

### Dead Bills

*The following bills were introduced in the 2008 legislative session but failed to make it through the process to become law. Some of these bills were added to other bills in the last days of session – they are noted with \*\*.*

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### House Files

**HF 2006 & SF 2144 Special Destination Park Deer Hunting License** - Allows the DNR director to issue 500 nonresident deer hunting licenses for hunting in destination parks. The purpose of the special nonresident licenses is to allow the promotion of state parks that are designated destination parks. *Status: House Natural Resources Committee/Dead; Subcommittee: Rep. Davitt (Chair), Arnold & Reichert; Sen. Dearden (Chair), Black & Gaskill*

**HF 2073 - Iowa Values Fund Reduction** - Reduces the annual appropriation (beginning 7/1/2008) to the Iowa Values Fund by \$5 million - and gives it to the Veterans Fund. The Values Fund currently gets \$50 million/year. *Status: House Economic Growth Committee; Subcommittee/Floor Manager: Rep. Thomas (Chair), Bailey & Hoffman*

**\*\*HF 2080 - Donated Property for Conservation/Tax Credits** - Gives people or companies who donate land for conservation a tax credit in the amount of 50% of the fair market value of the property, up to \$100,000. The credit may be carried forward for twenty years. Effective 1/1/2008. *Status: House Floor; Rep. Frevert (Floor Manager) - A version of this passed in the Standings Bill (HF 2700).*

**HF 2112 - DNR Dam & Lake Restoration** - Appropriates \$100,000 from RIIF (gaming) for dam restoration and lake maintenance in Delaware County. *Status: House Appropriations Committee; Subcommittee: Rep. Cohoon (Chair), Huseman & Reichert*

**HF 2130 - River Water Trail** - Appropriates \$100,000 from RIIF (gaming dollars) for infrastructure improvements for a river water trail located in Jones County. *Status: House Appropriations Committee; Subcommittee: Rep. Cohoon (Chair), Huseman & Reichert*

**HF 2190 - Hotel/Motel Tax Election** - Specifies the voters who are eligible to vote at an election to impose, repeal, or change the percentage rate of a hotel and motel tax. Under the bill, only registered voters of the city shall be permitted to vote for tax changes proposed only within city limits, and only registered voters of the unincorporated areas are permitted to vote for changes proposed only in unincorporated areas. *Status: House Economic Growth Committee; Subcommittee: Rep. Bukta (Chair), Gaskill & Van Fossen*

**HF 2244 - Forest Reservation Exemption** - This bill limits to 10 acres the amount of forest reservation for which a property tax exemption may be granted. The bill also provides that an owner of a forest reservation is limited to one forest reservation exemption in the county. The bill takes effect upon enactment and applies to forest reservation exemptions granted before, on, or after the effective date. *Status: House Ways & Means Committee; Subcommittee: Rep. Thomas (Chair), Deyoe & Quirk*

**HF 2262 - Sales Tax Refund Districts** - This bill permits cities to designate sales tax refund districts within their downtown areas where newly located retail businesses would be allowed to provide refunds of state sales tax. To designate an area as a sales tax refund district, a city would need to enact an

ordinance delineating the boundaries of the area and specifying the length of time the district would be in existence, not to exceed 10 years. Only retail businesses locating in the sales tax refund district after the area was designated could get sales tax refunds. *Status: House Ways & Means Committee; Subcommittee: Rep. Jochum (Chair), Schueller & Soderberg*

**\*\*HF 2276 & SF 2254 Water Trails from CAT** - The bill would require every year that the first \$4M of Community Attraction and Tourism (CAT) Funds would be allocated to provide assistance to cities and counties for the development of water trails and parks on the rivers and streams of the state. The remaining monies in CAT would be allocated under the same rules that are currently used for the program. *Status: House Economic Growth Committee/Dead; Subcommittee: Rep. D. Olson (Chair), Staed & Wiencek; Sen. Schmitz (Chair), Dotzler & Houser - River CAT was created in SF 2430.*

**HF 2316 - Stone State Park Trail** - Authorizes an appropriation for the development and completion of a recreational trail to be built from the entrance to Stone state park and continuing south along state highway 12 for a distance of one and one-eighth miles. The funding is appropriated from the rebuild Iowa infrastructure fund from funds not otherwise appropriated. *Status: House Appropriations Committee; Subcommittee: Rep. Cohoon (Chair), Huseman & Reichert*

