

Sec. 5. This Act, being deemed of immediate importance, takes effect from and after its publication in the Ames Daily Tribune, a newspaper published in Ames, Iowa, and in the Grinnell Herald-Register, a newspaper published in Grinnell, Iowa.

Approved May 17, 1984

I hereby certify that the foregoing Act, Senate File 2335 was published in the Grinnell Herald-Register, Grinnell, Iowa on May 24, 1984 and in the Ames Daily Tribune, Ames, Iowa on May 21, 1984.

MARY JANE ODELL, Secretary of State

**CHAPTER 1309**  
**TRANSPORTATION AND PUBLIC SAFETY AND**  
**DEFENSE APPROPRIATIONS**  
*S.F. 2337*

**AN ACT** relating to transportation by making appropriations to state agencies whose responsibilities relate to transportation, public safety and public defense.

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

Section 1. There is appropriated from the general fund of the state to the following named agencies for the fiscal year beginning July 1, 1984 and ending June 30, 1985, the following amounts, or so much thereof as is necessary, for the purposes designated:

	<u>1984-1985</u>
	<u>Fiscal Year</u>
<b>1. IOWA LAW ENFORCEMENT ACADEMY</b>	
For salaries, support, maintenance, and miscellaneous purposes .....	\$ 797,300
<b>2. DEPARTMENT OF PUBLIC DEFENSE</b>	
Military division	
For salaries, support, maintenance, and miscellaneous purposes .....	\$ 2,993,334

Notwithstanding section 29A.33, the per capita annual allowance to units will be five dollars per capita to be paid on a semiannual basis in installments of two dollars fifty cents per capita for the fiscal year beginning July 1, 1984 and ending June 30, 1985. The per capita allowance shall be used for morale purposes and be for the welfare of the troops and in no circumstances expended for support and maintenance.

3. OFFICE OF DISASTER SERVICES

For salaries, support, maintenance, and miscellaneous purposes .....	\$	118,295
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Sec. 2. There is appropriated from the general fund of the state to the department of public safety for the fiscal year beginning July 1, 1984 and ending June 30, 1985, the following amounts, or so much thereof as is necessary, to be used for funding the following functions and programs for the purposes designated:

1984-1985  
Fiscal Year

DEPARTMENT OF PUBLIC SAFETY

1. ADMINISTRATIVE FUNCTION

For salaries, support, maintenance, and miscellaneous purposes of the department, criminal justice information system, and radio communications .....	\$	4,687,600
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\*It is the intent of the general assembly that only ten percent of the funds appropriated under this paragraph shall be used for the payment of operational expenses.\*

2. INSPECTION FUNCTION

For salaries, support, maintenance, and miscellaneous purposes of fire marshal's inspections, administration of the state building code, arson investigators including the state's contribution to the peace officers' retirement, accident, and disability provided in chapter 97A in the amount of sixteen percent of the salaries for which the funds are appropriated .....	\$	1,026,700
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3. SECURITY FUNCTION

For salaries, support, maintenance, and miscellaneous purposes of the capitol security division .....	\$	672,000
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4. INVESTIGATION FUNCTION

a. For salaries, support, maintenance, and miscellaneous purposes, including lease or lease purchase of laboratory equipment, 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 .....	\$	4,663,500
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b. For undercover purchases by the division of criminal investigation agents and local law enforcement agents .....	\$	200,000
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\*Item veto; see message at end of this Act

c. For salaries, support, maintenance, and miscellaneous purposes for the employment of new pari-mutuel law enforcement agents, 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

\$ 175,000

It is the intent of the general assembly that the division of criminal investigation of the department of public safety shall purchase not more than five motor vehicles of any make or model based upon specifications submitted by the department.

5. DIVISION OF HIGHWAY SAFETY AND UNIFORMED FORCE

a. For various crime prevention programs sponsored within the department of public safety

\$ 53,125

The Iowa highway safety patrol shall endeavor to purchase one-half of the motor fuel and special fuel necessary to operate motor vehicles from state department of transportation facilities. For the fiscal year beginning July 1, 1984 and ending June 30, 1985, the general assembly assumes that there is substantial compliance with this requirement if the Iowa highway safety patrol purchases at least forty-five percent of the motor fuel and special fuel necessary to operate motor vehicles from state department of transportation facilities. If the state comptroller's estimates of motor fuel and special fuel prices exceeds the amount needed for purchase of motor fuel and special fuel necessary to operate Iowa highway safety patrol motor vehicles, the amount of the difference may be expended only for the maintenance of the motor vehicle fleet of the Iowa highway safety patrol. The Iowa highway safety patrol shall report the amount expended for the total purchases of motor fuel and special fuel and the amount expended for fleet maintenance to the transportation and law enforcement appropriations subcommittee not later than August 1 following the end of the fiscal year.

