

FILED APR 5 1984

SENATE FILE 2337

BY COMMITTEE ON APPROPRIATIONS

Approved 4/5 (p. 1347)

Passed Senate, Date 4-9-84 (p. 146) Passed House, Date 4-17-84 p. 208

Vote: Ayes 46 Nays 0 Vote: Ayes 65 Nays 33

Approved Tom VETO 5/18/84

Revised 4-20-84
88-8

4. Motion to reconsider (p. 140) granted 4/12
Repassed Senate 4-12-84 (p. 1475)
34-5

A BILL FOR

1 An Act relating to transportation by making appropriations
2 to state agencies whose responsibilities relate to trans-
3 portation, public safety and public defense.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S. 2337

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

6
7 1984-1985
Fiscal Year

8 1. IOWA LAW ENFORCEMENT
9 ACADEMY

10 For salaries, support, main-
11 tenance, and miscellaneous pur-
12 poses \$ 797,300

13 2. DEPARTMENT OF PUBLIC
14 DEFENSE

15 Military division
16 For salaries, support, main-
17 tenance, and miscellaneous pur-
18 poses \$ 3,045,834

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

27 3. OFFICE OF DISASTER SERVICES

28 For salaries, support, main-
29 tenance, and miscellaneous pur-
30 poses \$ 118,295

31 Sec. 2. There is appropriated from the general fund of
32 the state to the department of public safety for the fiscal
33 year beginning July 1, 1984 and ending June 30, 1985, the
34 following amounts, or so much thereof as is necessary, to
35 be used for funding the following functions and programs for

1 the purposes designated:

2
3 1984-1985
Fiscal Year

4 DEPARTMENT OF PUBLIC SAFETY

5 1. ADMINISTRATIVE FUNCTION

6 a. For salaries, support,
7 maintenance, and miscellaneous
8 purposes of the department,
9 criminal justice information sys-
10 tem, and radio communications \$ 4,687,600

11 b. For payment of claims
12 filed under the victim reparation
13 program and for the payment of
14 operational expenses \$ 200,000

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

18 2. INSPECTION FUNCTION

19 For salaries, support, main-
20 tenance, and miscellaneous pur-
21 poses of fire marshal's inspec-
22 tions, administration of the
23 state building code, arson in-
24 vestigators including the state's
25 contribution to the peace offi-
26 cers' retirement, accident, and
27 disability provided in chapter
28 97A in the amount of sixteen per-
29 cent of the salaries for which
30 the funds are appropriated \$ 1,026,700

31 3. SECURITY FUNCTION

32 For salaries, support, mainte-
33 nance, and miscellaneous purposes
34 of the capitol security division \$ 672,000

35 4. INVESTIGATION FUNCTION

1 a. For salaries, support, main-
 2 tenance, and miscellaneous pur-
 3 poses, including lease or lease
 4 purchase of laboratory equipment,
 5 of the division of criminal in-
 6 vestigation containing the bu-
 7 reaus of identification, drug
 8 law enforcement, welfare fraud,
 9 and beer and liquor law enforce-
 10 ment, including the state's con-
 11 tribution to the peace officers'
 12 retirement, accident, and dis-
 13 ability system provided in chap-
 14 ter 97A in the amount of sixteen
 15 percent of the salaries for which
 16 the funds are appropriated \$ 4,663,500

17 b. For undercover purchases
 18 by the division of criminal in-
 19 vestigation agents and local law
 20 enforcement agents \$ 200,000

21 c. For salaries, support,
 22 maintenance, and miscellaneous
 23 purposes for the employment of
 24 three new pari-mutuel law en-
 25 forcement agents, including the
 26 state's contribution to the
 27 peace officers' retirement, ac-
 28 cident, and disability system
 29 provided in chapter 97A in the
 30 amount of sixteen percent of the
 31 salaries for which the funds are
 32 appropriated \$ 175,000

33 It is the intent of the general assembly that the division
 34 of criminal investigation of the department of public safety
 35 shall purchase not more than three motor vehicles of any make

1 or model based upon specifications submitted by the department.

2 5. DIVISION OF HIGHWAY SAFETY

3 AND UNIFORMED FORCE

4 a. For salaries, support, main-
5 tenance, and miscellaneous purposes
6 of the division of highway safety
7 and uniformed force including the
8 state's contribution to the peace
9 officers' retirement, accident,

10 and disability system provided in
11 chapter 97A in the amount of six-

12 teen percent of the salaries for

13 which the funds are appropriated \$ 16,232,903

14 b. For various crime preven-
15 tion programs sponsored within the

16 department of public safety \$ 53,125

17 The Iowa highway safety patrol shall endeavor to purchase
18 one-half of the motor fuel and special fuel necessary to
19 operate motor vehicles from state department of transportation
20 facilities. For the fiscal year beginning July 1, 1984 and
21 ending June 30, 1985, the general assembly assumes that there
22 is substantial compliance with this requirement if the Iowa
23 highway safety patrol purchases at least forty-five percent
24 of the motor fuel and special fuel necessary to operate motor
25 vehicles from state department of transportation facilities.

26 If the state comptroller's estimates of motor fuel and special
27 fuel prices exceeds the amount needed for purchase of motor
28 fuel and special fuel necessary to operate Iowa highway safety
29 patrol motor vehicles, the amount of the difference may be
30 expended only for the maintenance of the motor vehicle fleet
31 of the Iowa highway safety patrol. The Iowa highway safety
32 patrol shall report the amount expended for the total purchases
33 of motor fuel and special fuel and the amount expended for
34 fleet maintenance to the transportation and law enforcement
35 appropriations subcommittee not later than August 1 following

1 the end of the fiscal year.

2 It is the intent of the general assembly that the department
3 of public safety shall not retain more than seven motor
4 vehicles at department headquarters for departmental use.

5 All of these motor vehicles, except two, shall be properly
6 marked to identify the department of public safety.

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

12 1984-1985
13 Fiscal Year

14 STATE DEPARTMENT OF TRANSPOR-
15 TATION

16 1. For salaries, support,
17 maintenance, and miscellaneous
18 purposes \$ 5,028,323

19 2. For public transit purposes
20 to implement a state assistance
21 plan \$ 1,854,600

22 Notwithstanding chapter 8, it is the intent of the general
23 assembly that funds appropriated for public transit purposes
24 to implement a state assistance plan shall be allocated in
25 whole or in part to a public transit system prior to the time
26 actual expenditures are incurred if the allocation is first
27 approved by the state department of transportation. A public
28 transit system shall make application for advance allocations
29 to the state department of transportation specifically stating
30 the reasons why an advance allocation is required and this
31 allocation shall be included in the total to be audited.

32 3. For deposit in the rail-
33 road assistance fund for branch
34 line improvement \$ 972,000

35 Sec. 4. There is appropriated from the road use tax fund

1 to the state department of transportation for the fiscal year
2 beginning July 1, 1984 and ending June 30, 1985, the following
3 amounts, or so much thereof as may be necessary, to be used
4 for the following purposes:

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1984-1985
Fiscal Year

STATE DEPARTMENT OF TRANSPOR-
TATION

1. For salaries, support,
maintenance, and miscellaneous
purposes \$ 12,811,297

2. For the purpose of making
payments to the Iowa merit employ-
ment department for expenses in-
curred in administering the merit
system on behalf of the state
department of transportation, as
required by chapter 19A \$ 18,000

3. Unemployment compensation \$ 12,250

Sec. 5. There is appropriated from the road use tax fund
to the state comptroller for the fiscal year beginning July
1, 1984 and ending June 30, 1985, the sum of twenty-three
thousand (23,000) dollars, or so much thereof as is necessary,
to be used for the purpose of paying workers' compensation
claims under chapter 85 on behalf of employees of the state
department of transportation.

Sec. 6. There is appropriated from the primary road fund
to the state department of transportation for the fiscal year
beginning July 1, 1984 and ending June 30, 1985, the following
amounts, or so much thereof as may be necessary, to be used
for the following purposes:

1984-1985
Fiscal Year

STATE DEPARTMENT OF TRANSPOR-
TATION

1 1. For salaries, support,
2 maintenance, and miscellaneous
3 purposes \$121,421,214

4 2. To be deposited in the
5 state department of transportation
6 materials and equipment revolving
7 fund established by section 307A.7
8 for funding the increased replace-
9 ment cost of vehicles \$ 2,000,000

10 3. For the purpose of making
11 payments to the Iowa merit em-
12 ployment department for expenses
13 incurred in administering the
14 merit system on behalf of the
15 state department of transportation,
16 as required by chapter 19A \$ 342,000

17 4. Unemployment compensation \$ 232,750

18 Sec. 7. There is appropriated from the primary road fund
19 to the state comptroller for the fiscal year beginning July
20 1, 1984 and ending June 30, 1985, the sum of four hundred
21 thirty-seven thousand (437,000) dollars, or so much thereof
22 as is necessary, for the purpose of paying workers'
23 compensation claims under chapter 85 on behalf of the employees
24 of the state department of transportation.

25 Sec. 8. There is appropriated from the state aviation
26 fund to the state department of transportation for the fiscal
27 year beginning July 1, 1984 and ending June 30, 1985, the
28 following amount, or so much thereof as may be necessary,
29 to be used for the following purposes:

30		1984-1985
31		<u>Fiscal Year</u>
32	For salaries, support, main-	
33	tenance, and miscellaneous pur-	
34	poses	\$ 331,000

35 Sec. 9. 1983 Iowa Acts, chapter 198, section 31, is amended

1 to read as follows:

2 SEC. 31. Notwithstanding the provisions of section 423.24,
3 there is transferred from revenues collected under chapter
4 423 during the fiscal year beginning July 1, 1983 and ending
5 June 30, 1984, from the use tax imposed on motor vehicles,
6 trailers and motor vehicle accessories and equipment under
7 section 423.7 the sum of one million (1,000,000) dollars which
8 shall be transferred to the state department of transportation
9 for public transit assistance for the fiscal year beginning
10 July 1, 1983 and ending June 30, 1984. ~~The funds transferred~~
11 ~~under this section to the state department of transportation~~
12 ~~for public transit assistance shall be considered an advance~~
13 ~~of funds to be received for public transit assistance under~~
14 ~~the Surface Transportation Assistance Act of 1982 and the~~
15 ~~road use tax fund shall receive reimbursement of the funds~~
16 ~~from receipts received by the state department of~~
17 ~~transportation for public transit assistance from the United~~
18 ~~States government pursuant to the Surface Transportation~~
19 ~~Assistance Act of 1982 during the fiscal period beginning~~
20 ~~July 1, 1983 and ending June 30, 1985.~~

21 Sec. 10. 1983 Iowa Acts, chapter 198, section 32, is
22 repealed.

23 Sec. 11. All funds transferred from revenues collected
24 under chapter 423 during the fiscal year beginning July 1,
25 1983 and ending June 30, 1984 from the use tax imposed on
26 motor vehicles, trailers and motor vehicle accessories and
27 equipment under section 423.7 and transferred to the special
28 railroad facility fund. These funds shall be transferred
29 from the special railroad facility fund to the road use tax
30 fund on the effective date of this Act.

31 Sec. 12. Section 80.4, Code 1983, is amended by striking
32 the section and inserting in lieu thereof the following:

33 80.4 DIVISION PERSONNEL. A division of the department
34 shall not exceed the number of persons in its complement un-
35 less requested by the commissioner and approved by the

1 governor.

2 Sec. 13. Section 30.5, Code 1983, is amended by striking
3 the section and inserting in lieu thereof the following:

4 30.5 APPOINTMENTS AND PROMOTIONS. The commissioner may
5 appoint a chief of the patrol division and directors of the
6 remaining designated divisions. The commissioner shall appoint
7 other supervisory officers in the respective divisions as
8 is allowed by their approved table of organization and rank
9 or position roster.

10 All appointments and promotions of a division chief or
11 director and the enforcement division supervisors shall be
12 made on the basis of seniority and merit examination. Reduc-
13 tion of any officer's rank, grade or scheduled salary increase
14 by the commissioner shall be for specific cause and the officer
15 shall be so served in writing. The officer may appeal the
16 reduction to the executive council for a hearing by filing
17 a request with the secretary of the council within thirty
18 days of notice. Peace officer members of the department shall
19 also be given an opportunity to request a hearing before the
20 executive council when they have been subjected to activities
21 which caused them or will cause them to resign or retire other
22 than on a voluntary basis. The officer will be given an
23 opportunity to present a case for relief of such causes.

24 If the officer is ordered reinstated, it will be with re-
25 spective rank, grade, and without loss of pay and benefits.

26 This will not include the reduction in rank of an officer
27 if the position is being eliminated from the table or organiza-
28 tion or a reduction is needed in the number of officers in
29 a specific rank and pay grade. Any phaseout or reduction
30 shall be served in a written order with stipulated cause.
31 The reduction shall be done on a seniority and merit basis
32 in a step process to the next lower rank or grade.

33 If the appealing officer's position has been filled when
34 the final appeal declares the officer's rights were violated,
35 the officer shall be reinstated to the officer's former rank

1 and grade without loss of pay and benefits. The ratio of
2 supervisory officers in the patrol, the rank of lieutenant
3 and above, shall not exceed a ratio of fifteen to one.