**HF 2323 - Historical Court Record Preservation** - Requires the clerk of the district court to consult with a recognized county historical society or association prior to the destruction of a court file to ensure the preservation of and public access to such records. *Status: House Judiciary Committee; Subcommittee: Not assigned*

**HF 2341 - School Start Date Waiver Elimination** - Eliminates the Department of Education's unlimited authority to approve school districts' requests to waive the earliest school start date requirement. The bill limits the department to issuing waivers to not more than three school districts and to issue the waivers only to school districts conducting educational research. A school district must include in its application the scope and objectives of the educational research to be conducted. Currently, the school year can begin no sooner than a day during the calendar week in which the first day of September falls, or, if the first day of September falls on a Sunday, on a day during the calendar week which immediately precedes the first day of September. School districts currently are granted waivers authorizing an earlier start date if the director of the department of education determines that a starting date on or after the earliest starting date would have a significant negative educational impact. *Status: House Education Committee; Subcommittee: Not assigned*

**HF 2357 - Beer Sales in Wineries** - This bill would allow a native winery to be issued a class "C" beer permit to sell beer to consumers for off-premises consumption. Current law provides that only grocery or pharmacy may be issued a class "C" beer permit. *Status: House State Government Committee; Subcommittee: Rep. Lensing (Chair), Roberts & Whitead*

**HF 2424 - RISE for Statewide Touring Events** - This bill authorizes the use of funds from the revitalize Iowa's sound economy (RISE) fund for grants for repairs to secondary roads prior to a statewide touring event, which the bill defines to include a major group bicycle ride across Iowa, a group tractor ride, an antique car tour, or similar event that involves more than one area of the state, attracts wide participation, and is likely to contribute significantly to the economic well-being of the state or areas of the state. *Status: House Transportation Committee; Subcommittee: Rep. Bukta (Chair), Gaskill & Worthan*

**\*\*HF 2457 - Heavy Vehicles & TIME-21** - Under current law, a special maximum gross weight table for livestock vehicles and construction vehicles with six or seven axles and a maximum gross weight limit for certain five-axle livestock vehicles allows such vehicles operated on noninterstate highways to exceed the regular maximum weight limitations applicable to other vehicles of similar size. This bill allows six-axle and seven-axle commercial vehicles hauling grain to be operated under the same weight limits currently applicable only to livestock vehicles and construction vehicles. The bill requires the DOT to issue annual permits, for a fee of \$100 for commercial vehicles hauling grain, livestock vehicles, and construction vehicles to operate under those existing weight limits. The permit shall be carried in the vehicle at all times when it is operated in excess of regular vehicle weight limits. The bill also specifies that a solid

waste transport vehicle traveling from a transfer station to a landfill is considered a construction vehicle for purposes of the weight limitations and permit provisions applicable to construction vehicles. The bill requires the state treasurer of state to credit the fees from permits issued to commercial vehicles hauling grain, livestock vehicles, and construction vehicles to the TIME-21 fund. *Status: House Transportation Committee; Subcommittee: Not assigned – TIME-21 was enacted in SF 2420.*

**HF 2516 - Property Tax Changes** - Division I of the bill makes the assessment limitations of residential, agricultural, and commercial property mutually dependent by limiting the percentage increase in all of those classes of property to the percentage increase of that class of property that is the lowest percentage increase under the allowable (4 percent) limit. Division II of the bill requires that if an equalization order issued to an assessing jurisdiction that is a percentage increase in assessed values, then property taxes are limited to the amount certified in the previous year, unless the city or county adopts a resolution declaring that it does not intend to reduce its levy rates to compensate for the increase in valuation due to the equalization orders. Division III of the bill provides that if an increase in allowable growth causes an increase in property taxes the state shall pay that increase rather than property owners. *Status: House Ways & Means Committee; Subcommittee: Not assigned*

**\*\*HF 2621 - Tourism Marketing Funds/CAT** - Allocates \$100,000 of CAT funds for tourism marketing. *Status: House Floor; Rep. Staed (Floor Manager) - This was included in the Infrastructure Budget (SF 2432).*