It is the intent of the general assembly that the department of public safety shall not retain more than seven motor vehicles at department headquarters for departmental use. All of these motor vehicles, except two, shall be properly marked to identify the department of public safety.

Sec. 3. There is appropriated from the general fund of the state to the state department of transportation for the fiscal year beginning July 1, 1984 and ending June 30, 1985, the following amounts, or so much thereof as may be necessary, to be used for the following purposes:

1984-1985  
Fiscal Year

STATE DEPARTMENT OF TRANSPORTATION

- 1. For salaries, support, maintenance, and miscellaneous purposes
- 2. For public transit purposes to implement a state assistance plan

\$ 5,359,853

\$ 1,854,600

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 ..... \$ 972,000

Sec. 4. There is appropriated from the road use tax fund to the state department of transportation for the fiscal year beginning July 1, 1984 and ending June 30, 1985, the following amounts, or so much thereof as may be necessary, to be used for the following purposes:

1984-1985  
Fiscal Year

STATE DEPARTMENT OF TRANSPORTATION

1. For salaries, support, maintenance, and miscellaneous purposes ..... \$ 13,094,154

\*2. For funding for two pilot projects for area-wide ridesharing programs authorized by law ..... \$ 5,000\*

3. 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 ..... \$ 18,000

4. Unemployment compensation ..... \$ 12,250

Sec. 5. There is appropriated from the road use tax fund to the state comptroller for the fiscal year beginning July 1, 1984 and ending June 30, 1985, the sum of twenty-three thousand (23,000) 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. 6. There is appropriated from the primary road fund to the state department of transportation for the fiscal year beginning July 1, 1984 and ending June 30, 1985, the following amounts, or so much thereof as may be necessary, to be used for the following purposes:

1984-1985  
Fiscal Year

STATE DEPARTMENT OF TRANSPORTATION

1. For salaries, support, maintenance, and miscellaneous purposes ..... \$ 121,438,357

2. 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 ..... \$ 2,000,000

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

3. 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 .....

\$ 342,000

4. Unemployment compensation .....

\$ 232,750

Sec. 7. There is appropriated from the primary road fund to the state comptroller for the fiscal year beginning July 1, 1984 and ending June 30, 1985, the sum of four hundred thirty-seven thousand (437,000) 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. 8. There is appropriated from the state aviation fund to the state department of transportation for the fiscal year beginning July 1, 1984 and ending June 30, 1985, the following amount, or so much thereof as may be necessary, to be used for the following purposes:

1984-1985

Fiscal Year

For salaries, support, maintenance, and miscellaneous purposes .....

\$ 331,000

Sec. 9. 1983 Iowa Acts, chapter 198, section 31, is amended to read as follows:

SEC. 31. Notwithstanding the provisions of section 423.24, there is transferred from revenues collected under chapter 423 during the fiscal year beginning July 1, 1983 and ending June 30, 1984, from the use tax imposed on motor vehicles, trailers and motor vehicle accessories and equipment under section 423.7 the sum of one million (1,000,000) dollars which shall be transferred to the state department of transportation for public transit assistance for the fiscal year beginning July 1, 1983 and ending June 30, 1984. The funds transferred under this section to the state department of transportation for public transit assistance shall be considered in advance an interest-free loan of funds to be received for public transit assistance under the Surface Transportation Assistance Act of 1982 and the road use tax fund shall receive reimbursement of the funds from receipts received by the state department of transportation for public transit assistance from the United States government pursuant to the Surface Transportation Assistance Act of 1982 loan during the fiscal period beginning July 1, 1983 1984 and ending June 30, 1985 1989.