4 Sec. 14. NEW SECTION. 80.5A ORGANIZATION STRUCTURE.

5 The table of organization of the patrol at its headquarters
6 in Des Moines shall not exceed one chief, two majors, two
7 captains, one lieutenant, and one sergeant. The table of
8 organization for the field offices shall include not more
9 than four captains and fifteen lieutenants. The total number
10 of supervisory personnel in the patrol shall not exceed one
11 chief, two majors, seven captains and sixteen lieutenants.

12 The table of organization for the division of criminal
13 investigation shall not include more than one chief with two
14 assistants to the chief.

15 The table of organization of the capitol and governor se-
16 curity detail shall not include more than one captain, one
17 sergeant, and two troopers.

18 All officers temporarily assigned in detached service will
19 be returned to their respective divisions for assignment.
20 This includes any part of department administration or other
21 divisions.

22 Officers assigned to the governor's personal security shall
23 become a direct part of the patrol operation. There will
24 be no more than four officers assigned to this duty and they
25 will not be considered a part of the total officers permitted
26 for patrol headquarters staff.

27 All officers returning to their parent division for assign-
28 ment shall qualify for rank and assignment based on a system
29 devised by the commissioner, but which shall include the
30 factors of overall seniority in the patrol, seniority in
31 present rank and field command experience for which the field
32 rank was awarded by competitive promotional procedures provided
33 in departmental rules.

34 The system by which an officer achieved rank and if it
35 was granted outside the division, on detached duty, shall

1 be a strong indicator of personal preferential treatment in
2 the officer's rank attainment.

3 Sec. 15. Section 101A.2, subsection 2, Code 1983, as
4 amended by House File 2301, enacted by the Seventieth General
5 Assembly, 1984 Session is amended to read as follows:

6 2. Licenses shall be issued by the state fire marshal
7 upon payment of a fee of sixty two hundred fifty dollars,
8 valid for a period of one calendar year, commencing on January
9 1 and terminating on December 31; however, an initial license
10 may be issued during any calendar year for the number of
11 months remaining in such calendar year, computed to the first
12 day of the month when the application for the license is
13 approved. The license fee shall be charged on a pro rata
14 basis for the number of months remaining in the year of issue.
15 Applications for renewal of licenses shall be submitted within
16 thirty days prior to the license expiration date and shall
17 be accompanied by payment of the prescribed annual fee.

18 Sec. 16. Section 312.2, subsection 5, unnumbered paragraph
19 1, Code Supplement 1983, is amended to read as follows:

20 The treasurer of state shall before making the above
21 allotments credit annually to the highway grade crossing
22 safety fund the sum of seven hundred thousand dollars, credit
23 annually from the road use tax fund the sum of five nine
24 hundred thousand dollars to the highway railroad grade crossing
25 surface repair fund, credit monthly to the primary road fund
26 the dollars yielded from an allotment of sixty-five hundredths
27 of one percent of all road use tax funds for the express
28 purpose of carrying out subsection 11 of section 307A.2,
29 section 313.4, subsection 2, and section 307A.5, and credit
30 annually to the primary road fund the sum of five hundred
31 thousand dollars to be used for paying expenses incurred by
32 the state department of transportation other than expenses
33 incurred for extensions of primary roads in cities. All
34 unobligated funds provided by this subsection, except those
35 funds credited to the highway grade crossing safety fund,

1 and uniformed force of the department of public safety from
2 the general fund of the state. The bill also appropriates
3 funds from the general fund of the state, the primary road
4 fund, the road use tax fund, and the state aviation fund to
5 the state department of transportation for the fiscal year
6 beginning July 1, 1984 and ending June 30, 1985. The standing
7 appropriation for railroad grade crossings is increased from
8 \$500,000 to \$900,000 effective July 1, 1985. The bill outlines
9 a table of organization for the department of public safety.
10 It increases the fees for purchases, possession,
11 transportation, storage, and detonation of explosives from
12 \$60 annually to \$250 annually. The bill further appropriates
13 \$2,000,000 from the road use tax fund and the primary road
14 fund for a performance audit of the state department of trans-
15 portation. The bill takes effect July 1 following enactment.

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SENATE FILE 2337

S-5823

1 Amend Senate File 2337 as follows:
2 1. By striking page 7, line 35 through page 8,
3 line 20.

S-5823 FILED
APRIL 6, 1984

BY EDGAR H. HOLDEN

Struck out of order 4/9 (p. 1400)

SENATE FILE 2337

S-5824

1 Amend Senate File 2337 as follows:
2 1. Page 11, lines 23 and 24, by striking the words
3 "nine hundred thousand" and inserting in lieu thereof
4 the words "hundred-thousand one million".

S-5824 FILED
APRIL 6, 1984

BY JAMES V. GALLAGHER

Done 4/9 (p. 1397)

SENATE FILE 2337

S-5826

1 Amend Senate File 2337 as follows:
2 1. Page 8, by striking lines 2 through 20 and
3 inserting in lieu thereof the following:
4 "Sec. 31. Notwithstanding the provisions of section
5 423.24, there is transferred from revenues collected
6 under chapter 423 during the fiscal year beginning
7 July 1, 1983 and ending June 30, 1984, from the use
8 tax imposed on motor vehicles, trailers and motor
9 vehicle accessories and equipment under section 423.7
10 the sum of one million (1,000,000) dollars which shall
11 be transferred to the state department of
12 transportation for public transit assistance for the
13 fiscal year beginning July 1, 1983 and ending June
14 30, 1984. The One-half of the funds transferred under
15 this section to the state department of transportation
16 for public transit assistance shall be considered
17 an advance of funds to be received for public transit
18 assistance under the Surface Transportation Assistance
19 Act of 1982 and the road use tax fund shall receive
20 reimbursement for one-half of the funds from receipts
21 received by the state department of transportation
22 for public transit assistance from the United States
23 government pursuant to the Surface Transportation
24 Assistance Act of 1982 during the fiscal period
25 beginning July 1, 1983 and ending June 30, 1985."

S-5826 FILED
APRIL 6, 1984

BY RICHARD F. DRAKE

Done 4/9 (p. 1398)

SENATE FILE 2337

S-5828

1 Amend Senate File 2337 as follows:
2 1. Page 12, by inserting after line 22 the
3 following:
4 "Sec. ____ 1983 Iowa Acts, chapter 198, section 34,
5 is repealed."

S-5828 FILED
APRIL 6, 1984

BY RICHARD F. DRAKE
JOE J. WELSH

Adopted 4/9 (p. 1397)

SENATE 11
APRIL 9, 1984

SENATE FILE 2337

S-5830

1 Amend Senate File 2337 as follows:

- 2 1. By striking page 7, line 35 through page 8,
- 3 line 20.
- ~~4~~ 2. Page 8, by striking lines 21 through 30.
- 5 3. By striking page 8, line 31 through page 11,
- 6 line 2.
- 7 4. Page 11, by striking lines 3 through 17.
- 8 5. Page 12, by striking lines 7 through 22.

S-5830 FILED
APRIL 6, 1984

BY COMMITTEE ON FINANCE
NORMAN G. RODGERS, CHAIR

B, C, D Adopted 4/9 (p. 1376)

A. L. (1372)

E. Adopted (p. 1377)

SENATE FILE 2337

S-5867

1 Amend Senate File 2337 as follows:

- 2 1. Page 4, by striking lines 4 through 13.
- 3 2. Page 5, line 18, by striking the figure
- 4 "5,028,323" and inserting in lieu thereof the figure
- 5 "1,659,853".

S-5867 FILED & ADOPTED
APRIL 12, 1984 (p. 1474)

BY JOE WELSH

SENATE FILE 2337

S-5836

Amend the Committee on Finance amendment S-5830
to Senate File 2337 as follows:

1. Page 1, by striking line 4 and inserting in
lieu thereof the following:

"____. Page 8, by striking lines 21 through 30
and inserting in lieu thereof the following new
section:

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

Sec. 32. Notwithstanding the provisions of section
423.24, there is transferred from revenues collected
under chapter 423 during ~~each year of~~ the fiscal
~~period year~~ beginning July 1, 1983 and ending June
30, ~~1985~~ 1984 from the use tax imposed on motor
vehicles, trailers and motor vehicle accessories and
equipment under section 423.7 the sum of seven million
five hundred thousand (7,500,000) dollars which shall
be transferred to the special railroad facility fund
to be used exclusively for the purposes provided in
this section. The Iowa railway finance authority
may enter into a partnership agreement as allowed
under section 307B.7, subsection 7, for the purpose
of acquiring the right-of-way of the Chicago, Rock
Island and Pacific railroad. The funds shall be
expended to supplement private investment capital
obtained for that purpose by matching any private
investment capital on an equal basis. The funds
transferred to the special railroad facility fund
under this section shall be considered an interest-
free loan to be repaid in ten equal installments
beginning July 1, 1985 to the road use tax fund from
receipts credited to the special railroad facility
fund under section 307B.23.

The Iowa railway finance authority shall obtain
a lien against the railroad right-of-way and related
materials to secure the loan and secure repayment.
If the purchase of the railroad right-of-way is not
completed by January 1, 1986, the entire amount of
the loan shall become due and payable."

S-5836 FILED & LOST BY EDGAR H. HOLDEN
APRIL 9, 1984 (p. 1392)

SENATE FILE 2337

S-5865

Amend Senate File 2337 as follows:

1. Page 5, line 18, by striking the figure
"5,028,323" and inserting in lieu thereof the figure
"5,359,583".

2. Page 6, line 11, by striking the figure
"12,811,297" and inserting in lieu thereof the figure
"13,094,154".

3. Page 7, line 3, by striking the figure
"121,421,214" and inserting in lieu thereof the figure
"121,438,357".

S-5865 FILED BY JOE J. WELSH

APRIL 11, 1984 A - Order of Order
13 - October: 4/12 (p. 1475)

S-5834

1 Amend Senate File 2337 as follows:

- 2 1. Page 9, line 18, by inserting after the period
- 3 the following: "The chief or director of a division
- 4 shall be required to have five years of service in
- 5 the chief's or director's specific rank or position
- 6 to have earned tenure and be eligible for the
- 7 protection of appeal on reduction."
- 8 2. Page 9, line 23, by inserting after the period
- 9 the words "The decision of the executive council shall
- 10 be final, subject to the right of judicial review
- 11 in the district court of the appealing officer's
- 12 residence."
- 13 3. Page 9, line 25, by inserting after the word
- 14 "grade," the words "duty station,".

S-5834 FILED & WITHDRAWN BY JOE WELSH
APRIL 9, 1984 (p. 1397)

SENATE FILE 2337

S-5837

1 Amend Senate File 2337 as follows:

- 2 1. Page 6, by inserting after line 11 the
- 3 following:
- 4 "____. For funding for two pilot
- 5 projects for area-wide ride-
- 6 sharing programs authorized
- 7 by law.....\$ 5,000".
- 8 2. Renumber sections and correct internal
- 9 references as necessary in accordance with this
- 10 amendment.

S-5837 FILED & ADOPTED BY ARNE WALDSTEIN
APRIL 9, 1984 (p. 1400)

SENATE FILE 2337

S-5838

1 Amend Senate File 2337 as follows:

- 2 1. Page 12, by inserting after line 22 the
- 3 following:
- 4 "Sec. ____ . Registration fees collected under
- 5 section 321.109 and 321.122, subsection 1, paragraph
- 6 a, to the extent that these fees exceed one hundred
- 7 twenty million (120,000,000) dollars for the fiscal
- 8 year beginning July 1, 1983 and ending June 30, 1984,
- 9 shall be placed in escrow by the treasurer of state
- 10 until April 15, 1985 and then credited to the road
- 11 use tax fund."
- 12 2. Page 12, by inserting after line 27 the
- 13 following:
- 14 "Sec. ____ . This Act, being deemed of immediate
- 15 importance, takes effect from and after its publication
- 16 in The Bancroft Register, a newspaper published in
- 17 Bancroft, Iowa and in the Carroll Daily Times-Herald
- 18 a newspaper published in Carroll, Iowa."
- 19 3. Renumber sections and correct internal
- 20 references as necessary in accordance with this
- 21 amendment.

