

CHAPTER 220
APPROPRIATIONS – TRANSPORTATION, INFRASTRUCTURE,
AND CAPITAL PROJECTS
S.F. 481

AN ACT relating to and making appropriations to the state department of transportation including allocation and use of moneys from the general fund, road use tax fund, and primary road fund, and making appropriations to various state agencies for capital projects, to the primary road fund, to county fairs and to the Iowa state fair from the rebuild Iowa infrastructure account and the general fund, relating to the living roadway trust fund and the state roadside specialist, the primary road and state highway system, and other transportation-related statutory changes, requiring transportation-related studies, making technical changes, and providing an effective date.

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, 1995, and ending June 30, 1996, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

- 1. a. For providing assistance for the restoration, conservation, improvement, and construction of railroad main lines, branch lines, switching yards, and sidings as required in section 327H.18, for use by the railway finance authority as provided in chapter 327I *and for up to \$100,000 for the renovation of historical electric rail cars and the payment of renovation expenses incurred by the Mason City – Clear Lake electric trolley railroad historical society conditioned upon local matching funds:**
..... \$ 1,497,000
- b. For airport engineering studies and improvement projects as provided in chapter 328:
..... \$ 2,262,000
- 2. For planning and programming, for salaries, support, maintenance, and miscellaneous purposes:
..... \$ 241,000

Sec. 2. There is appropriated from the road use tax fund to the state department of transportation for the fiscal year beginning July 1, 1995, and ending June 30, 1996, 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 motor vehicle licenses, as defined in section 321.1, subsection 43:
..... \$ 1,070,000
- 2. For salaries, support, maintenance, and miscellaneous purposes:
 - a. Operations and finance:
..... \$ 4,211,321
 - b. Administrative services:
..... \$ 820,552
 - c. Planning and programming:
..... \$ 400,595
 - d. Motor vehicles:
..... \$ 21,960,473

Of the moneys appropriated in this paragraph, a sufficient amount shall be allocated to provide effective and necessary oversight of the county treasurer's issuance of motor vehicle licenses in accordance with this Act.

*Item veto; see message at end of the Act

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:

..... \$ 35,000

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:

..... \$ 75,000

6. For payment to the general fund of the state for indirect cost recoveries:

..... \$ 120,000

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

..... \$ 32,480

8. For paving, grading, and replacement of scale facilities at Salix, Storm Lake, and Early:

..... \$ 570,000

The provisions of section 8.33 do not apply to the funds appropriated in subsection 8, which shall remain available for expenditure for the purposes designated until June 30, 1998. Unencumbered or unobligated funds remaining on June 30, 1998, from funds appropriated in subsection 8, shall revert to the fund from which appropriated on August 30, 1998.

Sec. 3. There is appropriated from the primary road fund to the state department of transportation for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For salaries, support, maintenance, miscellaneous purposes and the following full-time equivalent positions:

a. Operations and finance:

..... \$ 25,869,545

..... FTEs 282.0

b. Administrative services:

..... \$ 5,040,535

..... FTEs 94.0

c. Planning and programming:

..... \$ 7,636,322

..... FTEs 174.0

It is the intent of the general assembly that the state department of transportation conduct an intermodal transportation study to analyze the feasibility and need for additional intermodal transportation facilities in Iowa. The study shall include an analysis of the potential economic benefit to affected communities. The study shall be conducted for areas of the state located more than seventy-five miles from existing intermodal transportation facilities. The department shall give preference to communities who wish to be included in the study. For purposes of this study, "intermodal transportation facility" means a facility that acts as an exchange center for goods which are transferred from one modality to another.

d. Project development:

..... \$ 52,862,681

..... FTEs 1185.0

e. Maintenance:

..... \$ 98,780,764

..... FTEs 1646.0

f. Motor vehicles:	\$	840,800
.....		
..... FTEs		549.0
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:		
.....	\$	3,120,000
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:		
.....	\$	665,000
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:		
.....	\$	1,425,000
6. For costs associated with underground storage tank replacement and cleanup:		
.....	\$	1,000,000
7. For payment to the general fund for indirect cost recoveries:		
.....	\$	880,000
8. For reimbursement to the auditor of state for audit expenses as provided in section 11.5B:		
.....	\$	199,520
9. a. For improvements to upgrade the handling of wastewater at various field facilities throughout the state:		
.....	\$	750,000
b. For construction of large salt storage facilities at various locations throughout the state:		
.....	\$	600,000
c. For payment of a court-ordered drainage assessment to Polk county:		
.....	\$	213,213
d. For replacement of roofs at various field facility locations throughout the state:		
.....	\$	510,000
e. For replacement of brick exterior on the Atlantic office building:		
.....	\$	150,000
f. For replacement of the roof on the administration building at the Ames complex:		
.....	\$	200,000
g. For tuck pointing and repairs to the brick exteriors of the northeast and northwest office buildings at the Ames central office complex:		
.....	\$	150,000
h. For replacement and updating the exhaust system at the Ames laboratory building:		
.....	\$	150,000

The provisions of section 8.33 do not apply to the funds appropriated in subsection 9 which shall remain available for expenditure for the purposes designated until June 30, 1998. Unencumbered or unobligated funds remaining on June 30, 1998, from funds appropriated in subsection 9 shall revert to the fund from which appropriated on August 30, 1998.

DIVISION II
CAPITAL PROJECTS
BOARD OF REGENTS

Sec. 4. There is appropriated from the rebuild Iowa infrastructure account of the state to the state board of regents for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For fire and environmental safety and for replacement of the boiler and the telephone system at the Iowa braille and sight saving school:

..... \$ 341,000

Of the appropriation in this subsection, \$45,000 shall be used for replacement of the telephone system. It is the intent of the general assembly that an additional \$35,000 shall be appropriated in fiscal year 1997 for funding additional costs for replacement of the telephone system at the Iowa braille and sight saving school.

2. For compliance with the federal Americans with Disabilities Act or for fire and environmental safety at the state school for the deaf:

..... \$ 50,000

3. For fire and environmental safety, renovation, or for deferred maintenance at Iowa state university of science and technology:

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

4. For fire and environmental safety, renovation, or for deferred maintenance at the state university of Iowa:

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

5. For the performing arts center and for fire and environmental safety, renovation, or for deferred maintenance at the university of northern Iowa:

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

Of the funds appropriated in this subsection, \$1,000,000 shall be directed towards critical deferred maintenance, renovation and building costs and the remainder shall be used for the performing arts center.

Notwithstanding section 8.33, unencumbered or unobligated funds remaining on June 30, 1996, from the funds appropriated in subsections 1 through 4, shall revert to the rebuild Iowa infrastructure account of the state on August 31, 1996, and unencumbered or unobligated funds remaining on June 30, 1999, from the funds appropriated in subsection 5, shall revert to the rebuild Iowa infrastructure account of the state on August 31, 1999.

