Standing Appropriations Bill
Senate File 638

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
LSA Staff Contacts: Rodrigo Acevedo (515.281.6764) Michael Guanci (515.725.1286)
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.

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).

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.


Reduces the FY 2020 State school aid funding to Area Education Agencies (AEAs) by $15.0 million.

FUNDING FOR PROJECTS AND PROGRAMS

Appropriates a total of $50,000 from the General Fund to the Department of Public Safety to be used for costs associated with training and equipment needs of volunteer fire fighters.

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 (DR-4421-IA).

STUDIES AND INTENT

*Required Reports*
Requires the Board of Regents to submit a written report to the General Assembly by December 13, 2019, related to the financing of Regents capitals projects. 

SIGNIFICANT CODE CHANGES

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

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.

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.

Codifies similar 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.

Codifies similar language included in previous Standing Appropriations Acts requiring the submission of estimated expenditure requirements, prioritized by program or results to be achieved, to the DOM.

Eliminates language that requires the Judicial Branch budget request be based on 100.00% of the current fiscal year and accounted for by program.

Prevents the Iowa Utilities Board from allowing gas and electric utilities to adopt energy efficiency or demand response plans that exceed applicable annual cost thresholds.

Allows a political subdivision located outside the State of Iowa to participate in a Iowa Watershed Management Authority if the political subdivision is part of a Hydrologic Unit Code (HUC) 8 watershed. The federal Geological Survey uses the HUC system to identify a hydrological feature like a river, lake, or a watershed.

EFFECTIVE DATE

Specifies that Division V of the Bill relating to flood recovery assistance takes effect upon enactment.
Senate File 638 provides for the following changes to the Code of Iowa.

<table>
<thead>
<tr>
<th>Page #</th>
<th>Line #</th>
<th>Bill Section</th>
<th>Action</th>
<th>Code Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>23</td>
<td>3</td>
<td>Add</td>
<td>257.35.13A</td>
</tr>
<tr>
<td>3</td>
<td>11</td>
<td>6</td>
<td>Amend</td>
<td>2C.18</td>
</tr>
<tr>
<td>3</td>
<td>24</td>
<td>7</td>
<td>Add</td>
<td>558.69.9</td>
</tr>
<tr>
<td>3</td>
<td>32</td>
<td>8</td>
<td>Amend</td>
<td>29C.20C</td>
</tr>
<tr>
<td>4</td>
<td>20</td>
<td>9</td>
<td>Amend</td>
<td>216A.133</td>
</tr>
<tr>
<td>4</td>
<td>26</td>
<td>10</td>
<td>Amend</td>
<td>225C.51</td>
</tr>
<tr>
<td>4</td>
<td>31</td>
<td>11</td>
<td>Amend</td>
<td>225C.51</td>
</tr>
<tr>
<td>5</td>
<td>5</td>
<td>12</td>
<td>Amend</td>
<td>261H.3.1,2</td>
</tr>
<tr>
<td>6</td>
<td>19</td>
<td>16</td>
<td>Amend</td>
<td>513D.2.2</td>
</tr>
<tr>
<td>6</td>
<td>25</td>
<td>17</td>
<td>Amend</td>
<td>515I.4A.1.c</td>
</tr>
<tr>
<td>6</td>
<td>33</td>
<td>18</td>
<td>Amend</td>
<td>522E.13.6</td>
</tr>
<tr>
<td>7</td>
<td>17</td>
<td>19</td>
<td>Amend</td>
<td>633.648</td>
</tr>
<tr>
<td>10</td>
<td>3</td>
<td>27</td>
<td>New</td>
<td>418.16</td>
</tr>
<tr>
<td>12</td>
<td>7</td>
<td>31</td>
<td>Add</td>
<td>8.6.16</td>
</tr>
<tr>
<td>12</td>
<td>34</td>
<td>32</td>
<td>Amend</td>
<td>8.23.1</td>
</tr>
<tr>
<td>13</td>
<td>13</td>
<td>33</td>
<td>Amend</td>
<td>8.23.1.a</td>
</tr>
<tr>
<td>13</td>
<td>25</td>
<td>34</td>
<td>Amend</td>
<td>602.1301.2.a</td>
</tr>
<tr>
<td>14</td>
<td>18</td>
<td>35</td>
<td>Add</td>
<td>321.34.11C</td>
</tr>
<tr>
<td>15</td>
<td>16</td>
<td>36</td>
<td>Amend</td>
<td>321.166.9</td>
</tr>
<tr>
<td>15</td>
<td>32</td>
<td>37</td>
<td>Amend</td>
<td>99F.7A.3</td>
</tr>
<tr>
<td>16</td>
<td>13</td>
<td>38</td>
<td>Amend</td>
<td>99F.13</td>
</tr>
<tr>
<td>16</td>
<td>28</td>
<td>39</td>
<td>Amend</td>
<td>476.6.15.c.(2),(4)</td>
</tr>
<tr>
<td>19</td>
<td>4</td>
<td>41</td>
<td>Repeal</td>
<td>262.67</td>
</tr>
<tr>
<td>19</td>
<td>8</td>
<td>42</td>
<td>Add</td>
<td>466B.22.5</td>
</tr>
</tbody>
</table>
DIVISION I
STANDING APPROPRIATIONS AND RELATED MATTERS

