

FILED APR 26 1971

Reprinted 5/13

SENATE FILE 510

By COMMITTEE ON WAYS AND MEANS

Passed Senate, Date 5-13-71 Passed House, Date _____

Vote: Ayes 27 Nays 21 Vote: Ayes _____ Nays _____

Approved _____

*Motion to reconsider filed 5/13
W.D. 5/18*

A BILL FOR

1 An Act relating to the transfer and use of state funds.

2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section four hundred twenty-two point sixty-
2 nine (422.69), subsection four (4), Code 1971, is amended
3 as follows:

4 4. Unless otherwise provided the fees, taxes, interest,
5 and penalties collected under this chapter shall, ~~for the~~
6 ~~first-three-quarters-of-each-fiscal-year~~, be credited to the
7 general fund.

8 Sec. 2. Section four hundred twenty-two point sixty-nine
9 (422.69), Code 1971, is amended by striking subsections three
10 (3) and five (5).

11 EXPLANATION

12 This bill eliminates the provision of law which provides
13 for transferring funds from the general fund of the state
14 to the department of public safety for use in manufacturing
15 motor vehicle registration plates, and eliminates the dedi-
16 cation of ten percent of two-thirds of sales tax receipts
17 collected during the last quarter of each fiscal year for
18 deposit in the road use tax fund. It is anticipated that
19 funds to be used for the manufacture of registration plates
20 will be provided in a separate appropriation bill.

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Senate 2
June 16, 1971

HOUSE AMENDMENT TO SENATE FILE 510

1 Amend Senate File 510 as amended, passed and reprinted
2 by the Senate as follows:
3 1. Page 2, by striking lines 1 through 10, inclusive,
4 and inserting in lieu thereof the following:
5 "Section 1. Notwithstanding the provisions of sub-
6 section three (3) of section four hundred twenty-two point
7 sixty-nine (422.69) of the Code, there is appropriated from
8 the general fund of the state for the fiscal year beginning
9 July 1, 1971 and ending June 30, 1972 the sum of one million
10 five hundred forty-five thousand (1,545,000) dollars and
11 for the fiscal year beginning July 1, 1972 and ending
12 June 30, 1973 the sum of four hundred fifty thousand
13 (450,000) dollars to the department of public safety,
14 division of motor vehicle registration, for the purpose of
15 purchasing supplies and materials, and for the cost of
16 manufacture of motor vehicle registration plates and
17 validation emblems at prison industries. The appropriation
18 provided in this section shall be in lieu of the transfer of
19 funds provided for in subsection three (3) of section four
20 hundred twenty-two point sixty-nine (422.69) of the Code
21 for the fiscal years for which this appropriation is provided.
22 Sec. 2. Notwithstanding the provisions of subsection
23 five (5) of section four hundred twenty-two point sixty-nine
24 (422.69) of the Code, during the last quarter of the fiscal
25 years ending June 30, 1972, and June 30, 1973, the net receipts

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1 of all the sales tax collected under division four (IV)
2 of chapter four hundred twenty-two (422) of the Code,
3 shall be credited to the general fund of the state. The
4 transfer of funds provided in this section shall supersede
5 the transfer of funds provided for in subsection five (5)
6 of section four hundred twenty-two point sixty-nine
7 (422.69) of the Code for the fiscal years ending June 30,
8 1972 and June 30, 1973.
9 Sec. 3. Notwithstanding the provisions of section
10 eight point thirty-three (8.33) of the Code, all unencum-
11 bered or unobligated balances of appropriations made by
12 this Act for the first fiscal year of the biennium commenc-
13 ing July 1, 1971 shall, on September 30, 1972, revert to
14 the state treasury and to the credit of the fund from which
15 appropriated. In all other respects the provisions of
16 section eight point thirty-three (8.33) of the Code shall
17 apply to appropriations made for the first fiscal year of
18 such biennium. Unencumbered or unobligated balances of
19 appropriations made for the second fiscal year of such
20 biennium shall be subject to section eight point thirty-
21 three (8.33) of the Code."

Senate 3
June 16, 1971

22. 2. Page 5, by striking lines 7 through 12, inclusive,
23 and inserting in lieu thereof the following:
24 "month, ~~together with an itemized statement on forms~~
25 ~~furnished by the department showing the name of each~~

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1 ~~taxpayer, the make and purchase price of each motor~~
2 ~~vehicle or trailer, the amount of tax paid in each case,~~
3 ~~and such other information as the director may require~~
4 accompanied by a copy of each registration receipt issued
5 in conjunction with the certificate of title issued for
6 each vehicle subject to registration."

7 3. Page 6, by adding after line 3 the following new
8 sections:

9 (1) Section three hundred twenty-one point twenty
10 (321.20), Code 1971, is amended by adding the following
11 new subsection:

12 "The amount of tax to be paid under section four
13 hundred twenty-three point seven (423.7) of the Code."

