
35 distributed to the reading recovery center, and the  
36 remaining balance shall be distributed to the area  
37 education agencies in the proportion that the number  
38 of children who are eligible for free or reduced price  
39 meals under the federal National School Lunch Act and  
40 the federal Child Nutrition Act of 1966, 42 U.S.C. §  
41 1751-1785, in the basic enrollment of grades one  
42 through six in the area served by an agency, bears to  
43 the sum of the number of children who are eligible for  
44 free or reduced price meals under the federal National  
45 School Lunch Act and the federal Child Nutrition Act  
46 of 1966, 42 U.S.C. § 1751-1785, in the basic  
47 enrollments of grades one through six in all of the  
48 areas served by area education agencies in the state  
49 for the budget year."

50 \_\_\_\_\_ Page 35, by striking lines 2 through 10 and  
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1 inserting the following:

2 "Sec. \_\_\_\_ Chapter 303C, Code 1997, is repealed."

3 \_\_\_\_ Page 36, by striking lines 2 through 26 and

4 inserting the following:

5 "Sec. \_\_\_\_ FINE FOUNDATION STUDY. As a condition

6 of the transfer of moneys to the first in the nation

7 in education foundation in accordance with section

8 257B.1A, the first in the nation education foundation

9 shall conduct an evaluation of its performance in

10 meeting the research needs of education in Iowa. The

11 foundation shall submit to the general assembly by

12 January 15, 1999, its findings, along with its vision

13 statement for the coming decade for the use and

14 support of research by the foundation to improve

15 education in Iowa.""

16 5. Page 4, by inserting after line 10 the

17 following:

18 " \_\_\_\_ Page 37, by striking lines 11 through 15."

19 6. By renumbering as necessary.

By ELAINE SZYMONIAK

DENNIS H. BLACK

JOHN P. KIBBIE

ROD HALVORSON

S-5702 FILED APRIL 15, 1998

WITHDRAWN (p. 1303)

HOUSE FILE 2533

S-5703

1 Amend the amendment, S-5631, to House File 2533, as

2 amended, passed, and reprinted by the House, as

3 follows:

4 1. Page 1, by inserting after line 2 the

5 following:

6 " \_\_\_\_ Page 1, line 28, by striking the figure

7 "833,900" and inserting the following: "1,042,800"."

8 2. By renumbering as necessary.

By TOM VILSACK

PATRICIA HARPER

DENNIS H. BLACK

DON GETTINGS

STEVEN D. HANSEN

ROD HALVORSON

PATRICK J. DELUHERY

PATTY JUDGE

DICK L. DEARDEN

TOM FLYNN

MICHAEL E. GRONSTAL

WALLY E. HORN

MIKE CONNOLLY

EUGENE S. FRAISE

ELAINE SZYMONIAK

S-5703 FILED APRIL 15, 1998

LOST

(p. 1294)



HOUSE FILE 2533

S-5706

1 Amend the amendment, S-5631, to House File 2533, as  
2 amended, passed, and reprinted by the House, as  
3 follows:

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

6 "\_\_\_\_. Page 8, by inserting after line 7 the  
7 following:

8 "\_\_\_\_. READING RECOVERY PROGRAM

9 For allocation to assist school districts in  
10 developing reading recovery programs:

11 ..... \$ 1,000,000

12 Moneys allocated to the department of education for  
13 purposes of the reading recovery program pursuant to  
14 this subsection shall be divided evenly between the  
15 area education agencies."

16 \_\_\_\_\_. By striking page 9, line 33, through page  
17 10, line 12."

18 2. By renumbering as necessary.

By MIKE CONNOLLY

S-5706 FILED APRIL 15, 1998

LOST

(P.1295)

## HOUSE FILE 2533

S-5704

1 Amend the amendment, S-5631, to House File 2533, as  
2 amended, passed, and reprinted by the House, as  
3 follows:

4 1. Page 1, by inserting after line 45 the  
5 following:

6 Sec. \_\_\_\_ . NEW SECTION. 256.57 ENRICH IOWA  
7 PROGRAM -- INTENT -- FUNDING.

8 1. The general assembly finds and declares that  
9 the public library is at the heart of each community,  
10 an integral component in this state's education  
11 system, and an invaluable source of wisdom and  
12 knowledge for this state's lifelong learners. It is  
13 therefore in the interest of the citizens of Iowa that  
14 a comprehensive initiative be undertaken to reduce  
15 inequities in library services throughout the state  
16 and provide public libraries with the funds necessary  
17 to meet the present and future needs of this state's  
18 citizens.

19 2. There is appropriated from the general fund of  
20 the state to the department of education for each  
21 fiscal year the sum of three million dollars, which  
22 shall be allocated to the division of libraries and  
23 information services for the following purposes and in  
24 the following amounts:

25 a. Of the funds allocated each year, the division  
26 shall distribute one million eight hundred thousand  
27 dollars to eligible public libraries that comply with  
28 the standards set forth in the in service to Iowa:  
29 public library measures of quality publication adopted  
30 by the commission of libraries. The amount  
31 distributed to each eligible public library shall be  
32 based upon the following:

33 (1) The level at which the eligible public library  
34 complies with the in service to Iowa publication  
35 adopted by the commission of libraries.

36 (2) The number of people residing within an  
37 eligible library's geographic area and for whom the  
38 library was established.

39 (3) The amount of funding the eligible public  
40 library received in the previous fiscal year for  
41 service to rural residents and to contracting  
42 communities.

43 Moneys received by a public library under this  
44 paragraph shall supplement, not supplant, local  
45 funding.

46 b. For purposes of technology development,  
47 coordination of technology, and resource sharing by  
48 the state and regional libraries, resulting in  
49 equitable access to library resources, the sum of six  
50 hundred fifty thousand dollars to be used by the

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1 division of libraries and information services.  
2 Moneys allocated under this subsection shall also be  
3 used to extend the availability of statewide on-line  
4 databases using the Internet and information  
5 resources. Moneys allocated to the division in this  
6 paragraph may be distributed to regional libraries.  
7 c. For purposes of establishing a grant program  
8 administered by the division, the sum of four hundred  
9 fifty thousand dollars. The division shall award  
10 grants on a competitive basis to eligible public  
11 libraries that submit to the division plans for  
12 innovative technologies and services, cooperative  
13 alliances between libraries, or for physical library  
14 facilities enhancement. An application submitted  
15 shall also contain a commitment of at least a dollar-  
16 for-dollar match of the grant assistance. The  
17 division shall appoint an advisory committee for  
18 purposes of recommending priorities and criteria for  
19 the awarding of grants under this paragraph. The  
20 advisory committee shall submit its report and  
21 recommendations annually to the state librarian and  
22 the commission of libraries by August 15.

23 d. For purposes of administering the enrich Iowa  
24 program, and assisting eligible public libraries to  
25 obtain funding under the program, the sum of one  
26 hundred thousand dollars.

27 3. For purposes of this section, "eligible public  
28 library" means a public library that meets at least  
29 all of the following requirements:

30 a. Submits to the division of libraries and  
31 information services all of the following:

32 (1) The report provided for under section 256.51,  
33 subsection 1, paragraph "h".

34 (2) An application and report form for  
35 accreditation that provides evidence of the library's  
36 compliance with at least one level of the standards  
37 established in accordance with section 256.51,  
38 subsection 1, paragraph "k".

39 (3) Any other application or report the division  
40 deems necessary for the implementation of this  
41 program.

42 b. Participates in the library resource and  
43 information sharing programs established by the state  
44 library.

45 4. By January 15 of each year, the division shall  
46 submit a program evaluation report to the general  
47 assembly and the governor detailing the uses and the  
48 impacts of funds appropriated under this section.

49 5. Notwithstanding section 8.33, unencumbered or  
50 unobligated funds remaining on June 30 of the fiscal

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1 year for which the funds were appropriated shall not  
2 revert but shall be available for expenditure for the  
3 following fiscal year for purposes of this section."  
4 2. By renumbering as necessary.

By DENNIS H. BLACK	JOHN P. KIBBIE
PATRICK J. DELUHERY	ROD HALVORSON
PATTY JUDGE	JOHNIE HAMMOND
MICHAEL E. GRONSTAL	MIKE CONNOLLY
STEVEN D. HANSEN	BILL FINK
EUGENE S. FRAISE	ROBERT E. DVORSKY
PATRICIA HARPER	TOM FLYNN

S-5704 FILED APRIL 15, 1998

LOST (p.1304)

HOUSE FILE 2533

S-5705

1 Amend the amendment, S-5631, to House File 2533, as  
2 amended, passed, and reprinted by the House, as  
3 follows:

4 1. Page 1, by inserting after line 18 the  
5 following:

6 "\_\_\_\_\_. By striking page 10, line 19, through page  
7 11, line 1, and inserting the following:

8 "..... \$137,566,337

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

11	a. Merged Area I .....	\$ 6,601,368
12	b. Merged Area II .....	\$ 7,746,097
13	c. Merged Area III .....	\$ 7,256,677
14	d. Merged Area IV .....	\$ 3,539,471
15	e. Merged Area V .....	\$ 7,390,746
16	f. Merged Area VI .....	\$ 6,881,443
17	g. Merged Area VII .....	\$ 9,854,527
18	h. Merged Area IX .....	\$ 12,086,845
19	i. Merged Area X .....	\$ 18,884,153
20	j. Merged Area XI .....	\$ 20,124,470
21	k. Merged Area XII .....	\$ 7,938,929
22	l. Merged Area XIII .....	\$ 8,144,630
23	m. Merged Area XIV .....	\$ 3,590,602
24	n. Merged Area XV .....	\$ 11,240,113
25	o. Merged Area XVI .....	\$ 6,286,266"

By ROD HALVORSON	ROBERT E. DVORSKY
WALLY E. HORN	BILL FINK
JOHN P. KIBBIE	PATRICK J. DELUHERY
EUGENE S. FRAISE	PATTY JUDGE
STEVEN D. HANSEN	MICHAEL E. GRONSTAL
PATRICIA HARPER	TOM FLYNN
ELAINE SZYMONIAK	

S-5705 FILED APRIL 15, 1998

LOST (p.1298)

## HOUSE FILE 2533

S-5708

1 Amend the amendment, S-5631, to House File 2533, as  
2 amended, passed, and reprinted by the House, as  
3 follows:  
4 1. Page 4, by inserting after line 7 the  
5 following:  
6 "\_\_\_\_. Page 36, by inserting after line 26 the  
7 following:  
8 "Sec. \_\_\_\_ . NATIONAL BOARD CERTIFICATION AWARD  
9 REPEAL. Section 256.44, as enacted by 1998 Iowa Acts,  
10 Senate File 2366, section 5, and as amended by this  
11 Act, is repealed.  
12 Sec. \_\_\_\_ . 1998 Iowa Acts, Senate File 2366,  
13 section 38, is repealed."  
14 2. By renumbering as necessary.

By JACK RIFE

S-5708 FILED APRIL 15, 1998

WITHDRAWN (P. 1305)

## HOUSE FILE 2533

S-5709

1 Amend the amendment, S-5631, to House File 2533, as  
2 amended, passed, and reprinted by the House, as  
3 follows:  
4 1. Page 4, by inserting after line 7 the  
5 following:  
6 "\_\_\_\_. Page 36, by inserting after line 26 the  
7 following:  
8 "Sec. \_\_\_\_ . 1998 Iowa Acts, Senate File 2366,  
9 section 33, amending section 294A.5, Code 1997, if  
10 enacted, if repealed.  
11 Sec. \_\_\_\_ . 1998 Iowa Acts, Senate File 2366,  
12 section 34, amending section 294A.6, unnumbered  
13 paragraph 1, Code 1997, if enacted, is repealed.  
14 Sec. \_\_\_\_ . 1998 Iowa Acts, Senate File 2366,  
15 section 35, amending section 294A.25, subsection 1,  
16 Code Supplement 1997, if enacted, is repealed."  
17 2. By renumbering as necessary.

By JACK RIFE

S-5709 FILED APRIL 15, 1998

WITHDRAWN

(P. 1305)

## HOUSE FILE 2533

S-5707

1 Amend the amendment, S-5631, to House File 2533, as  
2 amended, passed, and reprinted by the House, as  
3 follows:

4 1. Page 3, by striking line 48 and inserting the  
5 following: "30, line 6, and inserting the following:

6 "Sec. \_\_\_\_ . NEW SECTION. 261.56 RETAINING OUR  
7 ACHIEVERS LOAN PROGRAM.

8 1. A retaining our achievers loan program is  
9 established to be administered by the college student  
10 aid commission as provided in this section. The  
11 purpose of the loan program is to increase the number  
12 of Iowans who remain residents of this state upon  
13 graduation from an accredited postsecondary  
14 institution in Iowa.

15 2. An individual is eligible for the program if  
16 the individual meets all of the following conditions:

17 a. Is a resident of this state who is accepted for  
18 enrollment in an academic or vocational-technical  
19 program at an institution of higher learning under the  
20 control of the state board of regents, a community  
21 college, or an accredited private institution as  
22 defined in section 261.9.

23 b. Has filed an application with the commission  
24 using procedures specified in section 261.16.

25 c. Agrees to remain a resident of Iowa for at  
26 least one year after attaining a certificate, diploma,  
27 or undergraduate degree as provided in this section,  
28 for each year the individual received a loan.

29 3. The annual amount of a loan to a qualified  
30 student shall be the amount of the student's financial  
31 need for that period, but shall not exceed the  
32 resident tuition rate established for institutions of  
33 higher learning under the control of the state board  
34 of regents. Loans for full-time students shall be  
35 granted for not more than five years, and for part-  
36 time students shall be granted for not more than ten  
37 years.

38 4. The commission shall adopt rules under chapter  
39 17A to administer the program. The commission shall  
40 set a final date for submission of applications each  
41 year and shall review the applications and inform the  
42 recipients within a reasonable time after the  
43 deadline.

44 Sec. \_\_\_\_ . NEW SECTION. 261.57 PAYMENT OF  
45 RETAINING OUR ACHIEVERS LOAN -- FUND.

46 1. Payment of a loan made under the retaining our  
47 achievers loan program under section 261.56 shall  
48 begin one year after a recipient completes the  
49 academic or vocational-technical program for which  
50 tuition and fees were received except as otherwise

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1 provided in this section.

2 2. If the recipient was a full-time student and  
3 submits evidence to the commission that the recipient  
4 was a resident of this state during the year following  
5 the completion of the academic or vocational-technical  
6 program and the achievement of a certificate, diploma,  
7 or degree as provided in this section, the commission  
8 shall cancel the loan amount the recipient accumulated  
9 under the loan program in the first year in which the  
10 recipient received a loan from the commission. For  
11 each succeeding year in which the recipient certifies  
12 residency to the commission, the commission shall  
13 cancel one year of the loan amount.

14 3. If the recipient was a full-time student and  
15 submits evidence to the commission that the recipient  
16 was a resident of the state during the second  
17 succeeding year following completion of the academic  
18 or vocational-technical program and the achievement of  
19 a certificate, diploma, or degree as provided in this  
20 section, the commission shall cancel the loan amount  
21 the recipient accumulated under the loan program in  
22 the second year in which the recipient received a loan  
23 from the commission. For each succeeding year in  
24 which the recipient certifies residency to the  
25 commission, the commission shall cancel one year of  
26 the loan amount, or the remainder of the loan amount,  
27 whichever is less.

28 4. If the recipient was a full-time student and  
29 submits evidence to the commission that the recipient  
30 was a resident of the state during the third  
31 succeeding year following completion of the academic  
32 or vocational-technical program and the achievement of  
33 a certificate, diploma, or degree as provided in this  
34 section, the commission shall cancel the loan amount  
35 the recipient accumulated under the loan program in  
36 the third year in which the recipient received a loan  
37 from the commission. For each succeeding year in  
38 which the recipient certifies residency to the  
39 commission, the commission shall cancel one year of  
40 the loan amount, or the remainder of the loan amount,  
41 whichever is less.

42 5. If the recipient was a full-time student and  
43 submits evidence to the commission that the recipient  
44 was a resident of the state during the fourth  
45 succeeding year following completion of the academic  
46 or vocational-technical program and the achievement of  
47 a certificate, diploma, or degree as provided in this  
48 section, the commission shall cancel the loan amount  
49 the recipient accumulated under the loan program in  
50 the fourth year in which the recipient received a loan

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1 from the commission. For each succeeding year in  
2 which the recipient certifies residency to the  
3 commission, the commission shall cancel one year of  
4 the loan amount, or the remainder of the loan amount,  
5 whichever is less.

6 6. If the recipient was a full-time student and  
7 submits evidence to the commission that the recipient  
8 was a resident of the state during the fifth  
9 succeeding year following completion of the academic  
10 or vocational-technical program and the achievement of  
11 a certificate, diploma, or degree as provided in this  
12 section, the commission shall cancel the loan amount  
13 the recipient accumulated under the loan program in  
14 the fifth year in which the recipient received a loan  
15 from the commission. For each succeeding year in  
16 which the recipient certifies residency to the  
17 commission, the commission shall cancel one year of  
18 the loan amount, or the remainder of the loan amount,  
19 whichever is less.

20 7. The commission shall determine a loan  
21 cancellation timetable for part-time students  
22 equivalent to the timetable described for full-time  
23 students under this section.

24 8. There is created a retaining our achievers loan  
25 payment fund for deposit of payments made by  
26 recipients. Payments made by recipients of the loans  
27 shall be used to supplement moneys appropriated to the  
28 guaranteed loan payment program. Any funds remaining  
29 on June 30 of a fiscal year shall be transferred from  
30 the fund created in this section to the general fund  
31 of the state.

32 9. The interest rate collected on a retaining our  
33 achievers loan shall be equal to the interest rate  
34 being collected by an eligible lender under the  
35 guaranteed loan payment program.

36 10. The commission shall prescribe by rule the  
37 terms of repayment."

38 2. By renumbering as necessary.

By PATRICIA HARPER  
JOHN P. KIBBIE  
ROD HALVORSON

BILL FINK  
ROBERT E. DVORSKY

S-5707 FILED APRIL 15, 1998  
LOST

(p. 1301)





HOUSE FILE 2533

S-5720

1 Amend the amendment, S-5631, to House File 2533, as  
2 amended, passed, and reprinted by the House, as  
3 follows:

4 1. By striking page 1, lines 11 through 18 and  
5 inserting the following:

6 "\_\_\_\_. Page 9, by inserting after line 21 the  
7 following:

8 "\_\_\_\_. READING RECOVERY PROGRAM

9 For allocation to assist school districts in  
10 developing reading recovery programs:

11 ..... \$ 75,000

12 Moneys allocated to the department of education for  
13 purposes of the reading recovery program pursuant to  
14 this subsection shall be distributed to area education  
15 agencies in the proportion that the number of children  
16 who are eligible for free or reduced price meals under  
17 the federal National School Lunch Act and the federal  
18 Child Nutrition Act of 1966, 42 U.S.C. § 1751-1785, in  
19 the basic enrollment of grades one through six in the  
20 area served by an agency, bears to the sum of the  
21 number of children who are eligible for free or  
22 reduced price meals under the federal National School  
23 Lunch Act and the federal Child Nutrition Act of 1966,  
24 42 U.S.C. § 1751-1785, in the basic enrollments of  
25 grades one through six in all of the areas served by  
26 area education agencies in the state for the budget  
27 year.""

28 2. By renumbering as necessary.

By ROBERT E. DVORSKY

S-5720 FILED APRIL 15, 1998

LOST

(P. 1306)

## HOUSE FILE 2533

S-5714

1 Amend the amendment, S-5631, to House File 2533, as  
2 amended, passed, and reprinted by the House, as  
3 follows:

4 1. Page 3, by striking line 48 and inserting the  
5 following: "30, line 6, and inserting the following:

6 "Sec. . NEW SECTION. 261.28 REWARDING IOWA'S  
7 STUDENTS EDUCATIONALLY PROGRAM.

8 1. A rewarding Iowa's students educationally  
9 program is established to be administered by the  
10 commission. A resident of this state who receives a  
11 high school diploma or a high school equivalency  
12 diploma from a school district or an accredited  
13 nonpublic school in this state after July 1, 1998, and  
14 who otherwise meets the qualifications of this  
15 section, is eligible to receive a rewarding Iowa's  
16 students educationally scholarship under the program  
17 to attend an eligible institution.

18 2. In addition to the requirements of subsection  
19 1, to be eligible for a scholarship under this  
20 section, an individual shall meet the following  
21 requirements:

22 a. Is a citizen of the United States or has been  
23 classified as a permanent resident alien by the United  
24 States immigration and naturalization service.

