

Standing Appropriations Bill House File 786

Last Action:
**House Appropriations
Committee**
April 25, 2019

An Act relating to state and local finances by making appropriations, providing for legal and regulatory responsibilities, providing for other properly related matters, and including effective date, applicability, and retroactive applicability provisions.

**Fiscal Services Division
Legislative Services Agency**

NOTES ON BILLS AND AMENDMENTS (NOBA)

Available online at www.legis.iowa.gov/publications/information/appropriationBillAnalysis

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FUNDING SUMMARY

This Bill makes adjustments to various standing appropriations that result in a decrease in appropriations of \$31.7 million for FY 2020. This Bill also includes a supplemental appropriation of \$15.0 million for estimated FY 2019.

NEW PROGRAMS, SERVICES, OR ACTIVITIES

Establishes the Flood Recovery Fund under the control of the Flood Mitigation Board. Page 7, Line 15

Creates a new special motor vehicle license plate with a blackout design. Revenues from the blackout license plate design will be deposited in the Road Use Tax Fund (RUTF). Page 11, Line 29

MAJOR INCREASES/DECREASES/TRANSFERS OF EXISTING PROGRAMS

Limits the FY 2020 General Fund appropriation to the Department of Education for nonpublic school transportation to \$8.2 million. Requires the appropriation to be prorated if the claims exceed the appropriation. Page 1, Line 3

Suspends the General Fund standing appropriation of \$14.8 million to the Department of Education for the Instructional Support Program for FY 2020. Page 1, Line 17

Reduces the FY 2020 State school aid funding to Area Education Agencies (AEAs) by \$15.0 million. Page 1, Line 23

SUPPLEMENTAL APPROPRIATIONS

Provides a \$15.0 million General Fund supplemental appropriation to the Flood Recovery Fund for FY 2019. The Fund will provide assistance to counties that have been designated under a Presidential Disaster Declaration. Page 8, Line 32

SIGNIFICANT CODE CHANGES

Changes the due date of the annual Office of the Ombudsman report from April 1 to December 31. Page 2, Line 1

Provides that moneys appropriated for the Flood Recovery Fund will not revert at the end of a fiscal year, but will remain available for expenditure for disaster assistance. Page 8, Line 25

EXECUTIVE SUMMARY
STANDING APPROPRIATIONS BILL

Requires the Salary Model Administrator to work with the Legislative Services Agency (LSA) to maintain the State's salary model. Requires various departments to submit salary data to the Department of Management (DOM) and the LSA.

Page 9, Line 18

Codifies language included in previous Standing Appropriations Acts relating to the submission of annual budgets of State departments. Requires the Director of the DOM to consult with the LSA concerning the content of the budget data.

Page 10, Line 10

Codifies language included in previous Standing Appropriations Acts requiring expenditure requirements, prioritized by program or results to be achieved.

Page 10, Line 24

Codifies language included in previous Standing Appropriations Acts regarding Judicial Branch budget requests to the LSA.

Page 11, Line 1

EFFECTIVE DATE

Specifies that Division IV of the Bill relating to flood recovery assistance takes effect upon enactment.

Page 9, Line 14

House File 786 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section
1	23	3	Add	257.35.13A
2	1	4	Amend	2C.18
2	16	5	Amend	216A.133
2	22	6	Amend	225C.51
2	27	7	Amend	225C.51
3	1	8	Amend	261H.3.1,2
4	3	10	Amend	513D.2.2
4	9	11	Amend	515I.4A.1.c
4	17	12	Amend	522E.13.6
5	1	13	Amend	633.648
7	15	20	New	418.16
9	18	24	Add	8.6.16
10	10	25	Amend	8.23.1
10	24	26	Amend	8.23.1.a
11	1	27	Amend	602.1301.2.a
11	29	28	Add	321.34.11C
12	27	29	Amend	321.166.9

1 1 DIVISION I
 1 2 STANDING APPROPRIATIONS AND RELATED MATTERS

1 3 Section 1. LIMITATIONS OF STANDING APPROPRIATIONS — FY
 1 4 2019-2020. Notwithstanding the standing appropriation in the
 1 5 following designated section for the fiscal year beginning July
 1 6 1, 2019, and ending June 30, 2020, the amount appropriated from
 1 7 the general fund of the state pursuant to that section for the
 1 8 following designated purpose shall not exceed the following
 1 9 amount:
 1 10 For payment of claims for nonpublic school transportation
 1 11 under section 285.2:
 1 12 \$ 8,197,091
 1 13 If total approved claims for reimbursement for nonpublic
 1 14 school pupil transportation exceed the amount appropriated in
 1 15 accordance with this section, the department of education shall
 1 16 prorate the amount of each approved claim.

CODE: Limits the FY 2020 General Fund appropriation to the Department of Education for nonpublic school transportation to \$8,197,091. Requires the appropriation to be prorated if the claims exceed the appropriation.

DETAIL: This represents no change compared to estimated net FY 2019. This also represents a decrease of \$1,949,689 compared to the estimated standing unlimited appropriation of \$10,146,780 based on current law.