S-5838 FILED & ADOPTED BY BERL E. PRIEBE
APRIL 9, 1984 (p. 1460) BILL HUTCHINS

23371 Section 1. There is appropriated from the general fund
2 of the state to the following named agencies for the fiscal
3 year beginning July 1, 1984 and ending June 30, 1985, the
4 following amounts, or so much thereof as is necessary, for
5 the purposes designated:

1984-1985
Fiscal Year

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8 1. IOWA LAW ENFORCEMENT
9 ACADEMY

10 For salaries, support, main-
11 tenance, and miscellaneous pur-
12 poses \$ 797,300

13 2. DEPARTMENT OF PUBLIC
14 DEFENSE

15 Military division
16 For salaries, support, main-
17 tenance, and miscellaneous pur-
18 poses \$ 3,045,834

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

27 3. OFFICE OF DISASTER SERVICES

28 For salaries, support, main-
29 tenance, and miscellaneous pur-
30 poses \$ 118,295

31 Sec. 2. There is appropriated from the general fund of
32 the state to the department of public safety for the fiscal
33 year beginning July 1, 1984 and ending June 30, 1985, the
34 following amounts, or so much thereof as is necessary, to
35 be used for funding the following functions and programs for

1 the purposes designated:

1984-1985

Fiscal Year

4 DEPARTMENT OF PUBLIC SAFETY

5 1. ADMINISTRATIVE FUNCTION

6 a. For salaries, support,
7 maintenance, and miscellaneous
8 purposes of the department,
9 criminal justice information sys-
10 tem, and radio communications \$ 4,687,600

11 b. For payment of claims
12 filed under the victim reparation
13 program and for the payment of
14 operational expenses \$ 200,000

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

18 2. INSPECTION FUNCTION

19 For salaries, support, main-
20 tenance, and miscellaneous pur-
21 poses of fire marshal's inspec-
22 tions, administration of the
23 state building code, arson in-
24 vestigators including the state's
25 contribution to the peace offi-
26 cers' retirement, accident, and
27 disability provided in chapter
28 97A in the amount of sixteen per-
29 cent of the salaries for which
30 the funds are appropriated \$ 1,026,700

31 3. SECURITY FUNCTION

32 For salaries, support, mainte-
33 nance, and miscellaneous purposes
34 of the capitol security division \$ 672,000

35 4. INVESTIGATION FUNCTION

1 a. For salaries, support, main-
2 tenance, and miscellaneous pur-
3 poses, including lease or lease
4 purchase of laboratory equipment,
5 of the division of criminal in-
6 vestigation containing the bu-
7 reaus of identification, drug
8 law enforcement, welfare fraud,
9 and beer and liquor law enforce-
10 ment, including the state's con-
11 tribution to the peace officers'
12 retirement, accident, and dis-
13 ability system provided in chap-
14 ter 97A in the amount of sixteen
15 percent of the salaries for which
16 the funds are appropriated \$ 4,663,500

17 b. For undercover purchases
18 by the division of criminal in-
19 vestigation agents and local law
20 enforcement agents \$ 200,000

21 c. For salaries, support,
22 maintenance, and miscellaneous
23 purposes for the employment of
24 three new pari-mutuel law en-
25 forcement agents, including the
26 state's contribution to the
27 peace officers' retirement, ac-
28 cident, and disability system
29 provided in chapter 97A in the
30 amount of sixteen percent of the
31 salaries for which the funds are
32 appropriated \$ 175,000

33 It is the intent of the general assembly that the division
34 of criminal investigation of the department of public safety
35 shall purchase not more than three motor vehicles of any make

1 or model based upon specifications submitted by the department.

2 5. DIVISION OF HIGHWAY SAFETY

3 AND UNIFORMED FORCE

* 4 a. For various crime preven-

5 tion programs sponsored within the

6 department of public safety \$ 53,125

6227 The Iowa highway safety patrol shall endeavor to purchase
8 one-half of the motor fuel and special fuel necessary to
9 operate motor vehicles from state department of transportation
10 facilities. For the fiscal year beginning July 1, 1984 and
11 ending June 30, 1985, the general assembly assumes that there
12 is substantial compliance with this requirement if the Iowa
13 highway safety patrol purchases at least forty-five percent
14 of the motor fuel and special fuel necessary to operate motor
15 vehicles from state department of transportation facilities.

16 If the state comptroller's estimates of motor fuel and special
17 fuel prices exceeds the amount needed for purchase of motor
18 fuel and special fuel necessary to operate Iowa highway safety
19 patrol motor vehicles, the amount of the difference may be
20 expended only for the maintenance of the motor vehicle fleet
21 of the Iowa highway safety patrol. The Iowa highway safety
22 patrol shall report the amount expended for the total purchases
23 of motor fuel and special fuel and the amount expended for
24 fleet maintenance to the transportation and law enforcement
25 appropriations subcommittee not later than August 1 following
26 the end of the fiscal year.

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

61 32 Sec. 3. There is appropriated from the general fund of
33 the state to the state department of transportation for the
34 fiscal year beginning July 1, 1984 and ending June 30, 1985,
35 the following amounts, or so much thereof as may be necessary,

1 to be used for the following purposes:

2
3 1984-1985
Fiscal Year

4 STATE DEPARTMENT OF TRANSPOR-
5 TATION

6 1. For salaries, support,
7 maintenance, and miscellaneous
8 purposes \$ 1,659,853

9 2. For public transit purposes
10 to implement a state assistance
11 plan \$ 1,854,600

12 Notwithstanding chapter 8, it is the intent of the general
13 assembly that funds appropriated for public transit purposes
14 to implement a state assistance plan shall be allocated in
15 whole or in part to a public transit system prior to the time
16 actual expenditures are incurred if the allocation is first
17 approved by the state department of transportation. A public
18 transit system shall make application for advance allocations
19 to the state department of transportation specifically stating
20 the reasons why an advance allocation is required and this
21 allocation shall be included in the total to be audited.

22 3. For deposit in the rail-
23 road assistance fund for branch
24 line improvement \$ 972,000

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

30
31 1984-1985
Fiscal Year

32 STATE DEPARTMENT OF TRANSPOR-
33 TATION

34 1. For salaries, support,
35 maintenance, and miscellaneous

1 purposes \$ 13,094,154
 2 2. For funding for two pilot
 3 projects for area-wide ride-
 4 sharing programs authorized
 5 by law.....\$ 5,000

6 3. For the purpose of making
 7 payments to the Iowa merit employ-
 8 ment department for expenses in-
 9 curred in administering the merit
 10 system on behalf of the state
 11 department of transportation, as
 12 required by chapter 19A \$ 18,000

13 4. Unemployment compensation \$ 12,250

14 Sec. 5. There is appropriated from the road use tax fund
 15 to the state comptroller for the fiscal year beginning July
 16 1, 1984 and ending June 30, 1985, the sum of twenty-three
 17 thousand (23,000) dollars, or so much thereof as is necessary,
 18 to be used for the purpose of paying workers' compensation
 19 claims under chapter 85 on behalf of employees of the state
 20 department of transportation.

21 Sec. 6. There is appropriated from the primary road fund
 22 to the state department of transportation for the fiscal year
 23 beginning July 1, 1984 and ending June 30, 1985, the following
 24 amounts, or so much thereof as may be necessary, to be used
 25 for the following purposes:

26	1984-1985
27	<u>Fiscal Year</u>

28 STATE DEPARTMENT OF TRANSPOR-
 29 TATION

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

33 2. To be deposited in the
 34 state department of transportation
 35 materials and equipment revolving

1 fund established by section 307A.7
2 for funding the increased replace-
3 ment cost of vehicles \$ 2,000,000

4 3. For the purpose of making
5 payments to the Iowa merit em-
6 ployment department for expenses
7 incurred in administering the
8 merit system on behalf of the
9 state department of transportation,
10 as required by chapter 19A \$ 342,000

11 4. Unemployment compensation \$ 232,750

12 Sec. 7. There is appropriated from the primary road fund
13 to the state comptroller for the fiscal year beginning July
14 1, 1984 and ending June 30, 1985, the sum of four hundred
15 thirty-seven thousand (437,000) dollars, or so much thereof
16 as is necessary, for the purpose of paying workers'
17 compensation claims under chapter 85 on behalf of the employees
18 of the state department of transportation.

19 Sec. 8. There is appropriated from the state aviation
20 fund to the state department of transportation for the fiscal
21 year beginning July 1, 1984 and ending June 30, 1985, the
22 following amount, or so much thereof as may be necessary,
23 to be used for the following purposes:

24		1984-1985
25		<u>Fiscal Year</u>
26	For salaries, support, main-	
27	tenance, and miscellaneous pur-	
28	poses	\$ 331,000

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

31 SEC. 31. Notwithstanding the provisions of section 423.24,
32 there is transferred from revenues collected under chapter
33 423 during the fiscal year beginning July 1, 1983 and ending
34 June 30, 1984, from the use tax imposed on motor vehicles,
35 trailers and motor vehicle accessories and equipment under

1 section 423.7 the sum of one million (1,000,000) dollars which
2 shall be transferred to the state department of transportation
3 for public transit assistance for the fiscal year beginning
4 July 1, 1983 and ending June 30, 1984. ~~The funds transferred~~
5 ~~under this section to the state department of transportation~~
6 ~~for public transit assistance shall be considered an advance~~
7 ~~of funds to be received for public transit assistance under~~
8 ~~the Surface Transportation Assistance Act of 1982 and the~~
9 ~~road use tax fund shall receive reimbursement of the funds~~
10 ~~from receipts received by the state department of~~
11 ~~transportation for public transit assistance from the United~~
12 ~~States government pursuant to the Surface Transportation~~
13 ~~Assistance Act of 1982 during the fiscal period beginning~~
14 ~~July 1, 1983 and ending June 30, 1985:~~

15 Sec. 10. Section 312.2, subsection 5, unnumbered paragraph
16 1, Code Supplement 1983, is amended to read as follows:

17 The treasurer of state shall before making the above
18 allotments credit annually to the highway grade crossing
19 safety fund the sum of seven hundred thousand dollars, credit
20 annually from the road use tax fund the sum of five nine
21 hundred thousand dollars to the highway railroad grade crossing
22 surface repair fund, credit monthly to the primary road fund
23 the dollars yielded from an allotment of sixty-five hundredths
24 of one percent of all road use tax funds for the express
25 purpose of carrying out subsection 11 of section 307A.2,
26 section 313.4, subsection 2, and section 307A.5, and credit
27 annually to the primary road fund the sum of five hundred
28 thousand dollars to be used for paying expenses incurred by
29 the state department of transportation other than expenses
30 incurred for extensions of primary roads in cities. All
31 unobligated funds provided by this subsection, except those
32 funds credited to the highway grade crossing safety fund,
33 shall at the end of each year revert to the road use tax fund.
34 Funds in the highway grade crossing safety fund shall not
35 revert to the road use tax fund except to the extent they

1 exceed five hundred thousand dollars at the end of any
2 biennium. The cost of each highway railroad grade crossing
3 repair project shall be allocated in the following manner:

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

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

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

17 Sec. 14. Section 16 takes effect July 1, 1985.

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

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SENATE FILE 2337

H-6322

1 Amend Senate File 2337, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. By striking everything after the enacting
4 clause and inserting in lieu thereof the following:
5 "Section 1. There is appropriated from the general
6 fund of the state to the following named agencies
7 for the fiscal year beginning July 1, 1984 and ending
8 June 30, 1985, the following amounts, or so much
9 thereof as is necessary, for the purposes designated:

10 1984-1985
11 Fiscal Year

12 1. IOWA LAW ENFORCEMENT
13 ACADEMY

14 For salaries, support, main-
15 tenance, and miscellaneous pur-
16 poses \$ 787,300

17 2. DEPARTMENT OF PUBLIC
18 DEFENSE

19 Military division
20 For salaries, support, main-
21 tenance, and miscellaneous pur-
22 poses \$ 2,940,250

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

32 3. OFFICE OF DISASTER SERVICES

33 For salaries, support, main-
34 tenance, and miscellaneous pur-
35 poses \$ 118,295

36 Sec. 2. There is appropriated from the general
37 fund of the state to the department of public safety
38 for the fiscal year beginning July 1, 1984 and ending
39 June 30, 1985, the following amounts, or so much
40 thereof as is necessary, to be used for funding the
41 following functions and programs for the purposes
42 designated:

43 1984-1985
44 Fiscal Year

45 DEPARTMENT OF PUBLIC SAFETY
46 1. ADMINISTRATIVE FUNCTION

47 a. For salaries, support,
48 maintenance, and miscellaneous
49 purposes of the department,
50 criminal justice information sys-

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Page Two

1 tem, and radio communications \$ 4,656,530
 2 b. For payment of claims
 3 filed under the victim reparation
 4 program and for the payment of
 5 operational expenses \$ 200,000

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

10 2. INSPECTION FUNCTION

11 For salaries, support, main-
 12 tenance, and miscellaneous pur-
 13 poses of fire marshal's inspec-
 14 tions, administration of the
 15 state building code, arson in-
 16 vestigators including the state's
 17 contribution to the peace offi-
 18 cers' retirement, accident, and
 19 disability provided in chapter
 20 97A in the amount of sixteen per-
 21 cent of the salaries for which
 22 the funds are appropriated \$ 980,251

23 3. SECURITY FUNCTION

24 For salaries, support, mainte-
 25 nance, and miscellaneous purposes
 26 of the capitol security division \$ 670,799

27 4. INVESTIGATION FUNCTION

28 a. For salaries, support, main-
 29 tenance, and miscellaneous pur-
 30 poses, including lease or lease
 31 purchase of laboratory equipment,
 32 of the division of criminal in-
 33 vestigation containing the bu-
 34 reaus of identification, drug
 35 law enforcement, welfare fraud,
 36 and beer and liquor law enforce-
 37 ment, including the state's con-
 38 tribution to the peace officers'
 39 retirement, accident, and dis-
 40 ability system provided in chap-
 41 ter 97A in the amount of sixteen
 42 percent of the salaries for which
 43 the funds are appropriated \$ 4,588,750

44 b. For undercover purchases
 45 by the division of criminal in-
 46 vestigation agents and local law
 47 enforcement agents \$ 200,000

48 It is the intent of the general assembly that the
 49 division of criminal investigation of the department
 50 of public safety shall purchase not more than three

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Page Three

1 motor vehicles of any make or model based upon
2 specifications submitted by the department.