The state board of regents shall report to the legislative fiscal bureau and to the education and transportation, infrastructure and capitals joint appropriations subcommittees by August 31, 1995, regarding actual and proposed project expenditures of moneys appropriated for fire and environmental safety, renovation, or for deferred maintenance under subsections 3 through 5.

DEPARTMENT OF CORRECTIONS

Sec. 5. There is appropriated from the rebuild Iowa infrastructure account of the state to the department of corrections for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For connection of the Fort Madison correctional facility with the Iowa communications network:

..... \$ 161,000

2. For remodeling of the visitation area at Mitchellville:

..... \$ 100,000

DEPARTMENT OF CULTURAL AFFAIRS

*Sec. 6. There is appropriated from the rebuild Iowa infrastructure account of the state to the department of cultural affairs for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

To correct water seepage problems and complete design specifications for rehabilitation work on the centennial building in Iowa City:

..... \$ 180,000

*Item veto; see message at end of the Act

Notwithstanding section 8.33, unencumbered or unobligated funds remaining on June 30, 1997, from the funds appropriated in this section, shall revert to the rebuild Iowa infrastructure account of the state on August 31, 1997.*

DEPARTMENT OF ECONOMIC DEVELOPMENT

Sec. 7. There is appropriated from the rebuild Iowa infrastructure account of the state to the department of economic development for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

- 1. For completion of the construction of the Northwood welcome center:
..... \$ 250,000
- 2. For the construction of the western historic trails welcome center:
..... \$ 275,000
- *3. For construction of a welcome center in Bremer county:
..... \$ 100,000*
- 4. For construction of a welcome center at Winterset:
..... \$ 75,000

Notwithstanding section 8.33, unencumbered or unobligated funds remaining on June 30, 1997, from the funds appropriated in this section, shall revert to the rebuild Iowa infrastructure account of the state on August 30, 1997.

DEPARTMENT OF EDUCATION

Sec. 8. There is appropriated from the rebuild Iowa infrastructure account of the state to the department of education for the fiscal year beginning July 1, 1995, and ending June 30, 1996, \$2,500,000, to be used for compliance with the federal Americans with Disabilities Act, for fire and environmental safety, for implementation of energy conservation measures, for reduction of technological obsolescence in instructional equipment and facilities for community colleges and for other stated purposes to be allocated to the merged areas in the following amounts:

- 1. Merged Area I
For the construction of a building to house the national center for agricultural rescue and emergencies:
..... \$ 1,000,000
- *2. Merged Area II..... \$ 90,534
- 3. Merged Area III..... \$ 103,952
- 4. Merged Area IV..... \$ 38,156
- 5. Merged Area V..... \$ 142,389
- 6. Merged Area VI..... \$ 101,409
- 7. Merged Area VII..... \$ 95,339
- 8. Merged Area IX..... \$ 128,062
- 9. Merged Area X..... \$ 205,158
- 10. Merged Area XI..... \$ 192,269
- 11. Merged Area XII..... \$ 83,645
- 12. Merged Area XIII..... \$ 103,540
- 13. Merged Area XIV..... \$ 40,819
- 14. Merged Area XV..... \$ 104,318
- 15. Merged Area XVI..... \$ 70,410*

Notwithstanding section 8.33, unencumbered or unobligated funds remaining on June 30, 1997, from the funds appropriated in this section, shall revert to the rebuild Iowa infrastructure account of the state on August 31, 1997.

*Item veto; see message at end of the Act

Sec. 9. The appropriation to Merged Area I in section 8 of this Act is contingent upon the receipt of federal funds or private matching moneys. **If the anticipated federal funding or private matching moneys are not received, the appropriation in section 8 shall be allocated by the department of education as follows:*

1. Merged Area I.....	\$	118,722
2. Merged Area II.....	\$	143,725
3. Merged Area III.....	\$	165,027
4. Merged Area IV.....	\$	60,573
5. Merged Area V.....	\$	226,046
6. Merged Area VI.....	\$	160,989
7. Merged Area VII.....	\$	151,352
8. Merged Area IX.....	\$	203,300
9. Merged Area X.....	\$	325,692
10. Merged Area XI.....	\$	305,230
11. Merged Area XII.....	\$	132,789
12. Merged Area XIII.....	\$	164,371
13. Merged Area XIV.....	\$	64,801
14. Merged Area XV.....	\$	165,606
15. Merged Area XVI.....	\$	111,777*

DEPARTMENT OF GENERAL SERVICES

Sec. 10. There is appropriated from the rebuild Iowa infrastructure account of the state to the department of general services for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For exterior state capitol building restoration:	\$	7,165,000
2. For interior state capitol building restoration:	\$	2,100,000
3. For health, fire safety, and interior maintenance needs of the state capitol building:	\$	1,600,000
4. For major maintenance needs including health, life and fire safety and for compliance with the federal Americans with Disabilities Act for state-owned buildings and facilities:	\$	4,000,000
*5. For improvements at the state capitol complex as follows:		
a. For construction of a tunnel under Grand avenue north from the state capitol building:	\$	1,500,000
b. For renovation of the old historical building:	\$	6,200,000
c. For site preparation for the proposed parking ramp north of Des Moines street:	\$	2,300,000*

Notwithstanding section 8.33, unencumbered or unobligated funds remaining on June 30, 2000, from the funds appropriated in this section, shall revert to the rebuild Iowa infrastructure account of the state on August 31, 2000.

DEPARTMENT OF HUMAN SERVICES

Sec. 11. There is appropriated from the rebuild Iowa infrastructure account of the state to the department of human services for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

*Item veto; see message at end of the Act

For costs associated with the development of the X-pert computer system:

..... \$ 1,076,000

Notwithstanding section 8.33, unencumbered or unobligated funds remaining on June 30, 1997, from the funds appropriated in this section, shall revert to the rebuild Iowa infrastructure account of the state on August 31, 1997.

DEPARTMENT OF MANAGEMENT

Sec. 12. There is appropriated from the rebuild Iowa infrastructure account of the state to the department of management for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For the innovations fund, if enacted by the Seventy-sixth General Assembly, 1995 Session:*

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

DEPARTMENT OF NATURAL RESOURCES

Sec. 13. There is appropriated from the marine fuel tax receipts deposited in the general fund of the state to the department of natural resources for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For the purpose of funding capital projects traditionally funded from marine fuel tax receipts for the purposes specified in section 452A.79:

..... \$ 1,600,000

Notwithstanding section 8.33, unencumbered or unobligated funds remaining on June 30, 1997, from the funds appropriated in this section, shall revert to the general fund of the state on August 31, 1997.

