

CHAPTER 195
CAPITAL PROJECTS AND NONRECURRING EXPENSES
S.F. 551

AN ACT relating to and making appropriations to state agencies relating to and for capital projects and certain nonrecurring expenses.

Be It Enacted by the General Assembly of the State of Iowa:

DIVISION I

Section 1. There is appropriated to the state board of regents for the fiscal year beginning July 1, 1983 and ending June 30, 1984 from the following funds, the following amounts, or so much thereof as necessary, for allocation by the state board of regents for the purpose of continuing its statewide energy management program:

		1983-1984
		<u>Fiscal Year</u>
From the general fund	\$	600,000

Sec. 2. There is appropriated from the federal oil overcharge funds apportioned to Iowa under Pub. L. No. 97-377, to the energy policy council, the sum of five hundred seventy-five thousand (575,000) dollars, or so much thereof as is necessary, to be used in conjunction with the funds appropriated to the board of regents under section one of this Act.

Sec. 3. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1983 and ending June 30, 1984, to the state board of regents, the sum of eight million nine hundred five thousand (8,905,000) dollars, or so much thereof as necessary, for allocation by the state board of regents to the state university of Iowa, the Iowa state university of science and technology, the university of northern Iowa, and the Iowa braille and sight-saving school to undertake the following capital projects:

1. State university of Iowa:
 - a. Fire safety deficiency corrections.
 - b. Communications facility and field house/athletic office building equipment.
 - c. Chemistry/botany remodeling.
2. Iowa state university of science and technology:
 - a. Fire safety deficiency corrections.
 - b. Mechanical engineering equipment.
 - c. Planning for phase 2 of the college of education building.
3. University of northern Iowa:
 - a. Fire safety deficiency corrections.
 - b. Gilchrist hall renovations.
4. Iowa braille and sight-saving school:

Utility system master plan and other campus improvements.

Sec. 4. It is the intent of the general assembly that if the funds are available in the 1984-1985 fiscal year, up to one hundred twenty-five thousand (125,000) dollars may be appropriated to the state board of regents for the planning phase of the home economics building at Iowa state university of science and technology.

Sec. 5. Unobligated or unencumbered funds remaining on June 30, 1986, from funds appropriated by section 1 of this Act shall revert to the general fund of the state on September 30, 1986. Unobligated or unencumbered funds remaining on June 30, 1987, from funds appropriated by section 3 of this Act shall revert to the general fund of the state on September 30, 1987.

Sec. 6. There is appropriated from the general fund of the state to the following state agencies for the fiscal year beginning July 1, 1983, and ending June 30, 1984, the following amounts, or so much as may be necessary, to be used in the manner designated:

		<u>1983-1984</u> <u>Fiscal Year</u>
1. COMMISSION FOR THE BLIND		
a. Purchase and installation of an automated energy management system		
\$		11,480
b. Rebuilding of the cooling tower		
\$		840
c. Reroofing the third and fourth floors		
\$		4,404
2. IOWA DEPARTMENT OF PUBLIC BROADCASTING		
Replacement of strobe light system		
\$		100,000

Sec. 7. If the governor finds that the estimated budget resources during the fiscal year beginning July 1, 1983 and ending June 30, 1984 are insufficient to pay all appropriations in full and the governor's findings are concurred in by the executive council, the governor shall not make any reductions in allotment as allowed under section 8.31 until the unencumbered funds appropriated by this division are included in the estimated budget resources. Upon inclusion of the unencumbered funds appropriated in this division in the estimated budget resources, the capital projects shall be terminated if the termination will not result in increased future expenditures for the project being terminated, and any funds not encumbered for the capital projects shall remain in the general fund of the state and shall not be expended for the capital projects.

If upon inclusion of the funds appropriated by this division in the estimated budget resources for the fiscal year beginning July 1, 1983 and ending June 30, 1984 as authorized by this section, the governor finds that the estimated budget resources during the fiscal year are insufficient to pay all appropriations in full and the executive council concurs in the governor's findings, the governor may make the reductions of allotments allowed under section 8.31.

DIVISION II

Sec. 8.

1. There is appropriated from the general fund of the state to the department of human services, division of adult corrections, for the fiscal year beginning July 1, 1983, and ending June 30, 1984, the sum of eight hundred fifty-two thousand (852,000) dollars, or so much thereof as necessary for capital improvements at the Iowa state penitentiary to bring the penitentiary into compliance with the federal court order which requires such improvements, for construction at the Luster Heights work camp, for construction of an Iowa state industries' laundry facility at the medium security correctional facility at Mt. Pleasant and to renovate a bathroom for use of the handicapped at the Iowa correctional institution for women, however, it is a condition of this appropriation that if funds for each project are not allocated the total sum appropriated shall revert to the general fund of the state.