**HF 2659 - Property Tax Reform** - This bill makes several changes to laws relating to property taxes, assessment of property, city and county budgets funded primarily by property taxes, and school district budgets funded primarily by state and local taxes. Division I of the bill makes several changes relating to local budgets and property taxes, including but not limited to: Requiring all state mandates to be fully funded, increases the regular program foundation base per pupil from 87.5 percent to 95 percent, and reduces the \$5.40 foundation levy to \$4.32. The division also provides that a school district cannot levy property taxes, other than foundation and additional property taxes, in excess of .25 percent of the taxable value of residential and agricultural property and .75 percent of commercial property and .5 percent of industrial property. The division contains transition provisions for tax levies for the next three fiscal years. The division also contains several other levy provisions and limitations, as well as rules pertaining to county ending fund balances. The division allows a city or a county to impose, by ordinance, a service charge against property located in the city or county, as applicable. The division increases from 50 percent to 75 percent the portion of base year expenditures paid by the state for mental health, mental retardation, and developmental disabilities, removes the square footage tax on mobile homes and manufactured homes and replaces it with the ad valorem tax imposed on other residences. Division II of the bill, relating to assessment of property, provides that the sale price of property sold in the calendar year prior to the assessment year shall be presumed to be the market value of the property for that assessment year if the buyer and the seller were not immediate family members, as well as several other sections pertaining to county assessors, value of new construction, removal of assessment limitations and many other issues. Division III of the bill makes several changes to property tax credits and exemptions, including the homestead property tax credit, the military property tax credit, the elderly, disabled, and the low-income property tax credit. The division provides that any land in a forest reservation is exempt from school district levies only and requires the owner of land in a forest or fruit tree reservation to annually certify that proper management techniques are being followed. The division repeals the family farm property tax credit and the agricultural land property tax credit. Division IV of the bill establishes an implementation committee to study the effects of implementation of the bill and report to the general assembly. *Status: House Ways & Means Committee; Subcommittee: Rep. Wise (Chair), T. Olson, Reasoner, Struyk & Van Fossen*

**\*\*HF 2670 - Tax Code Updates** - Requires privately owned libraries and art galleries to file a claim in order to receive a property tax exemption if the library or gallery is used for public purposes and not for private profit. *Status: House Floor; Rep. Schueller (Floor Manager) - Included in the Administration & Regulation Budget (SF 2400).*

**\*\*HSB 714 - Vehicle Tax to Fee** - This bill is largely expected to become an amendment added to one of

the TIME-21 funding bills. The bill simply replaces the use tax on sold and leased vehicles with an equal fee for new registrations. The bill itself will not change the amount charged to consumers, but would protect the revenues derived from the new fee under the umbrella of the Road Use Tax Fund (RUTF). The RUTF is constitutionally-protected and much more difficult than other state funds to divert into a non-transportation purpose. *Status: House Transportation Committee; Subcommittee: Not assigned – TIME 21 bill passed (SF 2420).*

**HSB 715 & SSB 3236 Combined Corporate Reporting** - This bill is a major revenue raiser (\$70-75 million) in the Governor's budget proposal, however legislators do not believe they have the votes to pass this proposal. This bill requires that the net income of affiliated groups of corporations engaged in a unitary business be computed on a combined return basis for corporate tax purposes if the group meets the requirements for filing a consolidated return for federal tax purposes. The affiliated group would include corporations with common ownership whereby one or more corporations own 80 percent or more of another corporation. The bill would require that one Iowa corporate income tax return be filed that would include all unitary members of an affiliated group. Any nonunitary member that is subject to Iowa tax would file its own separate corporate return. Only Iowa sales of those corporations doing business in Iowa would be included in the numerator of the Iowa sales ratio. The bill also provides that only those corporations doing business in Iowa are jointly and severally liable for the tax of the combined return. *Status: House Ways & Means Committee/Dead; Subcommittee: Rep. Shomshor (Chair), Reasoner & Sands; Sen. Bolcom (Chair), McCoy & McKibben*

