

DIVISION V
EFFECTIVE DATE

Sec. 31. EFFECTIVE DATE. The following provisions of this Act, being deemed of immediate importance, take effect upon enactment:

- 1. Section 7, relating to department of natural resources general fund sick leave payout.
- 2. Section 16, relating to supporting Iowa state university of science and technology, cooperative extension service in agriculture and home economics, in providing assistance to farm families.
- 3. Section 20, relating to a study conducted by the department of natural resources relating to water contamination in this state.

Sec. 32. CONTINGENT EFFECTIVE DATE. Section 22 of this Act, amending section 8.60, subsection 4, takes effect only if chapter 192A is repealed by the Seventy-eighth General Assembly during its 2000 regular session.⁵

Approved May 11, 2000

CHAPTER 1225
APPROPRIATIONS — INFRASTRUCTURE AND CAPITAL PROJECTS
S.F. 2453

AN ACT relating to and making appropriations from the rebuild Iowa infrastructure fund to state departments and agencies, including the department for the blind, the department of corrections, the department of cultural affairs, the department of economic development, the department of general services, the judicial branch, the department of public safety, the state board of regents, the state department of transportation, the office of treasurer of state, and the commission of veterans affairs, creating an environment first fund and making appropriations from that fund for environmental purposes, making related Code language changes, providing for contingent effectiveness, and providing effective dates.

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

DIVISION I
REBUILD IOWA INFRASTRUCTURE FUND
DEPARTMENT FOR THE BLIND

Section 1. There is appropriated from the rebuild Iowa infrastructure fund to the department for the blind for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For improvements to the facility for the blind:	\$	122,000
.....		

DEPARTMENT OF CORRECTIONS

Sec. 2. There is appropriated from the rebuild Iowa infrastructure fund to the department of corrections for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

⁵ See chapter 1091 herein

1. To supplement funds appropriated in 1998 Iowa Acts, chapter 1219, section 2, subsection 3, for construction of a 200-bed facility at the Iowa state penitentiary at Fort Madison:
 \$ 3,000,000

2. For community-based corrections projects:
 \$ 900,000

The first \$300,000 of the amount appropriated in this subsection shall be allocated for community-based corrections projects in Council Bluffs. The next \$600,000 of the amount appropriated in this subsection shall be allocated for community-based corrections projects in the judicial district in which the city of Davenport is located. These moneys may be used by the department to enter into lease-purchase agreements for such projects.

DEPARTMENT OF CULTURAL AFFAIRS

Sec. 3. There is appropriated from the rebuild Iowa infrastructure fund to the department of cultural affairs for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For historical site preservation grants, to be used for the restoration, preservation, and development of historical sites:
 \$ 2,500,000

Of the amount appropriated in this section, \$600,000 shall be allocated for the final year of a multiyear funding effort by the state for the preservation of a building with historical and architectural significance, notwithstanding any provision of this section to the contrary.

Of the amount appropriated in this section, \$150,000 shall be allocated for phase 1 of the project recommended by the Iowa battle flag advisory committee to stabilize the condition of the battle flag collection, notwithstanding any provision of this section to the contrary, notwithstanding section 8.57, subsection 5, paragraph "c".

Historical site preservation grants shall only be awarded for projects which meet the definition of "vertical infrastructure" in section 8.57, subsection 5, paragraph "c".

In making grants pursuant to this section, the department shall consider the existence and amount of other funds available to an applicant for the designated project. Each grant awarded from moneys appropriated in this section shall not exceed \$100,000 per project. Not more than two grants may be awarded in each county.

DEPARTMENT OF ECONOMIC DEVELOPMENT

Sec. 4. There is appropriated from the rebuild Iowa infrastructure fund to the department of economic development for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. To be deposited in the physical infrastructure assistance fund created in section 15E.175:
 \$ 2,500,000

The moneys appropriated in this subsection shall be used for projects which cumulatively result in the creation of "vertical infrastructure", as defined in section 8.57, subsection 5, paragraph "c", having a total value of at least \$2,500,000. The department shall report to the general assembly by June 30 of each fiscal year for which funds are appropriated in this subsection regarding the amount of such funds used for "vertical infrastructure" projects and the amount of such funds used for projects which result in the creation of "vertical infrastructure".

