

Senate Study Bill 1331

SENATE/HOUSE FILE _____
BY (PROPOSED GOVERNOR'S
BUDGET BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to state financial matters, providing for
2 properly related matters, and providing effective and
3 applicability date provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 1700XG 83
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1 1 DIVISION I
1 2 FUND TRANSFERS
1 3 Section 1. BUDGET PROCESS FOR FISCAL YEAR 2010=2011.
1 4 1. For the budget process applicable to the fiscal year
1 5 beginning July 1, 2010, on or before October 1, 2009, in lieu
1 6 of the information specified in section 8.23, subsection 1,
1 7 unnumbered paragraph 1, and paragraph "a", all departments and
1 8 establishments of the government shall transmit to the
1 9 director of the department of management, on blanks to be
1 10 furnished by the director, estimates of their expenditure
1 11 requirements, including every proposed expenditure, for the
1 12 ensuing fiscal year, together with supporting data and
1 13 explanations as called for by the director of the department
1 14 of management after consultation with the legislative services
1 15 agency.
1 16 2. The estimates of expenditure requirements shall be in a
1 17 form specified by the director of the department of
1 18 management, and the expenditure requirements shall include all
1 19 proposed expenditures and shall be prioritized by program or
1 20 the results to be achieved. The estimates shall be
1 21 accompanied by performance measures for evaluating the
1 22 effectiveness of the programs or results.
1 23 Sec. 2. LIMITATION OF STANDING APPROPRIATIONS.
1 24 Notwithstanding the standing appropriations in the following
1 25 designated sections for the fiscal year beginning July 1,
1 26 2009, and ending June 30, 2010, the amounts appropriated from
1 27 the general fund of the state pursuant to these sections for
1 28 the following designated purposes shall not exceed the
1 29 following amounts:
1 30 1. For the state's share of the cost of the peace
1 31 officers' retirement benefits under section 411.20:
1 32 \$ 2,528,798
1 33 2. For the world food prize award under section 15.368:
1 34 \$ 920,975
1 35 3. For the Iowa power fund under section 469.10,
2 1 subsection 1:
2 2 \$ 23,024,375
2 3 Sec. 3. CASH RESERVE FUND APPROPRIATION FOR FISCAL YEAR
2 4 2009=2010. Notwithstanding section 8.56, subsection 4, there
2 5 is appropriated from the cash reserve fund to the general fund
2 6 of the state for the fiscal year beginning July 1, 2009, and
2 7 ending June 30, 2010, the following amount:
2 8 \$200,000,000
2 9 Sec. 4. CASH RESERVE FUND STANDING APPROPRIATION FOR
2 10 FISCAL YEAR 2009=2010 == TRANSFER. For the fiscal year
2 11 beginning July 1, 2009, and ending June 30, 2010, the
2 12 appropriation to the cash reserve fund provided in section
2 13 8.57, subsection 1, paragraph "a", shall not be made.
2 14 However, any surplus in the general fund of the state for the
2 15 fiscal year beginning July 1, 2009, and ending June 30, 2010,
2 16 shall be transferred to the cash reserve fund as provided in
2 17 section 8.57, subsection 1, paragraph "b".
2 18 Sec. 5. FEDERAL ECONOMIC STIMULUS AND JOBS HOLDING FUND.

