

CHAPTER 14
CAPITAL PROJECTS

H. F. 764

AN ACT making appropriations for capital projects.

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

Section 1. There is appropriated from the general fund of the state for each fiscal year of the fiscal biennium beginning July 1, 1979 and ending June 30, 1981, except as otherwise provided, to the state board of regents, the following amounts, or so much thereof as is necessary, to be used in the manner designated:

	<u>1979-1980</u>	<u>1980-1981</u>
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
STATE BOARD OF REGENTS		
1. 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 in such amounts as may be necessary to reimburse such 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 such institutions	\$ 4,250,000	\$ 4,550,000
Unobligated or unencumbered funds remaining on June 30, 1980, from funds appropriated by this subsection for the fiscal year beginning July 1, 1979, shall revert to the general fund on September 30, 1980. Unobligated or unencumbered funds remaining on June 30, 1981, from funds appropriated by this subsection for the fiscal year beginning July 1, 1980, shall revert to the general fund on September 30, 1981.		
2. For allocation to the Iowa state university of science and technology for construction of a library addition	\$ 8,100,000	\$
3. For allocation by the state board of regents for the purpose of completing the capital improvement program to make state facilities under the jurisdiction of the board accessible to the physically handicapped	\$ 3,500,000	\$
4. For allocation to the state university of Iowa for planning space needs for law, communications, and performing arts	\$ 600,000	\$

- 5. For allocation to the Iowa school for the deaf for construction of an addition to the vocational building \$ 660,000 \$
- 6. For allocation to the Iowa state university of science and technology for new building movable equipment \$ 1,800,000 \$
- 7. For allocation to the university of northern Iowa to replace funds used for the noninsured portion of a 1977 storm loss to the university of northern Iowa \$ 25,000 \$
- 8. For allocation to the Iowa state university of science and technology for renovation of old veterinary quadrangle \$ 4,400,000 \$
- 9. 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 in such amounts as may be necessary to complete the following utility projects:
 - a. Iowa state university of science and technology: pollution control plant share, utility maintenance and improvements, and storm sewer addition;
 - b. State university of Iowa: sludge handling facilities, campus electrical supply renovation, and power plant replacements; and
 - c. University of northern Iowa: turbine generator and general utility system update \$12,300,000 \$
- 10. For allocation by the state board of regents to the universities under the board's jurisdiction for initiating planning and implementation of an energy conservation program \$ 4,675,000 \$
- 11. For allocation to the university of northern Iowa to replace or repair roofs on three buildings \$ 136,000 \$
- 12. For allocation to the Iowa braille and sight saving school for an addition to the service building \$ 140,000 \$
- 13. For allocation by the state board of regents to the universities under the board's jurisdiction for the purchase of equipment for the colleges of engineering \$ 300,000 \$

Sec. 2. There is appropriated from the general fund of the state for each fiscal year of the fiscal biennium beginning July 1, 1979 and ending June 30, 1981 except as otherwise provided, to the department of public instruction, 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. For the Iowa vocational rehabilitation service center addition moving expenses	\$ 100,000	\$
2. For disbursement to the Iowa central community college for matching a federal grant and renovation of educational broadcasting facilities	\$ 114,800	\$

Sec. 3.

1. There is appropriated from the general fund of the state for the fiscal biennium beginning July 1, 1979, and ending June 30, 1981, to the state educational radio and television facility the sum of two hundred twenty-five thousand (225,000) dollars, or so much thereof as is necessary, for payment of replacement of essential technical equipment.

2. Funds appropriated by this section shall be used only to replace technical equipment used by the department when:

- a. Equipment is no longer serviceable and cannot be repaired; or
- b. The use of the equipment is vital to the operation of the department;

or

- c. Technological change requires replacement; or
- d. Replacement is necessary because of incompatibility with attendant equipment or components; and

e. It can be demonstrated that if the equipment is not replaced, it would substantially diminish the services required by law to be performed by the department for the citizens of Iowa.