2. For accelerated career education program capital projects at community colleges which are authorized under chapter 260G and which meet the definition of "vertical infrastructure" in section 8.57, subsection 5, paragraph "c":
 \$ 5,300,000

The moneys appropriated in this subsection shall be allocated equally among the community colleges in the state. If any portion of the equal allocation to a community college is not

obligated or encumbered by April 1, 2001, the unobligated and unencumbered portions shall be available for use by other community colleges.

3. For deposit in the rural enterprise fund to be used for the dry fire hydrant and rural water supply education and demonstration project, notwithstanding section 8.57, subsection 5, paragraph "c":

..... \$ 200,000

DEPARTMENT OF GENERAL SERVICES

Sec. 5. There is appropriated from the rebuild Iowa infrastructure fund to the department of general services for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

1. For capital projects and improvements at Terrace Hill:

..... \$ 1,200,000

2. For facility utilization review services including a program statement, site recommendations, schematic designs, and other design development for additional facilities which will meet laboratory, office, and other facility needs of state agencies, including but not limited to interim or long-term leasing and relocation needs related to such projects, notwithstanding section 8.57, subsection 5, paragraph "c":

..... \$ 3,200,000

3. For routine maintenance of state buildings and facilities under the purview of the department, notwithstanding section 8.57, subsection 5, paragraph "c":

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

The department shall quarterly file a report with the legislative fiscal bureau detailing the use and disposition of funds appropriated in this subsection.¹

Sec. 6. 1999 Iowa Acts, chapter 121, sections 11 and 12, are amended by striking the sections.

Sec. 7. 1999 Iowa Acts, chapter 204, section 4, subsection 1, is amended to read as follows:

1. For major renovation and major repair needs including health, life, and fire safety, for compliance with the federal Americans With Disabilities Act for state-owned buildings and facilities:

FY 1999-2000 \$ 7,500,000

FY 2000-2001 \$ 7,500,000

10,500,000

Notwithstanding section 8.57, subsection 5, paragraph "c", of the amount appropriated for each the fiscal year beginning July 1, 1999, in this subsection, up to \$800,000 may be used by the department for routine maintenance needs for the capitol complex.

Sec. 8. 1999 Iowa Acts, chapter 204, section 4, subsection 15, is amended by striking the subsection.

Sec. 9. 1998 Iowa Acts, chapter 1219, section 6, subsection 1, unnumbered paragraphs 3 and 4, as amended and enacted by 1999 Iowa Acts, chapter 204, section 39, are amended to read as follows:

Of the amount appropriated in this subsection, up to \$1,250,000 may be used by the department for the purchase, demolition, assessment, and site conditioning of property located at the southwest corner of Lyon street and East Tenth street, together with the contiguous property south of the southwest corner property and the property between East Tenth street and East Eleventh street between Lyon street and Des Moines street, all within the following boundaries: south of interstate 235, north of Grand avenue, east of Pennsylvania avenue, and west of East Fourteenth street in the city of Des Moines.

¹ See chapter 1232, §31 herein

Of the amount appropriated in this subsection, up to \$430,000 may be used by the department to complete the infrastructure assessment, notwithstanding section 8.57, subsection 5, paragraph "c".

JUDICIAL BRANCH

Sec. 10. There is appropriated from the rebuild Iowa infrastructure fund to the judicial branch for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For construction of a new judicial building:

..... \$ 10,300,000

The judicial branch is authorized to enter into contracts for the full cost of the planning, design, and construction of a new judicial building for which appropriations are made in this section and in 1998 Iowa Acts, chapter 1223, section 8, and 1999 Iowa Acts, chapter 204, section 6. The state shall not be obligated for costs associated with contracts identified in this paragraph in excess of funds appropriated by the general assembly. Notwithstanding any provision of this Act to the contrary or section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year that begins July 1, 2003, shall revert at the close of that fiscal year. However, if the project for which the moneys are appropriated is completed in an earlier fiscal year, unencumbered or unobligated moneys shall revert at the close of that fiscal year.

Sec. 11. 1998 Iowa Acts, chapter 1219, section 8, is amended to read as follows:

SEC. 8. There is appropriated from the rebuild Iowa infrastructure fund to the judicial department 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 capital projects at the capitol building:

..... \$ 250,000

Notwithstanding section 8.33, unencumbered or unobligated funds remaining on June 30, ~~2000~~, 2002, from the funds appropriated in this section shall revert to the rebuild Iowa infrastructure fund on August 31, ~~2000~~ 2002.

