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MAR 2 1998

APPROPRIATIONS CALENDAR

HOUSE FILE 2499

BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HSB 643)

Passed House ^(p.555) Date 3/5/98 Passed Senate, Date 3/23/98
Vote: Ayes 86 Nays 9 Vote: Ayes 49 Nays 0
Approved April 22, 1998

A BILL FOR

1 An Act relating to and making transportation and other
2 infrastructure-related appropriations to the state department
3 of transportation and other state agencies, including
4 allocation and use of moneys from the general fund of the
5 state, road use tax fund, primary road fund, and the
6 motorcycle rider education fund, providing for the
7 nonreversion of certain moneys, and making statutory changes
8 relating to appropriations.

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

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HF 2499

STATE DEPARTMENT OF TRANSPORTATION

Section 1. There is appropriated from the general fund of the state to the state department of transportation for the fiscal year beginning July 1, 1998, and ending June 30, 1999, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. a. For providing assistance for the restoration, conservation, improvement, and construction of railroad main lines, branch lines, switching yards, and sidings as required in section 327H.18, for use by the Iowa railway finance authority as provided in chapter 327I:

..... \$ 1,190,000

b. For airport engineering studies and improvement projects as provided in chapter 328:

..... \$ 2,484,000

2. For planning and programming, for salaries, support, maintenance, and miscellaneous purposes:

..... \$ 265,465

3. For transfer to the Iowa civil air patrol:

..... \$ 16,000

Sec. 2. There is appropriated from the road use tax fund to the state department of transportation for the fiscal year beginning July 1, 1998, and ending June 30, 1999, the following amounts, or so much thereof as is necessary, for the purposes designated:

1. For the payment of costs associated with the production of motor vehicle licenses, as defined in section 321.1, subsection 43:

..... \$ 1,644,000

2. For salaries, support, maintenance, and miscellaneous purposes:

a. Operations and finance:

..... \$ 4,603,525

b. Administrative services:

..... \$ 901,910

1 c. Planning and programming:
2 \$ 443,490
3 d. Motor vehicles:
4 \$ 23,855,755
5 3. For payments to the department of personnel for
6 expenses incurred in administering the merit system on behalf
7 of the state department of transportation, as required by
8 chapter 19A:
9 \$ 35,000
10 4. Unemployment compensation:
11 \$ 17,000
12 5. For payments to the department of personnel for paying
13 workers' compensation claims under chapter 85 on behalf of
14 employees of the state department of transportation:
15 \$ 77,000
16 6. For payment to the general fund of the state for
17 indirect cost recoveries:
18 \$ 96,000
19 7. For reimbursement to the auditor of state for audit
20 expenses as provided in section 11.5B:
21 \$ 37,520
22 8. For up to the following amount for membership in the
23 North America's superhighway corridor coalition:
24 \$ 150,000
25 9. For transfer to the department of public safety for
26 operating a system providing toll-free telephone road and
27 weather conditions information:
28 \$ 100,000
29 10. For improvements to scale facility in Fremont county:
30 \$ 550,000
31 Sec. 3. There is appropriated from the primary road fund
32 to the state department of transportation for the fiscal year
33 beginning July 1, 1998, and ending June 30, 1999, the
34 following amounts, or so much thereof as is necessary, to be
35 used for the purposes designated:

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

3 a. Operations and finance:
4 \$ 28,278,797
5 FTEs 271.00

6 b. Administrative services:
7 \$ 5,540,303
8 FTEs 98.00

9 c. Planning and programming:
10 \$ 8,417,646
11 FTEs 174.00

12 d. Project development:
13 \$ 55,478,000
14 FTEs 1,174.00

15 Not more than \$317,000, plus an allocation for salary
16 adjustment, shall be expended from the highway beautification
17 fund for salaries and benefits for not more than 9.00 FTEs.

18 e. Maintenance:
19 \$101,812,000
20 FTEs 1,591.00

21 f. Motor vehicles:
22 \$ 917,265
23 FTEs 563.00

24 2. For deposit in the state department of transportation's
25 highway materials and equipment revolving fund established by
26 section 307.47 for funding the increased replacement cost of
27 equipment:

28 \$ 3,939,000

29 Not more than \$3,371,000 plus an allocation for salary
30 adjustment, from the highway materials and equipment revolving
31 fund, shall be expended for salaries and benefits for not more
32 than 89.00 FTEs.

33 3. For payments to the department of personnel for
34 expenses incurred in administering the merit system on behalf
35 of the state department of transportation, as required by

1 chapter 19A:
2 \$ 665,000
3 4. Unemployment compensation:
4 \$ 328,000
5 5. For payments to the department of personnel for paying
6 workers' compensation claims under chapter 85 on behalf of the
7 employees of the state department of transportation:
8 \$ 1,463,000
9 6. For disposal of hazardous wastes from field locations
10 and the central complex:
11 \$ 1,000,000
12 7. For payment to the general fund for indirect cost
13 recoveries:
14 \$ 704,000
15 8. For reimbursement to the auditor of state for audit
16 expenses as provided in section 11.5B:
17 \$ 230,480
18 9. For improvements to upgrade the handling of wastewater
19 at various field facilities throughout the state:
20 \$ 300,000
21 10. For replacement of roofs according to the department's
22 priority list at field facilities throughout the state:
23 \$ 300,000
24 11. For field garage facilities throughout the state:
25 \$ 1,500,000
26 12. For the federal Americans With Disabilities Act
27 accessibility improvements to department facilities throughout
28 the state:
29 \$ 200,000
30 13. For construction of salt storage building at various
31 field facilities throughout the state:
32 \$ 500,000
33 14. For remodeling the third floor of the administration
34 building in Ames, including the removal of asbestos and the
35 replacement of HVAC and electrical systems:

1 \$ 1,250,000

2 Section 8.33 does not apply to funds appropriated in
3 subsections 9 through 14. Funds appropriated in subsections 9
4 through 14 shall remain available for expenditure for the
5 purposes designated until June 30, 2001. Unencumbered or
6 unobligated funds remaining on June 30, 2001, from funds
7 appropriated in subsections 9 through 14 shall revert to the
8 primary road fund on August 31, 2001.

