

Jensen
Lamberti
Connolly

SSB-1263

Appropriation

Succeeded By

SENATE/HOUSE FILE SE/HF 528

BY (PROPOSED COMMITTEE ON
APPROPRIATIONS BILL BY JOINT
APPROPRIATIONS SUBCOMMITTEE ON
TRANSPORTATION, INFRASTRUCTURE
AND CAPITALS)

Passed Senate, Date _____ Passed House, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to and making transportation and other
2 infrastructure-related appropriations to the state department
3 of transportation, including allocation and use of moneys from
4 the general fund of the state, road use tax fund, and primary
5 road fund, providing for the nonreversion of certain moneys,
6 and discontinuing driver's license renewal by mail.

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

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DIVISION I

STATE DEPARTMENT OF TRANSPORTATION

Section 1. There is appropriated from the general fund of the state to the state department of transportation for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For airport engineering studies and improvement projects as provided in chapter 328:

..... \$ 2,248,780

2. For the rail assistance program and to provide economic development project funding:

..... \$ 600,000

Sec. 2. PUBLIC TRANSIT ASSISTANCE APPROPRIATION --

REDUCTION. Notwithstanding section 312.2, subsection 14, the amount appropriated from the general fund of the state under section 312.2, subsection 14, to the state department of transportation for public transit assistance under chapter 324A for the fiscal year beginning July 1, 2001, and ending June 30, 2002, shall be reduced by \$660,000.

Sec. 3. There is appropriated from the road use tax fund to the state department of transportation for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amounts, or so much thereof as is necessary, for the purposes designated:

1. For the payment of costs associated with the production of driver's licenses, as defined in section 321.1, subsection 20A:

..... \$ 3,997,000

Notwithstanding section 8.33, unencumbered or unobligated funds remaining on June 30, 2002, from the appropriation made in this subsection, shall not revert, but shall remain available for subsequent fiscal years for the purposes specified in this subsection.

2. For salaries, support, maintenance, and miscellaneous

1 purposes:

2 a. Operations and finance:

3 \$ 5,119,245

4 b. Administrative services:

5 \$ 515,430

6 c. Planning:

7 \$ 462,013

8 d. Motor vehicles:

9 \$ 25,853,238

10 3. For payments to the department of personnel for

11 expenses incurred in administering the merit system on behalf

12 of the state department of transportation, as required by

13 chapter 19A:

14 \$ 37,500

15 4. Unemployment compensation:

16 \$ 17,000

17 5. For payments to the department of personnel for paying

18 workers' compensation claims under chapter 85 on behalf of

19 employees of the state department of transportation:

20 \$ 77,000

21 6. For payment to the general fund of the state for

22 indirect cost recoveries:

23 \$ 102,000

24 7. For reimbursement to the auditor of state for audit

25 expenses as provided in section 11.5B:

26 \$ 48,000

27 8. For costs associated with the county issuance of

28 driver's licenses:

29 \$ 30,000

30 9. For transfer to the department of public safety for

31 operating a system providing toll-free telephone road and

32 weather conditions information:

33 \$ 100,000

34 10. For membership in the North America's superhighway

35 corridor coalition:

1 \$ 50,000

2 11. For payment pursuant to section 307.45 to the city of
3 Cedar Falls for improvements to west twenty-third street
4 adjoining university of northern Iowa property:

5 \$ 157,781

6 Sec. 4. There is appropriated from the primary road fund
7 to the state department of transportation for the fiscal year
8 beginning July 1, 2001, and ending June 30, 2002, the
9 following amounts, or so much thereof as is necessary, to be
10 used for the purposes designated:

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

14 a. Operations and finance:

15 \$ 31,446,787

16 FTEs 310.00

17 b. Administrative services:

18 \$ 3,166,223

19 FTEs 42.00

20 c. Planning:

21 \$ 8,778,226

22 FTEs 163.00

23 d. Highways:

24 \$166,180,223

25 FTEs 2,782.00

26 Not more than \$420,000, plus an allocation for salary
27 adjustment, shall be expended from the highway beautification
28 fund for salaries and benefits for not more than 9.0 FTEs.

29 e. Motor vehicles:

30 \$ 1,081,992

31 FTEs 562.00

32 2. For deposit in the state department of transportation's
33 highway materials and equipment revolving fund established by
34 section 307.47 for funding the increased replacement cost of
35 equipment:

1 \$ 5,340,000
2 Not more than \$3,900,000 plus an allocation for salary
3 adjustment, from the highway materials and equipment revolving
4 fund, shall be expended for salaries and benefits for not more
5 than 89.00 FTEs.

6 3. For payments to the department of personnel for
7 expenses incurred in administering the merit system on behalf
8 of the state department of transportation, as required by
9 chapter 19A:
10 \$ 712,500

11 4. Unemployment compensation:
12 \$ 328,000

13 5. For payments to the department of personnel for paying
14 workers' compensation claims under chapter 85 on behalf of the
15 employees of the state department of transportation:
16 \$ 1,883,000

17 6. For disposal of hazardous wastes from field locations
18 and the central complex:
19 \$ 800,000

20 7. For payment to the general fund for indirect cost
21 recoveries:
22 \$ 748,000

23 8. For reimbursement to the auditor of state for audit
24 expenses as provided in section 11.5B:
25 \$ 297,000

26 9. For improvements to upgrade the handling of wastewater
27 at various field facilities throughout the state:
28 \$ 400,000

29 10. For replacement of roofs according to the department's
30 priority list at field facilities throughout the state:
31 \$ 400,000

32 11. For the federal Americans With Disabilities Act
33 accessibility improvements to department facilities throughout
34 the state:
35 \$ 200,000

- 1 12. For renovation of the first floor of the state
2 department of transportation administration building at the
3 Ames complex:
4 \$ 1,500,000
5 13. For construction of a telecommunications staging
6 facility at the Ames complex:
7 \$ 350,000
8 14. For replacement of the radiant heating systems in
9 field garage facilities throughout the state:
10 \$ 200,000
11 15. For an addition to the Cedar Rapids laboratory:
12 \$ 320,000
13 16. For replacement of exhaust systems in field garage
14 facilities throughout the state:
15 \$ 350,000
16 17. For tuckpointing and repair of the brick exteriors of
17 office buildings and field garage facilities throughout the
18 state:
19 \$ 100,000
20 18. For deferred maintenance projects at field facilities:
21 \$ 351,500
22 19. For completion of a site utilization study at the Ames
23 complex:
24 \$ 200,000

25 Notwithstanding section 8.33, moneys appropriated in
26 subsections 9 through 19 that remain unencumbered or
27 unobligated at the close of the fiscal year shall not revert
28 but shall remain available for expenditure for the purposes
29 designated until the close of the fiscal year that begins July
30 1, 2004.

31 DIVISION II
32 STATUTORY CHANGES

33 Sec. 5. Section 312.2, subsection 18, Code 2001, is
34 amended to read as follows:

- 35 18. The treasurer of state, before making the allotments

1 provided for in this section, shall credit annually from the
2 road use tax fund to the state department of transportation
3 the sum of six hundred fifty thousand dollars for the purpose
4 of providing county treasurers with data-processing automation
5 and telecommunications equipment and support for vehicle
6 registration and titling and driver licensing.

7 Notwithstanding section 8.33, unobligated funds credited under
8 this subsection remaining on June 30 of the fiscal year shall
9 not revert but shall remain available for expenditure for
10 purposes of this subsection in subsequent fiscal years.

11 Sec. 6. Section 315.3, subsection 3, Code 2001, is amended
12 to read as follows:

13 3. a. If the state transportation commission receives and
14 files a letter from the director of transportation certifying
15 that federal funding is not forthcoming due to the failure of
16 the United States Congress to pass and the president of the
17 United States to approve legislation providing long-term
18 federal transportation funding to the state of Iowa, the
19 commission may authorize the temporary transfer of funds from
20 the RISE fund to the primary road fund. Transferred funds
21 shall be repaid to the RISE fund within three months of
22 transfer.

23 b. If the state transportation commission receives and
24 files a letter from the director of transportation certifying
25 that the cash flow funding of the department may be inadequate
26 to meet anticipated road construction costs, the commission
27 may authorize the temporary transfer of funds from the RISE
28 fund to the primary road fund. Funds transferred under this
29 paragraph shall be repaid to the RISE fund within six months
30 of transfer.

31 c. The commission shall manage the RISE fund to ensure
32 that funds will be available to meet contract obligations on
33 approved RISE projects.

34 Sec. 7. Section 321.189, subsection 4, Code 2001, is
35 amended to read as follows:

1 4. SYMBOLS. Upon the request of a licensee, ~~or a person~~
2 ~~renewing the person's license by mail~~, the department shall
3 indicate on the license, ~~or the validation document issued to~~
4 ~~a person renewing by mail~~, the presence of a medical
5 condition, that the licensee is a donor under the uniform
6 anatomical gift law, or that the licensee has in effect a
7 medical advance directive. For purposes of this subsection, a
8 medical advance directive includes, but is not limited to, a
9 valid durable power of attorney for health care as defined in
10 section 144B.1. The license may contain such other
11 information as the department may require by rule.

