

House Joint Resolution 5 - Introduced

HOUSE JOINT RESOLUTION 5

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HOUSE JOINT RESOLUTION

1 A Joint Resolution proposing an amendment to the Constitution
2 of the State of Iowa relating to the funding of the natural
3 resources and outdoor recreation trust fund.

4 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. The following amendment to the Constitution of
2 the State of Iowa is proposed:

3 Section 10 of Article VII of the Constitution of the State of
4 Iowa is amended to read as follows:

5 **Natural resources.** SEC. 10. A natural resources and outdoor
6 recreation trust fund is created within the treasury for the
7 purposes of protecting and enhancing water quality and natural
8 areas in this state including parks, trails, and fish and
9 wildlife habitat, and conserving agricultural soils in this
10 state. Moneys in the fund shall be exclusively appropriated by
11 law for these purposes.

12 The general assembly shall provide by law for the
13 implementation of this section, including by providing for the
14 administration of the fund and at least annual audits of the
15 fund.

16 ~~Except as otherwise provided in this section, the amount~~
17 ~~generated by a sales tax rate of three-eighths of one percent~~
18 ~~as may be imposed upon the retail sales price of tangible~~
19 ~~personal property and the furnishing of enumerated services~~
20 ~~sold in this state.~~

21 ~~No revenue shall be credited to the fund until the tax~~
22 ~~rate for the sales tax imposed upon the retail sales price of~~
23 ~~tangible personal property and the furnishing of enumerated~~
24 ~~services sold in this state in effect on the effective date of~~
25 ~~this section is increased. After such an increased tax rate~~
26 ~~becomes effective, an amount equal to the amount generated by~~
27 ~~the increase in the tax rate shall be annually credited to the~~
28 ~~fund, not to exceed an amount equal to the amount generated~~
29 ~~by a tax rate of three-eighths of one percent imposed upon~~
30 ~~the retail sales price of tangible personal property and the~~
31 ~~furnishing of enumerated services sold in this state.~~

32 The fund shall be annually credited with an amount equal to
33 three-fortieths of the tax revenues generated and collected
34 from the tax imposed by the state upon the retail sales price
35 of tangible personal property and the furnishing of enumerated

1 services sold in this state that remain after any transfers
2 of such tax revenues required by law of this state in effect
3 on the date of ratification of this amendment to local school
4 districts to be used solely for school infrastructure purposes
5 or school district property tax relief.

6 Sec. 2. REFERRAL AND PUBLICATION. The foregoing proposed
7 amendment to the Constitution of the State of Iowa is referred
8 to the general assembly to be chosen at the next general
9 election for members of the general assembly, and the secretary
10 of state is directed to cause the proposed amendment to be
11 published for three consecutive months previous to the date of
12 that election as provided by law.

13 EXPLANATION

14 The inclusion of this explanation does not constitute agreement with
15 the explanation's substance by the members of the general assembly.

16 This joint resolution proposes an amendment to the
17 Constitution of the State of Iowa relating to the funding of
18 the natural resources and outdoor recreation trust fund.

19 A previous amendment to the Iowa Constitution ratified on
20 November 2, 2010, created the natural resources and outdoor
21 recreation trust fund (fund) and dedicated a portion of
22 state tax revenues to the fund for the purposes of protecting
23 and enhancing water quality and natural areas in the state
24 including parks, trails, and fish and wildlife habitat, and
25 conserving agricultural soils in the state. Pursuant to the
26 constitutional amendment, the amount credited to the fund
27 will be equal to the amount generated by an increase in the
28 state sales tax rate occurring after the effective date of the
29 constitutional amendment, but shall not exceed the amount that
30 a state sales tax rate of 0.375 percent would generate. The
31 state sales tax rate has not been increased since the effective
32 date of the constitutional amendment, so no amounts have been
33 credited to the fund.

34 The joint resolution would strike the language dedicating
35 to the fund a portion of the state tax revenues generated by

1 an increase in the state sales tax rate and replace it with
2 the requirement that the fund be credited with 3/40 of the
3 state sales tax revenues that remain after any transfers of
4 such state tax revenues required by law of this state in effect
5 on the date of ratification of the amendment to local school
6 districts to be used solely for school infrastructure purposes
7 or school district property tax relief. In other words, 3/40
8 of the state sales tax revenues remaining after the transfers
9 required to be made to the secure an advanced vision for
10 education (SAVE) fund under Code chapter 423F (statewide school
11 infrastructure funding), shall be credited to the fund.

12 The joint resolution, if adopted, would be published and
13 then referred to the next general assembly (Eighty-eighth)
14 for adoption a second time, before being submitted to the
15 electorate for ratification.