9 Sec. 4. There is appropriated from the motorcycle rider
10 education fund to the department of transportation for the
11 fiscal year beginning July 1, 1998, and ending June 30, 1999,
12 the following amount, or so much thereof as is necessary, to
13 be used for the purpose designated:

14 For a grant to a statewide motorcycle rights organization
15 operating a mobile motorcycle education program, for the
16 purchase of motorcycles and related equipment to be used for
17 training and educating persons to operate motorcycles in a
18 safe manner:

19 \$ 25,000

20 Sec. 5. Section 312.2, subsection 13, Code 1997, is
21 amended to read as follows:

22 13. The treasurer of state, before making the allotments
23 provided for in this section, shall credit annually to the
24 general fund of the state from revenues credited to the road
25 use tax fund under section 423.24, subsection 1, paragraph
26 "d", an amount equal to ~~twenty-five~~ ten cents on each title
27 issuance for motor vehicle fraud law enforcement and
28 prosecution purposes including, but not limited to, the
29 enforcement of state and federal odometer laws. Moneys
30 deposited to the general fund under this subsection are
31 subject to the requirements of section 8.60. This subsection
32 shall be repealed at the end of fiscal year 1999.

33 Sec. 6. Section 602.8108, subsection 5, Code 1997, is
34 amended to read as follows:

35 5. The state court administrator shall allocate all of the

1 fines and fees attributable to commercial vehicle violation
2 citations issued by motor vehicle division personnel of the
3 state department of transportation to the treasurer of state
4 for deposit in the road use tax fund. ~~However, the fines and~~
5 ~~fees to be deposited under this subsection shall not be~~
6 ~~deposited in the road use tax fund unless and until the~~
7 ~~deposit to the Iowa prison infrastructure fund provided for in~~
8 ~~section 602.8108A has been made.~~

9 Sec. 7. Section 602.8108A, subsection 1, Code Supplement
10 1997, is amended to read as follows:

11 1. The Iowa prison infrastructure fund is created and
12 established as a separate and distinct fund in the state
13 treasury. Notwithstanding any other provision of this chapter
14 to the contrary, the first eight million dollars and,
15 beginning July 1, 1997, the first nine million five hundred
16 thousand dollars, of moneys remitted to the treasurer of state
17 from fines, fees, costs, and forfeited bail collected by the
18 clerks of the district court in criminal cases, including
19 those collected for both scheduled and nonscheduled
20 violations, collected in each fiscal year commencing with the
21 fiscal year beginning July 1, 1995, shall be deposited in the
22 fund. Interest and other income earned by the fund shall be
23 deposited in the fund. However, beginning with the fiscal
24 year beginning July 1, 1998, all fines and fees attributable
25 to commercial vehicle violation citations issued after July 1,
26 1998, shall be deposited as provided in section 602.8108,
27 subsection 5. If the treasurer of state determines pursuant
28 to 1994 Iowa Acts, chapter 1196, that bonds can be issued
29 pursuant to this section and section 16.177, then the moneys
30 in the fund are appropriated to and for the purpose of paying
31 the principal of, premium, if any, and interest on bonds
32 issued by the Iowa finance authority under section 16.177.
33 Except as otherwise provided in subsection 2, amounts in the
34 funds shall not be subject to appropriation for any purpose by
35 the general assembly, but shall be used only for the purposes

1 set forth in this section. The treasurer of state shall act
2 as custodian of the fund and disburse amounts contained in it
3 as directed by the department of corrections including the
4 automatic disbursement of funds pursuant to the terms of bond
5 indentures and documents and security provisions to trustees
6 and custodians. The treasurer of state is authorized to
7 invest the funds deposited in the fund subject to any
8 limitations contained in any applicable bond proceedings. Any
9 amounts remaining in the fund at the end of each fiscal year
10 shall be transferred to the general fund of the state.

11 EXPLANATION

12 This bill makes appropriations from the general fund of the
13 state, the road use tax fund, and the primary road fund to the
14 state department of transportation and from the primary road
15 fund to the department of public safety.

16 Appropriations from the general fund include appropriations
17 for railroad lines, airport engineering studies, civil air
18 patrol, and planning and programming.

19 Appropriations from the road use tax fund include
20 appropriations for license plate production costs, salaries,
21 operations, motor vehicles, unemployment and workers'
22 compensation, membership in the North America's superhighway
23 corridor coalition and indirect cost recoveries.

24 Appropriations from the primary road fund include
25 appropriations for salaries, operations, planning and
26 programming, project development, maintenance, motor vehicles,
27 equipment, the merit system, unemployment and workers'
28 compensation, disposal of hazardous wastes at field locations,
29 indirect costs, wastewater handling, roof replacement at field
30 facilities, field garages, operations, for a system providing
31 toll-free telephone road and weather reports, scale facility
32 in Fremont county, compliance with ADA at department
33 facilities, construction of salt storage facilities and for
34 remodeling of the administration building at Ames.

35 An appropriation from the motorcycle rider education fund

1 is made for a motorcycle education program.

2 This bill reduces the amount credited to the general fund
3 from the funds collected on each title issuance from 25 cents
4 to 10 cents for the fiscal year 1998-1999, and no funds shall
5 be appropriated from title issuance fees to the general fund
6 after the fiscal year 1998-1999. All fees shall be deposited
7 in the road use tax fund after fiscal year 1998-1999.

8 This bill eliminates the requirement that fines and fees
9 attributable to commercial vehicle violations be first
10 deposited in the Iowa prison infrastructure fund before being
11 deposited in the road use tax fund.

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HOUSE FILE 2499

H-8212

1 Amend House File 2499 as follows:

2 1. Page 5, by inserting after line 19, the
3 following:4 "Sec. ____ . Section 307.49, Code 1997, is amended
5 to read as follows:

6 307.49 CONTRACT BIDS.

7 A bidder awarded a contract with the department
8 shall disclose the names of all subcontractors, who
9 will work on the project being bid or who the bidder
10 anticipates will work on the project being bid, within
11 forty-eight hours after the award of the contract. If
12 a subcontractor named by a bidder awarded a contract
13 is replaced, or if the cost of work to be done by a
14 subcontractor is reduced, the bidder shall disclose
15 the name of the new subcontractor or the amount of the
16 reduced cost. If a subcontractor is added by a bidder
17 awarded a contract, the bidder shall disclose the name
18 of the new subcontractor.19 The department shall issue electronic project bid
20 notices for distribution to the targeted small
21 business web page located at the department of
22 economic development. The notices shall be provided
23 to the targeted small business marketing manager
24 forty-eight hours prior to the issuance of all project
25 bid notices. The notices shall contain a description
26 of the project, a point of contact for each project,
27 and any subcontract goals included in the bid."

28 2. By renumbering as necessary.

