

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

APRIL 9, 2014

**Senate Amendment to
HOUSE FILE 2444**

H-8222

1 Amend House File 2444, as passed by the House, as
2 follows:
3 1. Page 1, line 6, by striking <receive and>
4 2. Page 1, after line 30 by inserting:
5 <Sec. _____. Section 452A.3, subsection 1, unnumbered
6 paragraph 1, Code 2014, is amended to read as follows:
7 Except as otherwise provided in this section and
8 in this division, until June 30, ~~2014~~ 2015, this
9 subsection shall apply to the excise tax imposed on
10 each gallon of motor fuel used for any purpose for the
11 privilege of operating motor vehicles in this state.
12 Sec. _____. Section 452A.3, subsection 1A, Code 2014,
13 is amended to read as follows:
14 1A. Except as otherwise provided in this section and
15 in this division, after June 30, ~~2014~~ 2015, an excise
16 tax of twenty cents is imposed on each gallon of
17 motor fuel used for any purpose for the privilege of
18 operating motor vehicles in this state.>
19 3. Page 2, after line 25 by inserting:
20 <Sec. _____. EFFECTIVE UPON ENACTMENT. The following
21 provision or provisions of this division of this Act,
22 being deemed of immediate importance, take effect
23 upon enactment: 1. The sections of this Act amending
24 section 452A.3.>
25 4. Title page, line 5, before <retroactive> by
26 inserting <effective date and>
27 5. By renumbering as necessary.

RECEIVED FROM THE SENATE

H-8222 FILED APRIL 8, 2014

HOUSE FILE 2444

H-8232

1 Amend the Senate amendment, H-8222, to House File
2 2444, as passed by the House, as follows:

3 1. Page 1, by striking lines 5 through 24 and
4 inserting:

5 <<Sec. _____. Section 452A.3, subsection 1,
6 unnumbered paragraph 1, Code 2014, is amended to read
7 as follows:

8 Except as otherwise provided in this section and in
9 this division, until ~~June 30~~ December 31, 2014, this
10 subsection shall apply to the excise tax imposed on
11 each gallon of motor fuel used for any purpose for the
12 privilege of operating motor vehicles in this state.

13 Sec. _____. Section 452A.3, subsection 1A, Code 2014,
14 is amended by striking the subsection and inserting in
15 lieu thereof the following:

16 1A. a. Except as otherwise provided in this
17 section and in this division, beginning January 1,
18 2015, this subsection shall apply to the excise taxes
19 imposed on each gallon of motor fuel used for any
20 purpose for the privilege of operating motor vehicles
21 in this state.

22 b. An excise tax is imposed on each gallon of
23 ethanol blended gasoline in an amount equal to the sum
24 of sixteen cents per gallon plus five percent of the
25 statewide average retail price of a gallon of ethanol
26 blended gasoline. The portion of the excise tax that
27 is based on the statewide average retail price shall
28 be computed by the department and adjusted annually on
29 January 1 by calculating five percent of the statewide
30 average retail price of a gallon of ethanol blended
31 gasoline, exclusive of federal excise taxes and the
32 sixteen-cent per gallon portion of the state excise
33 tax, for the twelve-month period beginning October
34 1 and ending September 30 immediately preceding the
35 calendar year in which the adjusted tax rate will take
36 effect.

37 c. An excise tax is imposed on each gallon of
38 nonethanol blended gasoline in an amount equal to the
39 sum of sixteen cents per gallon plus five percent of
40 the statewide average retail price of a gallon of
41 nonethanol blended gasoline. The portion of the excise
42 tax that is based on the statewide average retail
43 price shall be computed by the department and adjusted
44 annually on January 1 by calculating five percent of
45 the statewide average retail price of a gallon of
46 nonethanol blended gasoline, exclusive of federal
47 excise taxes and the sixteen-cent per gallon portion
48 of the state excise tax, for the twelve-month period
49 beginning October 1 and ending September 30 immediately
50 preceding the calendar year in which the adjusted tax

H-8232

1 rate will take effect.

2 d. The department shall adopt rules prescribing
3 the process for computing the portion of the excise
4 tax under paragraph "b" that is based on the statewide
5 average retail price of a gallon of ethanol blended
6 gasoline and the portion of the excise tax under
7 paragraph "c" that is based on the statewide average
8 retail price of a gallon of nonethanol blended
9 gasoline.

