

EIGHTY-FIFTH GENERAL ASSEMBLY
2014 REGULAR SESSION
DAILY
HOUSE CLIP SHEET

MARCH 13, 2014

HOUSE FILE 2361

H-8108

1 Amend House File 2361 as follows:

2 1. Page 24, by striking lines 3 through 22 and
3 inserting:

4 <Sec. _____. Section 321.187, Code 2014, is amended
5 to read as follows:

6 321.187 Examiners.

7 1. The department shall examine applicants for
8 driver's licenses. Examiners of the department shall
9 wear an identifying badge and uniform provided by the
10 department.

11 2. The department may by rule designate community
12 colleges established under chapter 260C and other
13 third-party testers to administer the driving skills
14 test required for a commercial driver's license,
15 provided that all of the following occur:

16 a. The driving skills test is the same as that
17 which would otherwise be administered by the state.

18 b. The ~~examiner~~ third-party tester contractually
19 agrees to comply with the requirements of 49 C.F.R.
20 {383.75 as adopted by rule by the department.

21 c. Any third-party skills test examiner used by
22 the third-party tester shall meet the requirements of
23 49 C.F.R. {383.75 and 49 C.F.R. {384.228, as adopted
24 by rule by the department. The department shall adopt
25 rules requiring that a third-party tester, other than a
26 community college established under chapter 260C, shall
27 be an Iowa-based motor carrier or its subsidiary that
28 has its principal office within this state and operates
29 a permanent commercial driver training facility in this
30 state. The rules may also provide that a third-party
31 tester conduct a number of skills test examinations
32 above the number required under 49 C.F.R. {383.75 in
33 order to remain qualified as a third-party tester under
34 this section.

35 3. As used in this section, "third-party tester" and
36 "third-party skills test examiner" mean as defined in 49
37 C.F.R. {383.5.>

38 2. By renumbering as necessary.

By STUTSMAN of Johnson

H-8108 FILED MARCH 12, 2014

HOUSE FILE 2385

H-8112

1 Amend the amendment, H-8102, to House File 2385 as
2 follows:

3 1. Page 1, by striking lines 2 through 31 and
4 inserting:

5 <___. Page 1, by striking lines 1 through 11.

6 ___. By striking page 3, line 14, through page 6,
7 line 16.>

By PETTENGILL of Benton

H-8112 FILED MARCH 12, 2014

SENATE FILE 2320

H-8113

1 Amend Senate File 2320, as passed by the Senate, as
2 follows:

3 1. Page 1, after line 29 by inserting:

4 <b. That if the legal representative of a member
5 also acts as a provider under a consumer-directed
6 attendant care agreement or under a community choices
7 option employment agreement, the agreement shall
8 include all of the following reasonable safeguards:

9 (1) That the payment rate for the legal
10 representative acting as a provider is fair and
11 reasonable based upon the skill level of the provider
12 and may not exceed the median statewide reimbursement
13 rate for the service unless the higher rate receives
14 prior approval from the department.

15 (2) That the legal representative acting as a
16 provider is not paid for more than forty hours of
17 service per week.

18 (3) A contingency plan for provision of services
19 provided by the legal representative acting as a
20 provider in the event the legal representative is
21 unable to provide the services due to illness or other
22 unexpected event.>

23 2. Page 1, line 30, by striking <b.> and inserting
24 c.>

25 3. Page 2, by striking lines 1 through 10 and
26 inserting:

27 <2. The department of human services shall amend
28 the medical assistance home and community-based
29 services waivers to replace agency-provided
30 consumer-directed attendant care services with personal
31 care services.>

32 4. By renumbering as necessary.

COMMITTEE ON HUMAN RESOURCES

L. MILLER of Scott, Chairperson

H-8113 FILED MARCH 12, 2014

SENATE FILE 366

H-8114

1 Amend Senate File 366, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. By striking everything after the enacting clause
4 and inserting:

5 <Section 1. DEPARTMENT OF EDUCATION -- RADON
6 NOTIFICATION AND TESTING -- REPORT.

7 1. The department of education shall notify each
8 school district and accredited nonpublic school in this
9 state of the risks associated with radon gas and radon
10 progeny at attendance centers. Such notification shall
11 include information on radon testing and mitigation,
12 including relevant statistical data, and shall
13 encourage school districts and accredited nonpublic
14 schools to implement a radon testing and mitigation
15 plan.

