

..... \$ 250,000

4. STARC ARMORY. There is appropriated from the general fund of the state to the department of public defense for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions, for providing technical assistance in the operation of the Iowa communications network interactive classroom located at the STARC armory national guard facility:

..... \$ 100,000
..... FTEs 2.0

Sec. 2. ADDITIONAL CONNECTIONS. Notwithstanding section 8D.13, subsection 5, the state may own and the commission shall provide for the construction and connection to the network of all of the following:

1. The heartland area education agency.
2. Fort Madison high school.
3. Seventeen sites identified by the commission which are Part III authorized users and which are located within one and one-half miles from a national guard fiber optic cable route used or to be used for connecting a facility, identified by the commission and communicated to the general assembly.
4. Two sites identified by the commission which are Part III authorized users and which are associated with the Rock Island-Iowa national guard fiber project.

Sec. 3. METRO CONNECTIONS. Notwithstanding the provisions of chapter 8D, the commission shall provide for the connection and normalization to the network of the following:

1. The Dubuque, Iowa, metronet, which includes three Part III schools on a leased network.
2. The Des Moines, Iowa, metronet, which includes 12 Part III schools on a leased network.

Approved May 31, 1995

CHAPTER 218
APPROPRIATIONS – EDUCATION
S.F. 266

AN ACT relating to the funding of, operation of, and appropriation of moneys to agencies, institutions, commissions, departments, and boards responsible for education and cultural programs of this state, and providing an effective date.

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

DEPARTMENT OF EDUCATION

Section 1. There is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 1995, and ending June 30, 1996, 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:

.....	\$	5,134,445
.....	FTEs	93.95

One of the full-time equivalent positions provided for under this subsection shall be filled by an individual hired by the department of education to direct and administer the management information system. The individual hired shall possess a background in education and administrative experience at the community college level.

The department of education shall conduct a study of the possible uses for the remaining portion of the interest earned on the permanent school fund after transfers are made pursuant to section 257B.1A, subsections 2 and 3. The department shall submit a report of its findings and recommendations to the general assembly and the legislative fiscal bureau by January 1, 1996.

The department of education shall conduct a study of chapter 299, the compulsory education law of this state, in cooperation with interested individuals from throughout the state. The department shall submit a report of the findings and recommendations to the general assembly by January 1, 1996.

2. VOCATIONAL EDUCATION ADMINISTRATION

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

.....	\$	644,510
.....	FTEs	18.60

3. VOCATIONAL REHABILITATION DIVISION

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

.....	\$	3,732,836
.....	FTEs	285.75

It is the intent of the general assembly that the division of vocational rehabilitation services of the department of education shall seek, in addition to state appropriations, funds other than federal funds, which may include but are not limited to local funds, for purposes of matching federal vocational rehabilitation funds.

Notwithstanding the full-time equivalent position limit established in this subsection for the fiscal year ending June 30, 1996, if federal funding is available to pay the costs of additional employees for the vocational rehabilitation division who would have duties relating to vocational rehabilitation services paid for through federal funding, authorization to hire not more than four full-time equivalent employees shall be provided, the full-time equivalent position limit shall be exceeded, and the additional employees shall be hired by the division.

b. For matching funds for programs to enable severely physically or mentally disabled persons to function more independently, including salaries and support, and for not more than the following full-time equivalent positions:

.....	\$	37,445
.....	FTEs	1.50

4. BOARD OF EDUCATIONAL EXAMINERS

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

.....	\$	187,739
.....	FTEs	2.00

5. 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

6. 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:

..... \$ 616,000

7. STATE LIBRARY

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

..... \$ 2,609,820
..... FTEs 34.50

8. REGIONAL LIBRARY

For state aid:

..... \$ 1,507,000

9. CENTER FOR ASSESSMENT

For the purpose of developing academic standards in the areas of math, history, science, English, language arts, and geography:

..... \$ 300,000

10. 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:

..... \$ 69,400

11. CAREER PATHWAYS PROGRAM

For purposes of developing and implementing a career pathways program to expand opportunities for youth and adults to become prepared for and succeed in high-wage, high-skill employment:

..... \$ 650,000

Of the funds appropriated in this subsection, for the fiscal year beginning July 1, 1995, and ending June 30, 1996, \$50,000 shall be expended for purposes of employing an individual to administer and direct the career opportunities program. The individual employed shall possess a background in business and secondary and postsecondary education.