Sec. 4. Except as provided in this Act unobligated or unencumbered funds remaining on June 30, 1983 from funds appropriated by sections one (1) through three (3) of this Act for the fiscal year beginning July 1, 1979, shall revert to the general fund of the state on September 30, 1983. Unobligated or unencumbered funds remaining on June 30, 1984 from funds appropriated by sections one (1) through three (3) of this Act for the fiscal year beginning July 1, 1980 shall revert to the general fund of the state on September 30, 1984.

Sec. 5.

1. There is appropriated from the general fund of the state to the department of general services for the fiscal year beginning July 1, 1979 and ending June 30, 1980, the sum of fifty thousand (50,000) dollars, or so much thereof as is necessary, for the purpose of making improvements for fire protection purposes to the facilities of the Iowa department of veteran's affairs, Iowa national guard, Iowa beer and liquor control department, and Iowa law enforcement academy. The improvements to the facilities of the Iowa department of veteran's affairs, Iowa national guard, and Iowa beer and liquor control department shall include the addition of charged gas chemical systems and a fire alarm system to the Johnston, Iowa, fire department. The improvement to the Iowa law enforcement academy shall include a fire alarm system to the Johnston, Iowa, fire department.

2. The fire protection project provided for in subsection one (1) of this section shall, if possible, be planned and contracted for as a single

project. If the projected costs of providing adequate fire protection for the agencies and their facilities listed in subsection one (1) of this section exceed the amount of funds appropriated by this section, priority shall be given to the departments in the order in which they are listed in subsection one (1) of this section.* [Notwithstanding the provisions of section eight point thirty-nine (8.39) of the Code, funds appropriated by this section shall not be transferred or used for any purpose other than the purposes stated in this Act. *J.R.P.*

Sec. 6. There is appropriated from the general fund of the state to the following named agencies the amounts of money indicated, or so much thereof as is necessary, for the purposes designated.

1. STATE FAIR BOARD

- a. For major repairs and improvements to the state fairground \$ 750,000
- b. For comprehensive master planning services including design program, site evaluation, facility analysis, design options, site development consultant fees, travel and printing \$ 90,000

2. STATE CONSERVATION COMMISSION

- a. For construction, replacement, development and alterations to state parks and preserves, state forest facilities and state waters including artificial lake development; shoreline erosion and siltation control; river, stream and lake access; drillings at Little Lake of the Woods and engineering and planning services or to supplement any prior appropriation for such purposes \$ 2,000,000
- b. For the acquisition of land pursuant to the open spaces land acquisition program only from willing sellers \$ 1,000,000
- c. For cost-sharing of the acquisition of land and easements, relocation assistance and incidental costs at a watershed project on the Little River watershed in Decatur county under Pub. L. 83-566 \$ 270,000

3. STATE GEOLOGICAL SURVEY

- For the purchase of landsat processing equipment \$ 125,000

4. ENERGY POLICY COUNCIL

- a. For a determination of energy use and for energy conservation projects at state buildings \$ 3,000,000
- b. For a load management experiment to determine the effectiveness of this technique for reducing the peak loads of an electric distribution system \$ 30,000

*Item veto

5. DEPARTMENT OF SOIL CONSERVATION

For a conservation tillage research project .. \$ 100,000

Sec. 7. The funds appropriated by section six (6), subsection two (2) of this Act, or any other funds available to the state conservation commission shall not be used to acquire land to expand the state park at Lake Macbride or to acquire a trail between the cities of Waterloo and Cedar Rapids. The state conservation commission shall cease any construction or engineering activity at the Brushy Creek dam project until the completed environmental impact statement has been approved by the proper federal authorities and returned to the state conservation commission.