3 5. DIVISION OF HIGHWAY SAFETY
4 AND UNIFORMED FORCE

5 For various crime prevention
6 programs sponsored within the
7 department of public safety \$ 53,125

8 The Iowa highway safety patrol shall endeavor to
9 purchase one-half of the motor fuel and special fuel
10 necessary to operate motor vehicles from state
11 department facilities. For the fiscal year beginning
12 July 1, 1984 and ending June 30, 1985, the general
13 assembly assumes substantial compliance with this
14 requirement if the Iowa highway safety patrol purchases
15 at least forty-five percent of the motor fuel and
16 special fuel necessary to operate motor vehicles from
17 state department facilities. If the state
18 comptroller's estimates of motor fuel and special
19 fuel prices exceeds the amount needed for purchase
20 of motor fuel and special fuel necessary to operate
21 Iowa highway safety patrol motor vehicles, the amount
22 of the difference may be expended only for the
23 maintenance of the motor vehicle fleet of the Iowa
24 highway safety patrol. The Iowa highway safety patrol
25 shall report the amount expended for the total
26 purchases of motor fuel and special fuel and the
27 amount expended for fleet maintenance to the
28 transportation and law enforcement appropriations
29 subcommittee not later than August 1 following the
30 end of the fiscal year.

31 Sec. 3. There is appropriated from the general
32 fund of the state to the state department of
33 transportation for the fiscal year beginning July
34 1, 1984 and ending June 30, 1985, the following
35 amounts, or so much thereof as may be necessary, to
36 be used for the following purposes:

37 1984-1985
38 Fiscal Year

39 STATE DEPARTMENT OF TRANSPOR-
40 TATION

41 1. For salaries, support,
42 maintenance, and miscellaneous
43 purposes \$ 1,886,100

44 2. For public transit purposes
45 to implement a state assistance
46 plan \$ 1,854,600

47 Notwithstanding chapter 8, it is the intent of
48 the general assembly that funds appropriated for
49 public transit purposes to implement a state assistance
50 plan shall be allocated in whole or in part to a

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Page Four

1 public transit system prior to the time actual
2 expenditures are incurred if the allocation is first
3 approved by the state department of transportation.
4 A public transit system shall make application for
5 advance allocations to the state department of
6 transportation specifically stating the reasons why
7 an advance allocation is required and this allocation
8 shall be included in the total to be audited.

9 3. For deposit in the rail-
10 road assistance fund for branch
11 line improvement \$ 972,000

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

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1984-1985
Fiscal Year

STATE DEPARTMENT OF TRANSPOR-
TATION

1. For salaries, support,
maintenance, and miscellaneous
purposes \$ 12,850,548

2. For the purpose of making
payments to the Iowa merit employ-
ment department for expenses in-
curred in administering the merit
system on behalf of the state
department of transportation, as
required by chapter 19A \$ 18,000

3. Unemployment compensation \$ 12,250

Sec. 5. There is appropriated from the road use
tax fund to the state comptroller for the fiscal year
beginning July 1, 1984 and ending June 30, 1985, the
sum of twenty-three thousand (23,000) dollars, or
so much thereof as is necessary, to be used for the
purpose of paying workers' compensation claims under
chapter 35 on behalf of employees of the state
department of transportation.

Sec. 6. There is appropriated from the primary
road fund to the state department of transportation
for the fiscal year beginning July 1, 1984 and ending
June 30, 1985, the following amounts, or so much
thereof as may be necessary, to be used for the
following purposes:

1984-1985
Fiscal Year

STATE DEPARTMENT OF TRANSPOR-
TATION

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Page Five

1 1. For salaries, support,
2 maintenance, and miscellaneous
3 purposes \$121,421,214

4 2. To be deposited in the
5 state department of transportation
6 materials and equipment revolving
7 fund established by section 307A.7
8 for funding the increased replace-
9 ment cost of vehicles \$ 2,000,000

10 3. For the purpose of making
11 payments to the Iowa merit em-
12 ployment department for expenses
13 incurred in administering the
14 merit system on behalf of the
15 state department of transportation,
16 as required by chapter 19A \$ 342,000

17 4. Unemployment compensation \$ 232,750

18 Sec. 7. There is appropriated from the primary
19 road fund to the state comptroller for the fiscal
20 year beginning July 1, 1984 and ending June 30, 1985,
21 the sum of four hundred thirty-seven thousand (437,000)
22 dollars, or so much thereof as is necessary, for the
23 purpose of paying workers' compensation claims under
24 chapter 85 on behalf of the employees of the state
25 department of transportation.

26 Sec. 8. There is appropriated from the state
27 aviation fund to the state department of transportation
28 for the fiscal year beginning July 1, 1984 and ending
29 June 30, 1985, the following amount, or so much thereof
30 as may be necessary, to be used for the following
31 purposes:

32		1984-1985
33		<u>Fiscal Year</u>
34	For salaries, support, main-	
35	tenance, and miscellaneous pur-	
36	poses	\$ 331,000

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

39 SEC. 31. Notwithstanding the provisions of section
40 423.24, there is transferred from revenues collected
41 under chapter 423 during the fiscal year beginning
42 July 1, 1983 and ending June 30, 1984, from the use
43 tax imposed on motor vehicles, trailers and motor
44 vehicle accessories and equipment under section 423.7
45 the sum of one million (1,000,000) dollars which shall
46 be transferred to the state department of
47 transportation for public transit assistance for the
48 fiscal year beginning July 1, 1983 and ending June
49 30, 1984. The funds transferred under this section
50 to the state department of transportation for public

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Page Six

1 transit assistance shall be considered ~~in-advance~~
2 an interest-free loan of funds to be received for
3 public transit assistance under the Surface
4 Transportation Assistance Act of 1982 and the road
5 use tax fund shall receive reimbursement of the funds
6 ~~from-receipts-received-by-the-state-department-of~~
7 ~~transportation-for-public-transit-assistance-from~~
8 ~~the-United-States-government-pursuant-to-the-Surface~~
9 ~~Transportation-Assistance-Act-of-1982~~ loan during
10 the fiscal period beginning July 1, ~~1983~~ 1984 and
11 ending June 30, ~~1985~~ 1987.

12 Sec. 10. Section 101A.2, subsection 2, Code 1983,
13 as amended by House File 2301, enacted by the
14 Seventieth General Assembly, 1984 Session is amended
15 to read as follows:

16 2. Licenses shall be issued by the state fire
17 marshal upon payment of a fee of ~~sixty~~ sixty one hundred
18 dollars, valid for a period of one calendar year,
19 commencing on January 1 and terminating on December
20 31; however, an initial license may be issued during
21 any calendar year for the number of months remaining
22 in such calendar year, computed to the first day of
23 the month when the application for the license is
24 approved. The license fee shall be charged on a pro
25 rata basis for the number of months remaining in the
26 year of issue. Applications for renewal of licenses
27 shall be submitted within thirty days prior to the
28 license expiration date and shall be accompanied by
29 payment of the prescribed annual fee.

30 Sec. 11. NEW SECTION. 321.270 ACCIDENTS EXEMPT
31 FROM RECORDS. A motor vehicle accident involving
32 a motor vehicle operated by a peace officer as defined
33 under section 801.4, or by a member of a fire
34 department as defined under section 321.423, or a
35 volunteer fire fighter shall not be included as part
36 of the operating record of the peace officer or fire
37 department member if the accident occurred on or after
38 the effective date of this Act, and if all of the
39 following criteria are met:

40 1. The peace officer, the fire department member,
41 or volunteer fire fighter was involved in the
42 performance of official duties at the time the accident
43 occurred.

44 2. The peace officer, the fire department member,
45 or volunteer fire fighter was responding to what the
46 officer or member reasonably believed to be a bona
47 fide emergency situation when the accident occurred.

48 3. The peace officer, the fire department member,
49 or volunteer fire fighter exercised all due care under
50 the circumstances involved in the accident.

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Page Seven

1 The peace officer, the fire department member,
2 or volunteer fire fighter desiring that an accident
3 be excluded from the person's operating record under
4 this section, shall request the exclusion in writing
5 and the request shall be attached to the written
6 report of the accident forwarded to the department
7 under section 321.266.

8 Sec. 12. Section 321.200, Code 1983, is amended
9 to read as follows:

10 321.200 CONVICTION AND ACCIDENT FILE. The
11 department shall also file all accident reports and
12 abstracts of court records of convictions received
13 by it under the laws of this state and ~~in connection~~
14 ~~therewith~~ maintain convenient records or make suitable
15 notations in order that an individual record of each
16 licensee showing the convictions of ~~such~~ the licensee
17 and the traffic accidents in which ~~he~~ the licensee
18 has been involved ~~shall be~~ are readily ascertainable
19 and available for the consideration of the department
20 upon any an application for renewal of license and
21 at other suitable times. However, the abstract shall
22 not include accidents excluded from the record under
23 section 321.270.

24 Sec. 13. Section 321.210, Code 1983, is amended
25 by adding the following new unnumbered paragraph:

26 NEW UNNUMBERED PARAGRAPH. The department shall
27 not consider or assess any points for accidents
28 excluded from a person's operating record under section
29 321.270 in determining a license suspension under
30 this section.

31 Sec. 14. Section 321A.3, subsection 1, Code
32 Supplement 1983, is amended to read as follows:

33 1. The director shall upon request furnish any
34 person a certified abstract of the operating record
35 of a person subject to chapter 321 or this chapter.
36 The abstract shall also fully designate the motor
37 vehicles, if any, registered in the name of the person.
38 If there is no record of a conviction of the person
39 having violated any law relating to the operation
40 of a motor vehicle or of any injury or damage caused
41 by the person, the director shall so certify. The
42 abstract shall not include reports of accidents
43 excluded from the person's operating record under
44 section 321.270. A fee of four dollars shall be paid
45 for each abstract except by state, county, city or
46 court officials.

47 Sec. 15. It is the intent of the general assembly
48 that the transportation and law enforcement
49 appropriations subcommittee shall follow the following
50 procedures in developing budgets for those agencies

1 under its jurisdiction:

2 1. Budgeting shall begin with agency expenditures
3 for the preceding fiscal year.

4 2. The basic document to be used in budget
5 discussions shall be the governor's budget document.

6 3. A brief explanation shall be given by the
7 agencies on the success of the various programs in
8 completing the mission of the agency.

9 4. An explanation of why the state is sponsoring
10 each program rather than the private sector, the
11 federal government or another source. The possibility
12 of funding the program through user fees should be
13 included by the agency or contracting out the services
14 should be examined.

15 5. When the appropriations bill is written, a
16 schedule showing the comparison figures for the
17 previous year's appropriation for the same item, shall
18 accompany the bill.

19 6. A comparison shall be made in the state
20 comptroller's publication of the number of positions
21 shown on the table of organization and the number
22 of full-time employees currently employed by the
23 agency. Any discrepancies should be evaluated.
24 A ratio of supervisory personnel to staff should be
25 provided to the subcommittee so its appropriateness
26 can be evaluated.

27 7. Reversions shall be shown in the numbers used
28 by the comptroller's office and should be reflected
29 in the expenditures made versus those budgeted enabling
30 the subcommittee to study the spending patterns of
31 allocated funds.

32 8. All federal funds received by an agency should
33 be reflected in the legislative fiscal bureau sheets
34 whether or not these funds are assigned by the general
35 assembly.

36 9. Suggested column headings for next year's
37 budget sheets provided by the legislative fiscal
38 bureau shall be:

39 FY '83	FY '84	FY '85	FY '86	FY '86	FY '86
40 Actual	Actual	Approp.	Leg. Act.	Dept. Req.	Gov. Rec.

41 10. A workshop should be given for all members
42 of the general assembly at the beginning of the
43 biennium on the use of the governor's budget book
44 and the legislative fiscal bureau's worksheets to
45 enable members of the general assembly to evaluate
46 the agencies' budgets.

47 Sec. 16. All federal grants to and the federal
48 receipts of the agencies appropriated funds under
49 this Act are appropriated for the purposes set forth
50 in such federal grants and receipts unless otherwise

1 provided by the general assembly."

H-6317

1 Amend Senate File 2337 as amended, passed and
2 reprinted by the Senate as follows:

3 1. Page 8, by inserting after line 14 the
4 following:

5 "Sec. ____ 1983 Iowa Acts, chapter 198, section
6 32, is amended to read as follows:

7 Sec. 32. Notwithstanding the provisions of section
8 423.24, there is transferred from revenues collected
9 under chapter 423 during ~~each-year-of~~ the fiscal
10 ~~period~~ year beginning July 1, 1983 and ending June
11 30, ~~1985~~ 1984 from the use tax imposed on motor
12 vehicles, trailers and motor vehicle accessories and
13 equipment under section 423.7 the sum of seven million
14 five hundred thousand (7,500,000) dollars which shall
15 be transferred to the special railroad facility fund
16 to be used exclusively for the purposes provided in
17 this section. The Iowa railway finance authority
18 may enter into a partnership agreement as allowed
19 under section 307B.7, subsection 7, for the purpose
20 of acquiring the right-of-way of the Chicago, Rock
21 Island and Pacific railroad. The funds shall be
22 expended to supplement private investment capital
23 obtained for that purpose by matching any private
24 investment capital on an equal basis. The funds
25 transferred to the special railroad facility fund
26 under this section shall be considered an interest-
27 free loan to be repaid in ten equal installments
28 beginning July 1, 1985 to the road use tax fund from
29 receipts credited to the special railroad facility
30 fund under section 307B.23.