16 2. Each school district and accredited nonpublic
17 school in this state shall notify the department of
18 education by December 1, 2014, indicating whether it
19 has a radon testing and mitigation plan in place. Any
20 school district or accredited nonpublic school that
21 does not have a radon testing and mitigation plan in
22 place as of December 1, 2014, shall also notify the
23 department of any plans the district or school has to
24 implement a radon testing and mitigation plan in the
25 future.

26 3. The department of education shall submit a
27 report to the general assembly by January 1, 2015, on
28 the data collected pursuant to subsection 2.>

29 2. Title page, lines 1 and 2, by striking <and
30 making penalties applicable> and inserting <in schools>
COMMITTEE ON LOCAL GOVERNMENT
SCHULTZ of Crawford, Chairperson

H-8114 FILED MARCH 12, 2014

SENATE FILE 2212

H-8109

1 Amend Senate File 2212, as passed by the Senate, as
2 follows:

3 1. Page 1, after line 18 by inserting:

4 <Sec. ____ . EFFECTIVE UPON ENACTMENT. This Act,
5 being deemed of immediate importance, takes effect upon
6 enactment.>

7 2. Title page, line 1, after <waste> by inserting
8 <and including effective date provisions>

9 3. By renumbering as necessary.

COMMITTEE ON ENVIRONMENTAL PROTECTION
HEIN of Jones, Chairperson

H-8109 FILED MARCH 12, 2014

SENATE FILE 2259

H-8110

1 Amend Senate File 2259, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, line 10, after <form> by inserting <and
4 that compromises the security, confidentiality, or
5 integrity of the personal information>

6 2. Page 4, line 30, by striking <three> and
7 inserting <five>

COMMITTEE ON PUBLIC SAFETY

BAUDLER of Adair, Chairperson

H-8110 FILED MARCH 12, 2014

SENATE FILE 2288

H-8111

1 Amend Senate File 2288, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, after line 22 by inserting:
4 <Sec. _____. Section 321A.17, subsection 4, Code
5 2014, is amended to read as follows:

6 4. An individual applying for a driver's license
7 following a period of suspension or revocation
8 pursuant to a dispositional order issued under section
9 232.52, subsection 2, paragraph "a", or under section
10 321.180B, section 321.210, subsection 1, paragraph
11 "a", subparagraph (4), or section 321.210A, 321.213A,
12 321.213B, 321.216B, or 321.513, following a period
13 of suspension or revocation under section 321.178 or
14 321.194, or following a period of revocation pursuant
15 to a court order issued under section 901.5, subsection
16 10, or under section 321J.2A, is not required to
17 maintain proof of financial responsibility under this
18 section.>

19 2. Page 1, after line 29 by inserting:

20 <Sec. _____. EFFECTIVE UPON ENACTMENT. This Act,
21 being deemed of immediate importance, takes effect upon
22 enactment.>

23 3. Title page, line 1, by striking <period of>

24 4. Title page, line 3, after <violations> by
25 inserting <, and including effective date provisions>

26 5. By renumbering as necessary.

COMMITTEE ON TRANSPORTATION

BYRNES of Mitchell, Chairperson

H-8111 FILED MARCH 12, 2014

SENATE FILE 2319

H-8115

- 1 Amend Senate File 2319, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 1, by striking lines 1 through 11.
4 2. Page 1, line 17, by striking <The> and inserting
5 <Subject to an appropriation of funds by the general
6 assembly, the>
7 3. Page 1, line 18, after <agencies> by inserting
8 <and the department>

COMMITTEE ON EDUCATION

JORGENSEN of Woodbury, Chairperson

H-8115 FILED MARCH 12, 2014



HF 2321 – Railroad Property Taxes (LSB 6043YH)
Analyst: Jeff Robinson (Phone: (515) 281-4614) (jeff.robinson@legis.iowa.gov)
Fiscal Note Version – New

Description

House File 2321 adds railway property to the property tax replacement calculation created in **Iowa Code section 441.21A**. The change applies to FY 2015 and after.

Background

Senate File 295 (Property Tax Reform and Income Tax Credit Act of 2013) created a State General Fund replacement appropriation to reimburse local governments for the property tax revenue reduction associated with changes to how commercial and industrial property is taxed. One of the changes enacted in SF 295 was a forced taxable value rollback to 95.0% of assessed value in FY 2015 and to 90.0% for FY 2016 and after. The forced rollback applies to property classified as commercial, industrial, and railroad. The calculation of the replacement funds each local government is to receive does not include reduced railroad property value. This Bill will add reduced railroad taxable value to the local government reimbursement calculation.

