

used to match federal funds for the purchase and installation of translators to aid in providing educational television coverage throughout the state.

Sec. 3. Acts of the Sixty-eighth General Assembly, 1980 Session, chapter 1004, sections 14, 15, 16, 17, 19, and 20, are repealed.

Approved June 19, 1981

CHAPTER 14

TRANSPORTATION, PUBLIC SAFETY, PUBLIC DEFENSE, AND PLANNING AND PROGRAMMING

H. F. 850

AN ACT making appropriations to and relating to the financing of agencies whose responsibilities relate to transportation, public safety, public defense, and to the office for planning and programming for the statistical analysis center.

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

Section 1. There is appropriated from the general fund of the state to the following named agencies for each fiscal year of the fiscal biennium beginning July 1, 1981 and ending June 30, 1983, the following amounts, or so much thereof as is necessary, for the purposes designated:

	1981-1982	1982-1983
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
1. IOWA LAW ENFORCEMENT ACADEMY		
For salaries, support, maintenance, and miscellaneous purposes .....	\$ 665,750	\$ 686,442

If legislation creating a criminal justice improvement fund is enacted and becomes law, the funds appropriated by this subsection for the Iowa law enforcement academy are reduced for the fiscal year beginning July 1, 1981 and ending June 30, 1982 by one hundred thirty-nine thousand nine hundred sixty-two (139,962) dollars and for the fiscal year beginning July 1, 1982 and ending June 30, 1983 by one hundred forty-eight thousand eight hundred seventy-one (148,871) dollars.

2. DEPARTMENT OF PUBLIC DEFENSE

a. Military division

For salaries except salaries provided for in paragraph b of this subsection, support, maintenance, and miscellaneous purposes .....	\$ 2,256,288	\$ 2,351,918
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b. For salaries, support, and maintenance of the adjutant general and the adjutant general's staff .....	\$ 207,676	\$ 218,761
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c. It is the intent of the general assembly that the military division of the department of public defense review and act upon the repair, consolidation, closure, and rebuilding of armories for joint military use.

3. OFFICE OF DISASTER SERVICES

For salaries, support, maintenance, and miscellaneous purposes ..... \$ 110,250 \$ 110,250

Sec. 2. There is appropriated from the general fund of the state to the department of public safety for each fiscal year of the fiscal biennium beginning July 1, 1981 and ending June 30, 1983, the following amounts, or so much thereof as is necessary, to be used for funding the following functions and programs for the purposes designated:

1981-1982 1982-1983
Fiscal Year Fiscal Year

DEPARTMENT OF PUBLIC SAFETY

1. a. ADMINISTRATIVE FUNCTION

For salaries, support, maintenance, and miscellaneous purposes of the department, criminal justice information system, and radio communications ..... \$ 4,125,434 \$ 4,307,000

b. It is the intent of the general assembly that the local participation in the rental of telecommunications terminals which are located in local criminal justice agencies shall be increased by twenty-five dollars per month beginning July 1, 1981.

2. INSPECTION AND SECURITY FUNCTION

For salaries, support, maintenance, and miscellaneous purposes of fire marshal's inspections, arson investigators including the state's contribution to the peace officers' retirement, accident, and disability system provided in chapter 97A in the amount of sixteen percent of the salaries for which the funds are appropriated, and capitol security divisions ..... \$ 1,281,347 \$ 1,340,250

3. INVESTIGATION FUNCTION

a. For salaries, support, maintenance, and miscellaneous purposes of the division of criminal investigation containing the bureaus of identification, drug law enforcement, welfare fraud, and beer and liquor law enforcement, including the state's contribution to the peace officers' retirement, accident, and disability system provided in chapter 97A in the amount of sixteen percent of the salaries for which the funds are appropriated ..... \$ 3,660,000 \$ 3,801,000

b. For the lease or lease-purchase of laboratory equipment for the criminalistics laboratory in the division of criminal investigation ..... \$ 26,250 \$ 26,250

c. For salaries, support, maintenance, and miscellaneous purposes of the criminalistics laboratory in the division of criminal investigation ..... \$ 180,000 \$ 180,000

d. If legislation creating a criminal justice improvement fund is enacted and becomes law, the appropriation in paragraph c of this subsection for the criminalistics laboratory for each fiscal year of the fiscal biennium beginning July 1, 1981 and ending June 30, 1983 is void.