31 The Iowa railway finance authority shall obtain
32 a lien against the railroad right-of-way and related
33 materials to secure the loan and secure repayment.
34 If the purchase of the railroad right-of-way is not
35 completed by January 1, 1986, the entire amount of
36 the loan shall become due and payable."

BY KOENIGS of Mitchell
COOPER of Lucas
VAN CAMP of Scott
COREY of Louisa

H-6317 FILED APRIL 16, 1984

Order of order 4/17 (p 2088)

SENATE FILE 2337

H-6284

1 Amend Senate File 2337, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 4, line 15, by striking the words "of
4 transportation".

H-6284 FILED APRIL 13, 1984 BY SCHROEDER of Pottawattamie
Out of order 4/17 (p 2088)

SENATE FILE 2337

H-6289

1 Amend Senate File 2337, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. By striking page 7, line 29 through page 8,
4 line 14.

5 2. Renumbering sections and correct internal
6 references as necessary in accordance with this
7 amendment.

H-6289 FILED APRIL 16, 1984 BY MAULSBY of Calhoun
Out of order 4/17 (p 2088)

SENATE FILE 2337

H-6297

1 Amend Senate File 2337, as amended, passed and
2 reprinted by the Senate, as follows:

3 1. Page 4, line 9, by striking the words "of
4 transportation".

5 2. Page 4, line 15, by striking the words "of
6 transportation".

H-6297 FILED APRIL 16, 1984 BY SCHROEDER of Pottawattamie
Out of order 4/17 (p 2088)

SENATE FILE 2337

H-6337

- 1 Amend Senate File 2337 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 1, by striking lines 2 and 3 and inserting
- 4 in lieu thereof the following: "of the state to the
- 5 following named agencies for each of the fiscal years
- 6 beginning July 1, 1984 and July 1, 1985, the".
- 7 2. Page 1, by striking lines 6 and 7.
- 8 3. Page 1, line 22, by striking the words "the
- 9 fiscal year" and inserting in lieu thereof the words
- 10 "each of the fiscal years".
- 11 4. Page 1, line 23, by striking the words and
- 12 figures "ending June 30, 1985" and inserting in lieu
- 13 thereof the word and figures "July 1, 1985".
- 14 5. Page 1, by striking lines 32 and 33 and
- 15 inserting in lieu thereof the words "the state to
- 16 the department of public safety for each of the fiscal
- 17 years beginning July 1, 1984 and July 1, 1985, the".
- 18 6. Page 2, by striking lines 2 and 3.
- 19 7. Page 4, by striking lines 10 and 11 and
- 20 inserting in lieu thereof the following: "facilities.
- 21 For each of the fiscal years beginning July 1, 1984
- 22 and July 1, 1985, the general assembly assumes that
- 23 there".
- 24 8. Page 4, line 26, by striking the words "the
- 25 fiscal year" and inserting in lieu thereof the words
- 26 "each of the fiscal years".
- 27 9. Page 4, by striking lines 33 and 34 and
- 28 inserting in lieu thereof the following: "the state
- 29 to the state department of transportation for each
- 30 of the fiscal years beginning July 1, 1984 and July
- 31 1, 1985,".
- 32 10. Page 5, by striking lines 2 and 3.
- 33 11. Page 5, by striking lines 26 and 27 and
- 34 inserting in lieu thereof the following: "to the
- 35 state department of transportation for each of the
- 36 fiscal years beginning July 1, 1984 and July 1, 1985,
- 37 the following".
- 38 12. Page 5, by striking lines 30 and 31.
- 39 13. Page 6, by striking lines 15 and 16 and
- 40 inserting in lieu thereof the following: "to the
- 41 state comptroller for each of the fiscal years
- 42 beginning July 1, 1984 and July 1, 1985, the sum of
- 43 twenty-three".
- 44 14. Page 6, by striking lines 22 and 23 and
- 45 inserting in lieu thereof the words "to the state
- 46 department of transportation for each of the fiscal
- 47 years beginning on July 1, 1984 and July 1, 1985,
- 48 the following".
- 49 15. Page 6, by striking lines 26 and 27.
- 50 16. Page 7, by striking lines 13 and 14 and

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Page Two

1 inserting in lieu thereof the words "to the state
2 comptroller for each of the fiscal years beginning
3 July 1, 1984 and July 1, 1985, the sum of four
4 hundred".

5 17. Page 7, by striking lines 20 and 21 and
6 inserting in lieu thereof the words "fund to the state
7 department of transportation for each of the fiscal
8 years beginning July 1, 1984 and July 1, 1985, the".

9 18. Page 7, by striking lines 24 and 25.

R-6337 FILED APRIL 16, 1984 BY SCHROEDER of Pottawattamie
Out of order 4/17 (of 2088)

H-6360

1 Amend amendment H-6356 to amendment H-6322 to
2 Senate File 2337 as amended, passed and reprinted
3 by the Senate as follows:
4 1. Page 1, line 9, by striking the words
5 "three new".

H-6360 FILED APRIL 17, 1984 BY PAVICH of Pottawattamie
ADOPTED BY UNANIMOUS CONSENT

(p. 2681)

SENATE FILE 2337

H-6361

1 Amend amendment H-6322 to Senate File 2337 as
2 amended, passed and reprinted by the Senate as follows:
3 1. Page 8, by striking lines 41 through 46.

H-6361 FILED APRIL 17, 1984 BY SCHROEDER of Pottawattamie
ADOPTED, THEN PLACED OUT OF ORDER

(p. 2685)

(p. 2687)

SENATE FILE 2337

H-6363

1 Amend the Committee on Appropriations amendment
2 H-6322 to Senate File 2337 as amended, passed and
3 reprinted by the Senate as follows:
4 1. Page 6, by inserting after line 11 the
5 following:
6 "Sec. ____ 1983 Iowa Acts, chapter 198, section
7 32, is amended to read as follows:
8 Sec. 32. Notwithstanding the provisions of section
9 423.24, there is transferred from revenues collected
10 under chapter 423 during each-year-of the fiscal
11 period year beginning July 1, 1983 and ending June
12 30, 1985 1984 from the use tax imposed on motor
13 vehicles, trailers and motor vehicle accessories and
14 equipment under section 423.7 the sum of seven million
15 five hundred thousand (7,500,000) dollars which shall
16 be transferred to the special railroad facility fund
17 to be used exclusively for the purposes provided in
18 this section. The Iowa railway finance authority
19 may enter into a partnership agreement as allowed
20 under section 307B.7, subsection 7, for the purpose
21 of acquiring the right-of-way of the Chicago, Rock
22 Island and Pacific railroad. The funds shall be
23 expended to supplement private investment capital
24 obtained for that purpose by matching any private
25 investment capital on an equal basis. The funds
26 transferred to the special railroad facility fund
27 under this section shall be considered an interest-
28 free loan to be repaid in ten equal annual installments
29 beginning July 1, 1985 to the road use tax fund from
30 receipts credited to the special railroad facility
31 fund under section 307B.23.
32 The Iowa railway finance authority shall obtain
33 a priority lien against the railroad right-of-way
34 and related materials to secure the loan and secure
35 repayment. If the purchase of the railroad right-
36 of-way is not completed by January 1, 1986, the entire
37 amount of the loan shall become due and payable."

BY KOENIGS of Mitchell
COOPER of Lucas
VAN CAMP of Scott
COREY of Louisa

H-6363 FILED APRIL 17, 1984
NOT GERMANE (p. 2684)

H-6341

1 Amend amendment H-6322 to Senate File 2337 as
2 amended, passed and reprinted by the Senate as follows:
3 1. By striking page 7, line 47 through page 8,
4 line 46.

H-6341 FILED APRIL 16, 1984 BY CONNOLLY of Dubuque

Lost 4/17 (p. 2081)

Reconsidered: Adopted (p. 2081)

SENATE FILE 2337

H-6355

1 Amend amendment H-6322 to Senate File 2337 as
2 amended, passed and reprinted by the Senate as follows:
3 1. Page 6, line 11, by striking the figure "1987"
4 and inserting in lieu thereof the figure "1989".

H-6355 FILED APRIL 17, 1984 BY GRONINGA of Cerro Gordo

ADOPTED (p. 2082)

SENATE FILE 2337

H-6356

1 Amend the Committee on Appropriations amendment
2 H-6322 to Senate File 2337 as amended, passed and
3 reprinted by the Senate as follows:
4 1. Page 2, by striking lines 2 through 5 and
5 inserting in lieu thereof the following:
6 "b. For salaries, support,
7 maintenance, and miscellaneous
8 purposes for the employment of
9 three new pari-mutuel law en-
10 forcement agencies, including the
11 state's contribution to the
12 peace officers' retirement, ac-
13 cident, and disability system
14 provided in chapter 97A in the
15 amount of sixteen percent of the
16 salaries for which the funds are
17 appropriated \$ 175,000".

BY PAVICH of Pottawattamie

H-6356 FILED APRIL 17, 1984

WOODS of Polk

WITHDRAWN (p. 2085)

H-6358

1 Amend amendment H-6322 to Senate File 2337 as
2 amended, passed, and reprinted by the Senate as follows:
3 1. Page 1, line 22, by striking the figure "\$2,940,250"
4 and inserting in lieu thereof the figure "\$3,045,834".

H-6358 FILED APRIL 17, 1984 BY DAGGETT of Taylor

LOST (p. 2083)

SENATE FILE 2337

H-6359

1 Amend amendment H-6322 to Senate File 2337, as
2 amended, passed and reprinted by the Senate, as
3 follows:
4 1. Page 8, by inserting the following after
5 line 46:
6 "Sec. ____ . Section 912.13, Code 1983, is
7 repealed."

BY MULLINS of Kossuth
McINTEE of Black Hawk
MAULSBY of Calhoun

(p. 2083) Lost (p. 2086)

H-6359 FILED APRIL 17, 1984

ADOPTED RECONSIDERED, THEN LOST

HOUSE AMENDMENT TO SENATE FILE 2337

S-5964

1 Amend Senate File 2337, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. By striking everything after the enacting
4 clause and inserting in lieu thereof the following:
5 "Section 1. There is appropriated from the general
6 fund of the state to the following named agencies
7 for the fiscal year beginning July 1, 1984 and ending
8 June 30, 1985, the following amounts, or so much
9 thereof as is necessary, for the purposes designated:

10		1984-1985
11		<u>Fiscal Year</u>
12	1. IOWA LAW ENFORCEMENT	
13	ACADEMY	
14	For salaries, support, main-	
15	tenance, and miscellaneous pur-	
16	poses	\$ 787,300

17	2. DEPARTMENT OF PUBLIC	
18	DEFENSE	
19	Military division	
20	For salaries, support, main-	
21	tenance, and miscellaneous pur-	
22	poses	\$ 2,940,250

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

32	3. OFFICE OF DISASTER SERVICES	
33	For salaries, support, main-	
34	tenance, and miscellaneous pur-	
35	poses	\$ 118,295

36 Sec. 2. There is appropriated from the general
37 fund of the state to the department of public safety
38 for the fiscal year beginning July 1, 1984 and ending
39 June 30, 1985, the following amounts, or so much
40 thereof as is necessary, to be used for funding the
41 following functions and programs for the purposes
42 designated:

43		1984-1985
44		<u>Fiscal Year</u>

45	DEPARTMENT OF PUBLIC SAFETY	
46	1. ADMINISTRATIVE FUNCTION	
47	a. For salaries, support,	
48	maintenance, and miscellaneous	
49	purposes of the department,	
50	criminal justice information sys-	

1 tem, and radio communications \$ 4,655,530
2 b. For payment of claims
3 filed under the victim reparation
4 program and for the payment of
5 operational expenses \$ 200,000
6 It is the intent of the general assembly that only
7 ten percent of the funds appropriated under this
8 paragraph shall be used for the payment of operational
9 expenses.

10 2. INSPECTION FUNCTION
11 For salaries, support, main-
12 tenance, and miscellaneous pur-
13 poses of fire marshal's inspec-
14 tions, administration of the
15 state building code, arson in-
16 vestigators including the state's
17 contribution to the peace offi-
18 cers' retirement, accident, and
19 disability provided in chapter
20 97A in the amount of sixteen per-
21 cent of the salaries for which
22 the funds are appropriated \$ 980,251

23 3. SECURITY FUNCTION
24 For salaries, support, mainte-
25 nance, and miscellaneous purposes
26 of the capitol security division \$ 670,799

27 4. INVESTIGATION FUNCTION
28 a. For salaries, support, main-
29 tenance, and miscellaneous pur-
30 poses, including lease or lease
31 purchase of laboratory equipment,
32 of the division of criminal in-
33 vestigation containing the bu-
34 reaus of identification, drug
35 law enforcement, welfare fraud,
36 and beer and liquor law enforce-
37 ment, including the state's con-
38 tribution to the peace officers'
39 retirement, accident, and dis-
40 ability system provided in chap-
41 ter 97A in the amount of sixteen
42 percent of the salaries for which
43 the funds are appropriated \$ 4,588,750

44 b. For undercover purchases
45 by the division of criminal in-
46 vestigation agents and local law
47 enforcement agents \$ 200,000
48 It is the intent of the general assembly that the
49 division of criminal investigation of the department
50 of public safety shall purchase not more than three

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SE 3

1 motor vehicles of any make or model based upon
2 specifications submitted by the department.