1 17 Sec. 2. INSTRUCTIONAL SUPPORT STATE AID — FY 2019-2020. In
 1 18 lieu of the appropriation provided in section 257.20,
 1 19 subsection 2, the appropriation for the fiscal year
 1 20 beginning July 1, 2019, and ending June 30, 2020, for paying
 1 21 instructional support state aid under section 257.20 for such
 1 22 fiscal year is zero.

Suspends the General Fund standing appropriation of \$14,800,000 for the Instructional Support Program for FY 2020.

DETAIL: Although no State funding will be provided for the Instructional Support Program, school districts may use local property tax and income surtax to fund their portion of the Program. In FY 2019, 329 school districts implemented the Program and generated \$234,605,541 in local taxes (\$91,908,949 in income surtax and \$142,696,592 in property taxes).

1 23 Sec. 3. Section 257.35, Code 2019, is amended by adding the
 1 24 following new subsection:
 1 25 NEW SUBSECTION 13A. Notwithstanding subsection 1, and in
 1 26 addition to the reduction applicable pursuant to subsection
 1 27 2, the state aid for area education agencies and the portion
 1 28 of the combined district cost calculated for these agencies
 1 29 for the fiscal year beginning July 1, 2019, and ending June
 1 30 30, 2020, shall be reduced by the department of management by
 1 31 fifteen million dollars. The reduction for each area education
 1 32 agency shall be prorated based on the reduction that the agency
 1 33 received in the fiscal year beginning July 1, 2003.

CODE: Reduces the FY 2020 State school aid funding to Area Education Agencies (AEAs) by \$15,000,000.

DETAIL: In addition to the \$15,000,000 State aid reduction for FY 2020, the AEAs have an annual statutory reduction of \$7,500,000. The State aid reduction to the AEAs will total \$22,500,000 for FY 2020. Funding was reduced by the same amount for FY 2019.

1 34 DIVISION II
 1 35 MISCELLANEOUS PROVISIONS

2 1 Sec. 4. Section 2C.18, Code 2019, is amended to read as
 2 2 follows:
 2 3 2C.18 REPORT TO GENERAL ASSEMBLY.
 2 4 The ombudsman shall by ~~April 4~~ December 31 of each year

CODE: Changes the due date of the annual Office of the Ombudsman report from April 1 to December 31.

DETAIL: The annual report details the exercise of the functions of the

2 5 submit an economically designed and reproduced report to the
 2 6 general assembly and to the governor concerning the exercise of
 2 7 the ombudsman's functions during the preceding ~~calendar~~ fiscal
 2 8 year. In discussing matters with which the ombudsman has been
 2 9 concerned, the ombudsman shall not identify specific persons
 2 10 if to do so would cause needless hardship. If the annual
 2 11 report criticizes a named agency or official, it shall also
 2 12 include unedited replies made by the agency or official to the
 2 13 criticism, unless excused by the agency or official affected.

Office of Ombudsman for the fiscal year.

2 14 DIVISION III
 2 15 CORRECTIVE PROVISIONS

2 16 Sec. 5. Section 216A.133, subsection 3, paragraph I, if
 2 17 enacted by 2019 Iowa Acts, House File 634, section 5, is
 2 18 amended to read as follows:
 2 19 I. Recommending to the ~~board~~ department the adoption of
 2 20 rules pursuant to chapter 17A as it deems necessary for the
 2 21 board and division.

CODE: Corrective provision for [HF 634](#) (Criminal Law/Criminal Offenders Act)

DETAIL: This Bill was approved by the General Assembly on April 18, 2019.

2 22 Sec. 6. Section 225C.51, subsection 1, paragraph a, if
 2 23 enacted by 2019 Iowa Acts, House File 690, section 8, is
 2 24 amended to read as follows:
 2 25 a. The director of the department of human services or the
 2 26 director's designee.

CODE: Corrective provision for [HF 690](#) (Behavioral Health System Bill).

DETAIL: This Bill was approved by the General Assembly on April 16, 2019.

2 27 Sec. 7. Section 225C.51, subsection 3, if enacted by 2019
 2 28 Iowa Acts, House File 690, section 8, is amended to read as
 2 29 follows:
 2 30 3. The director of the department of human services and the
 2 31 director of the department of education, or their designees,
 2 32 shall serve as co-chairpersons of the state board. Board
 2 33 members shall not be entitled to a per diem as specified in
 2 34 section 7E.6 and shall not be entitled to actual and necessary
 2 35 expenses incurred while engaged in their official duties.

CODE: Corrective provision for [HF 690](#) (Behavioral Health System Bill).

DETAIL: This Bill was approved by the General Assembly on April 16, 2019.

3 1 Sec. 8. Section 261H.3, subsections 1 and 2, as enacted by
 3 2 2019 Iowa Acts, Senate File 274, section 3, are amended to read
 3 3 as follows:

CODE: Corrective provision for [SF 274](#) (College Campus Free Speech Act).

3 4 1. Noncommercial expressive activities protected under the
 3 5 provisions of this chapter include but are not limited to any
 3 6 lawful oral or written means by which members of the campus
 3 7 community may communicate ideas to one another, including
 3 8 but not limited to all forms of peaceful assembly, protests,
 3 9 speeches including by invited speakers, distribution of
 3 10 literature, circulating petitions, and publishing, including
 3 11 publishing or streaming on an internet site, or audio or video
 3 12 recorded in outdoor areas of campus.