2 19 For the fiscal year beginning July 1, 2009, and ending June
2 20 30, 2010, there is transferred from the federal economic
2 21 stimulus and jobs holding fund established in 2004 Iowa Acts,
2 22 First Extraordinary Session, chapter 1002, section 2,
2 23 subsection 2 to the general fund of the state the following
2 24 amount:
2 25 \$ 10,000,000
2 26 Sec. 6. PROPERTY TAX CREDIT FUND == PAYMENTS IN LIEU OF
2 27 GENERAL FUND REIMBURSEMENT.
2 28 1. a. There is appropriated from the general fund of the
2 29 state to the property tax credit fund which shall be created
2 30 in the office of the treasurer of state for the fiscal year
2 31 beginning July 1, 2009, and ending June 30, 2010, the sum of
2 32 \$106,173,400, to be used for the purposes of this section.
2 33 b. Notwithstanding section 8.33, the surplus existing in
2 34 the property tax credit fund created pursuant to 2008 Iowa
2 35 Acts, chapter 1191, section 5, at the conclusion of the fiscal
3 1 year beginning July 1, 2008, and ending June 30, 2009, is
3 2 transferred to the property tax credit fund created in
3 3 paragraph "a".
3 4 2. Notwithstanding the amount of the standing
3 5 appropriation from the general fund of the state in the
3 6 following designated sections and notwithstanding any
3 7 conflicting provisions or voting requirements of section 8.56,
3 8 there is appropriated from the property tax credit fund in
3 9 lieu of the appropriations in the following designated
3 10 sections for the fiscal year beginning July 1, 2009, and
3 11 ending June 30, 2010, the following amounts for the following
3 12 designated purposes:
3 13 a. For reimbursement for the homestead property tax credit
3 14 under section 425.1:
3 15 \$ 49,348,103
3 16 b. For reimbursement for the agricultural land and family
3 17 farm tax credits under sections 425A.1 and 426.1:
3 18 \$ 34,610,183
3 19 c. For reimbursement for the military service tax credit
3 20 under section 426A.1A:
3 21 \$ 2,800,000
3 22 d. For implementing the elderly and disabled tax credit
3 23 and reimbursement pursuant to sections 425.16 through 425.40:
3 24 \$ 23,204,000
3 25 3. If the director of revenue determines that the amount
3 26 of claims for credit for property taxes due pursuant to
3 27 subsection 2, paragraphs "a", "b", "c", and "d", plus the
3 28 amount of claims for reimbursement for rent constituting
3 29 property taxes paid which are to be paid during the fiscal
3 30 year may exceed the total amount appropriated, the director
3 31 shall estimate the percentage of the credits and
3 32 reimbursements which will be funded by the appropriation. The
3 33 county treasurer shall notify the director of the amount of
3 34 property tax credits claimed by June 8, 2009. The director
3 35 shall estimate the percentage of the property tax credits and
4 1 rent reimbursement claims that will be funded by the
4 2 appropriation and notify the county treasurer of the
4 3 percentage estimate by June 15, 2009. The estimated
4 4 percentage shall be used in computing for each claim the
4 5 amount of property tax credit and reimbursement for rent
4 6 constituting property taxes paid for that fiscal year. If the
4 7 director overestimates the percentage of funding, claims for
4 8 reimbursement for rent constituting property taxes paid shall
4 9 be paid until they can no longer be paid at the estimated
4 10 percentage of funding. Rent reimbursement claims filed after
4 11 that point in time shall receive priority and shall be paid in
4 12 the following fiscal year.
4 13 4. Notwithstanding the amount of the standing
4 14 appropriations from the general fund of the state from the
4 15 designated sections listed in subsection 2, unless otherwise
4 16 provided by law, for the fiscal year beginning July 1, 2010,
4 17 and ending June 30, 2011, the amounts of such standing
4 18 appropriations shall be the same as provided in subsection 2.
4 19 Sec. 7. There is appropriated from the rebuild Iowa
4 20 infrastructure fund for the fiscal year beginning July 1,
4 21 2009, and ending June 30, 2010, to the department of
4 22 transportation for deposit in the railroad revolving loan and
4 23 grant fund created in section 327H.20A, notwithstanding
4 24 section 8.57, subsection 6, paragraph "c":
4 25 \$ 3,000,000
4 26 Sec. 8. Section 12E.3A, subsection 2, as enacted in 2008
4 27 Iowa Acts, chapter 1186, section 12, is amended to read as
4 28 follows:
4 29 2. Any net proceeds from the sale of taxable bonds or

4 30 tax=exempt bonds issued to provide funds for the purposes
 4 31 stated in section 12.65, Code 2007, and as reaffirmed and
 4 32 reenacted in subsection 1 shall continue to be used for such
 4 33 purposes, including but not limited to any such proceeds
 4 34 deposited in the endowment for Iowa's health account or
 4 35 transferred or otherwise credited to the ~~general fund of the~~
~~5 1 state rebuild Iowa infrastructure fund established in section~~
~~5 2 8.57.~~