14 (2) Section three hundred twenty-one point twenty-
15 four (321.24), Code 1971, is amended as follows:

16 321.24 ISSUANCE OF REGISTRATION AND CERTIFICATE OF
17 TITLE. Upon receipt of the application for title and
18 payment of the required fees for motor vehicle, trailer,
19 or semitrailer, the county treasurer shall, when satisfied
20 as to the genuineness and regularity thereof, issue a
21 registration receipt and certificate of title and shall file
22 the application, the manufacturer's or importer's
23 certificate, certificate of title, or other evidence of
24 ownership, as prescribed by the department. The registration
25 receipt shall be delivered to the owner and shall contain

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1 upon the face thereof the date issued, the name and
2 address of the owner, the registration number assigned
3 to the vehicle, the title number assigned to the owner
4 of the vehicle, the amount of the fee paid, the amount
5 of tax paid pursuant to section four hundred twenty-three
6 point seven (423.7), type of fuel used and such
7 description of the vehicle as determined by the depart-
8 ment and upon the reverse side a form for notice of
9 transfer of the vehicle. One copy of the registration
10 receipt shall be retained by the county treasurer in
11 a registration number file and said file shall be open
12 for public inspection during reasonable business hours.
13 Two copies shall be mailed to the department on date
14 of issuance. The certificate of title shall contain
15 upon the face thereof the identical information required
16 upon the face of the registration receipt and such
17 information shall be so placed on the title form as to

18 permit the county treasurer to prepare the certificate
19 of title simultaneously with the registration receipt.
20 In addition thereto, the certificate of title shall contain
21 a statement of the owner's title, the amount of tax paid
22 pursuant to section 423.7, name and address of previous
23 owner, and a statement of all liens and encumbrances as
24 shown in the application, upon the vehicle therein
25 described including the nature of the lien or liens,

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1 amount, date of notation and name and address of lien-
2 holder or lienholders. Said certificate shall bear
3 thereon the seal of the county treasurer, his signature
4 or that of his deputy, and shall provide space for the
5 signature of the owner. Upon receipt of certificate of
6 title the owner shall write his name with pen and ink
7 in the space provided. The certificate of title shall
8 contain upon the reverse side a form for assignment of
9 title or interest and warranty thereof by the owner, for
10 reassignments by a licensed dealer and for application
11 for a new certificate of title by the transferee as
12 provided in this chapter. All certificates of title
13 shall be typewritten and shall be issued in triplicate.
14 The original certificate of title shall be delivered
15 to the owner in the event no lien or encumbrance
16 appears thereon. Otherwise the certificate of title shall
17 be delivered by the county treasurer to the person holding
18 the first lien or encumbrance as shown in the certificate.
19 One copy of the certificate shall be retained by the
20 county treasurer in a title number file in the manner
21 prescribed by the department and shall remain in the file
22 of the county issuing the title for a period of three years
23 from the date of notification of cancellation or that a
24 new title has been issued as provided in this chapter after
25 which it may be destroyed. One copy shall be mailed to the

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1 department on the date of issuance. The department
2 shall designate a uniform system of title numbers so
3 as to indicate the county of issuance.
4 (3) Chapter four hundred twenty-three (423),
5 Code 1971, is amended by adding the following new
6 section:
7 "Any person who willfully makes any false statement
8 in regard to the purchase price of a vehicle subject to
9 taxation under section four hundred twenty-three point
10 seven (423.7) of the Code is guilty of a misdemeanor."
11 (4) Section three hundred twenty-one point thirty-
12 five (321.35), Code 1971, is amended by adding the
13 following new paragraph:

Senate 5

June 16, 1971

14 "All motor vehicle registration plates shall be
15 treated with a reflective material according to
16 specifications prescribed by the commissioner of public
17 safety."

18 4. Amend the title by striking all after the word
19 "Act" in line 1 and inserting in lieu thereof the
20 following: "relating to sales and use tax, the distribu-
21 tion of revenue therefrom, and providing penalties."

22 5. Correct internal references and renumber sections
23 in accordance with this amendment.

Received from
the House.
June 15, 1971

Senate concurred 6/15

SENATE CLIP SHEET
Friday, May 14, 1971

SENATE FILE 510

1 Amend Senate File 510:

2 1. Page 2, by inserting after line 10 the following
3 new sections:

4 Sec. 3. Section four hundred twenty-two point
5 forty-two (422.42), subsection six (6), paragraph "b",
6 Code 1971, is amended as follows:

7 b. That in all transactions in which tangible
8 personal property is traded toward the purchase price of
9 tangible personal property of greater value ~~except the~~
10 ~~sale of vehicles subject to registration under the laws~~
11 ~~of this state~~, the gross receipts shall be only that por-
12 tion of the purchase price represented by the difference
13 between the total purchase price of such tangible per-
14 sonal property of greater value and the amount of such
15 tangible personal property traded.

16 Sec. 4. Section four hundred twenty-two point
17 forty-five (422.45), Code 1971, is amended by striking
18 subsection four (4) and inserting in lieu thereof the
19 following:

20 4. The gross receipts from sales of vehicles sub-
21 ject to registration.

22 Sec. 5. Section four hundred twenty-three point one
23 (423.1), subsection three (3), Code 1971, is amended as
24 follows:

25 3. "Purchase price" means the total amount for

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1 which tangible personal property is sold, valued in
2 money, whether paid in money or otherwise; provided that
3 cash discounts and ~~except the sale of vehicles subject to~~
4 ~~registration under the laws of this state~~, trade-in
5 allowances taken on sales shall not be included.

6 Sec. 6. Section four hundred twenty-three point one
7 (423.1), Code 1971, is amended by striking subsection
8 seven (7) and inserting in lieu thereof the following:

9 7. "Vehicles subject to registration" means any
10 vehicle subject to registration pursuant to section three
11 hundred twenty-one point eighteen (321.18) of the Code.

12 Sec. 7. Section four hundred twenty-three point
13 four (423.4), subsection one (1), Code 1971, is amended
14 as follows:

15 1. Tangible personal property, the gross receipts
16 from the sale of which are required to be included in the
17 measure of the tax imposed by division IV of chapter 422,
18 and any amendments made or which may hereafter be made
19 thereto. This exemption does not include ~~new-meter-ve-~~
20 ~~hicles as defined herein~~ vehicles subject to registration.