DEPARTMENT OF PUBLIC DEFENSE

Sec. 14. There is appropriated from the rebuild Iowa infrastructure account of the state to the department of public defense for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For maintenance and repair of national guard armories and facilities:

..... \$ 382,000

2. To match federal funds for completion of the addition and renovation of the armory in Fairfield:

..... \$ 250,000

3. To match federal funds for construction of a motor vehicle storage building at the Camp Dodge maintenance armory:

..... \$ 420,000

Notwithstanding section 8.33, unencumbered or unobligated funds remaining on June 30, 1996, from the funds appropriated in this section, shall revert to the rebuild Iowa infrastructure account of the state on August 31, 1996.

DIVISION III
LOTTERY TRANSFER

Sec. 15. Notwithstanding the requirement in section 99E.10, subsection 1, to transfer lottery revenue remaining after expenses are deducted, notwithstanding the requirement under section 99E.20, subsection 2, for the commissioner to certify and transfer a portion of the lottery fund to the CLEAN fund, and notwithstanding the appropriations and allocations in section 99E.34, all lottery revenues received during the fiscal year beginning July

*See Chapter 214, §18 herein

1, 1995, and ending June 30, 1996, after deductions as provided in section 99E.10, subsection 1, and as appropriated under any Act of the Seventy-sixth General Assembly, 1995 Session, shall not be transferred to and deposited into the CLEAN fund but shall be transferred and credited to the general fund of the state.

Sec. 16. Notwithstanding 1994 Iowa Acts, chapter 1199, section 12, of the lottery revenues remaining after \$34,400,000 is transferred and credited to the general fund of the state during the fiscal year beginning July 1, 1994, the following amounts shall be transferred in descending priority order as follows:

1. To the treasurer of state for the continued funding of Iowa's participation in the funding of the world food prize:

..... \$ 250,000

It is the intent of the general assembly that this appropriation of public funds will result in a commitment for additional funding for the world food prize from private sources.

The treasurer of state shall only provide the funds appropriated in this section to the world food prize foundation if sufficient private funds are raised to maintain the world food prize foundation in Iowa and the foundation is structured to include representation that reflects environmental concerns and sustainable agriculture.

2. To the treasurer of state for purposes of allocating moneys to assist each of the 103 county fairs which are members of the association of Iowa fairs, for purposes of supporting annual county fairs and improvements to the county fairgrounds:

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

The treasurer of state shall allocate an equal amount to each member fair. However, moneys shall only be expended by a county fair on a dollar-for-dollar matching basis with moneys received from donations contributed to the county fair from private sources or moneys contributed by a county to aid the county fair pursuant to section 174.14.

3. To the Iowa state fair foundation for capital projects and major maintenance improvements at the Iowa state fairgrounds:

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

4. To the Loess Hills development and conservation authority, for deposit in the Loess Hills development and conservation fund created in section 161D.2 for the purposes specified in section 161D.1:

..... \$ 400,000

5. To the department of agriculture and land stewardship to use in cooperation with the department of corrections for a project of repairs and improvements at the national heritage orientation center and public market. It is the intent of the general assembly that the project serve as a pilot community services program using prison labor for regional economic development initiatives supporting Iowa agriculture and food products:

..... \$ 300,000

6. To the department of economic development for a grant to the Wallace foundation for rural research and development located in Atlantic, Iowa, for costs to develop an educational and outreach center:

..... \$ 725,000

*7. To the department of cultural affairs for maintenance and improvement at the gothic house visitors center:

..... \$ 225,000*

8. To the department of natural resources for purposes of continuing natural lake preservation efforts:

..... \$ 100,000

The department shall award the amount transferred in this subsection to a city as defined in section 362.2. The department shall award the amount on a matching basis with the department contributing one dollar for each one dollar dedicated by the city, or the

*Item veto; see message at end of the Act

city acting in conjunction with a county, regardless of the source from which the city or county obtains the money, for the continuation of natural lake preservation efforts, if the city or county has previously received state funding for such purposes. However, the city, or the city and county, must have dedicated at least \$100,000 of local funds in order to qualify for the award. The city must also be located in a county having a population of less than 12,000.

9. To the department of natural resources for capital improvements at Backbone lake, other improvements of that state park, and preparation work and other costs associated with the park's 75th anniversary:

..... \$ 500,000

Of the appropriation in this subsection, up to \$100,000 shall be used for bicycle trail improvements.

*10. To the department of natural resources, to be combined with local match funding, for a study of dredging at Crystal lake in Winnebago county:

..... \$ 25,000*

11. To the department of natural resources for purposes of creating, improving, or enhancing recreational opportunities directly related to the restoration and development of lake Ahquabi and related facilities, which shall include any necessary dredging operations, and which may also include swimming, boating, and fishing facilities:

..... \$ 184,000

The department shall return any amount of the transfer expended by the department under this subsection to the general fund of the state to the extent that the department receives moneys from the clean lakes program, administered by the United States environmental protection agency, for purposes described in this subsection.

*12. To the department of economic development for operation and support of the Dows welcome center:

..... \$ 20,000

13. To the department of natural resources, to be combined with local match funding of two dollars for every one state dollar, for repair and replacement costs associated with the spillway at Hickory Grove lake:

..... \$ 250,000

14. To the department of agriculture and land stewardship for providing assistance in reconstructing and repairing flood-damaged dikes and levees on pasture and other agricultural land which is not used for crops:

..... \$ 75,000*

15. To the department of education for a grant to Southeast Polk community school district to implement an interagency coalition strategy combining education, health, and social services in addressing the problems of children and families through school-linked services:

..... \$ 60,000

*16. To the Iowa department of public health for a grant to establish a rural medical care center in Tama:

..... \$ 50,000

17. To the department of natural resources for a grant for costs associated with the Sauk rail trail and park improvements in Carroll:

..... \$ 30,000

18. To the department of natural resources for a grant for costs associated with renovation of the Boone walking trail:

..... \$ 5,000

19. To Iowa state university of science and technology for allocation to the Iowa institute for public leadership for operations costs:

..... \$ 25,000

*Item veto; see message at end of the Act

20. To the printing division of the department of general services for publication of the under the golden dome publication as specified by the authoring agency:

..... \$ 45,000

21. To the department of corrections for a grant to the amer-i-can program for training of inmates and correctional staff:

..... \$ 25,000

22. To the department of education for contracting with the Iowa alliance for arts education to execute the local arts comprehensive educational strategies program:

..... \$ 125,000

23. To the department of education for a grant to a community college to assist in a public-private partnership between the community college, a city, and a county in developing a center or program to provide child day care for nontraditional students:

..... \$ 75,000

24. To the department of general services for planning, design, site acquisition and preparation, and other expenditures necessary to establish a fee-based child day care program available to public employees officed at or near the capitol complex:

..... \$ 500,000

a. The general assembly considers child day care to be an important service for employers, employees, and their children. Employer-supported child care can have a positive impact upon employee morale and retention and can positively affect the children who are receiving child care services. High quality child care is of significant value to employers. It is believed that a quality, on-site child care program available to the children of state employees will provide a model for other employers in this state to emulate.

b. (1) The legislative council is requested to appoint a capitol complex child day care program steering committee to provide direction to the department of general services in developing facility plans, establishing the facilities, developing operation policies, contracting with a vendor to operate the program, and other decisions involving establishment and operation of the program. The steering committee shall utilize the March 1990 consultant report to the capitol complex ad hoc committee on child care, particularly the intermediate quality recommendations, in its decision making.