Sec. 8. Acts of the Sixty-fifth General Assembly, 1974 Session, chapter one thousand twenty-six (1026), section seven (7), as amended by Acts of the Sixty-sixth General Assembly, 1975 Session, chapter sixty-two (62), section eleven (11), Acts of the Sixty-sixth General Assembly, 1976 Session, chapter one thousand two hundred five (1205), section seven (7), and Acts of the Sixty-seventh General Assembly, 1977 Session, chapter thirty-three (33), section three (3), is amended to read as follows:

SEC. 7. Funds appropriated by this Act shall not be used for the purchase, construction, or leasing of resort lodges. Unencumbered funds remaining as of June 30, 1977 shall revert to the general fund of the state on September 30, 1977 except those funds ~~unencumbered on June 30, 1979 and~~ appropriated for the Brushy Creek project shall revert September 30, ~~1979~~ 1981 if unencumbered on June 30, 1981 and funds set aside for dredging under section three (3) of this Act shall revert September 30, 1980 if unencumbered on June 30, 1980 and funds appropriated by this Act to the Volga River dam construction project shall revert to the general fund on September 30, ~~1979~~ 1981, if unencumbered as of June 30, ~~1979~~ 1981.

Sec. 9. The funds appropriated by Acts of the Sixty-seventh General Assembly, 1978 Session, chapter one thousand nine (1009), section one (1), subsection two (2), paragraph a for the Brushy Creek dam project shall not revert to the general fund as provided in section three (3) of that Act but shall revert to the general fund on September 30, 1981 if unencumbered on June 30, 1981.

Sec. 10. Departments and agencies appropriated funds by section six (6) of this Act shall report to the general assembly on the progress and accomplishments of the projects for which funds are appropriated. Each department or agency shall submit written project plans to the legislative fiscal director prior to obligation of funds appropriated by this Act. Project plans will state the goals, objectives, costs, funding and timetables of these projects. Each department or agency shall submit quarterly reports beginning September 30, 1979 until completion of the project on the accomplishment of project goals and objectives in relation to the intended timetable for project progress. The legislative fiscal director shall report periodically to the general assembly, and at its request, on these matters.

Sec. 11. All funds appropriated by section six (6) of this Act are appropriated for the fiscal period beginning July 1, 1979 and ending June 30, 1981. All funds appropriated by section six (6) of this Act which are unobligated or unencumbered on June 30, 1981 shall revert to the general fund of the state on September 30, 1981.

Sec. 12. There is appropriated from the general fund of the state for each fiscal year of the biennium beginning July 1, 1979, and ending June 30, 1981, to the following state departments the following amounts, or so much as may be necessary, to be used in the manner designated:

	1979-1980	1980-1981
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
1. OFFICE OF STATE COMPTROLLER		
For preparation of site and purchase of uninterruptible power source for electronic data processing equipment; including providing uninterruptible power for the department of public safety's electronic data processing	\$ 480,000	\$

2. IOWA BEER AND LIQUOR CONTROL DEPARTMENT

a. For remodeling or relocating existing retail stores and to provide self-service facilities	\$ 250,000	\$
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b. For a new warehouse addition at Camp Dodge, upgrading existing warehouse, outside railroad unloading dock and to relocate central administration offices to the warehouse site; or to purchase an existing warehouse in Des Moines, Iowa, or the immediate surrounding area which would adequately provide warehouse space and office space for the department; or to purchase an adequate building site with railroad docking potential and to erect a warehouse including office space for the department in Des Moines, Iowa, or the immediate surrounding area

	\$	\$ 3,500,000
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c. Funds appropriated in subsection two (2), paragraph b of this section shall not be expended unless a specific legislative directive is given the beer and liquor control department during the 1980 Session of the Sixty-eighth General Assembly. It is the intent of the Sixty-eighth General Assembly that an interim search committee, consisting of eight members of the joint regulatory and finance subcommittee of the committee on appropriations, five from the house and three from the senate, be appointed by the respective chairpersons of the house and senate standing committees on appropriations to investigate all viable alternatives concerning a liquor warehouse facility during the 1979 interim of the Sixty-eighth General Assembly and report its findings and recommendations to the Sixty-eighth General Assembly in January of 1980.

There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1979, and ending June 30, 1980, to the legislative council the amount necessary to be allocated as provided in section two point ten (2.10), subsection six (6) of the Code to pay the necessary travel and actual expenses incurred by members of the interim search committee and a forty dollar per diem for each day the interim search committee members participate in a meeting.