Section 1. LIMITATIONS OF STANDING APPROPRIATIONS —— FY 2019-2020. Notwithstanding the standing appropriation in the following designated section for the fiscal year beginning July 1, 2019, and ending June 30, 2020, the amount appropriated from the general fund of the state pursuant to that section for the following designated purpose shall not exceed the following amount:

For payment of claims for nonpublic school transportation under section 285.2:

$8,197,091

If total approved claims for reimbursement for nonpublic school pupil transportation exceed the amount appropriated in accordance with this section, the department of education shall prorate the amount of each approved claim.

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

Sec. 3. Section 257.35, Code 2019, is amended by adding the following new subsection:

NEW SUBSECTION 13A. Notwithstanding subsection 1, and in addition to the reduction applicable pursuant to subsection 2, the state aid for area education agencies and the portion of the combined district cost calculated for these agencies for the fiscal year beginning July 1, 2019, and ending June 30, 2020, shall be reduced by the department of management by fifteen million dollars. The reduction for each area education agency shall be prorated based on the reduction that the agency received in the fiscal year beginning July 1, 2003.

Sec. 4. SPECIAL FUNDS —— SALARY ADJUSTMENTS —— UNAPPROPRIATED MONEYS —— FY 2019-2020 —— FY 2020-2021. For the fiscal year beginning July 1, 2019, and ending June 30, 2020, and for the fiscal year beginning July 1, 2020, and ending June 30, 2021, salary adjustments otherwise provided may be funded as determined by the department of management, subject to any applicable constitutional limitation, using un appropriated
moneys remaining in the department of commerce revolving fund, the gaming enforcement revolving fund, the gaming regulatory revolving fund, the primary road fund, the road use tax fund, the fish and game protection fund, and the Iowa public employees' retirement fund, and in other departmental revolving, trust, or special funds for which the general assembly has not made an operating budget appropriation.

DIVISION II
MISCELLANEOUS APPROPRIATIONS

Sec. 5. DEPARTMENT OF PUBLIC SAFETY.
1. There is appropriated from the general fund of the state to the department of public safety for the fiscal year beginning July 1, 2019, and ending June 30, 2020, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For costs associated with the training and equipment needs of volunteer fire fighters: .................................................. $ 50,000

2. Notwithstanding section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure only for the purpose designated in this section until the close of the succeeding fiscal year.

3. Notwithstanding section 8.39, the department of public safety may reallocate moneys appropriated in this section and moneys appropriated in 2019 Iowa Acts, Senate File 615, section 15, if enacted, as necessary to best fulfill the needs provided for in the appropriation. The Department must notify the Legislative Services Agency (LSA) and the Department of Management (DOM) of any reallocation and provide information regarding the rationale for reallocating moneys. However, the DPS is prohibited from reallocating moneys for the purpose of eliminating any program.

DIVISION III
MISCELLANEOUS PROVISIONS

Sec. 6. Section 2C.18, Code 2019, is amended to read as follows:

CODE: Changes the due date of the annual Office of the Ombudsman report from April 1 to December 31, and changes the scope of the
2C.18 REPORT TO GENERAL ASSEMBLY.

The ombudsman shall by April 30, December 31 of each year submit an economically designed and reproduced report to the general assembly and to the governor concerning the exercise of the ombudsman’s functions during the preceding fiscal year. In discussing matters with which the ombudsman has been concerned, the ombudsman shall not identify specific persons if to do so would cause needless hardship. If the annual report criticizes a named agency or official, it shall also include unedited replies made by the agency or official to the criticism, unless excused by the agency or official affected.