25 b. Have satisfactorily met the entrance  
26 requirements for admission to an eligible institution.

27 c. Upon completing the equivalent of two full  
28 semesters or three full quarters at an eligible  
29 institution, to continue to be eligible for a  
30 scholarship under this section, the student shall have  
31 a three-point cumulative grade average on a four-point  
32 scale.

33 3. "Eligible institution", for purposes of this  
34 section, means a community college as defined in  
35 chapter 260C, an institution of higher learning under  
36 the control of the state board of regents, or an  
37 accredited private institution, as defined in section  
38 261.9.

39 4. The amount of a scholarship awarded to a  
40 qualified student for an upcoming academic year in  
41 accordance with this section shall be the amount of  
42 the student's financial need for that period,  
43 including tuition, mandatory fees, and a book  
44 allowance. However, the scholarship amount shall not  
45 exceed the resident tuition rate and mandatory fees  
46 established for institutions of higher learning under  
47 the control of the state board of regents plus a book  
48 allowance. The book allowance for a full-time student  
49 shall be one hundred dollars per quarter or the  
50 semester equivalent, and fifty dollars per quarter or

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1 the semester equivalent for a student enrolled for  
2 less than half-time.  
3 5. No minimum number of hours of enrollment is  
4 required for eligibility.  
5 6. An eligible individual shall not receive a  
6 scholarship under this section for more than the  
7 equivalent of eight full semesters.  
8 7. An individual who qualifies for a federal Pell  
9 grant is ineligible for a scholarship under this  
10 section. Federal educational assistance received by  
11 an eligible individual shall be applied to reduce the  
12 individual's tuition and mandatory fee charges.  
13 8. Scholarship moneys may be expended for remedial  
14 coursework.  
15 9. The college student aid commission shall adopt  
16 rules pursuant to chapter 17A to administer this  
17 section. Rules adopted by the commission shall, at a  
18 minimum, establish criteria for deferment of a  
19 scholarship and provide for an appeals process.  
20 10. There is appropriated from the general fund of  
21 the state to the commission for each fiscal year the  
22 sum of ten million dollars for rewarding Iowa's  
23 students educationally scholarships."

By JOHNIE HAMMOND

S-5714 FILED APRIL 15, 1998

LOST (P. 1502)

## HOUSE FILE 2533

S-5717

1 Amend the amendment, S-5631, to House File 2533, as  
2 amended, passed, and reprinted by the House, as  
3 follows:  
4 1. Page 1, by inserting after line 2 the  
5 following:  
6 "\_\_\_\_\_. Page 1, line 28, by striking the figure  
7 "833,900" and inserting the following: "1,042,805".  
8 2. By renumbering as necessary.

By TOM VILSACK

S-5717 FILED APRIL 15, 1998

LOST

(P. 1306)

## HOUSE FILE 2533

S-5712

1 Amend the amendment, S-5631, to House File 2533, as  
2 amended, passed, and reprinted by the House, as  
3 follows:

4 1. Page 1, by inserting after line 40 the  
5 following:

6 "\_\_\_\_. Page 14, by inserting after line 14 the  
7 following:

8 "Sec. \_\_\_\_\_. 1998 Iowa Acts, Senate File 2366,  
9 section 1, subsection 1, unnumbered paragraphs 2 and  
10 3, if enacted, are amended by striking the unnumbered  
11 paragraphs.""

12 2. Page 1, by inserting after line 43 the  
13 following:

14 "\_\_\_\_. Page 26, by inserting after line 12 the  
15 following:

16 "Sec. \_\_\_\_\_. Section 256.22, subsection 1,  
17 unnumbered paragraph 1, if enacted by 1998 Iowa Acts,  
18 Senate File 2366, is amended to read as follows:

19 Subject to an appropriation of sufficient funds by  
20 the general assembly, the department shall establish a  
21 frontier school and extended year school grant program  
22 to provide for the allocation of grants to school  
23 districts, or a collaboration of school districts, to  
24 provide technical assistance for conversion of an  
25 existing school to a frontier school or to an extended  
26 school year calendar, or for investigating the  
27 possibility of converting an existing school within a  
28 district to a frontier school or to an extended school  
29 year calendar. A district that wants to participate  
30 in the program shall submit to the department a  
31 written request for a grant by ~~September~~ October 17  
32 ~~1998~~. The school district or collaboration of school  
33 districts shall agree to appoint a planning committee  
34 composed of parents, guardians, teachers,  
35 administrators, and individuals representing business,  
36 and the local community. The school district or  
37 collaboration shall also indicate in its request its  
38 intention to use any grant moneys received under this  
39 section to examine, at a minimum, all of the  
40 following:

41 Sec. \_\_\_\_\_. Section 256.22, subsections 2 and 5, if  
42 enacted by 1998 Iowa Acts, Senate File 2366, are  
43 amended to read as follows:

44 2. Grant moneys shall be distributed to qualifying  
45 school districts by the department no later than  
46 October 15, 1998 ~~30~~ annually. Grant amounts shall be  
47 distributed as determined by the department. Not more  
48 than fifteen of the grants awarded per year in  
49 accordance with this section shall be used for  
50 purposes of frontier school planning or conversion. A

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1 grant awarded to a school district under this section  
2 shall not exceed twenty-five thousand dollars.  
3 Notwithstanding the other provisions of this section,  
4 the department shall not award grant moneys for  
5 technical assistance for conversion of an existing  
6 school to a frontier school or to an extended school  
7 year calendar prior to July 1, 1999.

8 5. Except as provided in this subsection, frontier  
9 schools are exempt from all statutes and rules  
10 applicable to a school, a school board, or a school  
11 district, although a frontier school may elect to  
12 comply with one or more provisions of statute or rule.  
13 However, a frontier school shall meet all applicable  
14 state and local health and safety requirements; the  
15 ~~frontier school shall be organized and operated as a~~  
16 ~~nonprofit cooperative association under chapter 498 or~~  
17 ~~nonprofit corporation under chapter 504A;~~ the  
18 provisions of chapters 21 and 22 shall apply to  
19 meetings and records of the frontier school board; and  
20 frontier schools are subject to and shall comply with  
21 chapters 216 and 216A relating to civil and human  
22 rights, and sections 275.55A, 279.9A, 280.17B,  
23 280.21B, and 282.4, relating to suspension and  
24 expulsion of a student. The frontier school shall  
25 employ or contract with necessary teachers, as defined  
26 in section 272.1, who hold a valid license with an  
27 endorsement for the type of service for which the  
28 teacher is employed. Frontier schools are subject to  
29 the same financial audits, audit procedures, and audit  
30 requirements as a school district. The audits shall  
31 be consistent with the requirements of sections 11.6,  
32 11.14, 11.19, 256.9, subsection 19, and section  
33 279.29, except to the extent deviations are necessary  
34 because of the program at the school. The department,  
35 auditor of state, or the legislative fiscal bureau may  
36 conduct financial, program, or compliance audits. The  
37 provisions of chapter 20 shall not apply to the board  
38 of directors of a frontier school or its employees.

39 Sec. \_\_\_\_\_. Section 256.22, if enacted by 1998 Iowa  
40 Acts, Senate File 2366, section 4, is amended by  
41 adding the following new subsection:

42 NEW SUBSECTION. 6. Notwithstanding section 8.33,  
43 unencumbered or unobligated funds remaining on June 30  
44 of the fiscal year for which the funds were  
45 appropriated shall not revert but shall be available  
46 for expenditure for the following fiscal year for  
47 purposes of this section.

48 Sec. \_\_\_\_\_. NEW SECTION. 256.24 MATHEMATICS PILOT  
49 PROGRAMS.

50 1. The Iowa mathematics and science coalition

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1 shall administer a two-year mathematics pilot program  
2 to help teachers become aware of possibilities for  
3 mathematics instruction other than traditional  
4 approaches and discuss those approaches with other  
5 teachers, employ new problem-centered approaches,  
6 develop routines that create an environment that  
7 promotes problem solving and student autonomy, and  
8 integrate new approaches to teaching mathematics in  
9 the regular mathematics curriculum.

10 2. The Iowa mathematics and science coalition  
11 shall locate the pilot programs in at least four  
12 public school districts, one located in a large school  
13 district, one located in a medium-sized school  
14 district, and two located in small school districts.  
15 In the case of a large school district, the district  
16 shall apply for a secondary school in the district  
17 provided that the middle and elementary schools within  
18 the secondary school attendance area shall be  
19 represented in the application. Districts  
20 participating in the program shall require all  
21 teachers employed by the district who teach  
22 mathematics to participate in the pilot program.  
23 However, in the case of a large district, only  
24 teachers employed to teach mathematics in the  
25 secondary school for which the application was made,  
26 and the teachers employed to teach mathematics in the  
27 middle and elementary schools within the secondary  
28 school attendance area, shall be required to  
29 participate in the pilot program. For purposes of  
30 this section, a large school district is a district  
31 with an actual enrollment of five thousand or more  
32 pupils; a medium-sized school district is a district  
33 with an actual enrollment that is greater than one  
34 thousand one hundred ninety-nine pupils, but less than  
35 five thousand pupils; and a small school district is a  
36 district with an actual enrollment of one thousand one  
37 hundred ninety-nine or fewer pupils.

38 3. Funds appropriated for purposes of this section  
39 may be used for administrative costs of the program  
40 and shall be used to provide partial financial  
41 assistance to a participating school district. The  
42 portion of the program costs for which a district does  
43 not receive financial assistance pursuant to this  
44 section shall be paid by the district. However, the  
45 district may use phase III funds to pay this portion  
46 of the program costs.

47 Sec. \_\_\_\_\_. Section 256.44, subsection 3, if enacted  
48 by 1998 Iowa Acts, Senate File 2366, section 5, is  
49 amended to read as follows:

50 3. To receive a five-year annual award for

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1 achieving certification by the national board of  
2 professional teaching standards, a teacher shall apply  
3 to the department within one year of eligibility.  
4 Payment for awards shall be made only upon  
5 departmental approval of an application or  
6 recertification of eligibility. A nonrenewable term  
7 of eligibility shall be for five years or for the  
8 years the certificate is valid, whichever time period  
9 is shorter. In order to continue receipt of payments,  
10 a recipient shall annually recertify eligibility. It  
11 is the intent of the general assembly to appropriate  
12 not more than one million dollars from the general  
13 fund for purposes of this program during the lifetime  
14 of this program."

15 3. Page 3, by striking line 48 and inserting the  
16 following: "30, line 6, and inserting the following:

17 "Sec. \_\_\_\_ . Section 261.25, Code Supplement 1997,  
18 is amended by adding the following new subsection:

19 NEW SUBSECTION. 3A. There is appropriated from  
20 the general fund of the state to the commission for  
21 each fiscal year the sum of ninety thousand dollars  
22 for the industrial technology forgivable loan program  
23 established in section 261.111.

24 Sec. \_\_\_\_ . NEW SECTION. 261.111 INDUSTRIAL  
25 TECHNOLOGY FORGIVABLE LOAN PROGRAM.

26 1. There is established an industrial technology  
27 forgivable loan program to be administered by the  
28 college student aid commission. An individual is  
29 eligible for the forgivable loan program if the  
30 individual meets all of the following conditions:

31 a. Is a resident of this state who is enrolled as  
32 a sophomore, junior, or senior in the area of  
33 industrial technology education at an institution of  
34 higher learning under the control of the state board  
35 of regents or an accredited private institution as  
36 defined in section 261.9, or, is a resident of this  
37 state who is enrolled in the area of industrial  
38 technology at a community college in the state and the  
39 credits for the coursework in industrial technology  
40 are transferable to an institution of higher learning  
41 under the control of the state board of regents, or to  
42 an accredited private institution as defined in  
43 section 261.9.

44 b. Completes and files an application for an  
45 industrial technology forgivable loan. The individual  
46 shall be responsible for the submission of the  
47 parents' confidential statement for processing to both  
48 the commission and the institution in which the  
49 applicant is enrolling.

50 c. Reports promptly to the commission any

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1 information requested.

2 d. Files a new application and parents'  
3 confidential statement annually on the basis of which  
4 the applicant's eligibility for a renewed industrial  
5 technology forgivable loan will be evaluated and  
6 determined.

7 2. Forgivable loans to eligible students shall not  
8 become due until after the student graduates or leaves  
9 school. The individual's total loan amount, including  
10 principal and interest, shall be reduced by twenty  
11 percent for each year in which the individual remains  
12 an Iowa resident and is employed by a school district  
13 or an accredited nonpublic school as an industrial  
14 technology teacher. If the commission determines that  
15 the person does not meet the criteria for forgiveness  
16 of the principal and interest payments, the commission  
17 shall establish a plan for repayment of the principal  
18 and interest over a ten-year period. If a person  
19 required to make the repayment does not make the  
20 required payments, the commission shall provide for  
21 payment collection.

22 3. There is created an industrial technology  
23 forgivable loan repayment fund for deposit of payments  
24 made by forgivable loan recipients who do not fulfill  
25 the conditions of the forgivable loan program.  
26 Notwithstanding section 8.33, moneys deposited in the  
27 industrial technology forgivable loan repayment fund  
28 shall not revert to the general fund of the state at  
29 the end of any fiscal year but shall remain in the  
30 industrial technology forgivable loan repayment fund  
31 and be continuously available to make additional loans  
32 under the program.

33 Sec. \_\_\_\_\_. NEW SECTION. 261.112 INDUSTRIAL  
34 TECHNOLOGY FORGIVABLE LOAN ADMINISTRATION.

35 1. The college student aid commission shall  
36 administer the industrial technology forgivable loan  
37 program. The amount of an industrial technology  
38 forgivable loan shall not exceed three thousand  
39 dollars annually, or the amount of the student's  
40 established financial need, whichever is less.

41 2. The interest rate for the forgivable loan shall  
42 be equal to the interest rate collected by an eligible  
43 lender under the Iowa guaranteed student loan program  
44 for the year in which the forgivable loan is made.

45 Sec. \_\_\_\_\_. Section 279.14, subsection 2, if enacted  
46 by 1998 Iowa Acts, Senate File 2366, is amended by  
47 striking the subsection and inserting in lieu thereof  
48 the following:

49 2. The determination of standards of performance  
50 expected of school district personnel shall be

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1 reserved as an exclusive management right of the  
2 school board and shall not be subject to mandatory  
3 negotiations under chapter 20. Notwithstanding  
4 chapter 20, objections to the procedures, use, or  
5 content of an evaluation in a teacher termination  
6 proceeding brought before the school board in a  
7 hearing held in accordance with section 279.16 or  
8 279.27 shall not be subject to the grievance  
9 procedures negotiated in accordance with chapter 20.  
10 A school district shall not be obligated to process  
11 any evaluation grievance after service of a notice and  
12 recommendation to terminate an individual's continuing  
13 teaching contract in accordance with chapter 279.

14 Sec. \_\_\_\_ . Section 279.14A, subsection 1, if  
15 enacted by 1998 Iowa Acts, Senate File 2366, is  
16 amended to read as follows:

17 1. The department of education shall establish and  
18 implement a voluntary practitioner performance  
19 improvement program that shall provide technical  
20 assistance to teachers and administrators from each  
21 public school district and area education agency.  
22 Individuals under contract with a school district may  
23 receive technical assistance in accordance with this  
24 subsection. The department shall consult with the  
25 Iowa state education association, the Iowa association  
26 of school boards, the school administrators of Iowa,  
27 the professional educators of Iowa, and, as  
28 practicable, other entities providing similar  
29 programs, in developing the program. At a minimum,  
30 the program shall provide administrators with  
31 training, including but not limited to, seminars and  
32 written materials, relating to the areas of employment  
33 policies and procedures, employment documentation,  
34 performance evaluations, corrective performance  
35 techniques, discipline, termination, and support by  
36 qualified individuals for implementation of the  
37 program. The program shall not be used to provide  
38 consultation or assistance on specific employment  
39 situations. Training received by an administrator in  
40 accordance with this section shall apply toward an  
41 administrator's evaluator approval renewal.

42 Sec. \_\_\_\_ . Section 279.19, Code 1997, is amended by  
43 adding the following new unnumbered paragraph:

44 NEW UNNUMBERED PARAGRAPH. Notwithstanding any  
45 provision to the contrary, the grievance procedures of  
46 section 20.18 relating to job performance or job  
47 retention shall not apply to a teacher during the  
48 first two years of the teacher's probationary period.  
49 However, this paragraph shall not apply to a teacher  
50 who has successfully completed a probationary period

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1 in a school district in Iowa.""  
2 4. Page 3, by inserting after line 48 the  
3 following:  
4 "\_\_\_\_. Page 30, by inserting after line 14 the  
5 following:  
6 "Sec. \_\_\_\_\_. Section 279.60, subsection 5, if  
7 enacted by 1998 Iowa Acts, Senate File 2366, section  
8 29, is amended to read as follows:  
9 5. The ranked list of nominees shall be submitted  
10 to the board of directors of the school district for  
11 review and approval. The board of directors shall be  
12 responsible for determining the number of awards and  
13 the amount of the awards based upon the moneys  
14 received by the school district pursuant to section  
15 279.61. The board of directors shall also consult  
16 with practitioners to plan appropriate recognition  
17 events within the school district for presentation of  
18 the awards."  
19 5. Page 4, by inserting after line 7 the  
20 following:  
21 "\_\_\_\_. Page 32, by inserting after line 3 the  
22 following:  
23 "NEW SUBSECTION. 6A. For each fiscal year of the  
24 fiscal period beginning July 1, 1998, and ending June  
25 30, 2000, the amount of seventy-five thousand dollars  
26 from phase III moneys to the department of education  
27 for distribution to the Iowa mathematics and science  
28 coalition for purposes of mathematics pilot programs  
29 in accordance with section 256.24."  
30 \_\_\_\_\_. Page 35, by inserting after line 1 the  
31 following:  
32 "Sec. 101. Section 256.17A, if enacted by 1998  
33 Iowa Acts, Senate File 2366, section 3, is repealed."  
34 \_\_\_\_\_. Page 35, by inserting after line 2 the  
35 following:  
36 "Sec. \_\_\_\_\_. 1998 Iowa Acts, Senate File 2366,  
37 section 40, if enacted, is amended to read as follows:  
38 Sec. 40. EMERGENCY RULES. The department may  
39 adopt emergency rules as necessary for the  
40 administration of chapter 256E and sections ~~256.17A~~  
41 256.22, 257.13, and 279.60, if enacted."  
42 6. Page 4, by inserting after line 10 the  
43 following:  
44 "\_\_\_\_. Page 37, by inserting after line 15 the  
45 following:  
46 "Section 101 of this Act, relating to the repeal of  
47 section 256.17A, being deemed of immediate importance,  
48 takes effect upon enactment."  
49 7. By renumbering as necessary.

By DONALD B. REDFERN

S-5712 FILED APRIL 15, 1998

ADOPTED, MOTIONS TO RECONSIDER FILED, MOTIONS LOST

(p. 1302)

## HOUSE FILE 2533

S-5726

1 Amend the amendment, S-5631, to House File 2533, as  
2 amended, passed, and reprinted by the House, as  
3 follows:

4 1. Page 1, by inserting after line 43 the  
5 following:

6 "\_\_\_\_\_. By striking page 25, line 35 through page  
7 26, line 1."

8 2. Page 2, by inserting after line 9 the  
9 following:

10 "\_\_\_\_\_. By striking page 26, line 24, through page  
11 27, line 6, and inserting the following:

12 "1. The amount of one hundred seventy-four  
13 thousand dollars shall be transferred annually by the  
14 treasurer of state from the interest for Iowa schools  
15 fund to the credit of the first in the nation in  
16 education foundation.

17 2. The interest remaining in the interest for Iowa  
18 schools fund after the transfer of funds in accordance  
19 with subsection 1 shall be transferred by the  
20 treasurer of state."

21 3. Page 3, by inserting after line 48 the  
22 following:

23 "\_\_\_\_\_. Page 30, by striking lines 7 through 14."