Sec. 12. 1998 Iowa Acts, chapter 1223, section 8, is amended to read as follows:

SEC. 8. JUDICIAL DEPARTMENT. There is appropriated from the rebuild Iowa infrastructure fund to the judicial department for the fiscal year beginning July 1, 1997, and ending June 30, 1998, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For design and development of a new judicial building:

..... \$ 1,700,000

Notwithstanding section 8.33, unencumbered or unobligated funds remaining on June 30, ~~2000~~, 2003, from the funds appropriated in this section shall revert to the rebuild Iowa infrastructure fund on August 31, ~~2000~~ 2003.

Sec. 13. 1999 Iowa Acts, chapter 204, section 6, unnumbered paragraph 2, is amended to read as follows:

For planning, design, and construction of a new judicial building:

FY 1999-2000	\$	10,000,000
FY 2000-2001	\$	10,000,000
		<u>8,000,000</u>

DEPARTMENT OF NATURAL RESOURCES

Sec. 14. There is appropriated from the rebuild Iowa infrastructure fund to the department of natural resources for the fiscal year beginning July 1, 2000, and ending June 30,

2001, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For construction of the Elinor Bedell state park and wildlife conservation area, as intended by the general assembly in 1998 Iowa Acts, chapter 1219, section 10:

..... \$ 50,000

STATE BOARD OF REGENTS

Sec. 15. There is appropriated from the rebuild Iowa infrastructure fund to the state board of regents for the fiscal period beginning July 1, 2000, and ending June 30, 2003, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For improvements to Gilman hall at Iowa state university of science and technology, including the replacement of the heating, ventilation, and air conditioning system, replacement of the fume hood exhaust system, and the construction of an addition to house mechanical equipment:

FY 2000-2001 \$ 8,500,000
FY 2001-2002 \$ 2,500,000
FY 2002-2003 \$ 0

2. For continued renovation of the biological sciences facility at the state university of Iowa:

FY 2000-2001 \$ 4,400,000
FY 2001-2002 \$ 7,300,000
FY 2002-2003 \$ 3,000,000

3. For construction of an addition to McCollum science hall at the university of northern Iowa:

FY 2000-2001 \$ 2,700,000
FY 2001-2002 \$ 5,800,000
FY 2002-2003 \$ 8,400,000

4. For planning and design of a new business college building at Iowa state university of science and technology, notwithstanding section 8.57, subsection 5, paragraph "c":

FY 2000-2001 \$ 300,000
FY 2001-2002 \$ 0
FY 2002-2003 \$ 0

5. For improvements to or replacement of the water system at the school for the deaf:
..... \$ 250,000

The state board of regents is authorized to enter into contracts for the full cost of carrying out the projects listed in subsections 1 through 3, for which appropriations are made in those subsections. The state shall not be obligated for costs associated with contracts identified in this paragraph in excess of the funds appropriated by the general assembly.

STATE DEPARTMENT OF TRANSPORTATION

Sec. 16. There is appropriated from the rebuild Iowa infrastructure fund to the state department of transportation for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For vertical infrastructure improvements at all 10 of the commercial air service airports within the state:

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

One-half of the funds appropriated in this subsection shall be allocated equally between each commercial service airport, 40 percent of the funds shall be allocated based on the percentage that the number of enplaned passengers at each commercial service airport bears to the total number of enplaned passengers in the state during the previous fiscal year, and 10 percent of the funds shall be allocated based on the percentage that the air cargo

tonnage at each commercial service airport bears to the total air cargo tonnage in the state during the previous fiscal year. In order for a commercial service airport to receive funding under this subsection, the airport shall be required to submit applications for funding of specific projects to the department for approval by the state transportation commission.