It is the intent of the general assembly that additional beds at Luster Heights are to be used to reduce the inmate population by an equivalent number at Anamosa. The department shall utilize inmate labor where feasible on the construction projects at the Luster Heights work camp and at the medium security correctional facility at Mt. Pleasant.

2. The funds allocated by this section for use at the Iowa state penitentiary and five hundred thousand (500,000) dollars of the funds appropriated for capital improvements at the Iowa state penitentiary by House File 184, section 9, subsection 3, 1983 Iowa Acts, shall be used by the department for capital improvements, including major maintenance projects, at the Iowa state penitentiary to bring the penitentiary into compliance with the federal court order which requires such improvements to safeguard the rights of inmates incarcerated at the penitentiary.

3. Any future notice for requests for bids and letting of construction contracts, pursuant to section 218.60, for a project at a state institution under the control of the department of human services, division of adult corrections, shall state that the department retains the option of using inmate labor where feasible and not inconsistent with the terms of the contract. It is the intent of the general assembly that the department of human services, division of adult corrections, utilize inmate labor where feasible on any construction and demolition projects at the state institutions under the control of the department.

Sec. 9.

1. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 1983, and ending June 30, 1984 for capital improvements, including major maintenance projects, at the institutions under the control of the department of human services, the following amount, or so much thereof as is necessary:

	1983-1984
	<u>Fiscal Year</u>
\$	978,000

Funds appropriated by this section shall be used by the department for capital improvements to correct life safety, fire code, and accreditation deficiencies at the mental health institutes at Cherokee and Independence and at the state training school.

Sec. 10. Unobligated or unencumbered funds appropriated by sections 8 and 9 of this Act for the fiscal year beginning July 1, 1983, and ending June 30, 1984, remaining on June 30, 1987, shall revert to the general fund of the state on September 30, 1987. However, if the projects for which these funds are appropriated are completed prior to June 30, 1987, the remaining unobligated or unencumbered funds shall revert to the general fund of the state on September 30 following the end of the fiscal year in which the projects are completed.

Sec. 11. The department of human services may expend during the fiscal year beginning July 1, 1983, and ending June 30, 1984, fifteen thousand (15,000) dollars remaining from the funds appropriated under 1981 Iowa Acts, chapter 11, section 11, subsection 1 to develop final plans for the reconstruction of the Loftus building at the Iowa veterans home.

It is the intent of the general assembly that the general assembly meeting in the year 1984 shall appropriate an additional one hundred seventy thousand (170,000) dollars for completion of the reconstruction of the Loftus building at the Iowa veterans home.

DIVISION III

Sec. 12. There is appropriated from the general fund of the state to the following state agencies for the fiscal year, except as otherwise provided, beginning July 1, 1983, and ending June 30, 1984, the following amounts, or so much as may be necessary, to be used in the manner designated:

	1983-1984
	<u>Fiscal Year</u>
1. DEPARTMENT OF GENERAL SERVICES	
a. For the payment of statehouse renovation costs	
\$	500,000

b. For emergency major repairs or-replacements of equipment, roofs or windows	\$	45,000
c. For the renovation and remodeling of the fourth floor of the Robert Lucas building	\$	500,000
d. For repair of the roof of the vehicle dispatcher building and the repair of the roof of the micrographics building	\$	94,500
e. For the installation of individual water heaters in capitol complex buildings	\$	61,600
f. For replacement of the incandescent lamps in the upper portions of the capitol	\$	5,250
g. For automation of the north capitol elevator	\$	13,500
h. For the purchase and installation of a fire alarm system in the capitol building	\$	136,000
i. For moving of the auditor of state's staff and furnishings	\$	125,000
j. For moving of the treasurer of state's staff and furnishings	\$	125,000

2. IOWA STATE HISTORICAL DEPARTMENT

a. For the replacement and upgrading of electrical service to the state historical building	\$	85,000
b. For repair of the roof and dome of the state historical building	\$	100,000
c. For construction of a handicapped entrance to the centennial building in Iowa City	\$	13,000
d. For the renovation of restroom and drinking facilities in the state historical building to make them accessible to handicapped persons	\$	10,000
e. For construction of a handicapped entrance ramp to the state historical building	\$	5,000

3. EXECUTIVE COUNCIL

For the state's share of the city of Cedar Falls 1981 asphalt concrete resurfacing project covered under section 307A.5	\$	29,824
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Sec. 13. There is appropriated from the general fund of the state to the state historical department for the fiscal year beginning July 1, 1984 and ending June 30, 1985, the following amount, or so much thereof as necessary, to be used for the purposes designated:

1984-1985
Fiscal Year

For the construction of a new state historical building	\$	10,000,000
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Funds appropriated by this section are provided as a state match of two dollars of state match for each one dollar of private funds actually acquired excluding the Herrick bequest.