12. FAMILY RESOURCE CENTERS

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

..... \$ 120,000

13. CAREER OPPORTUNITY PROGRAM

For purposes of providing assistance to minority persons who major in fields or subject areas where minorities are currently underrepresented or underutilized pursuant to section 260C.29, as enacted by this Act:

..... \$ 135,000

14. PUBLIC BROADCASTING DIVISION

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

..... \$ 6,380,889
..... FTEs 97.00

Of the full-time equivalent positions provided for under this subsection for the fiscal year beginning July 1, 1995, and ending June 30, 1996, it is the intent of the general assembly that 4.0 full-time equivalent positions be provided for purposes formerly provided for under the Star Schools program.

The public broadcasting division shall conduct a study, in collaboration with all entities receiving services via the Iowa communications network, of the efficiencies of the network and shall make recommendations relating to the elimination of duplicative efforts. The study shall include an investigation of the duties and functions of employees of the division, other state agencies, area education agencies, and public schools, if those duties

and functions involve the Iowa communications network. The division shall submit a report of its findings and recommendations to the general assembly and the legislative fiscal bureau by January 1, 1996.

15. NATIONAL ASSESSMENT OF EDUCATION PROGRESS (NAEP)

For participation by the department of education in a state and national project to determine the academic achievement of Iowa students in math, reading, science, United States history, or geography:

..... \$ 50,000

16. LOCAL ARTS COMPREHENSIVE EDUCATIONAL STRATEGIES (LACES)

For contracting with the Iowa alliance for arts education to execute the local arts comprehensive educational strategies program (LACES):

..... \$ 25,000

The department of education and the Iowa alliance for arts education shall jointly develop grant applications and select grant recipients for the local arts comprehensive educational strategies program. At least 50 percent of the funds appropriated by the general assembly for the fiscal year beginning July 1, 1995, and ending June 30, 1996, for purposes of the local arts comprehensive educational strategies program, shall be allocated to schools which are new participants in the program.

17. ADVANCED PLACEMENT

For purposes of awarding matching grants to schools to be used for instructional staff development so that additional advanced placement courses may be offered at K-12 public schools:

..... \$ 75,000

Schools that receive grants under this subsection shall provide a local match or other matching financial support and shall coordinate instructional staff development with a public postsecondary institution.

18. 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.

19. COMMUNITY COLLEGES

Notwithstanding chapter 260D, for general state financial aid, including general financial aid to merged areas in lieu of personal property tax replacement payments under section 427A.13, to merged areas as defined in section 260C.2, for vocational education programs in accordance with chapters 258 and 260C, to purchase instructional equipment for vocational and technical courses of instruction in community colleges, and for salary increases:

..... \$ 120,871,270

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

- a. Merged Area I..... \$ 5,772,758
- b. Merged Area II..... \$ 6,806,992
- c. Merged Area III..... \$ 6,427,597
- d. Merged Area IV..... \$ 3,131,482
- e. Merged Area V..... \$ 6,550,035
- f. Merged Area VI..... \$ 6,069,919
- g. Merged Area VII..... \$ 8,658,583
- h. Merged Area IX..... \$ 10,616,358
- i. Merged Area X..... \$ 16,478,159
- j. Merged Area XI..... \$ 17,604,404

k. Merged Area XII.....	\$	6,992,399
l. Merged Area XIII.....	\$	7,151,752
m. Merged Area XIV.....	\$	3,172,128
n. Merged Area XV.....	\$	9,894,442
o. Merged Area XVI.....	\$	5,544,262

Sec. 2. Notwithstanding 1994 Iowa Acts, chapter 1193, section 2, subsection 2, funds appropriated and allocated to the merged areas pursuant to 1994 Iowa Acts, chapter 1193, section 2, for the fiscal year beginning July 1, 1994, and ending June 30, 1995, pursuant to section 8.53, unnumbered paragraph 1, shall be paid to the merged areas by June 30, 1995.

Sec. 3. The department of education shall, in consultation with the Iowa association of community college presidents and the Iowa association of community college trustees, conduct a study of funding for community colleges, and shall make specific recommendations on the elimination of chapter 260D and for alternatives to present community college funding including, but not limited to, a plan for distribution of funds to community colleges. The department shall submit a report of its findings and recommendations to the governor and the general assembly by December 1, 1995.

COLLEGE STUDENT AID COMMISSION

Sec. 4. There is appropriated from the general fund of the state to the college student aid commission for the fiscal year beginning July 1, 1995, and ending June 30, 1996, 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:

.....	\$	321,256
.....	FTEs	7.05

From the moneys appropriated in this subsection, \$15,000 for the fiscal year beginning July 1, 1995, and ending June 30, 1996, shall be expended to provide grants to students who would meet the requirements for receipt of a vocational-technical tuition grant, but who are enrolled in a licensed school of cosmetology arts and sciences under chapter 157, or a licensed barber school under chapter 158. The amount of the grant made by the college student aid commission pursuant to this subsection shall be not less than \$300 or the amount of the student's established financial need.