Sec. 7. Section 558.69, Code 2019, is amended by adding the following new subsection:

NEW SUBSECTION 9. Notwithstanding section 331.604 or any other provision of law to the contrary, the county recorder shall not charge or collect a fee for the submission or filing of a groundwater hazard statement.

DIVISION IV
CORRECTIVE PROVISIONS

Sec. 8. Section 29C.20C, if enacted by 2019 Iowa Acts, Senate File 570, section 1, is amended to read as follows:

29C.20C IMMUNITY — LICENSED ARCHITECTS AND PROFESSIONAL ENGINEERS.

An architect licensed pursuant to chapter 544A or a professional engineer licensed pursuant to chapter 542B who, during a disaster emergency as proclaimed by the governor or a major disaster as declared by the president of the United States, in good faith and at the request of or with the approval of a national, state, or local public official, law enforcement official, public safety official, or building inspection official believed by the licensed architect or professional engineer to be acting in an official capacity, voluntarily and without compensation provides architectural, engineering, structural, electrical, mechanical, or other design professional services related to the disaster emergency or major disaster shall not be liable for civil damages for any acts or omissions resulting from the services provided, unless such acts or omissions constitute recklessness or willful and wanton misconduct. A licensed architect or professional engineer who receives expense reimbursement for the performance of services described in this section shall not be considered to have received compensation for such services.

Sec. 9. Section 216A.133, subsection 3, paragraph l, if enacted by 2019 Iowa Acts, House File 634, section 5, is amended to read as follows:
Sec. 10. Section 225C.51, subsection 1, paragraph a, if enacted by 2019 Iowa Acts, House File 690, section 8, is amended to read as follows:

a. The director of the department of human services or the director’s designee.

Sec. 11. Section 225C.51, subsection 3, if enacted by 2019 Iowa Acts, House File 690, section 8, is amended to read as follows:

3. The director of the department of human services and the director of the department of education, or their designees, shall serve as co-chairpersons of the state board. Board members shall not be entitled to a per diem as specified in section 7E.6 and shall not be entitled to actual and necessary expenses incurred while engaged in their official duties.

Sec. 12. Section 261H.3, subsections 1 and 2, as enacted by 2019 Iowa Acts, Senate File 274, section 3, are amended to read as follows:

1. Noncommercial expressive activities protected under the provisions of this chapter include but are not limited to any lawful oral or written means by which members of the campus community may communicate ideas to one another, including speeches including by invited speakers, distribution of literature, circulating petitions, and publishing, including publishing or streaming on an internet site, or audio or video recorded in outdoor areas of campus.

2. A member of the campus community who wishes to engage in noncommercial expressive activity in outdoor areas of campus shall be permitted to do so freely, subject to reasonable time, place, and manner restrictions, and as long as the member’s conduct is not unlawful, does not impede others’ access to a facility or use of walkways, and does not disrupt the functioning of the public institution of higher education, subject to the protections of subsection 1. The public institution of higher education may designate other areas of campus available for use by the campus community according to institutional policy, but in all cases access to designated areas of campus must be granted on a viewpoint-neutral basis within the bounds of established principles of the first amendment principles to the Constitution of the United States.
Sec. 13. Section 322C.2, subsection 20, if enacted by 2019 Iowa Acts, Senate File 435, section 2, is amended to read as follows:

20. “Towable recreational vehicle dealer” or “dealer” means a person required to be licensed under this chapter who is authorized to sell and service towable recreational vehicles.

Sec. 14. Section 322C.15, subsection 2, paragraph b, if enacted by 2019 Iowa Acts, Senate File 435, section 12, is amended to read as follows:

b. The manufacturer’s or distributor’s business operations have been abandoned or caused the dealer’s business operations to close for ten consecutive business days. This paragraph does not apply if the closing is due to a normal seasonal closing and the manufacturer or distributor notifies the dealer of the planned closing, an act of God, a strike, a labor difficulty, or any other cause over which the manufacturer or distributor has no control.

Sec. 15. Section 456A.33C, subsection 1, unnumbered paragraph 1, if enacted by 2019 Iowa Acts, House File 765, section 18, is amended to read as follows:

For purposes of this section, unless the context otherwise requires, “eligible water body” means a body of water that meets all of the following criteria:

Sec. 16. Section 513D.2, subsection 2, Code 2019, as amended by 2019 Iowa Acts, House File 679, section 184, if enacted, is amended to read as follows:

2. The commissioner of insurance may take any enforcement action under the commissioner’s authority to enforce compliance with this chapter.