5 3 Sec. 9. 2004 Iowa Acts, First Extraordinary Session,
 5 4 chapter 1002, section 2, subsection 1, paragraphs b, d, e, and
 5 5 g, are amended to read as follows:
 5 6 b. (1) To the department of economic development for
 5 7 financial assistance and incentives to businesses under
 5 8 programs currently existing which are administered by the
 5 9 department:
 5 10 \$ ~~61,045,652~~
 5 11 55,295,652
 5 12 (2) Of the amount appropriated in subparagraph (1),
 5 13 \$36,915,343 shall be expended pursuant to contracts or
 5 14 approved projects or activities validated in this division of
 5 15 this Act.
 5 16 (3) In addition to the amount appropriated in subparagraph
 5 17 (1), \$700,000 of any interest or earnings on moneys in the
 5 18 fund created in subsection 2 which are credited to the fund
 5 19 shall be appropriated to the department for the purposes
 5 20 specified in subparagraph (1).
 5 21 d. (1) For deposit in the loan and credit guarantee fund
 5 22 created in section 15E.227:
 5 23 \$ ~~5,728,402~~
 5 24 3,091,250
 5 25 (2) Of the amount appropriated in subparagraph (1), \$1,785
 5 26 shall be expended pursuant to contracts or approved projects
 5 27 or activities validated in this division of this Act.
 5 28 e. To the department of economic development for financial
 5 29 assistance for institutions of higher learning under the
 5 30 control of the board of regents and for accredited private
 5 31 institutions pursuant to contracts or approved projects or
 5 32 activities validated in this division of this Act:
 5 33 \$ ~~10,058,162~~
 5 34 9,315,162
 5 35 g. To the department of economic development for deposit
 6 1 into the workforce training and economic development funds of
 6 2 the community colleges created in section 260C.18A for
 6 3 purposes of the job retention program pursuant to section
 6 4 260F.9:
 6 5 \$ ~~1,000,000~~
 6 6 0

6 7 Sec. 10. TOBACCO SETTLEMENT TRUST FUND == TRANSFER.
 6 8 Notwithstanding section 12E.12, subsection 1, paragraph "b",
 6 9 subparagraph (3), any moneys deposited in the endowment for
 6 10 Iowa's health account of the tobacco settlement trust fund
 6 11 during the fiscal year beginning July 1, 2008, and ending June
 6 12 30, 2009, are transferred to the general fund of the state.

6 13 Sec. 11. EFFECTIVE DATE.
 6 14 1. The section of this division of this Act creating the
 6 15 property tax credit fund, being deemed of immediate
 6 16 importance, takes effect upon enactment.
 6 17 2. The section of this division of this Act transferring
 6 18 moneys from the endowment for Iowa's health account of the
 6 19 tobacco trust fund to the state general fund, being deemed of
 6 20 immediate importance, takes effect upon enactment.

6 21 DIVISION II
 6 22 TAX CREDITS

6 23 Sec. 12. NEW SECTION. 15.119 LIMITATION ON TAX CREDIT
 6 24 AWARDS.

6 25 1. In the fiscal year beginning July 1, 2009, and each
 6 26 fiscal year thereafter, notwithstanding sections 15.326
 6 27 through 15.336, 15.393, 15E.191 through 15E.197, 260E.5,
 6 28 403.19A, 422.11E, and 422.33, subsection 9, the department, in
 6 29 conjunction with the department of revenue, shall not award
 6 30 more than one hundred ninety-seven million dollars in tax
 6 31 credits during a fiscal year in aggregate under the following
 6 32 programs:

6 33 a. High quality job creation program provided in sections
 6 34 15.326 through 15.336.
 6 35 b. Film, television, and video project promotion program
 7 1 established in section 15.393.
 7 2 c. Enterprise zone program provided in sections 15E.191
 7 3 through 15E.197.
 7 4 d. Industrial new jobs training credit from withholding
 7 5 provided in section 260E.5.

7 6 e. Targeted jobs withholding tax credit provided in
7 7 section 403.19A.

7 8 f. Assistive device tax credit provided in section 422.11E
7 9 and section 422.33, subsection 9.

7 10 2. The department shall establish the procedure for
7 11 allocating the one hundred ninety-seven million dollars of tax
7 12 credit awards for a fiscal year.

7 13 3. By August 15 of each year, the department shall submit
7 14 a report to the department of revenue regarding the allocation
7 15 of tax credits awarded during the previous fiscal year.