24 4. Page 4, by inserting after line 7 the  
25 following:

26 "\_\_\_\_\_. Page 32, by inserting after line 3 the  
27 following:

28 "NEW SUBSECTION. 9A. For the fiscal year  
29 beginning July 1, 1998, and ending June 30, 1999, from  
30 phase III moneys, the amount of two hundred thousand  
31 dollars, to the department of education for allocation  
32 to assist school districts in developing reading  
33 recovery programs. From the moneys allocated in this  
34 section, one hundred thousand dollars shall be  
35 distributed to the reading recovery center, and the  
36 remaining balance shall be distributed to the area  
37 education agencies in the proportion that the number  
38 of children who are eligible for free or reduced price  
39 meals under the federal National School Lunch Act and  
40 the federal Child Nutrition Act of 1966, 42 U.S.C. §  
41 1751-1785, in the basic enrollment of grades one  
42 through six in the area served by an agency, bears to  
43 the sum of the number of children who are eligible for  
44 free or reduced price meals under the federal National  
45 School Lunch Act and the federal Child Nutrition Act  
46 of 1966, 42 U.S.C. § 1751-1785, in the basic  
47 enrollments of grades one through six in all of the  
48 areas served by area education agencies in the state  
49 for the budget year."

50 \_\_\_\_\_. Page 35, line 2, by striking the words

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1 "Chapters 257A and 303C, Code 1997, are" and inserting  
2 the following: "Chapter 303C, Code 1997, is".  
3 \_\_\_\_\_. Page 35, by striking lines 3 through 10.  
4 \_\_\_\_\_. Page 36, by striking lines 2 through 26 and  
5 inserting the following:  
6 "Sec. \_\_\_\_\_. FINE FOUNDATION STUDY. As a condition  
7 of the transfer of moneys to the first in the nation  
8 in education foundation in accordance with section  
9 257B.1A, the first in the nation education foundation  
10 shall conduct an evaluation of its performance in  
11 meeting the research needs of education in Iowa. The  
12 foundation shall submit to the general assembly by  
13 January 15, 1999, its findings, along with its vision  
14 statement for the coming decade for the use and  
15 support of research by the foundation to improve  
16 education in Iowa."  
17 5. Page 4, by inserting after line 10 the  
18 following:  
19 "\_\_\_\_\_. Page 37, by striking lines 11 through 15."  
20 6. By renumbering as necessary.

By ELAINE SZYMONIAK  
JOHN P. KIBBIE

DENNIS H. BLACK  
ROD HALVORSON

S-5726 FILED APRIL 15, 1998

LOST (p.1303)

## HOUSE FILE 2533

S-5727

1 Amend the amendment, S-5631, to House File 2533, as  
2 amended, passed, and reprinted by the House, as  
3 follows:  
4 1. Page 1, by inserting after line 10 the  
5 following:  
6 "\_\_\_\_\_. Page 9, line 25, by striking the figure  
7 "120,000" and inserting the following: "1,000,000".  
8 2. By renumbering as necessary.

By MIKE CONNOLLY

S-5727 FILED APRIL 15, 1998

LOST

(p.1306)

## HOUSE FILE 2533

H-9223

1 Amend the Senate amendment, H-9210, to House File  
 2 2533, as amended, passed, and reprinted by the House,  
 3 as follows:  
 4 1. Page 3, by striking lines 10 through 12 and  
 5 inserting the following: "conduct financial, program,  
 6 or compliance audits. ~~The provisions of chapter 20~~  
 7 ~~shall not apply to the board of directors of a~~  
 8 ~~frontier school or its employees."~~

By WISE of Lee

H-9223 FILED APRIL 16, 1998

*Lost 4/16/98 (p. 1723)*

## HOUSE FILE 2533

H-9224

1 Amend the Senate amendment, H-9210, to House File  
 2 2533, as amended, passed, and reprinted by the House,  
 3 as follows:  
 4 1. Page 1, lines 32 and 33, by striking the words  
 5 and figures: "paragraphs 2 and 3, if enacted, are"  
 6 and inserting the following: "paragraph 3, if  
 7 enacted, is".  
 8 2. Page 1, line 34, by striking the word  
 9 "paragraphs" and inserting the following:  
 10 "paragraph".

By RICHARDSON of Warren

H-9224 FILED APRIL 16, 1998

*Lost 4/16/98 (p. 1722)*

## HOUSE FILE 2533

H-9229

1 Amend the Senate amendment, H-9210, to House File  
 2 2533, as amended, passed, and reprinted by the House,  
 3 as follows:  
 4 1. Page 1, by striking lines 32 through 34 and  
 5 inserting the following: "section 1, subsection 1, if  
 6 enacted, is amended by striking the subsection."  
 7 2. By striking page 1, line 40, through page 3,  
 8 line 21.  
 9 3. Page 8, by inserting after line 12 the  
 10 following:  
 11 "Sec. \_\_\_\_ . Section 256.22, if enacted by 1998 Iowa  
 12 Acts, Senate File 2366, section 4, is repealed."  
 13 4. Page 8, line 20, by striking the figures  
 14 "256.22, 257.13," and inserting the following:  
 15 "256.22, 257.13".  
 16 5. By renumbering as necessary.

By MASCHER of Johnson  
MURPHY of Dubuque

H-9229 FILED APRIL 16, 1998

*Lost 4/16/98 (p. 1722)*

SENATE AMENDMENT TO HOUSE FILE 2533

H-9210

1 Amend House File 2533, as amended, passed, and  
2 reprinted by the House, as follows:

3 1. Page 3, line 12, by striking the figure  
4 "3,103,788" and inserting the following: "3,078,788".

5 2. Page 7, line 26, by striking the figure  
6 "3,172,098" and inserting the following: "3,072,098".

7 3. By striking page 7, lines 28 through 31.

8 4. Page 8, line 7, by striking the figure  
9 "1,537,000" and inserting the following: "1,637,000".

10 5. Page 8, by striking lines 21 through 23.

11 6. By striking page 9, line 33, through page 10,  
12 line 12.

13 7. Page 10, by inserting after line 12 the  
14 following:

15 "\_\_\_\_. AREA EDUCATION AGENCY AUDIT

16 For allocation to the auditor of state for the  
17 costs of conducting the audit of area education  
18 agencies as provided in section 50 of this Act, if  
19 enacted:

20 ..... \$ 75,000"

21 8. By striking page 11, line 28, through page 12,  
22 line 2.

23 9. Page 12, by striking lines 23 through 27 and  
24 inserting the following: "information services for  
25 purposes of the open access program."

26 10. By striking page 12, line 35, through page  
27 13, line 4, and inserting the following: "services  
28 for purposes of the open access program."

29 11. Page 14, by inserting after line 14 the  
30 following:

31 "Sec. \_\_\_\_ . 1998 Iowa Acts, Senate File 2366,  
32 section 1, subsection 1, unnumbered paragraphs 2 and  
33 3, if enacted, are amended by striking the unnumbered  
34 paragraphs."

35 12. Page 14, by striking lines 27 through 31.

36 13. Page 24, by striking lines 24 through 32.

37 14. Page 25, by striking lines 5 through 18.

38 15. Page 26, by inserting after line 12 the  
39 following:

40 "Sec. \_\_\_\_ . Section 256.22, subsection 1,  
41 unnumbered paragraph 1, if enacted by 1998 Iowa Acts,  
42 Senate File 2366, is amended to read as follows:

43 Subject to an appropriation of sufficient funds by  
44 the general assembly, the department shall establish a  
45 frontier school and extended year school grant program  
46 to provide for the allocation of grants to school  
47 districts, or a collaboration of school districts, to  
48 provide technical assistance for conversion of an  
49 existing school to a frontier school or to an extended  
50 school year calendar, or for investigating the

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1 possibility of converting an existing school within a  
2 district to a frontier school or to an extended school  
3 year calendar. A district that wants to participate  
4 in the program shall submit to the department a  
5 written request for a grant by ~~September~~ October 17  
6 ~~1998~~. The school district or collaboration of school  
7 districts shall agree to appoint a planning committee  
8 composed of parents, guardians, teachers,  
9 administrators, and individuals representing business,  
10 and the local community. The school district or  
11 collaboration shall also indicate in its request its  
12 intention to use any grant moneys received under this  
13 section to examine, at a minimum, all of the  
14 following:

15 Sec. \_\_\_\_\_. Section 256.22, subsections 2 and 5, if  
16 enacted by 1998 Iowa Acts, Senate File 2366, are  
17 amended to read as follows:

18 2. Grant moneys shall be distributed to qualifying  
19 school districts by the department no later than  
20 ~~October 15, 1998~~ 30 annually. Grant amounts shall be  
21 distributed as determined by the department. Not more  
22 than fifteen of the grants awarded per year in  
23 accordance with this section shall be used for  
24 purposes of frontier school planning or conversion. A  
25 grant awarded to a school district under this section  
26 shall not exceed twenty-five thousand dollars.  
27 Notwithstanding the other provisions of this section,  
28 the department shall not award grant moneys for  
29 technical assistance for conversion of an existing  
30 school to a frontier school or to an extended school  
31 year calendar prior to July 1, 1999.

32 5. Except as provided in this subsection, frontier  
33 schools are exempt from all statutes and rules  
34 applicable to a school, a school board, or a school  
35 district, although a frontier school may elect to  
36 comply with one or more provisions of statute or rule.  
37 However, a frontier school shall meet all applicable  
38 state and local health and safety requirements; the  
39 ~~frontier-school-shall-be-organized-and-operated-as-a~~  
40 ~~nonprofit-cooperative-association-under-chapter-498-or~~  
41 ~~nonprofit-corporation-under-chapter-504A;~~ the  
42 provisions of chapters 21 and 22 shall apply to  
43 meetings and records of the frontier school board; and  
44 frontier schools are subject to and shall comply with  
45 chapters 216 and 216A relating to civil and human  
46 rights, and sections 275.55A, 279.9A, 280.17B,  
47 280.21B, and 282.4, relating to suspension and  
48 expulsion of a student. The frontier school shall  
49 employ or contract with necessary teachers, as defined  
50 in section 272.1, who hold a valid license with an

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1 endorsement for the type of service for which the  
2 teacher is employed. Frontier schools are subject to  
3 the same financial audits, audit procedures, and audit  
4 requirements as a school district. The audits shall  
5 be consistent with the requirements of sections 11.6,  
6 11.14, 11.19, 256.9, subsection 19, and section  
7 279.29, except to the extent deviations are necessary  
8 because of the program at the school. The department,  
9 auditor of state, or the legislative fiscal bureau may  
10 conduct financial, program, or compliance audits. The  
11 provisions of chapter 20 shall not apply to the board  
12 of directors of a frontier school or its employees.

13 Sec. \_\_\_\_\_. Section 256.22, if enacted by 1998 Iowa  
14 Acts, Senate File 2366, section 4, is amended by  
15 adding the following new subsection:

16 NEW SUBSECTION. 6. Notwithstanding section 8.33,  
17 unencumbered or unobligated funds remaining on June 30  
18 of the fiscal year for which the funds were  
19 appropriated shall not revert but shall be available  
20 for expenditure for the following fiscal year for  
21 purposes of this section.

22 Sec. \_\_\_\_\_. NEW SECTION. 256.24 MATHEMATICS PILOT  
23 PROGRAMS.

24 1. The Iowa mathematics and science coalition  
25 shall administer a two-year mathematics pilot program  
26 to help teachers become aware of possibilities for  
27 mathematics instruction other than traditional  
28 approaches and discuss those approaches with other  
29 teachers, employ new problem-centered approaches,  
30 develop routines that create an environment that  
31 promotes problem solving and student autonomy, and  
32 integrate new approaches to teaching mathematics in  
33 the regular mathematics curriculum.

34 2. The Iowa mathematics and science coalition  
35 shall locate the pilot programs in at least four  
36 public school districts, one located in a large school  
37 district, one located in a medium-sized school  
38 district, and two located in small school districts.  
39 In the case of a large school district, the district  
40 shall apply for a secondary school in the district  
41 provided that the middle and elementary schools within  
42 the secondary school attendance area shall be  
43 represented in the application. Districts  
44 participating in the program shall require all  
45 teachers employed by the district who teach  
46 mathematics to participate in the pilot program.  
47 However, in the case of a large district, only  
48 teachers employed to teach mathematics in the  
49 secondary school for which the application was made,  
50 and the teachers employed to teach mathematics in the

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1 middle and elementary schools within the secondary  
2 school attendance area, shall be required to  
3 participate in the pilot program. For purposes of  
4 this section, a large school district is a district  
5 with an actual enrollment of five thousand or more  
6 pupils; a medium-sized school district is a district  
7 with an actual enrollment that is greater than one  
8 thousand one hundred ninety-nine pupils, but less than  
9 five thousand pupils; and a small school district is a  
10 district with an actual enrollment of one thousand one  
11 hundred ninety-nine or fewer pupils.

12 3. Funds appropriated for purposes of this section  
13 may be used for administrative costs of the program  
14 and shall be used to provide partial financial  
15 assistance to a participating school district. The  
16 portion of the program costs for which a district does  
17 not receive financial assistance pursuant to this  
18 section shall be paid by the district. However, the  
19 district may use phase III funds to pay this portion  
20 of the program costs.

21 Sec. \_\_\_\_\_. Section 256.44, subsection 3, if enacted  
22 by 1998 Iowa Acts, Senate File 2366, section 5, is  
23 amended to read as follows:

24 3. To receive a five-year annual award for  
25 achieving certification by the national board of  
26 professional teaching standards, a teacher shall apply  
27 to the department within one year of eligibility.  
28 Payment for awards shall be made only upon  
29 departmental approval of an application or  
30 recertification of eligibility. A nonrenewable term  
31 of eligibility shall be for five years or for the  
32 years the certificate is valid, whichever time period  
33 is shorter. In order to continue receipt of payments,  
34 a recipient shall annually recertify eligibility. It  
35 is the intent of the general assembly to appropriate  
36 not more than one million dollars from the general  
37 fund for purposes of this program during the lifetime  
38 of this program."

39 16. By striking page 29, line 25, through page  
40 30, line 6, and inserting the following:

41 "Sec. \_\_\_\_\_. Section 261.25, Code Supplement 1997,  
42 is amended by adding the following new subsection:

43 NEW SUBSECTION. 3A. There is appropriated from  
44 the general fund of the state to the commission for  
45 each fiscal year the sum of ninety thousand dollars  
46 for the industrial technology forgivable loan program  
47 established in section 261.111.

48 Sec. \_\_\_\_\_. NEW SECTION. 261.111 INDUSTRIAL  
49 TECHNOLOGY FORGIVABLE LOAN PROGRAM.

50 1. There is established an industrial technology

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1 forgivable loan program to be administered by the  
2 college student aid commission. An individual is  
3 eligible for the forgivable loan program if the  
4 individual meets all of the following conditions:  
5 a. Is a resident of this state who is enrolled as  
6 a sophomore, junior, or senior in the area of  
7 industrial technology education at an institution of  
8 higher learning under the control of the state board  
9 of regents or an accredited private institution as  
10 defined in section 261.9, or, is a resident of this  
11 state who is enrolled in the area of industrial  
12 technology at a community college in the state and the  
13 credits for the coursework in industrial technology  
14 are transferable to an institution of higher learning  
15 under the control of the state board of regents, or to  
16 an accredited private institution as defined in  
17 section 261.9.

18 b. Completes and files an application for an  
19 industrial technology forgivable loan. The individual  
20 shall be responsible for the submission of the  
21 parents' confidential statement for processing to both  
22 the commission and the institution in which the  
23 applicant is enrolling.

24 c. Reports promptly to the commission any  
25 information requested.

26 d. Files a new application and parents'  
27 confidential statement annually on the basis of which  
28 the applicant's eligibility for a renewed industrial  
29 technology forgivable loan will be evaluated and  
30 determined.

31 2. Forgivable loans to eligible students shall not  
32 become due until after the student graduates or leaves  
33 school. The individual's total loan amount, including  
34 principal and interest, shall be reduced by twenty  
35 percent for each year in which the individual remains  
36 an Iowa resident and is employed by a school district  
37 or an accredited nonpublic school as an industrial  
38 technology teacher. If the commission determines that  
39 the person does not meet the criteria for forgiveness  
40 of the principal and interest payments, the commission  
41 shall establish a plan for repayment of the principal  
42 and interest over a ten-year period. If a person  
43 required to make the repayment does not make the  
44 required payments, the commission shall provide for  
45 payment collection.

46 3. There is created an industrial technology  
47 forgivable loan repayment fund for deposit of payments  
48 made by forgivable loan recipients who do not fulfill  
49 the conditions of the forgivable loan program.  
50 Notwithstanding section 8.33, moneys deposited in the

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1 industrial technology forgivable loan repayment fund  
 2 shall not revert to the general fund of the state at  
 3 the end of any fiscal year but shall remain in the  
 4 industrial technology forgivable loan repayment fund  
 5 and be continuously available to make additional loans  
 6 under the program.

7 Sec. \_\_\_\_ . NEW SECTION. 261.112 INDUSTRIAL  
 8 TECHNOLOGY FORGIVABLE LOAN ADMINISTRATION.

9 1. The college student aid commission shall  
 10 administer the industrial technology forgivable loan  
 11 program. The amount of an industrial technology  
 12 forgivable loan shall not exceed three thousand  
 13 dollars annually, or the amount of the student's  
 14 established financial need, whichever is less.

15 2. The interest rate for the forgivable loan shall  
 16 be equal to the interest rate collected by an eligible  
 17 lender under the Iowa guaranteed student loan program  
 18 for the year in which the forgivable loan is made.

19 Sec. \_\_\_\_ . Section 279.14, subsection 2, if enacted  
 20 by 1998 Iowa Acts, Senate File 2366, is amended by  
 21 striking the subsection and inserting in lieu thereof  
 22 the following:

23 2. The determination of standards of performance  
 24 expected of school district personnel shall be  
 25 reserved as an exclusive management right of the  
 26 school board and shall not be subject to mandatory  
 27 negotiations under chapter 20. Notwithstanding  
 28 chapter 20, objections to the procedures, use, or  
 29 content of an evaluation in a teacher termination  
 30 proceeding brought before the school board in a  
 31 hearing held in accordance with section 279.16 or  
 32 279.27 shall not be subject to the grievance  
 33 procedures negotiated in accordance with chapter 20.  
 34 A school district shall not be obligated to process  
 35 any evaluation grievance after service of a notice and  
 36 recommendation to terminate an individual's continuing  
 37 teaching contract in accordance with chapter 279.

38 Sec. \_\_\_\_ . Section 279.14A, subsection 1, if  
 39 enacted by 1998 Iowa Acts, Senate File 2366, is  
 40 amended to read as follows:

41 1. The department of education shall establish and  
 42 implement a voluntary practitioner performance  
 43 improvement program that shall provide technical  
 44 assistance to teachers and administrators from each  
 45 public school district and area education agency.  
 46 Individuals under contract with a school district may  
 47 receive technical assistance in accordance with this  
 48 subsection. The department shall consult with the  
 49 Iowa state education association, the Iowa association  
 50 of school boards, the school administrators of Iowa,

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Page 7

1 the professional educators of Iowa, and, as  
2 practicable, other entities providing similar  
3 programs, in developing the program. At a minimum,  
4 the program shall provide administrators with  
5 training, including but not limited to, seminars and  
6 written materials, relating to the areas of employment  
7 policies and procedures, employment documentation,  
8 performance evaluations, corrective performance  
9 techniques, discipline, termination, and support by  
10 qualified individuals for implementation of the  
11 program. The program shall not be used to provide  
12 consultation or assistance on specific employment  
13 situations. Training received by an administrator in  
14 accordance with this section shall apply toward an  
15 administrator's evaluator approval renewal.

16 Sec. \_\_\_\_\_. Section 279.19, Code 1997, is amended by  
17 adding the following new unnumbered paragraph:

18 NEW UNNUMBERED PARAGRAPH. Notwithstanding any  
19 provision to the contrary, the grievance procedures of  
20 section 20.18 relating to job performance or job  
21 retention shall not apply to a teacher during the  
22 first two years of the teacher's probationary period.  
23 However, this paragraph shall not apply to a teacher  
24 who has successfully completed a probationary period  
25 in a school district in Iowa."

26 17. Page 30, by inserting after line 14 the  
27 following:

28 "Sec. \_\_\_\_\_. Section 279.60, subsection 5, if  
29 enacted by 1998 Iowa Acts, Senate File 2366, section  
30 29, is amended to read as follows:

31 5. The ranked list of nominees shall be submitted  
32 to the board of directors of the school district for  
33 review and approval. The board of directors shall be  
34 responsible for determining the number of awards and  
35 the amount of the awards based upon the moneys  
36 received by the school district pursuant to section  
37 279.61. The board of directors shall also consult  
38 with practitioners to plan appropriate recognition  
39 events within the school district for presentation of  
40 the awards."

