

Re. Public Law 96-387 3/7/79 (p. 510)
FILED FEB 8 1979

SENATE FILE 203

By COMMITTEE ON TRANSPORTATION
Approved 2/7 (p. 329)

Passed Senate, Date 2-19-79 (p. 506) Passed House, Date 4-20-79 (p. 1700)

Vote: Ayes 41 Nays 1 Vote: Ayes 72 Nays 4

Approved May 8 1979

*Reported Senate per House amendment
4-25-79 (p. 1293)
44-0*

A BILL FOR

1 An Act relating to the duties of the state department of
2 transportation by designating the department as the agent
3 to receive and disburse federal funds allocated to the
4 state and its political subdivisions for transportation
5 purposes by providing for use of funds deposited in the
6 state aviation fund, and by providing for notice where
7 the department refuses to issue a certificate of registra-
8 tion or special certificate for aircraft.

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

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1 Section 1. Section three hundred seven point ten (307.10),
2 Code 1979, is amended by adding the following new subsection:

3 NEW SUBSECTION. Adopt rules in accordance with the provi-
4 sions of chapter seventeen A (17A) of the Code, at its discre-
5 tion, to provide for the receipt or disbursement of federal
6 funds allocated to the state and its political subdivisions
7 for transportation purposes.

8 Sec. 2. Section three hundred twenty-eight point fourteen
9 (328.14), Code 1979, is amended by adding the following new
10 subsection:

11 NEW SUBSECTION. The department is the authorized agency
12 of the state to receive and disburse federal funds for general
13 aviation airports owned by political subdivisions of the state
14 and shall adopt rules in accordance with the provisions of
15 chapter seventeen A (17A) of the Code to receive and disburse
16 the funds.

17 Sec. 3. Section three hundred twenty-eight point thirty-
18 six (328.36), Code 1979, is amended to read as follows:

19 328.36 STATE AVIATION FUND. There is hereby created a
20 fund to be known as the state aviation fund, which shall
21 consist of all moneys received by the department, together
22 with all moneys appropriated to said the fund by the state.

23 Unless otherwise provided, the ~~aeronautics~~ fund is hereby
24 appropriated for airport construction or improvements.

25 Sec. 4. Section three hundred twenty-eight point thirty-
26 nine (328.39), Code 1979, is amended to read as follows:

27 328.39 ORDER OF DEPARTMENT--REVIEW. In any case where
28 the department refuses to issue a certificate of registration
29 or special certificate, or in any case where it shall issue
30 any order requiring certain things to be done, or revoking
31 or suspending any certificate, it shall set forth its reasons
32 ~~therefor~~ and shall state the requirements to be met before
33 such certificate will be issued or such order will be modified
34 or changed. Any order made by the department pursuant to
35 the provisions of this chapter shall be served upon the

1 interested persons by ~~registered~~ certified mail or in person.
2 Any order of the department or any refusal to issue, revo-
3 cation or suspension of any certificate shall be subject to
4 judicial review in accordance with ~~the-terms-of-the-iowa~~
5 ~~administrative-procedure-Act~~ chapter seventeen A (17A) of
6 the Code.

7 EXPLANATION

8 The bill designates the state department of transportation
9 to receive and disburse federal funds for the state's general
10 aviation airports and other federal transportation funds which
11 are available and not specifically earmarked by federal law.
12 The bill also removes the conflicting identification of the
13 state aviation fund and broadens the permissible use of the
14 fund to allow financing of planning and engineering studies
15 required prior to construction. The bill also requires notice
16 of refusal to issue aircraft certificates of registration
17 or special registrations to be provided by certified mail
18 rather than registered mail. The bill is effective July first
19 following enactment.

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- SENATE FILE 203

H-3337

- 1 Amend Senate File 203, as passed by the Senate,
2 as follows:
3 1. Page 1, line 24, by inserting after the
4 word "airport" the words "engineering studies".

H-3337 FILED *Adopted 4/20 (p 1696)* BY COMMITTEE ON TRANSPORTATION
MARCH 7, 1979 Egenes, Chairman

SENATE FILE 203

H-3937

- 1 Amend Senate File 203, as passed by the Senate,
2 as follows:
A 3 1. Page 1, lines 3, 4, and 5, by striking the
4 words "Adopt rules in accordance with the provisions
5 of chapter seventeen A (17A) of the Code, at its
6 discretion, to provide" and inserting in lieu thereof
7 the word "Provide".
B 8 2. Page 1, line 13, by inserting after the word
9 "airports" the words "or air carrier airports".
A 10 3. Page 1, by striking lines 14 and 15.
11 4. Page 1, line 16, by striking the words "the
12 funds".
B 13 5. Page 2, by inserting after line 6 the following
14 new sections:
15 "Sec. ____ . Section three hundred eighty-four point
16 twelve (384.12), subsection fourteen (14), Code 1979,
17 is amended by striking the subsection.
18 Sec. ____ . Section three hundred thirty A point
19 fifteen (330A.15), Code 1979, is repealed."
20 6. Amend the title, line 6, by inserting after
21 the word "fund," the words "to repeal the authorization
22 to levy a tax for a regional airport authority,".