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 261.19A:

.....	\$	379,260
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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
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The moneys appropriated in this lettered paragraph shall be used as follows:

(1) To reduce student loan debt for primary care physicians in an amount not to exceed \$30,000 per student for a four-year period of medical service in medically underserved areas of the state.

(2) For tuition scholarships for students attending the university of osteopathic medicine and health sciences who agree to practice primary care medicine in medically underserved areas of the state. The student shall practice in the state two years for every year of tuition. A person receiving funds under this subparagraph shall not be eligible for funds under subparagraph (1).

*Item veto; see message at end of the Act

(3) For general administration costs of the university for the primary care initiative, the university shall expend an amount not to exceed \$50,000.

The university of osteopathic medicine and health sciences shall report quarterly to the legislative fiscal bureau concerning the expenditure of funds used pursuant to subparagraphs (1), (2), and (3) of this lettered paragraph. The university shall also submit the annual audit of the university to the legislative fiscal bureau within six months following the year being audited. The college student aid commission shall not provide moneys for subparagraphs (1) and (2) of this lettered paragraph until the university has signed and submitted contracts for the use of these moneys for reduction of student loan debt and tuition scholarships. Funds for subparagraph (3) of this lettered paragraph shall be provided quarterly to the university. Notwithstanding section 8.33, the funds for this lettered paragraph shall not revert to the general fund but be available for expenditure the following fiscal year for purposes of subparagraphs (1) and (2).

3. STUDENT AID PROGRAMS

For payments to students for the Iowa grant program:

.....	\$	1,469,790
From the moneys appropriated in this subsection, \$1,397,790 for the fiscal year beginning July 1, 1995, and ending June 30, 1996, shall be expended for an Iowa grant program, with funds to be allocated to institutions pursuant to section 261.93A. The remainder shall be allocated for the graduate student financial assistance program.		

Sec. 5. There is appropriated from the loan reserve account to the college student aid commission for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amount, or so much thereof as may be necessary, to be used for the purposes 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:

.....	\$	4,714,570
.....	FTEs	31.95

STATE BOARD OF REGENTS

Sec. 6. There is appropriated from the general fund of the state to the state board of regents for the fiscal year beginning July 1, 1995, and ending June 30, 1996, 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:

.....	\$	1,097,601
.....	FTEs	15.63

If the moneys provided in this lettered paragraph are augmented by reimbursements from the institutions under the control of the state board of regents for the funding of the office of the state board of regents, the office shall report quarterly such reimbursements to the chairpersons and ranking members of the joint appropriations subcommittee on education.

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:

.....	\$	27,400,000
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The state board of regents, the department of management, and the legislative fiscal bureau shall cooperate to determine and agree upon, by November 15, 1995, the amount that needs to be appropriated for tuition replacement for the fiscal year beginning July 1, 1996.

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

	\$ 71,662
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- d. For funds to be allocated to the siouxland interstate metropolitan planning council for the tristate graduate center under section 262.9, subsection 21:

	\$ 72,535
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- e. For funds to be allocated to the quad-cities graduate studies center:

	\$ 150,374
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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:

	\$ 192,122,000
	FTEs 4,020.97

b. For the primary health care initiative in the college of medicine:

	\$ 770,000
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From the moneys 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.

It is the intent of the general assembly that the university place additional emphasis on the locum tenus program.

c. University hospitals

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

	\$ 28,821,254
	FTEs 5,780.87

The university of Iowa hospitals and clinics shall submit quarterly a report regarding the portion of the appropriation in this lettered paragraph expended on general support in a format jointly developed by the university of Iowa hospitals and clinics, the legislative fiscal bureau, and the department of management which delineates 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, 1995, shall not be lower than the total quota allocated to the counties for the fiscal year commencing July 1, 1994. The total quota shall be allocated among the counties on the basis of the 1990 census pursuant to section 255.16.

d. Psychiatric hospital

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

.....	\$	7,018,877
.....	FTEs	312.09

e. Hospital-school

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

.....	\$	5,705,918
.....	FTEs	174.01

f. Oakdale campus

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

.....	\$	2,845,783
.....	FTEs	63.58

g. State hygienic laboratory

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

.....	\$	3,155,100
.....	FTEs	101.38

h. 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:

.....	\$	1,990,327
.....	FTEs	180.74

i. 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:

.....	\$	440,054
.....	FTEs	10.93

j. Agricultural health and safety programs

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

.....	\$	247,117
.....	FTEs	3.48

k. Statewide cancer registry

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

.....	\$	188,734
.....	FTEs	3.07

l. 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:

.....	\$	62,004
.....	FTEs	1.15

m. Center for biocatalysis

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

.....	\$	1,284,395
.....	FTEs	4.00

n. National advanced driving simulator

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

.....	\$	599,726
.....	FTEs	5.00

(1) Of the moneys appropriated in this lettered paragraph, for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the appropriation of the sum of \$326,347 is contingent upon the announcement by the United States department of transportation of the selection of the contractor for the national advanced driving simulator system development.

(2) If the contingency in subparagraph (1) is met it is the intent of the general assembly that of the moneys appropriated in this lettered paragraph, the state university of Iowa shall expend \$350,000, for the fiscal year beginning July 1, 1995, and ending June 30, 1996, for planning and architectural services related to the construction of the facility to house the national advanced driving simulator to be located at the Oakdale research park. It is further the intent of the general assembly to provide funding in fiscal years beginning July 1, 1996, and July 1, 1997, in the total amount of \$5.35 million for the construction of the facility to house the national advanced driving simulator to match federal funds provided for the project. Funds provided for the construction of the facility to house the national advanced driving simulator in fiscal years beginning July 1, 1996, and July 1, 1997, shall only be expended upon receiving notification from the national highway traffic safety administration that the United States congress has authorized the construction of the national advanced driving simulator, that federal funds have been appropriated to begin construction, and that delivery of the motion base, graphics system, and integrating software will take place in substantial compliance with the United States department of transportation's acquisition schedule as set forth in the cooperative agreement between the state university of Iowa and the national highway traffic safety administration.

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:

.....	\$	153,108,000
.....	FTEs	3,569.28

Of the funds appropriated in this lettered paragraph, for the fiscal year beginning July 1, 1995, and ending June 30, 1996, \$1,000,000 shall be expended for purposes of the healthy livestock program.

Of the funds appropriated in this lettered paragraph, for the fiscal year beginning July 1, 1995, and ending June 30, 1996, \$75,000 shall be expended to hold a North American free trade agreement export and trade summit, in conjunction with the Iowa general assembly, the cooperative extension service, the department of economic development, the department of agriculture and land stewardship, and the department of transportation. The university shall cooperate with a committee of legislators in the planning, implementation, and activities of the summit. The committee shall consist of two members appointed by the majority leader of the senate, two members appointed by the minority leader of the senate, two members appointed by the speaker of the house of representatives, and two members appointed by the minority leader of the house of representatives. The summit shall examine strategies regarding the expansion of export and trade opportunities with Canada and Mexico for agricultural, commercial, and telecommunications, durable goods and other manufactured products and services, due to the ratification of the North American free trade agreement, especially strategies to increase exports of agricultural products and businesses in rural communities, for assisting small and medium-sized businesses which do not currently export or trade with Canada or Mexico to initiate such trade, and for developing intermodal transportation systems to establish a Laredo to Duluth North American free trade agreement trade corridor. The summit shall also examine the activities of other states regarding efforts to promote trade with Canada or Mexico and the potential

for cooperative efforts with other states, and strategies to mitigate any potential negative effects on any Iowa economic sector as a result of growth in export and trade with Canada and Mexico. The university shall seek the widest possible summit participation by public or private entities, businesses, labor organizations, other groups, or individual citizens.

b. Agricultural experiment station

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

.....	\$	30,717,738
.....	FTEs	515.94

c. Cooperative extension service in agriculture and home economics

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

.....	\$	18,268,621
.....	FTEs	428.25

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:

.....	\$	560,593
.....	FTEs	11.50

e. 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:

.....	\$	276,022
.....	FTEs	3.37

4. UNIVERSITY OF NORTHERN IOWA

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

.....	\$	68,762,000
.....	FTEs	1,436.18

b. Recycling and reuse center:

.....	\$	239,745
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5. STATE SCHOOL FOR THE DEAF

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

.....	\$	6,478,924
.....	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:

.....	\$	3,606,189
.....	FTEs	83.41

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:

.....	\$	11,232
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Sec. 7. Reallocations of sums received under section 6, subsections 2, 3, 4, 5, and 6, of this Act, including sums received for salaries, shall be reported on a quarterly basis to the co-chairpersons and ranking members of the legislative fiscal committee and the joint appropriations subcommittee on education.