Sec. 17. Section 515I.4A, subsection 1, paragraph c, as enacted by 2019 Iowa Acts, Senate File 558, section 4, is amended to read as follows:

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

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

Whenever notice or correspondence with respect to a policy of portable electronics insurance is required pursuant to this section, it shall be in writing and sent within the
notice period required pursuant to this section. Notices and correspondence shall be sent to the licensed portable electronics vendor that is the policyholder at the portable electronics vendor’s mailing or electronic mail address specified for that purpose and to its affected enrolled consumers’ last known mailing or electronic mail addresses on file with the insurer or the portable electronics vendor. All notices and documents that are delivered by electronic means shall comply with section 505B.1, except for the provisions in section 505B.1, subsection 4. The insurer or portable electronics vendor shall maintain proof that the notice or correspondence was sent for not less than three years after that notice or correspondence was sent.

Sec. 19. Section 633.648, Code 2019, as amended by 2019 Iowa Acts, House File 610, section 34, if enacted, is amended to read as follows:

633.648 APPOINTMENT OF ATTORNEY IN COMPROMISE OF PERSONAL INJURY SETTLEMENTS.

Notwithstanding the provisions of section 633.642 prior to authorizing a compromise of a claim for damages on account of personal injuries to the ward protected person, the court may order an independent investigation by an attorney other than by the attorney for the conservator. The cost of such investigation, including a reasonable attorney fee, shall be taxed as part of the cost of the conservatorship.

Sec. 20. Section 692C.1, subsection 1, paragraph a, if enacted by 2019 Iowa Acts, House File 681, section 1, is amended to read as follows:

a. “Covered individual” means an individual who has, seeks to have, or may have access to children, the elderly, or individuals with disabilities served by a qualified entity and who is employed by, volunteers with, or seeks to volunteer with a qualified entity; or owns or operates or seeks to own or operate, a qualified entity.

Sec. 21. 2019 Iowa Acts, Senate File 333, section 104, subsection 6, is amended to read as follows:

6. Sections 15E.206, subsection 3, paragraph “a”; 15E.207, subsection 2, paragraph “b”, subparagraph (2), subparagraph division (c); 15E.208, subsection 5, paragraph “g”, subparagraphs (1) and (2); 15E.208, subsection 6, paragraph “d”, subparagraph (1), subparagraph division (a); 135.61, unnumbered paragraph 1; 135.61, subsection 1, paragraph “d”; 135.61, subsection 4; 135.62, section 1; 135.62, subsection 1; 135.63, subsection 1; 135.63, subsection 2,
Sec. 22. EFFECTIVE DATE. The following, being deemed of immediate importance, take effect upon enactment:

1. The section of this division of this Act amending section 29C.20.

Sec. 23. EFFECTIVE DATE. The following takes effect January 1, 2020:

The section of this division of this Act amending section 633.648.

Sec. 24. RETROACTIVE APPLICABILITY. The following applies retroactively to the effective date of 2019 Iowa Acts, Senate File 570, if enacted:

The section of this division of this Act amending section 29C.20.
Sec. 25. RETROACTIVE APPLICABILITY. The following applies retroactively to March 27, 2019:

The section of this division of this Act amending section 261H.3, subsections 1 and 2.

Sec. 26. APPLICABILITY. The following applies to guardianships and guardianship proceedings for adults and conservatorships and conservatorship proceedings for adults and minors established or pending before, on, or after January 1, 2020:

The section of this division of this Act amending section 633.648.

DIVISION V
FLOOD RECOVERY

Sec. 27. NEW SECTION 418.16 FLOOD RECOVERY FUND.

1. A flood recovery fund is established in the state treasury under the control of the board. The fund shall consist of moneys appropriated to the fund by the general assembly and any other moneys available to, obtained by, or accepted by the board for deposit in the fund. Moneys in the fund are appropriated to the department and shall be used for the purposes designated in this section. Moneys in the fund shall not supplant any federal disaster recovery moneys.

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

3. In order to be awarded moneys from the fund, a political subdivision of the state shall submit a project application to the department for consideration by the board. The board shall prescribe application forms and application instructions. Project applications shall include all of the following:

   a. A description of the project and the manner in which the project supports flood response, flood recovery, or flood mitigation activities.
   b. A description of the financial assistance needed from the fund.
   c. Details on any additional moneys to be applied to the project.

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), and administers the Flood Mitigation Program, which provides a funding source to finance approved flood mitigation projects undertaken by local governments.