4. DIVISION OF HIGHWAY SAFETY AND UNIFORMED FORCE

a. For salaries, support, maintenance, and miscellaneous purposes including the state's contribution to the peace officers' retirement, accident, and disability system provided in chapter 97A in the amount of sixteen percent of the salaries for which the funds are appropriated ... \$ 15,152,829 \$ 15,535,955

b. For maintenance and fuel for patrol vehicles to allow for the maintenance of the current level of effort in providing for the safety of the traveling public on the highways of this state, only to be expended upon authorization of the governor by executive order ..... \$ 100,000 \$ 100,000

c. In addition to the complement of not to exceed four hundred ten persons there shall be twenty persons who shall serve as members of the highway safety patrol for the period beginning July 1, 1975 and ending June 30, 1983. The twenty additional members of the highway safety patrol shall be totally funded through the use of federal funds.

d. It is the intent of the general assembly that if the federal funds cease for the twenty additional members of the highway safety patrol, that those twenty members shall be included in the general fund appropriation for the fiscal biennium beginning July 1, 1981 and ending June 30, 1983, and that those twenty members shall be assigned to regular road duty.

\*\*\*e. It is the intent of the general assembly that documented assists to distressed motorists and that time spent at a court hearing by a member of the highway safety patrol shall be given a point value in the minimum work standard of contact points for highway safety patrol members assigned to road duty.\*\*\*

Sec. 3. There is appropriated from the general fund of the state to the Iowa crime commission, or its successor agency, for each fiscal year of the fiscal biennium beginning July 1, 1981 and ending June 30, 1983, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	<u>1981-1982</u>	<u>1982-1983</u>
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
1. IOWA CRIME COMMISSION, OR ITS SUCCESSOR AGENCY		
a. Criminal justice planning .....	\$ 234,000	\$ 260,000
b. Juvenile justice planning .....	\$ 37,840	\$ 48,935
c. Jail standards development, jail training, and technical assistance .....	\$ 100,000	\$

2. It is the intent of the general assembly that if the duties of the Iowa crime commission specified in subsection 1 of this section and for which

\*\*\*Item veto; see message at end of this Act

funds are appropriated are subsequently transferred to another agency, the funds appropriated in subsection 1 of this section are appropriated to the successor agency to be expended only for the purposes specified in subsection 1 of this section.

3. If legislation creating a criminal justice improvement fund is enacted and becomes law, the appropriations in subsection 1 of this section for each year of the fiscal biennium beginning July 1, 1981 and ending June 30, 1983 are void.

Sec. 4. There is appropriated from the general fund of the state to the office for planning and programming for each fiscal year of the fiscal biennium beginning July 1, 1981 and ending June 30, 1983, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	<u>1981-1982</u>	<u>1982-1983</u>
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
OFFICE FOR PLANNING AND PROGRAMMING		
Statistical analysis center .....	\$ 98,350	\$ 103,710

Sec. 5. There is appropriated from the general fund of the state to the state department of transportation for each fiscal year of the fiscal biennium beginning July 1, 1981 and ending June 30, 1983, the following amounts, or so much thereof as may be necessary, to be used for the following purposes:

	<u>1981-1982</u>	<u>1982-1983</u>
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
STATE DEPARTMENT OF TRANSPORTATION		
1. For salaries, support, maintenance, and miscellaneous purposes .....	\$ 5,278,205	\$ 5,380,176
2. For public transit purposes to implement a state assistance plan .....	\$ 1,908,000	\$ 1,908,000

Notwithstanding chapter 8, it is the intent of the general assembly that funds appropriated for public transit purposes to implement a state assistance plan shall be allocated in whole or in part to a public transit system prior to the time actual expenditures are incurred if the allocation is first approved by the state department of transportation. A public transit system shall make application for advance allocations to the state department of transportation specifically stating the reasons why an advance allocation is required and this allocation shall be included in the total to be audited.

3. For deposit in the railroad assistance fund for branch line improvement .....

	\$ 1,000,000	\$ 1,000,000
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4. Unencumbered or unobligated funds remaining on June 30, 1985 from funds appropriated by subsection 2 shall revert to the general fund on September 30, 1985.