2. For deposit in an aviation hangar revolving loan fund, as created in this Act, for improvements to and design and construction of hangars at general aviation airports within the state:

..... \$ 500,000

OFFICE OF TREASURER OF STATE

Sec. 17. There is appropriated from the rebuild Iowa infrastructure fund to the office of treasurer of state for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For county fair infrastructure improvements for distribution in accordance with chapter 174 to qualified fairs which belong to the association of Iowa fairs:

..... \$ 1,060,000

Sec. 18. There is appropriated from the rebuild Iowa infrastructure fund to the office of the treasurer of state for the designated fiscal years, the following amounts, or so much thereof as is necessary, to be used for the purpose designated:

For deposit in the community attraction and tourism fund:

FY 2001-2002 \$ 12,500,000
FY 2002-2003 \$ 12,500,000
FY 2003-2004 \$ 12,500,000

None of the moneys appropriated in this section shall be used for the development of marketing efforts or promotion of Iowa tourism attractions and events.

COMMISSION OF VETERANS AFFAIRS

Sec. 19. There is appropriated from the rebuild Iowa infrastructure fund to the commission of veterans affairs for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

To supplement moneys appropriated in prior fiscal years for construction of a new dining hall and food services facility:

..... \$ 992,000

Sec. 20. REVERSION. Notwithstanding section 8.33, moneys appropriated in this division of this Act that remain unencumbered or unobligated at the close of the fiscal year that begins July 1, 2003, shall revert at the close of that fiscal year. However, if the projects for which the moneys are appropriated are completed in an earlier fiscal year, unencumbered or unobligated moneys shall revert at the close of that fiscal year.

Sec. 21. EFFECTIVE DATE. The following sections of this division of this Act, being deemed of immediate importance, take effect upon enactment:

- 1. Section 6, amending 1999 Iowa Acts, chapter 121, sections 11 and 12.
2. Sections 7 and 8, amending 1999 Iowa Acts, chapter 204, section 4, subsections 1 and 15.
3. Section 9, amending 1998 Iowa Acts, chapter 1219, section 6, subsection 1, unnumbered paragraphs 3 and 4, as amended and enacted by 1999 Iowa Acts, chapter 204, section 39.
4. Section 11, amending 1998 Iowa Acts, chapter 1219, section 8.
5. Section 12, amending 1998 Iowa Acts, chapter 1223, section 8.

* Item veto; see message at end of the Act

DIVISION II
RESTORE THE OUTDOORS PROGRAM
AND ENVIRONMENT FIRST FUND

Sec. 22. NEW SECTION. 8.57A ENVIRONMENT FIRST FUND.

1. An environment first fund is created under the authority of the department of management. The fund shall consist of appropriations made to the fund and transfers of interest, earnings, and moneys from other funds as provided by law. The fund shall be separate from the general fund of the state and the balance in the fund shall not be considered part of the balance of the general fund of the state. However, the fund shall be considered a special account for the purposes of section 8.53, relating to generally accepted accounting principles.

2. **Moneys in the environment first fund are not subject to section 8.33.** Notwithstanding section 12C.7, subsection 2, interest or earnings on moneys in the environment first fund shall be credited to the rebuild Iowa infrastructure fund.

3. Moneys in the fund in a fiscal year shall be used as appropriated by the general assembly for the protection, conservation, enhancement, or improvement of natural resources or the environment.

4. There is appropriated from the rebuild Iowa infrastructure fund for the fiscal year beginning July 1, 2000, and for each fiscal year thereafter, the sum of thirty-five million dollars to the environment first fund, notwithstanding section 8.57, subsection 5, paragraph "c".

Sec. 23. Section 8.58, Code 1999, is amended to read as follows:

8.58 EXEMPTION FROM AUTOMATIC APPLICATION.

To the extent that moneys appropriated under section 8.57 do not result in moneys being credited to the general fund under section 8.55, subsection 2, moneys appropriated under section 8.57 and moneys contained in the cash reserve fund, rebuild Iowa infrastructure fund, environment first fund, and Iowa economic emergency fund shall not be considered in the application of any formula, index, or other statutory triggering mechanism which would affect appropriations, payments, or taxation rates, contrary provisions of the Code notwithstanding.

To the extent that moneys appropriated under section 8.57 do not result in moneys being credited to the general fund under section 8.55, subsection 2, moneys appropriated under section 8.57 and moneys contained in the cash reserve fund, rebuild Iowa infrastructure fund, environment first fund, and Iowa economic emergency fund shall not be considered by an arbitrator or in negotiations under chapter 20.

