

House Appropriation 5/24, Pass 5/25

FILED MAY 21 1976

SENATE FILE 1343

By COMMITTEE ON APPROPRIATIONS

Passed Senate, Date 5-24-76 (p. 2140) Passed House, Date 5-25-76 (3147)

Vote: Ayes 43 Nays 0 Vote: Ayes 55 Nays 39

Approved 6-23-76

A BILL FOR

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

9 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, 1976 and ending June 30,
4 1977 the following amounts, or so much thereof as may be
5 necessary, to be used for the following purposes:

6 1976-1977
7 Fiscal Year

8 1. For salaries, support, main-
9 tenance, and miscellaneous pur-
10 poses\$ 4,116,000

11 Sec. 2. There is appropriated from the road use tax fund
12 to the state department of transportation for the fiscal
13 year beginning July 1, 1976 and ending June 30, 1977 the
14 following amounts, or so much thereof as may be necessary,
15 to be used for the following purposes:

16 1. For salaries, support, main-
17 tenance, and miscellaneous pur-
18 poses\$ 6,234,000

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

26 3. Unemployment compensa-
27 tion\$ 5,000

28 4. To the industrial commission
29 for payment of worker's compensa-
30 tion claims\$ 10,000

31 Sec. 3. There is appropriated from the primary road fund
32 to the state department of transportation for the fiscal
33 year beginning July 1, 1976 and ending June 30, 1977, the
34 following amounts, or so much thereof as may be necessary,
35 to be used for the following purposes:

1 1. For salaries, support, main-
2 tenance, and miscellaneous pur-
3 poses\$76,028,000

4 2. Additional equipment to be
5 purchased to supplement present
6 inventory. All acquisitions, when
7 acquired, will become a part of the
8 state department of transportation
9 materials and equipment revolving
10 fund\$ 350,000

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

18 4. For the purpose of making pay-
19 ments to the Iowa merit employment
20 department for expenses incurred in
21 administering the merit system on
22 behalf of the state department of
23 transportation, as required by chapter
24 nineteen A (19A) of the Code\$ 200,000

25 5. Unemployment compensation\$ 95,000

26 6. To the industrial commission
27 for payment of worker's compensa-
28 tion claims\$ 240,000

29 7. General contingency fund\$ 175,000

30 Sec. 4. There is appropriated from the aeronautics fund
31 to the state department of transportation for the fiscal year
32 beginning July 1, 1976 and ending June 30, 1977, the following
33 amounts, or so much thereof as may be necessary, to be used
34 for the following purposes:

35 For salaries, support, main-

1 tenance, and miscellaneous pur-
2 poses\$ 302,000

3 Sec. 5. The department of transportation shall reimburse
4 the traffic and criminal justice information system divi-
5 sion of the department of public safety for not more than
6 seven key punch positions for keypunching traffic accident
7 data for the accident records system of the traxis traffic
8 records system.

9 Sec. 6. Unless otherwise provided, the primary road fund
10 is appropriated for highway construction.

11 Sec. 7. Unless otherwise provided, the aeronautics fund
12 is appropriated for airport construction.

13 Sec. 8. For the fiscal year beginning July 1, 1976 and
14 ending June 30, 1977, the funds in the primary road contingent
15 fund, established under section three hundred thirteen point
16 seventeen (313.17) of the Code, may be expended to pay claims
17 for labor, freight, or other items which must be paid promptly
18 by the state department of transportation. The primary road
19 contingent fund shall be reimbursed for expenditures made
20 by the state department of transportation from the fund to
21 which the expenditure should properly be charged.