DETAIL: This Act was approved by the General Assembly on March 26, 2019, and signed by the Governor on March 27, 2019.

3 13 2. A member of the campus community who wishes to engage in
 3 14 noncommercial expressive activity in outdoor areas of campus
 3 15 shall be permitted to do so freely, subject to reasonable
 3 16 time, place, and manner restrictions, and as long as the
 3 17 member's conduct is not unlawful, does not impede others'
 3 18 access to a facility or use of walkways, and does not disrupt
 3 19 the functioning of the public institution of higher education,
 3 20 subject to the protections of subsection 1. The public
 3 21 institution of higher education may designate other areas of
 3 22 campus available for use by the campus community according to
 3 23 institutional policy, but in all cases access to designated
 3 24 areas of campus must be granted on a viewpoint-neutral basis
 3 25 within the bounds of established principles of the first
 3 26 amendment principles to the Constitution of the United States.

3 27 Sec. 9. Section 322C.15, subsection 2, paragraph b, if
 3 28 enacted by 2019 Iowa Acts, Senate File 435, section 12, is
 3 29 amended to read as follows:

3 30 b. The manufacturer's or distributor's business operations
 3 31 have been abandoned or caused the dealer's business operations
 3 32 to close for ten consecutive business days. This ~~subparagraph~~
 3 33 paragraph does not apply if the closing is due to a normal
 3 34 seasonal closing and the manufacturer or distributor notifies
 3 35 the dealer of the planned closing, an act of God, a strike,
 4 1 a labor difficulty, or any other cause over which the
 4 2 manufacturer or distributor has no control.

4 3 Sec. 10. Section 513D.2, subsection 2, Code 2019, as amended
 4 4 by 2019 Iowa Acts, House File 679, section 184, if enacted, is
 4 5 amended to read as follows:

4 6 2. The commissioner ~~of~~ of insurance may take any enforcement
 4 7 action under the commissioner's authority to enforce compliance
 4 8 with this chapter.

4 9 Sec. 11. Section 515I.4A, subsection 1, paragraph c, as
 4 10 enacted by 2019 Iowa Acts, Senate File 558, section 4, is
 4 11 amended to read as follows:

4 12 c. The board of directors of the insurer has passed a
 4 13 resolution seeking approval as a domestic surplus lines insurer
 4 14 in this state and stating that the insurer shall only write
 4 15 surplus ~~line~~ lines business. The resolution shall not be
 4 16 amended without approval of the commissioner.

4 17 Sec. 12. Section 522E.13, subsection 6, Code 2019, as
 4 18 amended by 2019 Iowa Acts, Senate File 559, section 6, is
 4 19 amended to read as follows:

4 20 6. Whenever notice or correspondence with respect to a
 4 21 policy of portable electronics insurance is required pursuant

CODE: Corrective provision for [SF 435](#) (Towable Recreational Vehicles Bill).

DETAIL: This Bill was approved by the General Assembly on April 18, 2019.

CODE: Corrective provision for [HF 679](#) (Substantive Code Editor's Bill).

DETAIL: This Bill was approved by the General Assembly on April 16, 2019.

CODE: Corrective provision for [SF 558](#) (Domestic Surplus Lines Insurers Act).

DETAIL: This Act was approved by the General Assembly on April 8, 2019, and signed by the Governor on April 9, 2019.

Corrective provision for [SF 559](#) (Electric Notices, Insurers Act).

DETAIL: This Act was approved by the General Assembly on April 8, 2019, and signed by the Governor on April 8, 2019.

4 22 to this section, it shall be in writing and sent within the
 4 23 notice period required pursuant to this section. Notices
 4 24 and correspondence shall be sent to the licensed portable
 4 25 electronics vendor that is the policyholder at the portable
 4 26 electronics vendor's mailing or electronic mail address
 4 27 specified for that purpose and to its affected enrolled
 4 28 consumers' last known mailing or electronic mail addresses on
 4 29 file with the insurer or the portable electronics vendor. All
 4 30 notices and documents that are delivered by electronic means
 4 31 shall comply with section 505B.1, except for the provisions
 4 32 in section 505B.1, subsection 4. The insurer or portable
 4 33 electronics vendor shall maintain proof that the notice or
 4 34 correspondence was sent for not less than three years after
 4 35 that notice or correspondence was sent.

5 1 Sec. 13. Section 633.648, Code 2019, as amended by 2019
 5 2 Iowa Acts, House File 610, section 34, if enacted, is amended
 5 3 to read as follows:
 5 4 633.648 APPOINTMENT OF ATTORNEY IN COMPROMISE OF PERSONAL
 5 5 INJURY SETTLEMENTS.
 5 6 Notwithstanding the provisions of section 633.642 prior to
 5 7 authorizing a compromise of a claim for damages on account
 5 8 of personal injuries to the ~~ward~~ protected person, the court
 5 9 may order an independent investigation by an attorney other
 5 10 than by the attorney for the conservator. The cost of such
 5 11 investigation, including a reasonable attorney fee, shall be
 5 12 taxed as part of the cost of the conservatorship.

