

MAY 30 1975

APPROPRIATIONS CALENDAR *Pass 5/30*
Sen. " 6/5, Pass 6/11

HOUSE FILE 892

BY COMMITTEE ON APPROPRIATIONS

Passed House, Date 6-4-75 (2/29) Passed Senate, Date 6-12-75 (1983)
Vote: Ayes 86 Nays 3 Vote: Ayes 49 Nays 0
Approved 6-29

A BILL FOR

1 An Act to appropriate from the road use tax fund, the primary
2 road fund, the aeronautics fund, and the general fund of
3 the state to the state department of transportation for
4 administration and other purposes, clarifying administra-
5 tive duties of the state department of transportation, and
6 funding the state department of transportation's share for
7 administration of the state merit system.

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

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1 Section 1. There is appropriated from the general fund
2 of the state to the state department of transportation for
3 the fiscal year beginning July 1, 1975 and ending June 30,
4 1976 the following amounts, or so much thereof as may be
5 necessary, to be used for the following purposes:

	1975-1976
	<u>Fiscal Year</u>
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8 1. For salaries, support, main-	
9 tenance, and miscellaneous pur-	
10 poses	\$ 3,542,200
11 2. General contingency fund	\$ 250,000

12 Sec. 2. There is appropriated from the road use tax fund
13 to the state department of transportation for the fiscal
14 year beginning July 1, 1975 and ending June 30, 1976 the
15 following amounts, or so much thereof as may be necessary,
16 to be used for the following purposes:

17 1. For salaries, support, main-	
18 tenance, and micellaneous pur-	
19 poses	\$ 5,695,400

20 2. For the purpose of making pay-	
21 ments to the Iowa merit employment	
22 department for expenses incurred in	
23 administering the merit system on	
24 behalf of the state department of	
25 transportation, as required by chap-	
26 ter nineteen A (19A) of the Code	\$ 10,000

27 Sec. 3. There is appropriated from the primary road fund
28 to the state department of transportation for the fiscal
29 year beginning July 1, 1975 and ending June 30, 1976, the
30 following amounts, or so much thereof as may be necessary,
31 to be used for the following purposes:

32 1. For salaries, support, main-	
33 tenance, and miscellaneous pur-	
34 poses	\$69,775,000

35 2. Additional equipment to be

1 purchased to supplement present
2 inventory. All acquisitions, when
3 acquired, will become a part of the
4 state department of transportation
5 materials and equipment revolving
6 fund\$ 500,000

7 3. To be deposited in the state
8 department of transportation materials
9 and equipment revolving fund estab-
10 lished by section three hundred seven A
11 point seven (307A.7) of the Code for
12 funding the increased replacement cost
13 of vehicles\$ 400,000

14 4. For the purpose of making pay-
15 ments to the Iowa merit employment
16 department for expenses incurred in
17 administering the merit system on
18 behalf of the state department of
19 transportation, as required by chapter
20 nineteen A (19A) of the Code\$ 140,000

21 5. Unemployment compensation\$ 100,000
22 6. To the industrial commission
23 for payment of workmen's compensa-
24 tion claims\$ 150,000

25 Sec. 4. There is appropriated from the aeronautics fund
26 to the state department of transportation for the fiscal year
27 beginning July 1, 1975 and ending June 30, 1976, the following
28 amounts, or so much thereof as may be necessary, to be used
29 for the following purposes:

30 For salaries, support, main-
31 tenance, and miscellaneous pur-
32 poses\$ 300,000

33 Sec. 5. Unless otherwise provided, the primary road fund
34 is hereby appropriated for highway construction.

35 Sec. 6. Unless otherwise provided, the aeronautics fund

1 is hereby appropriated for airport construction.