22 Sec. 9.

23 1. Notwithstanding the provisions of sections three hundred
24 twenty-one point two hundred thirty-eight (321.238), three
25 hundred twenty-two point twelve (322.12), three hundred twenty-
26 five point thirty-six (325.36), three hundred twenty-seven
27 point thirteen (327.13), three hundred twenty-seven A point
28 nineteen (327A.19), and three hundred twenty-seven B point
29 three (327B.3) of the Code, for the fiscal year beginning
30 July 1, 1976 and ending June 30, 1977, the treasurer of state
31 shall credit all fees collected pursuant to sections three
32 hundred twenty-one point two hundred thirty-eight (321.238),
33 three hundred twenty-two point twelve (322.12), three hundred
34 twenty-five point thirty-six (325.36), three hundred twenty-
35 seven point thirteen (327.13), three hundred twenty-seven

1 A point nineteen (327A.19), and three hundred twenty-seven
2 B point three (327B.3) of the Code to the road use tax fund,
3 except that any refunds or other costs allowed under sections
4 three hundred twenty-one point two hundred thirty-eight
5 (321.238), three hundred twenty-two point twelve (322.12),
6 three hundred twenty-five point thirty-six (325.36), three
7 hundred twenty-seven point thirteen (327.13), three hundred
8 twenty-seven A point nineteen (327A.19), and three hundred
9 twenty-seven B point three (327B.3) of the Code shall be
10 deducted by the treasurer of state from the funds to be
11 credited to the road use tax fund.

12 2. Notwithstanding the provisions of section three hun-
13 dred twenty-one point two hundred thirty-eight (321.238),
14 subsection nine (9), and section three hundred twenty-two
15 point twelve (322.12) of the Code, all unencumbered moneys
16 on deposit in the motor vehicle inspection fund and the motor
17 vehicle dealer license fee fund on July 31, 1976, shall be
18 credited by the treasurer of state to the road use tax fund.

19 Sec. 10.

20 1. For the fiscal year beginning July 1, 1976 and ending
21 June 30, 1977 the money, except fines and forfeitures, op-
22 erator's and chauffeur's license fees, certificates of title
23 fees and lien or encumbrance notation fees, collected pursu-
24 ant to the provisions of chapter three hundred twenty-one
25 (321) of the Code shall be credited by the treasurer of state
26 to the road use tax fund.

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

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

1 1977.

2 Sec. 11. Notwithstanding the provisions of section three
3 hundred twenty-one point four hundred eighty (321.480) of
4 the Code, for the fiscal year beginning July 1, 1976 and
5 ending June 30, 1977, the limitations on expenditures under
6 section three hundred twenty-one point four hundred eighty
7 (321.480) of the Code shall apply to, and appropriations
8 for the purposes of sections three hundred twenty-one point
9 four hundred seventy-six (321.476) to three hundred twenty-
10 one point four hundred eighty-one (321.481) of the Code shall
11 be from the road use tax fund as provided in this Act.

12 Sec. 12. Notwithstanding the provisions of section three
13 hundred twenty-one F point eleven (321F.11) of the Code, for
14 the fiscal year beginning July 1, 1976 and ending June 30,
15 1977, all fees and funds accruing from the administration
16 of chapter three hundred twenty-one F (321F) of the Code shall
17 be remitted monthly to the treasurer of state for deposit
18 in the road use tax fund.

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 1976-1977.

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 EXPLANATION

27 This bill appropriates funds from the road use tax fund,
28 the primary road fund, the aeronautics fund, and the general
29 fund of the state to the state department of transportation.

30 The bill appropriates \$4,116,000 from the general fund
31 of the state to the state department of transportation for
32 salaries, support, maintenance, and miscellaneous purposes.

33 The bill appropriates \$6,234,000 from the road use tax
34 fund for salaries, support, maintenance, and miscellaneous
35 purposes, \$10,000 for administering the department's merit

1 system, \$5,000 for unemployment, and \$10,000 for worker's
2 compensation.

3 The bill appropriates from the primary road fund \$76,028,000
4 for salaries, support, maintenance, and miscellaneous pur-
5 poses, \$350,000 for additional equipment, \$400,000 for re-
6 placement materials and equipment, \$200,000 for the Iowa merit
7 employment department for administering the department's merit
8 system, \$95,000 for unemployment compensation, and \$240,000
9 to the industrial commission for the payment of worker's
10 compensation claims, and \$175,000 for general contingency
11 fund.

12 The bill appropriates from the aeronautics fund \$302,000
13 for salaries, support, maintenance, and miscellaneous pur-
14 poses.

15 The remainder of the funds in the primary road fund are
16 appropriated for highway construction and the remaining funds
17 in the aeronautics fund are appropriated for airport con-
18 struction.