Senate 2
May 14, 1971

21 Sec. 8. Section four hundred twenty-three point
22 four (423.4), subsection six (6), Code 1971, is amended
23 as follows:
24 6. Tangible personal property, the gross receipts
25 from the sale of which are exempted from the retail sales

PAGE 3

1 tax by the terms of section 422.45, except subsection 6
2 as it relates to the sale of vehicles subject to regis-
3 tration.

4 Sec. 9. Section four hundred twenty-three point
5 six (423.6), subsection one (1), Code 1971, is amended as
6 follows:

7 1. The tax upon the use of all new-motor-vehicles
8 and-new-trailers vehicles subject to registration shall
9 be collected by the county treasurer who shall retain
10 twenty-five cents from each vehicle registration issued
11 for use and benefit of the county general fund or depart-
12 ment of public safety pursuant to the provisions of
13 section 423.7.

14 Sec. 10. Section four hundred twenty-three point
15 seven (423.7), Code 1971, is amended as follows:

16 423.7 MOTOR VEHICLES. The tax hereby imposed upon
17 the use of new-motor-vehicles-and-new-trailers vehicles
18 subject to registration shall be paid by the owner thereof
19 to the county treasurer or department of public safety
20 from whom the original-certificate-of registration receipt
21 for-such-motor-vehicle-or-trailer is obtained. No
22 original-certificate-of registration receipt for any new
23 motor-vehicle-or-new-trailer vehicle subject to registra-
24 tion shall be issued until said tax has been so paid. The
25 county treasurer or department of public safety shall

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1 require every applicant for an-original-certificate-of a
2 registration receipt for any new-motor-vehicle-or-new
3 trailer vehicle subject to registration to supply such
4 information as he or the director may deem necessary as
5 to the time of purchase, the purchase price, and other
6 information relative to the purchase of said motor-vehicle
7 or-trailer vehicle subject to registration. On or before
8 the tenth day of each month the county treasurer or
9 department of public safety shall remit to the department
10 the amount of the taxes so collected during the preceding
11 month, together with an itemized statement on forms furn-
12 ished by the department showing the name of each taxpayer,
13 the make and purchase price of each motor-vehicle-or
14 trailer vehicle subject to registration, the amount of
15 tax paid in each case, and such other information as the

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May 14, 1971

16 director shall require.

17 Sec. 11. Section four hundred twenty-three point
18 eight (423.8), Code 1971, is amended as follows:

19 423.8 SALES TAX REPORT--DEDUCTION. Motor vehicle
20 or trailer dealers, in making their reports and returns
21 to the department for the purpose of paying the retail
22 sales tax imposed by division IV of chapter 422, shall be
23 permitted to deduct all gross receipts from retail sales
24 of ~~new-motor-vehicles-and-new-trailers~~ vehicles subject
25 to registration. Gross receipts from ~~such-new-motor~~

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1 ~~vehicle-and-new-trailer~~ sales of vehicles subject to
2 registration are hereby expressly exempted from the tax
3 imposed by said division IV, but, if required by the
4 director, such gross receipts shall be included in the
5 returns made by motor vehicle or trailer dealers under
6 said division IV, and proper deductions taken pursuant
7 to this section.

8 2. Amend the title, page 1, line 1, by inserting after
9 word "funds" the words "and relating to the use tax imposed
10 vehicles subject to registration." upon

Filed, Amended and Adopted By WALSH, KEITH, OLLENBURG
May 12, 1971 and LAMBORN

SENATE FILE 510

1 Amend the Riley-Doderer amendment filed May 12, 1971
2 to Senate File 510 by adding in line 21 after the word
3 "commencing" the words and figures "July 1, 1971 and".

Filed and adopted By DODERER
May 13, 1971

SENATE FILE 510

1 Amend the Riley and Doderer amendment filed May 12, 1971
2 to Senate File 510, line 13 by inserting after the word
3 "collected" the following: "for each dollar of sales".

Filed and adopted By RILEY
May 13, 1971

1 Amend Senate File 510 as follows:

2 Page 2, by striking lines 1 through 10, inclusive
3 and inserting in lieu thereof the following:

4 Section 1. Section four hundred twenty-two point
5 sixty-nine (422.69), subsection five (5), Code 1971, as
6 contained in chapter one thousand two hundred five (1205),
7 Acts of the Sixty-third General Assembly, Second Session,
8 is amended as follows:

9 "5. This subsection shall be effective for the fiscal
10 year commencing July 1, ~~1971~~ 1972 and each fiscal year
11 thereafter. During the last quarter of each fiscal year
12 an amount equal to ten percent of the net receipts from
13 ~~two-thirds~~ each two cents of the sales tax collected under
14 division four (IV) of this chapter for the fiscal year,
15 less the amount transferred during such fiscal year for
16 motor vehicle registration plates, shall be transferred to
17 the road use tax fund created by section three hundred
18 twelve point one (312.1) of the Code. The remainder of
19 the net receipts from the sales tax shall be credited to
20 the general fund.

21 During the last quarter of the fiscal year commencing
22 July 1, 1971 the net receipts from all sales taxes collected
23 under division four (IV) of this chapter for the fiscal
24 year, less the amount transferred during such fiscal year
25 for motor vehicle registration plates, shall be transferred

PAGE 2

1 to the general fund of the state."

