

House File 2346 - Introduced

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A BILL FOR

1 An Act relating to funding for projects on roads and bridges
2 in critical need of repair or maintenance, and making an
3 appropriation.

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

1 Section 1. Section 8.55, subsection 2, paragraph a, Code
2 Supplement 2011, is amended to read as follows:

3 a. The maximum balance of the fund is the amount equal to
4 two and one-half percent of the adjusted revenue estimate for
5 the fiscal year. If the amount of moneys in the Iowa economic
6 emergency fund is equal to the maximum balance, moneys in
7 excess of this amount shall be distributed as follows:

8 (1) The first sixty million dollars of the difference
9 between the actual net revenue for the general fund of the
10 state for the fiscal year and the adjusted revenue estimate for
11 the fiscal year shall be transferred to the taxpayers trust
12 fund.

13 (2) Moneys in excess of the amount transferred under
14 subparagraph (1), up to a maximum amount of sixty million
15 dollars, shall be transferred to the critical needs road fund
16 created under section 312B.1.

17 ~~{2}~~ (3) The remainder of the excess, if any, shall be
18 transferred to the general fund of the state.

19 Sec. 2. Section 8.58, Code Supplement 2011, is amended to
20 read as follows:

21 **8.58 Exemption from automatic application.**

22 1. To the extent that moneys appropriated under section
23 8.57 do not result in moneys being credited to the general fund
24 under section 8.55, subsection 2, moneys appropriated under
25 section 8.57 and moneys contained in the cash reserve fund,
26 rebuild Iowa infrastructure fund, environment first fund, Iowa
27 economic emergency fund, ~~and taxpayers trust fund,~~ and critical
28 needs road fund shall not be considered in the application of
29 any formula, index, or other statutory triggering mechanism
30 which would affect appropriations, payments, or taxation rates,
31 contrary provisions of the Code notwithstanding.

32 2. To the extent that moneys appropriated under section
33 8.57 do not result in moneys being credited to the general fund
34 under section 8.55, subsection 2, moneys appropriated under
35 section 8.57 and moneys contained in the cash reserve fund,

1 rebuild Iowa infrastructure fund, environment first fund, Iowa
2 economic emergency fund, ~~and taxpayers trust fund,~~ and critical
3 needs road fund shall not be considered by an arbitrator or in
4 negotiations under chapter 20.

5 Sec. 3. NEW SECTION. 312B.1 **Critical needs road fund.**

6 1. A critical needs road fund is created in the state
7 treasury under the control of the department of transportation.
8 The fund shall be separate from the general fund of the state
9 and the balance in the fund shall not be considered part of
10 the balance of the general fund of the state. The fund shall
11 consist of moneys appropriated by the general assembly and any
12 revenues credited by law to the critical needs road fund. The
13 moneys in the fund are not subject to section 8.33 and shall
14 not be transferred, used, obligated, appropriated, or otherwise
15 encumbered except as provided in this section. Notwithstanding
16 section 12C.7, subsection 2, interest or earnings on moneys
17 deposited in the critical needs road fund shall be credited to
18 the fund.

19 2. Moneys in the critical needs road fund are appropriated
20 to the department of transportation to be used as directed
21 by the department exclusively for the repair and maintenance
22 of roads on the primary or secondary road system, or the
23 municipal street system, including bridges. The department
24 shall establish guidelines for identifying roads and bridges
25 in critical need of repair or maintenance and for prioritizing
26 projects to receive funding under this section. Moneys
27 distributed from the critical needs road fund may be used
28 in combination with other available funding as necessary to
29 accomplish the completion of a qualifying project and to
30 accomplish the goal of reducing the number of Iowa roads and
31 bridges with critical needs.

32 EXPLANATION

33 This bill establishes a critical needs road fund in the state
34 treasury under the control of the department of transportation.
35 Moneys in the fund are appropriated to the department to be

1 used exclusively for repair and maintenance of state and
2 local roads. The department is authorized to direct the
3 use of the fund's resources according to guidelines to be
4 established by the department for identifying roads and bridges
5 in critical need of repair or maintenance and for prioritizing
6 critical needs projects. Moneys from the fund may be used in
7 combination with other available funding.

8 The bill provides that if the economic emergency fund
9 reaches the maximum balance, after the required transfer of a
10 portion of the excess to the taxpayers trust fund and before
11 any remaining excess is transferred to the general fund of the
12 state, any excess moneys in an amount up to \$60 million shall
13 be transferred to the critical needs road fund.