19 The bill limits the reimbursement the department of
20 transportation must make for data processing services.

21 The bill provides that the primary road contingent fund
22 may be used by all divisions of the department but that the
23 fund shall be reimbursed by the divisions.

24 The bill provides that all fees deposited in the motor
25 vehicle inspection fund and the motor vehicle dealers li-
26 cense fee fund shall be deposited in the road use tax fund
27 during the 1976-1977 fiscal year. It also provides that the
28 moneys on deposit in these funds on July 31, 1976 shall be
29 credited to the road use tax fund. The section also provides
30 that motor vehicle certificated carrier fees, truck opera-
31 tor fees, liquid transport carrier fees, and interstate com-
32 merce commission authority fees shall be credited to the road
33 use tax fund.

34 The bill provides that fees collected under chapter three
35 hundred twenty-one (321) of the Code, except fines and for-

1 feitures and operator's and chauffeur's license fees, be
2 credited to the road use tax fund.

3 The bill provides that the cost of administering the en-
4 forcement of the laws relating to weight, size, and load shall
5 be paid from the road use tax fund during the 1976-1977 fis-
6 cal year.

7 It also provides that fees collected under chapter 321F
8 of the Code be credited to the road use tax fund during the
9 1976-1977 fiscal year.

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H-6871

1 Amend Senate File 1343, as passed by the Senate
2 as follows:

3 1. Page 5, by inserting after line 18 the following
4 sections:

5 Sec. _____. Section three hundred seven A point
6 two (307A.2), Code 1975, as amended by Acts of the
7 Sixty-sixth General Assembly, 1975 Session, chapters
8 one hundred sixty-six [166] and one hundred sixty-
9 seven [167], is amended by adding the following new
10 subsection:

11 NEW SUBSECTION. Quadrennially beginning July 1,
12 1976, prepare, adopt and cause to be published the
13 results of a study of all secondary, farm-to-market
14 and local secondary roads in the state. The study
15 shall be so designed to investigate present
16 deficiencies and future twenty-year maintenance and
17 construction needs of the roads and the ability of
18 each applicable authority to meet the needs for the
19 planning, construction, repair and maintenance of
20 roads within their jurisdiction. The department
21 may gather information necessary to complete this
22 study and shall be furnished such assistance from
23 any state agency as necessary to prepare, update and
24 publish prior to December thirty-first in even-numbered
25 years the report to be referred to as the "quadrennial
26 needs study".

27 Sec. _____. Section three hundred twelve point three
28 (312.3), subsection one (1), Code 1975, is amended
29 by striking the subsection and inserting in lieu
30 thereof the following:

31 1. a. Apportion among the counties sixty percent
32 of the allocation from the road use tax funds credited
33 to the secondary road fund of the counties based upon
34 the latest quadrennial update of the twenty-year
35 highway need study report developed by the state
36 department of transportation referred to as the "quad-
37 rennial needs study" provided that a county shall
38 not receive an amount allocated on the basis of needs
39 that is less than that amount received for the fiscal
40 year beginning July 1, 1974.

41 b. Forty percent of the allocation from the road
42 use tax funds credited to the secondary road fund
43 of counties shall be allocated among the counties
44 in the proportion that the area of such county bears
45 to the total area of the state.

46 Sec. _____. Section three hundred twelve point five
47 (312.5), unnumbered paragraph three (3), Code 1975,
48 is amended to read as follows:

49 Need allotment farm-to-market road funds shall
50 be allotted among the counties in the ratio that the

1 needs of the farm-to-market roads in each county bear
 2 to the total needs of the farm-to-market roads in
 3 the state ~~for the twenty-year program developed by~~
 4 ~~the automotive safety foundation and filed with the~~
 5 ~~Iowa highway study committee created by chapter 426,~~
 6 ~~Acts of the Fifty-eighth General Assembly, and which~~
 7 ~~is on record at the department~~ based upon the
 8 "quadrennial needs study" provided that a county shall
 9 not receive an allotment from the farm-to-market road
 10 funds based upon needs in an amount less than that
 11 amount received for the fiscal year beginning July
 12 1, 1974.