Filed - *Lost 5/12*
May 11, 1971

By Riley

1 Amend the Walsh, et al, amendment filed May 12, 1971, to
2 Senate File 510, as follows:

3 1. Page 2, line 11, by inserting after the word "Code" the
4 words
5 "and including boats, mobile homes, and snowmobiles".

6 2. Page 3, line 9, by inserting after the word "treasurer"
7 the
8 words "or the county recorder".

9 3. Page 3, line 19, by inserting after the word "treasurer"
10 the
11 words ", the county recorder".

12 4. Page 3, line 25, by inserting after the word "treasurer"
13 the
14 words ", the county recorder".

Filed and lost
May 13, 1971

By GROSS and HILL

1 Amend the Walsh, et al, amendment filed May 12, 1971, to
2 Senate File 510, page 3, line 1, by inserting after the word
3 "except" the words "subsection 4 and".

Filed and Adopted
May 13, 1971

By OLLENBURG

SENATE CLIP SHEET
Thursday, May 13, 1971

SENATE FILE 510

1 Amend the Walsh, et al., amendment to Senate File
2 510, filed May 12, 1971, as follows:
3 1. Page 3, by inserting after line 3 the following
4 new section:
5 "Section four hundred twenty-three point four (423.4),
6 Code 1971, is amended by adding the following new sub-
7 section:
8 Sales of vehicles subject to registration when the
9 person selling the vehicle is not a retailer."
10 2. Renumber sections and correct internal references
11 in accordance with this amendment.

Filed and Lost
May 12, 1971

By HILL

SENATE FILE 510

1 Amend the Walsh, et al., amendment filed May 12, 1971 to
2 Senate File 510 as follows:
3 Page 3, line 1, by inserting after the numeral "6" the
4 words "of section 422.45".

Filed and Adopted
May 12, 1971

By OLLENBURG

SENATE FILE 510

1 Amend the Walsh, et al., amendment filed May 12, 1971 to
2 Senate File 510 as follows:
3 Page 3, line 10, by striking the words "vehicle registration
4 issued" and inserting in lieu thereof the words "tax payment
5 collected".

Filed and Adopted
May 12, 1971

By OLLENBURG

Senate 9
May 13, 1971

SENATE FILE 510

1 Amend Senate File 510 as follows:

2 Page 2, by striking lines 1 through 10, inclusive and
3 inserting in lieu thereof the following:

4 Section 1. Section four hundred twenty-two point sixty-
5 nine (422.69), subsection five (5), Code 1971, as contained
6 in chapter one thousand two hundred five (1205), Acts of
7 the Sixty-third General Assembly, Second Session, is amended
8 as follows:

9 "5. This subsection shall be effected for the fiscal
10 year commencing July 1, ~~1971~~ 1973 and each fiscal year
11 thereafter. During the last quarter of each fiscal year
12 an amount equal to ten percent of the net receipts from
13 ~~two-thirds~~ each two cents of the sales tax collected under
14 division four (IV) of this chapter for the fiscal year,
15 less the amount transferred during such fiscal year for
16 motor vehicle registration plates, shall be transferred to
17 the road use tax fund created by section three hundred
18 twelve point one (312.1) of the Code. The remainder of the
19 net receipts from the sales tax shall be credited to the
20 general fund.

21 During the last quarter of the fiscal year commencing
22 July 1, 1972 the net receipts from all sales taxes collected
23 under division four (IV) of this chapter for the fiscal year,
24 less the amount transferred during such fiscal year for

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1 motor vehicle registration plates, shall be transferred
2 to the general fund of the state."

Filed - *Loat 5/13*
May 12, 1971

By RILEY and DODERER

House 4
June 15, 1971

SENATE FILE 510

1 Amend Senate File 510, as amended, passed, and reprinted
2 by the Senate, as follows:
3 1. Page 2, by striking lines 1 through 10, inclusive.
4 2. Page 3, by inserting after line 10 the following:
5 "a. 'New vehicle subject to registration' means any
6 vehicle subject to registration under the laws of this
7 state, which has not been previously registered in this or
8 any other state.
9 b. 'Used vehicle subject to registration' means any
10 other vehicle subject to registration."
11 3. Page 6, by inserting after line 3 the following new
12 section:
13 "Section four hundred twenty-three point twenty-four
14 (423.24), Code 1971, is amended as follows:
15 423.24 DEPOSIT OF REVENUE. All revenue arising under
16 the operation of this chapter, derived from the use tax on
17 ~~motor vehicles, trailers~~ new vehicles subject to registra-
18 tion, and motor vehicle accessories and equipment, as same
19 may be collected as provided by section 423.7 shall be
20 credited to the road use tax fund. All other revenue
21 arising under the operation of this chapter, including
22 revenue derived from the use tax on used vehicles subject
23 to registration, shall be credited to the general fund of
24 the state.

Offered from the floor
Amendment 1, line 3
withdrawn.
Amendments 2 and 3 Lost
June 14, 1971

By PRIEBE of Kossuth
District 6
McCORMICK of Delaware
District 48

SENATE FILE 510

1 amend the Uban amendment to Senate File 510 filed
2 June 1, 1971 by striking in line 13 the words "fifty-five per
3 cent of", by striking in line 16 the words "All other revenue"
4 and by striking lines 17 and 18.