10 Sec. _____. Section 452A.3, subsections 1B and 1C,
11 Code 2014, are amended by striking the subsections.

12 Sec. _____. Section 452A.3, subsection 3, Code 2014,
13 is amended to read as follows:

14 3. a. For the privilege of operating motor
15 vehicles or aircraft in this state, there is imposed
16 an excise tax on the use of special fuel in a motor
17 vehicle or aircraft.

18 (1) (a) The tax Beginning January 1, 2015, the
19 rate of the excise tax on special fuel for diesel
20 engines of motor vehicles is twenty-two and one-half an
21 amount equal to the sum of eighteen cents per gallon
22 plus five percent of the statewide average retail price
23 of a gallon of special fuel for diesel engines of motor
24 vehicles. The portion of the excise tax that is based
25 on the statewide average retail price shall be computed
26 by the department and adjusted annually on January 1
27 by calculating five percent of the statewide average
28 retail price of a gallon of special fuel for diesel
29 engines of motor vehicles, exclusive of federal excise
30 taxes and the eighteen-cent per gallon portion of the
31 state excise tax, for the twelve-month period beginning
32 October 1 and ending September 30 immediately preceding
33 the calendar year in which the adjusted tax rate will
34 take effect.

35 (b) The department shall adopt rules prescribing
36 the process for computing the portion of the excise tax
37 that is based on the statewide average retail price of
38 a gallon of special fuel for diesel engines of motor
39 vehicles.

40 (2) The rate of tax on special fuel for aircraft is
41 three cents per gallon.

42 (3) On all other special fuel, unless otherwise
43 specified in this section, the per gallon rate is
44 the same as the ~~motor fuel~~ tax on nonethanol blended
45 gasoline.

46 b. Indelible dye meeting United States
47 environmental protection agency and internal revenue
48 service regulations must be added to fuel before or
49 upon withdrawal at a terminal or refinery rack for that
50 fuel to be exempt from tax and the dyed fuel may be

1 used only for an exempt purpose.

2 Sec. _____. Section 452A.3, Code 2014, is amended by
3 adding the following new subsection:

4 NEW SUBSECTION. 6A. By December 15 of each year,
5 the director shall cause an advisory notice to be
6 published in the Iowa administrative bulletin and
7 in a newspaper of general circulation in this state,
8 stating the rate of excise taxes established pursuant
9 to subsection 1A and subsection 3, paragraph "a",
10 subparagraph (1), that will take effect the following
11 January 1.

12 Sec. _____. Section 452A.3, subsection 4, as amended
13 by 2014 Iowa Acts, [Senate File 2338](#), section 3, is
14 amended to read as follows:

15 4. For compressed natural gas used as a special
16 fuel, the rate of the excise tax is ~~twenty one cents~~
17 ~~per gallon~~ the rate imposed for nonethanol blended
18 gasoline under subsection 1A, paragraph "c".

19 Sec. _____. Section 452A.3, subsection 4A, as enacted
20 by 2014 Iowa Acts, [Senate File 2338](#), section 4, is
21 amended to read as follows:

22 4A. For liquefied natural gas used as a special
23 fuel, the rate of the excise tax is ~~twenty two and~~
24 ~~one half cents per gallon~~ the rate imposed for special
25 fuel for diesel engines of motor vehicles under
26 subsection 3, paragraph "a", subparagraph (1).>

27 _____. Page 2, after line 25 by inserting:

28 <Sec. _____. 2005 Iowa Acts, chapter 178, section 41,
29 subsection 3, is amended to read as follows:

30 3. REPEAL. This section is repealed effective July
31 1, ~~2015~~ 2025.

32 Sec. _____. APPLICABILITY ---- INVENTORY
33 TAX. Notwithstanding section 452A.85, persons who have
34 title to motor fuel, ethanol blended gasoline, undyed
35 special fuel, compressed natural gas, liquefied natural
36 gas, or liquefied petroleum gas in storage and held for
37 sale on the effective date of an increase in the rate
38 of excise tax imposed on motor fuel, ethanol blended
39 gasoline, undyed special fuel, compressed natural
40 gas, liquefied natural gas, or liquefied petroleum
41 gas pursuant to this Act shall not be subject to an
42 inventory tax on the gallonage in storage as provided
43 in section 452A.85 as a result of any tax increase due
44 to implementation of this division of this Act.