Sec. 8. For the fiscal year beginning July 1, 1995, and ending June 30, 1996, 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. 9. MEDICAL ASSISTANCE – SUPPLEMENTAL AMOUNTS. For the fiscal year beginning July 1, 1995, and ending June 30, 1996, 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, 1995, and ending September 30, 1996, 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.

DEPARTMENT OF CULTURAL AFFAIRS

Sec. 10. There is appropriated from the general fund of the state to the department of cultural affairs for the fiscal year beginning July 1, 1995, and ending June 30, 1996, 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, for areawide arts and cultural service organizations that meet the requirements of chapter 303C, and for not more than the following full-time equivalent positions:

.....	\$	1,050,292
.....	FTEs	10.00

2. HISTORICAL DIVISION

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

.....	\$	2,459,877
.....	FTEs	58.00

It is the intent of the general assembly that capitol security reallocate personnel to properly protect the state historical building.

3. HISTORIC SITES

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

.....	\$	228,799
.....	FTEs	3.00

4. ADMINISTRATION

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

.....	\$	213,920
.....	FTEs	4.30

5. COMMUNITY CULTURAL GRANTS

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

.....	\$	703,234
.....	FTEs	0.70

Sec. 11. Notwithstanding section 8.33, funds appropriated in 1993 Iowa Acts, chapter 180, section 64, remaining unencumbered or unobligated on June 30, 1995, shall not revert to the general fund of the state but are appropriated to and shall be available for expenditure by the department of education for the fiscal year beginning July 1, 1995, and ending June 30, 1996, and of those funds remaining, \$250,000 shall be expended for purposes of the career pathways program in addition to any other funds provided for the career pathways program under this Act.

Sec. 12. Notwithstanding section 8.33, funds appropriated in 1994 Iowa Acts, chapter 1193, section 14, remaining unencumbered or unobligated on June 30, 1995, shall not

*Item veto; see message at end of the Act

revert to the general fund of the state but shall be available for purposes of the Iowa grant program, in addition to funds appropriated in section 4, subsection 3, of this Act, with funds to be distributed pursuant to section 261.93A.

Sec. 13. Notwithstanding section 257B.1A, subsection 4, and 1994 Iowa Acts, chapter 1193, section 15, for the fiscal year beginning July 1, 1994, and ending June 30, 1995, the remaining portion of the interest earned on the permanent school fund shall, after transfers are made pursuant to section 257B.1A, subsections 2 and 3, be deposited in the interest for Iowa schools fund established under this Act.

Sec. 14. There is appropriated from the scholarship and tuition grant reserve fund to the college student aid commission for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the amount of \$160,000 for purposes of the work-study program, in addition to funds appropriated in section 261.85.

Sec. 15. Funds appropriated for state scholarships pursuant to section 261.25, subsection 2, for the fiscal year beginning July 1, 1995, and ending June 30, 1996, shall be used in their entirety to fund scholarships to eligible students, and the college student aid commission shall not place an across-the-board ceiling on the amount distributed under the state scholarship program.

Sec. 16. Section 257B.1, subsection 5, Code 1995, is amended by striking the subsection.

Sec. 17. Section 257B.1A, Code 1995, is amended by striking the section and inserting in lieu thereof the following:

257B.1A TRANSFER OF INTEREST.

1. The 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. Moneys in the interest for Iowa schools fund shall be transferred or allocated only for school purposes as provided in this section.

2. For a transfer of moneys from the interest for Iowa schools fund to the first in the nation in education foundation, prior to July 1, October 1, January 1, and March 1 of each year, the governing board of the first in the nation in education foundation established in section 257A.2 shall certify to the treasurer of state the cumulative total value of contributions received under section 257A.7 for deposit in the first in the nation in education fund and for the use of the foundation. The cumulative total value of contributions received includes the value of the amount deposited in the national center endowment fund established in section 263.8A in excess of eight hundred seventy-five thousand dollars. The value of in-kind contributions shall be based upon the fair market value of the contribution determined for income tax purposes.

The portion of the interest in Iowa schools fund that is equal to the cumulative total value of contributions, less the portion of the interest in Iowa schools fund dedicated to the national center for gifted and talented education, is dedicated to the first in the nation in education foundation for that year. The interest earned on this dedicated amount shall be transferred by the treasurer of state to the credit of the first in the nation in education foundation.

3. For a transfer of moneys from the interest in Iowa schools fund to the national center endowment fund established in section 263.8A, prior to July 1, October 1, January 1, and March 1 of each year, the state university of Iowa shall certify to the treasurer of state the cumulative total value of contributions received and deposited in the national center endowment fund. Within fifteen days following certification by the state university of Iowa, the treasurer of state shall transfer from the interest in Iowa schools fund to the national center an amount equal to one-half the cumulative total value of the contributions deposited in the national center endowment fund, not to exceed eight hundred seventy-five thousand dollars.