3 5. DIVISION OF HIGHWAY SAFETY
4 AND UNIFORMED FORCE

5 For various crime prevention
6 programs sponsored within the
7 department of public safety \$ 53,125

8 The Iowa highway safety patrol shall endeavor to
9 purchase one-half of the motor fuel and special fuel
10 necessary to operate motor vehicles from state
11 department facilities. For the fiscal year beginning
12 July 1, 1984 and ending June 30, 1985, the general
13 assembly assumes substantial compliance with this
14 requirement if the Iowa highway safety patrol purchases
15 at least forty-five percent of the motor fuel and
16 special fuel necessary to operate motor vehicles from
17 state department facilities. If the state
18 comptroller's estimates of motor fuel and special
19 fuel prices exceeds the amount needed for purchase
20 of motor fuel and special fuel necessary to operate
21 Iowa highway safety patrol motor vehicles, the amount
22 of the difference may be expended only for the
23 maintenance of the motor vehicle fleet of the Iowa
24 highway safety patrol. The Iowa highway safety patrol
25 shall report the amount expended for the total
26 purchases of motor fuel and special fuel and the
27 amount expended for fleet maintenance to the
28 transportation and law enforcement appropriations
29 subcommittee not later than August 1 following the
30 end of the fiscal year.

31 Sec. 3. There is appropriated from the general
32 fund of the state to the state department of
33 transportation for the fiscal year beginning July
34 1, 1984 and ending June 30, 1985, the following
35 amounts, or so much thereof as may be necessary, to
36 be used for the following purposes:

1984-1985
Fiscal Year

37
38
39 STATE DEPARTMENT OF TRANSPOR-
40 TATION

41 1. For salaries, support,
42 maintenance, and miscellaneous
43 purposes \$ 1,886,100

44 2. For public transit purposes
45 to implement a state assistance
46 plan \$ 1,854,600

47 Notwithstanding chapter 8, it is the intent of
48 the general assembly that funds appropriated for
49 public transit purposes to implement a state assistance
50 plan shall be allocated in whole or in part to a

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PAGE 4

1 public transit system prior to the time actual
2 expenditures are incurred if the allocation is first
3 approved by the state department of transportation.
4 A public transit system shall make application for
5 advance allocations to the state department of
6 transportation specifically stating the reasons why
7 an advance allocation is required and this allocation
8 shall be included in the total to be audited.

9 3. For deposit in the rail-
10 road assistance fund for branch
11 line improvement \$ 972,000

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

18 1984-1985
19 Fiscal Year

20 STATE DEPARTMENT OF TRANSPOR-
21 TATION

22 1. For salaries, support,
23 maintenance, and miscellaneous
24 purposes \$ 12,850,548

25 2. For the purpose of making
26 payments to the Iowa merit employ-
27 ment department for expenses in-
28 curred in administering the merit
29 system on behalf of the state
30 department of transportation, as
31 required by chapter 19A \$ 18,000

32 3. Unemployment compensation \$ 12,250

33 Sec. 5. There is appropriated from the road use
34 tax fund to the state comptroller for the fiscal year
35 beginning July 1, 1984 and ending June 30, 1985, the
36 sum of twenty-three thousand (23,000) dollars, or
37 so much thereof as is necessary, to be used for the
38 purpose of paying workers' compensation claims under
39 chapter 85 on behalf of employees of the state
40 department of transportation.

41 Sec. 6. There is appropriated from the primary
42 road fund to the state department of transportation
43 for the fiscal year beginning July 1, 1984 and ending
44 June 30, 1985, the following amounts, or so much
45 thereof as may be necessary, to be used for the
46 following purposes:

47 1984-1985
48 Fiscal Year

49 STATE DEPARTMENT OF TRANSPOR-
50 TATION

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PAGE 5

1 1. For salaries, support,
2 maintenance, and miscellaneous
3 purposes \$121,421,214

4 2. To be deposited in the
5 state department of transportation
6 materials and equipment revolving
7 fund established by section 307A.7
8 for funding the increased replace-
9 ment cost of vehicles \$ 2,000,000

10 3. For the purpose of making
11 payments to the Iowa merit em-
12 ployment department for expenses
13 incurred in administering the
14 merit system on behalf of the
15 state department of transportation,
16 as required by chapter 19A \$ 342,000

17 4. Unemployment compensation \$ 232,750

18 Sec. 7. There is appropriated from the primary
19 road fund to the state comptroller for the fiscal
20 year beginning July 1, 1984 and ending June 30, 1985,
21 the sum of four hundred thirty-seven thousand (437,000)
22 dollars, or so much thereof as is necessary, for the
23 purpose of paying workers' compensation claims under
24 chapter 85 on behalf of the employees of the state
25 department of transportation.

26 Sec. 8. There is appropriated from the state
27 aviation fund to the state department of transportation
28 for the fiscal year beginning July 1, 1984 and ending
29 June 30, 1985, the following amount, or so much thereof
30 as may be necessary, to be used for the following
31 purposes:

32		1984-1985
33		<u>Fiscal Year</u>
34	For salaries, support, main-	
35	tenance, and miscellaneous pur-	
36	poses	\$ 331,000

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

39 SEC. 31. Notwithstanding the provisions of section
40 423.24, there is transferred from revenues collected
41 under chapter 423 during the fiscal year beginning
42 July 1, 1983 and ending June 30, 1984, from the use
43 tax imposed on motor vehicles, trailers and motor
44 vehicle accessories and equipment under section 423.7
45 the sum of one million (1,000,000) dollars which shall
46 be transferred to the state department of
47 transportation for public transit assistance for the
48 fiscal year beginning July 1, 1983 and ending June
49 30, 1984. The funds transferred under this section
50 to the state department of transportation for public

1 transit assistance shall be considered in-advance
2 an interest-free loan of funds to be received for
3 public transit assistance under the Surface
4 Transportation Assistance Act of 1982 and the road
5 use tax fund shall receive reimbursement of the funds
6 ~~from receipts received by the state department of~~
7 ~~transportation for public transit assistance from~~
8 ~~the United States government pursuant to the Surface~~
9 ~~Transportation Assistance Act of 1982~~ loan during
10 the fiscal period beginning July 1, ~~1983~~ 1984 and
11 ending June 30, ~~1985~~ 1989.

12 Sec. 10. Section 101A.2, subsection 2, Code 1983,
13 as amended by House File 2301, enacted by the
14 Seventieth General Assembly, 1984 Session is amended
15 to read as follows:

16 2. Licenses shall be issued by the state fire
17 marshal upon payment of a fee of sixty one hundred
18 dollars, valid for a period of one calendar year,
19 commencing on January 1 and terminating on December
20 31; however, an initial license may be issued during
21 any calendar year for the number of months remaining
22 in such calendar year, computed to the first day of
23 the month when the application for the license is
24 approved. The license fee shall be charged on a pro
25 rata basis for the number of months remaining in the
26 year of issue. Applications for renewal of licenses
27 shall be submitted within thirty days prior to the
28 license expiration date and shall be accompanied by
29 payment of the prescribed annual fee.

30 Sec. 11. NEW SECTION. 321.270 ACCIDENTS EXEMPT
31 FROM RECORDS. A motor vehicle accident involving
32 a motor vehicle operated by a peace officer as defined
33 under section 801.4, or by a member of a fire
34 department as defined under section 321.423, or a
35 volunteer fire fighter shall not be included as part
36 of the operating record of the peace officer or fire
37 department member if the accident occurred on or after
38 the effective date of this Act, and if all of the
39 following criteria are met:

40 1. The peace officer, the fire department member,
41 or volunteer fire fighter was involved in the
42 performance of official duties at the time the accident
43 occurred.

44 2. The peace officer, the fire department member,
45 or volunteer fire fighter was responding to what the
46 officer or member reasonably believed to be a bona
47 fide emergency situation when the accident occurred.

48 3. The peace officer, the fire department member,
49 or volunteer fire fighter exercised all due care under
50 the circumstances involved in the accident.

1 The peace officer, the fire department member,
2 or volunteer fire fighter desiring that an accident
3 be excluded from the person's operating record under
4 this section, shall request the exclusion in writing
5 and the request shall be attached to the written
6 report of the accident forwarded to the department
7 under section 321.266.

8 Sec. 12. Section 321.200, Code 1983, is amended
9 to read as follows:

10 321.200 CONVICTION AND ACCIDENT FILE. The
11 department shall also file all accident reports and
12 abstracts of court records of convictions received
13 by it under the laws of this state and ~~in-connection~~
14 ~~therewith~~ maintain convenient records or make suitable
15 notations in order that an individual record of each
16 licensee showing the convictions of ~~such~~ the licensee
17 and the traffic accidents in which ~~he~~ the licensee
18 has been involved ~~shall-be~~ are readily ascertainable
19 and available for the consideration of the department
20 upon any an application for renewal of license and
21 at other suitable times. However, the abstract shall
22 not include accidents excluded from the record under
23 section 321.270.

24 Sec. 13. Section 321.210, Code 1983, is amended
25 by adding the following new unnumbered paragraph:

26 NEW UNNUMBERED PARAGRAPH. The department shall
27 not consider or assess any points for accidents
28 excluded from a person's operating record under section
29 321.270 in determining a license suspension under
30 this section.

31 Sec. 14. Section 321A.3, subsection 1, Code
32 Supplement 1983, is amended to read as follows:

33 1. The director shall upon request furnish any
34 person a certified abstract of the operating record
35 of a person subject to chapter 321 or this chapter.
36 The abstract shall also fully designate the motor
37 vehicles, if any, registered in the name of the person.
38 If there is no record of a conviction of the person
39 having violated any law relating to the operation
40 of a motor vehicle or of any injury or damage caused
41 by the person, the director shall so certify. The
42 abstract shall not include reports of accidents
43 excluded from the person's operating record under
44 section 321.270. A fee of four dollars shall be paid
45 for each abstract except by state, county, city or
46 court officials.

47 Sec. 15. All federal grants to and the federal
48 receipts of the agencies appropriated funds under
49 this Act are appropriated for the purposes set forth
50 in such federal grants and receipts unless otherwise

1 provided by the general assembly."

SENATE FILE 2337

-5987

1 Amend the House amendment, S-5964, to Senate File
2 2337, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. By striking page 1, line 3 through page 8,
5 line 1 and inserting in lieu thereof the following:

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

11 1984-1985
12 Fiscal Year

13 1. IOWA LAW ENFORCEMENT
14 ACADEMY

15 For salaries, support, main-
16 tenance, and miscellaneous pur-
17 poses \$ 797,300

18 2. DEPARTMENT OF PUBLIC
19 DEFENSE

20 Military division
21 For salaries, support, main-
22 tenance, and miscellaneous pur-
23 poses \$ 2,993,334

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

33 3. OFFICE OF DISASTER SERVICES

34 For salaries, support, main-
35 tenance, and miscellaneous pur-
36 poses \$ 118,295

37 Sec. 2. There is appropriated from the general
38 fund of the state to the department of public safety
39 for the fiscal year beginning July 1, 1984 and ending
40 June 30, 1985, the following amounts, or so much
41 thereof as is necessary, to be used for funding the
42 following functions and programs for the purposes
43 designated:

44 1984-1985
45 Fiscal Year

46 DEPARTMENT OF PUBLIC SAFETY

47 1. ADMINISTRATIVE FUNCTION

48 For salaries, support,
49 maintenance, and miscellaneous
50 purposes of the department,

1 criminal justice information sys-
2 tem, and radio communications \$ 4,687,600
3 It is the intent of the general assembly that only
4 ten percent of the funds appropriated under this
5 paragraph shall be used for the payment of operational
6 expenses.