45 Sec. _____. EFFECTIVE DATES.

46 1. Except as provided in subsection 2, this
47 division of this Act takes effect January 1, 2015.

48 2. The section of this division of this Act
49 amending section 452A.64 takes effect July 1, 2014.>>

50 2. By renumbering as necessary.

By BYRNES of Mitchell

HOUSE FILE 2463

H-8226

1 Amend House File 2463 as follows:

2 1. Page 42, after line 5 by inserting:

3 <The full-time equivalent positions authorized by

4 this subsection, as amended by this 2014 Act, are

5 intended to be filled by the maintenance staff persons

6 performing such duties at the time the Iowa juvenile

7 home was closed in January 2014.>

By FISHER of Tama

H-8226 FILED APRIL 8, 2014

HOUSE FILE 2463

H-8227

1 Amend House File 2463 as follows:

2 1. Page 73, after line 3 by inserting:

3 <Sec. _____. NEW SECTION. 231.67 Iowa check off
4 hunger fund.

5 1. An Iowa check off hunger fund is created in the
6 state treasury under the control of the department.
7 The fund is composed of moneys appropriated or
8 available to and obtained or accepted by the treasurer
9 of state for deposit in the fund. The fund shall
10 include moneys transferred to the fund as provided
11 in section 422.12I. Notwithstanding section 12C.7,
12 subsection 2, interest or earnings on moneys in the
13 fund shall be credited to and remain in the fund.

14 Section 8.33 does not apply to moneys in the fund.

15 2. Moneys in the fund are appropriated to the
16 department to provide grants to persons to be used for
17 the purpose of reducing food insecurity within the
18 state. The grants shall be awarded as follows:

19 a. Forty percent of the moneys in the fund shall
20 be awarded to a nonprofit, tax-exempt association,
21 chosen by the department, that receives donations under
22 section 170 of the Internal Revenue Code and whose
23 members include Iowa food banks and their affiliates
24 that together serve all counties in the state, to be
25 used to purchase food for distribution to food-insecure
26 Iowans.

27 b. Fifty percent of the moneys in the fund shall be
28 awarded to each area agency on aging designated under
29 section 231.32 in the proportion that the estimated
30 amount of older individuals in Iowa served by that
31 area agency on aging bears to the total estimated
32 amount of older individuals in Iowa, to be used to
33 provide congregate meals and home-delivered meals to
34 food-insecure older individuals in Iowa.

35 c. Ten percent of the moneys in the fund shall
36 be awarded to persons who are using innovative ways
37 to reduce food insecurity in this state. To be
38 eligible to receive a grant pursuant to this paragraph
39 "c", a person shall apply to the department in the
40 manner prescribed by the department. In reviewing
41 applications and making grants pursuant to this
42 paragraph "c", the department may consider any factors
43 the department deems appropriate.

44 3. The department shall adopt rules to administer
45 the Iowa check off hunger fund.>

46 2. Page 74, before line 11 by inserting:

47 <Sec. _____. Section 422.12E, subsection 1, Code
48 2014, is amended to read as follows:

49 1. For tax years beginning on or after January 1,
50 2004, there shall be allowed no more than four income

H-8227

1 tax return checkoffs on each income tax return. When
2 the same four income tax return checkoffs have been
3 provided on the income tax return for two consecutive
4 years, the two checkoffs for which the least amount has
5 been contributed, in the aggregate for the first tax
6 year and through March 15 of the second tax year, are
7 repealed. This section does not apply to the income
8 tax return ~~checkoff~~ checkoffs provided in ~~section~~
9 sections 68A.601 and 422.12I.

10 Sec. ____ . NEW SECTION. 422.12I Income tax checkoff
11 for Iowa check off hunger fund.

12 1. A person who files an individual or a joint
13 income tax return with the department of revenue under
14 section 422.13 may designate one dollar or more to
15 be paid to the Iowa check off hunger fund created in
16 section 231.67. If the refund due on the return or the
17 payment remitted with the return is insufficient to pay
18 the additional amount designated by the taxpayer to
19 the Iowa check off hunger fund, the amount designated
20 shall be reduced to the remaining amount of refund or
21 the remaining amount remitted with the return. The
22 designation of a contribution to the Iowa check off
23 hunger fund under this section is irrevocable.