Sec. 18. **NEW SECTION. 260C.24 PAYMENT OF APPROPRIATION.**

Payment of appropriations for distribution under this chapter or of appropriations made in lieu of such appropriations, shall be made by the department of revenue and finance in monthly installments due on or about the fifteenth of each month of a budget year, and installments shall be as nearly equal as possible, as determined by the department of revenue and finance, taking into consideration the relative budget and cash position of the state resources.

Sec. 19. **NEW SECTION. 260C.29 CAREER OPPORTUNITY PROGRAM – MISSION.**

1. The mission of the career opportunity program established in this section is to encourage collaborative efforts by a community college, the institutions under the control of the state board of regents, and business and industry to enhance the educational opportunities and provide for job creation and career advancement for Iowa's minority persons by providing assistance to minority persons who major in fields or subject areas where minorities are currently underrepresented or underutilized.

2. A career opportunity program is established to be administered by the community college located in a county with a population in excess of three hundred thousand. The community college shall provide office space for the efficient operation of the program. The community college shall employ a director for the program. The director of the program shall employ necessary support staff. The director and staff shall be employees of the community college.

3. The director of the program shall do the following:

- a. Direct the coordination of the program between the community college and the institutions of higher education under the control of the state board of regents.
- b. Propose rules to the state board of education as necessary to implement the program.
- c. Recruit minority persons into the program.
- d. Enlist the assistance and cooperation of leaders from business and industry to provide job placement services for students who are successfully completing the program.
- e. Prepare and submit an annual report to the governor and the general assembly by January 15.

4. To be eligible for the program, a minority person shall be a resident of Iowa who is accepted for admission at or attends a community college or an institution of higher education under the control of the state board of regents. In addition, the person shall major in or achieve credit toward an associate degree, a bachelor's degree, or a master's degree in a field or subject area where minorities are underrepresented or underutilized.

5. The amount of assistance provided to a student under this section shall not exceed the cost of tuition, fees, and books required for the program in which the student is enrolled and attends. As used in this section, "books" may include book substitutes, including reusable workbooks, loose-leaf or bound manuals, and computer software materials used as book substitutes. A student who meets the qualifications of this section shall receive assistance under this section for not more than the equivalent of two full years of study.

6. For purposes of this section, "minority person" means a person who is Black, Hispanic, Asian, or a Pacific Islander, American Indian, or an Alaskan native American.

Sec. 20. Section 260D.14A, unnumbered paragraphs 1 and 5, Code 1995, are amended to read as follows:

The department of education shall provide for the establishment of a community college excellence 2000 account in the office of the treasurer of state for deposit of moneys appropriated to the account for purposes of funding quality instructional centers and program and administrative sharing agreements under sections 260C.45 and 260C.46. There is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, ~~1995~~ 1997, an amount equal to two and five-tenths percent of the total state general aid generated for all community colleges during the budget year under this chapter for deposit in the community college excellence 2000 account. In the next

succeeding two fiscal years, the percent multiplier shall be increased in equal increments until the multiplier reaches seven and one-half percent of the total state general aid generated for all community colleges during the budget year.

It is the intent of the general assembly that the general assembly enact legislation by July 1, ~~1995~~ 1997, that will increase the maximum percent multiplier established in this section from seven and five-tenths percent to ten percent.

Sec. 21. Section 261.12, subsection 1, paragraph b, Code 1995, is amended to read as follows:

b. For the fiscal year beginning July 1, ~~1989~~ 1995, and for each following fiscal year, two thousand ~~six~~ nine hundred ~~fifty~~ dollars.

Sec. 22. Section 261.25, subsection 1, Code 1995, is amended to read as follows:

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

Sec. 23. NEW SECTION. 261.51 CHIROPRACTIC GRADUATE STUDENT FORGIVABLE LOANS.

1. A chiropractic graduate student forgivable loan program is established, to be administered by the college student aid commission for resident graduate students who are enrolled at Iowa chiropractic colleges and universities. A resident graduate student attending an Iowa chiropractic college or university is eligible for loan forgiveness under the program if the student meets all of the following conditions:

- a. The student graduates from an Iowa chiropractic college or university that meets the requirements for approval under section 151.4.
- b. The student has completed a chiropractic residency program.
- c. The student practices in the state of Iowa.
- d. The student has made application for, using the procedures specified in section 261.16, and received moneys through the college student aid commission from the funds allocated for loans under this section.