Sec. 6. There is appropriated from the road use tax fund to the state department of transportation for each fiscal year of the fiscal biennium beginning July 1, 1981 and ending June 30, 1983 the following amounts, or so much thereof as may be necessary, to be used for the following purposes:

	<u>1981-1982</u>	<u>1982-1983</u>
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
STATE DEPARTMENT OF TRANSPORTATION		
1. For salaries, support, maintenance, and miscellaneous purposes .....	\$ 11,073,418	\$ 11,682,011
ADMINISTRATION OF MERIT SYSTEM		
2. For the purpose of making payments to the Iowa merit employment department for expenses incurred in administering the merit system on behalf of the state department of transportation, as required by chapter 19A .....	\$ 16,500	\$ 18,000
UNEMPLOYMENT COMPENSATION COSTS		
3. Unemployment compensation .....	\$ 17,250	\$ 11,250

Sec. 7. There is appropriated from the road use tax fund to the state comptroller for each fiscal year of the fiscal biennium beginning July 1, 1981 and ending June 30, 1983 the sum of twenty-two thousand five hundred (22,500) dollars, or so much thereof as is necessary, to be used for the purpose of paying workers' compensation claims under chapter 85 on behalf of employees of the state department of transportation.

Sec. 8. There is appropriated from the primary road fund to the state department of transportation for each fiscal year of the fiscal biennium beginning July 1, 1981 and ending June 30, 1983, the following amounts, or so much thereof as may be necessary, to be used for the following purposes:

	<u>1981-1982</u>	<u>1982-1983</u>
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
STATE DEPARTMENT OF TRANSPORTATION		
1. For salaries, support, maintenance, and miscellaneous purposes .....	\$102,814,911	\$105,763,854

EQUIPMENT

2. a. Additional equipment to be purchased to supplement present inventory. All acquisitions, when acquired, will become a part of the state department of transportation materials and equipment revolving fund .....

	\$ 225,000	\$ 225,000
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b. It is the intent of the general assembly that the appropriation for the fiscal year beginning July 1, 1982 and ending June 30, 1983 under paragraph a of this subsection shall be contingent upon the continuation of federal funds for the completion of interstate I-380, with the result that the appropriation reverts to the primary road fund if those federal funds are not available.

VEHICLE REPLACEMENT

3. a. To be deposited in the state department of transportation materials and equipment revolving fund established by section 307A.7 for funding the increased replacement cost of vehicles .....

	\$ 3,500,000	\$ 3,500,000
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b. It is the intent of the general assembly that the state department of transportation start three or four pilot project programs on highway

maintenance by private contractors to determine the cost effectiveness of private contractual service and present a report to the appropriations subcommittee on transportation and law enforcement in January, 1982.

MERIT EXPENSES

4. For the purpose of making payments to the Iowa merit employment department for expenses incurred in administering the merit system on behalf of the state department of transportation, as required by chapter 19A ..... \$ 313,500 \$ 342,000

UNEMPLOYMENT COMPENSATION COSTS

5. Unemployment compensation ..... \$ 327,750 \$ 213,750

Sec. 9. All unencumbered or unobligated balances of funds remaining on June 30, 1985, from funds appropriated by subsection 2 of section 6 shall revert to the primary road fund on September 30, 1985.

Sec. 10. There is appropriated from the primary road fund to the state comptroller for each fiscal year of the fiscal biennium beginning July 1, 1981 and ending June 30, 1983 the sum of four hundred twenty-seven thousand five hundred (427,500) dollars, or so much thereof as is necessary, for the purpose of paying workers' compensation claims under chapter 85 on behalf of the employees of the state department of transportation.

Sec. 11. There is appropriated from the state aviation fund to the state department of transportation for each fiscal year of the fiscal biennium beginning July 1, 1981 and ending June 30, 1983, the following amounts, or so much thereof as may be necessary, to be used for the following purposes:

	1981-1982	1982-1983
	<u>Fiscal Year</u>	<u>Fiscal Year</u>
For salaries, support, maintenance, and miscellaneous purposes .....	\$ 360,156	\$ 371,270

Sec. 12. There is appropriated from the primary road fund to the state department of transportation for each fiscal year of the fiscal biennium beginning July 1, 1981 and ending June 30, 1983, the following amounts, or so much thereof as may be necessary, to be used for the following purposes:

	1981-1982	1982-1983
	<u>Fiscal Year</u>	<u>Fiscal Year</u>

STATE DEPARTMENT OF TRANSPORTATION

1. For a warehouse addition at the Ames central complex ..... \$ 130,000

2. For energy conservation projects which will reduce energy consumption and produce cost-savings ..... \$ 200,000

3. Any unencumbered balance remaining as of June 30, 1985 of the funds appropriated by this section shall revert to the primary road fund on September 30, 1985.