5 13 Sec. 14. Section 692C.1, subsection 1, paragraph a, if
 5 14 enacted by 2019 Iowa Acts, House File 681, section 1, is
 5 15 amended to read as follows:
 5 16 a. "Covered individual" means an individual who has, seeks
 5 17 to have, or may have access to children, the elderly, or
 5 18 individuals with disabilities served by a qualified entity and
 5 19 who is employed by, volunteers with, or seeks to volunteer with
 5 20 a qualified entity; or owns or operates or seeks to own or
 5 21 operate, a qualified entity.

5 22 Sec. 15. 2019 Iowa Acts, Senate File 333, section 104,
 5 23 subsection 6, is amended to read as follows:
 5 24 6. Sections 15E.206, subsection 3, paragraph "a";
 5 25 15E.207, subsection 2, paragraph "b", subparagraph (2),
 5 26 subparagraph division (c); 15E.208, subsection 5, paragraph
 5 27 "g", subparagraphs (1) and (2); 15E.208, subsection 6,
 5 28 paragraph "d", subparagraph (1), subparagraph division
 5 29 (a); 135.61, unnumbered paragraph 1; 135.61, subsection
 5 30 1, paragraph "d"; 135.61, subsection 4; 135.62, subsection
 5 31 1; 135.62, subsection 2, paragraph "f", subparagraphs (2),

CODE: Corrective provision for [HF 610](#) (Guardianship and Conservatorship, Adult Bill).

DETAIL: This Bill was approved by the General Assembly on April 15, 2019.

CODE: Corrective provision for [HF 681](#) (Background Checks Bill)

DETAIL: This Bill was approved by the General Assembly on April 23, 2019.

CODE: Corrective provision for [SF 333](#) (Nonsubstantive Code Corrections Act).

DETAIL: This Act was approved by the General Assembly on April 3, 2019 and signed by the Governor on April 15, 2019.

5 32 (4), and (5); 135.63, subsection 1; 135.63, subsection 2,
 5 33 unnumbered paragraph 1; 135.63, subsection 2, paragraph “f”;
 5 34 135.63, subsection 2, paragraph “g”, subparagraph (1); 135.63,
 5 35 subsection 2, paragraph “h”, subparagraph (1), unnumbered
 6 1 paragraph 1; 135.63, subsection 2, paragraph “j”; 135.63,
 6 2 subsection 2, paragraph “k”, subparagraph (1), unnumbered
 6 3 paragraph 1; 135.63, subsection 2, paragraph “l”, unnumbered
 6 4 paragraph 1; 135.63, subsection 2, paragraphs “m” and “n”;
 6 5 135.63, subsection 2, paragraph “p”, unnumbered paragraph 1;
 6 6 135.63, subsection 3; 135.64, subsection 3; 135.72, unnumbered
 6 7 paragraph 1; 135.73, subsection 1; 135.73, subsection
 6 8 2, unnumbered paragraph 1; 135.73, subsection 3; 135.74,
 6 9 subsections 1 and 3; 135.75, subsection 2; 135.76, subsection
 6 10 1; 135.100, unnumbered paragraph 1; 135.105A, subsection 5;
 6 11 135.108, unnumbered paragraph 1; 135.140, unnumbered paragraph
 6 12 1; 249K.2, subsection 6; 490.120, subsection 12, paragraph “c”,
 6 13 subparagraph (1); 490.140, subsection 29; 490.640, subsection
 6 14 8; 490.809, subsection 2; 490.858, subsection 2; 490.1101,
 6 15 unnumbered paragraph 1; 490.1105, subsection 3; 490.1107,
 6 16 subsection 1, paragraph “h”; 490.1107, subsection 2; 490.1107,
 6 17 subsection 4, paragraph “b”; 490.1108, subsection 1; 490.1114,
 6 18 subsection 1; 490.1114, subsection 2, paragraph “g”; 490.1202,
 6 19 subsection 7; 490.1301, unnumbered paragraph 1; 490.1320,
 6 20 subsection 1; 490.1320, subsection 3, paragraphs “a” and “b”;
 6 21 490.1322, subsection 2, paragraph “c”; 490.1323, subsection
 6 22 3; 490.1331, subsection 1; 490.1340, subsection 2, paragraph
 6 23 “a”, subparagraph (1); 490.1403, subsection 3; 490.1405,
 6 24 subsection 2, paragraph “c”; 499.69A, subsection 6; 524.1309,
 6 25 subsection 8; 524.1406, subsection 1; 524.1417, subsection 1;
 6 26 and 524.1805, subsection 6, Code 2019, are amended by striking
 6 27 the word “division” and inserting in lieu thereof the word
 6 28 “subchapter”.

6 29 Sec. 16. EFFECTIVE DATE. The following, being deemed of
 6 30 immediate importance, takes effect upon enactment:
 6 31 The section of this division of this Act amending section
 6 32 261H.3, subsections 1 and 2.