**HSB 786 - Franchise, Sales TIF, Hotel/Motel** - This bill provides that the amount of a city franchise fee may be based upon a percentage of gross revenues generated from sales of the franchisee within the city not to exceed 5 percent without regard to the city's cost of regulating the franchise. The bill allows franchise fees collected by the city to be credited to the city general fund and used for city general fund purposes and contains several related changes. The bill authorizes a city with a local option sales and services tax to establish by ordinance a sales tax increment financing (TIF) district for the purpose of dedicating and using the increase in the local sales and services tax revenues it receives from retail establishments in the district to pay the loans and bonds used to assist in the development of certain qualifying facilities located within such district. The bill increases the maximum local hotel and motel tax rate from the present 7 percent to 9 percent. *Status: House Ways & Means Committee; Subcommittee: Rep. Shomshor (Chair), Reasoner & Sands*

## **Senate Files**

**SF 2001 - Sales Tax Exemption/Nonprofit Performing Arts** - Exempts the sale of materials and services used in the operation of a nonprofit private performing arts center from state sales tax, and allows sales tax paid on construction materials to build a nonprofit private performing arts center to be refunded (applies to construction contracts signed on or after 1/1/2005). *Status: Senate Ways & Means Committee; Subcommittee: Sen. Schmitz (Chair), Connolly & Ward*

**\*\*SF 2044 - Truck Registration Fees** - This bill revises the method for calculating annual registration fees for motor trucks with an unladen weight of 7,500 pounds or less. Currently, most such trucks are registered based on combined gross weight for an annual fee of \$65, which is reduced to \$55 when the vehicle is more than 10 model years old, \$45 after 13 model years and \$35 after 15 model years. The bill requires that 2010 and subsequent model year motor trucks be registered under the weight and value system that applies to most passenger vehicles. Currently under that system, registration fees are equal to 1 percent of the value of the vehicle plus 40 cents for each 100 pounds of weight of the vehicle. Registration fees based on weight and value are automatically reduced according to the age of the vehicle beginning when the vehicle is more than five model years old. The bill does not alter the current flat fee schedule, which will continue to apply to 2009 and previous model year trucks. *Status: Senate Transportation Committee; Subcommittee: Not assigned - TIME-21 Bill passed (SF 2420).*

**SF 2045 - School Start Date Change** - This bill changes, effective for the school year beginning July 1, 2009, the earliest school start date to August 25 and eliminates the authority of the director of the department of education to grant a request made by a board of directors of a school district to commence

classes prior to the earliest starting date allowed, which currently is no sooner than a day during the calendar week in which the first day of September falls or, if the first day of September falls on a Sunday, a day during the prior week. The bill makes a conforming change to eliminate an exemption from aid reduction for early school starts, unless the exemption is for a school district approved to implement an innovative school year. Without the waiver, the school district's state aid payments are reduced by 1/180 for each day of that fiscal year for which the school district begins school before the earliest starting date allowed. *Status: Senate Education Committee; Subcommittee: Sen. Kreiman (Chair), Beall & Boettger*

**SF 2106 - New Gambling Moratorium** - This bill establishes a moratorium preventing the racing and gaming commission from issuing a new license to conduct gambling games on an excursion gambling boat, gambling structure, or at a pari-mutuel racetrack on and after January 1, 2008. The bill takes effect upon enactment and is retroactively applicable to January 1, 2008. *Status: Senate State Government Committee; Subcommittee: Sen. Kibbie (Chair), Behn & Danielson*

**SF 2178 & HF 2585 Endow Iowa Tax Credit Increase** - Increases the total annual tax credits allowed under the Endow Iowa program from \$2 million to \$3 million. Also reduces the annual percentage granted to an individual taxpayer from 5% to 3 1/3%. Also companion to [SSB 3057](#). House bill will receive new number soon. *Status: Senate Ways & Means Committee/Dead; Subcommittee: Sen. Stewart (Chair), Angelo & Dotzler; Rep. Thomas (Chair), Schueller & Wiencek*

**SF 2189 - Bingo at County Fairs/Community Festivals** - Allows a fair or community festival lasting no more than four days to hold one bingo game per day. Requires the festival to be held by an Iowa non-profit community group that promotes arts, history, culture, ethnicity, historic preservation, tourism, economic development, or municipal libraries (excludes educational institutions, government agencies, fraternal organizations, and churches). *Status: House State Government Committee; Subcommittee: Not assigned*