41 18. Page 31, by striking line 17 and inserting  
42 the following: "1997, is amended by striking the  
43 subsection and inserting in lieu thereof the  
44 following:

45 9. For the fiscal year beginning July 1, 1998, and  
46 for each succeeding fiscal year, the amount of fifty  
47 thousand dollars to the department of education for  
48 the Iowa mathematics and science coalition from phase  
49 III moneys."

50 19. Page 32, by inserting after line 3 the

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Page 8

1 following:

2 "NEW SUBSECTION. 6A. For each fiscal year of the  
3 fiscal period beginning July 1, 1998, and ending June  
4 30, 2000, the amount of seventy-five thousand dollars  
5 from phase III moneys to the department of education  
6 for distribution to the Iowa mathematics and science  
7 coalition for purposes of mathematics pilot programs  
8 in accordance with section 256.24."

9 20. Page 35, by inserting after line 1 the  
10 following:

11 "Sec. 101. Section 256.17A, if enacted by 1998  
12 Iowa Acts, Senate File 2366, section 3, is repealed."

13 21. Page 35, by inserting after line 2 the  
14 following:

15 "Sec. \_\_\_\_\_. 1998 Iowa Acts, Senate File 2366,  
16 section 40, if enacted, is amended to read as follows:

17 Sec. 40. EMERGENCY RULES. The department may  
18 adopt emergency rules as necessary for the  
19 administration of chapter 256E and sections ~~256.17A~~  
20 256.22, 257.13, and 279.60, if enacted."

21 22. Page 36, by striking lines 33 and 34 and  
22 inserting the following: "information services for  
23 purposes of the open access program, being deemed of".

24 23. Page 37, by inserting after line 15 the  
25 following:

26 "Section 101 of this Act, relating to the repeal of  
27 section 256.17A, being deemed of immediate importance,  
28 takes effect upon enactment."

29 24. By renumbering as necessary.

RECEIVED FROM THE SENATE

H-9210 FILED APRIL 16, 1998

HOUSE CONCURRED

(P. 1726)

HOUSE FILE 2533

H-9222

1 Amend the Senate amendment, H-9210, to House File  
2 2533, as amended, passed, and reprinted by the House,  
3 as follows:

4 1. Page 7, by striking lines 26 through 40.

5 2. By renumbering as necessary.

By WISE of Lee

H-9222 FILED APRIL 16, 1998

Loet 4/16/98 (P. 1726)

## HOUSE FILE 2533

H-9237

- 1 Amend the Senate amendment, H-9210, to House File  
2 2533, as amended, passed, and reprinted by the House,  
3 as follows:  
4 1. Page 4, by inserting after line 38 the  
5 following:  
6 "Sec. \_\_\_\_\_. 1998 Iowa Acts, Senate File 2366,  
7 section 21, amending section 257.20, subsection 2,  
8 paragraph a, if enacted, is repealed.  
9 Sec. 201. Section 257.20, subsection 2, paragraphs  
10 a and b, Code 1997, are amended by striking the  
11 paragraphs."  
12 2. Page 8, by inserting after line 28 the  
13 following:  
14 "\_\_\_\_\_. Section 201 of this Act, relating to the  
15 striking of section 257.20, subsection 2, paragraphs a  
16 and b, takes effect July 1, 1999."  
17 3. By renumbering as necessary.

By MERTZ of Kossuth

H-9237 FILED APRIL 16, 1998

*Not Hermone 4-16-98 (P. 1724)*

## HOUSE FILE 2533

H-9238

- 1 Amend the Senate amendment, H-9210, to House File  
2 2533, as amended, passed, and reprinted by the House,  
3 as follows:  
4 1. Page 4, by striking lines 21 through 38.  
5 2. By renumbering as necessary.

By MASCHER of Johnson

H-9238 FILED APRIL 16, 1998

*Loet 4-16-98  
(P. 1725)*

HOUSE FILE 2533

H-9231

1 Amend the Senate amendment, H-9210, to House File  
2 2533, as amended, passed, and reprinted by the House,  
3 as follows:

4 1. Page 1, by inserting after line 34 the  
5 following:

6 "Sec. 301. 1998 Iowa Acts, Senate File 2366,  
7 section 1, subsection 3, if enacted, is amended to  
8 read as follows:

9 "3. For deposit in the Iowa empowerment fund if  
10 legislation providing for the creation of an Iowa  
11 empowerment board, an Iowa empowerment fund, and for  
12 the appropriation of moneys to be administered by a  
13 community empowerment area, is enacted by the Seventy-  
14 seventh General Assembly, 1998 Session:

15 ..... \$ 5,200,000  
16 10,400,000"

17 2. Page 4, by inserting after line 38 the  
18 following:

19 "\_\_\_\_. Section 256F.2, subsection 1, if enacted by  
20 1998 Iowa Acts, Senate File 2366, section 14, is  
21 amended to read as follows:

22 1. There is appropriated from the general fund of  
23 the state to the department of education for the  
24 fiscal year beginning July 1, 1998, and for each  
25 succeeding fiscal year, the sum of nine eighteen  
26 million dollars for the early childhood education  
27 imperatives program."

28 3. By renumbering as necessary.

By MASCHER of Johnson  
MURPHY of Dubuque

H-9231 FILED APRIL 16, 1998

W/D 4/16/98 (p. 1722)

HOUSE FILE 2533

H-9232

1 Amend the Senate amendment, H-9210, to House File  
2 2533, as amended, passed, and reprinted by the House,  
3 as follows:

4 1. Page 4, by inserting after line 38 the  
5 following:

6 "Sec. \_\_\_\_\_. 1998 Iowa Acts, Senate File 2366,  
7 section 21, amending section 257.20, subsection 2,  
8 paragraph a, if enacted, is repealed.

9 Sec. \_\_\_\_\_. Section 257.20, subsection 2, paragraphs  
10 a and b, Code 1997, are amended by striking the  
11 paragraphs."

12 2. By renumbering as necessary.

By MERTZ of Kossuth

H-9232 FILED APRIL 16, 1998

*Not Mermone*  
*4/16/98 p. 1724*

HB 693

APPROPRIATIONS

Successed by

SF/HP 2533

SENATE/HOUSE FILE \_\_\_\_\_

BY (PROPOSED COMMITTEE ON  
APPROPRIATIONS BILL BY JOINT  
APPROPRIATIONS SUBCOMMITTEE  
ON EDUCATION)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the funding of, operation of, and  
2 appropriation of moneys to the college student aid commission,  
3 the department of cultural affairs, the department of  
4 education, and the state board of regents, providing related  
5 statutory changes, and providing an effective date.

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

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1 COLLEGE STUDENT AID COMMISSION

2 Section 1. There is appropriated from the general fund of  
3 the state to the college student aid commission for the fiscal  
4 year beginning July 1, 1998, and ending June 30, 1999, the  
5 following amounts, or so much thereof as may be necessary, to  
6 be used for the purposes designated:

7 1. GENERAL ADMINISTRATION

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

11 ..... \$ 319,936  
12 ..... FTEs 5.40

13 2. UNIVERSITY OF OSTEOPATHIC MEDICINE AND HEALTH SCIENCES

14 a. For forgivable loans to Iowa students attending the  
15 university of osteopathic medicine and health sciences under  
16 the forgivable loan program pursuant to section 261.19:

17 ..... \$ 379,260

18 b. For the university of osteopathic medicine and health  
19 sciences for an initiative in primary health care to direct  
20 primary care physicians to shortage areas in the state:

21 ..... \$ 395,000

22 3. STUDENT AID PROGRAMS

23 For payments to students for the Iowa grant program:

24 ..... \$ 1,161,850

25 4. NATIONAL GUARD TUITION AID PROGRAM

26 For purposes of providing national guard tuition aid under  
27 the program established in section 261.21:

28 ..... \$ 833,900

29 5. CHIROPRACTIC GRADUATE STUDENT FORGIVABLE LOAN PROGRAM

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

32 ..... \$ 71,400

33 Sec. 2. There is appropriated from the loan reserve  
34 account to the college student aid commission for the fiscal  
35 year beginning July 1, 1998, and ending June 30, 1999, the

1 following amount, or so much thereof as may be necessary, to  
2 be used for the purpose designated:

3 For operating costs of the Stafford loan program including  
4 salaries, support, maintenance, miscellaneous purposes, and  
5 for not more than the following full-time equivalent  
6 positions:

7 .....	\$	5,151,983
8 .....	FTEs	34.60

9 Sec. 3. Notwithstanding the maximum allowed balance  
10 requirement of the scholarship and tuition grant reserve fund  
11 as provided in section 261.20, there is appropriated from the  
12 scholarship and tuition grant reserve fund to the college  
13 student aid commission for the fiscal year beginning July 1,  
14 1998, and ending June 30, 1999, the moneys remaining in the  
15 fund following transfer, pursuant to section 261.20 for the  
16 fiscal years ending June 30, 1997, and June 30, 1998, which  
17 are to be used for purposes of Iowa vocational-technical  
18 tuition grants in accordance with section 261.17. Funds  
19 appropriated in this section are in addition to funds  
20 appropriated in section 261.25, subsection 3.

21 Sec. 4. The department of revenue and finance shall  
22 deposit interest earned on the Pub. L. No. 105-33 recall  
23 account within the office of the treasurer of state during the  
24 fiscal year ending June 30, 1998, in the fund 61 default  
25 reduction account. Moneys in the fund 61 default reduction  
26 account are appropriated to the college student aid commission  
27 for the fiscal year beginning July 1, 1998, and ending June  
28 30, 1999, for purposes of issuing emergency loans to assist  
29 needy students in avoiding default on a guaranteed or parental  
30 loan made under chapter 261.

31 Sec. 5. The college student aid commission shall conduct a  
32 study of the shortage of chiropractors by geographic area  
33 within the state. The results of the study and any  
34 recommendations shall be submitted to the general assembly and  
35 the legislative fiscal bureau by January 1, 1999.

DEPARTMENT OF CULTURAL AFFAIRS

Sec. 6. There is appropriated from the general fund of the state to the department of cultural affairs for the fiscal year beginning July 1, 1998, and ending June 30, 1999, 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:

.....	\$	1,328,615
.....	FTEs	10.00

2. HISTORICAL DIVISION

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

.....	\$	3,103,788
.....	FTEs	65.70

Of the full-time equivalent positions appropriated for in this subsection, 1.20 FTEs represent the transition of personnel services contracts to full-time equivalent positions. The merit system provisions of chapter 19A and the provisions of chapter 20 shall not govern this transition movement into these full-time equivalent positions during the period beginning July 1, 1998, and ending August 31, 1998.

3. HISTORIC SITES

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

.....	\$	587,040
.....	FTEs	8.00

4. ADMINISTRATION

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

1 ..... \$ 230,571  
 2 ..... FTEs 4.30

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

7 5. LOCAL ARTS COMPREHENSIVE EDUCATIONAL STRATEGIES PROGRAM  
 8 (LACES)

9 For contracting with the Iowa alliance for arts education  
 10 to execute their local arts comprehensive educational  
 11 strategies:

12 ..... \$ 25,000

13 6. COMMUNITY CULTURAL GRANTS

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

17 ..... \$ 711,757  
 18 ..... FTE .70

19 Sec. 7. HISTORIC SITES -- WESTERN TRAILS CENTER.

20 Notwithstanding section 8.33, the unencumbered or unobligated  
 21 moneys remaining at the end of the fiscal year ending June 30,  
 22 1998, from the appropriations made in 1997 Iowa Acts, chapter  
 23 212, section 5, subsection 3, shall not revert but shall be  
 24 available for expenditure during subsequent fiscal years for  
 25 purposes of support, staffing, marketing, outreach, and  
 26 programs at the western trails center in Council Bluffs.

27 Sec. 8. NATIONAL ARTS RANKING SURVEYS. The department of  
 28 cultural affairs shall, when calculating the amount of state  
 29 financial assistance for the arts in national ranking surveys,  
 30 include the amount appropriated for the local arts  
 31 comprehensive educational strategies program, as well as the  
 32 total estimated cost of the fine arts elements included in a  
 33 plan and specifications for a state building or group of state  
 34 buildings in accordance with section 304A.10.

35

DEPARTMENT OF EDUCATION

1     **Sec. 9.** There is appropriated from the general fund of the  
2 state to the department of education for the fiscal year  
3 beginning July 1, 1998, and ending June 30, 1999, the  
4 following amounts, or so much thereof as may be necessary, to  
5 be used for the purposes designated:

6     **1. GENERAL ADMINISTRATION**

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

10 .....	\$	5,586,130
11 .....	FTEs	98.45

12     Of the full-time equivalent positions appropriated for in  
13 this section, 2.50 FTEs represent the transition of personnel  
14 services contractors to full-time equivalent positions. The  
15 merit system provisions of chapter 19A and the provisions of  
16 chapter 20 shall not govern this transition movement into  
17 these full-time equivalent positions during the period  
18 beginning July 1, 1998, and ending August 31, 1998.

19     **2. VOCATIONAL EDUCATION ADMINISTRATION**

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

23 .....	\$	547,642
24 .....	FTEs	15.60

25     **3. BOARD OF EDUCATIONAL EXAMINERS**

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

29 .....	\$	201,973
30 .....	FTEs	2.00

31     **4. VOCATIONAL REHABILITATION SERVICES DIVISION**

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

35 .....	\$	4,458,972
----------	----	-----------

1 ..... FTEs 302.58

2 Of the full-time equivalent positions appropriated for in  
3 this section, .33 FTE represent the transition of personnel  
4 services contractors to full-time equivalent positions. The  
5 merit system provisions of chapter 19A and the provisions of  
6 chapter 20 shall not govern this transition movement into  
7 these full-time equivalent positions during the period  
8 beginning July 1, 1998, and ending August 31, 1998.

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

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

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

30 Notwithstanding the full-time equivalent position limit  
31 established in this subsection, for the fiscal year ending  
32 June 30, 1999, if federal funding is received to pay the costs  
33 of additional employees for the vocational rehabilitation  
34 services division who would have duties relating to vocational  
35 rehabilitation services paid for through federal funding,

1 authorization to hire not more than four additional full-time  
2 equivalent employees shall be provided, the full-time  
3 equivalent position limit shall be exceeded, and the  
4 additional employees shall be hired by the division.

5 The division of vocational rehabilitation services shall  
6 enter into a chapter 28E agreement with the creative  
7 employment options program at the state university of Iowa to  
8 enable the division to count as a local match the state funds  
9 appropriated to the university for purposes of the creative  
10 employment options program.

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

15 .....	\$	75,631
16 .....	FTEs	1.50

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

22 5. STATE LIBRARY

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

26 .....	\$	2,937,098
27 .....	FTEs	21.00

28 From the funds appropriated in this subsection, the  
29 division of libraries and information services shall  
30 distribute \$50,000 to the public libraries of this state on a  
31 per capita basis.

32 Reimbursement of the institutions of higher learning under  
33 the state board of regents for participation in the access  
34 plus program during the fiscal year beginning July 1, 1998,  
35 and ending June 30, 1999, shall not exceed the total amount of

1 reimbursement paid to the regents institutions of higher  
2 learning for participation in the access plus program during  
3 the fiscal year beginning July 1, 1997, and ending June 30,  
4 1998.

5 6. REGIONAL LIBRARY

6 For state aid:

7 ..... \$ 1,537,000

8 7. PUBLIC BROADCASTING DIVISION

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

12 ..... \$ 7,374,296

13 ..... FTEs 105.80

14 Of the full-time equivalent positions appropriated for in  
15 this section, 5.80 FTEs represent the transition of personnel  
16 services contractors to full-time equivalent positions. The  
17 merit system provisions of chapter 19A and the provisions of  
18 chapter 20 shall not govern this transition movement into  
19 these full-time equivalent positions during the period  
20 beginning July 1, 1998, and ending August 31, 1998.

21 8. IOWA MATHEMATICS AND SCIENCE COALITION

22 For support of the Iowa mathematics and science coalition:

23 ..... \$ 50,000

24 9. VOCATIONAL EDUCATION TO SECONDARY SCHOOLS

25 For reimbursement for vocational education expenditures  
26 made by secondary schools:

27 ..... \$ 3,308,850

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



1 10. SCHOOL FOOD SERVICE

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

7 ..... \$ 2,716,859  
8 ..... FTES 14.00

9 11. TEXTBOOKS OF NONPUBLIC SCHOOL PUPILS

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

15 ..... \$ 700,000

16 12. VOCATIONAL AGRICULTURE YOUTH ORGANIZATION

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

21 ..... \$ 107,900

22 13. FAMILY RESOURCE CENTERS

23 For support of the family resource center demonstration  
24 program established under chapter 256C:

25 ..... \$ 120,000

26 If House Study Bill 592 is enacted, funds shall not be  
27 appropriated for purposes of the family resource centers in  
28 fiscal years succeeding the fiscal year ending June 30, 1999.

29 14. READING RECOVERY PROGRAM

30 For allocation to assist school districts in developing  
31 reading recovery programs:

32 ..... \$ 200,000

33 From the moneys appropriated in this subsection, \$100,000  
34 shall be allocated to the area education agencies as provided  
35 in this subsection, and \$100,000 shall be allocated to the

1 reading recovery center.

2 Moneys appropriated to or paid to the department of  
3 education for purposes of the reading recovery program and  
4 that are allocated to area education agencies shall be  
5 allocated to area education agencies in the proportion that  
6 the number of children who are eligible for free or reduced  
7 price meals under the federal National School Lunch Act and  
8 the federal Child Nutrition Act of 1966, 42 U.S.C. § 1751-  
9 1785, in the basic enrollment of grades one through six in the  
10 area served by an agency, bears to the sum of the number of  
11 children who are eligible for free or reduced price meals  
12 under the federal National School Lunch Act and the federal  
13 Child Nutrition Act of 1966, 42 U.S.C. § 1751-1785, in the  
14 basic enrollments of grades one through six in all of the  
15 areas served by area education agencies in the state for the  
16 budget year.

17 15. LISTENING CURRICULUM

18 For purposes of developing and implementing a listening  
19 curriculum in the Sioux City community school district:

20 ..... \$ 35,000

21 Not later than August 1, 1998, the department shall  
22 transfer this allocation to the Sioux City community school  
23 district.

24 16. COMMUNITY COLLEGES

25 For general state financial aid, including general  
26 financial aid to merged areas in lieu of personal property tax  
27 replacement payments, to merged areas as defined in section  
28 260C.2, for vocational education programs in accordance with  
29 chapters 258 and 260C:

30 ..... \$135,366,156

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

33 a. Merged Area I ..... \$ 6,480,559

34 b. Merged Area II ..... \$ 7,622,742

35 c. Merged Area III ..... \$ 7,169,222

1	d. Merged Area IV .....	\$ 3,494,817
2	e. Merged Area V .....	\$ 7,303,720
3	f. Merged Area VI .....	\$ 6,784,474
4	g. Merged Area VII .....	\$ 9,696,919
5	h. Merged Area IX .....	\$ 11,891,522
6	i. Merged Area X .....	\$ 18,518,801
7	j. Merged Area XI .....	\$ 19,759,493
8	k. Merged Area XII .....	\$ 7,821,349
9	l. Merged Area XIII .....	\$ 8,011,904
10	m. Merged Area XIV .....	\$ 3,542,758
11	n. Merged Area XV .....	\$ 11,070,562
12	o. Merged Area XVI .....	\$ 6,197,314

13 Sec. 10. DISTRIBUTION OF FUNDS APPROPRIATED. For the  
14 fiscal year beginning July 1, 1998, and ending June 30, 1999,  
15 moneys appropriated by the general assembly from the general  
16 fund to the department of education for community colleges for  
17 a fiscal year shall be allocated to each community college by  
18 the department of education in the following manner:

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

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

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

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

4 Sec. 11. NONPUBLIC SCHOOL TEXTBOOKS AUDIT. The auditor of  
5 state shall conduct an audit of textbook services the boards  
6 of directors of school districts are required to provide to  
7 nonpublic school pupils pursuant to section 301.1, and of the  
8 payment of claims for textbook costs submitted by the school  
9 districts.

10 Sec. 12. READING RECOVERY. The department of education  
11 shall analyze the expenditures of the moneys appropriated  
12 during the fiscal year beginning July 1, 1997, for purposes of  
13 the reading recovery program, and shall provide the analysis  
14 to the general assembly and the legislative fiscal bureau in a  
15 report not later than January 1, 1999. The analysis shall  
16 include moneys appropriated for fiscal year 1997-1998 and  
17 fiscal year 1998-1999. The reading recovery center shall not  
18 train teachers employed out-of-state and shall not charge  
19 tuition. The department shall make every reasonable effort to  
20 publicize and promote the use of the center.