(2) The steering committee membership shall include members of the general assembly; representatives of the departments of general services, personnel, human services, and education; employees officed at the capitol complex who purchase child day care services; a representative of the state board of regents center for early childhood education; a representative of the Iowa state university of science and technology early childhood education programs; and other persons knowledgeable concerning child day care programs.

c. In consultation with the steering committee, the director of the department of general services shall retain a consultant to oversee the process of developing the program and shall contract with a vendor to manage the program.

d. The program shall be designed to operate with a capacity of 150 children and to regularly serve infants, toddlers, preschool, school age, and mildly ill children.*

25. To the commission of veterans affairs, for donation to the women in military service for America memorial foundation for the purpose of constructing the women in military service memorial to be built at the gateway to Arlington national cemetery in Arlington, Virginia:

..... \$ 47,000

The executive director of the commission of veterans affairs shall forward this donation to the women in military service for America memorial foundation upon certification by the foundation that sufficient funding has been pledged to complete the construction of the memorial.

*26. To the Iowa peace institute:

..... \$ 100,000

27. To the division of highway safety, uniformed force, and radio communications of the department of public safety for purchase and activation charges for cellular phones for force members:

..... \$ 50,000

*Item veto; see message at end of the Act

28. To the department of economic development for expansion of the microbusiness rural enterprise demonstration project created pursuant to 1994 Iowa Acts, chapter 1119, section 34, to 30 additional counties in the fiscal year beginning July 1, 1995:

..... \$ 50,000

29. To the Iowa department of public health for a conference to develop a plan for provision of health insurance coverage to children of low-income families who are ineligible for medical assistance and have no health care coverage:

..... \$ 20,000

30. To the Iowa department of public health for a domestic violence conference:

..... \$ 20,000

31. To the department of corrections for a study of the development and use of a telecommunications network for worker training, inmate rehabilitation, and other related purposes in the sixth judicial district:

..... \$ 25,000

32. To Iowa state university of science and technology for a study of alternative project delivery systems for publicly funded infrastructure projects, provided the study is publicly distributed upon completion:

..... \$ 39,000*

33. To the department of economic development for the Iowa members' cost share for the Lewis and Clark rural water system:

..... \$ 25,000

*34. To the department of elder affairs for the 1995 older Iowans legislature:

..... \$ 20,000

35. To the judicial department for development and implementation of a long-range and strategic plan for the judicial branch of Iowa government:

..... \$ 50,000

36. To the department of education for allocation to the community college that experienced the highest percentage of increase in full-time fall enrollment for the period beginning July 1, 1989, and ending June 30, 1995, for purposes of renovating a building for use as an urban center with classrooms to prepare students for the workplace or to pursue postsecondary education:

..... \$ 150,000

37. To the department of human services for application by the department for grants to establish pilot projects for placements of geriatric patients who have a mental illness:

..... \$ 25,000

Any grant received may be used by the department to fund a coordinator to work with hospitals and nursing homes concerning placements of geriatric patients who have a mental illness.

38. To the college student aid commission for the Iowa hope loan program:

..... \$ 100,000

39. To the state department of transportation for the city of Durant to construct a curb on highway 927:

..... \$ 100,000*

40. The remaining revenues to the Iowa state fair foundation for capital projects and major maintenance improvements at the Iowa state fairgrounds. If the remaining lottery revenues do not equal \$5,500,000, then the remaining amount necessary to equal \$5,500,000 is appropriated from the rebuild Iowa infrastructure fund to the Iowa state fair foundation for the fiscal year beginning July 1, 1995, and ending June 30, 1996.

Notwithstanding section 8.33, moneys transferred and appropriated in accordance with this section shall not revert to the general fund of the state at the close of the fiscal year but shall remain available for expenditure for the purposes designated. Unless otherwise provided in this section, moneys transferred in this section which remain unobligated or unexpended for the purpose designated shall revert to the general fund of the state on August 31, 1997.

*Item veto; see message at end of the Act

Sec. 17. **BLOOD RUN NATIONAL HISTORIC LANDMARK.** The department of cultural affairs may use moneys appropriated to the department in 1994 Iowa Acts, chapter 1199, section 35, as necessary, to contract with the midwest region of the national park service to complete a study of blood run national historic landmark for the purpose of determining the feasibility of incorporating the landmark into the national park system. Notwithstanding section 8.33, moneys from the appropriation which remain unobligated or unexpended on June 30, 1995, shall not revert to the general fund of the state but shall remain available for use as provided in this section in the succeeding fiscal year.

Sec. 18. **EFFECTIVE DATE.** This division of this Act, being deemed of immediate importance, takes effect upon enactment.

**DIVISION IV
HIGHWAY PATROL**

Sec. 19. There is appropriated from the highway safety patrol fund to the division of highway safety, uniformed force, and radio communications of the department of public safety, for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For salaries, support, maintenance, workers' compensation costs, 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 18 percent of the salaries for which the funds are appropriated, and for not more than the following full-time equivalent positions:

.....	\$	33,210,467
.....	FTEs	553.50

Sec. 20. **HIGHWAY SAFETY PATROL FUND.** There is appropriated from the general fund of the state to the highway safety patrol fund created in section 80.41, the following amounts for the fiscal years indicated:

1. For the fiscal year beginning July 1, 1996, and ending June 30, 1997, \$9,000,000.
2. For the fiscal year beginning July 1, 1997, and ending June 30, 1998, \$18,000,000.
3. For the fiscal year beginning July 1, 1998, and ending June 30, 1999, \$27,000,000.
4. For the fiscal year beginning July 1, 1999, and ending June 30, 2000, \$36,000,000, or such increased amounts as are necessary to fully fund those expenses for which an appropriation is made pursuant to section 80.41.

Sec. 21. The division of highway safety, uniformed force, and radio communications may expend an amount proportional to the costs that are reimbursable from the highway safety patrol fund created in section 80.41, as enacted by this Act. Spending for these costs may occur from any unappropriated funds in the state treasury upon a finding by the department of management that all of the amounts requested and approved are reimbursable from the highway safety patrol fund. Upon payment to the highway safety patrol fund, the division of highway safety, uniformed force, and radio communications shall credit the payments necessary to reimburse the state treasury.