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.

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.
4. a. The board shall review all project applications. During the review of a project application, the board shall consider, at a minimum, all of the following:

(1) Whether the project supports flood response, flood recovery, or flood mitigation activities.

(2) Whether moneys from the fund are essential to meet the necessary expenses or serious needs of the political subdivision related to flood response, flood recovery, or flood mitigation.

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

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

Sec. 28. FLOOD RECOVERY APPROPRIATION. There is appropriated from the general fund of the state to the department of homeland security and emergency management, for the fiscal year beginning July 1, 2018, and ending June 30, 2019, the following amount, or so much thereof as is necessary, to be credited to the flood recovery fund created in section 418.16, as enacted by this Act, and used for the purposes designated in section 418.16, as enacted by this Act:

$15,000,000

Sec. 29. EMERGENCY RULES. The department of homeland security and emergency management may adopt emergency rules under section 17A.4, subsection 3, and section 17A.5, subsection 2, paragraph “b”, to implement the provisions of this division of this Act and the rules shall be effective immediately upon filing unless a later date is specified in the rules. Any rules adopted in accordance with this section shall also be published as a notice of intended action as provided in section 17A.4.

Sec. 30. EFFECTIVE DATE. This division of this Act, being deemed of immediate importance, takes effect upon enactment.
DIVISION VI
STATE BUDGET PROCESS

Sec. 31. Section 8.6, Code 2019, is amended by adding the following new subsection:

NEW SUBSECTION 16. SALARY MODEL ADMINISTRATOR. To designate a position within the department to serve as the salary model administrator.

a. The salary model administrator shall work in conjunction with the legislative services agency to maintain the state’s salary model used for analyzing, comparing, and projecting state employee salary and benefit information, including information relating to employees of the state board of regents.

b. The department of revenue, the department of administrative services, the institutions governed by the state board of regents pursuant to section 262.7, each judicial district’s department of correctional services, and the state department of transportation shall provide salary data to the department of management and the legislative services agency to operate the state’s salary model. The format and frequency of provision of the salary data shall be determined by the department of management and the legislative services agency.

c. The information shall be used in collective bargaining processes under chapter 20 and in calculating the funding needs contained within any annual salary adjustment legislation. A state employee organization as defined in section 20.3, subsection 4, may request information produced by the model, but the information provided shall not contain information attributable to individual employees.

Sec. 32. Section 8.23, subsection 1, unnumbered paragraph 1, Code 2019, is amended to read as follows:

On or before October 1, prior to each legislative session, all departments and establishments of the government shall transmit to the director, on blanks to be furnished by the director, estimates of their expenditure requirements, including every proposed expenditure, for the ensuing fiscal year, classified so as to distinguish between expenditures estimated for administration, operation, and maintenance, and the cost of each project involving the purchase of land or the making of a public improvement or capital outlay of a permanent character, together with supporting data and explanations as called for by the director after consultation with the legislative services agency.

Sec. 33. Section 8.23, subsection 1, paragraph a, Code 2019, is amended to read as follows:

On or before October 1, prior to each legislative session, all departments and establishments of the government shall transmit to the director, on blanks to be furnished by the director, estimates of their expenditure requirements, including every proposed expenditure, for the ensuing fiscal year, classified so as to distinguish between expenditures estimated for administration, operation, and maintenance, and the cost of each project involving the purchase of land or the making of a public improvement or capital outlay of a permanent character, together with supporting data and explanations as called for by the director after consultation with the legislative services agency.

CODE: Adds a new subsection to the Iowa Code section 8.6 requiring the Salary Model Administrator to work with the LSA to maintain the State’s salary model. Requires various departments to submit salary data to the DOM and the LSA.

DETAIL: Codifies language included in previous Standings Appropriations Acts.

CODE: Codifies similar 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.

CODE: Requires State agencies to submit budget information to the
is amended to read as follows:

a. The estimates of expenditure requirements shall be based upon seventy-five percent of the funding provided for the current fiscal year accounted for by program reduced by the historical employee vacancy factor in a form specified by the director, and the remainder of the estimate of expenditure requirements shall include all proposed expenditures and shall be prioritized by program or the results to be achieved. The estimates shall be accompanied with performance measures for evaluating the effectiveness of the program or results.