2 Sec. 7. For the fiscal year beginning July 1, 1975 and
3 ending June 30, 1976, the funds in the primary road con-
4 tingent fund, established under section three hundred
5 thirteen point seventeen (313.17) of the Code, may be ex-
6 pended to pay claims for labor, freight, or other items
7 which must be paid promptly by the state department of
8 transportation. The primary road contingent fund shall
9 be reimbursed for expenditures made by the state depart-
10 ment of transportation from the fund to which the expend-
11 iture should properly be charged.

12 Sec. 8.

13 1. Notwithstanding the provisions of sections three hundred
14 twenty-one point two hundred thirty-eight (321.238), three
15 hundred twenty-two point twelve (322.12), three hundred twenty-
16 five point thirty-six (325.36), three hundred twenty-seven
17 point thirteen (327.13), three hundred twenty-seven A point
18 nineteen (327A.19), and three hundred twenty-seven B point
19 three (327B.3) of the Code, for the fiscal year beginning
20 July 1, 1975 and ending June 30, 1976, the treasurer of state
21 shall credit all fees collected pursuant to sections three
22 hundred twenty-one point two hundred thirty-eight (321.238),
23 three hundred twenty-two point twelve (322.12), three hundred
24 twenty-five point thirty-six (325.36), three hundred twenty-
25 seven point thirteen (327.13), three hundred twenty-seven
26 A point nineteen (327A.19), and three hundred twenty-seven
27 B point three (327B.3) of the Code to the road use tax fund,
28 except that any refunds or other costs allowed under sections
29 three hundred twenty-one point two hundred thirty-eight
30 (321.238), three hundred twenty-two point twelve (322.12),
31 three hundred twenty-five point thirty-six (325.36), three
32 hundred twenty-seven point thirteen (325.13), three hundred
33 twenty-seven A point nineteen (327A.19), and three hundred
34 twenty-seven B point three (327B.3) of the Code shall be
35 deducted by the treasurer of state from the funds to be

1 credited to the road use tax fund.

2 2. Notwithstanding the provisions of section three hun-
3 dred twenty-one point two hundred thirty-eight (321.238),
4 subsection nine (9), and section three hundred twenty-two
5 point twelve (322.12) of the Code, all unencumbered moneys
6 on deposit in the motor vehicle inspection fund and the motor
7 vehicle dealer license fee fund on July 31, 1975, shall be
8 credited by the treasurer of state to the road use tax fund.

9 Sec. 9.

10 1. For the fiscal year beginning July 1, 1975 and ending
11 June 30, 1976 the money, except fines and forfeitures, op-
12 erator's and chauffeur's license fees, certificates of title
13 fees and lien or encumbrance notation fees, collected pursu-
14 ant to the provisions of chapter three hundred twenty-one
15 (321) of the Code shall be credited by the treasurer of state
16 to the road use tax fund.

17 2. The treasurer of state shall also credit certificates
18 of title fees and lien or encumbrance fees to the road use
19 tax fund of the state, less any fees retained by the county
20 treasurer pursuant to section three hundred twenty-one point
21 one hundred fifty-two (321.152) of the Code.

22 Sections three hundred twenty-one point one hundred twenty-
23 nine (321.129) and three hundred twenty-one point one hundred
24 forty-six (321.146) of the Code shall not be effective for
25 the fiscal year beginning July 1, 1975 and ending June 30,
26 1976.

27 Sec. 10. Notwithstanding the provisions of section three
28 hundred twenty-one point four hundred eighty (321.480) of
29 the Code, for the fiscal year beginning July 1, 1975 and
30 ending June 30, 1976, the limitations on expenditures under
31 section three hundred twenty-one point four hundred eighty
32 (321.480) of the Code shall apply to, and appropriations
33 for the purposes of sections three hundred twenty-one point
34 four hundred seventy-six (321.476) to three hundred twenty-
35 one point four hundred eighty-one (321.481) of the Code shall

1 be from the road use tax fund as provided in this Act.

2 Sec. 11. Notwithstanding the provisions of section three
3 hundred twenty-one F point eleven (321F.11) of the Code, for
4 the fiscal year beginning July 1, 1975 and ending June 30,
5 1976, all fees and funds accruing from the administration
6 of chapter three hundred twenty-one F (321F) of the Code shall
7 be remitted monthly to the treasurer of state for deposit
8 in the road use tax fund.

