

CHAPTER 11
TRANSPORTATION, PUBLIC SAFETY AND PUBLIC DEFENSE

H. F. 738

AN ACT making appropriations to and relating to the financing of agencies whose responsibilities relate to transportation, public safety, and public defense.

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

Section 1. There is appropriated from the general fund of the state to the Iowa crime commission for each fiscal year of the fiscal biennium beginning July 1, 1979 and ending June 30, 1981, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	<u>1979-1980</u> <u>Fiscal Year</u>	<u>1980-1981</u> <u>Fiscal Year</u>
IOWA CRIME COMMISSION		
1. For the purpose of matching federal funds available to the Iowa crime commission for state and court planning programs, for salaries and support of not more than twenty-two full-time equivalent positions, and for maintenance and miscellaneous purposes	\$ 110,000	\$ 70,200
2. For the purpose of providing funds for area planning purposes to the Iowa crime commission, and for salaries, support, maintenance and miscellaneous purposes	\$ 100,000	\$ 40,000
3. For the purpose of matching federal funds available to the Iowa crime commission through the law enforcement administration program	\$ 105,110	\$
4. For the purpose of matching federal funds available to the Iowa crime commission through the Juvenile Justice and Delinquency Prevention Act of 1974 as amended by the United States Congress for salaries and support of not more than one full-time equivalent position, and for maintenance and miscellaneous purposes	\$ 6,600	\$ 14,000

It is the intent of the general assembly that the Iowa crime commission shall appear before the appropriations subcommittee on transportation and law enforcement in January, 1980 so that the subcommittee may review its budget and make necessary changes in the event of a change in federal legislation.

5. The funds appropriated by subsection three (3) of this section constitute a portion of the federal statutory requirement to provide in the aggregate not less than one-half of the minimum required nonfederal funding for projects conducted by units of local government or combinations of such

units for the development and implementation of programs and projects for the improvement of law enforcement.

The allocation of funds appropriated by subsection three (3) of this section is subject to approval by the governor.

All unencumbered or unobligated balances remaining as of June 30, 1982, of funds appropriated by subsection three (3) of this section shall on September 30, 1982 revert to the general fund of the state.

Sec. 2. There is appropriated from the general fund of the state to the following named agencies for each fiscal year of the fiscal biennium beginning July 1, 1979 and ending June 30, 1981, the following amounts, or so much thereof as is necessary, for the purposes designated:

	<u>1979-1980</u>	<u>1980-1981</u>
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
1. IOWA LAW ENFORCEMENT ACADEMY		
a. For salaries and support of not more than twenty-four full-time equivalent positions and for maintenance and miscellaneous purposes	\$ 600,300	\$ 614,200
b. It is the intent of the general assembly that the Iowa law enforcement academy shall appear before the appropriations subcommittee on transportation and law enforcement in January, 1980 to present and verify its budget so that it may be reviewed by the subcommittee.		
2. DEPARTMENT OF PUBLIC DEFENSE		
a. Military division		
For salaries except salaries provided for in paragraph b of this subsection and support of not more than ninety-eight full-time equivalent positions, and for maintenance and miscellaneous purposes	\$ 1,960,000	\$ 1,980,000
b. For salaries, support, and maintenance of the adjutant general and the adjutant general's staff of not more than seven full-time equivalent positions who are on full-time active state service	\$ 227,450	\$ 231,100
3. OFFICE OF DISASTER SERVICES		
a. For the purpose of matching federal funds available and for salaries and support of not more than eleven full-time equivalent positions, and for maintenance and miscellaneous purposes ..	\$ 121,700	\$ 127,700

Sec. 3. There is appropriated from the general fund of the state to the department of public safety for each fiscal year of the fiscal biennium beginning July 1, 1979 and ending June 30, 1981, the following amounts, or so much thereof as is necessary, to be used for funding the following functions and programs for the purposes designated:

	<u>1979-1980</u>	<u>1980-1981</u>
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
DEPARTMENT OF PUBLIC SAFETY		
1. ADMINISTRATIVE FUNCTION		
a. For salaries and support of not more than one hundred fifty-three full-time equivalent positions, and for maintenance and miscellaneous purposes of the department, criminal justice information system, and radio communications	\$ 4,199,650	\$ 4,208,950
b. It is the intent of the general assembly that the three full-time equivalent positions added to the department are to assist in records and information until backlogged dispositions are up to date, and are then to be used to implement the offender based transaction system.		
c. It is the intent of the general assembly that the department of public safety proceed with plans to consolidate the number of base radio stations throughout the state.		
2. INSPECTION AND SECURITY FUNCTION		
a. For salaries and support of not more than seventy-nine full-time equivalent positions for the fiscal year beginning July 1, 1979 and for not more than eighty full-time equivalent positions for the fiscal year beginning July 1, 1980, and for maintenance and miscellaneous purposes of fire marshal's inspections, arson investigators including the state's contribution to the peace officers' retirement, accident, and disability system provided in chapter ninety-seven A (97A) of the Code in the amount of sixteen percent of the salaries for which the funds are appropriated, and capitol security divisions	\$ 1,206,750	\$ 1,237,750
b. It is the intent of the general assembly that the fire marshal shall employ one additional permanent full-time arson investigator for the fiscal year beginning July 1, 1979 and one additional permanent full-time arson investigator for the fiscal year beginning July 1, 1980 to bring the number of permanent full-time arson investigators in the fire marshal's office to ten by July 1, 1980, with salaries and other benefits to be paid from funds appropriated pursuant to paragraph a of this subsection.		
c. It is the intent of the general assembly that ten thousand dollars during each fiscal year of the fiscal biennium be expended by the fire marshal's office for education of the public		

in fire safety as provided in section one hundred point thirty-two (100.32) of the Code.

3. INVESTIGATION FUNCTION

a. For salaries and support of not more than one hundred forty-four point sixty full-time equivalent positions, and for maintenance and miscellaneous purposes of the division of criminal investigation containing the bureaus of identification, drug law enforcement, welfare fraud, and beer and liquor law enforcement, including the state's contribution to the peace officers' retirement, accident, and disability system provided in chapter ninety-seven A (97A) of the Code in the amount of sixteen percent of the salaries for which the funds are appropriated \$ 3,470,000 \$ 3,468,000

b. It is the intent of the general assembly that the department of public safety reduce its fleet to smaller more efficient vehicles and submit a report on vehicle changes to the appropriations subcommittee on transportation and law enforcement in January, 1980.

c. For purposes of matching federal funds available to the Iowa crime prevention coalition, inc. \$ 27,500 \$ 27,500

It is the intent of the general assembly that rural crime be included as an area of activity by the Iowa crime prevention coalition, inc.

d. The department shall not enter into any contract for the expenditure of moneys appropriated in paragraph c of this subsection which will obligate the state to carry on any portion of the program in paragraph c of this subsection when the federal funds are available at less than a ninety-ten basis.

4. DIVISION OF HIGHWAY SAFETY AND UNIFORMED FORCE

a. For salaries and support of not more than four hundred fifty-seven full-time equivalent positions, and for maintenance and miscellaneous purposes including the state's contribution to the peace officers' retirement, accident, and disability system provided in chapter ninety-seven A (97A) of the Code in the amount of sixteen percent of the salaries for which the funds are appropriated \$13,077,900 \$13,045,250

5. It is the intent of the general assembly that a position of post clerk cannot be filled by a member of the Iowa highway safety patrol, except in extreme cases of disability or health problems and then on a temporary basis only.

6. In addition to the complement of not to exceed four hundred ten persons there shall be twenty persons who shall serve as members of the highway safety patrol for the period beginning July 1, 1975 and ending June 30, 1981. The twenty additional members of the highway safety patrol shall be totally funded through the use of federal funds.

7. Of the funds appropriated each year to the department of public safety under this section, the amounts of one hundred twenty thousand (120,000) dollars from the inspection and security function appropriated under subsection two (2) of this section and sixty thousand (60,000) dollars from the division of highway safety and uniformed force appropriated under subsection four (4) of this section is for providing security for the governor's mansion and the personal protection of the governor.

Sec. 4. There is appropriated from the general fund of the state to the state department of transportation for each fiscal year of the fiscal biennium beginning July 1, 1979 and ending June 30, 1981, the following amounts, or so much thereof as may be necessary, to be used for the following purposes:

	<u>1979-1980</u>	<u>1980-1981</u>
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
STATE DEPARTMENT OF TRANSPORTATION		
1. For salaries, support, maintenance and miscellaneous purposes	\$ 5,229,300	\$ 5,290,000
2. For the mass transit project for state employees	\$ 75,000	\$
a. The project shall subsidize twenty-five percent of the cost of mass transportation for state employees if the state employees agree to abstain from parking their motor vehicles on state property at their job site. In allocating funds appropriated by this subsection to continue the state assistance program, the department shall review each allocation to determine whether the allocation should be revised where a public transit has received funds for the continuation and further development of a mass transit project for state employees.		
b. The state department of transportation shall report to the subcommittee on transportation and law enforcement not later than February 1, 1980 on future needs of the state employee transportation subsidy program.		
3. For public transit purposes to implement a state assistance plan	\$ 2,000,000	\$ 2,000,000
a. Notwithstanding chapter eight (8) of the Code, it is the intent of the general assembly that funds appropriated for public transit purposes to implement a state assistance plan shall be allocated in whole or in part to a public		

***Item veto

transit system prior to the time actual expenditures are incurred if the allocation is first approved by the state department of transportation. A public transit system shall make application for advance allocations to the state department of transportation specifically stating the reasons why an advance allocation is required and this allocation shall be included in the total to be audited.

4. For deposit in the railroad assistance fund for branch line improvement \$ 1,500,000 \$ 1,800,000

Unencumbered or unobligated funds remaining on June 30, 1983 from funds appropriated by subsection three (3) of this section shall revert to the general fund on September 30, 1983.

5. For the purchase of one high performance turbo-prop airplane \$ 670,000

Sec. 5. There is appropriated from the road use tax fund to the state department of transportation for each fiscal year of the fiscal biennium beginning July 1, 1979 and ending June 30, 1981 the following amounts, or so much thereof as may be necessary, to be used for the following purposes:

	1979-1980	1980-1981
	<u>Fiscal Year</u>	<u>Fiscal Year</u>

STATE DEPARTMENT OF TRANSPORTATION

1. For salaries, support, maintenance and miscellaneous purposes \$ 8,648,400 \$ 8,910,400

ADMINISTRATION OF MERIT SYSTEM

2. For the purpose of making payments to the Iowa merit employment department for expenses incurred in administering the merit system on behalf of the state department of transportation, as required by chapter nineteen A (19A) of the Code \$ 14,000 \$ 15,600

UNEMPLOYMENT COMPENSATION COSTS

3. Unemployment compensation \$ 8,000 \$ 9,300

Sec. 6. There is appropriated from the road use tax fund to the state comptroller for each fiscal year of the fiscal biennium beginning July 1, 1979 and ending June 30, 1981 the sum of fourteen thousand (14,000) dollars, or so much thereof as is necessary, to be used for the purpose of paying workers' compensation claims under chapter eighty-five (85) of the Code on behalf of employees of the state department of transportation.

Sec. 7. There is appropriated from the primary road fund to the state department of transportation for each fiscal year of the fiscal biennium beginning July 1, 1979 and ending June 30, 1981, the following amounts, or so much thereof as may be necessary, to be used for the following purposes:

	<u>1979-1980</u> <u>Fiscal Year</u>	<u>1980-1981</u> <u>Fiscal Year</u>
STATE DEPARTMENT OF TRANSPORTATION		
1. For salaries, support, maintenance and miscellaneous purposes	\$99,284,500	\$99,123,700
EQUIPMENT		
2. Additional equipment to be purchased to supplement present inventory. All acquisitions, when acquired, will become a part of the state department of transportation materials and equipment revolving fund	\$ 150,000	\$ 350,000
VEHICLE REPLACEMENT		
3. To be deposited in the state department of transportation materials and equipment revolving fund established by section three hundred seven A point seven (307A.7) of the Code for funding the increased replacement cost of vehicles	\$ 3,500,000	\$ 3,500,000

It is the intent of the general assembly that the state department of transportation reduce its fleet to smaller, more efficient vehicles and submit a report on vehicle changes to the appropriations subcommittee on transportation and law enforcement in January, 1980. The report shall include the number of vehicles purchased by the state department of transportation equipped with eight-cylinder engines and the reasons why the task for such vehicles requires a larger engine.

MERIT EXPENSES

4. For the purpose of making payments to the Iowa merit employment department for expenses incurred in administering the merit system on behalf of the state department of transportation, as required by chapter nineteen A (19A) of the Code

	\$ 256,000	\$ 284,400
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UNEMPLOYMENT COMPENSATION COSTS

5. Unemployment compensation

	\$ 142,000	\$ 165,700
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Sec. 8. All unencumbered or unobligated balances of funds remaining on June 30, 1983, from funds appropriated by subsection two (2) of section seven (7) of this Act shall revert to the primary road fund on September 30, 1983.