Sec. 34. Section 602.1301, subsection 2, paragraph a, unnumbered paragraph 1, Code 2019, is amended to read as follows:

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

DIVISION VII
BLACKOUT SPECIAL REGISTRATION PLATES

Sec. 35. Section 321.34, Code 2019, is amended by adding the following new subsection:

a. Upon application and payment of the proper fees, the director may issue blackout plates to the owner of a motor vehicle subject to registration under section 321.109,

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

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.
subsection 1, autocy, motor truck, motor home, multipurpose
vehicle, motorcycle, trailer, or travel trailer.

b. Blackout plates shall be designed by the department. A
blackout plate’s background shall be black, and the plate’s
letters and numbers shall be white.
c. The special blackout fee for letter-number designated
blackout plates is thirty-five dollars. An applicant may
obtain personalized blackout plates upon payment of the fee for
personalized plates as provided in subsection 5, which is in
addition to the special blackout fee. The fees collected by
the director under this subsection shall be paid monthly to the
treasurer of state and deposited in the road use tax fund.
d. Upon receipt of the special registration plates, the
applicant shall surrender the current registration plates to
the county treasurer. The county treasurer shall validate
the special registration plates in the same manner as regular
registration plates are validated under this section. The
annual special blackout fee for letter-number designated plates
is ten dollars which shall be paid in addition to the regular
annual registration fee. The annual special blackout fee shall be
credited as provided under paragraph “c”.

e. The department shall not condition the issuance of
blackout plates on the receipt of any number of orders for
blackout plates.

Sec. 36. Section 321.166, subsection 9, Code 2019, is
amended to read as follows:

9. Special registration plates issued pursuant to section
321.34, other than gold star, medal of honor, collegiate, fire
fighter, and natural resources, and blackout registration
plates, shall be consistent with the design and color of
regular registration plates but shall provide a space on a
portion of the plate for the purpose of allowing the placement
of a distinguishing processed emblem or an organization
decal. Special registration plates shall also comply with
the requirements for regular registration plates as provided
in this section to the extent the requirements are consistent
with the section authorizing a particular special vehicle
registration plate.

DIVISION VIII
GAMBLING REGULATION

Sec. 37. Section 99F.7A, subsection 3, if enacted by 2019
Iowa Acts, Senate File 617, section 10, is amended to read as
to the standard $25 personalized plate fee. Revenues from the
blackout license plate fees will be deposited into the Road Use Tax
Fund.

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.

CODE: Amends SF 617 (Sports Wagering Bill) as passed by the
Senate to prevent a person operating an individually branded Internet
A licensee under this section may enter into operating agreements with one or two entities to have up to a total of two individually branded internet sites to conduct advance deposit sports wagering for the licensee, unless one additional operating agreement or individually branded internet site is authorized by the commission. However, a person shall not sell, grant, assign, or turn over to another person the operation of an individually branded internet site to conduct advance deposit wagering for the licensee without the approval of the commission. This section does not prohibit an agreement entered into between a licensee under this section and an advanced deposit sports wagering operator as approved by the commission.

Sec. 38. Section 99F.13, Code 2019, is amended to read as follows:

99F.13  ANNUAL AUDIT OF LICENSEE OPERATIONS. Within ninety days after the end of the licensee’s fiscal year, the licensee shall transmit to the commission an audit of the licensee’s total gambling operations, including an itemization of all expenses and subsidies. For a licensed subsidiary of a parent company, an audit of the parent company meets the requirements of this section. All audits shall be conducted by certified public accountants authorized to practice in the state of Iowa under chapter 542 who are selected by the board of supervisors of the county in which the licensee operates.

DIVISION IX
PUBLIC UTILITIES

Sec. 39. Section 476.6, subsection 15, paragraph c, subparagraphs (2) and (4), Code 2019, are amended to read as follows:

(2) Notwithstanding the goals developed pursuant to paragraph “b”, the board shall not require or allow a gas utility to adopt an energy efficiency plan that results in projected cumulative average annual costs that exceed one and one-half percent of the gas utility’s expected annual Iowa retail rate revenue from retail customers in the state, shall not require or allow an electric utility to adopt an energy efficiency plan that results in projected cumulative average annual costs that exceed two percent of the electric utility’s expected annual Iowa retail rate revenue from retail customers in the state, and shall not require or allow an electric utility to adopt a demand response plan that results in projected cumulative average annual costs that exceed two percent of the electric utility’s expected annual Iowa retail rate revenue from retail customers in the state.
9 percent of the electric utility’s expected annual Iowa retail rate revenue from retail customers in the state. For purposes of determining the two percent threshold amount, the board shall exclude from an electric utility’s expected annual Iowa retail rate revenue the revenues expected from customers that have received exemptions from energy efficiency plans pursuant to paragraph “a”. This subparagraph shall apply to energy efficiency plans and demand response plans that are effective on or after January 1, 2019.