Offered from the Floor
and Lost
June 14, 1971

By UBAN of Black Hawk
District 38

SENATE FILE 510

1 Amend Senate File 510 as amended, passed and reprinted
2 by the Senate as follows:

3 1. Page 2, by striking lines 1 through 10, inclusive,
4 and inserting in lieu thereof the following:

5 "Section 1. Notwithstanding the provisions of subsec-
6 tion three (3) of section four hundred twenty-two point
7 sixty-nine (422.69) of the Code, there is appropriated from
8 the general fund of the state for the fiscal year beginning
9 July 1, 1971 and ending June 30, 1972 the sum of one
10 million five hundred and forty-five thousand (1,545,000)
11 dollars and for the fiscal year beginning July 1, 1972 and
12 ending June 30, 1973 the sum of four hundred fifty thousand
13 (450,000) dollars to the department of public safety, divi-
14 sion of motor vehicle registration, for the purpose of pur-
15 chasing supplies and materials, and for the cost of manu-
16 facture of motor vehicle registration plates and valida-
17 tion emblems at prison industries. The appropriation pro-
18 vided in this section shall be in lieu th the transfer of
19 funds provided for in subsection three (3) of section four
20 hundred twenty-two point sixty-nine (422.69) of the Code
21 for the fiscal years for which this appropriation is pro-
22 vided.

23 Sec. 2. Notwithstanding the provisions of subsection
24 five (5) of section four hundred twenty-two point sixty-nine
25 (422.69) of the Code, during the last quarter of the fiscal
26 years ending June 30, 1972, and June 30, 1973, the net re-
27 ceipts of all the sales tax collected under division four
28 (IV) of chapter four hundred twenty-two (422) of the Code,
29 shall be credited to the general fund of the state. The
30 transfer of funds provided in this section shall supercede
31 the transfer of funds provided for in subsection five (5)
32 of section four hundred twenty-two point sixty-nine
33 (422.69) of the Code for the fiscal years ending June 30,
34 1972 and June 30, 1973.

35 Sec. 3. Notwithstanding the provisions of section
36 eight point thirty-three (8.33) of the Code, all unencum-
37 bered or unobligated balances of appropriations made by
38 this Act for the first fiscal year of the biennium commenc-
39 ing July 1, 1971 shall, on September 30, 1972, revert to
40 the state treasury and to the credit of the fund from which
41 appropriated. In all other respects the provisions of
42 section eight point thirty-three (8.33) of the Code shall
43 apply to appropriations made for the first fiscal year of
44 such biennium. Unenumbered or unobligated balances of
45 appropriations made for the second fiscal year of such
46 biennium shall be subject to section eight point thirty-
47 three (8.33) of the Code."

48 2. Correct internal references and renumber sections
49 in accordance with this amendment.

Welden

May 26, 1971

SENATE FILE 510

1 Amend Senate File 510 as amended, passed, and re-
2 printed by the Senate as follows:
3 1. Page 2, line 7, by striking the words "general
4 fund." and inserting in lieu thereof the following:
5 "~~general-fund-~~ following funds in the following manner:
6 a. From an amount equal to ten percent of the net
7 receipts from each two cents of the sales tax collected
8 for each dollar of sales under division four (IV) of
9 this chapter for the fiscal year there shall be allocated
10 during the last quarter of each fiscal year twenty-nine
11 percent of such amount to the secondary road fund of
12 the counties, nine percent of such amount to the farm-
13 to-market-road fund, and fifteen percent to the street
14 construction fund of the cities and towns.
15 b. All other fees, taxes, interest, and penalties
16 shall be credited to the general fund of the state."

Filed - *w. D. 6/1/71*
May 25, 1971

By SMALL of Johnson
District 69

SENATE FILE 510

1 Amend Senate File 510, as amended, passed, and reprinted
2 by the Senate, as follows:
3 1. Page 2, by striking lines 11 through 22, inclusive.
4 2. Page 2, by striking lines 28 through 32, inclusive.
5 3. Page 3, by striking lines 1 through 4, inclusive.
6 4. Renumber sections and correct internal references in
7 accordance with this amendment.

Offered from the floor
and Lost
May 25, 1971

By RODGERS of Dallas
District 85

SENATE FILE 510

1 Amend Senate File 510 as amended, passed, and re-
2 printed by the Senate as follows:
3 Page 6, by adding after line 3 the following new
4 section:
5 "Sec. 12. Section four hundred twenty-three point
6 twenty-four (423.24), Code 1971, is amended as follows:
7 423.24 DEPOSIT OF REVENUE. All revenue arising
8 under the operation of this chapter, derived from the
9 use tax on motor vehicles, trailers, and motor vehicle
10 accessories and equipment, as same may be collected
11 as provided by section 423.7 shall be credited to the
12 road-use-tax general fund of the state, after first
13 depositing twenty-nine percent of such revenue to the
14 secondary road fund of the counties, nine percent to
15 the farm-to-market-road fund, and fifteen percent to
16 the street construction fund of the cities and towns.
17 All other revenue arising under the operation of this
18 chapter shall be credited to the general fund of the
19 state.