7 2. INSPECTION FUNCTION

8 For salaries, support, main-
9 tenance, and miscellaneous pur-
10 poses of fire marshal's inspec-
11 tions, administration of the
12 state building code, arson in-
13 vestigators including the state's
14 contribution to the peace offi-
15 cers' retirement, accident, and
16 disability provided in chapter
17 97A in the amount of sixteen per-
18 cent of the salaries for which
19 the funds are appropriated \$ 1,026,700

20 3. SECURITY FUNCTION

21 For salaries, support, mainte-
22 nance, and miscellaneous purposes
23 of the capitol security division \$ 672,000

24 4. INVESTIGATION FUNCTION

25 a. For salaries, support, main-
26 tenance, and miscellaneous pur-
27 poses, including lease or lease
28 purchase of laboratory equipment,
29 of the division of criminal in-
30 vestigation containing the bu-
31 reaus of identification, drug
32 law enforcement, welfare fraud,
33 and beer and liquor law enforce-
34 ment, including the state's con-
35 tribution to the peace officers'
36 retirement, accident, and dis-
37 ability system provided in chap-
38 ter 97A in the amount of sixteen
39 percent of the salaries for which
40 the funds are appropriated \$ 4,663,500

41 b. For undercover purchases
42 by the division of criminal in-
43 vestigation agents and local law
44 enforcement agents \$ 200,000

45 c. For salaries, support,
46 maintenance, and miscellaneous
47 purposes for the employment of
48 new pari-mutuel law enforcement
49 agents, including the state's
50 contribution to the peace

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PAGE 3

1 officers' retirement, accident,
 2 and disability system provided
 3 in chapter 97A in the amount
 4 of sixteen percent of the
 5 salaries for which the funds are
 6 appropriated \$ 175,000

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

12 5. DIVISION OF HIGHWAY SAFETY
 13 AND UNIFORMED FORCE

14 a. For various crime preven-
 15 tion programs sponsored within the
 16 department of public safety \$ 53,125

17 The Iowa highway safety patrol shall endeavor to
 18 purchase one-half of the motor fuel and special fuel
 19 necessary to operate motor vehicles from state
 20 department of transportation facilities. For the
 21 fiscal year beginning July 1, 1984 and ending June
 22 30, 1985, the general assembly assumes that there
 23 is substantial compliance with this requirement if
 24 the Iowa highway safety patrol purchases at least
 25 forty-five percent of the motor fuel and special fuel
 26 necessary to operate motor vehicles from state
 27 department of transportation facilities. If the state
 28 comptroller's estimates of motor fuel and special
 29 fuel prices exceeds the amount needed for purchase
 30 of motor fuel and special fuel necessary to operate
 31 Iowa highway safety patrol motor vehicles, the amount
 32 of the difference may be expended only for the
 33 maintenance of the motor vehicle fleet of the Iowa
 34 highway safety patrol. The Iowa highway safety patrol
 35 shall report the amount expended for the total
 36 purchases of motor fuel and special fuel and the
 37 amount expended for fleet maintenance to the
 38 transportation and law enforcement appropriations
 39 subcommittee not later than August 1 following the
 40 end of the fiscal year.

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

47 Sec. 3. There is appropriated from the general
 48 fund of the state to the state department of
 49 transportation for the fiscal year beginning July
 50 1, 1984 and ending June 30, 1985, the following

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1 amounts, or so much thereof as may be necessary, to
2 be used for the following purposes:

1984-1985
Fiscal Year

3
4
5 STATE DEPARTMENT OF TRANSPOR-
6 TATION

7 1. For salaries, support,
8 maintenance, and miscellaneous
9 purposes \$ 5,359,853

10 2. For public transit purposes
11 to implement a state assistance
12 plan \$ 1,854,600

13 Notwithstanding chapter 8, it is the intent of
14 the general assembly that funds appropriated for
15 public transit purposes to implement a state assistance
16 plan shall be allocated in whole or in part to a
17 public transit system prior to the time actual
18 expenditures are incurred if the allocation is first
19 approved by the state department of transportation.
20 A public transit system shall make application for
21 advance allocations to the state department of
22 transportation specifically stating the reasons why
23 an advance allocation is required and this allocation
24 shall be included in the total to be audited.

25 3. For deposit in the rail-
26 road assistance fund for branch
27 line improvement \$ 972,000

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

1984-1985
Fiscal Year

34
35
36 STATE DEPARTMENT OF TRANSPOR-
37 TATION

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

41 2. For funding for two pilot
42 projects for area-wide ride-
43 sharing programs authorized
44 by law.....\$ 5,000

45 3. For the purpose of making
46 payments to the Iowa merit employ-
47 ment department for expenses in-
48 curred in administering the merit
49 system on behalf of the state
50 department of transportation, as

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PAGE 5

1 required by chapter 19A \$ 18,000
2 4. Unemployment compensation \$ 12,250
3 Sec. 5. There is appropriated from the road use
4 tax fund to the state comptroller for the fiscal year
5 beginning July 1, 1984 and ending June 30, 1985, the
6 sum of twenty-three thousand (23,000) dollars, or
7 so much thereof as is necessary, to be used for the
8 purpose of paying workers' compensation claims under
9 chapter 85 on behalf of employees of the state
10 department of transportation.

11 Sec. 6. There is appropriated from the primary
12 road fund to the state department of transportation
13 for the fiscal year beginning July 1, 1984 and ending
14 June 30, 1985, the following amounts, or so much
15 thereof as may be necessary, to be used for the
16 following purposes:

17 1984-1985
18 Fiscal Year

19 STATE DEPARTMENT OF TRANSPOR-
20 TATION

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

24 2. To be deposited in the
25 state department of transportation
26 materials and equipment revolving
27 fund established by section 307A.7
28 for funding the increased replace-
29 ment cost of vehicles \$ 2,000,000

30 3. For the purpose of making
31 payments to the Iowa merit em-
32 ployment department for expenses
33 incurred in administering the
34 merit system on behalf of the
35 state department of transportation,
36 as required by chapter 19A \$ 342,000

37 4. Unemployment compensation \$ 232,750

38 Sec. 7. There is appropriated from the primary
39 road fund to the state comptroller for the fiscal
40 year beginning July 1, 1984 and ending June 30, 1985,
41 the sum of four hundred thirty-seven thousand (437,000)
42 dollars, or so much thereof as is necessary, for the
43 purpose of paying workers' compensation claims under
44 chapter 85 on behalf of the employees of the state
45 department of transportation.

46 Sec. 8. There is appropriated from the state
47 aviation fund to the state department of transportation
48 for the fiscal year beginning July 1, 1984 and ending
49 June 30, 1985, the following amount, or so much thereof
50 as may be necessary, to be used for the following

1 purposes:

2
3

1984-1985
Fiscal Year

4 For salaries, support, main-
5 tenance, and miscellaneous pur-
6 poses

\$ 331,000

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

9 SEC. 31. Notwithstanding the provisions of section
10 423.24, there is transferred from revenues collected
11 under chapter 423 during the fiscal year beginning
12 July 1, 1983 and ending June 30, 1984, from the use
13 tax imposed on motor vehicles, trailers and motor
14 vehicle accessories and equipment under section 423.7
15 the sum of one million (1,000,000) dollars which shall
16 be transferred to the state department of
17 transportation for public transit assistance for the
18 fiscal year beginning July 1, 1983 and ending June
19 30, 1984. The funds transferred under this section
20 to the state department of transportation for public
21 transit assistance shall be considered ~~in-advance~~
22 an interest-free loan of funds to be received for
23 public transit assistance under the Surface
24 Transportation Assistance Act of 1982 and the road
25 use tax fund shall receive reimbursement of the funds
26 ~~from-receipts-received-by-the-state-department-of~~
27 ~~transportation-for-public-transit-assistance-from~~
28 ~~the-United-States-government-pursuant-to-the-Surface~~
29 ~~Transportation-Assistance-Act-of-1982~~ loan during
30 the fiscal period beginning July 1, ~~1983~~ 1984 and
31 ending June 30, ~~1985~~ 1989.

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

35 The treasurer of state shall before making the
36 above allotments credit annually to the highway grade
37 crossing safety fund the sum of seven hundred thousand
38 dollars, credit annually from the road use tax fund
39 the sum of ~~five~~ nine hundred thousand dollars to the
40 highway railroad grade crossing surface repair fund,
41 credit monthly to the primary road fund the dollars
42 yielded from an allotment of sixty-five hundredths
43 of one percent of all road use tax funds for the
44 express purpose of carrying out subsection 11 of
45 section 307A.2, section 313.4, subsection 2, and
46 section 307A.5, and credit annually to the primary
47 road fund the sum of five hundred thousand dollars
48 to be used for paying expenses incurred by the state
49 department of transportation other than expenses
50 incurred for extensions of primary roads in cities.

1 All unobligated funds provided by this subsection,
2 except those funds credited to the highway grade
3 crossing safety fund, shall at the end of each year
4 revert to the road use tax fund. Funds in the highway
5 grade crossing safety fund shall not revert to the
6 road use tax fund except to the extent they exceed
7 five hundred thousand dollars at the end of any
8 biennium. The cost of each highway railroad grade
9 crossing repair project shall be allocated in the
10 following manner:

11 Sec. 11. Registration fees collected under section
12 321.109 and 321.122, subsection 1, paragraph a, to
13 the extent that these fees exceed one hundred twenty
14 million (120,000,000) dollars for the fiscal year
15 beginning July 1, 1983 and ending June 30, 1984, shall
16 be placed in escrow by the treasurer of state until
17 April 15, 1985 and then credited to the road use tax
18 fund.

19 Sec. 12. 1983 Iowa Acts, chapter 198, section
20 34, is repealed.

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

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

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

S-5987 FILED
APRIL 18, 1984

BY JOE J. WELSH

Adopted 4/18 (p 1644)

SENATE AMENDMENT TO HOUSE AMENDMENT TO SENATE FILE 2337

H-6510

1 Amend the House amendment, S-5964, to Senate File
2 2337, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. By striking page 1, line 3 through page 8,
5 line 1 and inserting in lieu thereof the following:

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

11 1984-1985
12 Fiscal Year

13 1. IOWA LAW ENFORCEMENT
14 ACADEMY

15 For salaries, support, main-
16 tenance, and miscellaneous pur-
17 poses \$ 797,300

18 2. DEPARTMENT OF PUBLIC
19 DEFENSE

20 Military division
21 For salaries, support, main-
22 tenance, and miscellaneous pur-
23 poses \$ 2,993,334

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

33 3. OFFICE OF DISASTER SERVICES

34 For salaries, support, main-
35 tenance, and miscellaneous pur-
36 poses \$ 118,295

37 Sec. 2. There is appropriated from the general
38 fund of the state to the department of public safety
39 for the fiscal year beginning July 1, 1984 and ending
40 June 30, 1985, the following amounts, or so much
41 thereof as is necessary, to be used for funding the
42 following functions and programs for the purposes
43 designated:

44 1984-1985
45 Fiscal Year

46 DEPARTMENT OF PUBLIC SAFETY

47 1. ADMINISTRATIVE FUNCTION

48 For salaries, support,
49 maintenance, and miscellaneous
50 purposes of the department,

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Page Two

1 criminal justice information sys-
2 tem, and radio communications \$ 4,687,600

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

7 2. INSPECTION FUNCTION

8 For salaries, support, main-
9 tenance, and miscellaneous pur-
10 poses of fire marshal's inspec-
11 tions, administration of the
12 state building code, arson in-
13 vestigators including the state's
14 contribution to the peace offi-
15 cers' retirement, accident, and
16 disability provided in chapter
17 97A in the amount of sixteen per-
18 cent of the salaries for which
19 the funds are appropriated \$ 1,026,700

20 3. SECURITY FUNCTION

21 For salaries, support, mainte-
22 nance, and miscellaneous purposes
23 of the capitol security division \$ 672,000

24 4. INVESTIGATION FUNCTION

25 a. For salaries, support, main-
26 tenance, and miscellaneous pur-
27 poses, including lease or lease
28 purchase of laboratory equipment,
29 of the division of criminal in-
30 vestigation containing the bu-
31 reaus of identification, drug
32 law enforcement, welfare fraud,
33 and beer and liquor law enforce-
34 ment, including the state's con-
35 tribution to the peace officers'
36 retirement, accident, and dis-
37 ability system provided in chap-
38 ter 97A in the amount of sixteen
39 percent of the salaries for which
40 the funds are appropriated \$ 4,663,500

41 b. For undercover purchases
42 by the division of criminal in-
43 vestigation agents and local law
44 enforcement agents \$ 200,000

45 c. For salaries, support,
46 maintenance, and miscellaneous
47 purposes for the employment of
48 new pari-mutuel law enforcement
49 agents, including the state's
50 contribution to the peace.

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Page Three

1 officers' retirement, accident,
 2 and disability system provided
 3 in chapter 97A in the amount
 4 of sixteen percent of the
 5 salaries for which the funds are
 6 appropriated \$ 175,000

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

12 5. DIVISION OF HIGHWAY SAFETY
 13 AND UNIFORMED FORCE

14 a. For various crime preven-
 15 tion programs sponsored within the
 16 department of public safety \$ 53,125

17 The Iowa highway safety patrol shall endeavor to
 18 purchase one-half of the motor fuel and special fuel
 19 necessary to operate motor vehicles from state
 20 department of transportation facilities. For the
 21 fiscal year beginning July 1, 1984 and ending June
 22 30, 1985, the general assembly assumes that there
 23 is substantial compliance with this requirement if
 24 the Iowa highway safety patrol purchases at least
 25 forty-five percent of the motor fuel and special fuel
 26 necessary to operate motor vehicles from state
 27 department of transportation facilities. If the state
 28 comptroller's estimates of motor fuel and special
 29 fuel prices exceeds the amount needed for purchase
 30 of motor fuel and special fuel necessary to operate
 31 Iowa highway safety patrol motor vehicles, the amount
 32 of the difference may be expended only for the
 33 maintenance of the motor vehicle fleet of the Iowa
 34 highway safety patrol. The Iowa highway safety patrol
 35 shall report the amount expended for the total
 36 purchases of motor fuel and special fuel and the
 37 amount expended for fleet maintenance to the
 38 transportation and law enforcement appropriations
 39 subcommittee not later than August 1 following the
 40 end of the fiscal year.