(4) The board shall approve, reject, or modify a plan filed pursuant to this subsection no later than March 31, 2019. If the board fails to approve, reject, or modify a plan filed by a gas or electric utility on or before such date, any plan filed prior to May 4, 2018, shall be terminated. The board shall not require or allow a gas or electric utility to implement an energy efficiency plan or demand response plan that does not meet the requirements of this subsection.

DIVISION X
BOARD OF REGENTS CAPITAL PROJECTS

Sec. 40. BOARD OF REGENTS CAPITAL PROJECTS REPORT.
1. The state board of regents shall submit a written report, including such information and recommendations as required by this section, to the general assembly by December 13, 2019, regarding the financing of capital projects at institutions under the control of the state board of regents.

2. The written report shall include a list of all capital projects initiated by an institution under the control of the state board of regents since January 1, 2004, in which the state provided at least a part of the financing for the project from an appropriation from the Rebuild Iowa Infrastructure Fund created in section 8.57. For each project listed, the report shall include all of the following information:
   a. Total cost of each project.
   b. The amount and percentage of each project financed through donations and gifts from private sources.
   c. The amount and percentage of each project financed through funding from the federal government.
   d. The amount and percentage of each project financed through institution sources.
   e. The amount and percentage of each project financed through state dollars.

CODE: The Iowa Utilities Board shall approve, reject, or modify an energy efficient or demand response plan no later than March 31, 2019. If no action is taken by the specified date, plans approved prior to May 4, 2018, shall be terminated. Plans that do not meet the requirements of Iowa Code section 476.6(15) shall not be required or allowed.

DETAIL: Iowa Code section 476.6(15) requires rate-regulated gas and electric utilities to file certain energy efficiency or demand response plans with the Iowa Utilities Board.

CODE: Requires the Board of Regents to submit a written report to the General Assembly by December 13, 2019, related to the financing of Regents capitals projects.

CODE: Specifies that the report is required to include projects initiated after January 1, 2004, that received an appropriation from the Rebuild Iowa Infrastructure Fund (RIIF). The report shall include the following information.

- The total cost of each project.
- The amount of each project that was funded by the federal government, Regents institutions, State dollars, other sources, and donations and gifts from private sources.
- If the project was considered a renovation or new construction.
f. The amount and percentage of each project financed through other sources.

g. Whether each project was considered a renovation or new construction.

3. The written report shall include, for each year since January 1, 2004, the percentage of capital project costs that were covered by donations and gifts from private sources for capital projects that did not receive state funding.

4. The written report shall include information regarding how the state board of regents defines new construction and renovations, a list of capital projects initiated due to extraordinary circumstances, and the current method used by the state board of regents and institutions under the control of the state board of regents to develop financing plans for capital projects.

5. The written report shall also include recommendations to the general assembly regarding:
   a. The type of capital projects that should be eligible for state funding.
   b. The share of state-funded capital projects that should be funded with non-state dollars.
   c. How the fundraising plan will be developed for state-funded projects.

Sec. 41. REPEAL. Section 262.67, if enacted by 2019 Iowa Acts, House File 765, section 16, is repealed.

DIVISION XI
WATERSHED MANAGEMENT AUTHORITIES

Sec. 42. Section 466B.22, Code 2019, is amended by adding the following new subsection:

5. If a portion of a United States geological survey hydrologic unit code 8 watershed is located outside of this state, any political subdivision in such a watershed may participate in any watershed management authority that includes the county in which the political subdivision is located.
## Unassigned Standings
### General Fund