Sec. 10. Section 312.2, subsection 5, unnumbered paragraph 1, Code Supplement 1983, is amended to read as follows:

The treasurer of state shall before making the above allotments credit annually to the highway grade crossing safety fund the sum of seven hundred thousand dollars, credit annually from the road use tax fund the sum of five nine hundred thousand dollars to the highway railroad grade crossing surface repair fund, credit monthly to the primary road fund the dollars yielded from an allotment of sixty-five hundredths of one percent of all road use tax funds for the express purpose of carrying out subsection 11 of section 307A.2, section 313.4, subsection 2, and section 307A.5, and credit annually to the primary road fund the sum of five hundred thousand dollars to be used for paying expenses incurred by the state department of transportation other than expenses incurred for extensions of primary roads in cities. All unobligated funds provided by this subsection, except those funds credited to the highway grade crossing safety fund, shall at the end of each year revert to the road use tax fund. Funds in the highway grade crossing safety fund shall not revert to the road use tax fund except to the extent they exceed five hundred thousand dollars at the end of any biennium. The cost of each highway railroad grade crossing repair project shall be allocated in the following manner:

Sec. 11. Registration fees collected under section 321.109 and 321.122, subsection 1, paragraph a, to the extent that these fees exceed one hundred twenty million (120,000,000) dollars for the fiscal year beginning July 1, 1983 and ending June 30, 1984, shall be placed in escrow by the treasurer of state until April 15, 1985 and then credited to the road use tax fund.

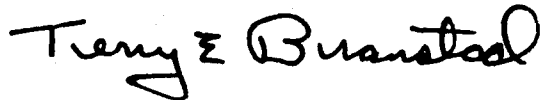
Sec. 12. 1983 Iowa Acts, chapter 198, section 34, is repealed.

Sec. 13. All federal grants to and the federal receipts of the agencies appropriated funds under this Act are appropriated for the purposes set forth in such federal grants and receipts unless otherwise provided by the general assembly.

Sec. 14. Section 10 takes effect July 1, 1985.

Sec. 15. This Act, being deemed of immediate importance, takes effect from and after its publication in The Bancroft Register, a newspaper published in Bancroft, Iowa and in the Carroll Daily Times-Herald, a newspaper published in Carroll, Iowa.

Approved May 18, 1984, except the two items which I hereby disapprove and which are designated as that portion of section 2, subsection 1, which is herein bracketed in ink and initialed by me; and section 4, subsection 2 which is herein bracketed in ink and initialed by me. These are all delineated with my reasons for vetoing in the item veto message pertaining to this act to the Secretary of State this same date, a copy of which is attached hereto.



TERRY E. BRANSTAD  
Governor

I hereby certify that the foregoing Act, Senate File 2337 was published in The Bancroft Register, Bancroft, Iowa on May 30, 1984 and in the Carroll Daily Times-Herald, Carroll, Iowa on May 24, 1984.

MARY JANE ODELL, *Secretary of State*

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

Dear Madam Secretary:

I hereby transmit Senate File 2337, an act relating to transportation by making appropriations to state agencies whose responsibilities relate to transportation, public safety and public defense.

Senate File 2337 is approved May 18, 1984, with the following exceptions which I hereby disapprove.

I am unable to approve Section 2, subsection 1, unnumbered paragraph, which reads as follows:

It is the intent of the general assembly that only ten percent of the funds appropriated under this paragraph shall be used for the payment of operational expenses.

In the original bill, this paragraph referred to the victim reparation program which was later deleted. It has no application in the current context of the bill and if not excised would limit the Department of Public Safety's administration appropriation. This was not intended.

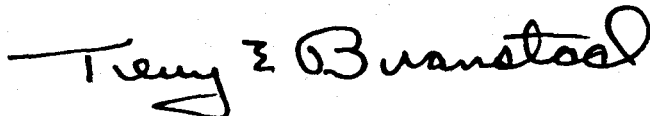
I am also unable to approve Section 4, subsection 2, which reads as follows:

2. For funding for two pilot projects for area-wide ridesharing programs authorized by law .....\$5,000

This subsection appropriates funds from the road use tax fund for two pilot projects for area-wide ride-sharing programs. The Department of Transportation currently has a similar program in central Iowa which is funded through the operating budget. I feel it is not good policy to establish a precedent of funding such programs from the road use tax fund.

For the above reasons, I respectfully disapprove of these items in accordance with Amendment 4 of the Amendments of 1968 to the Constitution of the State of Iowa. All other items of Senate File 2337 are hereby approved as of this date.

Very truly yours,



Terry E. Branstad  
Governor