12 Sec. 8. Section 321.196, unnumbered paragraph 1, Code
13 2001, is amended to read as follows:

14 Except as otherwise provided, a driver's license, other
15 than an instruction permit, chauffeur's instruction permit, or
16 commercial driver's instruction permit issued under section
17 321.180, expires, at the option of the applicant, two or four
18 years from the licensee's birthday anniversary occurring in
19 the year of issuance if the licensee is between the ages of
20 seventeen years eleven months and seventy years on the date of
21 issuance of the license. If the licensee is under the age of
22 seventeen years eleven months or age seventy or over, the
23 license is effective for a period of two years from the
24 licensee's birthday anniversary occurring in the year of
25 issuance. Except as required in section 321.188, and except
26 for a motorcycle instruction permit issued in accordance with
27 section 321.180 or 321.180B, a driver's license is renewable
28 without written examination or penalty within a period of
29 sixty days after its expiration date and without a driving
30 test within a period of one year after its expiration date. A
31 person shall not be considered to be driving with an invalid
32 license during a period of sixty days following the license
33 expiration date. However, for a license renewed within the
34 sixty-day period, the date of issuance shall be considered to
35 be the previous birthday anniversary on which it expired.

1 Applicants whose licenses are restricted due to vision or
2 other physical deficiencies may be required to renew their
3 licenses every two years. For the purposes of this section,
4 the birthday anniversary of a person born on February 29 shall
5 be deemed to occur on March 1. The department in its
6 discretion may authorize the renewal of a valid driver's
7 license other than a commercial driver's license upon
8 application without an examination provided that the applicant
9 satisfactorily passes a vision test as prescribed by the
10 department, or files a vision report in accordance with
11 section 321.186A which shows that the applicant's visual
12 acuity level meets or exceeds those required by the
13 department, ~~or is eligible for renewal by mail pursuant to~~
14 ~~rules adopted by the department. The department may assess an~~
15 ~~applicant a fee of no more than two dollars for administration~~
16 ~~and mailing expenses for providing for renewal of the~~
17 ~~applicant's driver's license by mail.~~

18 EXPLANATION

19 This bill makes appropriations for the 2001-2002 fiscal
20 year from the general fund of the state, the road use tax
21 fund, and the primary road fund to the state department of
22 transportation. The bill also makes related Code language
23 changes.

24 The bill appropriates moneys from the general fund of the
25 state for the rail assistance program and to provide economic
26 development project funding. The bill provides that the
27 standing appropriation for public transit assistance from the
28 general fund, from moneys credited from motor vehicle use tax
29 receipts, shall be reduced by \$660,000 for the 2001-2002
30 fiscal year.

31 Appropriations from the road use tax fund include
32 appropriations for driver's license production costs,
33 salaries, operations, administrative services, planning, motor
34 vehicles, unemployment and workers' compensation, county
35 issuance of driver's licenses, a system providing toll-free

1 telephone road and weather reports, and indirect cost
2 recoveries.

3 Appropriations from the primary road fund include
4 appropriations for salaries, operations, planning, highways,
5 motor vehicles, equipment, the merit system, unemployment and
6 workers' compensation, disposal of hazardous wastes at field
7 locations, indirect costs, wastewater handling, roof
8 replacement at field facilities, operations, and compliance
9 with ADA at department facilities.

10 The bill amends Code section 312.2 to allow the annual
11 allocation for county treasurers' equipment and support to be
12 used for automation and telecommunications equipment and
13 support for vehicle registration and titling and driver
14 licensing rather than only for data processing equipment and
15 support for vehicle registration and titling.

16 The bill amends Code section 315.3 to provide that the
17 state transportation commission may temporarily transfer funds
18 from the revitalize Iowa's sound economy (RISE) fund to the
19 primary road fund to meet road construction costs for which
20 there are inadequate funds in the primary road fund. The
21 transferred funds must be repaid to the RISE fund within six
22 months of transfer.

23 The bill amends Code section 321.196 to remove provisions
24 allowing a person to renew the person's driver's license by
25 mail. The bill also removes a corresponding reference in Code
26 section 321.189.

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5/1/01 Motion by Rents W/D
 H- 4/20/01 Approp
 H- 4/23/01 Do Pass
 H- 4/26/01 Motion to
 FILED APR 17 2001 R/C by Rents
 SENATE FILE 528 S- 5/1/01 Motion to R/C
 BY COMMITTEE ON APPROPRIATIONS W/D
 S- 5/1/01 by Johnson
 S- 5/1/01 Motion to R/C

(SUCCESSOR TO SSB 1263)

(P. 1212)
 Passed Senate, Date 4-19-01
 Vote: Ayes 45 Nays 2

(P. 1598)
 Passed House, Date 4/26/01
 Vote: Ayes 90 Nays 5

Approved 5/24/01
 (P. 1438) Not Passed 5-1-01
 File 49-0

A BILL FOR

1 An Act relating to and making transportation and other
 2 infrastructure-related appropriations to the state department
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DIVISION I

STATE DEPARTMENT OF TRANSPORTATION

Section 1. There is appropriated from the general fund of the state to the state department of transportation for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For airport engineering studies and improvement projects as provided in chapter 328:

..... \$ 2,248,780

2. For the rail assistance program and to provide economic development project funding:

..... \$ 600,000

Sec. 2. There is appropriated from the road use tax fund to the state department of transportation for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amounts, or so much thereof as is necessary, for the purposes designated:

1. For the payment of costs associated with the production of driver's licenses, as defined in section 321.1, subsection 20A:

..... \$ 3,997,000

Notwithstanding section 8.33, unencumbered or unobligated funds remaining on June 30, 2002, from the appropriation made in this subsection, shall not revert, but shall remain available for subsequent fiscal years for the purposes specified in this subsection.

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a. Operations and finance:

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b. Administrative services:

..... \$ 515,430

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4 expenses incurred in administering the merit system on behalf
5 of the state department of transportation, as required by
6 chapter 19A:
7 \$ 37,500
8 4. Unemployment compensation:
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10 5. For payments to the department of personnel for paying
11 workers' compensation claims under chapter 85 on behalf of
12 employees of the state department of transportation:
13 \$ 77,000
14 6. For payment to the general fund of the state for
15 indirect cost recoveries:
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17 7. For reimbursement to the auditor of state for audit
18 expenses as provided in section 11.5B:
19 \$ 48,000
20 8. For costs associated with the county issuance of
21 driver's licenses:
22 \$ 30,000
23 9. For transfer to the department of public safety for
24 operating a system providing toll-free telephone road and
25 weather conditions information:
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27 10. For membership in the North America's superhighway
28 corridor coalition:
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30 11. For payment pursuant to section 307.45 to the city of
31 Cedar Falls for improvements to west twenty-third street
32 adjoining university of northern Iowa property:
33 \$ 157,781
34 Sec. 3. There is appropriated from the primary road fund
35 to the state department of transportation for the fiscal year

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2 following amounts, or so much thereof as is necessary, to be
3 used for the purposes designated:

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5 purposes and for not more than the following full-time
6 equivalent positions:

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18 FTEs 2,782.00

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20 adjustment, shall be expended from the highway beautification
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33 than 89.00 FTEs.

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35 expenses incurred in administering the merit system on behalf

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 34 facility at the Ames complex:
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- 5 \$ 320,000
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- 10 office buildings and field garage facilities throughout the
- 11 state:
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- 13 18. For deferred maintenance projects at field facilities:
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- 16 complex:
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 19 subsections 9 through 19 that remain unencumbered or
 20 unobligated at the close of the fiscal year shall not revert
 21 but shall remain available for expenditure for the purposes
 22 designated until the close of the fiscal year that begins July
 23 1, 2004.

24 DIVISION II

25 STATUTORY CHANGES

26 Sec. 4. Section 312.2, subsection 18, Code 2001, is
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28 18. The treasurer of state, before making the allotments
 29 provided for in this section, shall credit annually from the
 30 road use tax fund to the state department of transportation
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 32 of providing county treasurers with data-processing automation
 33 and telecommunications equipment and support for vehicle
 34 registration and titling and driver licensing.

35 Notwithstanding section 8.33, unobligated funds credited under

1 this subsection remaining on June 30 of the fiscal year shall
2 not revert but shall remain available for expenditure for
3 purposes of this subsection in subsequent fiscal years.

4 Sec. 5. Section 315.3, subsection 3, Code 2001, is amended
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6 3. a. If the state transportation commission receives and
7 files a letter from the director of transportation certifying
8 that federal funding is not forthcoming due to the failure of
9 the United States Congress to pass and the president of the
10 United States to approve legislation providing long-term
11 federal transportation funding to the state of Iowa, the
12 commission may authorize the temporary transfer of funds from
13 the RISE fund to the primary road fund. Transferred funds
14 shall be repaid to the RISE fund within three months of
15 transfer.

16 b. If the state transportation commission receives and
17 files a letter from the director of transportation certifying
18 that the cash flow funding of the department may be inadequate
19 to meet anticipated road construction costs, the commission
20 may authorize the temporary transfer of funds from the RISE
21 fund to the primary road fund. Funds transferred under this
22 paragraph shall be repaid to the RISE fund within six months
23 of transfer.

24 c. The commission shall manage the RISE fund to ensure
25 that funds will be available to meet contract obligations on
26 approved RISE projects.

27 Sec. 6. Section 321.189, subsection 4, Code 2001, is
28 amended to read as follows:

29 4. SYMBOLS. Upon the request of a licensee, ~~or a person~~
30 ~~renewing the person's license by mail,~~ the department shall
31 indicate on the license, ~~or the validation document issued to~~
32 ~~a person renewing by mail,~~ the presence of a medical
33 condition, that the licensee is a donor under the uniform
34 anatomical gift law, or that the licensee has in effect a
35 medical advance directive. For purposes of this subsection, a

1 medical advance directive includes, but is not limited to, a
2 valid durable power of attorney for health care as defined in
3 section 144B.1. The license may contain such other
4 information as the department may require by rule.

