

CHAPTER 207

APPROPRIATIONS — TRANSPORTATION

S.F. 391

AN ACT relating to and making appropriations to the state department of transportation, including allocation and use of moneys from the general fund of the state, road use tax fund, and primary road fund, providing for the nonreversion of certain moneys, establishing a toll-free road and weather reporting system, eliminating the motor vehicle use tax as the funding source for the value-added agricultural products and processes financial assistance program and the renewable fuels and coproducts fund, and providing effective dates.

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 state department of transportation for the fiscal year beginning July 1, 1997, and ending June 30, 1998, 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 railway finance authority as provided in chapter 327I:
..... \$ 1,415,000
- b. For airport engineering studies and improvement projects as provided in chapter 328:
..... \$ 2,472,000
2. For planning and programming, for salaries, support, maintenance, and miscellaneous purposes:
..... \$ 247,000

Sec. 2. There is appropriated from the road use tax fund to the state department of transportation for the fiscal year beginning July 1, 1997, and ending June 30, 1998, 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:
..... \$ 1,295,000
2. For salaries, support, maintenance, and miscellaneous purposes:
 - a. Operations and finance:
..... \$ 4,289,335
 - b. Administrative services:
..... \$ 884,590
 - c. Planning and programming:
..... \$ 429,785
 - d. Motor vehicles:
..... \$ 22,475,386
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:

..... \$ 33,740

8. For technology improvement projects consistent with the recommendations of the blue ribbon task force, including local area network development, electronic document management system development, geographic information system and global positioning system data development, and integrated database development:

..... \$ 168,000

9. For up to the following amount for membership in the North America's superhighway corridor coalition:

..... \$ 150,000

In accordance with the rights granted the state for membership in the North America's superhighway coalition, six individuals shall be appointed to represent the state as follows:

a. The director of transportation or the director's designee.

b. The director of the Iowa department of economic development or the director's designee.

c. Four persons appointed in coordination between the speaker of the house of representatives and the president of the senate in consultation with the minority leader in each house to represent the state's interest in interstate highways 29, 35, and 80, and the business and labor community of the state.

Of these, the director of transportation or the director's designee and one of the other individuals, as determined by the speaker of the house of representatives and the president of the senate, shall be designated to serve on the executive committee of the coalition.

10. For assisting the department of public safety in analyzing how to provide and, if feasible, implementing and operating a system providing toll-free telephone road and weather conditions information:

..... \$ 110,000

Sec. 3. There is appropriated from the primary road fund to the state department of transportation for the fiscal year beginning July 1, 1997, and ending June 30, 1998, 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:

..... \$ 26,348,764

..... FTEs 254.00

b. Administrative services:

..... \$ 5,433,910

..... FTEs 98.00

c. Planning and programming:

..... \$ 8,157,859

..... FTEs 174.00

d. Project development:

..... \$ 54,347,000

..... FTEs 1,185.00

It is the intent of the general assembly that no more than \$313,600, plus an allocation for salary adjustment, be expended from the highway beautification fund for salaries and benefits for no more than 9.00 FTEs.

e. Maintenance:

..... \$ 98,407,750

..... FTEs 1,592.00

f. Motor vehicles:

..... \$ 893,597

..... FTEs 548.00

2. For use to meet cash flow needs for maintenance of the state highway system due to the unavailability of sufficient funds appropriated under subsection 1, paragraph "e":

..... \$ 954,000

3. 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:

..... \$ 3,250,000

It is the intent of the general assembly that no more than \$3,110,347 plus an allocation for salary adjustment, from the highway materials and equipment revolving fund, be expended for salaries and benefits for no more than 89.00 FTEs.

4. 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

5. Unemployment compensation:

..... \$ 328,000

6. 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

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

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

8. For payment to the general fund for indirect cost recoveries:

..... \$ 704,000

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

..... \$ 207,260

10. For technology improvement projects consistent with the recommendations of the blue ribbon task force, including local area network development, electronic document management system development, geographic information system and global positioning system data development, and integrated database development:

..... \$ 1,032,000

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

..... \$ 400,000

12. For replacement of roofs according to the department's priority list at field facility locations in Decorah, Charles City, Fairfield, Fort Dodge, Neola, Harlan, or Denison:

..... \$ 400,000

13. For tuckpointing of the south building at the department facility in Ames:

..... \$ 160,000

14. For field garage facilities at Des Moines, Anamosa, Correctionville, Charles City, and Sheldon:

..... \$ 3,500,000

Section 8.33 does not apply to funds appropriated in subsections 11 through 14. Funds appropriated in subsections 11 through 14 shall remain available for expenditure for the purposes designated until June 30, 2000. Unencumbered or unobligated funds remaining on June 30, 2000, from funds appropriated in subsections 11 through 14 shall revert to the primary road fund on August 31, 2000.

Sec. 4. For the fiscal year beginning July 1, 1998, any appropriations from the road use tax fund, from the primary road fund, or from use tax receipts to departments for services provided to the state department of transportation shall be within the authority of the joint appropriations subcommittee on transportation, infrastructure, and capitals and shall appear as line items in the bill relating to and making appropriations to the state department of transportation.