By FORD of Polk

BRAUNS of Muscatine

H-8212 FILED MARCH 4, 1998

adopted 3/5/98
(p. 551)

HOUSE FILE 2499

H-8233

1 Amend House File 2499 as follows:

2 1. Page 5, by inserting after line 19 the
3 following:4 "Sec. ____ . NEW SECTION. 306.9A ENGELDINGER
5 MARSH.6 The general assembly acknowledges that U.S. highway
7 65, also known as Iowa highway 330, located between
8 the cities of Des Moines and Marshalltown must be
9 widened for safety reasons. However, the general
10 assembly encourages the department to avoid widening
11 U.S. highway 65, also known as Iowa highway 330,
12 through property commonly known as Engeldinger marsh
13 to route the improved highway northwest of the
14 Engeldinger watershed, and, to the extent possible,
15 avoid prime farmland and existing homesteads."

By FALLON of Polk

WITT of Black Hawk

H-8233 FILED MARCH 4, 1998

lost 3/5/98 (p. 552)

HOUSE FILE 2499

H-8207

- 1 Amend House File 2499 as follows:
2 1. Page 5, by inserting after line 32 the
3 following:
4 "Sec. ____ . Section 314.25, Code 1997, is amended
5 to read as follows:
6 314.25 GREEN SPACE PROVIDED.
7 The department shall use the property owned by it
8 ~~in the city of Council Bluffs which is bounded by~~
9 ~~Broadway, Seventh street, Kanessville boulevard, and~~
10 ~~Sixth street,~~ the department and described in this
11 section exclusively for green space, and, if sold by
12 the department, the department shall sell the property
13 with the restricted covenant that the property shall
14 be used exclusively for green space or else revert to
15 the department. This section applies to the following
16 property:
17 1. Property located in the city of Council Bluffs
18 which is bounded by Broadway, Seventh street,
19 Kanessville boulevard, and Sixth street.
20 2. Property commonly known as the Eddyville dunes
21 and wetland complex. This property includes property
22 purchased or condemned by the department for right-of-
23 way acquisition, mitigation purposes, or in connection
24 with right-of-way acquisition for the 1990 alignment
25 of the proposed Eddyville bypass."
26 2. By renumbering as necessary.

By WITT of Black Hawk
FALLON of Polk

H-8207 FILED MARCH 4, 1998

Lost 3/5/98
(p. 553)

HOUSE FILE 2499

H-8240

1 Amend House File 2499 as follows:
 2 1. Page 5, by inserting after line 32 the
 3 following:
 4 "Sec. ____ . NEW SECTION. 314.17 MOWING ON
 5 INTERSTATES AND PRIMARY HIGHWAYS.
 6 On or after January 1, 2003, the department shall
 7 not mow roadside vegetation on the rights-of-way or
 8 medians on any primary or interstate highway. Mowing
 9 shall be permitted as follows:
 10 1. On rights-of-way which include drainage ditch
 11 areas.
 12 2. On rights-of-way within three miles of the
 13 corporate limits of a city.
 14 3. To promote native species of vegetation or
 15 other long-lived and adaptable vegetation.
 16 4. For establishing control of damaging insect
 17 populations, noxious weeds, and invader plant species.
 18 5. For visibility and safety reasons."

By COHOON of Des Moines

H-8240 FILED MARCH 4, 1998

adopted 3/5/98 (p 554)

HOUSE FILE 2499

H-8242

1 Amend House File 2499 as follows:
 2 1. Page 5, by inserting after line 19 the
 3 following:
 4 "Sec. ____ . There is appropriated from the
 5 underground storage tanks marketability fund created
 6 in section 455G.21, to the department of education for
 7 the fiscal year beginning July 1, 1998, and ending
 8 June 30, 1999, the following amount, or so much
 9 thereof as is necessary, to be used for the purpose
 10 designated:
 11 For reimbursement of an amount equal to one hundred
 12 dollars for each student in the state who successfully
 13 completes a driver's education course during the 1998-
 14 1999 school year:
 15 \$ 3,700,000
 16 The department of education shall adopt rules
 17 providing for reimbursement to each school district
 18 for driver's education instruction in the amount of
 19 one hundred dollars for each student who successfully
 20 completes driver's education in the district.
 21 Notwithstanding section 8.33, the unencumbered or
 22 unobligated moneys remaining on June 30 of the fiscal
 23 year from the moneys appropriated in this section
 24 shall not revert to any fund but shall remain
 25 available to be expended during the following fiscal
 26 year for the purpose designated in this section."
 27 2. By renumbering as necessary.

By SHOULTZ of Black Hawk

H-8242 FILED MARCH 4, 1998

WITHDRAWN *3/5/98 (p. 552)*

5-3/12/98 ^{ip} Do Pass

HOUSE FILE 2499
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HSB 643)

(As Amended and Passed by the House, March 5, 1998)

Passed House, Date _____ Passed Senate, Date 3/23/98
Vote: Ayes _____ Nays _____ Vote: Ayes 49 Nays 0
Approved April 22, 1998

A BILL FOR

1 An Act relating to and making transportation and other
2 infrastructure-related appropriations to the state department
3 of transportation and other state agencies, including
4 allocation and use of moneys from the general fund of the
5 state, road use tax fund, primary road fund, and the
6 motorcycle rider education fund, providing for the
7 nonreversion of certain moneys, and making statutory changes
8 relating to appropriations.

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

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New Language _____

STATE DEPARTMENT OF TRANSPORTATION

Section 1. There is appropriated from the general fund of the state to the state department of transportation for the fiscal year beginning July 1, 1998, and ending June 30, 1999, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. a. For providing assistance for the restoration, conservation, improvement, and construction of railroad main lines, branch lines, switching yards, and sidings as required in section 327H.18, for use by the Iowa railway finance authority as provided in chapter 327I:

..... \$ 1,190,000

b. For airport engineering studies and improvement projects as provided in chapter 328:

..... \$ 2,484,000

2. For planning and programming, for salaries, support, maintenance, and miscellaneous purposes:

..... \$ 265,465

3. For transfer to the Iowa civil air patrol:

..... \$ 16,000

Sec. 2. There is appropriated from the road use tax fund to the state department of transportation for the fiscal year beginning July 1, 1998, and ending June 30, 1999, the following amounts, or so much thereof as is necessary, for the purposes designated:

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..... \$ 1,644,000

2. For salaries, support, maintenance, and miscellaneous purposes:

a. Operations and finance:
..... \$ 4,603,525

b. Administrative services:
..... \$ 901,910

1 c. Planning and programming:
2 \$ 443,490
3 d. Motor vehicles:
4 \$ 23,855,755
5 3. For payments to the department of personnel for
6 expenses incurred in administering the merit system on behalf
7 of the state department of transportation, as required by
8 chapter 19A:
9 \$ 35,000
10 4. Unemployment compensation:
11 \$ 17,000
12 5. For payments to the department of personnel for paying
13 workers' compensation claims under chapter 85 on behalf of
14 employees of the state department of transportation:
15 \$ 77,000
16 6. For payment to the general fund of the state for
17 indirect cost recoveries:
18 \$ 96,000
19 7. For reimbursement to the auditor of state for audit
20 expenses as provided in section 11.5B:
21 \$ 37,520
22 8. For up to the following amount for membership in the
23 North America's superhighway corridor coalition:
24 \$ 150,000
25 9. For transfer to the department of public safety for
26 operating a system providing toll-free telephone road and
27 weather conditions information:
28 \$ 100,000
29 10. For improvements to scale facility in Fremont county:
30 \$ 550,000
31 Sec. 3. There is appropriated from the primary road fund
32 to the state department of transportation for the fiscal year
33 beginning July 1, 1998, and ending June 30, 1999, the
34 following amounts, or so much thereof as is necessary, to be
35 used for the purposes designated:

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2 purposes and the following full-time equivalent positions:

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4 \$ 28,278,797
5 FTEs 271.00

6 b. Administrative services:

7 \$ 5,540,303
8 FTEs 98.00

9 c. Planning and programming:

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11 FTEs 174.00

12 d. Project development:

13 \$ 55,478,000
14 FTEs 1,174.00

15 Not more than \$317,000, plus an allocation for salary
16 adjustment, shall be expended from the highway beautification
17 fund for salaries and benefits for not more than 9.00 FTEs.

18 e. Maintenance:

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20 FTEs 1,591.00

21 f. Motor vehicles:

22 \$ 917,265
23 FTEs 563.00

24 2. For deposit in the state department of transportation's
25 highway materials and equipment revolving fund established by
26 section 307.47 for funding the increased replacement cost of
27 equipment:

28 \$ 3,939,000

29 Not more than \$3,371,000 plus an allocation for salary
30 adjustment, from the highway materials and equipment revolving
31 fund, shall be expended for salaries and benefits for not more
32 than 89.00 FTEs.

33 3. For payments to the department of personnel for
34 expenses incurred in administering the merit system on behalf
35 of the state department of transportation, as required by

1 chapter 19A:

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3 4. Unemployment compensation:

4 \$ 328,000

5 5. For payments to the department of personnel for paying
6 workers' compensation claims under chapter 85 on behalf of the
7 employees of the state department of transportation:

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9 6. For disposal of hazardous wastes from field locations
10 and the central complex:

11 \$ 1,000,000

12 7. For payment to the general fund for indirect cost
13 recoveries:

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

17 \$ 230,480

18 9. For improvements to upgrade the handling of wastewater
19 at various field facilities throughout the state:

20 \$ 300,000

21 10. For replacement of roofs according to the department's
22 priority list at field facilities throughout the state:

23 \$ 300,000

24 11. For field garage facilities throughout the state:

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26 12. For the federal Americans With Disabilities Act
27 accessibility improvements to department facilities throughout
28 the state:

29 \$ 200,000

30 13. For construction of salt storage building at various
31 field facilities throughout the state:

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33 14. For remodeling the third floor of the administration
34 building in Ames, including the removal of asbestos and the
35 replacement of HVAC and electrical systems:

1 \$ 1,250,000

2 Section 8.33 does not apply to funds appropriated in
3 subsections 9 through 14. Funds appropriated in subsections 9
4 through 14 shall remain available for expenditure for the
5 purposes designated until June 30, 2001. Unencumbered or
6 unobligated funds remaining on June 30, 2001, from funds
7 appropriated in subsections 9 through 14 shall revert to the
8 primary road fund on August 31, 2001.

9 Sec. 4. There is appropriated from the motorcycle rider
10 education fund to the department of transportation for the
11 fiscal year beginning July 1, 1998, and ending June 30, 1999,
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15 operating a mobile motorcycle education program, for the
16 purchase of motorcycles and related equipment to be used for
17 training and educating persons to operate motorcycles in a
18 safe manner:

19 \$ 25,000

20 Sec. 5. Section 307.49, Code 1997, is amended to read as
21 follows:

22 307.49 CONTRACT BIDS.

23 A bidder awarded a contract with the department shall
24 disclose the names of all subcontractors, who will work on the
25 project being bid or who the bidder anticipates will work on
26 the project being bid, within forty-eight hours after the
27 award of the contract. If a subcontractor named by a bidder
28 awarded a contract is replaced, or if the cost of work to be
29 done by a subcontractor is reduced, the bidder shall disclose
30 the name of the new subcontractor or the amount of the reduced
31 cost. If a subcontractor is added by a bidder awarded a
32 contract, the bidder shall disclose the name of the new
33 subcontractor.

34 The department shall issue electronic project bid notices
35 for distribution to the targeted small business web page

1 located at the department of economic development. The
2 notices shall be provided to the targeted small business
3 marketing manager forty-eight hours prior to the issuance of
4 all project bid notices. The notices shall contain a
5 description of the project, a point of contact for each
6 project, and any subcontract goals included in the bid.

7 Sec. 6. Section 312.2, subsection 13, Code 1997, is
8 amended to read as follows:

9 13. The treasurer of state, before making the allotments
10 provided for in this section, shall credit annually to the
11 general fund of the state from revenues credited to the road
12 use tax fund under section 423.24, subsection 1, paragraph
13 "d", an amount equal to ~~twenty-five~~ ten cents on each title
14 issuance for motor vehicle fraud law enforcement and
15 prosecution purposes including, but not limited to, the
16 enforcement of state and federal odometer laws. Moneys
17 deposited to the general fund under this subsection are
18 subject to the requirements of section 8.60. This subsection
19 shall be repealed at the end of fiscal year 1999.

20 Sec. 7. NEW SECTION. 314.17 MOWING ON INTERSTATES AND
21 PRIMARY HIGHWAYS.

22 On or after January 1, 2003, the department shall not mow
23 roadside vegetation on the rights-of-way or medians on any
24 primary or interstate highway. Mowing shall be permitted as
25 follows:

- 26 1. On rights-of-way which include drainage ditch areas.
- 27 2. On rights-of-way within three miles of the corporate
28 limits of a city.
- 29 3. To promote native species of vegetation or other long-
30 lived and adaptable vegetation.
- 31 4. For establishing control of damaging insect
32 populations, noxious weeds, and invader plant species.
- 33 5. For visibility and safety reasons.