Sec. 22. There is appropriated from the general fund of the state to the department of public safety for the fiscal year beginning July 1, 1995, and ending June 30, 1996, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

For payment to the department of personnel for expenses incurred in administering the merit system on behalf of the division of highway safety, uniformed force, and radio communications:

.....	\$	88,390
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Sec. 23. **NEW SECTION.** 80.41 **HIGHWAY SAFETY PATROL FUND.**

1. A highway safety patrol fund is created as a separate fund in the state treasury under

the control of the department of revenue and finance. Interest and other moneys earned by the fund shall be deposited in the fund. The fund shall include moneys credited from the use tax as allocated under section 423.24, subsection 2.

2. Moneys credited to the fund shall be expended, pursuant to appropriations made from the fund by the general assembly, by the division of highway safety, uniformed force, and radio communications of the department of public safety for salaries, including salary adjustment moneys, support, maintenance, and miscellaneous purposes, including workers' compensation expenses and the state's contribution to the peace officers' retirement, accident, and disability system provided in chapter 97A.

3. Notwithstanding section 8.33, moneys credited to the fund which remain unobligated or unexpended at the close of a fiscal year shall not revert to the general fund of the state but shall be credited to the fund from which they were appropriated.

4. This section is repealed July 1, 2000.

Sec. 24. Section 423.24, subsection 2, Code 1995, is amended to read as follows:

2. Twenty percent of all revenue derived from the use tax on motor vehicles, trailers, and motor vehicle accessories and equipment as collected pursuant to section 423.7 shall be deposited ~~in the GAAP deficit reduction account established in the department of management pursuant to section 8.57, subsection 2, and shall be used and credited one-half to the road use tax fund and one-half to the primary road fund to be used for the commercial and industrial highway network, except to the extent that the department directs that moneys are deposited in the highway safety patrol fund created in section 80.41 to fund the appropriations made from the highway safety patrol fund in accordance with the provisions of that section 80.41. The department shall determine the amount of moneys to be credited under this subsection to the highway safety patrol fund and shall deposit that amount into the highway safety patrol fund.~~

DIVISION V

*Sec. 25. Section 313.8, Code 1995, is amended to read as follows:

313.8 IMPROVEMENT OF PRIMARY SYSTEM.

*The department shall proceed to the improvement of the primary road system as rapidly as funds become available ~~therefor~~ until the entire mileage of the primary road system is built to established grade, bridged, and surfaced with pavement or other surface suited to the traffic on such road. Improvements shall be made and carried out in such manner as to equalize the condition of the primary roads and accessibility for commercial and industrial economic development purposes, as nearly as possible, in all sections of the state. For purposes of this section, improvements also include equalization of different levels of roads and streets classified under section 306.1, as nearly as possible, in all sections of the state.**

Sec. 26. Section 314.21, subsection 3, paragraph b, subparagraph (1), Code 1995, is amended to read as follows:

(1) For the fiscal period ~~year~~ beginning July 1, 1989 1995, and ending June 30, ~~1995, fifty 1996, and each subsequent fiscal year, seventy-five~~ thousand dollars ~~in each fiscal year~~ to the university of northern Iowa to maintain the position of the state roadside specialist and to continue its integrated roadside vegetation management ~~pilot~~ program providing research, education, training, and technical assistance.

Sec. 27. DRIVER'S LICENSE PILOT PROJECT.

1. The legislative council is requested to establish an interim study committee to evaluate expansion of the driver's license pilot program to include additional counties. The committee shall evaluate the benefits to the public from the issuance of driver's licenses by the counties and the cost effectiveness of doing so. The committee shall hear testimony from federal transportation officials regarding issuance of commercial driver's licenses and compliance with federal regulations. The committee shall provide recommendations regarding such expansion to the general assembly no later than December 15, 1995.

*Item veto; see message at end of the Act

2. Notwithstanding any other provisions to the contrary, the county treasurers of Adams, Cass, Fremont, Mills, Montgomery, and Page counties may retain for deposit in the county general fund, up to five dollars for each motor vehicle license transaction, including, but not limited to, issuance or renewal of motor vehicle licenses, nonoperator's identification cards, or handicapped identification devices.

3. As a condition for retention of moneys under this subsection, a county treasurer shall document the actual quarterly expenditures associated with driver's license issuance including the amount of time spent during that quarter on driver's license-related activities, the proportionate share of salaries and benefits for county employees performing driver's license-related activities, the total numbers of transactions conducted, and other costs related to the administration of driver's license-related activities. Each county treasurer shall provide the documentation of expenditures to the state department of transportation and legislative fiscal bureau. If the county treasurer's total expenses are less than the moneys retained under this subsection, the county treasurer shall submit the difference to the treasurer of state on a quarterly basis. The treasurer of state shall deposit that amount in the road use tax fund.

Sec. 28. NEW SECTION. 321.179 COUNTY TREASURERS – ISSUANCE OF MOTOR VEHICLE LICENSES.

1. Notwithstanding the provisions of this chapter or chapter 321L which grant sole authority to the department for the issuance of motor vehicle licenses, nonoperator's identification cards, and handicapped identification devices, the counties of Adams, Cass, Fremont, Mills, Montgomery, and Page shall be authorized to issue motor vehicle licenses, nonoperator's identification cards, and handicapped identification devices on a permanent basis. However, a county shall only be authorized to issue commercial driver's licenses if certified to do so by the department. If a county fails to meet the standards for certification under this section, the department itself shall provide for the issuance of commercial driver's licenses in that county. The department shall certify the county treasurers in the permanent counties to issue commercial driver's licenses if all of the following conditions are met:

a. The driving skills test is the same as that which would otherwise be administered by the state.

b. The county examiner contractually agrees to comply with the requirements of 49 C.F.R. § 383.75, adopted as of a specific date by rule by the department.

c. The department provides supervision over the issuance of commercial driver's licenses and the administration of written tests by the county treasurers.

2. The department shall retain all supervisory authority over the county treasurers who shall be subject to the supervision of the department and shall be considered agents of the department when performing motor vehicle licensing functions.

Sec. 29. Section 455A.19, subsection 1, paragraph g, Code 1995, is amended by striking the paragraph and inserting in lieu thereof the following:

g. Three percent shall be allocated to the living roadway account for distribution to the living roadway trust fund created under section 314.21 for the development and implementation of integrated roadside vegetation plans.

Sec. 30. Section 455A.19, subsection 2, Code 1995, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. However, any moneys in excess of \$500,000, remaining in the living roadway account under subsection 1, paragraph "g", on June 30 shall revert to the resource enhancement and protection fund under this section for distribution pursuant to the formula under this section except for subsection 1, paragraph "g". That proportion of moneys that would have been reallocated to subsection 1, paragraph "g", shall be distributed to the open spaces account under subsection 1, paragraph "a".