5 Sec. 7. Section 321.196, unnumbered paragraph 1, Code
6 2001, is amended to read as follows:

7 Except as otherwise provided, a driver's license, other
8 than an instruction permit, chauffeur's instruction permit, or
9 commercial driver's instruction permit issued under section
10 321.180, expires, at the option of the applicant, two or four
11 years from the licensee's birthday anniversary occurring in
12 the year of issuance if the licensee is between the ages of
13 seventeen years eleven months and seventy years on the date of
14 issuance of the license. If the licensee is under the age of
15 seventeen years eleven months or age seventy or over, the
16 license is effective for a period of two years from the
17 licensee's birthday anniversary occurring in the year of
18 issuance. Except as required in section 321.188, and except
19 for a motorcycle instruction permit issued in accordance with
20 section 321.180 or 321.180B, a driver's license is renewable
21 without written examination or penalty within a period of
22 sixty days after its expiration date and without a driving
23 test within a period of one year after its expiration date. A
24 person shall not be considered to be driving with an invalid
25 license during a period of sixty days following the license
26 expiration date. However, for a license renewed within the
27 sixty-day period, the date of issuance shall be considered to
28 be the previous birthday anniversary on which it expired.
29 Applicants whose licenses are restricted due to vision or
30 other physical deficiencies may be required to renew their
31 licenses every two years. For the purposes of this section,
32 the birthday anniversary of a person born on February 29 shall
33 be deemed to occur on March 1. The department in its
34 discretion may authorize the renewal of a valid driver's
35 license other than a commercial driver's license upon

1 application without an examination provided that the applicant
2 satisfactorily passes a vision test as prescribed by the
3 department, or files a vision report in accordance with
4 section 321.186A which shows that the applicant's visual
5 acuity level meets or exceeds those required by the
6 department, ~~or is eligible for renewal by mail pursuant to~~
7 ~~rules adopted by the department. -- The department may assess an~~
8 ~~applicant a fee of no more than two dollars for administration~~
9 ~~and mailing expenses for providing for renewal of the~~
10 ~~applicant's driver's license by mail.~~

11 EXPLANATION

12 This bill makes appropriations for the 2001-2002 fiscal
13 year from the general fund of the state, the road use tax
14 fund, and the primary road fund to the state department of
15 transportation. The bill also makes related Code language
16 changes.

17 The bill appropriates moneys from the general fund of the
18 state for the rail assistance program and to provide economic
19 development project funding.

20 Appropriations from the road use tax fund include
21 appropriations for driver's license production costs,
22 salaries, operations, administrative services, planning, motor
23 vehicles, unemployment and workers' compensation, county
24 issuance of driver's licenses, a system providing toll-free
25 telephone road and weather reports, and indirect cost
26 recoveries.

27 Appropriations from the primary road fund include
28 appropriations for salaries, operations, planning, highways,
29 motor vehicles, equipment, the merit system, unemployment and
30 workers' compensation, disposal of hazardous wastes at field
31 locations, indirect costs, wastewater handling, roof
32 replacement at field facilities, operations, and compliance
33 with ADA at department facilities.

34 The bill amends Code section 312.2 to allow the annual
35 allocation for county treasurers' equipment and support to be

1 used for automation and telecommunications equipment and
2 support for vehicle registration and titling and driver
3 licensing rather than only for data processing equipment and
4 support for vehicle registration and titling.

5 The bill amends Code section 315.3 to provide that the
6 state transportation commission may temporarily transfer funds
7 from the revitalize Iowa's sound economy (RISE) fund to the
8 primary road fund to meet road construction costs for which
9 there are inadequate funds in the primary road fund. The
10 transferred funds must be repaid to the RISE fund within six
11 months of transfer.

12 The bill amends Code section 321.196 to remove provisions
13 allowing a person to renew the person's driver's license by
14 mail. The bill also removes a corresponding reference in Code
15 section 321.189.

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SENATE FILE 528

S-3382

1 Amend Senate File 528 as follows:
 2 1. Page 1, by inserting after line 13 the
 3 following:
 4 "Sec. ____ . PUBLIC TRANSIT ASSISTANCE APPROPRIATION
 5 -- INNOCENT LANDOWNERS FUND. Notwithstanding the
 6 limited use of moneys in the innocent landowners fund,
 7 there is appropriated from the innocent landowners
 8 fund created in section 455G.21 to the state
 9 department of transportation for the fiscal year
 10 beginning July 1, 2001, and ending June 30, 2002, the
 11 following amount for purposes of public transit
 12 assistance under chapter 324A:
 13 \$ 660,000"
 14 2. By renumbering, redesignating, and correcting
 15 internal references as necessary.

By MIKE CONNOLLY

S-3382 FILED APRIL 18, 2001

LOST *P. 1181*

SENATE FILE 528

S-3388

1 Amend Senate File 528 as follows:
 2 1. Page 1, by inserting after line 1, the
 3 following:
 4 "MOTOR VEHICLE USE TAX REVENUES
 5 Sec. ____ . Section 423.24, Code 2001, is amended by
 6 adding the following new subsection:
 7 NEW SUBSECTION. 2A. Prior to the depositing and
 8 crediting of revenues derived from the use tax on
 9 motor vehicles, trailers, and motor vehicle
 10 accessories and equipment as collected pursuant to
 11 sections 423.7 and 423.7A in the manner described in
 12 subsections 1 and 2, sixteen million four hundred
 13 thousand dollars of the revenues shall be deposited
 14 and credited annually to the general fund of the
 15 state."

16 2. By renumbering as necessary.

By JEFF LAMBERTI

S-3388 FILED APRIL 18, 2001

LOST; MTR - FILED; MTR - WITHDRAWN

(P. 1180)

SENATE FILE 528

S-3408

1 Amend Senate File 528 as follows:
 2 1. Page 4, by inserting after line 18 the
 3 following:
 4 "____. To rebuild the center islands and curbing on
 5 Southeast Fourteenth street between Walnut street and
 6 Army Post road in Des Moines:
 7 \$ 500,000"
 8 2. By renumbering, redesignating, and correcting
 9 internal references as necessary.

By MATT McCOY

S-3408 FILED APRIL 19, 2001

LOST (p. 1211)

SENATE FILE 528

S-3412

1 Amend Senate File 528 as follows:
 2 1. Page 4, by inserting after line 18 the
 3 following:
 4 "____. For a two-year project to preserve, grade,
 5 and pave interstate 35 between the interstate 80
 6 interchange and the First street exit to Ankeny:
 7 \$ 36,000,000"
 8 2. By renumbering, redesignating, and correcting
 9 internal references as necessary.

By MICHAEL E. GRONSTAL

S-3412 FILED APRIL 19, 2001

LOST (p. 1212)

SENATE FILE 528

S-3413

1 Amend Senate File 528 as follows:
 2 1. Page 4, by inserting after line 18 the
 3 following:
 4 "____. To complete construction of United States
 5 highway 20:
 6 \$200,000,000"
 7 2. By renumbering, redesignating, and correcting
 8 internal references as necessary.

By STEVEN D. HANSEN

S-3413 FILED APRIL 19, 2001

WITHDRAWN

(p. 1212)

SENATE FILE 528

S-3414

- 1 1. Page 4, by inserting after line 18 the
- 2 following:
- 3 "____. To complete the construction of United
- 4 States highway 30 in the state:
- 5 \$200,000,000"
- 6 2. By renumbering, redesignating, and correcting
- 7 internal references as necessary.

By THOMAS FIEGEN

S-3414 FILED APRIL 19, 2001

LOST

(P.1212)

H-1665

1 Amend Senate File 528, as passed by the Senate, as
2 follows:

3 1. Page 5, by inserting after line 23 the
4 following:

5 "Sec. ____ Pursuant to section 313.4, subsection
6 2, there is appropriated from the primary road fund to
7 the department of general services for the fiscal year
8 beginning July 1, 2001, and ending June 30, 2002, the
9 following amount, or so much thereof as is necessary,
10 to be used for the purpose designated:

11 For planning and design of a state institutional
12 road that shall be an extension of Twelfth street
13 south of Court avenue, adjacent to the new judicial
14 building in Des Moines:

15 \$ 34,000

16 Notwithstanding section 8.33, moneys appropriated
17 in this section that remain unencumbered or
18 unobligated at the close of the fiscal year shall not
19 revert but shall remain available for expenditure for
20 the purpose designated until the close of the fiscal
21 year that begins July 1, 2004."

22 2. Title page, line 3, by inserting after the
23 word "transportation" the following: "and the
24 department of general services".

25 3. By renumbering as necessary.

By GIPP of Winneshiek

H-1665 FILED APRIL 24, 2001

w/d

4/26/01

(P. 1596)

SENATE FILE 528

H-1683

1 Amend Senate File 528, as passed by the Senate, as
2 follows:

3 1. Page 5, by inserting after line 23 the
4 following:

5 "Sec. _____. There is appropriated from the road use
6 tax fund to the department of general services for the
7 fiscal year beginning July 1, 2001, and ending June
8 30, 2002, the following amount, or so much thereof as
9 is necessary, to be used for the purpose designated:

10 For planning and design of a state institutional
11 road that shall be an extension of Twelfth street
12 south of Court avenue, adjacent to the new judicial
13 building in Des Moines:

14 \$ 34,000

15 Notwithstanding section 8.33, moneys appropriated
16 in this section that remain unencumbered or
17 unobligated at the close of the fiscal year shall not
18 revert but shall remain available for expenditure for
19 the purpose designated until the close of the fiscal
20 year that begins July 1, 2004.

21 For purposes of this section, a "state
22 institutional road" is part of the state park, state
23 institution, and other state land road system, as
24 defined in section 306.3."

