

CHAPTER 1212

APPROPRIATIONS — TRANSPORTATION

H.F. 2499

AN ACT relating to and making transportation and other infrastructure-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
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- b. For airport engineering studies and improvement projects as provided in chapter 328:

	\$ 2,484,000
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- 2. For planning and programming, for salaries, support, maintenance, and miscellaneous purposes:

	\$ 265,465
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- 3. For transfer to the Iowa civil air patrol:

	\$ 16,000
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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
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- 2. For salaries, support, maintenance, and miscellaneous purposes:
 - a. Operations and finance:

	\$ 4,603,525
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 - b. Administrative services:

	\$ 901,910
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 - c. Planning and programming:

	\$ 443,490
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 - d. Motor vehicles:

	\$ 23,855,755
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- 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
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- 4. Unemployment compensation:

	\$ 17,000
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- 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
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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
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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
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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
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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.