Specifies that [SF 274](#) (College Campus Free Speech Act) takes effect March 27, 2019.

6 33 Sec. 17. EFFECTIVE DATE. The following takes effect January
 6 34 1, 2020:
 6 35 The section of this division of this Act amending section
 7 1 633.648.

Specifies that [HF 610](#) (Guardianship and Conservatorship, Adult Bill) takes effect on January 1, 2020.

7 2 Sec. 18. RETROACTIVE APPLICABILITY. The following applies
 7 3 retroactively to March 27, 2019:
 7 4 The section of this division of this Act amending section
 7 5 261H.3, subsections 1 and 2.

Specifies that [SF 274](#) (College Campus Free Speech Act) is retroactively applicable to March 27, 2019.

7 6 Sec. 19. APPLICABILITY. The following applies to
 7 7 guardianships and guardianship proceedings for adults and
 7 8 conservatorships and conservatorship proceedings for adults and
 7 9 minors established or pending before, on, or after January 1,
 7 10 2020:
 7 11 The section of this division of this Act amending section
 7 12 633.648.

Specifies that [HF 610](#) (Guardianship and Conservatorship, Adult Bill) applies to guardianship and guardianship proceedings established or pending before, on, or after January 1, 2020.

7 13 DIVISION IV
 7 14 FLOOD RECOVERY

7 15 Sec. 20. NEW SECTION 418.16 FLOOD RECOVERY FUND.
 7 16 1. A flood recovery fund is established in the state
 7 17 treasury under the control of the board. The fund shall
 7 18 consist of moneys appropriated to the fund by the general
 7 19 assembly and any other moneys available to, obtained by, or
 7 20 accepted by the board for deposit in the fund. Moneys in the
 7 21 fund are appropriated to the department and shall be used for
 7 22 the purposes designated in this section. Moneys in the fund
 7 23 shall not supplant any federal disaster recovery moneys.

CODE: Establishes the Flood Recovery Fund under the control of the Flood Mitigation Board.

DETAIL: The Flood Mitigation Board was created by 2012 Iowa Acts, ch. [1094](#) (Flood Mitigation Act) under the Flood Mitigation Program, which provides a funding source to finance approved flood mitigation projects undertaken by local governments.

7 24 2. The board may award moneys from the fund to eligible
 7 25 political subdivisions of the state. A political subdivision
 7 26 of the state is eligible to receive moneys from the fund if
 7 27 the political subdivision is located in a county designated
 7 28 under presidential disaster declaration DR-4421-IA and is also
 7 29 located in a county where the federal emergency management
 7 30 agency's individual assistance program has been activated.

CODE: Permits the Flood Mitigation Board to award moneys from the Fund to political subdivisions located within a county designated under a Presidential Disaster Declaration (DR-4421-IA) and is also located within a county where the Federal Emergency Management Agency's individual assistance program has been activated.

7 31 3. In order to be awarded moneys from the fund, a political
 7 32 subdivision of the state shall submit a project application
 7 33 to the department for consideration by the board. The board
 7 34 shall prescribe application forms and application instructions.
 7 35 Project applications shall include all of the following:
 8 1 a. A description of the project and the manner in which
 8 2 the project supports flood response, flood recovery, or flood
 8 3 mitigation activities.
 8 4 b. A description of the financial assistance needed from the
 8 5 fund.
 8 6 c. Details on any additional moneys to be applied to the
 8 7 project.

CODE: The Board shall provide an application process for eligible political subdivisions which shall include:

- A description of the project including how the project supports flood response, flood recovery, or flood mitigation.
- A description of the financial assistance needed from the Fund.
- Additional moneys being applied to the project.

8 8 4. a. The board shall review all project applications.
 8 9 During the review of a project application, the board shall
 8 10 consider, at a minimum, all of the following:
 8 11 (1) Whether the project supports flood response, flood
 8 12 recovery, or flood mitigation activities.
 8 13 (2) Whether moneys from the fund are essential to meet

CODE: Specifies the review process the Board will follow in determining whether to approve, deny, or defer an application.

8 14 the necessary expenses or serious needs of the political
8 15 subdivision related to flood response, flood recovery, or flood
8 16 mitigation.

8 17 b. Upon review of a project application, the board shall
8 18 approve, defer, or deny the application. If a project
8 19 application is approved, the board shall specify the amount of
8 20 moneys from the fund awarded to the political subdivision. The
8 21 board shall negotiate and execute on behalf of the department
8 22 all necessary agreements to provide the moneys. If a project
8 23 application is deferred or denied, the board shall state the
8 24 reasons for such deferral or denial.

8 25 5. Notwithstanding section 8.33, moneys in the fund
8 26 that remain unencumbered or unobligated at the close of a
8 27 fiscal year shall not revert but shall remain available for
8 28 expenditure for the purposes designated in this section.
8 29 Notwithstanding section 12C.7, subsection 2, interest or
8 30 earnings on moneys deposited in the fund shall be credited to
8 31 the fund.

CODE: Provides that moneys appropriated for the Flood Recovery Fund will not revert at the end of a fiscal year, but will remain available for expenditure for the purposes designated in this Section.