Sec. 31. 1994 Iowa Acts, chapter 1199, section 10, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The provisions of section 8.33 do not apply to the funds appropriated in this section. Unencumbered or unobligated funds remaining on June 30, 1995, from funds appropriated for the fiscal year beginning July 1, 1994, shall not revert but shall remain available for expenditure during the fiscal year beginning July 1, 1995, for the purposes for which they were appropriated.

Sec. 32. The legislative fiscal bureau shall evaluate the living roadway trust program and provide a written report to the joint appropriations subcommittee on transportation, infrastructure and capitals by January 15, 1996.

Sec. 33. The state department of transportation shall consider as a priority for inclusion in the state five-year transportation plan the preparation of planning studies for development of highway bypass projects that promote the safe flow of traffic and economic development in the project areas.

Sec. 34. **INFRASTRUCTURE APPROPRIATIONS.** If section 8.57, subsection 5, Code 1995, is amended by the Seventy-sixth General Assembly, 1995 Session,* to change the name of the rebuild Iowa infrastructure account to the rebuild Iowa infrastructure fund, the appropriations in this or any other Act from the rebuild Iowa infrastructure account shall be deemed to be made from the rebuild Iowa infrastructure fund.

****Sec. 35.** *Section 321.179, as enacted in this Act, is repealed July 1, 1997.***

Sec. 36. Section 31 of this Act, being deemed of immediate importance, takes effect upon enactment.

Approved June 1, 1995, except the items which I hereby disapprove and which are designated as that portion of Section 1, subsection 1, paragraph a which is herein bracketed in ink and initialed by me; Section 6 in its entirety; Section 7, subsection 3 in its entirety; Section 8, subsections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15 in their entirety; that portion of Section 9 which is herein bracketed in ink and initialed by me; Section 10, subsections 5a, 5b, and 5c in their entirety; Section 16, subsection 7 in its entirety; Section 16, subsection 10 in its entirety; Section 16, subsections 12, 13, and 14 in their entirety; Section 16, subsections 16, 17, 18, 19, 20, 21, 22, 23, and 24 in their entirety; Section 16, subsections 26, 27, 28, 29, 30, 31, and 32 in their entirety; Section 16, subsections 34, 35, 36, 37, 38, and 39 in their entirety; Section 25 in its entirety; and Section 35 in its entirety. My reasons for vetoing these items are delineated 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

Dear Mr. Secretary:

I hereby transmit Senate File 481, an Act relating to and making appropriations to the State Department of Transportation including allocation and use of moneys from the general fund, road use tax fund, and primary road fund, and making appropriations to various state agencies for capital projects, to the primary road fund, to county fairs and to the Iowa State Fair from the rebuild Iowa infrastructure account and the general fund, relating to the living roadway trust fund and the state roadside specialist, the primary road and state highway system, and other transportation-related statutory changes, requiring transportation-related studies, making technical changes, and providing an effective date.

*See Chapter 214, §16 herein

**Item veto; see message at end of the Act

Senate File 481 contains several significant milestones in state finances. For the first time in many years, substantial resources are directed to the repair and rebuilding of the state's infrastructure. I am especially pleased that the State Capitol building restoration work will proceed on an aggressive schedule, enabling completion to occur by the turn of the millennium on a pay-as-you-go basis.

The bill also changes the funding for the Iowa State Patrol so that it will no longer be funded from the road use tax fund. This will immediately make available an additional \$33.5 million for the road funding formula. Finally, the 20 percent of the sales tax on vehicles that had been directed to the GAAP deficit reduction account is redirected back into the road use tax and primary road funds over the next four years where it will likewise be dedicated to transportation purposes.

These changes, coupled with action already taken to make state budget practices consistent with generally accepted accounting principles and to immediately fill the cash reserve fund to five percent, will close the chapter on many long-standing issues in state finances and will allow Iowa to attain the goal of being one of the best managed states in the country.

Despite its many accomplishments, I am disappointed that the total level of capital spending in the bill exceeded my capital budget recommendations by more than \$27 million. Therefore, I have carefully reviewed each item in this bill, and through today's action am exercising my item veto authority on nearly \$14 million worth of spending. I have used specific criteria, consistently applied in making these decisions. These criteria include whether the appropriation is truly a capital spending item and not an ongoing operational expense, whether the item is consistent with purposes that are traditionally a state responsibility and does not create a precedent for a new area of state responsibility, and whether the necessary planning for the item has been completed so that it is ready to proceed.

Senate File 481 is, therefore, approved on this date with the following exceptions which I hereby disapprove.

I am unable to approve the designated portion of Section 1, subsection 1, paragraph a. This item allocates \$100,000 of the rail assistance appropriation for renovation of historical electric rail cars. This would be an inappropriate use of funds intended for rail projects that are essential to the state's economic well-being.

I am unable to approve the item designated as Section 6, in its entirety. This item provides funds to correct water seepage problems and to complete design specifications for the centennial building in Iowa City. The \$4 million appropriated in Section 10, subsection 4, of this bill to the Department of General Services for major maintenance may be used for correcting the water seepage problem.

I am unable to approve the designated portion of Section 7, subsection 3, in its entirety. This item provides funding for a welcome center that is not a part of the state's long-term welcome center plan. I am unaware of any compelling special circumstances that would warrant a change from the plan.

I am unable to approve the items designated as Section 8, subsections 2 through 15, in their entirety. These items would result in the allocation of \$1.5 million to community colleges for capital projects and equipment. This would create a precedent for state funding in an area that has traditionally been a local responsibility. As a result of these item vetoes, \$1.5 million of the \$2.5 million appropriated in this section will remain in the rebuild Iowa infrastructure account.

I am unable to approve the designated portion of Section 9, beginning with the second sentence of the first unnumbered and unlettered paragraph and continuing through the item designated as subsection 15. These items would result in the allocation of \$2.5 million to the community colleges for capital projects and equipment in the event that matching funds are not secured for the first item in Section 8. In the event this section becomes effective as a result of the matching funds not being secured as required in Section 8, these item vetoes will result in \$2.5 million remaining in the rebuild Iowa infrastructure account.

I am unable to approve the items designated as Section 10, subsections 5a, 5b and 5c, in their entirety. These items provide a total of \$10 million for renovation of the old historical building, construction of a tunnel under Grand Avenue and site preparation for a new parking ramp near the old historical building. I support the concept of renovating the old historical building. However, the state is not ready to proceed with this project because the necessary planning and analysis of options has not been completed. I am willing to facilitate a process to reach written agreement among the executive elected officials, the court and the legislative branch concerning which offices should be located in the old historical building.