For FY 2015 through FY 2017, the General Fund reimbursement appropriation is a standing unlimited appropriation. Beginning in FY 2018, the appropriation is a standing limited appropriation that cannot exceed the actual FY 2017 appropriated amount. If reimbursement claims exceed the FY 2017 level, the reimbursements are to be prorated.

Assumptions

- For FY 2014, the statewide assessed value of railroad property totaled \$1.461 billion and property taxes paid on that value totaled \$42.230 million. This equals an average property tax rate of \$28.90 per thousand dollars of taxable value. The State uniform levy for schools equals \$5.40 of the \$28.90 tax rate.
- If the uniform levy \$5.40 is not backfilled through the reimbursement appropriation, it will be backfilled through the State General Fund appropriation for school aid.
- Railroad property assessed value will increase 5.0% per year.
- The average railroad property tax rate will remain at \$28.90 per thousand.
- Beginning FY 2018, local government reimbursement claims will exceed the standing appropriation and therefore will be prorated.

Fiscal Impact

Adding railroad property to the local government reimbursement calculation will increase State General Fund appropriations by the following amounts:

- FY 2015 = \$1.8 million
- FY 2016 = \$3.8 million
- FY 2017 and after = \$4.0 million

The increased appropriation for local government reimbursement will result in additional local government revenue equal to the same amounts.

Sources

Department of Management property value files
Legislative Services Agency analysis

/s/ Holly M. Lyons

March 12, 2014

The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.



HF 2431 – Income Tax Form Political Checkoff (LSB 6027YH)
Analyst: Jeff Robinson (Phone: (515) 281-4614) (jeff.robinson@legis.iowa.gov)
Fiscal Note Version – New
Requested by Representative Greg Heartsill

Description

House File 2431 eliminates the Iowa Election Campaign Check Off. The Check Off will no longer be included on the Iowa income tax form beginning tax year 2014.

Background

The Iowa Election Campaign Check Off **Iowa Code section 68A.601** is a voluntary contribution of \$1.50 per taxpayer to the Democratic or Republican Party available on the Iowa Income Tax form. Although the Check Off is a voluntary decision on the part of the taxpayer, the action does not reduce the taxpayer's refund or increase their taxes due. The taxpayer's action reduces net General Fund revenue. The Check Off generates a total of \$102,000 per year for the two parties.

Fiscal Impact

Removing the voluntary Iowa Election Campaign Check Off from the Iowa income tax form will increase net General Fund revenue by \$102,000, beginning in FY 2015.

Source

Department of Revenue

/s/ Holly M. Lyons

March 12, 2014

The fiscal note for this bill was prepared pursuant to **Joint Rule 17** and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.



HF 2430 – Hunger Income Tax Check off (LSB 5872YH)
Analyst: Jeff Robinson (Phone: (515) 281-4614) (jeff.robinson@legis.iowa.gov)
Fiscal Note Version – New

Description

House File 2430 provides for a new Iowa income tax check off. Individual income taxpayers will be allowed to contribute money through their income tax form to a new Iowa Check Off Hunger Fund.

The new Fund would be under the control of the Iowa Department on Aging. This Bill directs how the contributions will be utilized.

This Bill excludes the new check off from the four check off limit provided in [Iowa Code section 422.12E](#) and the new check off is not included in the provisions requiring the elimination every two years of the two lowest-generating tax check offs.

Background

Iowa currently allows no more than four voluntary contribution check offs, plus the political check off, on the individual income tax form at any one time. There is a provision in place that provides that every two years the two existing check offs with the lowest contribution yield are repealed. For tax year 2013, the four check offs are:

- Fish and Wildlife
- State Fair
- Volunteer Firefighters/Veterans Trust Fund
- Child Abuse Prevention

Fiscal Impact

The new income tax check off to support hunger programs is voluntary and the willingness of Iowa taxpayers to contribute to the programs using this method cannot be estimated. Contribution totals for the four current check offs totaled \$327,000 for tax year 2012, with the highest check off receiving \$134,000 and the lowest \$63,000. The introduction of a fifth check off could reduce the contributions received by any other check off on the tax form for that tax year.

The Department of Revenue notes that increasing the number of check offs on the Iowa tax form will create an administrative expense in the initial year of \$172,000. Most of the identified cost will be in the form of staff time diverted from other Department functions.

Source

Department of Revenue

/s/ Holly M. Lyons

March 12, 2014

The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.