**SF 2208 - Forest Reservation Limit** - This bill limits to 10 acres the amount of forest reservation for which a property tax exemption may be granted. The bill also provides that an owner of a forest reservation is limited to one forest reservation exemption in the county. *Status: Senate Natural Resources & Environment Committee; Subcommittee: Sen. Bolkcom (Chair), Kettering & Schoenjahn*

**SF 2235 - Fine Arts in State Buildings** - The bill stipulates that information centers and rest areas used for the traveling public are defined as state buildings for purposes of the requirements relative to fine arts projects in state buildings. The bill would require that 1.5 percent of the total estimated cost of projects for a state building or group of state buildings shall be used for fine arts elements, defined to include sculptures, fountains, etc. Current law provides that .5 percent shall be used for fine arts elements. The bill also allows funds allocated for fine arts to be accumulated and used over more than one fiscal period and to be combined to complete significant projects with the approval of the Iowa arts council. The bill also provides that 10 percent of the moneys for fine arts elements in a particular state building project shall be transferred to a new maintenance and conservation fund under the control of the arts division of the department of cultural affairs. *Status: Senate State Government Committee; Subcommittee: Sen. Danielson (Chair), Gaskill & Schmitz*

**\*\*SF 2238 - Water Infrastructure** - This bill provides for waterway infrastructure under the jurisdiction of the department of natural resources. The bill establishes a low head dam public hazard program to reduce the incidents of drowning. The bill requires the department to develop a system for providing funding for waterway infrastructure, including supporting the low head dam public hazard program and for improving water trails, based on a cost-benefit analysis and the degree of participation by local communities and landowners. *Status: Senate Natural Resources & Environment Committee; Subcommittee: Sen. Hancock (Chair), Behn & Bolkcom - Parts of this were enacted in the Standings Bill (HF 2700), SF 2430 & SF 2380.*

**SF 2249 - Hotel/Motel Tax Election** - Specifies the voters who are eligible to vote at an election to impose, repeal, or change the percentage rate of a hotel and motel tax. Under the bill, only registered voters of the city shall be permitted to vote for tax changes proposed only within city limits, and only

registered voters of the unincorporated areas are permitted to vote for changes proposed only in unincorporated areas. *Status: House Floor; Rep. Gaskill (Floor Manager)*

**SF 2278 & HF 2239 Department of Education Omnibus/School Start Date** - Makes a number of changes to the Department of Education policies and procedures. Senate version also includes a section (thanks to Sen. Putney) that reduces school aid to schools that start before August 25, unless they have received permission to have an innovative school calendar (year-round). Ends the school start date waiver. *Status: House Floor/Dead; Rep. Kelly (Floor Manager)*

**SF 2366 - RISE for Statewide Touring Events** - This bill authorizes the use of funds from the revitalize Iowa's sound economy (RISE) fund for grants for repairs to secondary roads prior to a statewide touring event, which the bill defines to include a major group bicycle ride across Iowa, a group tractor ride, an antique car tour, or similar event that involves more than one area of the state, attracts wide participation, and is likely to contribute significantly to the economic well-being of the state or areas of the state. *Status: Senate Floor; Sen. Danielson (Floor Manager)*

**SF 2371 - DED Programs for Sac & Fox** - This bill relates to economic development assistance for the Sac and Fox tribe of the Mississippi in Iowa located in Tama. Currently, the tribe is not eligible for programs administered by the DED. The bill makes the tribe eligible to apply for assistance from the community attraction and tourism program and the vision Iowa program. *Status: Senate Appropriations Committee; Subcommittee: Sen. Dvorsky (Chair) & Kettering*