7 16 Sec. 13. Section 15.335A, subsection 1, paragraph a,
7 17 subparagraph (1), subparagraph division (c), Code 2009, is
7 18 amended to read as follows:

7 19 (c) At least five hundred thousand dollars, then the tax
7 20 incentives are the investment tax credit of up to one percent,
7 21 ~~and the sales tax refund, and the additional research and~~
~~7 22 development tax credit.~~

7 23 Sec. 14. Section 15.335A, subsection 1, paragraph a,
7 24 subparagraph (2), subparagraph division (c), Code 2009, is
7 25 amended to read as follows:

7 26 (c) At least five hundred thousand dollars, then the tax
7 27 incentives are the investment tax credit of up to two percent,
7 28 ~~and the sales tax refund, and the additional research and~~
~~7 29 development tax credit.~~

7 30 Sec. 15. Section 15.335A, subsection 1, paragraph a,
7 31 subparagraph (3), subparagraph division (c), Code 2009, is
7 32 amended to read as follows:

7 33 (c) At least five hundred thousand dollars, then the tax
7 34 incentives are the investment tax credit of up to three
7 35 percent, ~~and the sales tax refund, and the additional research~~
~~8 1 and development tax credit.~~

8 2 Sec. 16. Section 15.335A, subsection 1, paragraph a,
8 3 subparagraph (4), subparagraph division (c), Code 2009, is
8 4 amended to read as follows:

8 5 (c) At least five hundred thousand dollars, then the tax
8 6 incentives are the investment tax credit of up to four
8 7 percent, ~~and the sales tax refund, and the additional research~~
~~8 8 and development tax credit.~~

8 9 Sec. 17. Section 15.335A, subsection 1, paragraph a,
8 10 subparagraph (5), subparagraph division (c), Code 2009, is
8 11 amended to read as follows:

8 12 (c) At least five hundred thousand dollars, then the tax
8 13 incentives are the investment tax credit of up to five
8 14 percent, ~~and the sales tax refund, and the additional research~~
~~8 15 and development tax credit.~~

8 16 Sec. 18. Section 15.335A, subsection 1, paragraph b, Code
8 17 2009, is amended to read as follows:

8 18 b. In lieu of paragraph "a", the number of new high
8 19 quality jobs created with an annual wage, including benefits,
8 20 equal to or greater than one hundred sixty percent of the
8 21 average county wage is one of the following:

8 22 (1) The number of jobs is twenty-one but not more than
8 23 thirty and the amount of the qualifying investment is at least
8 24 ten million dollars, then the tax incentives are the local
8 25 property tax exemption, the investment tax credit of up to six
8 26 percent, ~~and the sales tax refund, and the additional research~~
~~8 27 and development tax credit.~~

8 28 (2) The number of jobs is thirty-one but not more than
8 29 forty and the amount of the qualifying investment is at least
8 30 ten million dollars, then the tax incentives are the local
8 31 property tax exemption, the investment tax credit of up to
8 32 seven percent, ~~and the sales tax refund, and the additional~~
~~8 33 research and development tax credit.~~

8 34 (3) The number of jobs is forty-one but not more than
8 35 fifty and the amount of the qualifying investment is at least
9 1 ten million dollars, then the tax incentives are the local
9 2 property tax exemption, the investment tax credit of up to
9 3 eight percent, ~~and the sales tax refund, and the additional~~
~~9 4 research and development tax credit.~~

9 5 (4) The number of jobs is fifty-one but not more than
9 6 sixty and the amount of the qualifying investment is at least
9 7 ten million dollars, then the tax incentives are the local
9 8 property tax exemption, the investment tax credit of up to
9 9 nine percent, ~~and the sales tax refund, and the additional~~
~~9 10 research and development tax credit.~~

9 11 (5) The number of jobs is at least sixty-one and the
9 12 amount of the qualifying investment is at least ten million
9 13 dollars, then the tax incentives are the local property tax
9 14 exemption, the investment tax credit of up to ten percent, ~~and~~
~~9 15 the sales tax refund, and the additional research and~~
~~9 16 development tax credit.~~