Sec. 13. There is appropriated from the general fund of the state to the Mississippi river parkway commission for each fiscal year of the fiscal biennium beginning July 1, 1981 and ending June 30, 1983, the sum of fifteen thousand (15,000) dollars, or so much thereof as is necessary, for support, maintenance, and miscellaneous purposes.

Sec. 14. If Senate File 561\* is enacted by the Sixty-ninth General Assembly and becomes law, and the law provides for a study of the state department of transportation to determine staff requirements, administrative structure, and general efficiency of the department within the funding available, there is appropriated from the road use tax fund to the legislative council the sum of sixty thousand (60,000) dollars, or so much thereof as is necessary, to pay for the costs of the study.

Sec. 15. If Senate File 456 is enacted by the Sixty-ninth General Assembly and becomes law, and the law provides for a study to determine the size of the primary road system and the size of the secondary road system, there is appropriated from the road use tax fund to the state department of transportation the sum of ten thousand (10,000) dollars, or so much thereof as is necessary, to pay for the costs of the study.

Sec. 16. There is appropriated from the road use tax fund for the fiscal biennium beginning July 1, 1981 and ending June 30, 1983 the sum of eight hundred fifty thousand (850,000) dollars, or so much thereof as may be necessary, for the construction of a new undivided four-lane roadway on state-owned property in Iowa City from the curve of Woolf avenue near the southwest corner of the dental science building and proceeding west and north to the intersection of Rocky Shore drive and U. S. Highways 6 and 218, including the reconstruction of the intersection of Rocky Shore drive and U. S. Highways 6 and 218 and the widening from two lanes to four lanes Woolf avenue from the curve of Woolf avenue to the south of the dental science building east to the point where the existing Woolf avenue becomes four lanes. The construction engineering and inspection of the project, consisting of draining, grading, and paving on U. S. Highways 6 and 218, shall be done by the state department of transportation. The state university of Iowa shall provide all right of way for the project, including modifications along U. S. Highways 6 and 218, and any costs incurred by the state university of Iowa in obtaining or purchasing right of way south of U. S. Highway 218 for the project shall be borne by the state university of Iowa. The installation of the traffic signal devices at the intersections of Rocky Shore drive and U. S. Highways 6 and 218 and the intersection of Newton road and Woolf avenue shall be paid from funds appropriated by this section. Funds appropriated by this section shall not be used for the construction of any parking facilities. If the cost of the project exceeds the amount of funds appropriated in this section, the state board of regents shall provide the additional funds, not to exceed five hundred thousand (500,000) dollars.

Of the amount appropriated by this section for the project, an amount equal to six hundred thousand (600,000) dollars shall be considered an interest-free loan to the state board of regents to be repaid by the board in the manner provided in this section. In the fiscal year beginning July 1, 1982 and ending June 30, 1983, and in each of the nine succeeding fiscal years, the state department of transportation shall, in apportioning funds appropriated for state institutional roads and state park roads pursuant to section 312.2, subsection 5, withhold sixty thousand (60,000) dollars from that portion of the funds allocated to the state board of regents as payment of one-tenth of the loan from the road use tax fund for the project.

Sec. 17. There is appropriated from the primary road fund for the fiscal biennium beginning July 1, 1981 and ending June 30, 1983 the sum of one hundred fifty thousand (150,000) dollars for the project specified in section 16 of this Act.

Sec. 18. Section 29A.1, Code 1981, is amended by adding the following new subsection:

NEW SUBSECTION. "Facility" means the land, and the buildings and other improvements on the land which are the responsibility and property of the Iowa national guard.

Sec. 19. Section 29A.14, Code 1981, is amended to read as follows:

29A.14 LEASING FACILITIES.

1. The adjutant general with the approval of the ~~director-of-general services executive council shall have authority to~~ may operate or lease any of the national guard facilities at Camp Dodge. Any income or revenue derived from ~~such the~~ operation or leasing shall be deposited with the state treasurer of state and credited to the ~~general-fund-of-the-state~~ national guard facilities improvement fund. The balance in the national guard facilities improvement fund is limited to a maximum of two million dollars. Any amount exceeding the limit shall be credited to the general fund of the state.