3. Unobligated or unencumbered funds remaining as of June 30, 1980, from funds appropriated by subsection one (1) and subsection two (2), paragraph a of this section shall revert to the general fund on September 30, 1980. Unobligated or unencumbered funds remaining as of June 30, 1981, from funds appropriated by subsection two (2), paragraph b of this section shall revert to the general fund on September 30, 1981.

Sec. 13. There is appropriated from the general fund of the state to the department of social services for the fiscal year beginning July 1, 1979, except as otherwise provided, the sum of three million five hundred thousand (3,500,000) dollars, or so much thereof as is necessary, to be used for capital improvements projects deemed necessary by the department for institutions under its jurisdiction or for maintenance of those institutions. The department shall include in the capital improvements carried out under this section the renovation of buildings 65 and 66 at the Fort Des Moines facility, construction of recreational facilities at the women's reformatory and the Mount Pleasant medium security facility, and land acquisition at the men's reformatory.

Sec. 14.

1. Upon approval of the executive council, the department of social services is authorized to accept from the federal government on behalf of the state title to buildings 65 and 66 at the Fort Des Moines facility. The department shall continue the use of these buildings as a community-based correctional facility.

2. Unobligated or unencumbered funds remaining on June 30, 1983, from funds appropriated by section thirteen (13) of this Act shall revert to the general fund of the state on September 30, 1983.

Sec. 15. There is appropriated from the general fund of the state for the fiscal biennium, except as otherwise provided, beginning July 1, 1979 and ending June 30, 1981, to the following agencies, commissions, boards, councils, state departments, and their divisions, the following amounts, or so much as may be necessary, to be used in the manner designated:

	1979-1981
	<u>Fiscal Biennium</u>
1. DEPARTMENT OF GENERAL SERVICES	
a. Office of the director	
(1) For the renovation, and remodeling of the Robert Lucas building	\$ 3,000,000
(2) For the purchase and renovation of the Waldinger building which currently houses the Iowa public broadcasting network	\$ 280,000
(3) For the completion of constructing a new maintenance building	\$ 145,000
(4) For the purchase of land north of Grand avenue, south of I-235 freeway, east of Pennsylvania avenue and west of east fourteenth street	\$ 102,650
(5) For completion of the construction of the vocational rehabilitation building	\$ 750,000

b. Division of buildings and grounds	
For capital improvements and repairs to certain buildings and facilities	\$ 967,350
c. Division of records management	
For shelving in the records storage center	\$ 20,000
d. Communications division	
For communications testing equipment	\$ 50,000
e. General administration	
For the purchase of a truck for surplus property. Funds, not exceeding the amount appropriated in this paragraph, will be repaid to the general fund from receipts of the federal surplus property program at the rate of six hundred twenty-five dollars per month	\$ 45,000
2. JUDICIAL DEPARTMENT	
Courts	
For the renovation and remodeling of judicial space in the capitol building	\$ 250,000
Not more than fifty thousand (50,000) dollars of the funds appropriated by this subsection shall be used for architectural plans and services. The architectural plans shall anticipate a future total expenditure, excluding the funds designated for the architectural expenses, of not more than five hundred thousand (500,000) dollars for the renovation and remodeling. The architectural plans must maintain architectural and decorative integrity of the space remodeled and all heating, air conditioning and other electrical and mechanical systems must be compatible with the central system of the capitol building.	
3. EXECUTIVE COUNCIL	
a. For the improvement and replacement, remodeling and extension of existing sanitary and storm sewer system servicing the capitol complex	\$ 370,000
b. For the state's share of the city of Ames twenty-fourth street and Stange road widening project covered under section three hundred seven A point five (307A.5) of the Code	\$ 125,000
4. HISTORICAL DEPARTMENT	
a. Historical society	
For further development of Toolsboro Mounds and museum area	\$ 12,500
b. Division of historic preservation	
For capital improvements and repairs for Montauk Governor's Mansion	\$ 13,700
5. OFFICE OF THE GOVERNOR	
For matching funds for the restoration of Terrace Hill Mansion on the basis of one dollar provided by the state for each two dollars provided by nonstate sources and for the payment of architects' fees at a rate of not more than six percent of the cost of restoration	\$ 330,000

6. CAPITOL PLANNING COMMISSION

For architectural plans of a historical building. When making a recommendation for the site of the historical building, the capitol planning commission shall consider location on state property which is presently owned by the state or which may be acquired in the future from the city of Des Moines \$ 100,000

It is the intent of the general assembly that the architectural plans provided for in this subsection shall provide for construction of a building costing not more than eight million five hundred thousand (8,500,000) dollars and shall include optional plans, one providing for an auditorium of not more than four hundred seats and the other shall exclude the auditorium.