21 Sec. 13. Notwithstanding section 8.33 and 1997 Iowa Acts,  
22 chapter 209, section 10, the funds appropriated in 1997 Iowa  
23 Acts, chapter 209, section 10, subsection 11, to the  
24 department of education to develop an initiative to improve  
25 access to education through distance learning in postsecondary  
26 institutions, which remain unencumbered or unobligated on June  
27 30, 1998, shall not revert to the general fund of the state  
28 but shall be reallocated to the division of libraries and  
29 information services for purposes of providing state  
30 assistance to local public libraries. The division of  
31 libraries and information services shall distribute funds  
32 received in accordance with this section to public libraries  
33 in this state on a per capita basis.

34 Sec. 14. Notwithstanding section 8.33 and section 294A.25,  
35 subsection 5, of the funds appropriated and paid to the

1 department of education for participation in the national  
2 assessment of education progress, that remain unencumbered or  
3 unobligated on June 30, 1998, the amount remaining shall not  
4 revert to the general fund of the state but shall be  
5 reallocated to the division of libraries and information  
6 services for purposes of providing state assistance to local  
7 public libraries. The division of libraries and information  
8 services shall distribute funds received in accordance with  
9 this section to public libraries in this state on a per capita  
10 basis.

11 Sec. 15. Notwithstanding section 8.33 and 1997 Iowa Acts,  
12 chapter 212, section 7, subsection 15, the funds appropriated  
13 to the department of education and allocated for  
14 rehabilitating computers for schools and libraries, which  
15 remain unencumbered or unobligated on June 30, 1998, shall not  
16 revert to the general fund of the state but shall be  
17 reallocated to merged areas as defined in section 260C.2. The  
18 funds reallocated in this section shall be as follows:

19	1. Merged Area I .....	\$	2,745
20	2. Merged Area II .....	\$	2,803
21	3. Merged Area III .....	\$	1,987
22	4. Merged Area IV .....	\$	1,015
23	5. Merged Area V .....	\$	1,978
24	6. Merged Area VI .....	\$	2,204
25	7. Merged Area VII .....	\$	3,582
26	8. Merged Area IX .....	\$	4,439
27	9. Merged Area X .....	\$	8,303
28	10. Merged Area XI .....	\$	8,294
29	11. Merged Area XII .....	\$	2,672
30	12. Merged Area XIII .....	\$	3,016
31	13. Merged Area XIV .....	\$	1,087
32	14. Merged Area XV .....	\$	3,853
33	15. Merged Area XVI .....	\$	2,022

34 Sec. 16. BOARD OF EDUCATIONAL EXAMINERS LICENSING FEES.  
35 Notwithstanding section 272.10, up to 85 percent of any funds

1 received resulting from an increase in fees approved and  
2 implemented for licensing by the state board of educational  
3 examiners after July 1, 1997, shall be available for the  
4 fiscal year beginning July 1, 1998, to the state board for  
5 purposes related to the state board's duties, including, but  
6 not limited to, additional full-time equivalent positions.  
7 The director of revenue and finance shall draw warrants upon  
8 the treasurer of state from the funds appropriated as provided  
9 in this section and shall make the funds resulting from the  
10 increase in fees available during the fiscal year to the state  
11 board on a monthly basis.

12 STATE BOARD OF REGENTS

13 Sec. 17. There is appropriated from the general fund of  
14 the state to the state board of regents for the fiscal year  
15 beginning July 1, 1998, and ending June 30, 1999, the  
16 following amounts, or so much thereof as may be necessary, to  
17 be used for the purposes designated:

18 1. OFFICE OF STATE BOARD OF REGENTS

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

22 .....	\$	1,188,254
23 .....	FTEs	15.63

24 The state board of regents, the department of management,  
25 and the legislative fiscal bureau shall cooperate to determine  
26 and agree upon, by November 15, 1998, the amount that needs to  
27 be appropriated for tuition replacement for the fiscal year  
28 beginning July 1, 1999.

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

32 b. For allocation by the state board of regents to the  
33 state university of Iowa, the Iowa state university of science  
34 and technology, and the university of northern Iowa to  
35 reimburse the institutions for deficiencies in their operating

1 funds resulting from the pledging of tuitions, student fees  
2 and charges, and institutional income to finance the cost of  
3 providing academic and administrative buildings and facilities  
4 and utility services at the institutions:  
5 ..... \$ 27,868,702  
6 c. For funds to be allocated to the southwest Iowa  
7 graduate studies center:  
8 ..... \$ 108,562  
9 d. For funds to be allocated to the siouxland interstate  
10 metropolitan planning council for the tristate graduate center  
11 under section 262.9, subsection 21:  
12 ..... \$ 79,198  
13 e. For funds to be allocated to the quad-cities graduate  
14 studies center:  
15 ..... \$ 162,570  
16 2. STATE UNIVERSITY OF IOWA  
17 a. General university, including lakeside laboratory  
18 For salaries, support, maintenance, equipment,  
19 miscellaneous purposes, and for not more than the following  
20 full-time equivalent positions:  
21 ..... \$225,760,397  
22 ..... FTEs 4,039.17  
23 b. University hospitals  
24 For salaries, support, maintenance, equipment, and  
25 miscellaneous purposes and for medical and surgical treatment  
26 of indigent patients as provided in chapter 255, for medical  
27 education, and for not more than the following full-time  
28 equivalent positions:  
29 ..... \$31,018,671  
30 ..... FTEs 5,505.98  
31 The university of Iowa hospitals and clinics shall submit  
32 quarterly a report regarding the portion of the appropriation  
33 in this lettered paragraph expended on medical education. The  
34 report shall be submitted in a format jointly developed by the  
35 university of Iowa hospitals and clinics, the legislative

1 fiscal bureau, and the department of management, and shall  
2 delineate the expenditures and purposes of the funds.

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

13 (1) The attending physician certifies that continuing the  
14 pregnancy would endanger the life of the pregnant woman.

15 (2) The attending physician certifies that the fetus is  
16 physically deformed, mentally deficient, or afflicted with a  
17 congenital illness.

18 (3) The pregnancy is the result of a rape which is  
19 reported within 45 days of the incident to a law enforcement  
20 agency or public or private health agency which may include a  
21 family physician.

22 (4) The pregnancy is the result of incest which is  
23 reported within 150 days of the incident to a law enforcement  
24 agency or public or private health agency which may include a  
25 family physician.

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

29 The total quota allocated to the counties for indigent  
30 patients for the fiscal year beginning July 1, 1998, shall not  
31 be lower than the total quota allocated to the counties for  
32 the fiscal year commencing July 1, 1997. The total quota  
33 shall be allocated among the counties on the basis of the 1990  
34 census pursuant to section 255.16.

35 c. Psychiatric hospital



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

6 ..... \$ 7,715,297  
7 ..... FTEs 291.55

8 d. Hospital-school

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

12 ..... \$ 6,511,712  
13 ..... FTEs 163.58

14 e. Oakdale campus

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

18 ..... \$ 3,036,711  
19 ..... FTEs 63.58

20 f. State hygienic laboratory

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

24 ..... \$ 3,683,664  
25 ..... FTEs 102.49

26 g. Family practice program

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

32 ..... \$ 2,225,663  
33 ..... FTEs 180.74

34 h. Child health care services

35 For specialized child health care services, including

1 childhood cancer diagnostic and treatment network programs,  
 2 rural comprehensive care for hemophilia patients, and the Iowa  
 3 high-risk infant follow-up program, including salaries and  
 4 support, and for not more than the following full-time  
 5 equivalent positions:

6 ..... \$ 520,184  
 7 ..... FTEs 10.18

8 i. Agricultural health and safety programs  
 9 For agricultural health and safety programs, and for not  
 10 more than the following full-time equivalent positions:

11 ..... \$ 266,191  
 12 ..... FTEs 3.48

13 j. Statewide cancer registry  
 14 For the statewide cancer registry, and for not more than  
 15 the following full-time equivalent positions:

16 ..... \$ 206,084  
 17 ..... FTEs 3.07

18 k. Substance abuse consortium  
 19 For funds to be allocated to the Iowa consortium for  
 20 substance abuse research and evaluation, and for not more than  
 21 the following full-time equivalent positions:

22 ..... \$ 69,241  
 23 ..... FTEs 1.15

24 l. Center for biocatalysis  
 25 For the center for biocatalysis, and for not more than the  
 26 following full-time equivalent positions:

27 ..... \$ 1,040,426  
 28 ..... FTEs 10.40

29 m. National advanced driving simulator  
 30 For the national advanced driving simulator, and for not  
 31 more than the following full-time equivalent positions:

32 ..... \$ 273,115  
 33 ..... FTEs 3.58

34 n. For the primary health care initiative in the college  
 35 of medicine and for not more than the following full-time

1 equivalent positions:

2 ..... \$ 831,776

3 ..... FTEs 11.00

4 From the funds appropriated in this lettered paragraph,  
5 \$330,000 shall be allocated to the department of family  
6 practice at the state university of Iowa college of medicine  
7 for family practice faculty and support staff.

8 o. Birth defects registry

9 For the birth defects registry:

10 ..... \$ 50,000

11 p. Creative employment opportunities

12 For creative employment opportunities:

13 ..... \$ 200,000

14 3. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY

15 a. General university

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

19 ..... \$177,823,124

20 ..... FTEs 3,598.44

21 From the funds appropriated in this lettered paragraph,  
22 \$40,000 shall be allocated for purposes of the institute for  
23 public leadership.

24 b. Agricultural experiment station

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

28 ..... \$ 33,859,639

29 ..... FTEs 546.98

30 c. Cooperative extension service in agriculture and home  
31 economics

32 For salaries, support, maintenance, miscellaneous purposes,  
33 including salaries and support for the fire service institute,  
34 and for not more than the following full-time equivalent  
35 positions:

1 ..... \$ 21,596,852  
 2 ..... FTEs 443.91

3 From the funds appropriated in this lettered paragraph,  
 4 \$150,000 shall be allocated for purposes of the food, fiber,  
 5 and environmental science program.

6 d. Leopold center

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

10 ..... \$ 573,488  
 11 ..... FTEs 11.25

12 e. World food prize

13 ..... \$ 250,000

14 f. Livestock disease research

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

18 ..... \$ 276,729  
 19 ..... FTEs 3.17

20 g. Bioinformatics

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

24 ..... \$ 200,000  
 25 ..... FTE 1.00

26 4. UNIVERSITY OF NORTHERN IOWA

27 a. General university

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

31 ..... \$ 79,518,141  
 32 ..... FTEs 1,370.98

33 b. Recycling and reuse center

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

1 ..... \$ 240,622  
2 ..... FTE 1.00

3 5. STATE SCHOOL FOR THE DEAF

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

7 ..... \$ 7,230,884  
8 ..... FTEs 124.14

9 6. IOWA BRAILLE AND SIGHT SAVING SCHOOL

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

13 ..... \$ 4,029,325  
14 ..... FTEs 91.36

15 7. TUITION AND TRANSPORTATION COSTS

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

22 ..... \$ 16,941

23 Sec. 18. MEDICAL ASSISTANCE -- SUPPLEMENTAL AMOUNTS. For  
24 the fiscal year beginning July 1, 1998, and ending June 30,  
25 1999, the department of human services shall continue the  
26 supplemental disproportionate share and a supplemental  
27 indirect medical education adjustment applicable to state-  
28 owned acute care hospitals with more than 500 beds and shall  
29 reimburse qualifying hospitals pursuant to that adjustment  
30 with a supplemental amount for services provided medical  
31 assistance recipients. The adjustment shall generate  
32 supplemental payments intended to equal the state  
33 appropriation made to a qualifying hospital for treatment of  
34 indigent patients as provided in chapter 255. To the extent  
35 of the supplemental payments, a qualifying hospital shall,

1 after receipt of the funds, transfer to the department of  
2 human services an amount equal to the actual supplemental  
3 payments that were made in that month. The aggregate amounts  
4 for the fiscal year shall not exceed the state appropriation  
5 made to the qualifying hospital for treatment of indigent  
6 patients as provided in chapter 255. The department of human  
7 services shall deposit the portion of these funds equal to the  
8 state share in the department's medical assistance account and  
9 the balance shall be credited to the general fund of the  
10 state. To the extent that state funds appropriated to a  
11 qualifying hospital for the treatment of indigent patients as  
12 provided in chapter 255 have been transferred to the  
13 department of human services as a result of these supplemental  
14 payments made to the qualifying hospital, the department shall  
15 not, directly or indirectly, recoup the supplemental payments  
16 made to a qualifying hospital for any reason, unless an  
17 equivalent amount of the funds transferred to the department  
18 of human services by a qualifying hospital pursuant to this  
19 provision is transferred to the qualifying hospital by the  
20 department.

21 If the state supplemental amount allotted to the state of  
22 Iowa for the federal fiscal year beginning October 1, 1998,  
23 and ending September 30, 1999, pursuant to section 1923(f)(3)  
24 of the federal Social Security Act, as amended, or pursuant to  
25 federal payments for indirect medical education is greater  
26 than the amount necessary to fund the federal share of the  
27 supplemental payments specified in the preceding paragraph,  
28 the department of human services shall increase the  
29 supplemental disproportionate share or supplemental indirect  
30 medical education adjustment by the lesser of the amount  
31 necessary to utilize fully the state supplemental amount or  
32 the amount of state funds appropriated to the state university  
33 of Iowa general education fund and allocated to the university  
34 for the college of medicine. The state university of Iowa  
35 shall transfer from the allocation for the college of medicine

1 to the department of human services, on a monthly basis, an  
2 amount equal to the additional supplemental payments made  
3 during the previous month pursuant to this paragraph. A  
4 qualifying hospital receiving supplemental payments pursuant  
5 to this paragraph that are greater than the state  
6 appropriation made to the qualifying hospital for treatment of  
7 indigent patients as provided in chapter 255 shall be  
8 obligated as a condition of its participation in the medical  
9 assistance program to transfer to the state university of Iowa  
10 general education fund on a monthly basis an amount equal to  
11 the funds transferred by the state university of Iowa to the  
12 department of human services. To the extent that state funds  
13 appropriated to the state university of Iowa and allocated to  
14 the college of medicine have been transferred to the  
15 department of human services as a result of these supplemental  
16 payments made to the qualifying hospital, the department shall  
17 not, directly or indirectly, recoup these supplemental  
18 payments made to a qualifying hospital for any reason, unless  
19 an equivalent amount of the funds transferred to the  
20 department of human services by the state university of Iowa  
21 pursuant to this paragraph is transferred to the qualifying  
22 hospital by the department.

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

30 The department of human services shall, in any compilation  
31 of data or other report distributed to the public concerning  
32 payments to providers under the medical assistance program,  
33 set forth reimbursements to a qualifying hospital through the  
34 supplemental disproportionate share and supplemental indirect  
35 medical education adjustment as a separate item and shall not

1 include such payments in the amounts otherwise reported as the  
2 reimbursement to a qualifying hospital for services to medical  
3 assistance recipients.

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

7 Sec. 19. STATE UNIVERSITY OF IOWA -- DEPARTMENT OF HUMAN  
8 SERVICES. The department of human services shall transfer to  
9 the state university of Iowa for the purposes of the creative  
10 employment options program the same amount of moneys in the  
11 fiscal year beginning July 1, 1998, and ending June 30, 1999,  
12 as was transferred in the fiscal year beginning July 1, 1997,  
13 and ending June 30, 1998.

14 Sec. 20. GRADUATE PROGRAM -- ENROLLMENT REPORT. The state  
15 board of regents shall submit a report to the general assembly  
16 and the legislative fiscal bureau by December 1, 1998,  
17 detailing the total costs of all graduate programs at board of  
18 regents institutions, the tuition revenues from each program,  
19 and the resident and nonresident enrollment in each program.

20 Sec. 21. For the fiscal year beginning July 1, 1998, and  
21 ending June 30, 1999, the state board of regents may use  
22 notes, bonds, or other evidences of indebtedness issued under  
23 section 262.48 to finance projects that will result in energy  
24 cost savings in an amount that will cause the state board to  
25 recover the cost of the projects within an average of six  
26 years.

27 Sec. 22. Notwithstanding section 270.7, the department of  
28 revenue and finance shall pay the state school for the deaf  
29 and the Iowa braille and sight saving school the moneys  
30 collected from the counties during the fiscal year beginning  
31 July 1, 1998, for expenses relating to prescription drug costs  
32 for students attending the state school for the deaf and the  
33 Iowa braille and sight saving school.

34 Sec. 23. 1997 Iowa Acts, chapter 212, section 11,  
35 subsection 1, paragraph b, subparagraph (2), is amended to



1 read as follows:

2 (2) ~~Notwithstanding section 8-337, funds~~ Funds appropriated  
3 in this lettered paragraph remaining unencumbered or  
4 unobligated on June 30, 1998, shall ~~not~~ revert to the general  
5 fund of the state ~~but shall be available for expenditure for~~  
6 ~~the purposes listed in this lettered paragraph during the~~  
7 ~~subsequent fiscal year.~~

8 Sec. 24. Section 256.9, subsection 29, Code 1997, is  
9 amended by striking the subsection.

10 Sec. 25. Section 256.16, unnumbered paragraph 1, Code  
11 1997, is amended to read as follows:

12 Pursuant to section 256.7, subsection 5, the state board  
13 shall adopt rules requiring all higher education institutions  
14 providing practitioner preparation to include in the  
15 professional education program, preparation that contributes  
16 to education of students with disabilities and students who  
17 are gifted and talented, along with preparation in reading  
18 recovery and other reading programs, which must be  
19 successfully completed before graduation from the practitioner  
20 preparation program.

21 Sec. 26. Section 257B.1A, Code 1997, is amended by  
22 striking the section and inserting in lieu thereof the  
23 following:

24 257B.1A INTEREST FOR IOWA SCHOOLS FUND -- TRANSFER OF  
25 INTEREST.

26 An interest for Iowa schools fund is established in the  
27 office of treasurer of state. The department of revenue and  
28 finance shall deposit interest earned on the permanent school  
29 fund in the interest for Iowa schools fund. The treasurer  
30 shall transfer moneys in the interest for Iowa schools fund on  
31 a quarterly basis as follows:

32 1. Fifty-five percent of the moneys deposited in the fund  
33 to the credit of the first in the nation in education fund as  
34 established in section 257A.7.

35 2. Forty-five percent of the moneys deposited in the fund

1 to the credit of the international center endowment fund of  
2 the international center for gifted and talented education  
3 established in section 263.8A.

4 Sec. 27. Section 261.2, Code 1997, is amended by adding  
5 the following new subsections:

6 NEW SUBSECTION. 15. Be prohibited from expending interest  
7 moneys earned on accounts of the commission located within the  
8 office of the treasurer of state unless the general assembly  
9 specifically appropriates the interest moneys for use by the  
10 commission. If the general assembly appropriates interest  
11 moneys transferred from the Pub. L. No. 105-33 recall account  
12 within the office of the treasurer of state to the fund 61  
13 default reduction account, the commission shall adopt rules  
14 for the expenditure of the interest moneys for purposes of  
15 issuing emergency loans to assist needy students in avoiding  
16 default on a guaranteed or parental loan made under this  
17 chapter.

18 NEW SUBSECTION. 16. Utilize the centralized debt  
19 collection capabilities of the department of revenue and  
20 finance for collection of defaulted student loans. The  
21 commission shall assign at least twenty-five percent of all  
22 defaulted loans to the department of revenue and finance for  
23 collection.

24 Sec. 28. Section 261.12, subsection 1, paragraph b, Code  
25 Supplement 1997, is amended to read as follows:

26 b. For the fiscal year beginning July 1, ~~1996~~ 1998, and  
27 for each following fiscal year, three thousand ~~four~~ six  
28 hundred fifty dollars.

29 Sec. 29. Section 261.17, subsection 6, Code Supplement  
30 1997, is amended by adding the following new paragraph:

31 NEW PARAGRAPH. e. Establish a late application deadline  
32 for new applicants which shall not be earlier than August 1 of  
33 the fiscal year in which the appropriation received pursuant  
34 to section 261.25, subsection 3, is made. Not less than ten  
35 percent of the appropriation pursuant to section 261.25,

1 subsection 3, shall be used for late applicants as provided in  
2 this paragraph.