9 17 Sec. 19. Section 15.335A, subsection 2, paragraph a, Code
9 18 2009, is amended by striking the paragraph.
9 19 Sec. 20. Section 15A.9, subsection 8, Code 2009, is
9 20 amended by striking the subsection.
9 21 Sec. 21. Section 15E.192, subsection 3, Code 2009, is
9 22 amended to read as follows:
9 23 3. A city may create an economic development enterprise
9 24 zone as authorized in this division, subject to certification
9 25 by the department of economic development, by designating up
9 26 to four square miles of the city for that purpose. In order
9 27 for an enterprise zone to be certified pursuant to this
9 28 subsection, an enterprise zone shall meet the distress
9 29 criteria provided in section 15E.194, subsection 3. Section
9 30 15E.194, subsection 2, shall not apply to an enterprise zone
9 31 certified pursuant to this subsection. For the fiscal period
9 32 beginning July 1, 2007, and ending June 30, 2010, each fiscal
9 33 year a cumulative total of not more than twenty-five million
9 34 dollars worth of incentives and assistance under section
9 35 15E.196, subsections 1, 2, 3, 4, and 6, shall be awarded to
10 1 eligible businesses that apply to an enterprise zone
10 2 commission for incentives and assistance during that fiscal
10 3 year and that are located in an enterprise zone certified
10 4 pursuant to this subsection. For purposes of this subsection
10 5 and section 15E.194, subsection 3, "city" means a city that
10 6 includes at least three census tracts, as determined in the
10 7 most recent federal census.
10 8 Sec. 22. Section 15E.196, subsection 4, Code 2009, is
10 9 amended by striking the subsection.
10 10 Sec. 23. Section 175.37, Code 2009, is amended by adding
10 11 the following new subsection:
10 12 NEW SUBSECTION. 10. In the fiscal year beginning July 1,
10 13 2009, and each fiscal year thereafter, the total amount of tax
10 14 credit certificates that may be issued during a fiscal year
10 15 shall not exceed three million dollars.
10 16 Sec. 24. Section 422.10, subsection 5, Code 2009, is
10 17 amended by striking the subsection.
10 18 Sec. 25. Section 422.33, subsection 5, paragraphs f and g,
10 19 Code 2009, are amended by striking the paragraphs.
10 20 Sec. 26. Sections 15.335, 422.120, 422.121, and 422.122,
10 21 Code 2009, are repealed.
10 22 Sec. 27. EFFECTIVE AND APPLICABILITY DATES.
10 23 1. The repeal of sections 422.120, 422.121, and 422.122,
10 24 being of immediate importance, takes effect upon enactment and
10 25 applies retroactively to November 1, 2008, for refund claims
10 26 filed on or after that date.
10 27 2. The sections of this division of this Act amending
10 28 sections 15.335A, 15A.9, 15E.192, 15E.196, 422.10, and 422.33,
10 29 and the repeal of section 15.335, apply to contracts entered
10 30 into on or after July 1, 2009.
10 31 DIVISION III
10 32 STATUTORY CHANGES
10 33 Sec. 28. Section 28.7, subsection 2, paragraph a, Code
10 34 2009, is amended to read as follows:
10 35 a. ~~Designate one or more committees for oversight of grant~~
11 1 ~~moneys awarded to advise the community empowerment area board.~~
11 2 ~~Committees of the board shall not have decision-making~~
11 3 ~~authority.~~
11 4 Sec. 29. Section 99D.28, subsection 1, Code 2009, is
11 5 amended to read as follows:
11 6 1. A licensee or a person acting on behalf of a licensee
11 7 shall be provided electronic access to the names of the
11 8 persons indebted to a claimant agency pursuant to the process
11 9 established pursuant to section 99D.7, subsection 23. The
11 10 electronic access provided by the claimant agency shall
11 11 include access to the names of the debtors, their social
11 12 security numbers, and any other information that assists the
11 13 licensee in identifying the debtors. If the name of a debtor
11 14 provided to the licensee through electronic access is
11 15 retrieved by the licensee ~~and the winnings are equal to or~~
11 16 ~~greater than ten thousand dollars per occurrence, the~~
11 17 ~~retrieval of such a name shall constitute a valid lien upon~~
11 18 ~~and claim of lien against the winnings of the debtor whose~~
11 19 ~~name is electronically retrieved from the claimant agency. If~~
11 20 ~~a debtor's winnings are equal to or greater than ten thousand~~
11 21 ~~dollars per occurrence meet the minimum level for state income~~
11 22 ~~tax withholding pursuant to section 422.16, subsection 1,~~
11 23 ~~paragraph "d", the full amount of the debt shall be~~
11 24 ~~collectible from any winnings due the debtor without regard to~~
11 25 ~~limitations on the amounts that may be collectible in~~
11 26 ~~increments through setoff or other proceedings.~~
11 27 Sec. 30. Section 99F.19, subsection 1, Code 2009, is

