

DIVISION VIII
EFFECTIVE DATE

Sec. 26. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

Approved March 1, 2002

CHAPTER 1167

SCHOOL FINANCE — ALLOWABLE GROWTH,
AREA EDUCATION AGENCY PAYMENTS, AND STATE FOUNDATION AID
S.F. 2315

AN ACT appropriating state school foundation aid and making related changes to the state percent of growth for school budgets and to the funding for area education agencies, and providing an effective date.

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

Section 1. Section 257.8, subsection 1, Code Supplement 2001, is amended to read as follows:

1. STATE PERCENT OF GROWTH. The state percent of growth for the budget year beginning July 1, 2001, is four percent. The state percent of growth for the budget year beginning July 1, 2002, is ~~four~~ one percent.¹ The state percent of growth for each subsequent budget year shall be established by statute which shall be enacted within thirty days of the submission in the year preceding the base year of the governor's budget under section 8.21. The establishment of the state percent of growth for a budget year shall be the only subject matter of the bill which enacts the state percent of growth for a budget year.

Sec. 2. Section 257.35, Code 2001, is amended to read as follows:
257.35 AREA EDUCATION AGENCY PAYMENTS.

1. The department of management shall deduct the amounts calculated for special education support services, media services, and educational services for each school district from the state aid due to the district pursuant to this chapter and shall pay the amounts to the respective area education agencies on a monthly basis from September 15 through June 15 during each school year. The department of management shall notify each school district of the amount of state aid deducted for these purposes and the balance of state aid shall be paid to the district. If a district does not qualify for state aid under this chapter in an amount sufficient to cover its amount due to the area education agency as calculated by the department of management, the school district shall pay the deficiency to the area education agency from other moneys received by the district, on a quarterly basis during each school year.

2. Notwithstanding subsection 1, the state aid for area education agencies and the portion of the combined district cost calculated for these agencies for each fiscal year of the fiscal period beginning July 1, 2002, and ending June 30, 2004, shall be reduced by the department of management by seven million five hundred thousand dollars. The reduction for each area education agency shall be equal to the reduction that the agency received in the fiscal year beginning July 1, 2001.

¹ See chapter 1159, §1 herein

Sec. 3. Section 257.37, Code 2001, is amended by adding the following new subsection:
NEW SUBSECTION. 6. For the budget years beginning July 1, 2002, and July 1, 2003, notwithstanding the requirements of this section for determining the budgets and funding of media services and education services, an area education agency may, within the limits of the total of the funds provided for the budget years pursuant to section 257.35, expend for special education support services an amount that exceeds the payment for special education support services pursuant to section 257.35 in order to maintain the level of required special education support services in the area education agency.

Sec. 4. 2001 Iowa Acts, chapter 174, section 1, subsection 1, is amended to read as follows:
 1. Notwithstanding provisions to the contrary in sections 99D.17 and 99F.11, and notwithstanding provisions to the contrary in section 8.57, subsection 5, paragraph “e”, and following deposits in the general fund of the state, the vision Iowa fund created in section 12.72, and the school infrastructure fund created in section 12.82, pursuant to section 8.57, subsection 5, paragraph “e”, for the designated fiscal years, the following moneys received pursuant to sections 99D.17 and 99F.11 shall be deposited in the endowment for Iowa’s health account of the tobacco settlement trust fund created in section 12E.12 for the purposes specified in section 12E.12 for the endowment for Iowa’s health account:

| | | | |
|--------------|-------|----|------------|
| FY 2001-2002 | | \$ | 80,000,000 |
| FY 2002-2003 | | \$ | 75,000,000 |
| FY 2003-2004 | | \$ | 70,000,000 |
| FY 2004-2005 | | \$ | 70,000,000 |
| FY 2005-2006 | | \$ | 70,000,000 |
| FY 2006-2007 | | \$ | 70,000,000 |

The total moneys received pursuant to sections 99D.17 and 99F.11 in a fiscal year, in excess of the moneys received pursuant to sections 99D.17 and 99F.11 and deposited in the general fund of the state, the vision Iowa fund, the school infrastructure fund, and the tobacco settlement trust fund, shall be deposited in the rebuild Iowa infrastructure fund and shall be used as provided in section 8.57, notwithstanding section 8.60.

For the fiscal year beginning July 1, 2002, and ending June 30, 2003, of the \$75,000,000 to be deposited in the endowment for Iowa’s health account of the tobacco settlement trust fund under this subsection, the first² \$20,000,000 is appropriated to the department of management to pay that part of foundation aid which represents the allowable growth amounts for all school districts. An appropriation from the general fund of the state for foundation aid which is supplanted by the appropriation made in this subsection, shall be reduced by the amount of the appropriation which supplants it.

Sec. 5. STATE FOUNDATION AID APPROPRIATION.

1. Notwithstanding section 257.16, for the fiscal year beginning July 1, 2002, and ending June 30, 2003, there is appropriated from the general fund of the state to the department of education the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For state foundation aid: \$ 1,784,090,500

If the amount appropriated in this section is less than the amount required pursuant to section 257.16, unnumbered paragraph 1, the difference shall be deducted from the payments to each school district in the same ratio that the budget enrollment of the school district for the budget year beginning July 1, 2002, bears to the total budget enrollment in the state for that budget year.

2. a. There is appropriated from the Iowa economic emergency fund created in section 8.55 to the department of management for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For supplanting an equal amount from the appropriation made from the general fund of the state for the fiscal year beginning July 1, 2002, pursuant to section 257.16, to pay that part of

² See chapter 1175, §95 herein

foundation aid which represents the allowable growth amounts for all school districts:
..... \$ 25,000,000³

b. The moneys appropriated in this subsection are declared to be appropriated for emergency expenditures as required in section 8.55, subsection 3, paragraph "a".

c. An appropriation from the general fund of the state, which is supplanted by an appropriation from the Iowa economic emergency fund made in this subsection, shall be reduced by the amount of the appropriation which supplants it.

Sec. 6. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

Approved March 28, 2002

CHAPTER 1168

APPROPRIATIONS — ENERGY CONSERVATION PROGRAMS FUNDING

S.F. 2140

AN ACT relating to energy conservation including making appropriations of petroleum overcharge funds.

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

Section 1. There is appropriated from those funds designated within the energy conservation trust created in section 473.11, for disbursement pursuant to section 473.11, to the following named agencies for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. To the division of community action agencies of the department of human rights for qualifying energy conservation programs for low-income persons, including but not limited to energy weatherization projects, which target the highest energy users, and including administrative costs:

To be expended from the Exxon fund:
..... \$ 25,000

2. To the department of natural resources for the following purposes:

a. For the state energy program, from the Exxon fund:
..... \$ 25,000

b. For administration of petroleum overcharge programs from the Stripper Well fund, not to exceed the following amount:

..... \$ 150,000

Notwithstanding section 8.33, the unencumbered or unobligated moneys remaining at the end of any fiscal year from the appropriations made in subsections 1 and 2 shall not revert but shall be available for expenditure during subsequent fiscal years until expended for the purposes for which originally appropriated.

Approved April 4, 2002

³ See 2002 Iowa Acts, Second Extraordinary Session, chapter 1001, §7 herein