

FILED JUN 3 1975

SENATE FILE 565

By COMMITTEE ON APPROPRIATIONS

Passed Senate, Date 6-5-75 (1764) Passed House, Date 6-11-75 (2327)

Vote: Ayes 45 Nays 0 Vote: Ayes 23 Nays 1

Approved 7-9
Repassed Senate for House amendment 6-12-75 (2040) 47-0
Motion to reconsider passed 6-11 (2329) prevailed 6-12
Repassed House 6-12-75 (2401) 72-1

A BILL FOR

1 An Act relating to administration of chapter three hundred
2 twenty-four (324) of the Code and the motor vehicle use
3 tax program and appropriating funds from the motor vehicle
4 fuel tax fund to the department of revenue for such
5 purposes.

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

H-4174

1 Amend Senate File 565, as passed by the Senate
2 as follows:

3 1. Page 1, by striking from lines 15B and 15C
4 the following: "subsections four (4) and five (5)"
5 and inserting in lieu thereof the following"
6 "subsection four (4)".

7 2. Page 1, by inserting after line 15C the
8 following new section:

9 "Sec. _____. Section three hundred twenty-four
10 point thirty-six (324.36), Code 1975, subsection
11 five (5), is amended to read as follows:

12 5. ISSUANCE. Upon receipt of the application
13 and ~~and-in-proper-form~~, the department of revenue
14 shall issue to the applicant a license to act as a
15 special fuel dealer or a special fuel user; pro-
16 vided, however, the department of revenue may refuse
17 to issue a special fuel dealer's license or a special
18 fuel user's license to any person: (a) Who formerly
19 held either type of license and which has been re-
20 voked for cause; or (b) who is a subterfuge for the
21 real party in interest whose license has been re-
22 voked for cause; or (c) upon other sufficient cause
23 being shown. Before refusal, the department of revenue
24 shall grant the applicant a hearing and give him at
25 least fifteen days' written notice of the time and
26 place thereof."

H-4174 FILED - *Adopted 6/12 (2400)*
JUNE 11, 1975

BY DAGGETT of Adams
GILLOON of Dubuque
OAKLEY of Clinton

1 Section 1. There is appropriated from the motor vehicle
2 fuel tax fund to the department of revenue for the fiscal
3 year beginning July 1, 1975 and ending June 30, 1976 the sum
4 of one million sixty-four thousand six hundred fifty-nine
5 (1,064,659) dollars, or so much thereof as may be necessary,
6 for salaries, support, maintenance and miscellaneous pur-
7 poses for administration and enforcement of the provisions
8 of chapter three hundred twenty-four (324) of the Code and
9 the motor vehicle use tax program and providing that the de-
10 partment of revenue shall present to the 1976 session of the
11 general assembly committees on appropriations a formula,
12 drafted according to generally accepted cost accounting pro-
13 cedures accompanied by documentation to substantiate its
14 authenticity, to determine the direct and indirect costs used
15 in arriving at the budget request.

16 Sec. 2. Section three hundred twenty-four point seven
17 (324.7), Code 1975, is amended by striking subsection two
18 (2).

19 EXPLANATION

20 This appropriation from the motor vehicle fuel tax fund
21 transfers funds to the department of revenue for administra-
22 tive purposes. Funds are provided for positions on the cur-
23 rent table of organization. Support funds are provided as
24 follows: Travel, \$81,281; office supplies, \$20,402; print-
25 ing and binding, \$28,117; telephone, \$8,801; data processing
26 rental, \$45,835; building rental and maintenance, \$12,815;
27 equipment, \$7,534; bank charges, \$600; postage, \$77,158; pro-
28 fessional and scientific service, \$900; unemployment insur-
29 ance, \$6,000; and disability insurance, \$1,767.

30 Section 2 strikes the provision in section 324.7 of the
31 Code which requires the state to pay for surety bonds for
32 distributors of motor fuel.