Sec. 16. Unencumbered or unobligated funds remaining on June 30, 1983 and appropriated by subparagraphs one (1) and four (4) of paragraph a of subsection one (1), subsection two (2), paragraphs a and b of subsection three (3), and subsection five (5) of section fifteen (15) of this Act shall revert to the fund from which appropriated on September 30, 1983. All other unencumbered or unobligated funds appropriated by section fifteen (15) of this Act remaining on June thirtieth of the last year for which appropriated, shall revert to the fund from which appropriated on the following September thirtieth.

Sec. 17. There is appropriated from the general fund of the state to the department of general services for the fiscal biennium beginning July 1, 1979 and ending June 30, 1981, the sum of ninety thousand (90,000) dollars, or so much thereof as is necessary, for the purpose of remodeling the capitol cafeteria. Funds appropriated by this section are not to be used to close the rotunda opening and are contingent upon not closing such opening.

Sec. 18. There is appropriated from the general fund of the state for the fiscal year, except as otherwise provided, beginning July 1, 1979 and ending June 30, 1980, to the following agencies, commissions, boards, councils, state departments, and their divisions, the following amounts, or so much thereof as may be necessary, to be used in the manner designated:

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

1. DEPARTMENT OF PUBLIC DEFENSE

a. For repair, replacement, alteration, equipment and rehabilitation of national guard armory facilities throughout the state, including the maintenance and repair of equipment required for the use of such facilities \$ 255,000 \$

b. For repair, replacement, alteration, equipment and rehabilitation of buildings, grounds, roads and facilities located within the Camp Dodge military reservation \$ 50,000 \$

It is the intent of the general assembly that appropriations made for repairs and maintenance of armories are not to be used to repair armories which are expected to be closed, except those maintenance expenditures which are necessary to preserve the armories.

2. DEPARTMENT OF PUBLIC SAFETY

- a. For the acquisition of land and construction of a departmental office building in the area of post eleven..... \$ 250,000 \$
- b. For the construction, replacement, and purchase of radio transmission tower and repeater sites in the Des Moines area \$ 168,000 \$

3. STATE DEPARTMENT OF TRANSPORTATION

- a. For the purchase of partitions and work stations in the Lucas building \$ 73,900 \$

4. Any unencumbered balance remaining as of June 30, 1983 of the funds appropriated by this section shall revert to the general fund on September 30, 1983.

Sec. 19. There is appropriated from the primary road fund of the state to the state department of transportation for the fiscal year, except as otherwise provided, beginning July 1, 1979 and ending June 30, 1980, the following amounts, or so much as may be necessary, to be used in the manner designated:

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

STATE DEPARTMENT OF TRANSPORTATION

- 1. For the acquisition of land and construction of improvements for field operation facilities \$ 1,722,000 \$
- 2. For the remodeling and renovation of buildings for the conservation of energy \$ 1,020,000 \$
- 3. For the purchase of partitions and work stations in the Lucas building \$ 69,200 \$

4. Any unencumbered balance remaining as of June 30, 1983 of the funds appropriated by this section shall revert to the primary road fund on September 30, 1983.

5. When the state department of transportation has approved a project to be financed with funds authorized in this section, a description of the project and estimated cost shall be reported to the governor and state comptroller before allocation of funds.

Sec. 20. There is appropriated from the road use tax fund of the state to the state department of transportation for the fiscal year, except as otherwise provided, beginning July 1, 1979 and ending June 30, 1980, the following amounts, or so much as may be necessary, to be used in the manner designated:

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

STATE DEPARTMENT OF TRANSPORTATION

- 1. For the construction of traffic weight scales \$ 400,000 \$
- 2. For the purchase of partitions and work stations in the Lucas building \$ 133,900 \$

3. Any unencumbered balance remaining as of June 30, 1983 of the funds appropriated by this section shall revert to the road use tax fund on September 30, 1983.