8 32 Sec. 21. FLOOD RECOVERY APPROPRIATION. There is
8 33 appropriated from the general fund of the state to the flood
8 34 recovery fund created in section 418.16, as enacted by this
8 35 Act, for the fiscal year beginning July 1, 2018, and ending
9 1 June 30, 2019, the following amount, or so much thereof as is
9 2 necessary, to be used for the purposes designated in section
9 3 418.16, as enacted by this Act:

General Fund supplemental appropriation to the Flood Recovery Fund for FY 2019.

9 4 \$ 15,000,000

DETAIL: This is a new appropriation for FY 2019.

9 5 Sec. 22. EMERGENCY RULES. The department of homeland
9 6 security and emergency management may adopt emergency
9 7 rules under section 17A.4, subsection 3, and section 17A.5,
9 8 subsection 2, paragraph "b", to implement the provisions of
9 9 this division of this Act and the rules shall be effective
9 10 immediately upon filing unless a later date is specified in the
9 11 rules. Any rules adopted in accordance with this section shall
9 12 also be published as a notice of intended action as provided
9 13 in section 17A.4.

Specifies that the Department of Homeland Security and Emergency Management may adopt emergency rules to implement the provisions of this Division of the Bill.

9 14 Sec. 23. EFFECTIVE DATE. This division of this Act, being
9 15 deemed of immediate importance, takes effect upon enactment.

Specifies that Division IV takes effect upon enactment.

9 16 DIVISION V
9 17 STATE BUDGET PROCESS

9 18 Sec. 24. Section 8.6, Code 2019, is amended by adding the
9 19 following new subsection:
9 20 NEW SUBSECTION 16. SALARY MODEL ADMINISTRATOR. To

CODE: Adds a new subsection to the Iowa Code section 8.6 requiring the Salary Model Administrator to work with the Legislative Services Agency (LSA) to maintain the State's salary model. Requires various

9 21 designate a position within the department to serve as the
 9 22 salary model administrator.
 9 23 a. The salary model administrator shall work in conjunction
 9 24 with the legislative services agency to maintain the state's
 9 25 salary model used for analyzing, comparing, and projecting
 9 26 state employee salary and benefit information, including
 9 27 information relating to employees of the state board of
 9 28 regents.
 9 29 b. The department of revenue, the department of
 9 30 administrative services, the institutions governed by the state
 9 31 board of regents pursuant to section 262.7, each judicial
 9 32 district's department of correctional services, and the state
 9 33 department of transportation shall provide salary data to the
 9 34 department of management and the legislative services agency
 9 35 to operate the state's salary model. The format and frequency
 10 1 of provision of the salary data shall be determined by the
 10 2 department of management and the legislative services agency.
 10 3 c. The information shall be used in collective bargaining
 10 4 processes under chapter 20 and in calculating the funding needs
 10 5 contained within any annual salary adjustment legislation.
 10 6 A state employee organization as defined in section 20.3,
 10 7 subsection 4, may request information produced by the model,
 10 8 but the information provided shall not contain information
 10 9 attributable to individual employees.

departments to submit salary data to the Department of Management (DOM) and the LSA.

DETAIL: Codifies language included in previous Standings Appropriations Acts.

10 10 Sec. 25. Section 8.23, subsection 1, unnumbered paragraph
 10 11 1, Code 2019, is amended to read as follows:
 10 12 On or before October 1, prior to each legislative session,
 10 13 all departments and establishments of the government shall
 10 14 transmit to the director, on blanks to be furnished by the
 10 15 director, estimates of their expenditure requirements,
 10 16 including every proposed expenditure, for the ensuing fiscal
 10 17 year, ~~classified so as to distinguish between expenditures~~
 10 18 ~~estimated for administration, operation, and maintenance, and~~
 10 19 ~~the cost of each project involving the purchase of land or the~~
 10 20 ~~making of a public improvement or capital outlay of a permanent~~
 10 21 ~~character,~~ together with supporting data and explanations
 10 22 as called for by the director after consultation with the
 10 23 legislative services agency.

CODE: Codifies language included in previous Standing Appropriations Acts relating to the submission of annual budgets by State departments. Requires the Director of the DOM to consult with the LSA concerning the content of the budget data.

10 24 Sec. 26. Section 8.23, subsection 1, paragraph a, Code 2019,
 10 25 is amended to read as follows:
 10 26 a. The estimates of expenditure requirements shall be
 10 27 ~~based upon seventy-five percent of the funding provided for~~
 10 28 ~~the current fiscal year accounted for by program reduced by~~
 10 29 ~~the historical employee vacancy factor in a form specified by~~
 10 30 the director, and the remainder of the estimate of expenditure
 10 31 requirements shall include all proposed expenditures and shall

CODE: Requires State agencies to submit budget information to the DOM and include all proposed expenditures, supporting data, and explanations, prioritized by program or the results to be achieved.