Offered from the floor
and Lost
May 25, 1971

By SMALL of Johnson
District 69

House 3
May 21, 1971

SENATE FILE 510

1 Amend Senate File 510 as amended, passed, and
2 reprinted by the Senate as follows:
3 1. Page 5, by striking lines 7 through 12, inclusive,
4 and inserting in lieu thereof the following:
5 "~~month, together with an itemized statement on forms~~
6 ~~furnished by the department showing the name of each~~
7 ~~taxpayer, the make and purchase price of each motor~~
8 ~~vehicle or trailer, the amount of tax paid in each case,~~
9 ~~and such other information as the director may require~~
10 accompanied by a copy of each certificate of title
11 issued for each vehicle subject to registration."
12 2. Page 6, by adding after line 3 the following
13 new sections:
14 "Sec. 12. Section three hundred twenty-one point
15 twenty (321.20), Code 1971, is amended by adding the
16 following new subsection:
17 'The purchase price of the vehicle and the amount
18 of tax to be paid under section four hundred twenty-
19 three point seven (423.7) of the Code.'
20 Sec. 13. Section three hundred twenty-one point
21 twenty-four (321.24), Code 1971, is amended as follows:
22 321.24 ISSUANCE OF REGISTRATION AND CERTIFICATE
23 OF TITLE. Upon receipt of the application for title
24 and payment of the required fees for motor vehicle,
25 trailer, or semitrailer, the county treasurer shall,
26 when satisfied as to the genuineness and regularity
27 thereof, issue a registration receipt and certificate
28 of title and shall file the application, the
29 manufacturer's or importer's certificate, certificate
30 of title, or other evidence of ownership, as prescribed
31 by the department. The registration receipt shall be
32 delivered to the owner and shall contain upon the face
33 thereof the date issued, the name and address of the
34 owner, the registration number assigned to the vehicle,
35 the title number assigned to the owner of the vehicle,
36 the amount of the fee paid, type of fuel used and such
37 description of the vehicle as determined by the
38 department and upon the reverse side a form for notice
39 of transfer of the vehicle. One copy of the registration
40 receipt shall be retained by the county treasurer in
41 a registration number file and said file shall be open
42 for public inspection during reasonable business hours.
43 Two copies shall be mailed to the department on date
44 of issuance. The certificate of title shall contain
45 upon the face thereof the identical information required
46 upon the face of the registration receipt and such
47 information shall be so placed on the title form as
48 to permit the county treasurer to prepare the certificate
49 of title simultaneously with the registration receipt.
50 In addition thereto, the certificate of title shall

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51 contain a statement of the owner's title, the purchase
52 price of the vehicle, the amount of tax paid pursuant
53 to section 423.7, name and address of previous owner,
54 and a statement of all liens and encumbrances as shown
55 in the application, upon the vehicle therein described
56 including the nature of the lien or liens, amount, date
57 of notation and name and address of lienholder or
58 lienholders. Said certificate shall bear thereon the
59 seal of the county treasurer, his signature or that
60 of his deputy, and shall provide space for the signature
61 of the owner. The owner shall write his name in the
62 space provided with pen and ink upon receipt of
63 certificate of title. The certificate of title shall
64 contain upon the reverse side a form for assignment
65 of title or interest and warranty thereof by the owner,
66 for reassignments by a licensed dealer and for
67 application for a new certificate of title by the trans-
68 feree as provided in this chapter. All certificates
69 of title shall be typewritten and shall be issued in
70 triplicate. The original certificate of title shall
71 be delivered to the owner in the event no lien or
72 encumbrance appears thereon. Otherwise the certificate
73 of title shall be delivered by the county treasurer
74 to the person holding the first lien or encumbrance
75 as shown in the certificate. One copy of the certificate
76 shall be retained by the county treasurer in a title
77 number file in the manner prescribed by the department
78 and shall remain in the file of the county issuing the
79 title for a period of three years from the date of
80 notification of cancellation or that a new title has
81 been issued as provided in this chapter after which
82 it may be destroyed. One copy shall be mailed to the
83 department on the date of issuance. One copy shall
84 be remitted to the department of revenue. The department
85 shall designate a uniform system of title numbers so
86 as to indicate the county of issuance.
87 Sec. 14. Chapter four hundred twenty-three (423),
88 Code 1971, is amended by adding the following new
89 section:
90 'Any person who willfully makes any false statement
91 in regard to the purchase price of a vehicle subject
92 to taxation under section four hundred twenty-three
93 point seven (423.7) of the Code is guilty of a
94 misdemeanor.'
95 Sec. 15. Section three hundred twenty-one point
96 thirty-five (321.35), Code 1971, is amended by adding
97 the following new paragraph:
98 'All motor vehicle registration plates shall be
99 treated with a reflective material according to speci-
100 fications prescribed by the commissioner of public safety.'

Filed - *Adopted & amended 5/25*
May 20, 1971

By EGENES of Story, District 33

1 Amend Senate File 510, as passed by the Senate
2 and reprinted, page 4, by striking from line 7 the
3 words "who shall retain", all of line 8 and through
4 the word "fund" in line 9.

Filed - *Lost 5/25*
May 19, 1971

By KEHE of Bremer, District 12

1 Amend the Egenes amendment to Senate File 510, as
2 amended, passed, and reprinted by the Senate, filed May
3 20, 1971, commencing on page 1606 of the House Journal,
4 by striking from line 70 the word "triplicate" and in-
5 serting in lieu thereof the words "triplicate quadru-
6 plicate".

Filed - *w. d. 5/25*
May 21, 1971

By EGENES of Story, District 33

1 Amend Senate File 510 as follows:
2 Page 2, by striking lines 1 through 10, inclusive
3 and inserting in lieu thereof the following:
4 Section 1. Section four hundred twenty-two point
5 sixty-nine (422.69), subsection five (5), Code 1971,
6 as contained in chapter one thousand two hundred
7 five (1205), Acts of the Sixty-third General Assembly,
8 Second Session, is amended as follows:
9 "5. This subsection shall be effected for the
10 fiscal year commencing July 1, ~~1971~~ 1973 and each
11 fiscal year thereafter. During the last quarter of
12 each fiscal year an amount equal to ten percent of the
13 net receipts from ~~two-thirds~~ each two cents of the
14 sales tax collected for each dollar of sales under
15 division four (IV) of this chapter for the fiscal
16 year, less the amount transferred during such fiscal
17 year for motor vehicle registration plates, shall be
18 transferred to the road use tax fund created by
19 section three hundred twelve point one (312.1) of
20 the Code. The remainder of the net receipts from
21 the sales tax shall be credited to the general fund.
22 During the last quarter of the fiscal year
23 commencing July 1, 1971 and July 1, 1972 the net
24 receipts from all sales taxes collected under divi-
25 sion four (IV) of this chapter for the fiscal year,
26 less the amount transferred during such fiscal year
27 for motor vehicle registration plates, shall be
28 transferred to the general fund of the state."