HF 2352 – Economic Development Program Changes (LSB 5291HV)
Analyst: Jeff Robinson (Phone: (515) 281-4614) (jeff.robinson@legis.iowa.gov)
Fiscal Note Version – New

Description

Division I of [House File 2352](#) will allow Venture Capital Tax Credits issued to investors in qualified businesses to claim the tax credit in the year it is received. Under current law, the investor must wait three years to redeem the tax credit. Division I applies retroactively to January 1, 2014.

Section 21 of Division III directs that loan and other repayments from the former Iowa Value Fund (repealed in 2011) are to be deposited to an Economic Development Authority fund and used for the purposes of the Strategic Investment Fund. Section 21 is effective retroactive to July 1, 2013.

Background – Iowa Values Fund

The Iowa Values Fund was repealed effective June 30, 2012, in section 14 of House File 648 (Infrastructure and Capital Projects Appropriations Act of 2011). [House File 638](#) (Infrastructure and Capital Projects Act of 2013) amended the 2011 legislation, directing that any unobligated money in the Iowa Values Fund as of July 1, 2013, must be transferred to the Rebuild Iowa Infrastructure Fund (RIIF). In December 2013, \$31.1 million was transferred from the Iowa Values Fund to the RIIF.

Section 20(1) of HF 590 (Economic Development Authority Act of 2011) provides that any money remaining in a fund under control of the Department of Economic Development on the effective date of the Act (July 1, 2011) is to remain available to the Authority. Section 20(3) of HF 590 provides that financial assistance agreements entered into under Iowa Code chapter [15G](#) (including the Iowa Values Fund) prior to the effective date of the Act are to be administered by the Authority according to the provisions of Iowa Code chapter 15G.

Up until the date of its repeal, the Iowa Values Fund was the main economic incentive fund of the Economic Development Authority. The Fund provided a source of grant and loan economic incentives, using state appropriations and loan repayments as the primary funding sources. Since its repeal, the Fund has been maintained and is active in the State accounting system, with previously agreed to incentive payments being made out of the Fund, and loan repayments, interest, and other income deposited to the Fund.

As of February 21, 2014, \$48.1 million remains in the Iowa Values Fund. The majority of the current balance is encumbered for specific economic development projects and will be disbursed once the projects meet their award requirements. Should an award recipient fail to meet the requirements of the assistance agreement, the encumbered money will become unencumbered.

Since the beginning of FY 2014, through February 21, 2014, \$3.6 million in repayments, royalties, interest, and miscellaneous income has been deposited in the Iowa Values Fund. Over the next four years, repayments and other revenue for the Fund will equal \$7.5 million to

\$10.0 million or more. Section 21 of this Bill will allow the Authority to transfer the income stream of repayments, royalties, interest, and other income that is accruing to the repealed Iowa Values Fund to any Fund established under the provisions of [Iowa Code section 15.106A\(1\)\(o\)](#).

Section 21 of this Bill does not address what happens to any of the current \$48.1 million Iowa Values Fund balance that has become unencumbered since July 1, 2013, or that becomes unencumbered in the future.

Assumptions

- The removal of the three-year wait period for Venture Capital Tax Credit redemption applies only to tax credits awarded on or after January 1, 2014.
- Venture Capital Tax Credit awards are subject to a \$2.0 million per year cap. Accelerating the redemption timeframe only impacts the timing of the redemptions.

Fiscal Impact

Division I of this Bill, which alters the redemption of qualified business Venture Capital Tax Credits, has a General Fund fiscal impact through a change in the timing of tax credit redemptions. The change makes the tax credits redeemable upon receipt, as opposed to three years after award. The following table provides the net fiscal impact of Division I.

Qualified Business Venture Capital Tax Credits	
Impact of removing the three-year wait period	
In millions of Dollars	
	General Fund Revenue
FY 2015	\$ -0.7
FY 2016	-1.3
FY 2017	-1.5
FY 2018	-0.9
FY 2019	-0.3
FY 2020 - FY 2025	4.7

The Iowa Values Fund is a repealed State fund that continues to operate in the State accounting system. The unencumbered portion of the balance as of July 1, 2013, was transferred to the RIF in December 2013. However, loan repayments and other income continue to be deposited to the Fund and there currently exists no Code authority to expend the revenue when it becomes available. There also is no existing Code authority directing what may happen to any existing encumbered funds should those funds become unencumbered.

Enactment of Section 21 of this Bill will allow the Authority to transfer the revenue stream out of the Iowa Values Fund. Any of the encumbered funds that are currently in the Iowa Values Fund that become unencumbered at a later date will remain in the Iowa Values Fund.

Sources

Economic Development Authority
Department of Revenue

/s/ Holly M. Lyons

March 12, 2014

The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.