2. Of the moneys loaned to an eligible student, for each year of up to and including four years of practice in Iowa, the amount of one thousand one hundred dollars shall be forgiven. If a student fails to complete a year of practice in the state, the loan amount for that year shall not be forgiven. Forgivable loans made to eligible students shall not become due, for repayment purposes, until after the student has completed the student's residency.

3. For purposes of this section "graduate student" means a student who has completed at least ninety semester hours, or the trimester or quarter equivalent, of postsecondary course work at a public higher education institution or at an accredited private institution, as defined under section 261.9. The college student aid commission shall adopt rules, consistent with rules used for students enrolled in higher education institutions under the control of the state board of regents, for purposes of determining Iowa residency status of graduate students under this section. The commission shall also adopt rules which provide standards, guidelines, and procedures for the receipt, processing, and administration of student applications and loans under this section.

Sec. 24. Section 261.85, unnumbered paragraph 1, Code 1995, is amended to read as follows:

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

**Sec. 25. Section 262.2, Code 1995, is amended to read as follows:*

262.2 APPOINTMENT – TERM OF OFFICE.

1. *The members shall be appointed by the governor subject to confirmation by the senate. The term of each member of the board shall be for six years. The terms of three members of the board shall begin and expire in each odd-numbered year as provided in section 69.19.*

2. The recognized student government organization at each of the three institutions of higher learning under the control of the board shall submit, at least biennially, to the executive director who shall transfer to the governor a list of at least three names of students eligible to represent the institution on the board. The governor may appoint the ninth member of the board from the lists of names submitted by the recognized student organizations.*

Sec. 26. Section 275.55A, Code 1995, is amended to read as follows:
275.55A ATTENDANCE IN OTHER DISTRICT.

A pupil student enrolled in ninth, tenth, or eleventh grade during the school year preceding the effective date of a dissolution proposal, who was a resident of the school district that dissolved, may enroll in any a school district to which territory of the school district that dissolved was attached until ~~that pupil's~~ the student's graduation from high school, unless the student was expelled or suspended from school and the conditions of expulsion or suspension have not been met. The student under expulsion or suspension shall not be enrolled until the board of directors of the school district to which territory of the dissolved school district was attached approves, by majority vote, the enrollment of the student. Notwithstanding section 282.24, the district of residence of the pupil student, determined in the dissolution proposal, shall pay tuition to the school district selected by the pupil student in an amount not to exceed the district cost per pupil of the district of residence and the school district selected by the pupil student shall accept that tuition payment and enroll the pupil student.

Sec. 27. Section 282.4, Code 1995, is amended to read as follows:
282.4 SUSPENSION – EXPULSION—DISMISSAL.

1. The board may, by a majority vote, expel any pupil student from school for a violation of the regulations or rules established by the board, or when the presence of the pupil student is detrimental to the best interests of the school. The board may confer upon any teacher, principal, or superintendent the power temporarily to dismiss suspend a pupil student, notice of such dismissal the suspension being at once given in writing to the president of the board.

2. A pupil student who commits an assault, as defined under section 708.1, against a school employee in a school building, on school grounds, or at a school-sponsored function shall be suspended for a time to be determined by the principal. Notice of the suspension shall be immediately sent to the president of the board. By special meeting or at the next regularly scheduled board meeting, the board shall review the suspension and decide whether to hold a disciplinary hearing to determine whether or not to order further sanctions against the pupil student, which may include expelling the pupil student. In making its decision, the board shall consider the best interests of the school district, which shall include what is best to protect and ensure the safety of the school employees and pupils students from the pupil student committing the assault.

A pupil student shall not be suspended or expelled pursuant to this section if the suspension or expulsion would violate the federal Individuals with Disabilities Education Act.

3. Notwithstanding section 282.6, if a student has been expelled or suspended from school and has not met the conditions of the expulsion or suspension and if the student, or the parent or guardian of the student, changes district of residence, the student shall not be enrolled in the new district of residence until the board of directors of the new district of residence approves, by a majority vote, the enrollment of the student.

Sec. 28. Section 282.5, Code 1995, is amended to read as follows:
282.5 READMISSION OF STUDENT.

When a student is ~~dismissed~~ suspended by a teacher, principal, or superintendent, pursuant to section 282.4, the student may be readmitted by the teacher, principal, or superintendent, but when expelled by the board the student may be readmitted only by the board or in the manner prescribed by the board.