11 28 amended to read as follows:

11 29 1. A licensee or a person acting on behalf of a licensee
11 30 shall be provided electronic access to the names of the
11 31 persons indebted to a claimant agency pursuant to the process
11 32 established pursuant to section 99F.4, subsection 26. The
11 33 electronic access provided by the claimant agency shall
11 34 include access to the names of the debtors, their social
11 35 security numbers, and any other information that assists the
12 1 licensee in identifying the debtors. If the name of a debtor
12 2 provided to the licensee through electronic access is
12 3 retrieved by the licensee and the winnings are equal to or
~~12 4 greater than ten thousand dollars per occurrence, the~~
12 5 retrieval of such a name shall constitute a valid lien upon
12 6 and claim of lien against the winnings of the debtor whose
12 7 name is electronically retrieved from the claimant agency. If
12 8 a debtor's winnings are equal to or greater than ten thousand
~~12 9 dollars per occurrence meet the minimum level for state income~~
~~12 10 tax withholding pursuant to section 422.16, subsection 1,~~
~~12 11 paragraph "d", the full amount of the debt shall be~~
12 12 collectible from any winnings due the debtor without regard to
12 13 limitations on the amounts that may be collectible in
12 14 increments through setoff or other proceedings.

12 15 DIVISION IV

12 16 MISCELLANEOUS PROVISIONS

12 17 Sec. 31. 2008 Iowa Acts, chapter 1179, section 15,
12 18 subsection 4, paragraph b, is amended to read as follows:

12 19 b. To the public broadcasting division for the purchase
12 20 and installation of generators at transmitter sites:

12 21 \$ 1,602,437

12 22 Notwithstanding section 8.57C or any other provision to the
12 23 contrary, \$210,477 of the amount appropriated in this

12 24 paragraph "b" is allocated for general operations of the
12 25 public broadcasting division.

12 26 Sec. 32. EFFECTIVE AND RETROACTIVE APPLICABILITY DATES.

12 27 The section of this division of this Act amending 2008 Iowa
12 28 Acts, chapter 1179, being deemed of immediate importance,
12 29 takes effect upon enactment, and is retroactively applicable
12 30 to July 1, 2008.

12 31 EXPLANATION

12 32 This bill relates to state financial matters and is
12 33 organized into divisions.

12 34 FUND TRANSFERS. This division addresses fund transfers and
12 35 other budgetary matters.

13 1 For the budget process applicable to FY 2010=2011, state
13 2 agencies are required to submit estimates and other
13 3 expenditure information as called for by the director of the
13 4 department of management after consultation with the director
13 5 of management instead of the information required under Code
13 6 section 8.23.

13 7 The division limits the standing unlimited appropriation
13 8 for FY 2009=2010 for the state share of peace officers'
13 9 retirement benefits. The division limits the standing limited
13 10 appropriation to the department of economic development for
13 11 the world food prize. The division limits the codified
13 12 appropriation for the Iowa power fund.

13 13 The division appropriates \$200 million from the cash
13 14 reserve fund to the general fund of the state for FY
13 15 2009=2010.

13 16 The contingent appropriation under Code section 8.5,
13 17 subsection 1, of up to 1 percent of the adjusted revenue
13 18 estimate for FY 2009=2010 from the general fund of the state
13 19 to the cash reserve fund in the event the FY 2008=2009 ending
13 20 balance distribution was insufficient to bring the fund to the
13 21 designated level shall not be made for FY 2009=2010.

13 22 The division transfers \$10 million from the federal
13 23 economic stimulus and jobs holding fund to the general fund of
13 24 the state for FY 2009=2010.

13 25 The division reduces appropriations made in 2004 from the
13 26 federal economic stimulus and jobs holding fund to the
13 27 department of economic development.