2. A national guard facilities improvement fund is created in the state treasury. The proceeds of the fund are appropriated, and shall be used only for the construction, improvement, modification, maintenance, or repair of national guard facilities. However, proceeds of the fund shall not be used for the construction of a new facility without the approval of the general assembly.

Sec. 20. Section 29A.57, Code 1981, is amended to read as follows:

29A.57 ARMORY BOARD.

1. The governor shall appoint an armory board which shall consist of the adjutant general serving as chairperson, at least two officers from the active commissioned personnel of the national guard, and at least one other person, who is a citizen of the state of Iowa, ~~of good moral character~~. One member of the board shall have ~~had~~ at least five years' experience in the building construction trade. The board shall meet at times and places as ordered by the governor. The members shall serve at the pleasure of the governor. Members of the board shall receive compensation of ~~thirty~~ forty dollars and actual expenses for each day actually employed under ~~the provisions--of~~ this chapter. However, the per diem compensation shall not apply to members of the board who are full-time national guard personnel.

2. The board ~~shall be empowered to~~ may acquire land or real estate by purchase, contract for purchase, gift, or bequest and ~~to~~ acquire, own, contract for the construction of, erect, purchase, maintain, alter, operate, and repair installations and facilities of the Iowa national guard and the Iowa air national guard when funds for the ~~same~~ installations and facilities are made available by the federal government, the state of Iowa municipalities, corporations or individuals. The title to ~~such the~~ property so acquired shall be taken in the name of the state of Iowa and ~~such the~~ real estate may be sold or exchanged by the executive council, upon recommendation



of the board, when it is no longer needed for the purpose for which it was acquired. Income or revenue derived from the sale of the real estate shall be credited to the national guard facilities improvement fund and used for the purposes specified in section 29A.14, subsection 2.

3. In carrying out ~~the provisions of~~ this section, the armory board may:

1- a. Borrow money.

2- b. Mortgage any real estate acquired and the improvements erected ~~thereon on the real estate~~ when purchasing or improving the same property, in order to secure necessary loans.

3- c. Pledge the sales, rents, profits, and income received from ~~any such the~~ property for the discharge of obligations executed.

4. No An obligation created hereunder under this section shall ever not be ex--become a charge against the state of Iowa, but all ~~such the~~ obligations, including principal and interest, ~~shall-be~~ are payable solely from any of the following:

1-~~From--the~~ a. The sales, net rents, profits, and income arising from the property so pledged or mortgaged.

2-~~From--the~~ b. The sales, net rents, profits, and income which have not been pledged for other purposes arising from any other installation and facility or like improvement under the control and management of said board, ~~ex.~~

3-~~From--the~~ c. The income derived from gifts and bequests for installations and facilities under the control of the armory board.

5. All property, real or personal, acquired by, and all bonds, debentures or other written evidences of indebtedness, given as security by ~~said the~~ board, ~~shall-be~~ are exempt from taxation.

6. When property acquired by the armory board, under ~~the provisions of~~ this ~~law chapter~~, ~~shall-be~~ is free and clear of all indebtedness, the title of ~~such the~~ property shall pass to the state of Iowa.

7. There ~~shall--be~~ is no liability to the state of Iowa under ~~the provisions of~~ this section. ~~no member~~ Members of the armory board and ~~no member~~ of the state executive council shall not be held to any personal or individual liability for any action taken by them under ~~the--provisions--of~~ this chapter.

8. The board shall fix the amount to be paid to commanding officers of each organization and unit of the national guard for headquarters expenses and shall provide by regulation how the amount shall be disbursed by the commanding officers. The governor may disapprove the actions of the armory board.

9. The allowances made by the armory board shall be paid from the funds appropriated for the support and maintenance of the national guard.

Sec. 21. Section 29A.58, unnumbered paragraph 2, Code 1981, is amended to read as follows:

The armory board as lessor or sublessor may, for a term not to exceed twenty years, lease property under the control of the board for purposes other than armory or military use when the leasing does not interfere with the use of ~~such the~~ property for military purposes. A military operations fund is created in the state treasury. The rental proceeds ~~thereof of~~

property leased by the board shall be paid to the adjutant general for deposit into the general fund of the state with the treasurer of state and credited to a separate account of the military operations fund. The finance officer of the office of adjutant general shall credit the appropriate account with the rental revenue which each armory produces. The revenue credited to each account is appropriated for maintaining, improving, and repairing the armory facility and utility payments.