**Sec. 24. Section 461A.3A, subsection 2, unnumbered paragraph 1, Code 1999, is amended to read as follows:*

*There is appropriated from the rebuild Iowa infrastructure fund for each fiscal year of the fiscal period beginning July 1, 1997, and ending June 30, ~~2001~~ 2004, the sum of three million dollars to the department for use in the restore the outdoors program. Notwithstanding section 8.33, unencumbered or unobligated moneys remaining at the end of a fiscal year shall not revert but shall remain available for expenditure during the following fiscal year for purposes of the restore the outdoors program.**

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

Sec. 25. There is appropriated from the environment first fund to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

* Item veto; see message at end of the Act

1. To implement a conservation reserve enhancement program to restore and construct wetlands for the purposes of intercepting tile line runoff, reducing nutrient loss, improving water quality, and enhancing agricultural production practices:

..... \$ 1,500,000

2. For implementation of a program that provides multi-objective resource protections for flood control, water quality, erosion control, and natural resource conservation:

..... \$ 1,450,000

3. To initiate a statewide voluntary farm management demonstration program to demonstrate the effectiveness and adaptability of emerging practices in agronomy that protect water resources and provide other environmental benefits:

..... \$ 850,000

4. For assisting farm operators in applying for project grants associated with the statewide voluntary farm management demonstration program:

..... \$ 50,000

5. For assistance in writing plans for the reclamation of lands and water which were mined for coal or affected by mining processes:

..... \$ 50,000

*6. For deposit in the alternative drainage system assistance fund created in section 159.29A to be used for purposes of supporting the alternative drainage system assistance program as provided in section 159.29B:

..... \$ 1,300,000

Of the amount appropriated in this section, \$300,000 shall be allocated to drainage district 176 to provide cost-share assistance for closing agricultural drainage wells and constructing alternative drainage systems in order to assist in raising the level of cost-share payments to 75 percent of the cost of the projects.

*It is the intent of the general assembly that a portion of the funds appropriated in this subsection be used to provide adequate assistance for closing agricultural drainage wells and constructing alternative drainage systems in Humboldt county.**

7. To provide financial assistance for the establishment of permanent soil and water conservation practices:

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

a. Not more than 5 percent of the moneys appropriated in this subsection may be allocated for cost-sharing to abate complaints filed under section 161A.47.

b. Of the moneys appropriated in this subsection, 5 percent shall be allocated for financial incentives to establish practices to protect watersheds above publicly owned lakes of the state from soil erosion and sediment as provided in section 161A.73.

c. Not more than 30 percent of a district's allocation of moneys as financial incentives may be provided for the purpose of establishing management practices to control soil erosion on land that is row-cropped, including but not limited to no-till planting, ridge-till planting, contouring, and contour strip-cropping as provided in section 161A.73.

d. The state soil conservation committee created in section 161A.4 may allocate moneys appropriated in this subsection to conduct research and demonstration projects to promote conservation tillage and nonpoint source pollution control practices.

e. The financial incentive payments may be used in combination with department of natural resources moneys.

8. To encourage and assist farmers in enrolling in the continuous sign-up federal conservation reserve program and work with them to enhance their revegetation efforts to improve water quality and habitat:

..... \$ 1,500,000

DEPARTMENT OF ECONOMIC DEVELOPMENT

Sec. 26. There is appropriated from the environment first fund to the department of economic development for the fiscal year beginning July 1, 2000, and ending June 30, 2001,

* Item veto; see message at end of the Act

the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For deposit in the brownfield redevelopment fund to provide assistance under the brownfield redevelopment program, if the fund is created by the Seventy-eighth General Assembly, Second Session:

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

DEPARTMENT OF NATURAL RESOURCES

Sec. 27. There is appropriated from the environment first fund to the department of natural resources for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. To establish a program to assist rural homeowners in improving on-site wastewater systems:

..... \$ 600,000

2. To provide local watershed managers with geographic information system data for their use in developing, monitoring, and displaying results of their watershed work:

..... \$ 195,000

3. For continuing the establishment and operation of water quality monitoring stations:

..... \$ 1,950,000

4. To develop a program to support local volunteer management efforts in water quality programs:

..... \$ 70,000

5. To establish and implement improved water quality planning, standards, and assessment:

..... \$ 372,000

6. For contracting to assist department staff with the review of national pollutant discharge elimination system permits:

..... \$ 250,000

7. To expand the floodplain protection education to better inform local officials that make decisions with regard to floodplain management:

..... \$ 200,000

8. To identify an effective and efficient method of developing a total maximum daily load program:

..... \$ 153,000

9. For the dredging of lakes, including necessary preparation for dredging, in accordance with the department's classification of Iowa lakes restoration report:

..... \$ 2,900,000

a. Of the amount appropriated in this subsection, up to \$200,000 may be used by the department to provide assistance to qualified applicants for purposes of financing capital improvements to a natural or constructed lake or to a portion of a river including but not limited to dredging, installation or repair of erosion control measures, and land acquisition. To qualify for assistance, an applicant must be a nonprofit organization based in the community where the lake or portion of the river is located which is active in sponsoring improvements to the lake or portion of the river and is capable of managing or overseeing the improvements or be a governmental body. Assistance shall not be provided to construct a new lake. Notwithstanding any contrary provision of this subsection, the department may consider grants for portions of any rivers or for any public lakes.

b. To qualify for assistance under paragraph "a", an applicant must demonstrate that existing or planned infrastructure and practices are capable of ensuring long-term benefits to the lake or river. An applicant must also show that each dollar of assistance will be matched by one dollar contributed by a source other than the state.

10. For a community-based grant distribution program to provide funding for the planting of trees throughout the state:

..... \$ 250,000

11. For a contribution towards the development of the Lewis and Clark rural water system: \$ 60,000

12. For continuation of the waste tire abatement program: \$ 500,000

Of the amount appropriated in this subsection, up to \$50,000 may be used by the department for administration costs of the program.

13. For recreational grants to be used for the restoration or construction of recreational complexes or facilities under the recreational grant matching program: \$ 3,000,000

Matching grants awarded from the funds appropriated in this subsection shall be awarded on a matching basis of one dollar for every two dollars the applicant had raised.

The department shall give special consideration to recreational complex or facility projects which involve public and private sector participation.

14. For purposes of funding capital projects for the purposes specified in section 452A.79, and for expenditures for the local cost share grants to be used for capital expenditures to local governmental units for boating accessibility: \$ 2,300,000

If the amount appropriated in this subsection exceeds the amount of marine fuel tax receipts deposited into the rebuild Iowa infrastructure fund for the fiscal year ending June 30, 2001, the difference between the amount appropriated in this subsection from the environment first fund and the actual marine fuel tax receipts deposited into the rebuild Iowa infrastructure fund is appropriated to the rebuild Iowa infrastructure fund from the accumulated balance of marine fuel tax receipts in the general fund of the state which is tracked by the department of management pursuant to section 8.60, subsection 14.

Sec. 28. REVERSION. Notwithstanding section 8.33, moneys appropriated in this division of this Act shall not revert on the close of the fiscal year for which they were appropriated, but shall remain available for expenditure for subsequent fiscal years or until the close of the fiscal year beginning July 1, 2003, or until the project for which the appropriation was made is completed, whichever is the earlier.

DIVISION III
RESOURCES ENHANCEMENT AND PROTECTION FUND

Sec. 29. Notwithstanding the amount of the standing appropriation from the general fund of the state under section 455A.18, subsection 3, there is appropriated from the environment first fund to the Iowa resources enhancement and protection fund, in lieu of the appropriation made in section 455A.18, for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amount, to be allocated as provided in section 455A.19:

..... \$ 10,500,000

DIVISION IV
MISCELLANEOUS CODE LANGUAGE CHANGES
AND OTHER PROVISIONS

Sec. 30. Section 8.57, subsection 5, paragraph e, Code 1999, is amended to read as follows:

e. Notwithstanding provisions to the contrary in sections 99D.17 and 99F.11, for the fiscal years beginning July 1, 1995, and year beginning July 1, 1996 2000, and for each fiscal year thereafter, not more than a total of sixty million dollars; and for each fiscal year thereafter; shall be deposited in the general fund of the state in any fiscal year pursuant to sections 99D.17 and 99F.11. The next fifteen million dollars of the moneys directed to be deposited in the general fund of the state in a fiscal year pursuant to sections 99D.17 and 99F.11 shall be deposited in the vision Iowa fund created in section 12.72 for the fiscal year beginning July 1, 2000, and for each fiscal year through the fiscal year beginning July 1,