9 Sec. 12. It is the intent of the general assembly in
10 making appropriations pursuant to this Act that the moneys
11 available under the provisions of this Act shall be used to
12 pay salaries and other employee expenses for four thousand
13 seven hundred forty-five permanent, full-time persons employed
14 during the 1975-76 fiscal year and that no more than four
15 thousand nine hundred eighty-five employee positions be created
16 or authorized during the 1975-76 fiscal year. A variance
17 of one percent in the above filled positions is considered
18 to be reasonable.

19 Sec. 13. When any of the laws of this state are in con-
20 flict with this Act, the provisions of this Act shall govern
21 for the fiscal year 1975-1976.

22 Sec. 14. All federal grants to and the federal receipts
23 of the agencies appropriated funds under this Act are appro-
24 priated for the purposes set forth in such federal grants
25 or receipts.

26 Sec. 15. Section three hundred twelve point two (312.2),
27 subsection seven (7), Code 1975, is amended to read as follows:

28 7. The treasurer of state shall before making the allot-
29 ments provided for in this section credit monthly to the
30 division of motor vehicle registration of the state department
31 of ~~public-safety~~ transportation funds sufficient in amount
32 to pay the costs of purchasing supplies and materials and
33 for the cost of prison labor used in manufacturing motor
34 vehicle registration plates, decalcomania emblems, and
35 validation stickers at the prison industries.

1 in the aeronautics fund are appropriated for airport
2 construction.

3 Section 7 provides that the primary road contingency fund
4 may be used by all divisions of the department but that the
5 fund shall be reimbursed by the divisions.

6 Section 8 provides that all fees deposited in the motor
7 vehicle inspection fund and the motor vehicle dealers li-
8 cense fee fund shall be deposited in the road use tax fund
9 during the 1975-1976 fiscal year. It also provides that the
10 moneys on deposit in these funds on June 30, 1975 shall be
11 credited to the road use tax fund. The section also provides
12 that motor vehicle certificated carrier fees, truck opera-
13 tor fees, liquid transport carrier fees, and interstate com-
14 merce commission authority fees shall be credited to the road
15 use tax fund.

16 Section 9 provides that fees collected under chapter three
17 hundred twenty-one (321) of the Code, except fines and for-
18 feitures and operator's and chauffeur's license fees, be
19 credited to the road use tax fund.

20 Section 10 provides that the cost of administering the
21 enforcement of the laws relating to weight, size, and load
22 shall be paid from the road use tax fund during the 1975-1976
23 fiscal year.

24 Section 11 provides that fees collected under chapter 321F
25 of the Code be credited to the road use tax fund during the
26 1975-1976 fiscal year.

27 Section 12 provides that salaries are allowed under the
28 bill for 4,745 permanent full-time employees for the 1975-
29 1976 fiscal year and that no more than 4,985 employee positions
30 be created.

31 It is the intent of the general assembly that the air-
32 port directory not be distributed until January 1, 1976.

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S-4182

1 Amend House File 892, as passed by the House, page
2 5, by adding after line 35 the following new sections:

3 "Sec. _____. Section three hundred twelve point
4 three (312.3), subsection one (1), Code 1975, is
5 amended to read as follows:

6 1. Apportion among the counties in the ratio that
7 the needs of the secondary roads of each county bear
8 to the total needs of the secondary roads of the state
9 ~~for the twenty-year improvement program developed~~
10 ~~by the automotive safety foundation and filed with~~
11 ~~the Iowa highway study committee created by chapter~~
12 ~~4267, Acts of the Fifty-eighth General Assembly as~~
13 shown in the latest biennial update of the twenty-
14 year highway need study report developed by the state
15 department of transportation, and which is on record
16 at the department, sixty percent of the allocation
17 from road use tax funds which he has credited to the
18 secondary road fund of the counties, and apportion
19 among the counties in the ratio that the area of such
20 county bears to the total area of the state, forty
21 percent of the allocation from road use tax funds
22 which he has credited to the secondary road fund of
23 the counties.