Sec. 22. Section 80B.15, Code 1981, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The director of the academy shall assess a fee for use of law enforcement media resources supplied or loaned by the academy. The fees shall be established by rules adopted pursuant to chapter 17A. The fees shall be considered as repayment receipts.

Sec. 23. Section 308.4, subsection 3, Code 1981, is amended to read as follows:

3. There is appropriated from the general fund of the state to the state department of transportation the sum of one-hundred ninety-five thousand four hundred dollars for each fiscal year beginning July 1, ~~1978~~ 1981, and ending June 30, 1988. Said The money is to be utilized for the acquisition and construction of highway-associated project components for the great river road. Each annual appropriation shall first be used to reimburse the great river road fund established in section 312.2, with remaining funds being available for a period of one fiscal year following the year of appropriation. The state department of transportation, in co-operation with the state conservation commission and the Mississippi river parkway commission, shall administer ~~the provisions--of~~ this subsection and shall issue rules for ~~such~~ administration in accordance with chapter 17A. A report shall be submitted listing the expenditures for the previous year and cumulative expenditures of all funds appropriated by this section and the report shall be incorporated in the annual report required by section 17.9.

Sec. 24. Section 321.211, unnumbered paragraph 1, Code 1981, is amended to read as follows:

Upon suspending the license of any person as ~~hereinbefore~~ authorized the department shall immediately notify the licensee in writing and upon ~~his--or her~~ the licensee's request shall afford ~~him--or--her~~ the licensee an opportunity for a hearing before the director or ~~his--or--her--duly~~ the director's authorized agent as early as practical within not to exceed thirty days after receipt of ~~such~~ the request in the county ~~wherein~~ in which the licensee resides unless the department and the licensee agree that such hearing may be held in some other county. Upon such hearing the director or ~~his--or--her--duly~~ the director's authorized agent may administer oaths and may issue subpoenas for the attendance of witnesses and the production of relevant books and papers and may require a re-examination of the licensee. Upon such hearing the department shall either rescind its order of suspension or for good cause may extend the suspension of such license or revoke such license. There is ~~hereby~~ appropriated each year from the general fund of the state to the department ~~one-hundred-five~~ sixty thousand dollars or so much thereof as may be necessary to be used to pay the cost of notice and personal

delivery of service, if necessary to meet the notice requirement of this section. The department shall promulgate rules governing the payment of the cost of personal delivery of service. The reinstatement fees collected under section 321.191 shall be deposited in the general fund of the state in a manner provided in section 321.192, as reimbursement for the costs of notice under this section.

Sec. 25. Section 321.271, unnumbered paragraph 2, Code 1981, is amended to read as follows:

All written reports filed by a law enforcement officer as required under section 321.266 shall be made available to any party to an accident, ~~his~~ the party's insurance company or its agent, or ~~his~~ the party's attorney on written request to the department and the payment of a fee of ~~two~~ four dollars for each copy.

Sec. 26. Section 321A.3, Code 1981, is amended to read as follows:

321A.3 DIRECTOR TO FURNISH OPERATING RECORD--FEES TO BE CHARGED AND DISPOSITION OF FEES. The director shall upon request furnish any person a certified abstract of the operating record of any person subject to ~~the provisions--of~~ this chapter, which abstract shall also fully designate the motor vehicles, if any, registered in the name of ~~such~~ the person, and, if there shall be no record of any conviction of ~~such~~ the person having violated any law relating to the operation of a motor vehicle or of any injury or damage caused by ~~such~~ the person, the director shall so certify. A fee of ~~two~~ four dollars shall be paid for each ~~such~~ abstract except by state, county, city or court officials. ~~Such~~ The abstracts shall not be admissible as evidence in any action for damages or criminal proceedings arising out of a motor vehicle accident.

Sec. 27. It is the intent of the general assembly that agencies to which funds are appropriated by this Act shall submit a report of all utilities used for the fiscal year beginning July 1, 1980 and ending June 30, 1981 in January, 1982, and for the fiscal year beginning July 1, 1981 and ending June 30, 1982, in January, 1983 to the appropriations subcommittee on transportation and law enforcement.