25 2. Title page, line 3, by inserting after the
26 word "transportation" the following: "and the
27 department of general services".

28 3. By renumbering as necessary.

By GIPP of Winneshiek

H-1683 FILED APRIL 24, 2001

*Adopted
4/26/01 (p. 1597)*

SENATE FILE 528

H-1684

1 Amend Senate File 528, as passed by the Senate, as
2 follows:

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

5 "MOTOR VEHICLE USE TAX REVENUES
6 Sec. _____. Section 423.24, Code 2001, is amended by
7 adding the following new subsection:

8 NEW SUBSECTION. 2A. Prior to the depositing and
9 crediting of revenues derived from the use tax on
10 motor vehicles, trailers, and motor vehicle
11 accessories and equipment as collected pursuant to
12 sections 423.7 and 423.7A in the manner described in
13 subsections 1 and 2, sixteen million four hundred
14 thousand dollars of the revenues shall be deposited
15 and credited annually to the general fund of the
16 state."

17 2. By renumbering as necessary.

By MILLAGE of Scott

H-1684 FILED APRIL 24, 2001

W/D 4/26/01

SENATE FILE 528**H-1719**

1 Amend the amendment, H-1684, to Senate File 528, as
2 passed by the Senate, as follows:
3 1. Page 1, lines 15 and 16, by striking the words
4 "general fund of the state" and inserting the
5 following: "the primary road fund for the network of
6 commercial and industrial highways".

By HUSER of Polk

H-1719 FILED APRIL 25, 2001*0/0**4/26/01***SENATE FILE 528****H-1720**

1 Amend the amendment, H-1684, to Senate File 528, as
2 passed by the Senate, as follows:
3 1. Page 1, by striking lines 3 through 5 and
4 inserting the following:
5 "____. Page 8, by inserting after line 10, the
6 following:

7 "DIVISION _____
8 MOTOR VEHICLE USE TAX REVENUES -- DESIGNATED USE"

9 2. Page 1, by striking line 16, and inserting the
10 following: "state, and deposited in the community
11 attraction and tourism fund."

12 3. By renumbering as necessary.

By FALCK of Fayette

H-1720 FILED APRIL 25, 2001*0/0**4/26/01*

SENATE FILE 528

H-1721

1 Amend the amendment, H-1684, to Senate File 528, as
2 passed by the Senate, as follows:

3 1. Page 1, by striking lines 3 through 5, and
4 inserting the following:

5 "____. Page 8, by inserting after line 10, the
6 following:

7 "DIVISION _____

8 MOTOR VEHICLE USE TAX REVENUES -- DESIGNATED USE"

9 2. Page 1, by striking line 16 and inserting the
10 following: "state.

11 Sec. ____ . APPROPRIATION. Of the moneys deposited
12 and credited to the general fund of the state under
13 section 423.24, subsection 2A, there is appropriated
14 to the following departments for the fiscal year
15 beginning July 1, 2001, and ending June 30, 2002, the
16 following amounts, or so much thereof as is necessary,
17 to be used for the purposes designated:

18 1. To the department of elder affairs for aging
19 programs and for salaries, support, maintenance, and
20 miscellaneous purposes, and for not more than the
21 following full-time equivalent positions:

22 \$ 5,065,411
23 FTEs 30.00

24 Of the funds appropriated in this subsection, not
25 more than \$151,654 shall be used for area agencies on
26 aging administrative purposes for citizens of Iowa
27 over 60 years of age for case management.

28 2. To the public employment relations board for
29 salaries, support, maintenance, and miscellaneous
30 purposes:

31 \$ 54,733

32 3. To the department of personnel for
33 distribution, subject to approval of the department of
34 management, to various state departments to fund the
35 premiums for paying workers' compensation claims which
36 are assessed to and collected from the state
37 department by the department of personnel based upon a
38 rating formula established by the department of
39 personnel:

40 \$ 1,200,000

41 a. Notwithstanding section 8.39, subsections 1, 3,
42 and 4, the department of management may allocate the
43 premium appropriated in this subsection to the
44 appropriate offices, divisions, or subdivisions within
45 each state department as necessary to pay workers'
46 compensation premiums as recommended by the department
47 of personnel.

48 b. The premiums collected by the department of
49 personnel shall be segregated into a separate workers'
50 compensation fund in the state treasury to be used for

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1 payment of state employees' workers' compensation
2 claims. Notwithstanding section 8.33, unencumbered or
3 unobligated moneys remaining in this workers'
4 compensation fund at the end of the fiscal year shall
5 not revert but shall be available for expenditure for
6 purposes of the fund for subsequent fiscal years.

7 c. Any funds received by the department of
8 personnel for workers' compensation purposes other
9 than funds appropriated in this subsection shall be
10 used for the payment of workers' compensation claims
11 and administrative costs.""

12 3. By renumbering as necessary.

By T. TAYLOR of Linn

H-1721 FILED APRIL 25, 2001

o/o
4/26/01

SENATE FILE 528**H-1722**

1 Amend the amendment, H-1684, to Senate File 528, as
2 passed by the Senate, as follows:

3 1. Page 1, lines 15 and 16, by striking the words
4 "general fund of the state" and inserting the
5 following: "rebuild Iowa infrastructure fund".

By WARNSTADT of Woodbury

H-1722 FILED APRIL 26, 2001

o/o
4/26/01

SENATE FILE 528

H-1723

1 Amend the amendment, H-1684, to Senate File 528, as
 2 passed by the Senate, as follows:
 3 1. Page 1, by striking lines 3 through 5 and
 4 inserting the following:
 5 "____. Page 8, by inserting after line 10, the
 6 following:
 7 "DIVISION _____
 8 MOTOR VEHICLE USE TAX REVENUES -- DESIGNATED USE"
 9 2. Page 1, by striking line 16 and inserting the
 10 following: "state.
 11 Sec. _____. APPROPRIATION. Of the moneys deposited
 12 and credited to the general fund of the state under
 13 section 423.24, subsection 2A, there is appropriated
 14 to the department of corrections for the fiscal year
 15 beginning July 1, 2001, and ending June 30, 2002, the
 16 following amount, or so much thereof as is necessary,
 17 to be used for the purpose designated:
 18 For operating costs of prisons in the state:
 19 \$ 4,183,647"
 20 3. By renumbering as necessary.

By LARKIN of Lee

H-1723 FILED APRIL 26, 2001

O/O 4/26/01

SENATE FILE 528

H-1725

1 Amend Senate File 528, as passed by the Senate, as
 2 follows:
 3 1. Page 1, by inserting after line 13 the
 4 following:
 5 "____. For transfer to the Iowa civil air patrol:
 6 \$ 25,000"
 7 2. By renumbering as necessary.

By COHOON of Des Moines
BRAUNS of Muscatine

H-1725 FILED APRIL 26, 2001

*Lost
4/26/01
(p. 1596)*

SENATE FILE 528

H-1726

1 Amend the amendment, H-1684, to Senate File 528, as
2 passed by the Senate, as follows:

3 1. Page 1, by striking lines 3 through 5, and
4 inserting the following:

5 "____. Page 8, by inserting after line 10, the
6 following:

7 "DIVISION _____
8 MOTOR VEHICLE USE TAX REVENUES -- DESIGNATED USE"

9 2. Page 1, by striking line 16, and inserting the
10 following: "state.

11 Sec. ____ . APPROPRIATION. Of the moneys deposited
12 and credited to the general fund of the state under
13 section 423.24, subsection 2A, there is appropriated
14 to the state department of transportation for the
15 fiscal year beginning July 1, 2001, and ending June
16 30, 2002, the following amount, or so much thereof as
17 is necessary, to be used for the purpose designated:

18 For the development and designation of access Iowa
19 highways:

20 \$ 16,400,000"

21 3. By renumbering as necessary.

By WARNSTADT of Woodbury

H-1726 FILED APRIL 26, 2001

0/0
4/26/01 (p. 1597)

SENATE FILE 528

H-1727

1 Amend the amendment, H-1684, to Senate File 528, as
2 passed by the Senate, as follows:

3 1. Page 1, by striking lines 3 through 5, and
4 inserting the following:

5 "____. Page 8, by inserting after line 10, the
6 following:

7 "DIVISION _____
8 MOTOR VEHICLE USE TAX REVENUES -- DESIGNATED USE"

9 2. Page 1, by striking line 16, and inserting the
10 following: "state, and allocated, to the extent

11 necessary, to the pooled technology account
12 established in the office of the treasurer of state
13 under the control of the information technology
14 department for a conversion of transmission facilities
15 for digital television for Iowa public television."

16 3. By renumbering as necessary.

By LENSING of Johnson

H-1727 FILED APRIL 26, 2001

0/0
4/26/01

SENATE FILE 528

H-1728

1 Amend the amendment, H-1684, to Senate File 528, as
2 passed by the Senate, as follows:

3 1. Page 1, by striking lines 3 through 5 and
4 inserting the following:

5 "____. Page 8, by inserting after line 10, the
6 following:

7 "DIVISION _____
8 MOTOR VEHICLE USE TAX REVENUES -- DESIGNATED USE"

9 2. Page 1, by striking line 16, and inserting the
10 following: "state, with five million dollars of this
11 amount allocated annually for the implementation and
12 funding of section 101 of this division of this Act.

13 Sec. 101. PRESCRIPTION DRUG PROGRAM. The Iowa
14 department of public health shall provide direct
15 services to participants in the program developed by
16 the department as a result of the directive to the
17 department under the federal Consolidated
18 Appropriations Act, 2001, H.R. 4577 to establish and
19 operate a mercantile prescription drug purchasing
20 cooperative or nonprofit corporation demonstration.