13 28 The division appropriates moneys from the rebuild Iowa
13 29 infrastructure fund to the department of transportation for FY
13 30 2009=2010 for deposit in the railroad revolving loan and grant
13 31 fund.

13 32 Currently, proceeds from bonds issued to provide moneys for
13 33 purposes of the healthy Iowans tobacco trust may be deposited
13 34 in the endowment for Iowa's health account or transferred to
13 35 the general fund of the state. The division changes the
14 1 option for the general fund of the state to the rebuild Iowa
14 2 infrastructure fund.

14 3 For FY 2009=2010, the following property tax credits are

14 4 funded from the property tax credit fund created in the
14 5 division instead of entirely funded from the general fund of
14 6 the state: homestead, agricultural land and family farm,
14 7 military service, and elderly and disabled tax credit and
14 8 reimbursement. The provision provides that such
14 9 appropriations are also limited to the same amounts for FY
14 10 2010=2011. This section takes effect upon enactment.

14 11 The division transfers moneys deposited in the endowment
14 12 for Iowa's health account of the tobacco settlement trust fund
14 13 during FY 2008=2009 to the general fund of the state. This
14 14 provision takes effect upon enactment.

14 15 TAX CREDITS. This division of the bill limits the amount
14 16 of tax credits the department of economic development may
14 17 issue in a fiscal year to \$197 million from the following
14 18 programs and tax credits: the high quality job creation
14 19 program, the film, television, and video project promotion
14 20 program, the enterprise zone program, the industrial new jobs
14 21 training credit from withholding, the targeted jobs
14 22 withholding tax credit, and the assistive device tax credit.
14 23 The limitation begins in FY 2009=2010.

14 24 The division eliminates the additional research and
14 25 development tax credit under the high quality job creation Act
14 26 as it applies to contracts entered into on or after July 1,
14 27 2009.

14 28 The division eliminates the corporate tax research credit
14 29 in Code section 15A.9, subsection 8, as it applies to
14 30 contracts entered into on or after July 1, 2009.

14 31 The division eliminates the research activities tax credit
14 32 under the enterprise zone program as it applies to contracts
14 33 entered into on or after July 1, 2009.

14 34 The division limits the amount of agricultural assets
14 35 transfer tax credit certificates that may be issued during a
15 1 fiscal year to \$3 million. The limitation begins in FY
15 2 2009=2010.

15 3 The division eliminates the livestock production tax
15 4 credit. The bill eliminates a standing limited appropriation
15 5 for refunds of the livestock production tax credit. These
15 6 provisions take effect upon enactment and apply retroactively
15 7 to November 1, 2008, for refund claims filed on or after that
15 8 date.

15 9 STATUTORY CHANGES. This division provides various
15 10 statutory changes.

15 11 The amendment to Code section 28.7 provides that community
15 12 empowerment area boards may designate one or more committees
15 13 to advise the community empowerment area board. The division
15 14 provides that such committees shall not have decision-making
15 15 authority. Currently, committees may be designated for
15 16 oversight of grant moneys awarded to the community empowerment
15 17 area.

15 18 The division changes the setoff provisions for gambling
15 19 winnings under Code chapters 99D and 99F. The division
15 20 provides that the retrieval of a debtor's name from a claimant
15 21 agency creates a lien on the debtor's winnings. Currently,
15 22 the debtor must also have winnings that are equal to or
15 23 greater than \$10,000 for a lien to be created. The division
15 24 also reduces the winnings threshold for a debt to be
15 25 collectible through setoff or other proceedings from winnings
15 26 that are equal to or greater than \$10,000 to winnings that
15 27 meet the minimum level for state income tax withholding for
15 28 winnings which presently is \$1,000.

15 29 MISCELLANEOUS PROVISIONS. This division of the bill
15 30 allocates moneys appropriated in 2008 Iowa Acts, chapter 1179,
15 31 from the technology reinvestment fund to the public
15 32 broadcasting division of the department of education for FY
15 33 2008=2009 to the division for general operations purposes.
15 34 The appropriation from which the moneys are allocated are
15 35 appropriated for the purchase and installation of generators
16 1 at transmitter sites. This provision takes effect upon
16 2 enactment.

16 3 LSB 1700XG 83

16 4 tm/mg:jp/5.4