**\*\*SF 2390 - Health Care Reform (Senate Version)** - COVERING KIDS: Mandates coverage for all kids by January 1, 2011, if funds become available, by covering more kids under hawk-i; uses Iowa Comprehensive Health Insurance Association (Insurance Division). Subsidizes private coverage for non hawk-i eligible children up to 19 years up to 300 % FPL on sliding-scale. COVERING ADULTS: Goal of providing unsubsidized coverage for low-income adults with family income up to 400 % FPL. CONTINUED DEPENDENT COVERAGE: Up to 25 years of age on parent's insurance if full time student. MEDICAL HOME: Establishes patient-centered medical home in a primary care setting and a Medical Home Commission to implement a statewide medical home system (IDPH). Changes date for implementation of the dental home initiative to December 31, 2010 and clarifies that EPSDT services are required. ELECTRONIC MEDICAL RECORDS: Establishes an Iowa Electronic Health Information Commission to promote use of electronic health information technology. CHRONIC CARE MANAGEMENT: Establishes Prevention and Chronic Care Management Advisory Council to develop a state initiative for chronic care management (IDPH), and a Clinicians Advisory Panel. LONG TERM CARE PLANNING: Long-term care public education and awareness campaign, End-of-Life Pilot Project (Linn County), and Advisory Committee. COST CONTAINMENT: Establishes a new office of Health Care Quality, Cost Containment, and Consumer Information. TRANSPARENCY: Establishes Bureau of Health Insurance Oversight and establishes health care transparency reporting requirements. Adds to the duties of the Bureau of Health Care Access to develop a Statewide Health Care Delivery Infrastructure and Resources Strategic Plan, including elements that could impact the Certificate of Need program. CERTIFICATE OF NEED: Expands Health Facilities Council from 5 to 7 members. Adds health economist and actuary. *Status: Senate Floor; Sen. Hatch (Floor Manager) - The House version of the Health Care Reform Act passed (HF 2539).*

**SF 2397 - Sales Tax Rebate** - This bill creates a state sales tax rebate program in the department of economic development that authorizes select cities to receive a rebate of the state sales tax revenues collected from retail establishments located in the city. The program is limited to five cities that have a population of less than 40,000. The department of economic development makes the selection of cities from applications submitted to it. A select city must provide public or private match funds of \$1 for each \$2 of projected rebate moneys to be received. The rebate period is for three years. The rebate moneys are to be used by a select city for revitalization projects that involve the rehabilitation of and improvements to its mainstreet area. *Status: Senate Ways & Means Committee; Subcommittee: Sen. Quirnbach (Chair), Bolkcom & Zieman*

**SF 2402 - Tax Code Clean-Up** - Allows a privately owned library or art gallery being used for public

purposes (and not for private profit) to receive a property tax exemption. Effective 7/1/2008. *Status: House Ways & Means Committee; Subcommittee: Not assigned*

**SSB 3168 - Rail Right-Of-Way for Trails** - This bill provides for a corporate tax credit for owners of railroad rights-of-way that grant easements to the department of transportation, a county, or a city for purposes of constructing and maintaining a recreational trail. The agreement must provide for the amount of tax credit which equals a percentage of the property taxes paid by the owner on the right-of-way. The agreement must also specify the number of years the owner is entitled to the tax credit. The tax credit is refundable. The bill applies retroactively to January 1, 2008, for tax years beginning on or after that date. *Status: Senate Ways & Means Committee; Subcommittee: Sen. Dotzler (Chair), Seng & Putney*

**SSB 3242 - Railroad Material Sales Tax Exemption** - This bill exempts the sales price of specific railroad materials from the state sales and use tax. The materials are railroad rails, spikes, ballasts, and bridge components. The materials must be sold to a railway corporation that is based in Iowa for installation of a railroad exclusively in Iowa. *Status: Senate Ways & Means Committee; Subcommittee: Sen. Dotzler (Chair), Seng & Putney*

**SSB 3243 - Local Income Surcharge** - This bill authorizes a city that is not part of a combined incorporated area to impose a local income surcharge after an election at which it is approved by a majority of those voting. A combined incorporated area is an area that includes all contiguous cities. The bill contains several provisions and stipulates that revenues would need to be deposited into a property tax relief fund for purposes of providing property tax credits, and the remaining revenues, if any, are to be deposited into the city general fund to be used for any lawful purposes of the city. *Status: Senate Ways & Means Committee; Subcommittee: Sen. Quirnbach (Chair), McCoy & Angelo*

**SSB 3273 - Public Safety Impact Fee** - This bill authorizes a city or county to impose by ordinance or resolution a public safety impact fee on each night of lodging rental within the jurisdiction of the city or county. The bill provides that any fee imposed by a city or county may not exceed \$1.50 per night. All fees collected under the bill shall be deposited in the appropriate city or county general fund and used only for purposes related to local emergency management departments. *Status: Senate Ways & Means Committee; Subcommittee: Sen. Hogg (Chair), Stewart & Noble*