24 Sec. _____. Section three hundred twelve point five
25 (312.5), unnumbered paragraph three (3), Code 1975,
26 is amended to read as follows:

27 Need allotment farm-to-market road funds shall
28 be allotted among the counties in the ratio that the
29 needs of the farm-to-market roads in each county bear
30 to the total needs of the farm-to-market roads in
31 ~~the state for the twenty-year program developed by~~
32 ~~the automotive safety foundation and filed with the~~
33 ~~Iowa highway study committee created by chapter 4267~~
34 ~~Acts of the Fifty-eighth General Assembly as shown~~
35 in the latest biennial update of the twenty year highway
36 need study report developed by the state department
37 of transportation, and which is on record at the
38 department."

S-4182 FILED & WITHDRAWN (1983) BY RICHARD J. NORPEL, SR.
JUNE 12, 1975

1 Amend House File 892, as passed by the House, page
2 5, by inserting after line 25, the following new
3 section:

4 "Sec. ____ . Section three hundred twelve point one
5 (312.1), Code 1975, is amended by adding the following
6 new subsection:

7 NEW SUBSECTION. Notwithstanding the provisions
8 of subsection two (2) of section four hundred twenty-
9 two point sixty-nine (422.69) of the Code, during
10 the last quarter of each fiscal year commencing with
11 the fiscal year ending June 30, 1976, an amount equal
12 to ten percent of the net receipts from two-thirds
13 of the sales tax collected under division four (IV)
14 of chapter four hundred twenty-two (422) of the Code,
15 less any amount which may be transferred by law during
16 such fiscal year for motor vehicle registration plates,
17 shall be transferred to the road use tax fund only
18 if the unencumbered balance in the general fund of
19 the state at the end of each fiscal year, commencing
20 with the fiscal year ending June 30, 1976, computed
21 on a basis consistent with prior years, as certified
22 by the state comptroller to the governor, totals
23 fifty-five million (55,000,000) dollars or more.
24 If the unencumbered balance in the general fund of
25 the state at the end of any fiscal year does not total
26 fifty-five million (55,000,000) dollars or more, funds
27 which would otherwise be deposited in the road use
28 tax fund during the last quarter of each fiscal year
29 pursuant to this subsection shall be deposited in
30 the general fund of the state."

S-4179 FILED & BY DALE L. TIEDEN
RULED NOT GERMANE (1981)
JUNE 12, 1975 *Motion to suspend rules last 6/12 (1982)*

H-4016

- 1 Amend House File 892 as follows:
- 2 Page 5, by striking everything after the period
- 3 in line 16 and all of lines 17 and 18.

H-4016 FILED - *Lost 6/4 (2129)*
JUNE 2, 1975

BY MILLER of Buchanan

H-4017

- 1 Amend House File 892 as follows:
- 2 1. Page 1, line 34, by striking the figure
- 3 "69,775,000" and inserting in lieu thereof the figure
- 4 "69,700,000".
- 5 2. Page 5, line 13, by striking the word "forty-
- 6 five".
- 7 3. Page 5, line 15, by striking the word "eighty-
- 8 five".

H-4017 FILED - *Lost 6/4 (2128)*
JUNE 2, 1975

BY MILLER of Buchanan

House File 892

H-4044

- 1 Amend House File 892 as follows:
- 2 Page 1, line 12, by striking the words "road use
- 3 tax" and inserting in lieu thereof the word "general".