21 For the purposes of this section, "direct services"
22 includes but is not limited to all of the following:

- 23 1. Subsidization of the costs of pharmaceuticals
- 24 purchased by members of the cooperative.
- 25 2. Subsidization of the membership fees of low-
- 26 income members as determined by the department.
- 27 3. Provision of pharmaceutical assistance consumer
- 28 education programs for seniors.

29 4. Any other direct service provided to members
30 under the cooperative."

31 3. By renumbering as necessary.

By TREMMEL of Wapello

H-1728 FILED APRIL 26, 2001

0/0

4/26/01

(P. 1597)

SENATE FILE 528

H-1730

1 Amend the amendment, H-1684, to Senate File 528, as
2 passed by the Senate, as follows:

3 1. Page 1, by striking lines 3 through 5, and
4 inserting the following:

5 "____. Page 8, by inserting after line 10, the
6 following:

7 "DIVISION _____

8 MOTOR VEHICLE USE TAX REVENUES -- DESIGNATED USE

9 Sec. 101. Section 15.333, subsection 1, Code 2001,
10 is amended to read as follows:

11 1. An eligible business may claim a corporate tax
12 credit up to a maximum of ten percent of the new
13 investment which is directly related to new jobs
14 created by the location or expansion of an eligible
15 business under the program. Any credit in excess of
16 the tax liability for the tax year may be credited to
17 the tax liability for the following seven years or
18 until depleted, whichever occurs earlier. If the
19 business is a partnership, subchapter S corporation,
20 limited liability company, cooperative organized under
21 chapter 501 and filing as a partnership for federal
22 tax purposes, or estate or trust electing to have the
23 income taxed directly to the individual, an individual
24 may claim the tax credit allowed. The amount claimed
25 by the individual shall be based upon the pro rata
26 share of the individual's earnings of the partnership,
27 subchapter S corporation, limited liability company,
28 cooperative organized under chapter 501 and filing as
29 a partnership for federal tax purposes, or estate or
30 trust. For purposes of this section, "new investment
31 directly related to new jobs created by the location
32 or expansion of an eligible business under the
33 program" means the cost of machinery and equipment, as
34 defined in section 427A.1, subsection 1, paragraphs
35 "e" and "j", purchased for use in the operation of the
36 eligible business, the purchase price of which has
37 been depreciated in accordance with generally accepted
38 accounting principles, and the cost of improvements
39 made to real property which is used in the operation
40 of the eligible business ~~and which receives a partial~~
41 ~~property tax exemption for the actual value added~~
42 ~~under section 15.332.~~

43 Sec. 102. Section 15E.193B, subsection 2, Code
44 2001, is amended to read as follows:

45 2. An eligible housing business under this section
46 includes a housing developer, housing contractor, or
47 nonprofit organization that builds or rehabilitates a
48 minimum of four single-family homes ~~with a value,~~
49 ~~after completion of the building or rehabilitation,~~
50 ~~not exceeding one hundred twenty thousand dollars for~~

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1 ~~each home~~ located in that part of a city or county in
2 which there is a designated enterprise zone or one
3 multiple dwelling unit building containing three or
4 more individual dwelling units ~~with a total value per~~
5 ~~unit, after completion of the building or~~
6 ~~rehabilitation, not exceeding one hundred twenty~~
7 ~~thousand dollars~~ located in that part of a city or
8 county in which there is a designated enterprise zone.

9 Sec. 103. Section 15E.193B, subsection 6,
10 paragraph a, Code 2001, is amended to read as follows:

11 a. An eligible housing business may claim a tax
12 credit up to a maximum of ten percent of the new
13 investment which is directly related to the building
14 or rehabilitating of a minimum of four single-family
15 homes located in that part of a city or county in
16 which there is a designated enterprise zone or one
17 multiple dwelling unit building containing three or
18 more individual dwelling units located in that part of
19 a city or county in which there is a designated
20 enterprise zone. The new investment that may be used
21 to compute the tax credit shall not exceed the new
22 investment used for the first one hundred forty
23 thousand dollars of value for each single-family home
24 or for each unit of a multiple dwelling unit building
25 containing three or more units. The tax credit may be
26 used to reduce the tax liability imposed under chapter
27 422, division II, III, or V. Any credit in excess of
28 the tax liability for the tax year may be credited to
29 the tax liability for the following seven years or
30 until depleted, whichever occurs earlier. If the
31 business is a partnership, S corporation, limited
32 liability company, cooperative organized under chapter
33 501 and filing as a partnership for federal tax
34 purposes, or estate or trust electing to have the
35 income taxed directly to the individual, an individual
36 may claim the tax credit allowed. The amount claimed
37 by the individual shall be based upon the pro rata
38 share of the individual's earnings of the partnership,
39 S corporation, limited liability company, cooperative
40 organized under chapter 501 and filing as a
41 partnership for federal tax purposes, or estate or
42 trust.

43 Sec. 104. NEW SECTION. 15E.193C ELIGIBLE
44 DEVELOPMENT BUSINESS.

45 1. A development business qualifying under this
46 section is eligible to receive incentives and
47 assistance only as provided in this section. Sections
48 15E.193, 15E.193B, and 15E.196 do not apply to an
49 eligible development business qualifying under this
50 section.

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1 2. An eligible development business includes a
2 developer or development contractor that constructs,
3 expands, or rehabilitates a building space with a
4 minimum capital investment of at least five hundred
5 thousand dollars in that part of a city or county in
6 which there is a designated enterprise zone. An
7 eligible development business is eligible for one, but
8 not both, of the following exemptions to the capital
9 investment requirements:

10 a. For an eligible development business purchasing
11 a vacant building suitable for industrial use, the
12 fair market value of the building and land, not to
13 exceed two hundred fifty thousand dollars, as
14 determined by the local enterprise zone commission,
15 shall be deducted from the capital investment
16 requirement.

17 b. For an eligible development business that
18 rehabilitates a building space that has been in an
19 enterprise zone for at least five years, the fair
20 market value as established by an appraisal of the
21 building, not to exceed two hundred fifty thousand
22 dollars, shall be deducted from the capital investment
23 requirement.

24 3. Upon completion of the construction, expansion,
25 or rehabilitation project by the eligible development
26 business, the building space shall not be occupied by
27 a retail business.

28 4. An eligible development business shall complete
29 its construction, expansion, or rehabilitation within
30 three years from the time the eligible development
31 business receives approval from the department. The
32 failure to complete construction, expansion, or
33 rehabilitation within three years shall result in the
34 eligible development business becoming ineligible and
35 subject to the repayment requirements and penalties
36 provided in subsection 8.

37 5. Prior to applying for assistance under this
38 section, an eligible development business shall enter
39 into an agreement with at least one business for
40 purposes of locating the business in all or a portion
41 of the building space for a period of at least five
42 years.

43 6. An eligible development business shall provide
44 the enterprise zone commission with all of the
45 following information:

46 a. The long-term strategic plan for the
47 development business which shall include
48 infrastructure needs and a copy of any agreement
49 entered into by the eligible development business as
50 required under subsection 5.

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1 b. Information relating to the benefits the
2 development business will bring to the area.

3 c. Examples of why the development business should
4 be considered or would be considered a good business
5 enterprise.

6 d. An affidavit that the development business has
7 not, within the last five years, violated state or
8 federal environmental and worker safety statutes,
9 rules, and regulations or if such violation has
10 occurred that there were mitigating circumstances or
11 the violations did not seriously affect public health
12 or safety or the environment.

13 7. An eligible development business, which has
14 been approved to receive incentives and assistance by
15 the department of economic development pursuant to
16 section 15E.195, shall be eligible to receive all of
17 the following incentives and assistance for a period
18 not to exceed ten years:

19 a. An eligible development business may claim a
20 tax credit up to a maximum of ten percent of the new
21 investment that is directly related to the
22 construction, expansion, or rehabilitation of building
23 space to be used for manufacturing, processing, cold
24 storage, distribution, or office facilities. For
25 purposes of this section, "new investment" includes
26 the purchase price of land and the cost of
27 improvements made to real property. The tax credit
28 may be claimed by an eligible development business for
29 the tax year in which the construction, expansion, or
30 rehabilitation is completed. The tax credit may be
31 used to reduce the tax liability imposed under chapter
32 422, division II, III, or V or chapter 432. Any
33 credit in excess of the tax liability for the tax year
34 may be credited to the tax liability for the following
35 seven years or until depleted, whichever occurs
36 earlier. If the business is a partnership, S
37 corporation, limited liability company, cooperative
38 organized under chapter 501 and filing as a
39 partnership for federal tax purposes, or estate or
40 trust electing to have the income taxed directly to
41 the individual, an individual may claim the tax credit
42 allowed. The amount claimed by the individual shall
43 be based upon the pro rata share of the individual's
44 earnings of the partnership, S corporation, limited
45 liability company, cooperative organized under chapter
46 501 and filing as a partnership for federal tax
47 purposes, or estate or trust.

48 b. Sales, services, and use tax refund, as
49 provided in section 15.331A.

50 c. The county or city for which an eligible

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1 enterprise zone is certified may exempt from all
2 property taxation all or a portion of the value added
3 to the property upon which an eligible development
4 business constructs, expands, or rehabilitates
5 property in an enterprise zone. The amount of value
6 added for purposes of this shall be the amount of the
7 increase in assessed valuation of the property
8 following the construction, expansion, or
9 rehabilitation by the development business in the
10 enterprise zone. If an exemption provided pursuant to
11 this is made applicable to only a portion of the
12 property within an enterprise zone, the definition of
13 that subset of eligible property must be by uniform
14 criteria that further some planning objective
15 established by the city or county enterprise zone
16 commission and approved by the city or county. The
17 exemption may be allowed for a period not to exceed
18 ten years beginning the year the eligible development
19 business enters into an agreement with the county or
20 city to construct, expand, or rehabilitate property in
21 an enterprise zone.