* Item veto; see message at end of the Act

2019. The next five million dollars of the moneys directed to be deposited in the general fund of the state in a fiscal year pursuant to sections 99D.17 and 99F.11 shall be deposited in the school infrastructure fund created in section 12.82 for the fiscal year beginning July 1, 2000, and for each fiscal year thereafter until the principal and interest on all bonds issued by the treasurer of state pursuant to section 12.81 are paid, as determined by the treasurer of state. The total moneys in excess of the moneys deposited in the general fund of the state, the vision Iowa fund, and the school infrastructure fund in a fiscal year shall be deposited in the rebuild Iowa infrastructure fund and shall be used as provided in this section, notwithstanding section 8.60.

Sec. 31. NEW SECTION. 12.72A VISION IOWA FUND MONEYS — ADMINISTRATIVE COSTS.

During the term of the vision Iowa program established in section 15F.302, one hundred thousand dollars of the moneys deposited each fiscal year in the vision Iowa fund and appropriated for the vision Iowa program shall be allocated each fiscal year to the department of economic development for administrative costs incurred by the department for purposes of administering the vision Iowa program.

Sec. 32. NEW SECTION. 12.82A SCHOOL INFRASTRUCTURE FUND MONEYS — STATE FIRE MARSHAL.

During the term of the school infrastructure program established in section 292.2, up to fifty thousand dollars of the moneys deposited each fiscal year in the school infrastructure fund shall be allocated each fiscal year to the department of public safety for the use of the state fire marshal. The funds shall be used by the state fire marshal solely for the purpose of retaining an architect or architectural firm to evaluate structures for which school infrastructure program grant applications are made, to consult with school district representatives, to review construction drawings and blueprints, and to perform related duties at the direction of the state fire marshal to ensure the best possible use of moneys received by a school district under the school infrastructure program. The state fire marshal shall provide for the review of plans, drawings, and blueprints in a timely manner.

*Sec. 33. Section 18.3, subsection 7, Code 1999, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. *If the department intends to bill a state agency for a service provided by the department under this subsection, the department shall notify the state agency of the department's intention and of the costs of providing the service prior to providing the service. The state agency may request that all or a part of the service not be provided by the department if all or a part of the service will be provided by a person employed by the state agency or a person under contract with the state. An action by the department or a state agency related to the provision of, billing for, or request to not perform a service under this subsection, is subject to review by the executive council upon complaint from any state agency adversely affected.**

Sec. 34. NEW SECTION. 18A.6 CAPITOL COMPLEX PROJECTS.

All capital projects on the capitol complex shall be planned, approved, and funded only after considering the guiding principles enunciated in any capitol complex master plan adopted by the commission on or after January 1, 2000. At a minimum, the extent to which the proposed capital project does all of the following shall be considered:

1. Preserves and enhances the dignity, beauty, and architectural integrity of the capitol building, other state office buildings, and the capitol grounds.
2. Protects and enhances the public open spaces on the capitol complex when deemed necessary for public use and enjoyment.
3. Protects the most scenic public views to and from the capitol building.
4. Recognizes the diversity of adjacent neighborhoods and reinforces the connection of the capitol complex to its neighbors and the city of Des Moines.

5. Accommodates pedestrian and motorized traffic that achieves appropriate public accessibility.

This section applies only to projects for which a construction site was not determined prior to the effective date of this Act.

Sec. 35. NEW SECTION. 330.2 AVIATION HANGAR REVOLVING LOAN FUND.

An aviation hangar revolving loan fund is established in the office of the treasurer of state under the control of the state department of transportation. Moneys in the fund are appropriated for the purposes set forth in this section. Moneys in the fund shall be expended for loans to provide assistance for the design, construction, or improvement of hangars at general aviation airports in the state. The department shall adopt rules to administer a program for the granting and administration of loans under this section. The department may enter into agreements with general aviation airports for carrying out the purposes of this section. Moneys received as loan repayments shall be credited to the aviation hangar revolving loan fund. Notwithstanding section 8.33, moneys in the aviation hangar revolving loan fund shall not revert to any other fund but shall remain available indefinitely for expenditure under this section.