24 2. The director of revenue shall draft the income
25 tax form to allow the designation of contributions
26 to the Iowa check off hunger fund on the tax return.
27 The department of revenue, on or before January 31,
28 shall transfer the total amount designated on the tax
29 return forms due in the preceding calendar year to
30 the Iowa check off hunger fund. However, before a
31 checkoff pursuant to this section shall be permitted,
32 all liabilities on the books of the department of
33 administrative services and accounts identified
34 as owing under section 8A.504 and the political
35 contribution allowed under section 68A.601 shall be
36 satisfied.

37 3. The department on aging may authorize payment
38 of moneys from the Iowa check off hunger fund, in
39 accordance with section 231.67.

40 4. The department of revenue shall adopt rules to
41 administer this section.>

42 3. By renumbering as necessary.

By RUNNING-MARQUARDT of Linn

HOUSE FILE 2463

H-8229

1 Amend House File 2463 as follows:

2 1. Page 21, line 8, by striking <855,072> and
3 inserting <955,072>

4 2. Page 21, after line 9 by inserting:

5 <a. The funds appropriated in this subsection
6 address administrative and other functions.

7 b. Of the funds appropriated in this subsection,
8 \$100,000 shall be used for a grant to assist parents
9 in this state with costs resulting from the death of
10 a child in accordance with this lettered paragraph.
11 The department shall award the amount allocated in
12 this lettered paragraph in the form of a grant to a
13 nonprofit organization located in a city in this state
14 with a population of more than 2,283 but less than
15 2,320. The organization shall be approved to operate
16 under section 501(c)(3) of the federal Internal Revenue
17 Code and have been providing assistance since at least
18 July 2011, to parents, guardians, and custodians with
19 funeral-related expenses resulting from the unintended
20 death of a child.

21 (1) The grantee shall utilize the grant to assist
22 parents who reside in this state with costs incurred
23 for a funeral, burial or cremation, cemetery costs,
24 or grave marker costs associated with the unintended
25 death of a child of the parent or a child under the
26 care of a guardian or custodian. The grantee shall
27 apply the following eligibility factors in awarding
28 such assistance:

29 (a) The child was a stillborn infant or was less
30 than age eighteen at the time of death.

31 (b) The request for assistance was approved by
32 the local board or department of health or the county
33 general assistance director and may have been referred
34 by a local funeral home.

35 (c) To be eligible, the parent, guardian, or
36 custodian must have an annual household income that
37 is less than 200 percent of the federal poverty level
38 based on the number of people in the applicant's
39 household as defined by the most recently revised
40 poverty income guidelines published by the United
41 States department of health and human services.

42 (d) The maximum amount of grant assistance provided
43 to a parent, guardian, or custodian associated with the
44 death of a child is \$2,000. If the death is a multiple
45 death and the infants or children are being cremated,
46 or buried together, the same limitation applies.

47 (e) To the extent the overall amount of assistance
48 received by a recipient for the costs addressed under
49 this lettered paragraph does not exceed the overall
50 total of the costs, the recipient may receive other

H-8229

H-8229

Page 2

1 public or private assistance in addition to grant
2 assistance under this section.
3 (2) Notwithstanding section 8.33, moneys allocated
4 in this paragraph that remain unencumbered or
5 unobligated at the close of the fiscal year shall not
6 revert but shall remain available for expenditure for
7 the purposes designated until expended.>
8 3. By renumbering as necessary.

By KRESSIG of Black Hawk

H-8229 FILED APRIL 8, 2014

HOUSE FILE 2463

H-8230

1 Amend House File 2463 as follows:
2 1. Page 87, after line 11 by inserting:
3 <DIVISION _____
4 FAMILY PLANNING SERVICES FUNDING
5 Sec. _____. FAMILY PLANNING SERVICES FUNDING. The
6 department of human services and the department of
7 public health shall ensure that state and federal
8 family planning funds are not used to perform or
9 promote elective abortions, or to contract with
10 entities that perform or promote elective abortions,
11 or to contract with entities that affiliate with other
12 entities that perform or promote elective abortions.
13 Each department shall submit a report to the general
14 assembly and the governor, annually by October 1,
15 containing a list of each entity receiving funding for
16 family planning services in the prior fiscal year.>
17 2. By renumbering as necessary.