DETAIL: This requirement replaces the statutory budget submission requirements for Executive Branch agencies in Iowa Code section [8.23](#), which requires all departments to submit annual budgets based upon 75.00% of the funding provided for the current fiscal year. The

10 32 ~~be~~ prioritized by program ~~or the results to be achieved~~. The
 10 33 estimates shall be accompanied ~~with~~ ~~by~~ performance measures
 10 34 for evaluating the effectiveness of the ~~program~~ ~~programs or~~
 10 35 ~~results~~.

budget submission requirement in this Bill has been in place for the past 10 fiscal years and was first applicable to the FY 2007 budget.

11 1 Sec. 27. Section 602.1301, subsection 2, paragraph a,
 11 2 unnumbered paragraph 1, Code 2019, is amended to read as
 11 3 follows:

CODE: Codifies language included in previous Standing Appropriations Acts regarding Judicial Branch budget requests to the LSA.

11 4 As early as possible, but not later than December 1, the
 11 5 supreme court shall submit to the legislative services agency
 11 6 the annual budget request and detailed supporting information
 11 7 for the judicial branch. The submission shall be designed
 11 8 to assist the legislative services agency in its preparation
 11 9 for legislative consideration of the budget request. The
 11 10 information submitted shall contain and be arranged in a format
 11 11 substantially similar to the format specified by the director
 11 12 of the department of management and used by all departments
 11 13 and establishments in transmitting to the director estimates
 11 14 of their expenditure requirements pursuant to section 8.23;
 11 15 ~~except the estimates of expenditure requirements shall be based~~
 11 16 ~~upon one hundred percent of funding for the current fiscal~~
 11 17 ~~year accounted for by program, and using the same line item~~
 11 18 ~~definitions of expenditures as used for the current fiscal~~
 11 19 ~~year's budget request, and the remainder of the estimate of~~
 11 20 ~~expenditure requirements prioritized by program~~. The supreme
 11 21 court shall also make use of the department of management's
 11 22 automated budget system when submitting information to the
 11 23 director of the department of management to assist the director
 11 24 in the transmittal of information as required under section
 11 25 8.35A. The supreme court shall budget and track expenditures by
 11 26 the following separate organization codes:

DETAIL: Replaces statutory budget submission requirements for the Judicial Branch in Iowa Code section [8.23](#). This provision removes the language requiring expenditure requirements to be based upon 100.00% of funding for the current fiscal year. This requirement has been included in previous annual Standing Appropriations Acts.

11 27 DIVISION VI
 11 28 BLACKOUT SPECIAL REGISTRATION PLATES

11 29 Sec. 28. Section 321.34, Code 2019, is amended by adding the
 11 30 following new subsection:

CODE: Creates a new special motor vehicle license plate with a blackout design.

11 31 NEW SUBSECTION 11C. BLACKOUT PLATES.

11 32 a. Upon application and payment of the proper fees,
 11 33 the director may issue blackout plates to the owner of a
 11 34 motor vehicle subject to registration under section 321.109,
 11 35 subsection 1, autocycle, motor truck, motor home, multipurpose
 12 1 vehicle, motorcycle, trailer, or travel trailer.

DETAIL: The fee for the license plate is \$35 with an annual \$10 registration fee charged in addition to the regular annual registration fee. An additional \$5 fee is applied for personalized plates in addition to the standard \$25 personalized plate fee. Revenues from the blackout license plate fees will be directed to the Road Use Tax Fund (RUTF).

12 2 b. Blackout plates shall be designed by the department. A
 12 3 blackout plate's background shall be black, and the plate's
 12 4 letters and numbers shall be white.

12 5 c. The special blackout fee for letter-number designated
 12 6 blackout plates is thirty-five dollars. An applicant may

12 7 obtain personalized blackout plates upon payment of the fee for
12 8 personalized plates as provided in subsection 5, which is in
12 9 addition to the special blackout fee. The fees collected by
12 10 the director under this subsection shall be paid monthly to the
12 11 treasurer of state and deposited in the road use tax fund.
12 12 d. Upon receipt of the special registration plates, the
12 13 applicant shall surrender the current registration plates to
12 14 the county treasurer. The county treasurer shall validate
12 15 the special registration plates in the same manner as regular
12 16 registration plates are validated under this section. The
12 17 annual special blackout fee for letter-number designated plates
12 18 is ten dollars which shall be paid in addition to the regular
12 19 annual registration fee. The annual fee for personalized
12 20 blackout plates is five dollars which shall be paid in addition
12 21 to the annual special blackout fee and the regular annual
12 22 registration fee. The annual special blackout fee shall be
12 23 credited as provided under paragraph "c".
12 24 e. The department shall not condition the issuance of
12 25 blackout plates on the receipt of any number of orders for
12 26 blackout plates.

12 27 Sec. 29. Section 321.166, subsection 9, Code 2019, is
12 28 amended to read as follows:
12 29 9. Special registration plates issued pursuant to section
12 30 321.34, other than gold star, medal of honor, collegiate, fire
12 31 fighter, ~~and~~ natural resources, and blackout registration
12 32 plates, shall be consistent with the design and color of
12 33 regular registration plates but shall provide a space on a
12 34 portion of the plate for the purpose of allowing the placement
12 35 of a distinguishing processed emblem or an organization
13 1 decal. Special registration plates shall also comply with
13 2 the requirements for regular registration plates as provided
13 3 in this section to the extent the requirements are consistent
13 4 with the section authorizing a particular special vehicle
13 5 registration plate.