*Item veto; see message at end of this Act

Funds appropriated by this section shall not be committed or expended without the prior written approval of the director of the department of general services.

Sec. 14. Notwithstanding section 8.33, unobligated or unencumbered funds appropriated under section 12, subsection 1, paragraphs a and b of this Act remaining as of June 30, 1984, shall be available for expenditure during the fiscal year beginning July 1, 1984 and if not expended shall revert to the general fund of the state on September 30, 1985.

DIVISION IV

Sec. 15. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1983 and ending June 30, 1984 to the following agencies the following amounts, or so much thereof as may be necessary, for the purposes designated:

1. STATE GEOLOGICAL SURVEY	
For safety devices at the Oakdale facility	\$ 3,000
2. STATE FAIR BOARD	
a. For the acquisition of adjacent land	\$ 10,000
b. For roof replacement and electrical system improvement	\$ 240,000
3. STATE CONSERVATION COMMISSION	
a. For the Saylorville greenbelt	\$ 500,000
b. For Swan lake restoration	\$ 110,000
c. For construction, replacement, development and alterations to state parks and preserves, state forest facilities and state waters including artificial lake development; shoreline erosion and siltation control; river, stream and lake access; and engineering and planning services or to supplement any prior appropriation for such purposes	\$ 906,500

Sec. 16. Funds appropriated by section 15 of this Act which are not obligated or encumbered on June 30, 1984 shall revert to the general fund on September 30, 1984. The appropriation of funds in section 15, subsection 3, of this Act is contingent upon matching federal resources being made available for each project funded. All federal grants to and the federal receipts of the agencies appropriated funds under section 15 of this Act are appropriated for the purposes set forth in the federal grants or receipts.

DIVISION V

Sec. 17. There is appropriated from the general fund of the state to the state comptroller for the fiscal year beginning July 1, 1983 and ending June 30, 1984, the sum of two hundred fifty thousand (250,000) dollars, or so much thereof as is necessary to pay costs for the purchase of fuel and electricity which exceed the amounts appropriated to the various state agencies from the general fund for the purchase of fuel and electricity. The funds or any portion of the funds shall not be allocated to a state agency unless the state comptroller determines the agency's costs for the purchase of fuel and electricity exceed the amounts appropriated for the fiscal year beginning July 1, 1983 and the agency is either developing an energy conservation plan in consultation with the energy policy council, or is implementing, or has implemented, an energy conservation plan which has been approved by the energy policy council and the state comptroller determines that other money is not available to the agency for fuel or electricity purposes.

Sec. 18. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1983 and ending June 30, 1984 to the treasurer of state the sum of one hundred thirty-nine thousand (139,000) dollars, or so much thereof as necessary, to be used for the purchase of an investment machine and system.

Sec. 19. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1983 and ending June 30, 1984, to the Iowa lottery agency, the sum of two million (2,000,000) dollars, or so much thereof as may be necessary, to be used to initiate a state lottery. Notwithstanding section 8.31 the Iowa lottery agency may draw funds as required to initiate the lottery within the limits of the appropriation until the lottery generates sufficient revenue to become self-supporting. The Iowa lottery agency shall reimburse the general fund for the total amount of funds received under this section within sixty days of the date funds are no longer necessary to initiate the lottery or within sixty days of June 30, 1984, whichever is sooner.

Sec. 20. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1983 and ending June 30, 1984, to the state racing commission, the sum of three hundred thousand (300,000) dollars, or so much thereof as necessary, for salaries, support, maintenance, and operational purposes of the commission.