By SCHULTZ of Crawford

H-8230 FILED APRIL 8, 2014

HOUSE FILE 2463

H-8233

1 Amend House File 2463 as follows:
2 1. Page 71, line 24, after <state> by inserting
3 <and by the fiscal agent for the affected region>
4 2. Page 72, line 1, by striking <became eligible
5 for> and inserting <enrolled in>
6 3. Page 72, line 5, after <provided> by inserting
7 <to those persons>

By HEDDENS of Story

H-8233 FILED APRIL 8, 2014

SENATE FILE 2130

H-8223

1 Amend Senate File 2130, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 5, after line 21 by inserting:
4 <The department shall inquire of each person to
5 whom a map is distributed whether the person uses the
6 map for its intended purpose or whether the map is
7 discarded without being put to its intended use. The
8 survey may be conducted by providing, with each map
9 distributed, a paper survey to be mailed back to the
10 department and an internet address where the survey may
11 be completed as an alternative to the paper survey.
12 The department shall report the results of the survey
13 to the co-chairpersons of the joint appropriations
14 subcommittee on transportation, infrastructure, and
15 capitals by December 31, 2015.>

By LUNDBY of Linn

H-8223 FILED APRIL 8, 2014

SENATE FILE 2130

H-8224

1 Amend Senate File 2130, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 2, line 17, by striking <34,616,659> and
4 inserting <34,116,659>
5 2. Page 3, line 10, by striking <1,406,000> and
6 inserting <1,906,000>

By THOMAS of Clayton

H-8224 FILED APRIL 8, 2014

SENATE FILE 2130

H-8225

1 Amend Senate File 2130, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 6, after line 24 by inserting:
4 <DIVISION ____
5 IOWA PRODUCTS
6 Sec. ____ IOWA PRODUCTS. As a condition of
7 receiving an appropriation pursuant to this Act,
8 the department of transportation shall give first
9 preference when purchasing a product to an Iowa product
10 or a product produced from an Iowa-based business.
11 Second preference shall be given to a United States
12 product or a product produced from a business based in
13 the United States.>
14 2. By renumbering as necessary.

By OURTH of Warren

H-8225 FILED APRIL 8, 2014

Senate Amendment to
House Amendment to
SENATE FILE 2196

H-8231

- 1 Amend the House amendment, S-5117, to Senate File
2 2196, as passed by the Senate, as follows:
3 1. By striking page 1, line 3, through page 5, line
4 4.
5 2. By striking page 5, line 17, through page 6,
6 line 9.
7 3. By renumbering as necessary.

RECEIVED FROM THE SENATE

H-8231 FILED APRIL 8, 2014

SENATE FILE 2342

H-8228

- 1 Amend Senate File 2342, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 1, line 20, by striking <2,568,909> and
4 inserting <2,628,909>
5 2. Page 3, by striking lines 17 through 20 and
6 inserting:
7 <..... \$ 245,168
8 490,335
9 FTEs 5.00>
10 3. Page 17, by striking lines 23 through 29 and
11 inserting: INSPECTIONS TASK FORCE.
12 The department of inspections and appeals shall
13 establish a task force, to include representation
14 from food providers and vendors and local contractors
15 conducting food inspections, for purposes of
16 determining the best approach for conducting food
17 inspections in this state, to include appropriate fees
18 for the inspections. The task force shall submit a
19 report, including its findings and recommendations, to
20 the general assembly by January 1, 2015.>
21 4. By striking page 17, line 34, through page 18,
22 line 12.
23 5. Page 18, line 18, by striking <2011> and
24 inserting <2004>
25 6. Page 18, after line 24 by inserting:
26 <Sec. ____ . PERSONNEL SETTLEMENT AGREEMENT
27 PAYMENTS. As a condition of the appropriations in
28 this Act, the moneys appropriated and any other moneys
29 available shall not be used for payment of a personnel
30 settlement agreement that contains a confidentiality
31 provision intended to prevent public disclosure of the
32 agreement or any terms of the agreement.>
33 7. Page 18, by striking lines 28 and 29.
34 8. Title page, line 4 and 5, by striking <and
35 retroactive applicability>
36 9. By renumbering as necessary.

COMMITTEE ON APPROPRIATIONS
SODERBERG of Plymouth, Chairperson

H-8228 FILED APRIL 8, 2014