3 Sec. 30. NEW SECTION. 261.24 IOWA STATE FAIR  
4 SCHOLARSHIP.

5 The Iowa state fair scholarship fund is established in the  
6 office of treasurer of state to be administered by the  
7 commission. The commission shall adopt rules pursuant to  
8 chapter 17A for the administration of this section. The rules  
9 shall provide, at a minimum, that only residents of Iowa who  
10 have actively participated in the Iowa state fair and  
11 graduated from an accredited secondary school in Iowa shall be  
12 eligible to receive an Iowa state fair scholarship for  
13 matriculation at an eligible institution as defined in section  
14 261.35. Notwithstanding section 12C.7, interest earned on  
15 money in the Iowa state fair scholarship fund shall be  
16 deposited into the fund and may be used by the commission only  
17 for Iowa state fair scholarship awards.

18 Sec. 31. Section 261.25, subsections 1 and 3, Code  
19 Supplement 1997, are amended to read as follows:

20 1. There is appropriated from the general fund of the  
21 state to the commission for each fiscal year the sum of ~~forty-~~  
22 ~~one~~ forty-four million six hundred sixty-four thousand seven  
23 hundred fifty dollars for tuition grants.

24 3. There is appropriated from the general fund of the  
25 state to the commission for each fiscal year the sum of ~~one~~  
26 two million ~~six~~ two hundred ~~eight~~ forty-four thousand ~~two~~ one  
27 hundred ~~fifty-seven~~ ninety-seven dollars for vocational-  
28 technical tuition grants.

29 Sec. 32. Section 262.64A, Code 1997, is amended by adding  
30 the following new subsection:

31 NEW SUBSECTION. 4. Identification of the square footage  
32 information regarding academic and research space, total  
33 square footage of new construction for which state funds are  
34 sought, identification of all funding sources for construction  
35 costs of the total project for which an appropriation or

1 approval of academic revenue bonds is sought, and the expected  
2 annual indirect cost revenues for use of new construction when  
3 the state board submits budget requests for the costs of  
4 opening new buildings.

5 Sec. 33. Section 262A.5, Code 1997, is amended by adding  
6 the following new unnumbered paragraph:

7 NEW UNNUMBERED PARAGRAPH. The board shall not refund bonds  
8 issued under this chapter in a manner that delays or alters  
9 the schedule of principal payments without the approval of the  
10 legislative council or the general assembly when in session.

11 Sec. 34. NEW SECTION. 268.10 FIRST IN THE NATION IN  
12 EDUCATION CENTER.

13 1. The first in the nation in education center is  
14 established at the university of northern Iowa to provide  
15 school districts with total quality management assistance  
16 designed to improve overall school district operation.

17 2. An Iowa educational excellence partnership is  
18 established as a facilitating council to assist in  
19 coordinating and implementing the work of the first in the  
20 nation in education center. The president of the university  
21 of northern Iowa shall appoint to the partnership members who  
22 represent school districts, accredited nonpublic schools, area  
23 education agencies, community colleges, colleges and  
24 universities, professional educational associations, and the  
25 business community.

26 Sec. 35. Section 279.51, subsection 4, Code Supplement  
27 1997, is amended to read as follows:

28 4. The department shall seek assistance from ~~the-first-in~~  
29 ~~the-nation-in-education-foundation-established-in-chapter-257A~~  
30 ~~and-other~~ foundations and public and private agencies in the  
31 evaluation of the programs funded under this section, and in  
32 the provision of support to school districts in developing and  
33 implementing the programs funded under this section.

34 Sec. 36. Section 294A.19, unnumbered paragraph 2, Code  
35 1997, is amended to read as follows:

1     Annually, by November 1, the department shall summarize the  
2 information contained in the phase III reports filed by the  
3 school districts and area education agencies. The reports  
4 summary shall be-available-upon-request contain information  
5 including the numbers of districts and area education agencies  
6 that have implemented a performance-based pay plan, a  
7 supplemental pay plan, a combination of a performance-based  
8 and supplemental pay plan, and the number of districts and  
9 area education agencies that have established comprehensive  
10 school transformation programs. The summary shall highlight  
11 and briefly describe innovative and successful uses of phase  
12 III funds that have had a positive effect on student  
13 achievement within the district as measured by means of a  
14 widely recognized educational assessment tool or test. The  
15 department, in conjunction with the legislative fiscal bureau,  
16 shall identify additional items to be reported. Copies of the  
17 annual summary shall be submitted to each school district, the  
18 general assembly, and the legislative fiscal bureau by  
19 December 1.

20     Sec. 37. Section 294A.25, subsection 5, Code Supplement  
21 1997, is amended by striking the subsection and inserting in  
22 lieu thereof the following:

23     5. For the fiscal year beginning July 1, 1998, and for  
24 each succeeding fiscal year, the amount of fifty thousand  
25 dollars to be paid to the department of cultural affairs for  
26 contracting with the Iowa alliance for arts education to  
27 execute the local arts comprehensive educational strategies  
28 program.

29     Sec. 38. Section 294A.25, subsection 6, Code Supplement  
30 1997, is amended to read as follows:

31     6. For the fiscal year beginning July 1, ~~1997~~ 1998, and  
32 ~~ending-June-30,-1998~~ each succeeding fiscal year, the amount  
33 of fifty thousand dollars to the department of education for  
34 the geography alliance.

35     Sec. 39. Section 294A.25, subsection 9, Code Supplement

1 1997, is amended by striking the subsection.

2 Sec. 40. Section 294A.25, subsection 10, Code Supplement  
3 1997, is amended to read as follows:

4 10. For the fiscal year beginning July 1, ~~1997~~ 1998, and  
5 ~~ending-June-30,-1998~~ for each succeeding fiscal year, the  
6 amount of seventy thousand dollars to the state board of  
7 regents for equal distribution to the Iowa braille and sight  
8 saving school and the Iowa state school for the deaf from  
9 phase III moneys.

10 Sec. 41. Section 294A.25, Code Supplement 1997, is amended  
11 by adding the following new subsection:

12 NEW SUBSECTION. 12. For the fiscal year beginning July 1,  
13 1998, and for each succeeding fiscal year, to the department  
14 of education from phase III moneys the amount of one hundred  
15 fifty thousand dollars to the Iowa public broadcasting  
16 division for overnight transmitter feeds.

17 Sec. 42. Section 303.1, subsection 2, Code 1997, is  
18 amended by adding the following new paragraph:

19 NEW PARAGRAPH. e. Encourage the use of volunteers  
20 throughout its divisions, especially for purposes of restoring  
21 books and manuscripts.

22 Sec. 43. NEW SECTION. 303.3A ARTS AND CULTURAL  
23 CONFERENCES AND CAUCUSES.

24 1. For the purposes of this section, the following  
25 definitions apply:

26 a. "Arts" means music, dance, theater, opera and music  
27 theater, visual arts, literature, design arts, media arts, and  
28 folk and traditional arts.

29 b. "Culture" or "cultural" means programs and activities  
30 which explore past and present human experience.

31 c. "Department" means the department of cultural affairs.

32 d. "Enhancement" means programs that allow arts and  
33 cultural organizations to improve or enhance the quality of  
34 programs currently offered, and increase and support  
35 professional and student artists and arts educators.

1 e. "Outreach" means programs that increase rural access to  
2 cultural resources, social awareness, cultural diversity, and  
3 which serve special populations.

4 2. The department shall administer regional conferences  
5 and a statewide caucus on arts and cultural enhancement. The  
6 purpose of the conferences and caucus is to encourage the  
7 development of the arts and culture in the state by  
8 identifying opportunities for programs involving education,  
9 outreach, and enhancement; by reviewing possible changes in  
10 enhancement program policies, programs, and funding; and by  
11 making recommendations to the department regarding funding  
12 allocations and priorities for arts and cultural enhancement.

13 3. Every four years beginning in June 2001, the department  
14 shall convene a statewide caucus on arts and cultural  
15 enhancement.

16 a. Prior to the statewide caucus, the department shall  
17 make arrangements to hold a conference in each of several  
18 regions of the state as determined by the Iowa arts council.  
19 The department shall promote attendance of interested persons  
20 at each conference. A designee of the department shall serve  
21 as temporary chairperson until persons attending the  
22 conference elect a chairperson. The department shall provide  
23 persons attending the conference with current information  
24 regarding cultural programs and expenditures. Persons  
25 attending the conference shall identify opportunities for  
26 programs in the areas of education, outreach, and enhancement,  
27 and make recommendations in the form of a resolution. The  
28 persons attending the conference shall elect six persons from  
29 among the attendees to serve as regional, voting delegates to  
30 the statewide caucus. The conference attendees shall elect a  
31 chairperson from among the six representatives. Other  
32 interested persons are encouraged to attend the statewide  
33 caucus as nonvoting attendees.

34 b. The department shall charge a reasonable fee for  
35 attendance at the statewide caucus on arts and cultural

1 enhancement.

2 c. A designee of the department shall call the statewide  
3 caucus to order and serve as temporary chairperson until  
4 persons attending the caucus elect a chairperson. Persons  
5 attending the caucus shall discuss the recommendations of the  
6 regional conferences and decide upon recommendations to be  
7 made to the department and the general assembly. Elected  
8 chairpersons of the regional conferences shall meet with  
9 representatives of the department and present the  
10 recommendations of the caucus.

11 Sec. 44. Section 304A.10, Code 1997, is amended to read as  
12 follows:

13 304A.10 COST OF FINE ARTS -- PERCENTAGE.

14 The total estimated cost of the fine arts elements included  
15 in a plan and specifications for a state building or group of  
16 state buildings in accordance with the purposes of this  
17 division shall in no case be less than one-half of one percent  
18 of the total estimated cost of such building or group of  
19 buildings. This percentage allocation shall not be diminished  
20 by professional fees. By September 1 annually, the  
21 contracting officer or principal user shall submit to the  
22 department of cultural affairs the total amount of state  
23 financial assistance expended in accordance with this section  
24 during the previous fiscal year. If deemed in the best  
25 interests of the citizens, funds allocated for the acquisition  
26 of fine arts may be accumulated over more than one  
27 appropriation or fiscal period or combined to complete  
28 significant projects, however, this sentence does not  
29 authorize interproject transfers. The total estimated cost of  
30 the fine arts elements included in a plan and specifications  
31 for a state building or group of state buildings in accordance  
32 with this section shall be included by the department of  
33 cultural affairs in calculating the amount of state financial  
34 assistance for the arts for purposes of national ranking  
35 surveys. By January 1 annually, the department of cultural



1 affairs shall submit a summary of the total amount of state  
2 financial assistance expended in accordance with this section  
3 and for which state buildings the assistance was expended.

4 Sec. 45. Chapters 257A and 303C, Code 1997, are repealed.

5 Sec. 46. Notwithstanding section 257B.1A, as amended by  
6 this Act, the treasurer of state shall transfer fifty-five  
7 percent of the moneys deposited in the interest for Iowa  
8 schools fund to the department of education for allocation to  
9 the division of libraries and information services for  
10 purposes of providing state assistance to local public  
11 libraries. The division of libraries and information services  
12 shall distribute funds received in accordance with this  
13 subsection to public libraries in this state on a per capita  
14 basis. The treasurer of state shall transfer the remaining  
15 forty-five percent of the moneys in the interest for Iowa  
16 schools fund to the credit of the international center  
17 endowment fund of the international center for gifted and  
18 talented education established in section 263.8A.

19 Sec. 47. Notwithstanding section 257A.4, Code 1997, with  
20 the repeal of chapter 257A pursuant to this Act, the rights  
21 and properties of the first in the nation in education  
22 foundation shall remain with the nonprofit corporation which  
23 shall continue its existence as a nonprofit corporation but  
24 shall no longer be a quasi-public instrumentality. However,  
25 debts and other financial obligations shall not succeed to the  
26 state.

27 Sec. 48. Notwithstanding any provision to the contrary,  
28 section 268.10, if enacted by this Act, is repealed.

29 Sec. 49. FUNDS TRANSFERRED. For the fiscal year beginning  
30 July 1, 1998, and ending June 30, 1999, the following amounts  
31 for the purposes designated shall be paid to the department of  
32 education from additional funds transferred from phase I to  
33 phase III:

34 1. For national board certification awards pursuant to  
35 House Study Bill 593, if enacted:

1 ..... \$ 300,000  
 2 2. For the establishment of a beginning teacher induction  
 3 program pursuant to Senate File 2215, if enacted:  
 4 ..... \$ 190,000

5 Sec. 50. EFFECTIVE DATES.

6 1. Section 7 of this Act, relating to historic sites and  
7 the western trails center, being deemed of immediate  
8 importance, takes effect upon enactment.

9 2. Sections 13 and 14 of this Act, relating to  
10 reallocation of moneys to the division of libraries and  
11 information services for purposes of providing state  
12 assistance to local public libraries, being deemed of  
13 immediate importance, take effect upon enactment.

14 3. Section 15 of this Act, relating to the nonreversion of  
15 funds appropriated for rehabilitating computers for school and  
16 libraries, being deemed of immediate importance, takes effect  
17 upon enactment.

18 4. Section 16 of this Act, relating to the state board of  
19 educational examiners licensing fees, being deemed of  
20 immediate importance, takes effect upon enactment.

21 5. Section 20 of this Act, relating to the reversion of  
22 funds appropriated for tuition replacement, being deemed of  
23 immediate importance, takes effect upon enactment.

24 6. Section 47 of this Act, relating to the rights and  
25 properties of the first in the nation in education foundation,  
26 being deemed of immediate importance, takes effect upon  
27 enactment.

28 7. Section 48 of this Act, relating to the repeal of  
29 section 268.10, if enacted by this Act, being deemed of  
30 immediate importance, takes effect upon enactment.

31 EXPLANATION

32 This bill appropriates moneys from the general fund of the  
33 state to the college student aid commission, the department of  
34 cultural affairs, the department of education, and the state  
35 board of regents and its institutions.

1 COLLEGE STUDENT AID COMMISSION. The bill appropriates  
2 moneys to the college student aid commission for general  
3 administrative purposes, forgivable loans to Iowa students  
4 attending the university of osteopathic medicine and health  
5 sciences, an initiative directing primary care physicians to  
6 areas of the state experiencing physician shortages, student  
7 aid programs, the national guard tuition aid program, and the  
8 Stafford loan program, and increases the maximum amount of a  
9 tuition grant to a qualified full-time student.

10 DEPARTMENT OF CULTURAL AFFAIRS. The bill funds the arts,  
11 historical, and administration divisions of the department of  
12 cultural affairs, historic sites, local arts and comprehensive  
13 educational strategies program, and community cultural grants.

14 DEPARTMENT OF EDUCATION. The bill appropriates moneys for  
15 purposes of the department of education's general  
16 administration, vocational education administration, the board  
17 of educational examiners, the division of vocational  
18 rehabilitation services, independent living, the state  
19 library, the regional library system, the public broadcasting  
20 division, the national assessment of educational progress, the  
21 Iowa mathematics and science coalition, vocational education  
22 to secondary schools, school food service, textbooks of  
23 nonpublic school pupils, the vocational agriculture youth  
24 organization and other youth activities, family resource  
25 centers, the reading recovery program, child development  
26 coordinating council, a listening curriculum for Sioux City,  
27 and community colleges.

28 STATE BOARD OF REGENTS. The bill appropriates moneys to  
29 the state board of regents for board operations, tuition  
30 replacement, the southwest Iowa graduate studies center, the  
31 tristate graduate center, the quad-cities graduate studies  
32 center, and for the state university of Iowa, Iowa state  
33 university of science and technology, the university of  
34 northern Iowa, the state school for the deaf, the Iowa braille  
35 and sight saving school, and the tuition and transportation

1 costs for students residing in the Iowa braille and sight  
2 saving school and the school for the deaf.

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TERRY E. BRANSTAD  
GOVERNOR

OFFICE OF THE GOVERNOR

STATE CAPITOL  
DES MOINES, IOWA 50319  
515 281-5211

May 8, 1998

RECEIVED  
MAY 11 1998  
LEGISLATIVE SERVICE  
BUREAU

The Honorable Paul Pate  
Secretary of State  
State Capitol Building  
LOCAL

Dear Mr. Secretary:

I hereby transmit House File 2533, 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 effective dates.

House File 2533 is, therefore, approved on this date with the following exceptions, which I hereby disapprove.

I am unable to approve the item designated as Section 3, in its entirety. This item appropriates moneys remaining in the Scholarship and Grant Reserve Fund for Vocational Technical Tuition Grants. The purpose of the Scholarship and Grant Reserve Fund is to alleviate funding shortfalls for scholarship and tuition grant programs. The funds that are currently available need to remain in the fund for this purpose.

I am unable to approve the items designated as Sections 4 and 32, in their entirety. These items specify how the interest earned on Public Law No. 105-33 Recall Account is to be used. Federal law adequately governs the Iowa College Student Aid Commission's use of interest earned on the Recall Account. The College Student Aid Commission should be encouraged to implement a comprehensive default reduction program.

I am unable to approve the items designated as Section 6, and Section 62, subsection 1, in their entirety. These items require the carryover of fiscal year 1998 reversions to be used for marketing, outreach, support and programs at the Western Trails Center. Significant state funding for the Western Trails Center has been provided from the Rebuild Iowa Infrastructure Account.

I am unable to approve the designated portion of Section 8, subsection 4, paragraph a. This item requires the Division of Vocational Rehabilitation to enter into a 28E agreement with Creative Employment Options at the University of Iowa in an effort to count the state funds appropriated to

The Honorable Paul Pate  
HF 2533 Page 2  
May 8, 1998

the University as a local match. The United States Department of Education has indicated that implementation of this requirement would result in rejection of the State Plan for Vocational Rehabilitation and preclude federal funding for vocational rehabilitation in Iowa.

I am unable to approve the items designated as Sections 11, 12, 13 and 62, subsections 2 and 3, in their entirety. These items allow anticipated fiscal year 1998 reversions to carry over into fiscal year 1999 to fund ongoing programs. It is inappropriate to use one-time funding sources for ongoing programs.

I am unable to approve the items designated as Sections 28, 47, 48 and 49, in their entirety, the designated portions of Section 52, and Section 61, in its entirety. These items provide appropriations from Phase III of Educational Excellence for ongoing programs that are unrelated to the purpose of Phase III. Appropriations, particularly standing appropriations, which are unrelated to the purpose of Phase III are an inappropriate use of Educational Excellence funding.

I am unable to approve the designated portion of Section 16, and the items designated as Sections 24, 25, 26, 29 and 45, in their entirety. These items contain language that links with the action I am taking on Senate File 2366, the education reform bill. I cannot approve these items until a comprehensive school reform package is enacted, and I cannot support a \$1 million lifetime limit on funding for national board certification award recipients.

For the above reasons, I hereby respectfully disapprove these items in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in House File 2533 are hereby approved as of this date.

Sincerely,



Terry E. Branstad  
Governor

TEB/ps

cc Secretary of the Senate  
Chief Clerk of the House

*Item Vetoed*

HOUSE FILE 2533

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 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, 1998, and ending June 30, 1999, 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:

..... \$ 319,936  
..... FTEs 5.40

2. UNIVERSITY OF OSTEOPATHIC MEDICINE AND HEALTH SCIENCES

a. For forgivable loans to Iowa students attending the university of osteopathic medicine and health sciences under the forgivable loan program pursuant to section 261.19:

..... \$ 379,260

b. For the university of osteopathic medicine and health sciences for an initiative in primary health care to direct primary care physicians to shortage areas in the state:

..... \$ 395,000

3. STUDENT AID PROGRAMS

For payments to students for the Iowa grant program:

..... \$ 1,161,850

4. NATIONAL GUARD TUITION AID PROGRAM

For purposes of providing national guard tuition aid under the program established in section 261.21:

..... \$ 833,900

5. CHIROPRACTIC GRADUATE STUDENT FORGIVABLE LOAN PROGRAM

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

..... \$ 71,400

Sec. 2. There is appropriated from the loan reserve account to the college student aid commission for the fiscal year beginning July 1, 1998, and ending June 30, 1999, the following amount, or so much thereof as may be necessary, to be used for the purpose designated:

For operating costs of the Stafford loan program including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 5,151,983  
..... FTEs 34.60

Sec. 3. Notwithstanding the maximum allowed balance requirement of the scholarship and tuition grant reserve fund as provided in section 261.20, there is appropriated from the scholarship and tuition grant reserve fund to the college student aid commission for the fiscal year beginning July 1, 1998, and ending June 30, 1999, the moneys remaining in the fund following transfer, pursuant to section 261.20 for the fiscal years ending June 30, 1997, and June 30, 1998, which are to be used for purposes of Iowa vocational-technical tuition grants in accordance with section 261.17. Funds appropriated in this section are in addition to funds appropriated in section 261.25, subsection 3.