H-4044 FILED - *Lost 6/4 (2128)*
JUNE 3, 1975

BY DAGGETT of Adams

AN ACT

TO APPROPRIATE FROM THE ROAD USE TAX FUND, THE PRIMARY ROAD FUND, THE AERONAUTICS FUND, AND THE GENERAL FUND OF THE STATE TO THE STATE DEPARTMENT OF TRANSPORTATION FOR ADMINISTRATION AND OTHER PURPOSES, CLARIFYING ADMINISTRATIVE DUTIES OF THE STATE DEPARTMENT OF TRANSPORTATION, AND FUNDING THE STATE DEPARTMENT OF TRANSPORTATION'S SHARE FOR ADMINISTRATION OF THE STATE MERIT SYSTEM.

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 state department of transportation for the fiscal year beginning July 1, 1975 and ending June 30, 1976 the following amounts, or so much thereof as may be necessary, to be used for the following purposes:

1975-1976
Fiscal Year

- 1. For salaries, support, maintenance, and miscellaneous purposes\$ 3,542,200
- 2. General contingency fund\$ 250,000

Sec. 2. There is appropriated from the road use tax fund to the state department of transportation for the fiscal year beginning July 1, 1975 and ending June 30, 1976 the following amounts, or so much thereof as may be necessary, to be used for the following purposes:

- 1. For salaries, support, maintenance, and miscellaneous purposes\$ 5,695,400
- 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 nineteen A (19A) of the Code\$ 10,000

Sec. 3. There is appropriated from the primary road fund to the state department of transportation for the fiscal year beginning July 1, 1975 and ending June 30, 1976, the following amounts, or so much thereof as may be necessary, to be used for the following purposes:

- 1. For salaries, support, maintenance, and miscellaneous purposes\$69,775,000
- 2. 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\$ 500,000
- 3. To be deposited in the state department of transportation materials and equipment revolving fund established by section three hundred seven A point seven (307A.7) of the Code for funding the increased replacement cost of vehicles\$ 400,000
- 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 nineteen A (19A) of the Code\$ 140,000
- 5. Unemployment compensation\$ 100,000
- 6. To the industrial commission

for payment of workmen's compensa-
tion claims\$ 150,000

Sec. 4. There is appropriated from the aeronautics fund to the state department of transportation for the fiscal year beginning July 1, 1975 and ending June 30, 1976, the following amounts, or so much thereof as may be necessary, to be used for the following purposes:

For salaries, support, main-
tenance, and miscellaneous pur-
poses\$ 300,000

Sec. 5. Unless otherwise provided, the primary road fund is hereby appropriated for highway construction.

Sec. 6. Unless otherwise provided, the aeronautics fund is hereby appropriated for airport construction.

Sec. 7. For the fiscal year beginning July 1, 1975 and ending June 30, 1976, the funds in the primary road contingent fund, established under section three hundred thirteen point seventeen (313.17) of the Code, may be expended to pay claims for labor, freight, or other items which must be paid promptly by the state department of transportation. The primary road contingent fund shall be reimbursed for expenditures made by the state department of transportation from the fund to which the expenditure should properly be charged.

Sec. 8.

1. Notwithstanding the provisions of sections three hundred twenty-one point two hundred thirty-eight (321.238), three hundred twenty-two point twelve (322.12), three hundred twenty-five point thirty-six (325.36), three hundred twenty-seven point thirteen (327.13), three hundred twenty-seven A point nineteen (327A.19), and three hundred twenty-seven B point three (327B.3) of the Code, for the fiscal year beginning July 1, 1975 and ending June 30, 1976, the treasurer of state shall credit all fees collected pursuant to sections three hundred twenty-one point two hundred thirty-eight (321.238),

three hundred twenty-two point twelve (322.12), three hundred twenty-five point thirty-six (325.36), three hundred twenty-seven point thirteen (327.13), three hundred twenty-seven A point nineteen (327A.19), and three hundred twenty-seven B point three (327B.3) of the Code to the road use tax fund, except that any refunds or other costs allowed under sections three hundred twenty-one point two hundred thirty-eight (321.238), three hundred twenty-two point twelve (322.12), three hundred twenty-five point thirty-six (325.36), three hundred twenty-seven point thirteen (325.13), three hundred twenty-seven A point nineteen (327A.19), and three hundred twenty-seven B point three (327B.3) of the Code shall be deducted by the treasurer of state from the funds to be credited to the road use tax fund.