Sec. 9. There is appropriated from the primary road fund to the state comptroller for each fiscal year of the fiscal biennium beginning July 1, 1979 and ending June 30, 1981 the sum of two hundred sixty-one thousand (261,000) dollars, or so much thereof as is necessary, for the purpose of paying workers' compensation claims under chapter eighty-five (85) of the Code on behalf of the employees of the state department of transportation.

Sec. 10. There is appropriated from the state aviation fund to the state department of transportation for each fiscal year of the fiscal biennium beginning July 1, 1979 and ending June 30, 1981, the following amounts, or so much thereof as may be necessary, to be used for the following purposes:

	<u>1979-1980</u>	<u>1980-1981</u>
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
For salaries, support, maintenance and miscellaneous purposes	\$ 442,243	\$ 450,300

Sec. 11. It is the intent of the general assembly that funds appropriated to the state department of transportation under sections four (4), five (5), seven (7) and ten (10) of this Act for salaries, support, maintenance and miscellaneous purposes shall be for not to exceed four thousand six hundred eighty full-time equivalent positions for the fiscal year ending June 30, 1980 and for not to exceed four thousand six hundred fifty full-time equivalent positions for the fiscal year ending June 30, 1981.

Sec. 12. It is the intent of the general assembly that agencies to which funds are appropriated by this Act shall make every effort to use gasohol in vehicles operated by the agencies when gasohol is reasonably available and competitively priced for use in the vehicles.

Sec. 13. All federal grants to and the federal receipts of the agencies appropriated funds under this Act are appropriated for the purposes set forth in such federal grants or receipts. All personnel authorized and funded under federal grants or receipts are approved for the duration of the grant or the availability of the receipts.

Approved June 10, 1979, except the item designated as Section 3, Subsection 7 herein which I hereby disapprove for the reasons in my item veto message delivered to the Secretary of State this same date, the original of which is attached hereto.

Robert D. Ray
Governor

Dear Mr. Secretary:

I hereby transmit House File 738, an act making appropriations to and relating to the financing of agencies whose responsibilities relate to transportation, public safety, and public defense.

House File 738 is approved June 10, 1979, with the following exception which I hereby disapprove.

I am unable to approve the item designated in the Act as Section 3, Subsection 7 which reads as follows:

7. Of the funds appropriated each year to the department of public safety under this section, the amounts of one hundred twenty thousand (120,000) dollars from the inspection and security function appropriated under subsection two (2) of this section and sixty thousand (60,000) dollars from the division of highway safety and uniformed force appropriated under subsection four (4) of this section is for providing security for the governor's mansion and the personal protection of the governor.

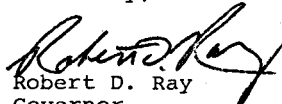
This item earmarks \$180,000 to be used for security at Terrace Hill and for the Governor during each year of the next biennium. That amount is exactly what the legislature appropriated for the same purpose for fiscal year 1978-79.

The legislature this year consistently appropriated funds to meet the costs of the 27th pay period and merit salary increases. A careful study of the appropriations for the Department of Public Safety shows the inspection and security function and the division of highway safety and uniformed

force appropriations include funds to meet these obligatory increased costs for security of Terrace Hill and the Governor. Section 3, Subsection 7, however, since it does not reflect the increased costs, is inconsistent with that appropriation and, therefore, should be removed.

For these reasons, I hereby disapprove this item in accordance with Amendment 4 of the Amendments of 1968 to the Constitution of the State of Iowa. All other items of House File 738 are hereby approved this date.

Sincerely,


Robert D. Ray
Governor

CHAPTER 12

AGRICULTURE, ECONOMIC DEVELOPMENT, ENERGY,
COAL RESEARCH AND NATURAL RESOURCES

H. F. 734

AN ACT relating to and appropriating from the general fund of the state and various trust funds for various operations and grants and aids to departments and agencies of the state whose responsibilities relate to agricultural affairs, economic development, energy research, coal research, and natural resources management and research and providing for a penalty.

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

Section 1. DEPARTMENT OF AGRICULTURE. There is appropriated from the general fund of the state and the trust funds indicated to the department of agriculture for each fiscal year of the fiscal biennium beginning July 1, 1979 and ending June 30, 1981 the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	<u>1979-1980</u>	<u>1980-1981</u>
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
1. GENERAL ADMINISTRATION		
a. From the general fund for salaries, support, maintenance, and miscellaneous purposes including a market news study	\$ 1,098,652	\$ 1,087,460
b. From the fertilizer fund to be transferred to the administration division	\$ 25,000	\$ 25,000