H-6871 FILED - *Revised* BY SMALL of Johnson
 MAY 25, 1976 *German 5/25 (3141)*

H-6865

Amend Senate File 1343 as follows:

1. Page 5, by inserting after Line 18 the following:

"Sec. . Chapter three hundred six (306), Code 1975, is amended by adding the following new section:

NEW SECTION. It is declared to be the policy of the state of Iowa that relocation of primary highways through cultivated land shall be avoided to the maximum extent possible. Whenever the volume of traffic for which the road is designed or other conditions require such location or relocation, diagonal routes exceeding five miles in length shall be avoided wherever possible.

It is further declared that improvement of two-lane roads should utilize the existing right-of-way unless alignment or other conditions make changes imperative, and when any two-lane road is expanded to a four-lane road, the normal procedure would be that the additional right-of-way would be contiguous to the existing right-of-way unless relocated for compelling reasons."

H-6865 FILED - *Revised* BY WYCKOFF of Benton
 MAY 25, 1976 *German 5/25 (3144)* MILLER of Buchanan
 HUSAK of Tama

SENATE FILE 1343

H-6870

Amend amendment H-6865, to Senate File 1343, as follows:

1. Page 1, by inserting after line 22 the following:

"This section shall not apply to those highways that are part of the national system of interstate and defense highways and have previously received corridor approval from the United States Department of Transportation."

H-6870 FILED, RULED OUT OF ORDER BY BRANDT of Black Hawk
 MAY 25, 1976 (3145)

AN ACT

RELATING TO THE DUTIES AND FINANCING OF THE DEPARTMENT OF TRANSPORTATION AND APPROPRIATING FROM THE ROAD USE TAX FUND, THE PRIMARY ROAD FUND, THE AERONAUTICS FUND, THE GENERAL FUND OF THE STATE 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, 1976 and ending June 30, 1977 the following amounts, or so much thereof as may be necessary, to be used for the following purposes:

1976-1977
Fiscal Year

1. For salaries, support, maintenance, and miscellaneous purposes\$ 4,116,000

Sec. 2. There is appropriated from the road use tax fund to the state department of transportation for the fiscal year beginning July 1, 1976 and ending June 30, 1977 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\$ 6,234,000

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
3. Unemployment compensation\$ 5,000
4. To the industrial commission for payment of worker's compensation claims\$ 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, 1976 and ending June 30, 1977, 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\$76,028,000

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\$ 350,000

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\$ 200,000

5. Unemployment compensation\$ 95,000

6. To the industrial commission for payment of worker's compensation claims\$ 240,000

7. General contingency fund\$ 175,000

Sec. 4. There is appropriated from the aeronautics fund to the state department of transportation for the fiscal year beginning July 1, 1976 and ending June 30, 1977, the following amounts, or so much thereof as may be necessary, to be used for the following purposes:

For salaries, support, maintenance, and miscellaneous purposes\$ 302,000

Sec. 5. The department of transportation shall reimburse the traffic and criminal justice information system division of the department of public safety for not more than seven key punch positions for keypunching traffic accident data for the accident records system of the traxis traffic records system.

Sec. 6. Unless otherwise provided, the primary road fund is appropriated for highway construction.

Sec. 7. Unless otherwise provided, the aeronautics fund is appropriated for airport construction.

Sec. 8. For the fiscal year beginning July 1, 1976 and ending June 30, 1977, 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. 9.

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, 1976 and ending June 30, 1977, 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 (327.13), 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, 1976, shall be credited by the treasurer of state to the road use tax fund.

Sec. 10.

1. For the fiscal year beginning July 1, 1976 and ending June 30, 1977 the money, except fines and forfeitures, op-

erator'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, 1976 and ending June 30, 1977.

Sec. 11. 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, 1976 and ending June 30, 1977, 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. 12. Notwithstanding the provisions of section three hundred twenty-one F point eleven (321F.11) of the Code, for the fiscal year beginning July 1, 1976 and ending June 30, 1977, 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. 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 1976-1977.

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.

ARTHUR A. NEU
President of the Senate

DALE M. COCHRAN
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 1343, Sixty-sixth General Assembly.

STEVEN C. CROSS
Secretary of the Senate

Approved  June 23, 1976

ROBERT D. RAY
Governor