Sec. 36. 1999 Iowa Acts, chapter 204, section 17, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33, moneys appropriated for noncapital expenditures in this division of this Act shall not revert on the close of the fiscal year for which they were appropriated, but shall remain available for expenditure for subsequent fiscal years or until the close of the fiscal year beginning July 1, 2003, or until the project for which the appropriation was made is completed, whichever is the earlier.

Sec. 37. VISION IOWA PROGRAM — FTE AUTHORIZATION. The department of economic development is authorized one additional FTE above those otherwise authorized in 2000 Iowa Acts, Senate File 2428,² for purposes of administrative duties associated with the vision Iowa program created in section 15F.302.

Sec. 38. CONTINGENT EFFECTIVENESS. Sections 18, 30, 31, 32, and 37 of this Act take effect only if 2000 Iowa Acts, Senate File 2447,³ is enacted by the General Assembly.

Sec. 39. EFFECTIVE DATE. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

Approved May 11, 2000, with exceptions noted.

THOMAS J. VILSACK, *Governor*

Dear Mr. Secretary:

I hereby transmit Senate File 2453, an Act relating to and making appropriations from the rebuild Iowa infrastructure fund to state departments and agencies, including the department of natural resources, the department of agriculture and land stewardship, department for the blind, the department of corrections, the department of cultural affairs, the department of economic development, the department of general services, the judicial branch, the department of public safety, the state board of regents, the state department of transportation, the office of treasurer of state, and the commission of veterans affairs, creating an environment first fund and making appropriations from that fund for environmental purposes, making related Code language changes, providing for contingent effectiveness, and providing effective dates.

² Chapter 1230 herein

³ Chapter 1174 herein

I appreciate the efforts of Republicans and Democrats in allocating approximately \$11.2 million toward the creation of the Clean Water Initiative. This investment will create a comprehensive set of initiatives aimed at improving Iowa's water resources. The package includes the establishment of buffer strips, efforts to restore and construct wetlands, and expansion of water quality monitoring and watershed programs.

These projects not only provide cleaner and safer water, but they will protect our natural resources, protect our public infrastructure — like roads and bridges — from flood damage, and protect our aquatic wildlife. Most importantly, we need to make sure that our commitment to clean, safe drinking water does not end this year.

For these reasons, Senate File 2453 is, therefore, approved on this date with the following exceptions, which I hereby disapprove.

I am unable to approve the designated portion of Section 18. This item prohibits any of the community attraction and tourism funds from being expended for development and promotional purposes. The Legislature specifically authorized the use of these funds for these purposes in last year's infrastructure appropriations bill. I believe it is appropriate to allow the new Vision Iowa Board to determine if they want to continue that practice.

I am unable to approve the designated portion of Section 22, subsection 2. This item would carry unused balances of the environment first fund appropriation to the subsequent fiscal year. Because the Legislature has overspent from the infrastructure budget this year, it is necessary to develop a mechanism to balance it. The effect of this item veto, coupled with those below, will be to allow unspent resources in the environment first fund to return to the rebuild Iowa infrastructure fund at the end of the fiscal year. This will help correct the Legislature's infrastructure budget deficit.

I am unable to approve Section 24 in its entirety. This item would extend the restore the outdoors program through fiscal year 2004. The restore the outdoors program is a statutory appropriation that is already funded in the coming fiscal year. It makes more sense to deal with extending the program next year, when all other FY 2002 budget issues are being discussed.

I am unable to approve Section 25, subsection 6 in its entirety. This item appropriates \$1,300,000 for the agricultural drainage well system assistance program. This is an important program, and I regret that the Legislature's overspending requires me to make an item veto of these funds. However, there is currently \$5.5 million available from previous appropriations for this assistance which will sustain the fund for FY 2001. If the Legislature will submit a properly balanced infrastructure budget next year, I would be willing to restore funding for this purpose.

I am unable to approve Section 28 in its entirety. This item would carry unused balances of appropriations made from the environment first fund to the subsequent fiscal year. Once again, this is necessary to ensure that the infrastructure budget deficit presented to me by the Legislature is eliminated.

I am unable to approve Section 33 in its entirety. This item relates to the billing of services by the department of general services. This is an executive branch function that should not be legislatively imposed.

For the above reasons, I hereby respectfully approve Senate File 2453 with the exceptions noted above.

Sincerely,
THOMAS J. VILSACK, *Governor*