34 Sec. 8. Section 602.8108, subsection 5, Code 1997, is
35 amended to read as follows:

1 5. The state court administrator shall allocate all of the
2 fines and fees attributable to commercial vehicle violation
3 citations issued by motor vehicle division personnel of the
4 state department of transportation to the treasurer of state
5 for deposit in the road use tax fund. ~~However, the fines and~~
6 ~~fees to be deposited under this subsection shall not be~~
7 ~~deposited in the road use tax fund unless and until the~~
8 ~~deposit to the Iowa prison infrastructure fund provided for in~~
9 ~~section 602.8108A has been made.~~

10 Sec. 9. Section 602.8108A, subsection 1, Code Supplement
11 1997, is amended to read as follows:

12 1. The Iowa prison infrastructure fund is created and
13 established as a separate and distinct fund in the state
14 treasury. Notwithstanding any other provision of this chapter
15 to the contrary, the first eight million dollars and,
16 beginning July 1, 1997, the first nine million five hundred
17 thousand dollars, of moneys remitted to the treasurer of state
18 from fines, fees, costs, and forfeited bail collected by the
19 clerks of the district court in criminal cases, including
20 those collected for both scheduled and nonscheduled
21 violations, collected in each fiscal year commencing with the
22 fiscal year beginning July 1, 1995, shall be deposited in the
23 fund. Interest and other income earned by the fund shall be
24 deposited in the fund. However, beginning with the fiscal
25 year beginning July 1, 1998, all fines and fees attributable
26 to commercial vehicle violation citations issued after July 1,
27 1998, shall be deposited as provided in section 602.8108,
28 subsection 5. If the treasurer of state determines pursuant
29 to 1994 Iowa Acts, chapter 1196, that bonds can be issued
30 pursuant to this section and section 16.177, then the moneys
31 in the fund are appropriated to and for the purpose of paying
32 the principal of, premium, if any, and interest on bonds
33 issued by the Iowa finance authority under section 16.177.
34 Except as otherwise provided in subsection 2, amounts in the
35 funds shall not be subject to appropriation for any purpose by

1 the general assembly, but shall be used only for the purposes
2 set forth in this section. The treasurer of state shall act
3 as custodian of the fund and disburse amounts contained in it
4 as directed by the department of corrections including the
5 automatic disbursement of funds pursuant to the terms of bond
6 indentures and documents and security provisions to trustees
7 and custodians. The treasurer of state is authorized to
8 invest the funds deposited in the fund subject to any
9 limitations contained in any applicable bond proceedings. Any
10 amounts remaining in the fund at the end of each fiscal year
11 shall be transferred to the general fund of the state.

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HOUSE FILE 2499

S-5266

- 1 Amend House File 2499, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 6, by inserting after line 33 the
4 following:
5 "Sec. ____ . Section 321.189, subsection 9, Code
6 Supplement 1997, is amended to read as follows:
7 "9. Motorcycle rider education fund. The
8 motorcycle rider education fund is established in the
9 office of the treasurer of state. The moneys credited
10 to the fund are appropriated to the department to be
11 used to establish new motorcycle rider education
12 courses and reimburse sponsors of motorcycle rider
13 education courses for the costs of providing
14 motorcycle rider education courses approved and
15 established by the department. The department shall
16 adopt rules under chapter 17A providing for the
17 distribution of moneys to sponsors of motorcycle rider
18 education courses based upon the costs of providing
19 the education courses. The department shall annually
20 report on January 15 to the general assembly the
21 distributions made to each sponsor."
22 2. By renumbering as necessary.

By MARY NEUHAUSER

S-5266 FILED MARCH 17, 1998
w/d 3/23/98 (p. 805)

HOUSE FILE 2499

S-5267

- 1 Amend House File 2499, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 5, line 14, by inserting after the word
4 "to" the following: "community colleges or to".
5 2. By renumbering as necessary.

By ROBERT E. DVORSKY

S-5267 FILED MARCH 17, 1998
w/d 3/23/98 (p. 805)

SENATE/HOUSE FILE SF
BY (PROPOSED COMMITTEE ON
APPROPRIATIONS BILL BY
JOINT APPROPRIATIONS
SUBCOMMITTEE ON TRANSPORTATION,
INFRASTRUCTURE AND CAPITALS)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to and making transportation and other
2 infrastructure-related appropriations to the state department
3 of transportation and other state agencies, including
4 allocation and use of moneys from the general fund of the
5 state, road use tax fund, and primary road fund, providing for
6 the nonreversion of certain moneys, and making statutory
7 changes relating to appropriations.

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

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STATE DEPARTMENT OF TRANSPORTATION

Section 1. There is appropriated from the general fund of the state to the state department of transportation for the fiscal year beginning July 1, 1998, and ending June 30, 1999, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. a. For providing assistance for the restoration, conservation, improvement, and construction of railroad main lines, branch lines, switching yards, and sidings as required in section 327H.18, for use by the Iowa railway finance authority as provided in chapter 327I:

..... \$ 1,190,000

b. For airport engineering studies and improvement projects as provided in chapter 328:

..... \$ 2,484,000

2. For planning and programming, for salaries, support, maintenance, and miscellaneous purposes:

..... \$ 265,465

3. For transfer to the Iowa civil air patrol:

..... \$ 16,000

Sec. 2. There is appropriated from the road use tax fund to the state department of transportation for the fiscal year beginning July 1, 1998, and ending June 30, 1999, the following amounts, or so much thereof as is necessary, for the purposes designated:

1. For the payment of costs associated with the production of motor vehicle licenses, as defined in section 321.1, subsection 43:

..... \$ 1,644,000

2. For salaries, support, maintenance, and miscellaneous purposes:

a. Operations and finance:

..... \$ 4,603,525

b. Administrative services:

..... \$ 901,910

1 c. Planning and programming:
2 \$ 443,490
3 d. Motor vehicles:
4 \$ 23,855,755
5 3. For payments to the department of personnel for
6 expenses incurred in administering the merit system on behalf
7 of the state department of transportation, as required by
8 chapter 19A:
9 \$ 35,000
10 4. Unemployment compensation:
11 \$ 17,000
12 5. For payments to the department of personnel for paying
13 workers' compensation claims under chapter 85 on behalf of
14 employees of the state department of transportation:
15 \$ 77,000
16 6. For payment to the general fund of the state for
17 indirect cost recoveries:
18 \$ 96,000
19 7. For reimbursement to the auditor of state for audit
20 expenses as provided in section 11.5B:
21 \$ 37,520
22 8. For up to the following amount for membership in the
23 North America's superhighway corridor coalition:
24 \$ 150,000
25 9. For transfer to the department of public safety for
26 operating a system providing toll-free telephone road and
27 weather conditions information:
28 \$ 100,000
29 10. For improvements to scale facility in Fremont county:
30 \$ 550,000
31 Sec. 3. There is appropriated from the primary road fund
32 to the state department of transportation for the fiscal year
33 beginning July 1, 1998, and ending June 30, 1999, the
34 following amounts, or so much thereof as is necessary, to be
35 used for the purposes designated:

1 1. For salaries, support, maintenance, miscellaneous
2 purposes and the following full-time equivalent positions:
3 a. Operations and finance:
4 \$ 28,278,797
5 FTEs 271.00
6 b. Administrative services:
7 \$ 5,540,303
8 FTEs 98.00
9 c. Planning and programming:
10 \$ 8,417,646
11 FTEs 174.00
12 d. Project development:
13 \$ 55,478,000
14 FTEs 1,174.00
15 Not more than \$317,000, plus an allocation for salary
16 adjustment, shall be expended from the highway beautification
17 fund for salaries and benefits for not more than 9.00 FTEs.
18 e. Maintenance:
19 \$101,812,000
20 FTEs 1,591.00
21 f. Motor vehicles:
22 \$ 917,265
23 FTEs 563.00
24 2. For deposit in the state department of transportation's
25 highway materials and equipment revolving fund established by
26 section 307.47 for funding the increased replacement cost of
27 equipment:
28 \$ 3,939,000
29 Not more than \$3,371,000 plus an allocation for salary
30 adjustment, from the highway materials and equipment revolving
31 fund, shall be expended for salaries and benefits for not more
32 than 89.00 FTEs.
33 3. For payments to the department of personnel for
34 expenses incurred in administering the merit system on behalf
35 of the state department of transportation, as required by

1 chapter 19A:
2 \$ 665,000
3 4. Unemployment compensation:
4 \$ 328,000
5 5. For payments to the department of personnel for paying
6 workers' compensation claims under chapter 85 on behalf of the
7 employees of the state department of transportation:
8 \$ 1,463,000
9 6. For disposal of hazardous wastes from field locations
10 and the central complex:
11 \$ 1,000,000
12 7. For payment to the general fund for indirect cost
13 recoveries:
14 \$ 704,000
15 8. For reimbursement to the auditor of state for audit
16 expenses as provided in section 11.5B:
17 \$ 230,480
18 9. For improvements to upgrade the handling of wastewater
19 at various field facilities throughout the state:
20 \$ 300,000
21 10. For replacement of roofs according to the department's
22 priority list at field facilities throughout the state:
23 \$ 300,000
24 11. For field garage facilities throughout the state:
25 \$ 1,500,000
26 12. For the federal Americans With Disabilities Act
27 accessibility improvements to department facilities throughout
28 the state:
29 \$ 200,000
30 13. For construction of salt storage building at various
31 field facilities throughout the state:
32 \$ 500,000
33 14. For remodeling the third floor of the administration
34 building in Ames, including the removal of asbestos and the
35 replacement of HVAC and electrical systems:

1 \$ 1,250,000

2 Section 8.33 does not apply to funds appropriated in
3 subsections 9 through 14. Funds appropriated in subsections 9
4 through 14 shall remain available for expenditure for the
5 purposes designated until June 30, 2001. Unencumbered or
6 unobligated funds remaining on June 30, 2001, from funds
7 appropriated in subsections 9 through 14 shall revert to the
8 primary road fund on August 31, 2001.

9 Sec. 4. There is appropriated from the motorcycle rider
10 education fund to the department of transportation for the
11 fiscal year beginning July 1, 1998, and ending June 30, 1999,
12 for the following amount, or so much thereof as is necessary,
13 to be used for the purpose designated:

14 For a grant to a state affiliate of a national group of
15 motorcycle riders, for the purchase of motorcycles and related
16 equipment to be used for training and educating persons to
17 operate motorcycles in a safe manner:

18 \$ 25,000

19 Sec. 5. Section 312.2, subsection 13, Code 1997, is
20 amended to read as follows:

21 13. The treasurer of state, before making the allotments
22 provided for in this section, shall credit annually to the
23 general fund of the state from revenues credited to the road
24 use tax fund under section 423.24, subsection 1, paragraph
25 "d", an amount equal to ~~twenty-five~~ ten cents on each title
26 issuance for motor vehicle fraud law enforcement and
27 prosecution purposes including, but not limited to, the
28 enforcement of state and federal odometer laws. Moneys
29 deposited to the general fund under this subsection are
30 subject to the requirements of section 8.60. This subsection
31 shall be repealed at the end of fiscal year 1999.

32 Sec. 6. Section 602.8108, subsection 5, Code 1997, is
33 amended to read as follows:

34 5. The state court administrator shall allocate all of the
35 fines and fees attributable to commercial vehicle violation

1 citations issued by motor vehicle division personnel of the
2 state department of transportation to the treasurer of state
3 for deposit in the road use tax fund. ~~However, the fines and~~
4 ~~fees to be deposited under this subsection shall not be~~
5 ~~deposited in the road use tax fund unless and until the~~
6 ~~deposit to the Iowa prison infrastructure fund provided for in~~
7 ~~section 602.8108A has been made.~~

8 Sec. 7. Section 602.8108A, subsection 1, Code Supplement
9 1997, is amended to read as follows:

10 1. The Iowa prison infrastructure fund is created and
11 established as a separate and distinct fund in the state
12 treasury. Notwithstanding any other provision of this chapter
13 to the contrary, the first eight million dollars and,
14 beginning July 1, 1997, the first nine million five hundred
15 thousand dollars, of moneys remitted to the treasurer of state
16 from fines, fees, costs, and forfeited bail collected by the
17 clerks of the district court in criminal cases, including
18 those collected for both scheduled and nonscheduled
19 violations, collected in each fiscal year commencing with the
20 fiscal year beginning July 1, 1995, shall be deposited in the
21 fund. Interest and other income earned by the fund shall be
22 deposited in the fund. However, beginning with the fiscal
23 year beginning July 1, 1998, all fines and fees attributable
24 to commercial vehicle violation citations issued after July 1,
25 1998, shall be deposited as provided in section 602.8108,
26 subsection 5. If the treasurer of state determines pursuant
27 to 1994 Iowa Acts, chapter 1196, that bonds can be issued
28 pursuant to this section and section 16.177, then the moneys
29 in the fund are appropriated to and for the purpose of paying
30 the principal of, premium, if any, and interest on bonds
31 issued by the Iowa finance authority under section 16.177.
32 Except as otherwise provided in subsection 2, amounts in the
33 funds shall not be subject to appropriation for any purpose by
34 the general assembly, but shall be used only for the purposes
35 set forth in this section. The treasurer of state shall act

1 as custodian of the fund and disburse amounts contained in it
2 as directed by the department of corrections including the
3 automatic disbursement of funds pursuant to the terms of bond
4 indentures and documents and security provisions to trustees
5 and custodians. The treasurer of state is authorized to
6 invest the funds deposited in the fund subject to any
7 limitations contained in any applicable bond proceedings. Any
8 amounts remaining in the fund at the end of each fiscal year
9 shall be transferred to the general fund of the state.