Sec. 4. The department of revenue and finance shall deposit interest earned on the Pub. L. No. 105-33 recall account within the office of the treasurer of state during the fiscal year ending June 30, 1998, in the fund 61 default reduction account. Moneys in the fund 61 default reduction account are appropriated to the college student aid commission for the fiscal year beginning July 1, 1998, and ending June

*Vetoed*

30, 1999, for purposes of issuing emergency loans to assist needy students in avoiding default on a guaranteed or parental loan made under chapter 261.

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, 1998, and ending June 30, 1999, 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:

..... \$ 1,328,615
..... FTEs 10.00

2. HISTORICAL DIVISION

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

..... \$ 3,078,788
..... FTEs 65.70

Of the full-time equivalent positions appropriated for in this subsection, 1.20 FTEs represent the transition of personnel services contracts to full-time equivalent positions. The merit system provisions of chapter 19A and the provisions of chapter 20 shall not govern this transition movement into these full-time equivalent positions during the period beginning July 1, 1998, and ending August 31, 1998.

3. HISTORIC SITES

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

..... \$ 587,040
..... FTEs 8.00

4. ADMINISTRATION

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

..... \$ 230,571
..... 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. 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

6. 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:

..... \$ 711,757
..... FTE 70

Sec. 6. HISTORIC SITES -- WESTERN TRAILS CENTER. Notwithstanding section 8.33, the unencumbered or unobligated moneys remaining at the end of the fiscal year ending June 30, 1998, from the appropriations made in 1997 Iowa Acts, chapter 212, section 5, subsection 3, shall not revert but shall be available for expenditure during subsequent fiscal years for purposes of support, staffing, marketing, outreach, and programs at the western trails center in Council Bluffs.

Sec. 7. NATIONAL ARTS RANKING SURVEYS. The department of cultural affairs shall, when calculating the amount of state financial assistance for the arts in national ranking surveys, include the amount appropriated for the local arts comprehensive educational strategies program, as well as the total estimated cost of the fine arts elements included in a plan and specifications for a state building or group of state buildings in accordance with section 304A.10.

DEPARTMENT OF EDUCATION

Sec. 8. There is appropriated from the general fund of the state to the department of education for the fiscal year



beginning July 1, 1998, and ending June 30, 1999, 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:

..... \$ 5,586,130
..... FTEs 98.45

Of the full-time equivalent positions appropriated for in this section, 2.50 FTEs represent the transition of personnel services contractors to full-time equivalent positions. The merit system provisions of chapter 19A and the provisions of chapter 20 shall not govern this transition movement into these full-time equivalent positions during the period beginning July 1, 1998, and ending August 31, 1998.

2. VOCATIONAL EDUCATION ADMINISTRATION

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

..... \$ 547,642
..... 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:

..... \$ 201,973
..... FTEs 2.00

4. VOCATIONAL REHABILITATION SERVICES DIVISION

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

..... \$ 4,458,972
..... FTEs 302.58

Of the full-time equivalent positions appropriated for in this section, .33 FTE represent the transition of personnel services contractors to full-time equivalent positions. The

merit system provisions of chapter 19A and the provisions of chapter 20 shall not govern this transition movement into these full-time equivalent positions during the period beginning July 1, 1998, and ending August 31, 1998.

From the funds appropriated in this subsection, up to \$2,000,000 shall be used to provide services to persons without regard to an order of selection. 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 subsection, for the fiscal year ending June 30, 1999, 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 four 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.

The division of vocational rehabilitation services shall enter into a chapter 28E agreement with the creative employment options program at the state university of Iowa to enable the division to count as a local match the state funds appropriated to the university for purposes of the creative employment options program.

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:

..... \$ 75,631  
..... FTEs 1.50

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

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

..... \$ 3,072,098  
..... FTEs 21.00

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, 1998, and ending June 30, 1999, 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, 1997, and ending June 30, 1998.

6. REGIONAL LIBRARY

For state aid:

..... \$ 1,637,000

7. PUBLIC BROADCASTING DIVISION

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

..... \$ 7,374,296  
..... FTEs 105.80

Of the full-time equivalent positions appropriated for in this section, 5.80 FTEs represent the transition of personnel services contractors to full-time equivalent positions. The merit system provisions of chapter 19A and the provisions of chapter 20 shall not govern this transition movement into these full-time equivalent positions during the period beginning July 1, 1998, and ending August 31, 1998.

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:

..... \$ 2,716,859  
..... FTEs 14.00

10. 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:

..... \$ 700,000

11. 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:

..... \$ 107,900

12. FAMILY RESOURCE CENTERS

For support of the family resource center demonstration program established under chapter 256C:

..... \$ 120,000

If legislation providing for the creation of an Iowa empowerment board, an Iowa empowerment fund, and for the appropriation of moneys to be administered by a community empowerment area, is enacted by the Seventy-seventh General Assembly, 1998 Session, funds shall not be appropriated for purposes of the family resource centers in fiscal years succeeding the fiscal year ending June 30, 1999.

13. AREA EDUCATION AGENCY AUDIT

For allocation to the auditor of state for the costs of conducting the audit of area education agencies as provided in section 60 of this Act, if enacted:

..... \$ 75,000

14. 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:

..... \$135,366,156

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

- a. Merged Area I ..... \$ 6,480,559
- b. Merged Area II ..... \$ 7,622,742
- c. Merged Area III ..... \$ 7,169,222
- d. Merged Area IV ..... \$ 3,494,817
- e. Merged Area V ..... \$ 7,303,720

f. Merged Area VI ..... \$ 6,784,474

g. Merged Area VII ..... \$ 9,696,919

h. Merged Area IX ..... \$ 11,891,522

i. Merged Area X ..... \$ 18,518,801

j. Merged Area XI ..... \$ 19,759,493

k. Merged Area XII ..... \$ 7,821,349

l. Merged Area XIII ..... \$ 8,011,904

m. Merged Area XIV ..... \$ 3,542,758

n. Merged Area XV ..... \$ 11,070,562

o. Merged Area XVI ..... \$ 6,197,314

Sec. 9. DISTRIBUTION OF FUNDS APPROPRIATED. For the fiscal year beginning July 1, 1998, and ending June 30, 1999, moneys appropriated by the general assembly from the general fund 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 two percent. However, the inflation increase shall be equal to the national inflation rate, if it exceeds two 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 two percent growth, the entire increase shall be distributed as inflation.

Sec. 10. READING RECOVERY. The department of education shall analyze the expenditures of the moneys appropriated during the fiscal year beginning July 1, 1997, for purposes of the reading recovery program, and shall provide the analysis to the general assembly and the legislative fiscal bureau in a report not later than January 1, 1999. The analysis shall include moneys appropriated for fiscal year 1997-1998 and fiscal year 1998-1999. Priority for training shall be given to teachers employed by school districts and accredited nonpublic schools in Iowa. The department shall make every reasonable effort to publicize and promote the use of the center.

Sec. 11. Notwithstanding section 8.33 and 1997 Iowa Acts, chapter 209, section 10, the funds appropriated in 1997 Iowa Acts, chapter 209, section 10, subsection 11, to the department of education to develop an initiative to improve access to education through distance learning in postsecondary institutions, which remain unencumbered or unobligated on June 30, 1998, shall not revert to the general fund of the state but shall be reallocated to the division of libraries and information services for purposes of the open access program.

Sec. 12. Notwithstanding section 8.33 and section 294A.25, subsection 5, of the funds appropriated and paid to the department of education for participation in the national assessment of education progress, that remain unencumbered or unobligated on June 30, 1998, the amount remaining shall not revert to the general fund of the state but shall be reallocated to the division of libraries and information services for purposes of the open access program.

Sec. 13. Notwithstanding section 8.33 and 1997 Iowa Acts, chapter 212, section 7, subsection 15, the funds appropriated to the department of education and allocated for rehabilitating computers for schools and libraries, which remain unencumbered or unobligated on June 30, 1998, shall not revert to the general fund of the state but shall be reallocated to merged areas as defined in section 260C.2. The funds reallocated in this section shall be as follows:

1. Merged Area I .....	\$	2,745
2. Merged Area II .....	\$	2,803
3. Merged Area III .....	\$	1,987
4. Merged Area IV .....	\$	1,015
5. Merged Area V .....	\$	1,978
6. Merged Area VI .....	\$	2,204
7. Merged Area VII .....	\$	3,582
8. Merged Area IX .....	\$	4,439
9. Merged Area X .....	\$	8,303
10. Merged Area XI .....	\$	8,294
11. Merged Area XII .....	\$	2,672
12. Merged Area XIII .....	\$	3,016
13. Merged Area XIV .....	\$	1,087
14. Merged Area XV .....	\$	3,853
15. Merged Area XVI .....	\$	2,022

Sec. 14. BOARD OF EDUCATIONAL EXAMINERS LICENSING FEES.

Notwithstanding section 272.10, up to 85 percent of any funds received 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, 1998, 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. 15. DIGITAL TELEVISION CONVERSION. If 1998 Iowa Acts, House File 2395, section 5, relating to a study of digital television conversion by the public broadcasting division of the department of education, is enacted, and upon the request of a public radio broadcaster the division shall include in the study a review of the tower space availability and related cost efficiencies for broadcast antennas and associated equipment for the transmission of public radio station broadcasts.

VETOED

VETOED

VETOED

Vetoed

Sec. 16. 1998 Iowa Acts, Senate File 2366, section 1, subsection 1, unnumbered paragraphs 2 [and 3] if enacted, are amended by striking the unnumbered paragraphs.

STATE BOARD OF REGENTS

Sec. 17. There is appropriated from the general fund of the state to the state board of regents for the fiscal year beginning July 1, 1998, and ending June 30, 1999, 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:

..... \$ 1,188,254  
..... 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, 1998, the amount that needs to be appropriated for tuition replacement for the fiscal year beginning July 1, 1999.

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:

..... \$ 27,868,702

c. For funds to be allocated to the southwest Iowa graduate studies center:

..... \$ 108,562

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

..... \$ 79,198

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

..... \$ 162,570

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:

..... \$225,760,397  
..... FTEs 4,039.17

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:

..... \$ 31,018,671  
..... FTEs 5,505.98

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, 1998, shall not be lower than the total quota allocated to the counties for the fiscal year commencing July 1, 1997. 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:

..... \$ 7,715,297
..... FTEs 291.55

d. Hospital-school

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

..... \$ 6,511,712
..... FTEs 163.58

e. Oakdale campus

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

..... \$ 3,036,711
..... FTEs 63.58

f. State hygienic laboratory

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

..... \$ 3,683,664
..... 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:

..... \$ 2,225,663
..... FTEs 180.74

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:

..... \$ 520,184
..... FTEs 10.18

i. Agricultural health and safety programs

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

..... \$ 266,191
..... FTEs 3.48

j. Statewide cancer registry

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

..... \$ 206,084

..... FTEs 3.07

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:

..... \$ 69,241

..... FTEs 1.15

l. Center for biocatalysis

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

..... \$ 1,040,426

..... FTEs 10.40

m. National advanced driving simulator

For the national advanced driving simulator, and for not more than the following full-time equivalent positions:

..... \$ 273,115

..... FTEs 3.58

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

..... \$ 831,776

..... FTEs 11.00

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.

o. Birth defects registry

For the birth defects registry:

..... \$ 50,000

p. Creative employment options

For creative employment options:

..... \$ 200,000

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:

..... \$177,823,124

..... FTEs 3,598.44

From the funds appropriated in this lettered paragraph, \$40,000 shall be allocated for purposes of the institute for public leadership.

b. Agricultural experiment station

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

..... \$ 33,859,639

..... FTEs 546.98

c. Cooperative extension service in agriculture and home economics

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

..... \$ 21,596,852

..... FTEs 443.91

From the funds appropriated in this lettered paragraph, \$5,672 shall be used for salary annualization, \$150,000 shall be used for the food, fiber, and environmental science program, and \$766,000 shall be used for the value-added agricultural projects as part of the extension 21 program.

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:

..... \$ 573,488

..... FTEs 11.25

e. World food prize

..... \$ 250,000

f. 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:

..... \$ 276,729

..... FTEs 3.17

g. Bioinformatics

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

..... \$ 200,000
..... FTE 1.00

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:

..... \$ 79,518,141
..... FTEs 1,370.98

b. Recycling and reuse center

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

..... \$ 240,622
..... FTE 1.00

5. STATE SCHOOL FOR THE DEAF

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

..... \$ 7,230,884
..... FTEs 124.14

6. IOWA BRAILLE AND SIGHT SAVING SCHOOL

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

..... \$ 4,029,325
..... FTEs 91.36

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

Sec. 18. MEDICAL ASSISTANCE -- SUPPLEMENTAL AMOUNTS. For the fiscal year beginning July 1, 1998, and ending June 30, 1999, 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 the portion of these funds equal to the state share in the department's medical assistance account and the balance shall be credited to the general fund of the state. 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, 1998, and ending September 30, 1999, 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. 19. 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, 1998, and ending June 30, 1999, as was transferred in the fiscal year beginning July 1, 1997, and ending June 30, 1998.

Sec. 20. For the fiscal year beginning July 1, 1998, and ending June 30, 1999, 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. 21. 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, 1998, 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. 22. 1997 Iowa Acts, chapter 212, section 11, subsection 1, paragraph b, subparagraph (2), is amended to read as follows:

(2) ~~Notwithstanding section 8-337, funds~~ Funds appropriated in this lettered paragraph remaining unencumbered or unobligated on June 30, 1998, shall not revert to the general fund of the state but ~~shall be available for expenditure for the purposes listed in this lettered paragraph during the subsequent fiscal year.~~

Sec. 23. Section 256.9, subsection 29, Code 1997, is amended by striking the subsection.

Sec. 24. Section 256.16, unnumbered paragraph 1, Code 1997, is amended to read as follows:

Pursuant to section 256.7, subsection 5, the state board shall adopt rules requiring all higher education institutions providing practitioner preparation to include in the professional education program, preparation that contributes to education of students with disabilities and students who are gifted and talented, along with preparation in reading recovery and other reading programs, which must be successfully completed before graduation from the practitioner preparation program.

Sec. 25. Section 256.22, subsection 1, unnumbered paragraph 1, if enacted by 1998 Iowa Acts, Senate File 2366, is amended to read as follows:

Subject to an appropriation of sufficient funds by the general assembly, the department shall establish a frontier school and extended year school grant program to provide for the allocation of grants to school districts, or a collaboration of school districts, to provide technical assistance for conversion of an existing school to a frontier school or to an extended school year calendar, or for investigating the possibility of converting an existing school within a district to a frontier school or to an extended school year calendar. A district that wants to participate in the program shall submit to the department a written request for a grant by ~~September~~ October 17, 1998. The school district

*Refer*

or collaboration of school districts shall agree to appoint a planning committee composed of parents, guardians, teachers, administrators, and individuals representing business, and the local community. The school district or collaboration shall also indicate in its request its intention to use any grant moneys received under this section to examine, at a minimum, all of the following:

Sec. 26. Section 256.22, subsections 2 and 5, if enacted by 1998 Iowa Acts, Senate File 2366, are amended to read as follows:

2. Grant moneys shall be distributed to qualifying school districts by the department no later than October ~~15, 1998~~ 30 annually. Grant amounts shall be distributed as determined by the department. Not more than fifteen of the grants awarded per year in accordance with this section shall be used for purposes of frontier school planning or conversion. A grant awarded to a school district under this section shall not exceed twenty-five thousand dollars. Notwithstanding the other provisions of this section, the department shall not award grant moneys for technical assistance for conversion of an existing school to a frontier school or to an extended school year calendar prior to July 1, 1999.

*Refer*

5. Except as provided in this subsection, frontier schools are exempt from all statutes and rules applicable to a school, a school board, or a school district, although a frontier school may elect to comply with one or more provisions of statute or rule. However, a frontier school shall meet all applicable state and local health and safety requirements; the ~~frontier school shall be organized and operated as a nonprofit cooperative association under chapter 498 or nonprofit corporation under chapter 504A;~~ the provisions of chapters 21 and 22 shall apply to meetings and records of the frontier school board; and frontier schools are subject to and shall comply with chapters 216 and 216A relating to civil and human rights, and sections 275.55A, 279.9A, 280.17B, 280.21B, and 282.4, relating to suspension and expulsion of a student. The frontier school shall employ or contract with necessary

teachers, as defined in section 272.1, who hold a valid license with an endorsement for the type of service for which the teacher is employed. Frontier schools are subject to the same financial audits, audit procedures, and audit requirements as a school district. The audits shall be consistent with the requirements of sections 11.6, 11.14, 11.19, 256.9, subsection 19, and section 279.29, except to the extent deviations are necessary because of the program at the school. The department, auditor of state, or the legislative fiscal bureau may conduct financial, program, or compliance audits. The provisions of chapter 20 shall not apply to the board of directors of a frontier school or its employees.

Sec. 27. Section 256.22, if enacted by 1998 Iowa Acts, Senate File 2366, section 4, is amended by adding the following new subsection:

**NEW SUBSECTION.** 6. 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 purposes of this section.

Sec. 28. **NEW SECTION.** 256.24 MATHEMATICS PILOT PROGRAMS.

1. The Iowa mathematics and science coalition shall administer a two-year mathematics pilot program to help teachers become aware of possibilities for mathematics instruction other than traditional approaches and discuss those approaches with other teachers, employ new problem-centered approaches, develop routines that create an environment that promotes problem solving and student autonomy, and integrate new approaches to teaching mathematics in the regular mathematics curriculum.

2. The Iowa mathematics and science coalition shall locate the pilot programs in at least four public school districts, one located in a large school district, one located in a medium-sized school district, and two located in small school districts. In the case of a large school district, the district shall apply for a secondary school in the district provided that the middle and elementary schools within the

secondary school attendance area shall be represented in the application. Districts participating in the program shall require all teachers employed by the district who teach mathematics to participate in the pilot program. However, in the case of a large district, only teachers employed to teach mathematics in the secondary school for which the application was made, and the teachers employed to teach mathematics in the middle and elementary schools within the secondary school attendance area, shall be required to participate in the pilot program. For purposes of this section, a large school district is a district with an actual enrollment of five thousand or more pupils; a medium-sized school district is a district with an actual enrollment that is greater than one thousand one hundred ninety-nine pupils, but less than five thousand pupils; and a small school district is a district with an actual enrollment of one thousand one hundred ninety-nine or fewer pupils.

3. Funds appropriated for purposes of this section may be used for administrative costs of the program and shall be used to provide partial financial assistance to a participating school district. The portion of the program costs for which a district does not receive financial assistance pursuant to this section shall be paid by the district. However, the district may use phase III funds to pay this portion of the program costs.

Sec. 29. Section 256.44, subsection 3, if enacted by 1998 Iowa Acts, Senate File 2366, section 5, is amended to read as follows:

3. To receive a five-year annual award for achieving certification by the national board of professional teaching standards, a teacher shall apply to the department within one year of eligibility. Payment for awards shall be made only upon departmental approval of an application or recertification of eligibility. A nonrenewable term of eligibility shall be for five years or for the years the certificate is valid, whichever time period is shorter. In order to continue receipt of payments, a recipient shall

annually recertify eligibility. It is the intent of the general assembly to appropriate not more than one million dollars from the general fund for purposes of this program during the lifetime of this program.

Sec. 30. Section 257B.1A, Code 1997, is amended by striking the section and inserting in lieu thereof the following:

257B.1A INTEREST FOR IOWA SCHOOLS FUND -- TRANSFER OF INTEREST.

An interest for Iowa schools fund is established in the office of treasurer of state. The department of revenue and finance shall deposit interest earned on the permanent school fund in the interest for Iowa schools fund. The treasurer shall transfer moneys in the interest for Iowa schools fund on a quarterly basis as follows:

1. Fifty-five percent of the moneys deposited in the fund to the department of education for allocation to assist school districts in developing reading recovery programs. From the moneys allocated in this subsection, \$100,000 shall be distributed to the reading recovery center, and the remaining balance shall be distributed to the area education agencies in the proportion that the number of children who are eligible for free or reduced price meals under the federal National School Lunch Act and the federal Child Nutrition Act of 1966, 42 U.S.C. § 1751-1785, in the basic enrollment of grades one through six in the area served by an agency, bears to the sum of the number of children who are eligible for free or reduced price meals under the federal National School Lunch Act and the federal Child Nutrition Act of 1966, 42 U.S.C. § 1751-1785, in the basic enrollments of grades one through six in all of the areas served by area education agencies in the state for the budget year.

2. Forty-five percent of the moneys deposited in the fund to the credit of the international center endowment fund of the international center for gifted and talented education established in section 263.8A.