Sec. 5. Section 8.60, subsection 8, Code 1997, is amended by striking the subsection.

Sec. 6. Section 15E.112, subsections 1 and 3, Code 1997, are amended to read as follows:

1. A value-added agricultural products and processes financial assistance fund is created within the state treasury under the control of the department. Three million six hundred fifty thousand dollars is appropriated from the general fund of the state to the fund each fiscal year. The fund shall consist of ~~any money those~~ moneys appropriated by the general assembly and any other moneys available to and obtained or accepted by the department from the federal government or private sources for placement in the fund. The assets of the fund shall be used by the department only for carrying out the purposes of section 15E.111.

3. Payments of interest, recaptures of awards, or repayments of moneys loaned under the value-added agricultural products and processes financial assistance program shall be deposited into the fund. Section 8.33 does not apply to any moneys in the fund. ~~Unenumerated or unobligated moneys in the fund derived from moneys deposited pursuant to section 423.24, which are in excess of three million six hundred fifty thousand dollars of unenumerated or unobligated moneys in the fund deposited pursuant to that section, which are remaining on June 30 of each fiscal year, shall be credited on August 31 to the road use tax fund as created in section 312.1.~~

Sec. 7. Section 159A.7, subsection 1, unnumbered paragraph 1, Code 1997, is amended to read as follows:

A renewable fuels and coproducts fund is created in the state treasury under the control of the office of renewable fuels and coproducts. ~~The fund is composed of moneys accepted by the office.~~ Three hundred fifty thousand dollars is appropriated from the general fund of the state to the fund each fiscal year. The fund may also include ~~moneys appropriated by the general assembly,~~ and other moneys available to and obtained or accepted by the office, including moneys from the United States, other states in the union, foreign nations, state agencies, political subdivisions, and private sources.

Sec. 8. Section 159A.7, subsection 3, Code 1997, is amended by striking the subsection.

Sec. 9. Section 159A.7, subsection 6, Code 1997, is amended to read as follows:

6. Section 8.33 does not apply to moneys in the fund. Income received by investment of moneys in the fund shall remain in the fund. ~~Unenumerated or unobligated moneys in the fund derived from moneys deposited pursuant to section 423.24, which are in excess of three hundred fifty thousand dollars of unenumerated or unobligated moneys in the fund deposited pursuant to that section, and which are remaining on June 30 of each fiscal year, shall be credited on August 31 to the road use tax fund as created in section 312.1.~~

Sec. 10. Section 312.2, subsection 13, Code 1997, is amended by striking the subsection.

Sec. 11. Section 423.24, subsection 1, paragraph b, Code 1997, is amended by striking the paragraph.

Sec. 12. 1996 Iowa Acts, chapter 1218, section 51, subsection 3, is amended by striking the subsection and inserting in lieu thereof the following:

3. PRESENTATIONS AND REPEAL. The state transportation commission shall make a presentation to the joint appropriations subcommittee on transportation, infrastructure, and capitals not later than February 1, 1998, regarding the effect that complying with subsection 2 will have on the commission's compliance with section 313.2A. The department of economic development shall also make a presentation to the joint appropriations subcommittee on transportation, infrastructure, and capitals, not later than February 1, 1998, regarding the economic development impact of implementing subsection 2.

This section is repealed effective July 1, 2000.

Sec. 13. 1994 Iowa Acts, chapter 1119, section 36, is repealed.

Sec. 14. 1995 Iowa Acts, chapter 67, section 49, is repealed.

Sec. 15. EFFECTIVE DATES.

1. Sections 13 and 14 of this Act take effect July 1, 1997.
2. Sections 5 and 10 of this Act take effect July 1, 1998.
3. Sections 6, 7, 8, 9, and 11 of this Act take effect July 1, 2000.

Approved May 19, 1997, except for the items which I hereby disapprove and which are designated as Section 5 in its entirety; and Section 10 in its entirety. My reasons for vetoing these items are delineated 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

Dear Mr. Secretary:

I hereby transmit Senate File 391, an Act relating to and making appropriations to the state Department of Transportation, including allocation and use of moneys from the general fund of the state, road use tax fund, and primary road fund, providing for the nonreversion of certain moneys, establishing a toll-free road and weather reporting system, eliminating the motor vehicle use tax as the funding source for the value-added agricultural products and processes financial assistance program and the renewable fuels and coproducts fund, and providing for the designation of access Iowa highways, and providing effective dates.

Senate File 391 is, therefore, approved on this date with the following exceptions, which I hereby disapprove.

I am unable to approve the items designated as section 5 and section 10, in their entirety. These items would eliminate the revenue source used to pay for the costs of investigating and prosecuting odometer fraud cases. In 1988, a 25 cent fee on vehicle titles was established to pay for the additional expenses incurred by the Attorney General's office to handle odometer fraud cases. The revenues from the fee should continue to be deposited in the general fund and appropriated to the Attorney General to be used for that purpose.

For the above reason, I hereby respectfully disapprove these items in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in Senate File 391 are hereby approved as of this date.

Sincerely,
TERRY E. BRANSTAD, Governor