CODE: Adds the blackout license plate design to license plates
exempted from Iowa Code section [321.34](#) license plate requirements
regarding design, color, and emblems/decals.

DETAIL: The blackout license plate design will be exempted along with
gold star, medal of honor, collegiate, fire fighter, and natural resources
license plates from requiring a space for the placement of an emblem
or an organization decal.

Unassigned Standings

General Fund

	Actual FY 2018 (1)	Estimated FY 2019 (2)	FY 2020		Net Total (5)
			Current Law (3)	House Standings HF 786 (4)	
<u>Administrative Services, Department of</u>					
State Accounting Trust Accounts					
Federal Cash Management - Standing	\$ 0	\$ 54,182	\$ 54,182	\$ 0	\$ 54,182
Unemployment Compensation - Standing	469,374	421,655	421,655	0	421,655
Total Administrative Services, Dept. of	\$ 469,374	\$ 475,837	\$ 475,837	\$ 0	\$ 475,837
<u>Education, Department of</u>					
Education, Dept. of					
State Foundation School Aid	\$ 3,179,552,712	\$ 3,207,571,601	\$ 3,301,100,000	-15,000,000	\$ 3,286,100,000
State Aid \$5 Per Pupil Increase	0	0	2,909,400	0	2,909,400
Nonpublic School Transportation	8,195,634	8,197,091	10,146,780	-1,949,689	8,197,091
Sac Fox Settlement Education	95,518	95,750	100,000	0	100,000
Instructional Support	0	0	14,800,000	-14,800,000	0
Total Education, Department of	\$ 3,187,843,864	\$ 3,215,864,442	\$ 3,329,056,180	\$ -31,749,689	\$ 3,297,306,491
<u>Executive Council</u>					
Executive Council					
Court Costs	\$ 416,153	\$ 56,455	\$ 56,455	\$ 0	\$ 56,455
Public Improvements	0	9,575	9,575	0	9,575
Drainage Assessment	162,895	19,367	19,367	0	19,367
Total Executive Council	\$ 579,049	\$ 85,397	\$ 85,397	\$ 0	\$ 85,397
<u>Legislative Branch</u>					
Legislative Branch					
Legislative Branch	\$ 35,248,979	\$ 35,582,682	\$ 37,000,000	\$ 0	\$ 37,000,000
Total Legislative Branch	\$ 35,248,979	\$ 35,582,682	\$ 37,000,000	\$ 0	\$ 37,000,000
<u>Management, Department of</u>					
Management, Dept. of					
Technology Reinvestment Fund	\$ 0	\$ 0	\$ 17,500,000	\$ 0	\$ 17,500,000
Appeal Board Claims	7,496,569	4,500,000	4,500,000	0	4,500,000
Special Olympics Fund	100,000	100,000	100,000	0	100,000
Economic Emergency Fund	13,038,163	0	0	0	0
Cash Reserve Fund Appropriation	20,000,000	113,100,000	0	0	0
Transportation Equity Fund	0	11,200,000	19,000,000	0	19,000,000
Total Management, Department of	\$ 40,634,732	\$ 128,900,000	\$ 41,100,000	\$ 0	\$ 41,100,000

Unassigned Standings General Fund

	Actual FY 2018 (1)	Estimated FY 2019 (2)	Current Law (3)	House Standings HF 786 (4)	Net Total (5)
Public Defense, Department of					
Public Defense, Dept. of					
Compensation and Expense	\$ 612,201	\$ 342,556	\$ 342,556	\$ 0	\$ 342,556
Total Public Defense, Department of	\$ 612,201	\$ 342,556	\$ 342,556	\$ 0	\$ 342,556
Public Safety, Department of					
Public Safety, Dept. of					
DPS - POR Unfunded Liabilities	\$ 5,000,000	\$ 5,000,000	\$ 5,000,000	\$ 0	\$ 5,000,000
Total Public Safety, Department of	\$ 5,000,000	\$ 5,000,000	\$ 5,000,000	\$ 0	\$ 5,000,000
Revenue, Department of					
Revenue, Dept. of					
Homestead Tax Credit Aid - GF	\$ 137,306,758	\$ 135,071,538	\$ 130,316,500	\$ 0	\$ 130,316,500
Elderly & Disabled Tax Credit	20,741,534	24,690,028	30,895,000	0	30,895,000
Ag Land Tax Credit - GF	39,072,143	39,100,000	39,100,000	0	39,100,000
Military Service Tax Exemption	1,894,661	1,961,234	1,352,000	0	1,352,000
Comm & Industrial Prop Tax Replacement	152,063,510	152,114,544	152,114,544	0	152,114,544
Business Property Tax Credit	125,000,000	125,000,000	125,000,000	0	125,000,000
Total Revenue, Department of	\$ 476,078,606	\$ 477,937,344	\$ 478,778,044	\$ 0	\$ 478,778,044
Total Unassigned Standings	\$ 3,746,466,804	\$ 3,864,188,258	\$ 3,891,838,014	\$ -31,749,689	\$ 3,860,088,325