22 8. If a development business has received
23 incentives or assistance under this section and fails
24 to maintain the requirements of this section to be an
25 eligible development business, the business is subject
26 to repayment of all or a portion of the incentives and
27 assistance that it has received. The department of
28 revenue and finance shall have the authority to
29 recover the value of state taxes or incentives
30 provided under this section. The value of state
31 incentives provided under this section includes
32 applicable interest and penalties. The department of
33 economic development and the city and county, as
34 applicable, shall enter into an agreement with the
35 business specifying the method for determining the
36 amount of incentives or assistance paid which will be
37 repaid in the event of failure to maintain the
38 requirements of this section. In addition, a business
39 that fails to maintain the requirements of this
40 section shall not receive incentives or assistance for
41 each year during which the business is not in
42 compliance.

43 9. The department of economic development and the
44 department of revenue and finance shall each adopt
45 rules pursuant to chapter 17A to jointly administer
46 this section.

47 10. An eligible business under section 15E.193 is
48 not eligible for incentives and assistance listed in
49 section 15E.196 if the property is owned, or was
50 previously owned, by an approved development business

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1 that has received incentives and assistance under this
2 section 15E.193C.

3 11. If, within five years of the completion of a
4 construction, expansion, or rehabilitation project,
5 the development business, or its successor, sells or
6 leases any space to any retail business, the
7 development business shall proportionally refund any
8 tax credits, refunds, or exemptions which were claimed
9 under this section.

10 Sec. 105. Section 15E.194, subsection 4, Code
11 2001, is amended to read as follows:

12 4. A city of any size or any county may designate
13 an enterprise zone at any time prior to July 1, 2010,
14 when a business closure occurs involving the loss of
15 full-time employees, not including retail employees,
16 at one place of business totaling at least one
17 thousand employees or four percent or more of the
18 county's resident labor force based on the most recent
19 annual resident labor force statistics from the
20 department of workforce development, whichever is
21 lower. The enterprise zone may be established on the
22 property of the place of business that has closed and
23 the enterprise zone may include an area up to an
24 additional ~~one-mile~~ five miles adjacent to the
25 property. The area meeting the requirements for
26 enterprise zone eligibility under this subsection
27 shall not be included for the purpose of determining
28 the area limitation pursuant to section 15E.192,
29 subsection 4. The area included in an enterprise zone
30 designated under this subsection on or after June 1,
31 2000, may be amended to change the boundaries of the
32 enterprise zone. Such an amendment must be approved
33 by the department within three years of the date the
34 enterprise zone was certified.

35 Sec. 106. Section 15E.195, Code 2001, is amended
36 to read as follows:

37 15E.195 ENTERPRISE ZONE COMMISSION.

38 1. A county which designates an enterprise zone
39 pursuant to section 15E.194, subsection 1, and in
40 which an eligible enterprise zone is certified shall
41 establish an enterprise zone commission to review
42 applications from qualified businesses located within
43 or requesting to locate within an enterprise zone
44 designated pursuant to section 15E.194, subsection 1,
45 to receive incentives or assistance as provided in
46 section 15E.196. The enterprise zone commission shall
47 also review applications from qualified housing
48 businesses requesting to receive incentives or
49 assistance as provided in section 15E.193B. The
50 enterprise zone commission shall also review

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1 applications from qualified development businesses
2 requesting to receive incentives or assistance as
3 provided in section 15E.193C. The commission shall
4 consist of nine members. Five of these members shall
5 consist of one representative of the board of
6 supervisors, one member with economic development
7 expertise chosen by the department of economic
8 development, one representative of the county zoning
9 board, one member of the local community college board
10 of directors, and one representative of the local
11 workforce development center. These five members
12 shall select the remaining four members. If the
13 enterprise zone consists of an area meeting the
14 requirements for eligibility for an urban or rural
15 enterprise community under Title XIII of the federal
16 Omnibus Budget Reconciliation Act of 1993, one of the
17 remaining four members shall be a representative of
18 that community. A county shall have only one
19 enterprise zone commission to review applications for
20 incentives and assistance for businesses located
21 within or requesting to locate within a certified
22 enterprise zone designated pursuant to section
23 15E.194, subsection 1.

24 2. A city with a population of twenty-four
25 thousand or more which designates an enterprise zone
26 pursuant to section 15E.194, subsection 2, and in
27 which an eligible enterprise zone is certified shall
28 establish an enterprise zone commission to review
29 applications from qualified businesses located within
30 or requesting to locate within an enterprise zone to
31 receive incentives or assistance as provided in
32 section 15E.196. The enterprise zone commission shall
33 review applications from qualified housing businesses
34 requesting to receive incentives or assistance as
35 provided in section 15E.193B. The enterprise zone
36 commission shall also review applications from
37 qualified development businesses requesting to receive
38 incentives or assistance as provided in section
39 15E.193C. The commission shall consist of nine
40 members. Six of these members shall consist of one
41 representative of an international labor organization,
42 one member with economic development expertise chosen
43 by the department of economic development, one
44 representative of the city council, one member of the
45 local community college board of directors, one member
46 of the city planning and zoning commission, and one
47 representative of the local workforce development
48 center. These six members shall select the remaining
49 three members. If the enterprise zone consists of an
50 area meeting the requirements for eligibility for an

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1 urban enterprise community under Title XIII of the
2 federal Omnibus Budget Reconciliation Act of 1993, one
3 of the remaining three members shall be a
4 representative of that community. If a city
5 contiguous to the city designating the enterprise zone
6 is included in an enterprise zone, a representative of
7 the contiguous city, chosen by the city council, shall
8 be a member of the commission. A city in which an
9 eligible enterprise zone is certified shall have only
10 one enterprise zone commission. If a city has
11 established an enterprise zone commission prior to the
12 effective date of this Act, the city may petition to
13 the department of economic development to change the
14 structure of the existing commission.

15 3. The commission may adopt more stringent
16 requirements, including requirements related to
17 compensation and benefits, for a business to be
18 eligible for incentives or assistance than provided in
19 sections 15E.193, ~~and~~ 15E.193B, and 15E.193C. The
20 commission may develop as an additional requirement
21 that preference in hiring be given to individuals who
22 live within the enterprise zone. The commission shall
23 work with the local workforce development center to
24 determine the labor availability in the area. The
25 commission shall examine and evaluate building codes
26 and zoning in the enterprise zone and make
27 recommendations to the appropriate governing body in
28 an effort to promote more affordable housing
29 development.

30 4. If the enterprise zone commission determines
31 that a business qualifies and is eligible to receive
32 incentives or assistance as provided in ~~either~~ section
33 15E.193B ~~or section~~, 15E.193C, or 15E.196, the
34 commission shall submit an application for incentives
35 or assistance to the department of economic
36 development. The department may approve, defer, or
37 deny the application.

38 5. In making its decision, the commission or
39 department shall consider the impact of the eligible
40 business on other businesses in competition with it
41 and compare the compensation package of businesses in
42 competition with the business being considered for
43 incentives or assistance. The commission or
44 department shall make a good faith effort to identify
45 existing Iowa businesses within an industry in
46 competition with the business being considered for
47 incentives or assistance. The commission or
48 department shall also make a good faith effort to
49 determine the probability that the proposed incentives
50 or assistance will displace employees of existing.

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1 businesses. In determining the impact on businesses
2 in competition with the business seeking incentives or
3 assistance, jobs created as a result of other jobs
4 being displaced elsewhere in the state shall not be
5 considered direct jobs created.

6 However, if the commission or department finds that
7 an eligible business has a record of violations of the
8 law, including but not limited to environmental and
9 worker safety statutes, rules, and regulations, over a
10 period of time that tends to show a consistent
11 pattern, the eligible business shall not qualify for
12 incentives or assistance under section 15E.193B,
13 15E.193C, or ~~section~~ 15E.196, unless the commission or
14 department finds that the violations did not seriously
15 affect public health or safety or the environment, or
16 if it did that there were mitigating circumstances.
17 In making the findings and determinations regarding
18 violations, mitigating circumstances, and whether an
19 eligible business is eligible for incentives or
20 assistance under section 15E.193B, 15E.193C, or
21 ~~section~~ 15E.196, the commission or department shall be
22 exempt from chapter 17A. If requested by the
23 commission or department, the business shall provide
24 copies of materials documenting the type of violation,
25 any fees or penalties assessed, court filings, final
26 disposition of any findings and any other information
27 which would assist the commission or department in
28 assessing the nature of any violation.

29 6. A business that is approved to receive
30 incentives or assistance shall, for the length of its
31 designation as an enterprise zone business, certify
32 annually to the county or city, as applicable, and the
33 department of economic development its compliance with
34 the requirements of ~~either~~ section 15E.193, ~~or section~~
35 15E.193B, or 15E.193C.

36 Sec. 107. Section 15E.196, Code 2001, is amended
37 by adding the following new subsection:

38 NEW SUBSECTION. 7. A business eligible to receive
39 incentives and assistance described in this section
40 and located in a building for which incentives and
41 assistance are or have been claimed by an approved
42 development business under section 15E.193C is not
43 eligible to receive the following incentives and
44 assistance:

45 a. An investment tax credit under subsection 3 for
46 the portion of the investment tax credit that is
47 claimed on the purchase price of land or improvements
48 to real property by an approved development business
49 pursuant to section 15E.193C, subsection 7, paragraph
50 "a".