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35

S-4032

1 Amend Senate File 565, page 1, by striking lines
2 16 through 18.

S-4032 FILED & ADOPTED(1734) BY CALVIN O. HULTMAN
JUNE 4, 1975

S-4056

1 Amend Senate File 565, page 1, by striking lines 16
2 through 18 and inserting in lieu thereof the following:
3 "Sec. _____. Section three hundred twenty-four point
4 thirty-six (324.36), Code 1975, is amended by striking
5 subsections four (4) and five (5).
6 Sec. _____. Section three hundred twenty-four point
7 seven (324.7), Code 1975, is repealed."

S-4056 FILED - *Adopted 6/5 (1764)* BY EARL M. WILLITS
June 4, 1975

HOUSE AMENDMENT TO SENATE FILE 565

S-4189

1 Amend Senate File 565, as passed by the Senate
2 as follows:
3 1. Page 1, by striking from lines 15B and 15C
4 the following: "subsections four (4) and (5)" and
5 inserting in lieu thereof the following"
6 "subsection four (4)".
7 2. Page 1, by inserting after line 15C the
8 following new section:
9 "Sec. _____. Section three hundred twenty-four
10 point thirty-six (324.36), Code 1975, subsection
11 five (5), is amended to read as follows:
12 5. ISSUANCE. Upon receipt of the application
13 ~~and-bond-in-proper-form~~, the department of revenue
14 shall issue to the applicant a license to act as a
15 special fuel dealer or a special fuel user; pro-
16 vided, however, the department of revenue may refuse
17 to issue a special fuel dealer's license or a special
18 fuel user's license to any person: (a) Who formerly
19 held either type of license and which has been re-
20 voked for cause; or (b) who is a subterfuge for the
21 real party in interest whose license has been re-
22 voked for cause; or (c) upon other sufficient cause
23 being shown. Before refusal, the department of
24 revenue shall grant the applicant a hearing and give
25 him at least fifteen days' written notice of the time
26 and place thereof."

S-4189 FILED
JUNE 12, 1975

RECEIVED FROM THE HOUSE

Senate concurred 6/13

SENATE FILE 565

AN ACT

RELATING TO ADMINISTRATION OF CHAPTER THREE HUNDRED TWENTY-FOUR (324) OF THE CODE AND THE MOTOR VEHICLE USE TAX PROGRAM AND APPROPRIATING FUNDS FROM THE MOTOR VEHICLE FUEL TAX FUND TO THE DEPARTMENT OF REVENUE FOR SUCH PURPOSES.

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

Section 1. There is appropriated from the motor vehicle fuel tax fund to the department of revenue for the fiscal year beginning July 1, 1975 and ending June 30, 1976 the sum of one million sixty-four thousand six hundred fifty-nine (1,064,659) dollars, or so much thereof as may be necessary, for salaries, support, maintenance and miscellaneous purposes for administration and enforcement of the provisions of chapter three hundred twenty-four (324) of the Code and the motor vehicle use tax program and providing that the department of revenue shall present to the 1976 session of the general assembly committees on appropriations a formula, drafted according to generally accepted cost accounting procedures accompanied by documentation to substantiate its authenticity, to determine the direct and indirect costs used in arriving at the budget request.

Sec. 2. Section three hundred twenty-four point thirty-six (324.36), Code 1975, is amended by striking subsection four (4).

Sec. 3. Section three hundred twenty-four point thirty-six (324.36), Code 1975, subsection five (5), is amended to read as follows:

5. ISSUANCE. Upon receipt of the application ~~and bond in proper form~~, the department of revenue shall issue to the applicant a license to act as a special fuel dealer or a special fuel user; provided, however, the department of revenue may refuse to issue a special fuel dealer's license or a special fuel user's license to any person: (a) Who formerly

held either type of license and which has been revoked for cause; or (b) who is a subterfuge for the real party in interest whose license has been revoked for cause; or (c) upon other sufficient cause being shown. Before refusal, the department of revenue shall grant the applicant a hearing and give him at least fifteen days' written notice of the time and place thereof.

Sec. 4. Section three hundred twenty-four point seven (324.7), Code 1975, is repealed.

ARTHUR A. NEU
President of the Senate

DALE M. COCHRAN
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 565, Sixty-sixth General Assembly.

CLARK R. RASMUSSEN
Secretary of the Senate

Approved July 9, 1975

ROBERT D. RAY
Governor