

# **Continuing Appropriations Act House File 698**

Last Action:

**Final Action**

June 30, 2011

**An Act relating to and making appropriations for a period of short duration beginning July 1, 2011, providing for related matters, and including effective date and retroactive applicability provisions.**

**Fiscal Services Division  
Legislative Services Agency**

## **NOTES ON BILLS AND AMENDMENTS (NOBA)**

Available at <http://www.legis.iowa.gov/LSAReports/noba.aspx>

LSA Contact: David Reynolds (515-281-6934)

**FUNDING SUMMARY**

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- House File 698 provides temporary appropriations for the month of July 2011, based on one-twelfth of the line item and standing appropriations approved by both chambers of the General Assembly. The temporary funding is necessary to allow the Governor 30 days to review and sign appropriation Acts that provide funding to State agencies and programs for FY 2012. Page 1, Line 1

**MAJOR INCREASES, DECREASES, OR TRANSFERS OF EXISTING PROGRAMS**

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- Provides an increase of 12.0 FTE positions for the State Library of the Department of Education for FY 2012 to accommodate the consolidation of the State Library and Library Service Areas authorized in HF 645 (FY 2012 Education Appropriations Act). Page 4, Line 9

**EFFECTIVE AND ENACTMENT DATES**

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- This Act was approved by the General Assembly on June 30, 2011, and signed by the Governor on June 30, 2011. This Act is effective on enactment. Page 4, Line 5

1 1 DIVISION I  
 1 2 APPROPRIATIONS

1 3 Section 1. FISCAL YEAR 2011-2012 TEMPORARY APPROPRIATIONS.  
 1 4 1. APPROPRIATIONS DETERMINED FROM ENROLLED BILLS. The  
 1 5 department of management, in consultation with the legislative  
 1 6 services agency, shall determine the amount of all line  
 1 7 item appropriations, standing limited appropriations, and  
 1 8 standing unlimited appropriations otherwise limited by law,  
 1 9 including appropriations from federal and nonstate funds, made  
 1 10 for the fiscal year beginning July 1, 2011, and ending June  
 1 11 30, 2012, by bills passed by both the senate and the house  
 1 12 of representatives during the 2011 Regular Session of the  
 1 13 Eighty-fourth General Assembly and enrolled for presentation  
 1 14 to the governor, as affected by any applicable provision of  
 1 15 law. The department of management, in consultation with the  
 1 16 legislative services agency, shall also identify the entities  
 1 17 to which such appropriations are so made.

1 18 2. TEMPORARY APPROPRIATIONS. There is appropriated  
 1 19 from the appropriate state fund or account to the entities  
 1 20 identified pursuant to subsection 1, for the period beginning  
 1 21 July 1, 2011, and ending July 31, 2011, amounts, or so much  
 1 22 thereof as is necessary, equal to one-twelfth of the amounts of  
 1 23 all line item appropriations, standing limited appropriations,  
 1 24 and standing unlimited appropriations otherwise limited by law,  
 1 25 including federal and nonstate funds, made for the fiscal year  
 1 26 beginning July 1, 2011, and ending June 30, 2012, as determined  
 1 27 pursuant to subsection 1.

1 28 3. CARRYFORWARDS TEMPORARILY SUPPLANTED. The amounts  
 1 29 appropriated under subsection 2 shall supplant, for only the  
 1 30 period beginning July 1, 2011, and ending July 31, 2011, any  
 1 31 appropriation carried forward from any previous fiscal year  
 1 32 into the fiscal year beginning July 1, 2011, and ending June  
 1 33 30, 2012.

1 34 4. TEMPORARY APPROPRIATION CONSIDERED ALLOTMENT OF FULL  
 1 35 YEAR APPROPRIATION. Upon the governor's approval of any  
 2 1 enrolled bill, as passed by both the senate and the house  
 2 2 of representatives during the 2011 Regular Session of the  
 2 3 Eighty-fourth General Assembly, containing the same line  
 2 4 item appropriation or limited standing appropriation for the  
 2 5 fiscal year beginning July 1, 2011, and ending June 30, 2012,  
 2 6 as made in the one-twelfth appropriation under subsection 2,  
 2 7 the one-twelfth appropriation amount shall be considered an

Requires the Department of Management (DOM), in consultation with the Legislative Services Agency (LSA), to determine the amount of all line item and standing appropriations from all sources for FY 2012 from the enrolled appropriation bills approved by the General Assembly during the 2011 Legislative Session.

Provides temporary appropriations for the month of July 2011 based on one-twelfth of the line item and standing appropriations approved by both chambers of the General Assembly.

DETAIL: The temporary appropriations are necessary to allow the Governor 30 days to review and sign appropriation Acts that provide funding to State agencies and programs for FY 2012.

Requires the temporary funding specified in this Act to be used in place of any carryforward funds that are authorized in FY 2012 appropriations bills. This provision only applies to the period of July 1 - July 31 of 2011.

Requires the temporary funding of one-twelfth of the appropriated amounts authorized in this Act to be considered an allotment of the line item or standing appropriations for FY 2012.

DETAIL: This requirement provides clarification to the DOM that the temporary funding amounts for July are included in the FY 2012 line item and standing appropriations after the Governor approves the FY 2012 appropriations bills.