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- 1 b. Sales, services, and use tax refund under
- 2 subsection 2 that is made pursuant to section
- 3 15E.193C, subsection 7, paragraph "b".
- 4 c. A property tax exemption under subsection 5 for
- 5 improvements to real property that are exempted from
- 6 property taxation pursuant to section 15E.193C,
- 7 subsection 7, paragraph "c".
- 8 2. Page 1, by striking line 16, and inserting the
- 9 following: "state, with eight million seven hundred
- 10 thousand dollars of this amount allocated annually for
- 11 the implementation and funding of sections 101 through
- 12 107 of this division of this Act and seven million
- 13 seven hundred thousand dollars of this amount
- 14 allocated annually for providing budget guarantees to
- 15 school districts in the manner provided in section
- 16 257.14, subsection 1, for the appropriate budget
- 17 years.""
- 18 3. By renumbering as necessary.

By QUIRK of Chickasaw**H-1730** FILED APRIL 26, 20010/0
4/1**SENATE FILE 528****H-1731**

- 1 Amend the amendment, H-1684, to Senate File 528, as
- 2 passed by the Senate, as follows:
- 3 1. Page 1, by inserting after line 16 the
- 4 following:
- 5 "____. Page 8, by inserting after line 10 the
- 6 following:
- 7 "Sec. _____. Section 452A.3, Code 2001, is amended
- 8 by adding the following new subsection:
- 9 NEW SUBSECTION. 7. For the fiscal year beginning
- 10 July 1, 2001, and ending June 30, 2002, the taxes on
- 11 fuel provided for in this section shall be decreased
- 12 by ten cents per gallon."
- 13 _____. Title page, line 5, by inserting after the
- 14 word "moneys," the following: "temporarily decreasing
- 15 certain fuel taxes, "."
- 16 2. By renumbering, redesignating, and correcting
- 17 internal references as necessary.

By CHIODO of Polk**H-1731** FILED APRIL 26, 20010/0
4/26/01

SENATE FILE 528

H-1732

1 Amend the amendment, H-1684, to Senate File 528, as
2 passed by the Senate, as follows:

3 1. Page 1, by striking lines 3 through 5, and
4 inserting the following:

5 "____. Page 8, by inserting after line 10, the
6 following:

7 "DIVISION _____

8 MOTOR VEHICLE USE TAX REVENUES -- DESIGNATED USE"

9 2. Page 1, by striking line 16, and inserting the
10 following: "state.

11 Sec. ____ . APPROPRIATION. Of the moneys deposited
12 and credited to the general fund of the state under
13 section 423.24, subsection 2A, there is appropriated
14 to the department of corrections for the fiscal year
15 beginning July 1, 2001, and ending June 30, 2002, the
16 following amounts, or so much thereof as is necessary,
17 to be used for the purposes designated:

18 1. To construct a 50-bed stand-alone facility to
19 replace the existing 34-bed leased facility and expand
20 the capacity by 16 beds in Fort Dodge:

21 \$ 2,400,000

22 2. To construct a 50-bed expansion of the existing
23 50-bed facility in Ottumwa:

24 \$ 2,000,000

25 3. To construct a 75-bed stand-alone facility in
26 Sioux City:

27 \$ 3,600,000

28 4. To construct a 25-bed stand-alone facility in
29 Davenport:

30 \$ 1,200,000"

31 3. By renumbering as necessary.

By TREMMEL of Wapello
SENG of Scott
WINCKLER of Scott

WARNSTADT of Woodbury
MERTZ of Kossuth

H-1732 FILED APRIL 26, 2001

0/6
4/26/01

SENATE FILE 528

H-1737

1 Amend the amendment, H-1684, to Senate File 528, as
2 passed by the Senate, as follows:

3 1. Page 1, by striking lines 3 through 5 and
4 inserting the following:

5 "____. Page 8, by inserting after line 10, the
6 following:

7 "DIVISION _____
8 MOTOR VEHICLE USE TAX REVENUES -- DESIGNATED USE"

9 2. Page 1, by striking line 16 and inserting the
10 following: "state.

11 Sec. ____ . APPROPRIATION. Of the moneys deposited
12 and credited to the general fund of the state under
13 section 423.24, subsection 2A, there is appropriated
14 to the department of human services for the fiscal
15 year beginning July 1, 2001, and ending June 30, 2002,
16 the following amount, or so much thereof as is
17 necessary, to be used for the purpose designated:

18 For the healthy and well kids in Iowa program:
19 \$ 700,000"

20 3. By renumbering as necessary.

By OSTERHAUS of Jackson

H-1737 FILED APRIL 26, 2001

0/0
4/26/01

SENATE FILE 528

H-1738

1 Amend the amendment, H-1684, to Senate File 528, as
2 passed by the Senate, as follows:

3 1. Page 1, by striking lines 3 through 5 and
4 inserting the following:

5 "____. Page 8, by inserting after line 10, the
6 following:

7 "DIVISION _____
8 MOTOR VEHICLE USE TAX REVENUES -- DESIGNATED USE"

9 2. Page 1, by striking line 16 and inserting the
10 following: "state.

11 Sec. ____ . APPROPRIATION. Of the moneys deposited
12 and credited to the general fund of the state under
13 section 423.24, subsection 2A, there is appropriated
14 to the division on the status of women of the
15 department of human rights for the fiscal year
16 beginning July 1, 2001, and ending June 30, 2002, the
17 following amount, or so much thereof as is necessary,
18 to be used for the purpose designated:

19 For use by the Iowa coalition against domestic
20 violence and the Iowa coalition against sexual abuse:
21 \$ 500,000"

22 3. By renumbering as necessary.

By MASCHER of Johnson

H-1738 FILED APRIL 26, 2001

0/0
4/26/01

SENATE FILE 528

H-1739

1 Amend the amendment, H-1684, to Senate File 528, as
2 passed by the Senate, as follows:

3 1. Page 1, by striking lines 3 through 5 and
4 inserting the following:

5 "____. Page 8, by inserting after line 10, the
6 following:

7 "DIVISION _____
8 MOTOR VEHICLE USE TAX REVENUES -- DESIGNATED USE"

9 2. Page 1, by striking line 16 and inserting the
10 following: "state.

11 Sec. ____ . APPROPRIATION. Of the moneys deposited
12 and credited to the general fund of the state under
13 section 423.24, subsection 2A, there is appropriated
14 to the department of public safety for the fiscal year
15 beginning July 1, 2001, and ending June 30, 2002, the
16 following amount, or so much thereof as is necessary,
17 to be used for the purpose designated:

18 For allocation to the state fire marshal's office
19 for performance of the duties of the state fire
20 marshal in chapter 100:

21 \$ 500,000"

22 3. By renumbering as necessary.

By RICHARDSON of Warren

H-1739 FILED APRIL 26, 2001

o/o
4/26/01

SENATE FILE 528

H-1740

1 Amend the amendment, H-1684, to Senate File 528, as
2 passed by the Senate, as follows:

3 1. Page 1, by striking lines 3 through 5 and
4 inserting the following:

5 "____. Page 8, by inserting after line 10, the
6 following:

7 "DIVISION _____
8 MOTOR VEHICLE USE TAX REVENUES -- DESIGNATED USE"

9 2. Page 1, by striking line 16 and inserting the
10 following: "state.

11 Sec. ____ . APPROPRIATION. Of the moneys deposited
12 and credited to the general fund of the state under
13 section 423.24, subsection 2A, there is appropriated
14 to the department of public safety for the fiscal year
15 beginning July 1, 2001, and ending June 30, 2002, the
16 following amount, or so much thereof as is necessary,
17 to be used for the purpose designated:

18 To address the backlog in maintaining the sex
19 offender registry:

20 \$ 180,000"

21 3. By renumbering as necessary.

By RICHARDSON of Warren

H-1740 FILED APRIL 26, 2001

o/o
4/26/01

HOUSE AMENDMENT TO
SENATE FILE 528

S-3592

1 Amend Senate File 528, as passed by the Senate, as
2 follows:

3 1. Page 5, by inserting after line 23 the
4 following:

5 "Sec. _____. There is appropriated from the road use
6 tax fund to the department of general services for the
7 fiscal year beginning July 1, 2001, and ending June
8 30, 2002, the following amount, or so much thereof as
9 is necessary, to be used for the purpose designated:

10 For planning and design of a state institutional
11 road that shall be an extension of Twelfth street
12 south of Court avenue, adjacent to the new judicial
13 building in Des Moines:

14 \$ 34,000

15 Notwithstanding section 8.33, moneys appropriated
16 in this section that remain unencumbered or
17 unobligated at the close of the fiscal year shall not
18 revert but shall remain available for expenditure for
19 the purpose designated until the close of the fiscal
20 year that begins July 1, 2004.

21 For purposes of this section, a "state
22 institutional road" is part of the state park, state
23 institution, and other state land road system, as
24 defined in section 306.3."

25 2. Title page, line 3, by inserting after the
26 word "transportation" the following: "and the
27 department of general services".

28 3. By renumbering as necessary.

RECEIVED FROM THE HOUSE

S-3592 FILED MAY 1, 2001

CONCURRED

(P. 1438)

SENATE FILE 528

AN ACT

RELATING TO AND MAKING TRANSPORTATION AND OTHER INFRASTRUCTURE-RELATED APPROPRIATIONS TO THE STATE DEPARTMENT OF TRANSPORTATION AND THE DEPARTMENT OF GENERAL SERVICES, INCLUDING ALLOCATION AND USE OF MONEYS FROM THE GENERAL FUND OF THE STATE, ROAD USE TAX FUND, AND PRIMARY ROAD FUND, PROVIDING FOR THE NONREVERSION OF CERTAIN MONEYS, AND DISCONTINUING DRIVER'S LICENSE RENEWAL BY MAIL.