<table>
<thead>
<tr>
<th>Administrative Services, Department of</th>
<th>FY 2018</th>
<th>FY 2019</th>
<th>Current Law</th>
<th>Senate Standings SF 638</th>
<th>Net Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>State Accounting Trust Accounts</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Federal Cash Management - Standing</td>
<td>$0</td>
<td>$54,182</td>
<td>$54,182</td>
<td>0</td>
<td>$54,182</td>
</tr>
<tr>
<td>Unemployment Compensation - Standing</td>
<td>469,374</td>
<td>421,655</td>
<td>421,655</td>
<td>0</td>
<td>421,655</td>
</tr>
<tr>
<td><strong>Total Administrative Services, Dept. of</strong></td>
<td>$469,374</td>
<td>$475,837</td>
<td>$475,837</td>
<td>0</td>
<td>$475,837</td>
</tr>
<tr>
<td>Education, Department of</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>State Foundation School Aid</td>
<td>$3,179,552,712</td>
<td>$3,207,571,601</td>
<td>$3,301,100,000</td>
<td>-15,000,000</td>
<td>$3,286,100,000</td>
</tr>
<tr>
<td>State Aid $5 Per Pupil Increase</td>
<td>0</td>
<td>0</td>
<td>2,909,400</td>
<td>0</td>
<td>2,909,400</td>
</tr>
<tr>
<td>Nonpublic School Transportation</td>
<td>8,195,634</td>
<td>8,197,091</td>
<td>10,146,780</td>
<td>-1,949,689</td>
<td>8,197,091</td>
</tr>
<tr>
<td>Sac Fox Settlement Education</td>
<td>95,518</td>
<td>95,750</td>
<td>100,000</td>
<td>0</td>
<td>100,000</td>
</tr>
<tr>
<td>Instructional Support</td>
<td>0</td>
<td>0</td>
<td>14,800,000</td>
<td>-14,800,000</td>
<td>0</td>
</tr>
<tr>
<td>Executive Council</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Court Costs</td>
<td>$416,153</td>
<td>$56,455</td>
<td>$56,455</td>
<td>0</td>
<td>$56,455</td>
</tr>
<tr>
<td>Public Improvements</td>
<td>0</td>
<td>9,575</td>
<td>9,575</td>
<td>0</td>
<td>9,575</td>
</tr>
<tr>
<td>Drainage Assessment</td>
<td>162,895</td>
<td>19,367</td>
<td>19,367</td>
<td>0</td>
<td>19,367</td>
</tr>
<tr>
<td><strong>Total Executive Council</strong></td>
<td>$579,049</td>
<td>$85,397</td>
<td>$85,397</td>
<td>0</td>
<td>$85,397</td>
</tr>
<tr>
<td>Legislative Branch</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Legislative Branch</td>
<td>$35,248,979</td>
<td>$35,582,682</td>
<td>$37,000,000</td>
<td>0</td>
<td>$37,000,000</td>
</tr>
<tr>
<td><strong>Total Legislative Branch</strong></td>
<td>$35,248,979</td>
<td>$35,582,682</td>
<td>$37,000,000</td>
<td>0</td>
<td>$37,000,000</td>
</tr>
<tr>
<td>Management, Department of</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Technology Reinvestment Fund</td>
<td>$0</td>
<td>$0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Appeal Board Claims</td>
<td>7,496,569</td>
<td>4,500,000</td>
<td>4,500,000</td>
<td>0</td>
<td>4,500,000</td>
</tr>
<tr>
<td>Special Olympics Fund</td>
<td>100,000</td>
<td>100,000</td>
<td>100,000</td>
<td>0</td>
<td>100,000</td>
</tr>
<tr>
<td>Economic Emergency Fund</td>
<td>13,038,163</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Cash Reserve Fund Appropriation</td>
<td>20,000,000</td>
<td>113,100,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Transportation Equity Fund</td>
<td>0</td>
<td>11,200,000</td>
<td>19,000,000</td>
<td>0</td>
<td>19,000,000</td>
</tr>
<tr>
<td><strong>Total Management, Department of</strong></td>
<td>$40,634,732</td>
<td>$128,900,000</td>
<td>$41,100,000</td>
<td>0</td>
<td>$41,100,000</td>
</tr>
</tbody>
</table>
### Unassigned Standings

**General Fund**

<table>
<thead>
<tr>
<th>Public Defense, Department of</th>
<th>Actual FY 2018</th>
<th>Estimated FY 2019</th>
<th>Current Law</th>
<th>Senate Standings SF 638</th>
<th>Net Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Defense, Dept. of</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Compensation and Expense</td>
<td>612,201</td>
<td>342,556</td>
<td>342,556</td>
<td>0</td>
<td>342,556</td>
</tr>
<tr>
<td>Total Public Defense, Department of</td>
<td>612,201</td>
<td>342,556</td>
<td>342,556</td>
<td>0</td>
<td>342,556</td>
</tr>
</tbody>
</table>

| 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 |
| Firefighter Training Equipment | 0             | 0                | 0           | 50,000                  | 0         |
| Total Public Safety, Department of | 5,000,000     | 5,000,000        | 5,000,000   | 50,000                  | 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 | -31,699,689 | 3,860,088,325 |