I am unable to approve the item designated as Section 16, subsection 7, in its entirety. This item would provide \$225,000 for maintenance and improvements at the Gothic House visitors center. A project of this magnitude needs greater scrutiny as a part of the overall historic preservation planning process. As a result of this action, this \$225,000 will remain in the lottery fund to be transferred and credited to the general fund in accordance with 1994 Iowa Acts, Chapter 1199, Section 12.

I am unable to approve the item designated as Section 16, subsection 10, in its entirety. This item would provide funds to study dredging at Crystal Lake. The Department of Natural Resources has the capability and expertise necessary to determine if dredging is appropriate at Crystal Lake. It is not necessary to spend \$25,000 to have a consultant make this determination. As a result of this action, this \$25,000 will remain in the lottery fund to be transferred and credited to the general fund in accordance with 1994 Iowa Acts, Chapter 1199, Section 12.

I am unable to approve the item designated as Section 16, subsection 12, in its entirety. This item would provide \$20,000 for the operation of the Dows Welcome Center. The state should not be involved in funding the operating costs of welcome centers. As a result of this action, this \$20,000 will remain in the lottery fund to be transferred and credited to the general fund in accordance with 1994 Iowa Acts, Chapter 1199, Section 12.

I am unable to approve the item designated as Section 16, subsection 13, in its entirety. This item would provide \$250,000 for repairs and replacement at Hickory Grove Lake, a county-owned lake. This would create a precedent for state funding in an area that has traditionally been a local responsibility. As a result of this action, this \$250,000 will remain in the lottery fund to be transferred and credited to the general fund in accordance with 1994 Iowa Acts, Chapter 1199, Section 12.

I am unable to approve the item designated as Section 16, subsection 14, in its entirety. This item would provide \$75,000 for reconstructing and repairing dikes and levees. Last year I approved \$550,000 for dike and levee repair, of which nearly one-half remains unobligated. The need for additional funds has not been demonstrated. As a result of this action, this \$75,000 will remain in the lottery fund to be transferred and credited to the general fund in accordance with 1994 Iowa Acts, Chapter 1199, Section 12.

I am unable to approve the item designated as Section 16, subsection 16, in its entirety. This item would provide a \$50,000 grant to establish a rural medical care center. The Department of Public Health has a program providing funds for this type of project. As a result of this action, this \$50,000 will remain in the lottery fund to be transferred and credited to the general fund in accordance with 1994 Iowa Acts, Chapter 1199, Section 12.

I am unable to approve the item designated as Section 16, subsection 17, in its entirety. This item would provide a \$30,000 grant for a trail and park improvements. Funds for trail development and improvement are available through the Departments of Transportation and Natural Resources. As a result of this action, this \$30,000 will remain in the lottery fund to be transferred and credited to the general fund in accordance with 1994 Iowa Acts, Chapter 1199, Section 12.

I am unable to approve the item designated as Section 16, subsection 18, in its entirety. This item would provide a \$5,000 grant for a walking trail. Funds for trail development and improvement are available through the Departments of Transportation and Natural Resources. As a result of this action, this \$5,000 will remain in the lottery fund to be transferred and credited to the general fund in accordance with 1994 Iowa Acts, Chapter 1199, Section 12.

I am unable to approve the item designated as Section 16, subsection 19, in its entirety. This item would provide \$25,000 to Iowa State University for a public leadership institute. I support the development of the institute, however it is inappropriate to finance ongoing operating costs with a one-time source of revenue. As a result of this action, this \$25,000 will remain in the lottery fund to be transferred and credited to the general fund in accordance with 1994 Iowa Acts, Chapter 1199, Section 12.

I am unable to approve the item designated as Section 16, subsection 20, in its entirety. This item would provide \$45,000 for printing an under the golden dome publication. This is an informative publication about our State Capitol building. However, it would make more sense to delay its publication so that information about the completion of restoration work can be included. As a result of this action, this \$45,000 will remain in the lottery fund to be transferred and credited to the general fund in accordance with 1994 Iowa Acts, Chapter 1199, Section 12.

I am unable to approve the item designated as Section 16, subsection 21, in its entirety. This item would provide \$25,000 to the Department of Corrections for a grant to the amer-i-can program for training. The department's budget contains funds for training, and the department should review and prioritize its own training needs. Moreover, it is inappropriate to fund ongoing expenses from a one-time source of revenue. As a result of this action, this \$25,000 will remain in the lottery fund to be transferred and credited to the general fund in accordance with 1994 Iowa Acts, Chapter 1199, Section 12.

I am unable to approve the item designated as Section 16, subsection 22, in its entirety. This item would provide \$125,000 for the Local Arts Comprehensive Educational Strategies (LACES) program. This is not a capital expense, and is inappropriately funded from a one-time source of revenue. I have approved a \$25,000 general fund appropriation for this program in another bill. As a result of this action, this \$125,000 will remain in the lottery fund to be transferred and credited to the general fund in accordance with 1994 Iowa Acts, Chapter 1199, Section 12.

I am unable to approve the item designated as Section 16, subsection 23, in its entirety. This item would provide a \$75,000 grant for developing a child care program for non-traditional students at a community college. This would create a precedent for state funding in an area that has traditionally been a local responsibility. As a result of this action,

this \$75,000 will remain in the lottery fund to be transferred and credited to the general fund in accordance with 1994 Iowa Acts, Chapter 1199, Section 12.

I am unable to approve the item designated as Section 16, subsection 24, in its entirety. This item would provide \$500,000 for the establishment of a child day care center for public employees at or near the Capitol Complex. Public employees already have access to a child day care center directly adjacent to the Capitol Complex. As a result of this action, this \$500,000 will remain in the lottery fund to be transferred and credited to the general fund in accordance with 1994 Iowa Acts, Chapter 1199, Section 12.

I am unable to approve the item designated as Section 16, subsection 26, in its entirety. This item would provide \$100,000 for the operation of the Peace Institute. It is inappropriate to fund ongoing expenses from a one-time source of revenue. As a result of this action, this \$100,000 will remain in the lottery fund to be transferred and credited to the general fund in accordance with 1994 Iowa Acts, Chapter 1199, Section 12.

I am unable to approve the item designated as Section 16, subsection 27, in its entirety. This item would provide \$50,000 for the purchase of cellular phones for force members in the Department of Public Safety. This is a significant ongoing expense and should not be funded from a one-time source of revenue. As a result of this action, this \$50,000 will remain in the lottery fund to be transferred and credited to the general fund in accordance with 1994 Iowa Acts, Chapter 1199, Section 12.