Filed - *Lost 5/25, w. d. 6/14*
May 24, 1971

By GOODE of Davis
District 98

Motion to reconsider filed 5/25 - w. d. 6/14
CHRISTENSEN of Union
District 95
DUNTON of Keokuk
District 88
ANDERSEN of Woodbury
District 23
TIEDEN of Clayton
District 14

1 Amend the Egenes amendment filed May 20, 1971, to
2 Senate File 510, as amended, passed and reprinted by
3 the Senate, as follows:
4 1. Line 10, by inserting after the word "each"
5 the following:
6 "registration receipt issued in conjunction with
7 the".
8 2. Line 17, by striking the words "purchase
9 price of the vehicle and the."
10 3. Line 36, by inserting after the word "paid"
11 the following:
12 " , the amount of tax paid pursuant to section
13 four hundred twenty-three point seven (423.7)".
14 4. Lines 51 and 52, by striking the words "the
15 purchase price of the vehicle.".
16 5. Lines 83 and 84, by striking the sentence
17 "One copy shall be remitted to the department of
18 revenue".

Filed - *adopted 5/25-*
May 24, 1971

By EGENES of Story
District 33

1 Amend Senate File 510 as amended, passed, and
2 reprinted by the Senate as follows:
3 Page 6, by adding after line 3 the following new
4 section:
5 "Sec. 12. Section four hundred twenty-three point
6 twenty-four (423.24), Code 1971, is amended as follows:
7 423.24 DEPOSIT OF REVENUE. All revenue arising
8 under the operation of this chapter, derived from the
9 use tax on motor vehicles, trailers, and motor vehicle
10 accessories and equipment, as same may be collected
11 as provided by section 423.7 shall be credited to the
12 ~~general-fund-of-the-state~~
13 following funds in the following manner:
14 twenty-nine percent of such revenue to the
15 secondary road fund of the counties, nine percent
16 to the farm-to-market-road fund, twenty-nine percent
17 to the street construction fund of the cities and
18 towns, and thirty-three percent to the primary road
19 fund.

Filed - *w. d. 6/4*
May 25, 1971

By KINLEY of Polk
District 60
SMALL of Johnson
District 69

1 Amend Senate File 510, as amended, passed, and reprinted
2 by the Senate, as follows:
3 1. Page 2, by striking lines 11 through 22, inclusive.
4 2. Page 2, by striking lines 28 through 32, inclusive.
5 3. Page 3, by striking lines 1 through 4, inclusive.
6 4. Page 6, by inserting after line 3 the following new
7 section:
8 "Section four hundred twenty-three point
9 twenty-four (423.24), Code 1971, is amended as follows:
10 423.24 DEPOSIT OF REVENUE. All revenue arising under
11 the operation of this chapter, derived from the use tax on
12 motor vehicles, trailers, and motor vehicle accessories and
13 equipment, and fifty-five percent of all revenue derived
14 from the sales of vehicles subject to registration, as same
15 may be collected as provided by section 423.7 shall be
16 credited to the road use tax fund. All other revenue
17 arising under the operation of this chapter shall be credited
18 to the general fund of the state."
19 5. By renumbering sections to conform with these
20 amendments.

Filed - *w. D. 6/14*
June 1, 1971

By UBAN of Black Hawk
District 38

1 Amend the Uban amendment to page 2 of Senate File
2 510, dated June 1, by striking in line 13 the words
3 "fifty-five" and inserting in lieu thereof the word
4 "sixty".

Filed - *Lost 6/14*
June 2, 1971

By UBAN of Black Hawk
District 38

Reprint

May 13, 1971

SENATE FILE 510

By COMMITTEE ON WAYS AND MEANS

SENATE AMENDMENTS SHOWN
IN BOLD FACE TYPE.

then House & Means 5/18, Pass 5/19 (AS PASSED BY THE SENATE)

Passed Senate, Date..... *Failed* Passed House, Date *5-25-71*

Vote: Ayes..... Nays..... Vote: Ayes *48* Nays *49*

Approved *June 30, 1971*
motion to reconsider filed 5/25, prevailed 6/14

Passed Senate
6-16-71
ayes 27 nays 20

A BILL FOR

Passed House *6-14-71*
ayes 53, nays 40

- 1 An Act relating to the transfer and use of state funds
- 2 and relating to the use tax imposed upon vehicles
- 3 subject to registration.
- 4 *Be It Enacted by the General Assembly of the State of Iowa:*

1 Section 1. Section four hundred twenty-two point sixty-
2 nine (422.69), subsection four (4), Code 1971, is amended
3 as follows:

4 4. Unless otherwise provided the fees, taxes, interest,
5 and penalties collected under this chapter shall[, for the
6 first three quarters of each fiscal year,] be credited to the
7 general fund.

8 Sec. 2. Section four hundred twenty-two point sixty-nine
9 (422.69), Code 1971, is amended by striking subsections three
10 (3) and five (5).