4. When the state department of transportation has approved a project to be financed with funds authorized in this section, a description of the project and estimated cost shall be reported to the governor and state comptroller before allocation of funds.

Sec. 21. Acts of the Sixty-seventh General Assembly, 1978 Session, chapter one thousand one hundred ninety-two (1192), section one (1), is amended to read as follows:

SECTION 1. The executive council shall sell or exchange the valley bank building pursuant to the provisions of this Act and under such terms as shall otherwise be determined by the executive council. ~~The~~ If the valley bank building is to be sold the executive council shall accept sealed bids after advertising the sale of the valley bank building in a manner determined by the executive council. The executive council may accept a bid which represents a fair price based upon the appraisal of the valley bank building and considering the sale prices of other buildings sold within the geographic area where the valley bank building is located. The effective date of the sale or exchange shall be determined by the executive council. In lieu of selling the valley bank building, the executive council may exchange it with the city of Des Moines, Iowa, for property within close proximity to the state capitol and made up of at least two city blocks. The office of the attorney general shall provide such legal assistance as may be required by the executive council in carrying out the provisions of this Act. Funds received because of the sale of the valley bank building shall be deposited in the general fund of the state.

Sec. 22. 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.

Approved June 9, 1979, except the item which is that portion of Section 5, Subsection 2 bracketed in ink and initialed by me 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 764, an act making appropriations for capital projects.

House File 764 is approved June 9, 1979, with the following exception which I hereby disapprove.

I am unable to approve that portion designated in the Act as the final sentence of Section 5, Subsection 2 which reads as follows:

Notwithstanding the provisions of section eight point thirty-nine (8.39) of the Code, funds appropriated by this section shall not be transferred or used for any purpose other than the purposes stated in this Act.

Section 8.39 of the Code of Iowa authorizes the Governor and the State Comptroller to transfer funds from one agency to another when the original appropriation has proven to be

insufficient to meet the legitimate expenses of the receiving agency. The transfer authority has only been used infrequently.

However, the legislative authors of 8.39 realized that no budgeting is foolproof. With the flexibility 8.39 provides, we can make necessary adjustments when unforeseen or changing circumstances arise or miscalculations are discovered.

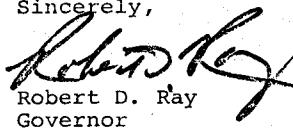
Occasionally the legislature has made appropriations knowing and expecting that a transfer would be made if the original appropriation proved to be insufficient for the intended purpose.

A new safeguard to the transfer authority was added in 1978. Legislation was adopted last year which we accepted requiring notification of various legislators two weeks prior to the transfer of funds for the purpose of review and comment by the legislators. We would be happy to accept and would respect such comments, although to date none have been forthcoming.

The amount of money (\$50,000) to which the transfer limitation applies is a very small part of this capitals appropriation bill which appropriates more than \$60 million. While this particular transfer limit would not affect much nor is the need anticipated to transfer any of this money, it would be an unwise precedent to accept.

For the above 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 764 are hereby approved this date.

Sincerely,



Robert D. Ray
Governor

CHAPTER 15

STATE BOARD OF REGENTS

S. F. 498

AN ACT making a supplemental appropriation to the state board of regents for the purpose of supplementing existing appropriations for fuel and purchased electricity during the fiscal year beginning July 1, 1978.

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

Section 1. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1978, and ending June 30, 1979, to the state board of regents, the sum of five hundred fifty thousand (550,000) dollars, or so much thereof as is necessary, to replace funds used by the institutions under the control of the state board of regents, to pay actual costs for the purchase of fuel and electricity which exceeds fourteen million two hundred eighty-two thousand (14,282,000) dollars. The funds or any portion of the funds shall not be allocated unless the state comptroller determines actual costs for the purchase of fuel and electricity exceeds fourteen million two hundred eighty-two thousand (14,282,000) dollars for the