10

EXPLANATION

11 This bill makes appropriations from the general fund of the
12 state, the road use tax fund, and the primary road fund to the
13 state department of transportation and from the primary road
14 fund to the department of public safety.

15 Appropriations from the general fund include appropriations
16 for railroad lines, airport engineering studies, civil air
17 patrol, and planning and programming.

18 Appropriations from the road use tax fund include
19 appropriations for license plate production costs, salaries,
20 operations, motor vehicles, unemployment and workers'
21 compensation, membership in the North America's superhighway
22 corridor coalition and indirect cost recoveries.

23 Appropriations from the primary road fund include
24 appropriations for salaries, operations, planning and
25 programming, project development, maintenance, motor vehicles,
26 equipment, the merit system, unemployment and workers'
27 compensation, disposal of hazardous wastes at field locations,
28 indirect costs, wastewater handling, roof replacement at field
29 facilities, field garages, operations, for a system providing
30 toll-free telephone road and weather reports, scale facility
31 in Fremont county, compliance with ADA at department
32 facilities, construction of salt storage facilities and for
33 remodeling of the administration building at Ames.

34 This bill reduces the amount credited to the general fund
35 from the funds collected on each title issuance from 25 cents

1 to 10 cents for the fiscal year 1998-1999, and no funds shall
2 be appropriated from title issuance fees to the general fund
3 after the fiscal year 1998-1999. All fees shall be deposited
4 in the road use tax fund after fiscal year 1998-1999.

5 This bill eliminates the requirement that fines and fees
6 attributable to commercial vehicle violations be first
7 deposited in the Iowa prison infrastructure fund before being
8 deposited in the road use tax fund.

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HOUSE FILE 2499

AN ACT

RELATING TO AND MAKING TRANSPORTATION AND OTHER INFRA-
STRUCTURE-RELATED APPROPRIATIONS TO THE STATE
DEPARTMENT OF TRANSPORTATION AND OTHER STATE AGENCIES,
INCLUDING ALLOCATION AND USE OF MONEYS FROM THE GENERAL
FUND OF THE STATE, ROAD USE TAX FUND, PRIMARY ROAD FUND,
AND THE MOTORCYCLE RIDER EDUCATION FUND, PROVIDING FOR
THE NONREVERSION OF CERTAIN MONEYS, AND MAKING STATUTORY
CHANGES RELATING TO APPROPRIATIONS.

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

STATE DEPARTMENT OF TRANSPORTATION

Section 1. There is appropriated from the general fund of
the state to the state department of transportation for the
fiscal year beginning July 1, 1998, and ending June 30, 1999,
the following amounts, or so much thereof as is necessary, to
be used for the purposes designated:

1. a. For providing assistance for the restoration,
conservation, improvement, and construction of railroad main
lines, branch lines, switching yards, and sidings as required

in section 327H.18, for use by the Iowa railway finance
authority as provided in chapter 327I:
..... \$ 1,190,000

b. For airport engineering studies and improvement
projects as provided in chapter 328:
..... \$ 2,484,000

2. For planning and programming, for salaries, support,
maintenance, and miscellaneous purposes:
..... \$ 265,465

3. For transfer to the Iowa civil air patrol:
..... \$ 16,000

Sec. 2. There is appropriated from the road use tax fund
to the state department of transportation for the fiscal year
beginning July 1, 1998, and ending June 30, 1999, the
following amounts, or so much thereof as is necessary, for the
purposes designated:

1. For the payment of costs associated with the production
of motor vehicle licenses, as defined in section 321.1,
subsection 43:
..... \$ 1,644,000

2. For salaries, support, maintenance, and miscellaneous
purposes:

a. Operations and finance:
..... \$ 4,603,525

b. Administrative services:
..... \$ 901,910

c. Planning and programming:
..... \$ 443,490

d. Motor vehicles:
..... \$ 23,855,755

3. For payments to the department of personnel for
expenses incurred in administering the merit system on behalf
of the state department of transportation, as required by
chapter 19A:
..... \$ 35,000

4. Unemployment compensation:

..... \$ 17,000

5. For payments to the department of personnel for paying workers' compensation claims under chapter 85 on behalf of employees of the state department of transportation:
 \$ 77,000

6. For payment to the general fund of the state for indirect cost recoveries:
 \$ 96,000

7. For reimbursement to the auditor of state for audit expenses as provided in section 11.5B:
 \$ 37,520

8. For up to the following amount for membership in the North America's superhighway corridor coalition:
 \$ 150,000

9. For transfer to the department of public safety for operating a system providing toll-free telephone road and weather conditions information:
 \$ 100,000

10. For improvements to scale facility in Fremont county:
 \$ 550,000

Sec. 3. There is appropriated from the primary road fund to the state department of transportation for the fiscal year beginning July 1, 1998, and ending June 30, 1999, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

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

a. Operations and finance:
 \$ 28,278,797
 FTEs 271.00

b. Administrative services:
 \$ 5,540,303
 FTEs 98.00

c. Planning and programming:
 \$ 8,417,646

..... FTEs 174.00

d. Project development:
 \$ 55,478,000
 FTEs 1,174.00

Not more than \$317,000, plus an allocation for salary adjustment, shall be expended from the highway beautification fund for salaries and benefits for not more than 9.00 FTEs.

e. Maintenance:
 \$101,812,000
 FTEs 1,591.00

f. Motor vehicles:
 \$ 917,265
 FTEs 563.00

2. For deposit in the state department of transportation's highway materials and equipment revolving fund established by section 307.47 for funding the increased replacement cost of equipment:
 \$ 3,939,000

Not more than \$3,371,000 plus an allocation for salary adjustment, from the highway materials and equipment revolving fund, shall be expended for salaries and benefits for not more than 89.00 FTEs.