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

DIVISION I

STATE DEPARTMENT OF TRANSPORTATION

Section 1. There is appropriated from the general fund of the state to the state department of transportation for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

- 1. For airport engineering studies and improvement projects as provided in chapter 328: \$ 2,248,780
2. For the rail assistance program and to provide economic development project funding: \$ 600,000

Sec. 2. There is appropriated from the road use tax fund to the state department of transportation for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amounts, or so much thereof as is necessary, for the purposes designated:

- 1. For the payment of costs associated with the production of driver's licenses, as defined in section 321.1, subsection 20A: \$ 3,997,000

Notwithstanding section 8.33, unencumbered or unobligated funds remaining on June 30, 2002, from the appropriation made in this subsection, shall not revert, but shall remain available for subsequent fiscal years for the purposes specified in this subsection.

- 2. For salaries, support, maintenance, and miscellaneous purposes:
a. Operations and finance: \$ 5,119,245
b. Administrative services: \$ 515,430
c. Planning: \$ 462,013
d. Motor vehicles: \$ 25,853,238
3. For payments to the department of personnel for expenses incurred in administering the merit system on behalf of the state department of transportation, as required by chapter 19A: \$ 37,500
4. Unemployment compensation: \$ 17,000
5. For payments to the department of personnel for paying workers' compensation claims under chapter 85 on behalf of employees of the state department of transportation: \$ 77,000
6. For payment to the general fund of the state for indirect cost recoveries: \$ 102,000
7. For reimbursement to the auditor of state for audit expenses as provided in section 11.5B: \$ 48,000
8. For costs associated with the county issuance of driver's licenses: \$ 30,000

9. For transfer to the department of public safety for operating a system providing toll-free telephone road and weather conditions information:

..... \$ 100,000

10. For membership in the North America's superhighway corridor coalition:

..... \$ 50,000

11. For payment pursuant to section 307.45 to the city of Cedar Falls for improvements to west twenty-third street adjoining university of northern Iowa property:

..... \$ 157,781

Sec. 3. There is appropriated from the primary road fund to the state department of transportation for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

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

a. Operations and finance:

..... \$ 31,446,787

..... FTEs 310.00

b. Administrative services:

..... \$ 3,166,223

..... FTEs 42.00

c. Planning:

..... \$ 8,778,226

..... FTEs 163.00

d. Highways:

..... \$166,180,223

..... FTEs 2,782.00

Not more than \$420,000, plus an allocation for salary adjustment, shall be expended from the highway beautification fund for salaries and benefits for not more than 9.00 FTEs.

e. Motor vehicles:

..... \$ 1,081,992

..... FTEs 562.00

2. For deposit in the state department of transportation's highway materials and equipment revolving fund established by section 307.47 for funding the increased replacement cost of equipment:

..... \$ 5,340,000

Not more than \$3,900,000 plus an allocation for salary adjustment, from the highway materials and equipment revolving fund, shall be expended for salaries and benefits for not more than 89.00 FTEs.

3. For payments to the department of personnel for expenses incurred in administering the merit system on behalf of the state department of transportation, as required by chapter 19A:

..... \$ 712,500

4. Unemployment compensation:

..... \$ 328,000

5. For payments to the department of personnel for paying workers' compensation claims under chapter 85 on behalf of the employees of the state department of transportation:

..... \$ 1,883,000

6. For disposal of hazardous wastes from field locations and the central complex:

..... \$ 800,000

7. For payment to the general fund for indirect cost recoveries:

..... \$ 748,000

8. For reimbursement to the auditor of state for audit expenses as provided in section 11.5B:

..... \$ 297,000

9. For improvements to upgrade the handling of wastewater at various field facilities throughout the state:

..... \$ 400,000

- 10. For replacement of roofs according to the department's priority list at field facilities throughout the state:
..... \$ 400,000
 - 11. For the federal Americans With Disabilities Act accessibility improvements to department facilities throughout the state:
..... \$ 200,000
 - 12. For renovation of the first floor of the state department of transportation administration building at the Ames complex:
..... \$ 1,500,000
 - 13. For construction of a telecommunications staging facility at the Ames complex:
..... \$ 350,000
 - 14. For replacement of the radiant heating systems in field garage facilities throughout the state:
..... \$ 200,000
 - 15. For an addition to the Cedar Rapids laboratory:
..... \$ 320,000
 - 16. For replacement of exhaust systems in field garage facilities throughout the state:
..... \$ 350,000
 - 17. For tuckpointing and repair of the brick exteriors of office buildings and field garage facilities throughout the state:
..... \$ 100,000
 - 18. For deferred maintenance projects at field facilities:
..... \$ 351,500
 - 19. For completion of a site utilization study at the Ames complex:
..... \$ 200,000
- Notwithstanding section 8.33, moneys appropriated in subsections 9 through 19 that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes

designated until the close of the fiscal year that begins July 1, 2004.

Sec. 4. There is appropriated from the road use tax fund to the department of general services for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For planning and design of a state institutional road that shall be an extension of Twelfth street south of Court avenue, adjacent to the new judicial building in Des Moines:
..... \$ 34,000

Notwithstanding section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purpose designated until the close of the fiscal year that begins July 1, 2004.

For purposes of this section, a "state institutional road" is part of the state park, state institution, and other state land road system, as defined in section 306.3.

DIVISION II
STATUTORY CHANGES

Sec. 5. Section 312.2, subsection 18, Code 2001, is amended to read as follows:

18. The treasurer of state, before making the allotments provided for in this section, shall credit annually from the road use tax fund to the state department of transportation the sum of six hundred fifty thousand dollars for the purpose of providing county treasurers with data-processing automation and telecommunications equipment and support for vehicle registration and titling and driver licensing.
Notwithstanding section 8.33, unobligated funds credited under this subsection remaining on June 30 of the fiscal year shall not revert but shall remain available for expenditure for purposes of this subsection in subsequent fiscal years.

Sec. 6. Section 315.3, subsection 3, Code 2001, is amended to read as follows:

3. a. If the state transportation commission receives and files a letter from the director of transportation certifying that federal funding is not forthcoming due to the failure of the United States Congress to pass and the president of the United States to approve legislation providing long-term federal transportation funding to the state of Iowa, the commission may authorize the temporary transfer of funds from the RISE fund to the primary road fund. Transferred funds shall be repaid to the RISE fund within three months of transfer.

b. If the state transportation commission receives and files a letter from the director of transportation certifying that the cash flow funding of the department may be inadequate to meet anticipated road construction costs, the commission may authorize the temporary transfer of funds from the RISE fund to the primary road fund. Funds transferred under this paragraph shall be repaid to the RISE fund within six months of transfer.

c. The commission shall manage the RISE fund to ensure that funds will be available to meet contract obligations on approved RISE projects.

Sec. 7. Section 321.189, subsection 4, Code 2001, is amended to read as follows:

4. SYMBOLS. Upon the request of a licensee, ~~or a person renewing the person's license by mail,~~ the department shall indicate on the license, ~~or the validation document issued to a person renewing by mail,~~ the presence of a medical condition, that the licensee is a donor under the uniform anatomical gift law, or that the licensee has in effect a medical advance directive. For purposes of this subsection, a medical advance directive includes, but is not limited to, a valid durable power of attorney for health care as defined in section 144B.1. The license may contain such other information as the department may require by rule.

Sec. 8. Section 321.196, unnumbered paragraph 1, Code 2001, is amended to read as follows:

Except as otherwise provided, a driver's license, other than an instruction permit, chauffeur's instruction permit, or commercial driver's instruction permit issued under section 321.180, expires, at the option of the applicant, two or four years from the licensee's birthday anniversary occurring in the year of issuance if the licensee is between the ages of seventeen years eleven months and seventy years on the date of issuance of the license. If the licensee is under the age of seventeen years eleven months or age seventy or over, the license is effective for a period of two years from the licensee's birthday anniversary occurring in the year of issuance. Except as required in section 321.188, and except for a motorcycle instruction permit issued in accordance with section 321.180 or 321.180B, a driver's license is renewable without written examination or penalty within a period of sixty days after its expiration date and without a driving test within a period of one year after its expiration date. A person shall not be considered to be driving with an invalid license during a period of sixty days following the license expiration date. However, for a license renewed within the sixty-day period, the date of issuance shall be considered to be the previous birthday anniversary on which it expired. Applicants whose licenses are restricted due to vision or other physical deficiencies may be required to renew their licenses every two years. For the purposes of this section, the birthday anniversary of a person born on February 29 shall be deemed to occur on March 1. The department in its discretion may authorize the renewal of a valid driver's license other than a commercial driver's license upon application without an examination provided that the applicant satisfactorily passes a vision test as prescribed by the department, or files a vision report in accordance with section 321.186A which shows that the applicant's visual

acuity level meets or exceeds those required by the department, ~~or is eligible for renewal by mail pursuant to rules adopted by the department. The department may assess an applicant a fee of no more than two dollars for administration and mailing expenses for providing for renewal of the applicant's driver's license by mail.~~

MARY E. KRAMER

President of the Senate

BRENT SIEGRIST

Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 528, Seventy-ninth General Assembly.

MICHAEL E. MARSHALL

Secretary of the Senate

Approved 5/24, 2001

THOMAS J. VILSACK

Governor