Sec. 28. All federal grants to and the federal receipts of the agencies appropriated funds under this Act are appropriated for the purposes set forth in such federal grants or receipts. All personnel authorized and funded under federal grants or receipts are approved for the duration of the grant or the availability of the receipts.

Approved June 19, 1981, except the item designated as Section 2, paragraph e herein which I hereby disapprove for the reasons set forth in my veto message delivered to the Secretary of State this same date, the original of which is attached hereto.

ROBERT D. RAY

Governor

The Honorable Mary Jane Odell  
Secretary of State  
State Capitol Building  
L O C A L

Dear Madam Secretary:

I hereby transmit House File 850, an act making appropriations to and relating to the financing of agencies whose responsibilities relate to transportation, public safety, public defense and to the Office for Planning and Programming for the Statistical Analysis Center.

House File 850 is approved June 19, 1981, with the following exceptions which I hereby disapprove.

I am unable to approve the item designated in the act as Section 2, paragraph e which reads as follows:

e. It is the intent of the general assembly that documented assists to distressed motorists and that time spent at a court hearing by a member of the highway safety patrol shall be given a point value in the minimum work standard of contact points for highway safety patrol members assigned to road duty.

I have four reasons for taking this action:

- the State Patrol minimum performance standard has already been revised to include points for motorist assists;
- the issue of how to evaluate time spent in court within the point system is now under review and will likely be addressed in the 1982 work standards;
- the minimum performance standard is not established in law and to ensure maximum flexibility it is most appropriately modified through administrative rather than statutory action;
- the establishment of work standards is a management tool which is best left to the executive branch.

In an effort to ensure that the State Patrol carries out its duties and obligations in an efficient and effective manner, on October 8, 1979, the Department of Public Safety established a set of minimum performance standards by which all troopers would be evaluated.

It is important to note that this system was developed in part in response to concerns expressed by troopers, who were appealing disciplinary actions, that the Department of Public Safety did not have clear, specific work goals. The current point system does provide a precise standard by which all troopers know they will be fairly evaluated. Several members of the legislature correctly pointed out the need to review the system.

Since it was a new system, it clearly was not perfect. After the first year's experience, the Department of Public Safety did review the results of the point system and determined that the system should be modified. Significant changes that were implemented in April, 1981, included: the abolition of the requirement that each trooper achieve five OMVUI arrests during the year; the granting of points for motorist assists; and a readjustment of the points required on a daily basis.

This review process is continuing now as management officials consider what additional changes might be made to the point system for 1982. One of the issues being given careful consider-

ation is how time spent in court should be evaluated within the overall point system. It is anticipated that this subject will be addressed in the 1982 standards.

Since the minimum performance standards system is a management tool, not based in legislation, I believe it would be unwise to rigidly cast part of the system within session laws. Moreover, since the point system is clearly evolving and will be subject to further modifications, it is essential that the Department maintain the maximum amount of flexibility in making periodic adjustments to the work standard. Having part of the system based in the session laws would, in my view, remove from management the flexibility it requires to make needed changes. In passing this section of the bill, the legislature has pointed out a problem that needs to be, and is being, addressed. At the same time, I believe this section deals with the daily management and administration of the Department of Public Safety which is most properly left to the executive branch.

I therefore veto Section 2, paragraph e\* of House File 850.

Sincerely,



Robert D. Ray  
Governor

\*[of subsection 4]

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## CHAPTER 15

### UNEMPLOYMENT TRUST FUND FOR STATE BUILDING

H. F. 761

AN ACT to appropriate funds credited in the account of the state of Iowa in the unemployment trust fund for the purchase of a building.

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

Section 1. The sum of seven hundred fifty thousand (750,000) dollars is appropriated out of funds made available to this state under section 903 of the federal Social Security Act. The funds appropriated shall be used, under the direction of the Iowa department of job service and subject to the approval of the executive council of the state, for the purchase of a building located at 150 Des Moines Street, Des Moines, Iowa, for use of the Iowa department of job service in the performance of its functions under chapter 96.

Sec. 2. Money appropriated under this Act shall not be obligated after June 21, 1983.

Sec. 3. The amount obligated pursuant to this Act during any twelve-month period beginning on July 1 and ending on the following June 30 shall not