3. For payments to the department of personnel for expenses incurred in administering the merit system on behalf of the state department of transportation, as required by chapter 19A:
 \$ 665,000

4. Unemployment compensation:
 \$ 328,000

5. For payments to the department of personnel for paying workers' compensation claims under chapter 85 on behalf of the employees of the state department of transportation:
 \$ 1,463,000

6. For disposal of hazardous wastes from field locations and the central complex:

- \$ 1,000,000
- 7. For payment to the general fund for indirect cost recoveries:
- \$ 704,000
- 8. For reimbursement to the auditor of state for audit expenses as provided in section 11.5B:
- \$ 230,480
- 9. For improvements to upgrade the handling of wastewater at various field facilities throughout the state:
- \$ 300,000
- 10. For replacement of roofs according to the department's priority list at field facilities throughout the state:
- \$ 300,000
- 11. For field garage facilities throughout the state:
- \$ 1,500,000
- 12. For the federal Americans With Disabilities Act accessibility improvements to department facilities throughout the state:
- \$ 200,000
- 13. For construction of salt storage building at various field facilities throughout the state:
- \$ 500,000
- 14. For remodeling the third floor of the administration building in Ames, including the removal of asbestos and the replacement of HVAC and electrical systems:
- \$ 1,250,000

Section 8.33 does not apply to funds appropriated in subsections 9 through 14. Funds appropriated in subsections 9 through 14 shall remain available for expenditure for the purposes designated until June 30, 2001. Unencumbered or unobligated funds remaining on June 30, 2001, from funds appropriated in subsections 9 through 14 shall revert to the primary road fund on August 31, 2001.

Sec. 4. There is appropriated from the motorcycle rider education fund to the department of transportation for the

fiscal year beginning July 1, 1998, and ending June 30, 1999, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For a grant to a statewide motorcycle rights organization operating a mobile motorcycle education program, for the purchase of motorcycles and related equipment to be used for training and educating persons to operate motorcycles in a safe manner:

..... \$ 25,000

Sec. 5. Section 307.49, Code 1997, is amended to read as follows:

307.49 CONTRACT BIDS.

A bidder awarded a contract with the department shall disclose the names of all subcontractors, who will work on the project being bid or who the bidder anticipates will work on the project being bid, within forty-eight hours after the award of the contract. If a subcontractor named by a bidder awarded a contract is replaced, or if the cost of work to be done by a subcontractor is reduced, the bidder shall disclose the name of the new subcontractor or the amount of the reduced cost. If a subcontractor is added by a bidder awarded a contract, the bidder shall disclose the name of the new subcontractor.

The department shall issue electronic project bid notices for distribution to the targeted small business web page located at the department of economic development. The notices shall be provided to the targeted small business marketing manager forty-eight hours prior to the issuance of all project bid notices. The notices shall contain a description of the project, a point of contact for each project, and any subcontract goals included in the bid.

Sec. 6. Section 312.2, subsection 13, Code 1997, is amended to read as follows:

13. The treasurer of state, before making the allotments provided for in this section, shall credit annually to the

general fund of the state from revenues credited to the road use tax fund under section 423.24, subsection 1, paragraph "d", an amount equal to ~~twenty-five~~ ten cents on each title issuance for motor vehicle fraud law enforcement and prosecution purposes including, but not limited to, the enforcement of state and federal odometer laws. Moneys deposited to the general fund under this subsection are subject to the requirements of section 8.60. This subsection shall be repealed at the end of fiscal year 1999.

Sec. 7. NEW SECTION. 314.17 MOWING ON INTERSTATES AND PRIMARY HIGHWAYS.

On or after January 1, 2003, the department shall not mow roadside vegetation on the rights-of-way or medians on any primary or interstate highway. Mowing shall be permitted as follows:

1. On rights-of-way which include drainage ditch areas.
2. On rights-of-way within three miles of the corporate limits of a city.
3. To promote native species of vegetation or other long-lived and adaptable vegetation.
4. For establishing control of damaging insect populations, noxious weeds, and invader plant species.
5. For visibility and safety reasons.

Sec. 8. Section 602.8108, subsection 5, Code 1997, is amended to read as follows:

5. The state court administrator shall allocate all of the fines and fees attributable to commercial vehicle violation citations issued by motor vehicle division personnel of the state department of transportation to the treasurer of state for deposit in the road use tax fund. ~~However, the fines and fees to be deposited under this subsection shall not be deposited in the road use tax fund unless and until the deposit to the Iowa prison infrastructure fund provided for in section 602.8108A has been made.~~

Sec. 9. Section 602.8108A, subsection 1, Code Supplement 1997, is amended to read as follows:

1. The Iowa prison infrastructure fund is created and established as a separate and distinct fund in the state treasury. Notwithstanding any other provision of this chapter to the contrary, the first eight million dollars and, beginning July 1, 1997, the first nine million five hundred thousand dollars, of moneys remitted to the treasurer of state from fines, fees, costs, and forfeited bail collected by the clerks of the district court in criminal cases, including those collected for both scheduled and nonscheduled violations, collected in each fiscal year commencing with the fiscal year beginning July 1, 1995, shall be deposited in the fund. Interest and other income earned by the fund shall be deposited in the fund. However, beginning with the fiscal year beginning July 1, 1998, all fines and fees attributable to commercial vehicle violation citations issued after July 1, 1998, shall be deposited as provided in section 602.8108, subsection 5. If the treasurer of state determines pursuant to 1994 Iowa Acts, chapter 1196, that bonds can be issued pursuant to this section and section 16.177, then the moneys in the fund are appropriated to and for the purpose of paying the principal of, premium, if any, and interest on bonds issued by the Iowa finance authority under section 16.177. Except as otherwise provided in subsection 2, amounts in the funds shall not be subject to appropriation for any purpose by the general assembly, but shall be used only for the purposes set forth in this section. The treasurer of state shall act as custodian of the fund and disburse amounts contained in it as directed by the department of corrections including the automatic disbursement of funds pursuant to the terms of bond indentures and documents and security provisions to trustees and custodians. The treasurer of state is authorized to invest the funds deposited in the fund subject to any limitations contained in any applicable bond proceedings. Any

amounts remaining in the fund at the end of each fiscal year shall be transferred to the general fund of the state.

RON J. CORBETT
Speaker of the House

MARY E. KRAMER
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2499, Seventy-seventh General Assembly.

ELIZABETH ISAACSON
Chief Clerk of the House

Approved April 22, 1998

TERRY E. BRANSTAD
Governor