DIVISION VI

Sec. 21. There is appropriated from the following funds for the fiscal year beginning July 1, 1983 and ending June 30, 1984 to the department of public defense, military division, the following amounts, or so much thereof as necessary, to be used to build an armory in Dubuque, Iowa and an armory in Washington, Iowa:

	1983-1984
	<u>Fiscal Year</u>
From the general fund	\$ 150,000
From the facilities improvement fund created in section 29A.14, subsection 2	\$ 530,000

Sec. 22. There is appropriated from the general fund of the state to the department of public safety for the fiscal year beginning July 1, 1983 and ending June 30, 1984 the following amount, or so much thereof as necessary, to be used for the purposes designated:

	1983-1984
	<u>Fiscal Year</u>
For a hard surface parking lot at highway patrol post 11 in Cedar Rapids	\$ 25,000

Sec. 23. Section 173.14, Code 1983, is amended by adding the following new subsection:
NEW SUBSECTION. With the approval of the executive council, purchase real estate adjacent to the state fairgrounds for use in conjunction with the state fairgrounds. A purchase of real estate may be made by written contract providing for payment over a period of years. The obligations of the contract shall constitute a debt or charge against the state fair board but not against the general fund of the state. The title to real estate acquired under this subsection and any improvements erected on the real estate shall be taken and held in the name of the state of Iowa and shall be under the custody and control of the state fair board. The state comptroller shall transfer moneys to the appropriate agencies in order to carry out the intent of this section.

*Item veto; see message at end of this Act

Approved June 2, 1983, except the three items which I hereby disapprove and which are designated as Section 12, subsection 1, paragraph i; Section 12, subsection 1, paragraph j; and Section 19 which are herein bracketed in ink and initialed by me. These are all delineated with my reasons for vetoing in the item veto message pertaining to this Act to the Secretary of State this same date, a copy of which is attached hereto.



TERRY E. BRANSTAD
Governor

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

Dear Madam Secretary:

I hereby transmit Senate File 551, an act relating to and making appropriations to state agencies relating to and for capital projects and certain nonrecurring expenses.

Senate File 551 is approved June 2, 1983, with the following exceptions which I hereby disapprove.

I am unable to approve the items designated in the Act as Section 12, subsection 1, paragraphs i and j, which reads as follows:

i. For moving of the auditor of state's staff and furnishings	\$ 125,000
j. For moving of the treasurer of state's staff and furnishings	\$ 125,000

I am unable to approve the item designated in the Act as Section 19 which reads as follows:

Sec. 19. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1983 and ending June 30, 1984, to the Iowa lottery agency, the sum of two million (2,000,000) dollars, or so much thereof as may be necessary, to be used to initiate a state lottery. Notwithstanding section 8.31 the Iowa lottery agency may draw funds as required to initiate the lottery within the limits of the appropriation until the lottery generates sufficient revenue to become self-supporting. The Iowa lottery agency shall reimburse the general fund for the total amount of funds received under this section within sixty days of the date funds are no longer necessary to initiate the lottery or within sixty days of June 30, 1984, whichever is sooner.

Senate File 551 includes two provisions to appropriate \$125,000 each to the Auditor and the Treasurer for moving the staff and furnishings of those offices out of the Capitol Building. These provisions requiring the move were included in Senate File 530. I disapproved those provisions for the reasons outlines in a letter accompanying the bill. Since the move is no longer required by law, there is no reason to appropriate \$250,000 for that purpose.

This bill also contains a section which appropriates \$2 million to the Iowa lottery agency to be used as start-up costs for the state lottery approved by the legislature in House File 634. Since I disapproved House File 634 for reasons stated in a letter accompanying the bill, there is no further reason to make this appropriation.

These actions will save the state \$2.25 million in appropriations for fiscal year 1984. These reductions are fiscally prudent since the General Assembly exceeded my spending recommendations by over \$12 million.

For these reasons, I hereby disapprove 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 551 are hereby approved this date.

Very truly yours,

Terry E. Branstad

Terry E. Branstad
Governor

CHAPTER 196

REGULATORY, ADMINISTRATIVE AND FINANCE AGENCIES

S.F. 530

AN ACT relating to and making appropriations to various state regulatory, administrative and finance departments, boards, and commissions.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1983 and ending June 30, 1984, to the following boards the following amounts, or so much thereof as may be necessary, to be used for the following purposes:

	1983-1984 Fiscal Year
1. BOARD OF ARCHITECTURAL EXAMINERS	
For salaries, support, maintenance, and other operational purposes	\$ 45,705
2. BOARD OF LANDSCAPE ARCHITECTURAL EXAMINERS	
For salaries, support, maintenance, and other operational purposes	\$ 10,642
3. BOARD OF ACCOUNTANCY	
For salaries, support, maintenance, and other operational purposes	\$ 272,994
4. STATE BOARD OF ENGINEERING EXAMINERS	
For salaries, support, maintenance, and other operational purposes	\$ 140,570