Sec. 31. Section 260C.28, subsection 3, Code 1997, is amended to read as follows:

3. If the board of directors wishes to certify for a levy under subsection 2, the board shall direct the county commissioner of elections to call an election to submit the question of such authorization for the board at a regular or special election. If a majority of those voting on the question at the election favors authorization of the board to make such a levy, the board may certify for a levy as provided under subsection 2 during each of the ten years following the election. If a majority of those voting on the question at the election does not favor authorization of the board to make a levy under subsection 2, the board shall not submit the question to the voters again until twelve-months three hundred fifty-five days have lapsed elapsed from the election.

Sec. 32. Section 261.2, Code 1997, is amended by adding the following new subsection:

NEW SUBSECTION. 15. Be prohibited from expending interest moneys earned on accounts of the commission located within the office of the treasurer of state unless the general assembly specifically appropriates the interest moneys for use by the commission. If the general assembly appropriates interest moneys transferred from the Pub. L. No. 105-33 recall account within the office of the treasurer of state to the fund 61 default reduction account, the commission shall adopt rules for the expenditure of the interest moneys for purposes of issuing emergency loans to assist needy students in avoiding default on a guaranteed or parental loan made under this chapter.

Sec. 33. Section 261.12, subsection 1, paragraph b, Code Supplement 1997, is amended to read as follows:

b. For the fiscal year beginning July 1, 1996 1998, and for each following fiscal year, three thousand four six hundred fifty dollars.

Sec. 34. Section 261.17, Code Supplement 1997, is amended by adding the following new subsection:

NEW SUBSECTION. 1A. All classes, including liberal arts classes, identified by the community college as required for completion of the student's vocational-technical or career option program shall be considered a part of the student's vocational-technical or career option program for the purpose of determining the student's eligibility for a grant. Notwithstanding subsection 2, if a student is making satisfactory academic progress but the student cannot complete a vocational-technical or career option program in the time frame allowed for a student to receive a vocational-technical tuition grant as provided in subsection 2 because additional classes are required to complete the program, the student may continue to receive a vocational-technical tuition grant for not more than one additional enrollment period.

Sec. 35. Section 261.17, subsection 6, Code Supplement 1997, is amended by adding the following new paragraph:

NEW PARAGRAPH. e. Establish a late application deadline for new applicants which shall not be earlier than August 1 of the fiscal year in which the appropriation received pursuant to section 261.25, subsection 3, is made. From the funds appropriated by section 261.25, subsection 3, not less than sixty-three thousand dollars shall be used for tuition grants for late applicants as provided in this paragraph.

Sec. 36. NEW SECTION. 261.24 IOWA STATE FAIR SCHOLARSHIP.

The Iowa state fair scholarship fund is established in the office of treasurer of state to be administered by the commission. The commission shall adopt rules pursuant to chapter 17A for the administration of this section. The rules shall provide, at a minimum, that only residents of Iowa who have actively participated in the Iowa state fair and graduated from an accredited secondary school in Iowa shall be eligible to receive an Iowa state fair scholarship for matriculation at an eligible institution as defined in section 261.35. Notwithstanding section 12C.7, interest earned on money in the Iowa state fair scholarship fund shall be deposited into the fund and may be used by the commission only for Iowa state fair scholarship awards.

Sec. 37. Section 261.25, subsections 1 and 3, Code Supplement 1997, 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-one~~ forty-four million six hundred sixty-four thousand seven hundred fifty dollars for tuition grants.

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

Sec. 38. Section 261.25, Code Supplement 1997, is amended by adding the following new subsection:

NEW SUBSECTION. 3A. There is appropriated from the general fund of the state to the commission for each fiscal year the sum of ninety thousand dollars for the industrial technology forgivable loan program established in section 261.111.

Sec. 39. NEW SECTION. 261.111 INDUSTRIAL TECHNOLOGY FORGIVABLE LOAN PROGRAM.

1. There is established an industrial technology forgivable loan program to be administered by the college student aid commission. An individual is eligible for the forgivable loan program if the individual meets all of the following conditions:

a. Is a resident of this state who is enrolled as a sophomore, junior, or senior in the area of industrial technology education at an institution of higher learning under the control of the state board of regents or an accredited private institution as defined in section 261.9, or, is a resident of this state who is enrolled in the area of industrial technology at a community college in the state and the credits for the coursework in industrial technology are transferable to an institution of higher learning under the control of the state board of regents, or to an accredited private institution as defined in section 261.9.

b. Completes and files an application for an industrial technology forgivable loan. The individual shall be responsible for the submission of the parents' confidential statement for processing to both the commission and the institution in which the applicant is enrolling.

c. Reports promptly to the commission any information requested.

d. Files a new application and parents' confidential statement annually on the basis of which the applicant's eligibility for a renewed industrial technology forgivable loan will be evaluated and determined.

2. Forgivable loans to eligible students shall not become due until after the student graduates or leaves school. The individual's total loan amount, including principal and interest, shall be reduced by twenty percent for each year in which the individual remains an Iowa resident and is employed by a school district or an accredited nonpublic school as an industrial technology teacher. If the commission determines that the person does not meet the criteria for forgiveness of the principal and interest payments, the commission shall establish a plan for repayment of the principal and interest over a ten-year period. If a person required to make the repayment does not make the required payments, the commission shall provide for payment collection.

3. There is created an industrial technology forgivable loan repayment fund for deposit of payments made by forgivable loan recipients who do not fulfill the conditions of the forgivable loan program. Notwithstanding section 8.33, moneys deposited in the industrial technology forgivable loan repayment fund shall not revert to the general fund of the state at the end of any fiscal year but shall remain in the industrial technology forgivable loan repayment fund and be continuously available to make additional loans under the program.

Sec. 40. NEW SECTION. 261.112 INDUSTRIAL TECHNOLOGY FORGIVABLE LOAN ADMINISTRATION.

1. The college student aid commission shall administer the industrial technology forgivable loan program. The amount of an industrial technology forgivable loan shall not exceed three thousand dollars annually, or the amount of the student's established financial need, whichever is less.

2. The interest rate for the forgivable loan shall be equal to the interest rate collected by an eligible lender under the Iowa guaranteed student loan program for the year in which the forgivable loan is made.

Sec. 41. Section 279.14, subsection 2, if enacted by 1998 Iowa Acts, Senate File 2366, is amended by striking the subsection and inserting in lieu thereof the following:

2. The determination of standards of performance expected of school district personnel shall be reserved as an exclusive management right of the school board and shall not be subject to mandatory negotiations under chapter 20. Notwithstanding chapter 20, objections to the procedures, use, or content of an evaluation in a teacher termination proceeding brought before the school board in a hearing held in accordance with section 279.16 or 279.27 shall not be subject to the grievance procedures negotiated in accordance with chapter 20. A school district shall not be obligated to process any evaluation grievance after service of a notice and recommendation to terminate an individual's continuing teaching contract in accordance with chapter 279.

Sec. 42. Section 279.14A, subsection 1, if enacted by 1998 Iowa Acts, Senate File 2366, is amended to read as follows:

1. The department of education shall establish and implement a voluntary practitioner performance improvement program that shall provide technical assistance to teachers and administrators from each public school district and area education agency. Individuals under contract with a school district may receive technical assistance in accordance with this subsection. The department shall consult with the Iowa state education association, the Iowa association of school boards, the school administrators of Iowa, the professional educators of Iowa, and, as practicable, other entities

providing similar programs, in developing the program. At a minimum, the program shall provide administrators with training, including but not limited to, seminars and written materials, relating to the areas of employment policies and procedures, employment documentation, performance evaluations, corrective performance techniques, discipline, termination, and support by qualified individuals for implementation of the program. The program shall not be used to provide consultation or assistance on specific employment situations. Training received by an administrator in accordance with this section shall apply toward an administrator's evaluator approval renewal.

Sec. 43. Section 279.19, Code 1997, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Notwithstanding any provision to the contrary, the grievance procedures of section 20.18 relating to job performance or job retention shall not apply to a teacher during the first two years of the teacher's probationary period. However, this paragraph shall not apply to a teacher who has successfully completed a probationary period in a school district in Iowa.

Sec. 44. Section 279.51, subsection 4, Code Supplement 1997, is amended to read as follows:

4. The department shall seek assistance from ~~the first in the nation in education foundation established in chapter 257A and other foundations~~ and public and private agencies in the evaluation of the programs funded under this section, and in the provision of support to school districts in developing and implementing the programs funded under this section.

Sec. 45. Section 279.60, subsection 5, if enacted by 1998 Iowa Acts, Senate File 2366, section 29, is amended to read as follows:

5. The ranked list of nominees shall be submitted to the board of directors of the school district for review and approval. The board of directors shall be responsible for determining the number of awards and the amount of the awards based upon the moneys received by the school district pursuant<sup>t</sup>.

*delete* to section 279.61. The board of directors shall also consult with practitioners to plan appropriate recognition events within the school district for presentation of the awards.

Sec. 46. Section 294A.19, unnumbered paragraph 2, Code 1997, is amended to read as follows:

Annually, by November 1, the department shall summarize the information contained in the phase III reports filed by the school districts and area education agencies. The reports summary shall be available upon request contain information including the numbers of districts and area education agencies that have implemented a performance-based pay plan, a supplemental pay plan, a combination of a performance-based and supplemental pay plan, and the number of districts and area education agencies that have established comprehensive school transformation programs. The summary shall highlight and briefly describe innovative and successful uses of phase III funds that have had a positive effect on student achievement within the district as measured by means of a widely recognized educational assessment tool or test. The department, in conjunction with the legislative fiscal bureau, shall identify additional items to be reported. Copies of the annual summary shall be submitted to each school district, the general assembly, and the legislative fiscal bureau by December 1.

Sec. 47. Section 294A.25, subsection 5, Code Supplement 1997, is amended by striking the subsection and inserting in lieu thereof the following:

5. For the fiscal year beginning July 1, 1998, and for each succeeding fiscal year, the amount of fifty thousand dollars to be paid to the department of cultural affairs for contracting with the Iowa alliance for arts education to execute the local arts comprehensive educational strategies program.

Sec. 48. Section 294A.25, subsection 6, Code Supplement 1997, is amended to read as follows:

6. For the fiscal year beginning July 1, ~~1997~~ 1998, and ending ~~June 30, 1998~~ each succeeding fiscal year, the amount

of fifty thousand dollars to the department of education for the geography alliance.

*Veto*

Sec. 49. Section 294A.25, subsection 9, Code Supplement 1997, is amended by striking the subsection and inserting in lieu thereof the following:

*Veto*

9. For the fiscal year beginning July 1, 1998, and for each succeeding fiscal year, the amount of fifty thousand dollars to the department of education for the Iowa mathematics and science coalition from phase III moneys.

Sec. 50. Section 294A.25, subsection 10, Code Supplement 1997, is amended to read as follows:

10. For the fiscal year beginning July 1, ~~1997~~ 1998, and ending ~~June 30, 1998~~ for each succeeding fiscal year, the amount of seventy thousand dollars to the state board of regents for equal distribution to the Iowa braille and sight saving school and the Iowa state school for the deaf from phase III moneys.

Sec. 51. Section 294A.25, subsection 11, Code Supplement 1997, is amended to read as follows:

11. For the fiscal year beginning July 1, ~~1997~~ 1998, and ending June 30, ~~1998~~ 1999, to the department of education from phase III moneys the amount of one million two hundred fifty thousand dollars for support for the operations of the new Iowa schools development corporation and for school transformation design and implementation projects administered by the corporation. Of the amount provided in this subsection, one hundred fifty thousand dollars shall be used for the school and community planning initiative.

Sec. 52. Section 294A.25, Code Supplement 1997, is amended by adding the following new subsections:

NEW SUBSECTION. 6A. For each fiscal year of the fiscal period beginning July 1, 1998, and ending June 30, 2000, the amount of seventy-five thousand dollars from phase III moneys to the department of education for distribution to the Iowa mathematics and science coalition for purposes of mathematics pilot programs in accordance with section 256.24.

*Veto*

NEW SUBSECTION. 10A. For the fiscal year beginning July 1, 1998, and ending June 30, 1999, the amount of thirty-five thousand dollars from phase III moneys to the department of education for allocation to the Sioux City community school district for purposes of developing and implementing a listening curriculum.

*Veto*

*Veto*

NEW SUBSECTION. 12. For the fiscal year beginning July 1, 1998, and for each succeeding fiscal year, to the department of education from phase III moneys the amount of one hundred fifty thousand dollars to the Iowa public broadcasting division for overnight transmitter feeds.

*Veto*

Sec. 53. Section 303.1, subsection 2, Code 1997, is amended by adding the following new paragraph:

NEW PARAGRAPH. e. Encourage the use of volunteers throughout its divisions, especially for purposes of restoring books and manuscripts.

Sec. 54. NEW SECTION. 303.3A ARTS AND CULTURAL CONFERENCES AND CAUCUSES.

1. For the purposes of this section, the following definitions apply:

- a. "Arts" means music, dance, theater, opera and music theater, visual arts, literature, design arts, media arts, and folk and traditional arts.
- b. "Culture" or "cultural" means programs and activities which explore past and present human experience.
- c. "Department" means the department of cultural affairs.
- d. "Enhancement" means programs that allow arts and cultural organizations to improve or enhance the quality of programs currently offered, and increase and support professional and student artists and arts educators.
- e. "Outreach" means programs that increase rural access to cultural resources, social awareness, cultural diversity, and which serve special populations.

2. The department shall administer regional conferences and a statewide caucus on arts and cultural enhancement. The purpose of the conferences and caucus is to encourage the development of the arts and culture in the state by



identifying opportunities for programs involving education, outreach, and enhancement; by reviewing possible changes in enhancement program policies, programs, and funding; and by making recommendations to the department regarding funding allocations and priorities for arts and cultural enhancement.

3. Every four years beginning in June 2001, the department shall convene a statewide caucus on arts and cultural enhancement.

a. Prior to the statewide caucus, the department shall make arrangements to hold a conference in each of several regions of the state as determined by the Iowa arts council. The department shall promote attendance of interested persons at each conference. A designee of the department shall serve as temporary chairperson until persons attending the conference elect a chairperson. The department shall provide persons attending the conference with current information regarding cultural programs and expenditures. Persons attending the conference shall identify opportunities for programs in the areas of education, outreach, and enhancement, and make recommendations in the form of a resolution. The persons attending the conference shall elect six persons from among the attendees to serve as regional, voting delegates to the statewide caucus. The conference attendees shall elect a chairperson from among the six representatives. Other interested persons are encouraged to attend the statewide caucus as nonvoting attendees.

b. The department shall charge a reasonable fee for attendance at the statewide caucus on arts and cultural enhancement.

c. A designee of the department shall call the statewide caucus to order and serve as temporary chairperson until persons attending the caucus elect a chairperson. Persons attending the caucus shall discuss the recommendations of the regional conferences and decide upon recommendations to be made to the department and the general assembly. Elected chairpersons of the regional conferences shall meet with representatives of the department and present the recommendations of the caucus.

Sec. 55. Section 304A.10, Code 1997, is amended to read as follows:

304A.10 COST OF FINE ARTS -- PERCENTAGE.

The total estimated cost of the fine arts elements included in a plan and specifications for a state building or group of state buildings in accordance with the purposes of this division shall in no case be less than one-half of one percent of the total estimated cost of such building or group of buildings. This percentage allocation shall not be diminished by professional fees. By September 1 annually, the contracting officer or principal user shall submit to the department of cultural affairs the total amount of state financial assistance expended in accordance with this section during the previous fiscal year. If deemed in the best interests of the citizens, funds allocated for the acquisition of fine arts may be accumulated over more than one appropriation or fiscal period or combined to complete significant projects, however, this sentence does not authorize interproject transfers. The total estimated cost of the fine arts elements included in a plan and specifications for a state building or group of state buildings in accordance with this section shall be included by the department of cultural affairs in calculating the amount of state financial assistance for the arts for purposes of national ranking surveys. By January 1 annually, the department of cultural affairs shall submit a summary of the total amount of state financial assistance expended in accordance with this section and for which state buildings the assistance was expended.

Sec. 56. Section 256.17A, if enacted by 1998 Iowa Acts, Senate File 2366, section 3, is repealed.

Sec. 57. Chapters 257A and 303C, Code 1997, are repealed.

Sec. 58. 1998 Iowa Acts, Senate File 2366, section 40, if enacted, is amended to read as follows:

Sec. 40. EMERGENCY RULES. The department may adopt emergency rules as necessary for the administration of chapter 256E and sections ~~256.17A~~ 256.22, 257.13, and 279.60, if enacted.

Sec. 59. Notwithstanding section 257A.4, Code 1997, with the repeal of chapter 257A pursuant to this Act, the rights and properties of the first in the nation in education foundation shall remain with the nonprofit corporation which shall continue its existence as a nonprofit corporation but shall no longer be a quasi-public instrumentality. However, debts and other financial obligations shall not succeed to the state.

Sec. 60. AUDIT OF AREA EDUCATION AGENCIES. Subject to an appropriation of sufficient funds by the general assembly, the auditor of state shall analyze area education agency finances and operations for the 1996-1997 fiscal year. In conducting the analysis, the auditor of state shall utilize reports on audits of area education agencies conducted in accordance with section 11.6, information available from the department of education, the department of management, the area education agencies, and from any other source necessary. The auditor of state shall have access to all records of the area education agencies.

The analysis shall include, but shall not be limited to, major areas of expenditure by area education agency districts, such as media services, special education services, additional services pursuant to section 273.7, services to school districts pursuant to section 273.7A, services for preschool children with disabilities, juvenile shelter services, and detention home instruction; and a comparison by area education agency of staffing levels, number of students served, purchase or lease of equipment and facilities, and funding from local school districts. The results of the analysis, and any recommendations, shall be submitted to the general assembly and the legislative fiscal bureau by January 1, 1999, and shall be utilized in the comprehensive study of school finance requested in accordance with House Concurrent Resolution 15, if resolved by the Seventy-seventh General Assembly.

Sec. 61. CONTINGENT APPROPRIATION. In the event the funds transferred in accordance with section 257B.1A are not received by the department of education in the fiscal year

*Vetoed*

beginning July 1, 1998, and ending June 30, 1999, for allocation to assist school districts in developing reading recovery programs, in addition to the allocations provided for in section 294A.25, there is allocated to the department of education for the fiscal year beginning July 1, 1998, and ending June 30, 1999, from phase III moneys, \$200,000, or so much thereof as is necessary, for allocation to assist school districts in developing reading recovery programs. From the moneys allocated in this section, \$100,000 shall be distributed to the reading recovery center, and the remaining balance shall be distributed to the area education agencies in the proportion that the number of children who are eligible for free or reduced price meals under the federal National School Lunch Act and the federal Child Nutrition Act of 1966, 42 U.S.C. § 1751-1785, in the basic enrollment of grades one through six in the area served by an agency, bears to the sum of the number of children who are eligible for free or reduced price meals under the federal National School Lunch Act and the federal Child Nutrition Act of 1966, 42 U.S.C. § 1751-1785, in the basic enrollments of grades one through six in all of the areas served by area education agencies in the state for the budget year.

*Vetoed*

Sec. 62. EFFECTIVE DATES.

1. Section 6 of this Act, relating to historic sites and the western trails center, being deemed of immediate importance, takes effect upon enactment.
2. Sections 11 and 12 of this Act, relating to reallocation of moneys to the division of libraries and information services for purposes of the open access program, being deemed of immediate importance, take effect upon enactment.
3. Section 13 of this Act, relating to the nonreversion of funds appropriated for rehabilitating computers for school and libraries, being deemed of immediate importance, takes effect upon enactment.
4. Section 14 of this Act, relating to the state board of educational examiners licensing fees, being deemed of immediate importance, takes effect upon enactment.

*Vetoed*

5. Section 22 of this Act, relating to the reversion of funds appropriated for tuition replacement, being deemed of immediate importance, takes effect upon enactment.

Sec. 63. Sections 23 and 59 of this Act, relating to the first in the nation in education foundation, section 36 of this Act, relating to the Iowa state fair scholarship, and the portion of section 57 of this Act repealing chapter 257A, take effect December 31, 1998.

Section 56 of this Act, relating to the repeal of section 256.17A, being deemed of immediate importance, takes effect upon enactment.

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RON J. CORBETT  
Speaker of the House

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MARY E. KRAMER  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2533, Seventy-seventh General Assembly.

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ELIZABETH ISAACSON  
Chief Clerk of the House

*Amended*  
Approved May 8, 1998

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TERRY E. BRANSTAD  
Governor

HF 2533