H-3937 FILED *A-Adopted; B-4/20 Drawn* BY SCHROEDER of Pottawattamie
APRIL 17, 1979 *4/20 (p 1699)*

SENATE FILE 203

H-3962

- 1 Amend Senate File 203, as passed by the Senate,
2 as follows:
3 1. Page 1, line 7, by inserting after the word
4 "for" the word "aviation".

H-3962 FILED *4/20 Drawn 4/20 (p 1699)* BY SCHROEDER of Pottawattamie
APRIL 18, 1979

H-4014

1 Amend Senate File 203, as passed by the Senate,
 2 as follows:
 3 1. Page 1, line 7, by inserting after the word
 4 "purposes." the words "The department shall include
 5 estimates, if available, of the amount of federal
 6 funds which will be received and disbursed under this
 7 subsection in the department's budget request submitted
 8 to the governor and the general assembly. The
 9 respective standing committees on appropriations shall
 10 include in the appropriate appropriations bills as
 11 a separate appropriation that amount of state funds
 12 which are appropriated to match federal funds and,
 13 if available, an estimate of the amount of federal
 14 funds which will be received by providing the matching
 15 state funds."

H-4014 FILED *Law 4/20 (p. 1700)* BY JESSE of Polk
 APRIL 19, 1979

HOUSE AMENDMENT TO SENATE FILE 203

S-3592

1 Amend Senate File 203, as passed by the Senate,
 2 as follows:
 3 1. Page 1, lines 3, 4, and 5, by striking the
 4 words "Adopt rules in accordance with the provisions
 5 of chapter seventeen A (17A) of the Code, at its
 6 discretion, to provide" and inserting in lieu thereof
 7 the word "Provide".
 8 2. Page 1, by striking lines 14 and 15.
 9 3. Page 1, line 16, by striking the words "the
 10 funds".
 11 4. Page 1, line 24, by inserting after the word
 12 "airport" the words "engineering studies".

S-3592 FILED
 APRIL 24, 1979

RECEIVED FROM THE HOUSE

Senate concurred 4/25 (p. 1392)

SENATE FILE 203

AN ACT

RELATING TO THE DUTIES OF THE STATE DEPARTMENT OF TRANSPORTATION BY DESIGNATING THE DEPARTMENT AS THE AGENT TO RECEIVE AND DISBURSE FEDERAL FUNDS ALLOCATED TO THE STATE AND ITS POLITICAL SUBDIVISIONS FOR TRANSPORTATION PURPOSES BY PROVIDING FOR USE OF FUNDS DEPOSITED IN THE STATE AVIATION FUND, AND BY PROVIDING FOR NOTICE WHERE THE DEPARTMENT REFUSES TO ISSUE A CERTIFICATE OF REGISTRATION OR SPECIAL CERTIFICATE FOR AIRCRAFT.

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

Section 1. Section three hundred seven point ten (307.10), Code 1979, is amended by adding the following new subsection:

NEW SUBSECTION. Provide for the receipt or disbursement of federal funds allocated to the state and its political subdivisions for transportation purposes.

Sec. 2. Section three hundred twenty-eight point fourteen (328.14), Code 1979, is amended by adding the following new subsection:

NEW SUBSECTION. The department is the authorized agency of the state to receive and disburse federal funds for general aviation airports owned by political subdivisions of the state.

Sec. 3. Section three hundred twenty-eight point thirty-six (328.36), Code 1979, is amended to read as follows:

328.36 STATE AVIATION FUND. There is hereby created a fund to be known as the state aviation fund, which shall consist of all moneys received by the department, together with all moneys appropriated to said the fund by the state.

Unless otherwise provided, the ~~aeronautics~~ fund is hereby appropriated for airport engineering studies, construction or improvements.

Sec. 4. Section three hundred twenty-eight point thirty-nine (328.39), Code 1979, is amended to read as follows:

328.39 ORDER OF DEPARTMENT--REVIEW. In any case where the department refuses to issue a certificate of registration or special certificate, or in any case where it shall issue any order requiring certain things to be done, or revoking or suspending any certificate, it shall set forth its reasons ~~therefor~~ and shall state the requirements to be met before such certificate will be issued or such order will be modified or changed. Any order made by the department pursuant to the provisions of this chapter shall be served upon the interested persons by registered certified mail or in person.

Any order of the department or any refusal to issue, revocation or suspension of any certificate shall be subject to judicial review in accordance with ~~the terms of the Iowa administrative-procedure-Act~~ chapter seventeen A (17A) of the Code.

TERRY E. BRANSTAD
President of the Senate

FLOYD H. MILLEN
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 203, Sixty-eighth General Assembly.

FRANK J. STORK
Secretary of the Senate

Approved May 8, 1979

ROBERT D. RAY
Governor