2. Notwithstanding the provisions of section three hundred twenty-one point two hundred thirty-eight (321.238), subsection nine (9), and section three hundred twenty-two point twelve (322.12) of the Code, all unencumbered moneys on deposit in the motor vehicle inspection fund and the motor vehicle dealer license fee fund on July 31, 1975, shall be credited by the treasurer of state to the road use tax fund.

Sec. 9.

1. For the fiscal year beginning July 1, 1975 and ending June 30, 1976 the money, except fines and forfeitures, operator's and chauffeur's license fees, certificates of title fees and lien or encumbrance notation fees, collected pursuant to the provisions of chapter three hundred twenty-one (321) of the Code shall be credited by the treasurer of state to the road use tax fund.

2. The treasurer of state shall also credit certificates of title fees and lien or encumbrance fees to the road use tax fund of the state, less any fees retained by the county treasurer pursuant to section three hundred twenty-one point one hundred fifty-two (321.152) of the Code.

Sections three hundred twenty-one point one hundred twenty-

nine (321.129) and three hundred twenty-one point one hundred forty-six (321.146) of the Code shall not be effective for the fiscal year beginning July 1, 1975 and ending June 30, 1976.

Sec. 10. Notwithstanding the provisions of section three hundred twenty-one point four hundred eighty (321.480) of the Code, for the fiscal year beginning July 1, 1975 and ending June 30, 1976, the limitations on expenditures under section three hundred twenty-one point four hundred eighty (321.480) of the Code shall apply to, and appropriations for the purposes of sections three hundred twenty-one point four hundred seventy-six (321.476) to three hundred twenty-one point four hundred eighty-one (321.481) of the Code shall be from the road use tax fund as provided in this Act.

Sec. 11. Notwithstanding the provisions of section three hundred twenty-one F point eleven (321F.11) of the Code, for the fiscal year beginning July 1, 1975 and ending June 30, 1976, all fees and funds accruing from the administration of chapter three hundred twenty-one F (321F) of the Code shall be remitted monthly to the treasurer of state for deposit in the road use tax fund.

Sec. 12. It is the intent of the general assembly in making appropriations pursuant to this Act that the moneys available under the provisions of this Act shall be used to pay salaries and other employee expenses for four thousand seven hundred forty-five permanent, full-time persons employed during the 1975-76 fiscal year and that no more than four thousand nine hundred eighty-five employee positions be created or authorized during the 1975-76 fiscal year. A variance of one percent in the above filled positions is considered to be reasonable.

Sec. 13. When any of the laws of this state are in conflict with this Act, the provisions of this Act shall govern for the fiscal year 1975-1976.

Sec. 14. 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.

Sec. 15. Section three hundred twelve point two (312.2), subsection seven (7), Code 1975, is amended to read as follows:

7. The treasurer of state shall before making the allotments provided for in this section credit monthly to the division of motor vehicle registration of the state department of ~~public-safety~~ transportation funds sufficient in amount to pay the costs of purchasing supplies and materials and for the cost of prison labor used in manufacturing motor vehicle registration plates, decalcomania emblems, and validation stickers at the prison industries.

Sec. 16. Section three hundred twenty-eight point twelve (328.12), subsection five (5), Code 1975, is amended to read as follows:

5. INTERVENTION. It may participate as party plaintiff or defendant, or as intervenor, complainant or movant, on behalf of the state or any municipality or citizen thereof, in any proceeding having to do with aeronautics, ~~provided, however, that in any application before the civil aeronautics board the commission shall take no position as between applicants or municipalities.~~

DALE M. COCHRAN
Speaker of the House

ARTHUR A. NEU
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 892, Sixty-sixth General Assembly.

Approved 6/29, 1975

DAVID L. WRAY
Chief Clerk of the House

ROBERT D. RAY
Governor