*Item veto; see message at end of the Act

Sec. 29. Section 294A.25, subsection 8, Code 1995, is amended to read as follows:

8. For the fiscal year beginning July 1, ~~1994~~ 1995, 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. 30. Section 303.3, subsection 3, Code 1995, is amended to read as follows:

3. *Notwithstanding section 8.33, moneys committed to grantees under contract that remain unexpended on June 30 of any fiscal year shall not revert but shall be available for expenditure for purposes of the ~~contract~~ program until June 30 of the succeeding fiscal year.**

Sec. 31. FUNDS TRANSFERRED.

1. For the fiscal year beginning July 1, 1995, and ending June 30, 1996, the amount of \$150,000 is to be paid to the department of education from additional funds transferred from phase I to phase III for development of a K-12 and community college management information system. Notwithstanding section 294A.20, if the additional funds transferred from phase I to phase III are insufficient for purposes of the appropriation provided under this subsection, moneys allocated to phase III, which would otherwise revert to the general fund under section 294A.20, shall be transferred to the department in an amount sufficient to fully fund the appropriation made under this subsection. The department shall submit a report to the legislative fiscal bureau by January 1, 1996, describing the specific expenditure of funds appropriated by the general assembly for purposes of the management information system; the estimated time of completion of the system; the department's accomplishments under the system; and any recommendations for future system funding needs.

2. For the fiscal year beginning July 1, 1995, and ending June 30, 1996, up to \$50,000 from additional funds transferred from phase I to phase III is to be paid to the department of education for support of the Iowa mathematics and science coalition. If funds available from the specified sources are insufficient to fully fund the appropriation, the amount appropriated to the department under this subsection shall be reduced to an amount equal to the available funds.

Sec. 32. 1994 Iowa Acts, chapter 1193, section 15, is repealed.

Sec. 33. Sections 2, 11 through 13, 16, 17, 26 through 28, 30, and this section of this Act, being deemed of immediate importance, take effect upon enactment.

Approved May 31, 1995, except the items which I hereby disapprove and which are designated as Section 4, subsection 1, unnumbered and unlettered paragraph 2 in its entirety; Section 10, subsection 2, unnumbered and unlettered paragraph 2 in its entirety; Section 25 in its entirety; and Section 30 in its entirety. My reasons for vetoing these items are delineated in the item veto message pertaining to this Act to the Secretary of State this same date, a copy of which is attached hereto.

TERRY E. BRANSTAD, Governor

Dear Mr. Secretary:

I hereby transmit Senate File 266, an Act relating to the funding of, operation of, and appropriation of moneys to agencies, institutions, commissions, departments, and boards responsible for education and cultural programs of this state, and providing an effective date.

Senate File 266 is, therefore, approved on this date with the following exceptions which I hereby disapprove.

I am unable to approve the item designated as Section 4, subsection 1, unnumbered and unlettered paragraph 2, in its entirety. This item specifies how the Iowa Student College Aid Commission is to allocate funds from the vocational-technical tuition grant program. The commission should retain the flexibility to direct these funds as needed.

I am unable to approve the item designated as Section 10, subsection 2, unnumbered and unlettered paragraph 2, in its entirety. This item specifies how the Department of Public Safety should allocate personnel providing security for the Capitol complex. The department is in the best position to make decisions regarding Capitol security, including the assignment of staff to areas of greatest need.

I am unable to approve the item designated as Section 25, in its entirety. This item would require the student organizations at the state universities to submit at least biennially the names of students eligible for appointment to the Board of Regents. The Board of Regents is a unified governing board for the three state universities, the Iowa School for the Deaf, and the Iowa Braille and Sightsaving School. It is important that this board represent the people of Iowa and it is inappropriate for the student member of the board to be nominated by any organization. The student member, as well as all of the other members of the board, should view their responsibility as representing all the people of the state of Iowa and not a particular organization or interest group.

I am unable to approve the item designated as Section 30, in its entirety. This item would allow cultural grant funds which are unspent and unobligated in the fiscal year appropriated to be carried forward and expended in the following fiscal year. Currently all unspent but obligated funds are exempt from automatic reversion allowing grantees to complete programs with the funds awarded to them. Consistent with good fiscal practices, grant funds which are not spent and not obligated at the end of the fiscal year have reverted and should continue to revert to the general fund. I have asked the Department of Management to work with the Department of Cultural Affairs to review their grant process to assure that to the extent possible funds made available in one fiscal year are committed prior to the end of that fiscal year.

For the above reasons, I hereby respectfully disapprove these items in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in Senate File 266 are hereby approved as of this date.

Sincerely,
TERRY E. BRANSTAD, *Governor*