I am unable to approve the item designated as Section 16, subsection 28, in its entirety. This item would provide \$50,000 for expansion of the microbusiness rural enterprise demonstration project. It is inappropriate to fund ongoing programs from a one-time funding source. As a result of this action, this \$50,000 will remain in the lottery fund to be transferred and credited to the general fund in accordance with 1994 Iowa Acts, Chapter 1199, Section 12.

I am unable to approve the item designated as Section 16, subsection 29, in its entirety. This item would provide \$20,000 to the Department of Public Health for a conference. The state should not fund a conference as a capitals appropriation. As a result of this action, this \$20,000 will remain in the lottery fund to be transferred and credited to the general fund in accordance with 1994 Iowa Acts, Chapter 1199, Section 12.

I am unable to approve the item designated as Section 16, subsection 30, in its entirety. This item would provide \$20,000 to the Department of Public Health for another conference. The state should not fund a conference as a capitals appropriation. As a result of this action, this \$20,000 will remain in the lottery fund to be transferred and credited to the general fund in accordance with 1994 Iowa Acts, Chapter 1199, Section 12.

I am unable to approve the item designated as Section 16, subsection 31, in its entirety. This item would provide \$25,000 to the Department of Corrections for a study of the use of the telecommunications network for worker training. The department can conduct a study without a specific appropriation. As a result of this action, this \$25,000 will remain in the lottery fund to be transferred and credited to the general fund in accordance with 1994 Iowa Acts, Chapter 1199, Section 12.

I am unable to approve the item designated as Section 16, subsection 32, in its entirety. This item would provide \$39,000 to Iowa State University for a study of alternative project delivery systems for publicly funded infrastructure projects. The university can conduct the study without a specific appropriation. As a result of this action, this \$39,000 will remain in the lottery fund to be transferred and credited to the general fund in accordance with 1994 Iowa Acts, Chapter 1199, Section 12.

I am unable to approve the item designated as Section 16, subsection 34, in its entirety. This item would provide \$20,000 for the Older Iowans Legislature. This is a valuable program that has operated for many years without an appropriation, and should continue to do so. As a result of this action, this \$20,000 will remain in the lottery fund to be transferred and credited to the general fund in accordance with 1994 Iowa Acts, Chapter 1199, Section 12.

I am unable to approve the item designated as Section 16, subsection 35, in its entirety. This item would provide \$50,000 to the Judicial Department for strategic planning. I support the development of a strategic plan, however it should not be funded as a capitals appropriation. As a result of this action, this \$50,000 will remain in the lottery fund to be transferred and credited to the general fund in accordance with 1994 Iowa Acts, Chapter 1199, Section 12.

I am unable to approve the item designated as Section 16, subsection 36, in its entirety. This item would provide \$150,000 to a community college to renovate a building. This would create a precedent for or state funding in an area that has traditionally been a local responsibility. As a result of this action, this \$150,000 will remain in the lottery fund to be transferred and credited to the general fund in accordance with 1994 Iowa Acts, Chapter 1199, Section 12.

I am unable to approve the item designated as Section 16, subsection 37, in its entirety. This item would provide \$25,000 for pilot projects for the placement of geriatric patients with mental illness. This is an important issue for the state, and the department is in the process of studying the needs of these patients. However, it is not a capital expense and is not appropriately funded from a one-time revenue source. As a result of this action, this \$25,000 will remain in the lottery fund to be transferred and credited to the general fund in accordance with 1994 Iowa Acts, Chapter 1199, Section 12.

I am unable to approve the item designated as Section 16, subsection 38, in its entirety. This item would provide \$100,000 for the Iowa hope loan program. It is inappropriate to fund ongoing programs from a one-time funding source. As a result of this action, this \$100,000 will remain in the lottery fund to be transferred and credited to the general fund in accordance with 1994 Iowa Acts, Chapter 1199, Section 12.

I am unable to approve the item designated as Section 16, subsection 39, in its entirety. This item would provide \$100,000 to construct a curb on a municipal street. This would create a precedent of state involvement in an area that has traditionally been a local responsibility. As a result of this action, this \$100,000 will remain in the lottery fund to be transferred and credited to the general fund in accordance with 1994 Iowa Acts, Chapter 1199, Section 12.

I am unable to approve the item designated as Section 25, in its entirety. This item would require the Department of Transportation to improve the primary highway system in a way that, as nearly as possible, equalizes the service levels in all sections of the state. For example, each section of the state would be required to have the same number of freeway-expressway miles. While I strongly support the addition of more miles of four-lane highway in northwest Iowa, this should not jeopardize the construction of other highway projects elsewhere in the state. This language could adversely affect critical upgrades that are programmed, including projects for which federal funding has been secured.

I am unable to approve the item designated as Section 35, in its entirety. This item would repeal, on July 1, 1997, the authority of the county treasurers in the six pilot counties to

issue driver licenses on a permanent basis. This action presupposes the conclusion of an evaluation to be undertaken by a legislative interim committee. I have heard from many people in southwest Iowa who feel strongly that the issuance of driver licenses by county treasurers has been a great convenience and would like to see it continue on a permanent basis.

As I complete action on this bill, I feel compelled to express my strong disapproval of what appears to be an attempt to coerce the Governor into approving items of spending which would not otherwise be approved. It has been suggested that by disapproving a number of the appropriations provided in Section 16 that those funds would then be available to expend for the purposes specified in subsection 40 of Section 16. Such a result would not only violate the principles of the separation of powers provided in Iowa's Constitution but also the separate and severable doctrine relating to items which are vetoable in appropriation bills. The people of Iowa granted the Governor item veto power to serve as a check on the legislative practice of logrolling. The numerous inappropriate items of expenditure in this bill are a classic example of why the item veto is necessary to protect taxpayers against unnecessary and excessive spending.

It has been clearly established by constitutional amendment and court decisions that the Governor cannot be denied the authority to veto separate and distinct items in an appropriation bill. To accept that the legislature could devise a way to evade the Governor's veto of individual items by reappropriating disapproved items and making them part of an expenditure of funds for another purpose in the same bill would ignore this basic principle of item veto law. Further, the legislature's attempt to construct such a device results in an unconstitutional invasion of the Governor's line-item veto authority.

I have always recognized and will continue to respect the awesome but not unlimited power of the legislature over the "purse strings" of state government. At the same time, as Governor I am obligated to protect the right of the chief executive to exercise the item veto authority on behalf of the citizens of Iowa to control excessive spending. Applying the principles of item veto law which I have enunciated above, the \$2,224,000 disapproved in Section 16 will remain in the lottery fund and will be transferred and credited to the general fund at the end of the current fiscal year pursuant to 1994 Iowa Acts, Chapter 1199, Section 12.

For the above reasons, I hereby respectfully disapprove these items in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in Senate File 481 are hereby approved as of this date.

Sincerely,
TERRY E. BRANSTAD, *Governor*