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

47 Sec. 3. There is appropriated from the general
 48 fund of the state to the state department of
 49 transportation for the fiscal year beginning July
 1, 1984 and ending June 30, 1985, the following

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Page Four

1 amounts, or so much thereof as may be necessary, to
2 be used for the following purposes:

3
4 1984-1985
Fiscal Year

5 STATE DEPARTMENT OF TRANSPOR-
6 TATION

7 1. For salaries, support,
8 maintenance, and miscellaneous
9 purposes \$ 5,359,853

10 2. For public transit purposes
11 to implement a state assistance
12 plan \$ 1,854,600

13 Notwithstanding chapter 8, it is the intent of
14 the general assembly that funds appropriated for
15 public transit purposes to implement a state assistance
16 plan shall be allocated in whole or in part to a
17 public transit system prior to the time actual
18 expenditures are incurred if the allocation is first
19 approved by the state department of transportation.
20 A public transit system shall make application for
21 advance allocations to the state department of
22 transportation specifically stating the reasons why
23 an advance allocation is required and this allocation
24 shall be included in the total to be audited.

25 3. For deposit in the rail-
26 road assistance fund for branch
27 line improvement \$ 972,000

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

34 1984-1985
Fiscal Year

36 STATE DEPARTMENT OF TRANSPOR-
37 TATION

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

41 2. For funding for two pilot
42 projects for area-wide ride-
43 sharing programs authorized
44 by law.....\$ 5,000

45 3. For the purpose of making
46 payments to the Iowa merit employ-
47 ment department for expenses in-
48 curred in administering the merit
49 system on behalf of the state
50 department of transportation, as

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Page Five

1 required by chapter 19A \$ 18,000
 2 4. Unemployment compensation \$ 12,250
 3 Sec. 5. There is appropriated from the road use
 4 tax fund to the state comptroller for the fiscal year
 5 beginning July 1, 1984 and ending June 30, 1985, the
 6 sum of twenty-three thousand (23,000) dollars, or
 7 so much thereof as is necessary, to be used for the
 8 purpose of paying workers' compensation claims under
 9 chapter 85 on behalf of employees of the state
 10 department of transportation.

11 Sec. 6. There is appropriated from the primary
 12 road fund to the state department of transportation
 13 for the fiscal year beginning July 1, 1984 and ending
 14 June 30, 1985, the following amounts, or so much
 15 thereof as may be necessary, to be used for the
 16 following purposes:

17 1984-1985
 18 Fiscal Year

19 STATE DEPARTMENT OF TRANSPOR-
 20 TATION

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

24 2. To be deposited in the
 25 state department of transportation
 26 materials and equipment revolving
 27 fund established by section 307A.7
 28 for funding the increased replace-
 29 ment cost of vehicles \$ 2,000,000

30 3. For the purpose of making
 31 payments to the Iowa merit em-
 32 ployment department for expenses
 33 incurred in administering the
 34 merit system on behalf of the
 35 state department of transportation,
 36 as required by chapter 19A \$ 342,000

37 4. Unemployment compensation \$ 232,750

38 Sec. 7. There is appropriated from the primary
 39 road fund to the state comptroller for the fiscal
 40 year beginning July 1, 1984 and ending June 30, 1985,
 41 the sum of four hundred thirty-seven thousand (437,000)
 42 dollars, or so much thereof as is necessary, for the
 43 purpose of paying workers' compensation claims under
 44 chapter 85 on behalf of the employees of the state
 45 department of transportation.

46 Sec. 8. There is appropriated from the state
 47 aviation fund to the state department of transportation
 48 for the fiscal year beginning July 1, 1984 and ending
 49 June 30, 1985, the following amount, or so much thereof
 as may be necessary, to be used for the following

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Page Six

1 purposes:

2		1984-1985
3		<u>Fiscal Year</u>
4	For salaries, support, main-	
5	tenance, and miscellaneous pur-	
6	poses	\$ 331,000

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

9 SEC. 31. Notwithstanding the provisions of section
10 423.24, there is transferred from revenues collected
11 under chapter 423 during the fiscal year beginning
12 July 1, 1983 and ending June 30, 1984, from the use
13 tax imposed on motor vehicles, trailers and motor
14 vehicle accessories and equipment under section 423.7
15 the sum of one million (1,000,000) dollars which shall
16 be transferred to the state department of
17 transportation for public transit assistance for the
18 fiscal year beginning July 1, 1983 and ending June
19 30, 1984. The funds transferred under this section
20 to the state department of transportation for public
21 transit assistance shall be considered ~~in-advance~~
22 an interest-free loan of funds to be received for
23 public transit assistance under the Surface
24 Transportation Assistance Act of 1982 and the road
25 use tax fund shall receive reimbursement of the funds
26 ~~from-receipts-received-by-the-state-department-of~~
27 ~~transportation-for-public-transit-assistance-from~~
28 ~~the-United-States-government-pursuant-to-the-Surface~~
29 ~~Transportation-Assistance-Act-of-1982~~ loan during
30 the fiscal period beginning July 1, ~~1983~~ 1984 and
31 ending June 30, ~~1985~~ 1989.

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

35 The treasurer of state shall before making the
36 above allotments credit annually to the highway grade
37 crossing safety fund the sum of seven hundred thousand
38 dollars, credit annually from the road use tax fund
39 the sum of ~~five~~ nine hundred thousand dollars to the
40 highway railroad grade crossing surface repair fund,
41 credit monthly to the primary road fund the dollars
42 yielded from an allotment of sixty-five hundredths
43 of one percent of all road use tax funds for the
44 express purpose of carrying out subsection 11 of
45 section 307A.2, section 313.4, subsection 2, and
46 section 307A.5, and credit annually to the primary
47 road fund the sum of five hundred thousand dollars
48 to be used for paying expenses incurred by the state
49 department of transportation other than expenses
50 incurred for extensions of primary roads in cities.

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Page Seven

1 All unobligated funds provided by this subsection,
2 except those funds credited to the highway grade
3 crossing safety fund, shall at the end of each year
4 revert to the road use tax fund. Funds in the highway
5 grade crossing safety fund shall not revert to the
6 road use tax fund except to the extent they exceed
7 five hundred thousand dollars at the end of any
8 biennium. The cost of each highway railroad grade
9 crossing repair project shall be allocated in the
10 following manner:

11 Sec. 11. Registration fees collected under section
12 321.109 and 321.122, subsection 1, paragraph a, to
13 the extent that these fees exceed one hundred twenty
14 million (120,000,000) dollars for the fiscal year
15 beginning July 1, 1983 and ending June 30, 1984, shall
16 be placed in escrow by the treasurer of state until
17 April 15, 1985 and then credited to the road use tax
18 fund.

19 Sec. 12. 1983 Iowa Acts, chapter 198, section
20 34, is repealed.

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

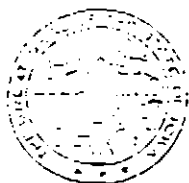
26 Sec. 14. Section 10 takes effect July 1, 1985.

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

H-6510 FILED APRIL 20, 1984

RECEIVED FROM THE SENATE

House concerned 4/20 (p. 2467)



TERRY E. BRANSTAD
GOVERNOR

OFFICE OF THE GOVERNOR

STATE CAPITOL
DES MOINES, IOWA 50319
515 281-5211

May 18, 1984

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

Dear Madam Secretary:

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

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

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

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

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

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

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

The Honorable Mary Jane Odell
May 18, 1984
Page 2

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

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

Very truly yours,



Terry E. Branstad
Governor

TEB/ps

cc: Secretary of the Senate
Chief Clerk of the House

I am the 10

SENATE FILE 2337

AN ACT

RELATING TO TRANSPORTATION BY MAKING APPROPRIATIONS TO STATE AGENCIES WHOSE RESPONSIBILITIES RELATE TO TRANSPORTATION, PUBLIC SAFETY AND PUBLIC DEFENSE.

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

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

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

Military division	
For salaries, support, maintenance, and miscellaneous purposes	\$ 2,993,334

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

3. OFFICE OF DISASTER SERVICES

For salaries, support, maintenance, and miscellaneous purposes	\$ 118,295
--	------------

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

	1984-1985 <u>Fiscal Year</u>
DEPARTMENT OF PUBLIC SAFETY	
1. ADMINISTRATIVE FUNCTION	
For salaries, support, maintenance, and miscellaneous purposes of the department, criminal justice information systems, and radio communications	\$ 4,687,600

Data

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

2. INSPECTION FUNCTION

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

3. SECURITY FUNCTION

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

4. INVESTIGATION FUNCTION

a. For salaries, support, maintenance, and miscellaneous purposes, including lease or lease purchase of laboratory equipment, of the division of criminal investigation containing the bureaus of identification, drug law enforcement, welfare fraud, and beer and liquor law enforcement, including the state's contribution to the peace officers' retirement, accident, and disability system provided in chapter 97A in the amount of sixteen percent of the salaries for which the funds are appropriated \$ 4,663,500

b. For undercover purchases by the division of criminal in-

vestigation agents and local law enforcement agents \$ 200,000

c. For salaries, support, maintenance, and miscellaneous purposes for the employment of new part-mutual law enforcement agents, including the state's contribution to the peace officers' retirement, accident, and disability system provided in chapter 97A in the amount of sixteen percent of the salaries for which the funds are appropriated \$ 175,000

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

5. DIVISION OF HIGHWAY SAFETY AND UNIFORMED FORCE

a. For various crime prevention programs sponsored within the department of public safety \$ 53,125

The Iowa highway safety patrol shall endeavor to purchase one-half of the motor fuel and special fuel necessary to operate motor vehicles from state department of transportation facilities. For the fiscal year beginning July 1, 1984 and ending June 30, 1985, the general assembly assures that there is substantial compliance with this requirement if the Iowa highway safety patrol purchases at least forty-five percent of the motor fuel and special fuel necessary to operate motor vehicles from state department of transportation facilities. If the state comptroller's estimates of motor fuel and special fuel prices exceeds the amount needed for purchase of motor fuel and special fuel necessary to operate Iowa highway safety

patrol motor vehicles, the amount of the difference may be expended only for the maintenance of the motor vehicle fleet of the Iowa highway safety patrol. The Iowa highway safety patrol shall report the amount expended for the total purchases of motor fuel and special fuel and the amount expended for fleet maintenance to the transportation and law enforcement appropriations subcommittee not later than August 1 following the end of the fiscal year.

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

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

1984-1985
Fiscal Year

STATE DEPARTMENT OF TRANSPORTATION

- 1. For salaries, support, maintenance, and miscellaneous purposes \$ 5,359,853
- 2. For public transit purposes to implement a state assistance plan \$ 1,854,500

Notwithstanding chapter 9, it is the intent of the general assembly that funds appropriated for public transit purposes to implement a state assistance plan shall be allocated in whole or in part to a public transit system prior to the time actual expenditures are incurred if the allocation is first approved by the state department of transportation. A public transit system shall make application for advance allocations

to the state department of transportation specifically stating the reasons why an advance allocation is required and this allocation shall be included in the total to be audited.

- 3. For deposit in the rail-road assistance fund for branch line improvement \$ 972,000

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

1984-1985
Fiscal Year

STATE DEPARTMENT OF TRANSPORTATION

- 1. For salaries, support, maintenance, and miscellaneous purposes \$ 13,094,154
- 2. For funding for two pilot projects for area-wide ride-sharing programs authorized by law \$ 5,000
- 3. For the purpose of making payments to the Iowa merit employment department for expenses incurred in administering the merit system on behalf of the state department of transportation, as required by chapter 19A \$ 18,000
- 4. Unemployment compensation \$ 12,250

VETO

Sec. 5. There is appropriated from the road use tax fund to the state comptroller for the fiscal year beginning July 1, 1984 and ending June 30, 1985, the sum of twenty-three thousand (23,000) dollars, or so much thereof as is necessary, to be used for the purpose of paying workers' compensation

claims under chapter 85 on behalf of employees of the state department of transportation.

Sec. 6. There is appropriated from the primary road fund to the state department of transportation for the fiscal year beginning July 1, 1984 and ending June 30, 1985, the following amounts, or so much thereof as may be necessary, to be used for the following purposes:

	1984-1985 <u>Fiscal Year</u>
STATE DEPARTMENT OF TRANSPORTATION	
1. For salaries, support, maintenance, and miscellaneous purposes	\$121,438,357
2. To be deposited in the state department of transportation materials and equipment revolving fund established by section 307A 7 for funding the increased replacement cost of vehicles	\$ 2,000,000
3. For the purpose of making payments to the Iowa merit employment department for expenses incurred in administering the merit system on behalf of the state department of transportation, as required by chapter 19A	\$ 342,000
4. Unemployment compensation	\$ 232,750

Sec. 7. There is appropriated from the primary road fund to the state comptroller for the fiscal year beginning July 1, 1984 and ending June 30, 1985, the sum of four hundred forty-seven thousand (437,000) dollars, or so much thereof as is necessary, for the purpose of paying workers' compensation claims under chapter 85 on behalf of the employees of the state department of transportation.

Sec. 8. There is appropriated from the state aviation fund to the state department of transportation for the fiscal year beginning July 1, 1984 and ending June 30, 1985, the following amount, or so much thereof as may be necessary, to be used for the following purposes:

	1984-1985 <u>Fiscal Year</u>
For salaries, support, maintenance, and miscellaneous purposes	\$ 311,900

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

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

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

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

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

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

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

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

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

CHARLES P. MILLER
President Pro Tempore of the
Senate

DONALD D. AVENSON
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2337, Seventieth General Assembly.

K. MARIE TRAYER
Secretary of the Senate

filed 5/18
Approved 1984

TERRY E. BRANSTAD
Governor