11 Sec. 3. Section four hundred twenty-two point
12 forty-two (422.42), subsection six (6), paragraph "b",
13 Code 1971, is amended as follows:

14 b. That in all transactions in which tangible per-
15 sonal property is traded toward the purchase price of
16 tangible personal property of greater value [except the
17 sale of vehicles subject to registration under the laws
18 of this state], the gross receipts shall be only that
19 portion of the purchase price represented by the difference
20 between the total purchase price of such tangible personal
21 property of greater value and the amount of such tangible
22 personal property traded.

23 Sec. 4. Section four hundred twenty-two point forty-
24 five (422.45), Code 1971, is amended by striking subsection
25 four (4) and inserting in lieu thereof the following:

26 4. The gross receipts from sales of vehicles subject
27 to registration.

28 Sec. 5. Section four hundred twenty-three point one
29 (423.1), subsection three (3), Code 1971, is amended as
30 follows:

31 3. "Purchase price" means the total amount for
32 which tangible personal property is sold, valued in

1 money, whether paid in money or otherwise; provided that
2 cash discounts and [except the sale of vehicles subject to
3 registration under the laws of this state,] trade-in
4 allowances taken on sales shall not be included.

5 Sec. 6. Section four hundred twenty-three point one
6 (423.1), Code 1971, is amended by striking subsection
7 seven (7) and inserting in lieu thereof the following:

8 7. "Vehicles subject to registration" means any
9 vehicle subject to registration pursuant to section three
10 hundred twenty-one point eighteen (321.18) of the Code.

11 Sec. 7. Section four hundred twenty-three point
12 four (423.4), subsection one (1), Code 1971, is amended
13 as follows:

14 1. Tangible personal property, the gross receipts
15 from the sale of which are required to be included in the
16 measure of the tax imposed by division IV of chapter 422,
17 and any amendments made or which may hereafter be made
18 thereto. This exemption does not include [new motor
19 vehicles as defined herein] *vehicles subject to registration.*

20 Sec. 8. Section four hundred twenty-three point four
21 (423.4), subsection six (6), Code 1971, is amended as
22 follows:

23 6. Tangible personal property, the gross receipts
24 from the sale of which are exempted from the retail sales
25 tax by the terms of section 422.45, *except subsection 4 and*
26 *subsection 6 of section 422.45 as it relates to the sale*

1 *of vehicles subject to registration.*

2 Sec. 9. Section four hundred twenty-three point six
3 (423.6), subsection one (1), Code 1971, is amended as
4 follows:

5 1. The tax upon the use of all [new motor vehicles
6 and new trailers] *vehicles subject to registration* shall
7 be collected by the county treasurer *who shall retain*
8 *twenty-five cents from each tax payment collected for use*
9 *and benefit of the county general fund* or department of
10 public safety pursuant to the provisions of section 423.7.

11 Sec. 10. Section four hundred twenty-three point
12 seven (423.7), Code 1971, is amended as follows:

13 423.7 MOTOR VEHICLES. The tax hereby imposed upon
14 the use of [new motor vehicles and new trailers] *vehicles*
15 *subject to registration* shall be paid by the owner thereof
16 to the county treasurer or department of public safety
17 from whom the [original certificate of] registration *receipt*
18 [for such motor vehicle or trailer] is obtained. No
19 [original certificate of] registration *receipt* for any [new
20 motor vehicle or new trailer] *vehicle subject to registra-*
21 *tion* shall be issued until said tax has been so paid. The
22 county treasurer or department of public safety shall
23 require every applicant for [an original certificate of] a
24 registration *receipt* for any [new motor vehicle or new
25 trailer] *vehicle subject to registration* to supply such
26 information as he or the director may deem necessary as

1 to the time of purchase, the purchase price, and other
2 information relative to the purchase of said [motor vehicle
3 or trailer] *vehicle subject to registration*. On or before
4 the tenth day of each month the county treasurer or
5 department of public safety shall remit to the department
6 the amount of the taxes so collected during the preceding
7 month, together with an itemized statement on forms fur-
8 nished by the department showing the name of each taxpayer,
9 the make and purchase price of each [motor vehicle or
10 trailer] *vehicle subject to registration*, the amount of
11 tax paid in each case, and such other information as the
12 director shall require.

13 Sec. 11 Section four hundred twenty-three point
14 eight (423.8), Code 1971, is amended as follows:

15 423.8 SALES TAX REPORT—DEDUCTION. Motor vehicle
16 or trailer dealers, in making their reports and returns
17 to the department for the purpose of paying the retail
18 sales tax imposed by division IV of chapter 422, shall be
19 permitted to deduct all gross receipts from retail sales
20 of [new motor vehicles and new trailers] *vehicles subject*
21 *to registration*. Gross receipts from [such new motor
22 vehicle and new trailer] sales *of vehicles subject to*
23 *registration* are hereby expressly exempted from the tax
24 imposed by said division IV, but, if required by the
25 director, such gross receipts shall be included in the

- 1 returns made by motor vehicle or trailer dealers under
- 2 said division IV, and proper deductions taken pursuant
- 3 to this section.

EXPLANATION

This bill eliminates the provision of law which provides for transferring funds from the general fund of the state to the department of public safety for use in manufacturing motor vehicle registration plates, and eliminates the dedication of ten percent of two-thirds of sales tax receipts collected during the last quarter of each fiscal year for deposit in the road use tax fund. It is anticipated that funds to be used for the manufacture of registration plates will be provided in a separate appropriation bill.