2 8 allotment of the line item appropriation or limited standing  
2 9 appropriation for the full fiscal year beginning July 1, 2011,  
2 10 and ending June 30, 2012.

2 11 Sec. 2. FISCAL YEAR 2011-2012 CONTINUING APPROPRIATIONS.  
2 12 1. APPROPRIATIONS DETERMINED FROM 2010-2011 LINE ITEM AND  
2 13 LIMITED STANDING APPROPRIATIONS.

2 14 a. For all line item appropriations, standing limited  
2 15 appropriations, and standing unlimited appropriations otherwise  
2 16 limited by law, including appropriations from federal and  
2 17 nonstate funds, not included in bills passed by both the senate  
2 18 and the house of representatives during the 2011 Regular  
2 19 Session of the Eighty-fourth General Assembly and enrolled for  
2 20 presentation to the governor, the department of management,  
2 21 in consultation with the legislative services agency, shall  
2 22 determine the amount of such line item appropriations, standing  
2 23 limited appropriations, and standing unlimited appropriations  
2 24 otherwise limited by law, including appropriations from federal  
2 25 and nonstate funds, made for the fiscal year beginning July 1,  
2 26 2010, and ending June 30, 2011, by taking into consideration  
2 27 all of the following:

- 2 28 (1) 2011 Iowa Acts, House File 45 and Senate File 209, and  
2 29 other 2011 Iowa Acts.
- 2 30 (2) 2010 Iowa Acts, chapter 1193, sections 27 and 28, and  
2 31 other 2010 Iowa Acts.
- 2 32 (3) All interdepartmental and intradepartmental transfers  
2 33 made pursuant to section 8.39 and other provisions of law.
- 2 34 (4) Other provisions of law.

2 35 b. The department of management, in consultation with the  
3 1 legislative services agency, shall also identify the entities  
3 2 to which such appropriations were so made, or the entities'  
3 3 successors.

3 4 2. CONTINUING APPROPRIATIONS. There is appropriated  
3 5 from the appropriate state fund or account to the entities  
3 6 identified pursuant to subsection 1, for the period beginning  
3 7 July 1, 2011, and ending July 31, 2011, amounts, or so much  
3 8 thereof as is necessary, equal to one-twelfth of the amounts of  
3 9 all line item appropriations, standing limited appropriations,  
3 10 and standing unlimited appropriations otherwise limited by law,  
3 11 including federal and nonstate funds, made for the fiscal year  
3 12 beginning July 1, 2010, and ending June 30, 2011, as determined  
3 13 pursuant to subsection 1.

3 14 3. DUPLICATIVE STANDING APPROPRIATIONS TEMPORARILY  
3 15 SUPPLANTED. The amounts appropriated under subsection 2 shall  
3 16 supplant, for only the period beginning July 1, 2011, and  
3 17 ending July 31, 2011, any duplicative standing appropriation  
3 18 for the fiscal year beginning July 1, 2011, and ending June 30,  
3 19 2012.

3 20 4. CARRYFORWARDS TEMPORARILY SUPPLANTED. The amounts

The requirements in this Section provide temporary funding for the month of July 2011, for State agencies and programs in the event the General Assembly did not approve an FY 2012 appropriation bill for those agencies before the close of FY 2011. The temporary funding in this Section would then be based on one-twelfth of the line item and standing appropriations enacted in appropriation bills for FY 2011.

This Section requires the DOM, in consultation with the LSA, to determine the line item and standing appropriation amounts to be used in the calculation of the temporary funding.

NOTE: All of the appropriations Acts that provided funding for FY 2012 were approved by both chambers of the General Assembly before the close of FY 2011. Therefore, the requirements in this Section are not applicable.

3 21 appropriated under subsection 2 shall supplant, for only the  
3 22 period beginning July 1, 2011, and ending July 31, 2011, any  
3 23 appropriation carried forward from any previous fiscal year  
3 24 into the fiscal year beginning July 1, 2011, and ending June  
3 25 30, 2012.

3 26 5. CONTINUING APPROPRIATION CONSIDERED ALLOTMENT OF FULL

3 27 YEAR APPROPRIATION. Upon the governor's approval of any  
3 28 enrolled bill, as passed by both the senate and the house  
3 29 of representatives during the 2011 Regular Session of the  
3 30 Eighty-fourth General Assembly, containing the same line item  
3 31 or limited standing appropriation for the fiscal year beginning  
3 32 July 1, 2011, and ending June 30, 2012, as made in the  
3 33 one-twelfth appropriation under subsection 2, the one-twelfth  
3 34 appropriation amount shall be considered an allotment of the  
3 35 line item appropriation or limited standing appropriation for  
4 1 the full fiscal year beginning July 1, 2011, and ending June  
4 2 30, 2012.

4 3 6. CAPITAL PROJECTS EXCLUDED. This section of this Act does  
4 4 not apply to appropriations for capital projects.

4 5 Sec. 3. EFFECTIVE DATE AND RETROACTIVE APPLICABILITY. This  
4 6 division of this Act takes effect upon enactment and,  
4 7 if approved by the governor after July 1, 2011, applies  
4 8 retroactively to July 1, 2011.

This Division is effective on enactment and applies retroactively to July 1, 2011, if the Governor approves the Act after July 1, 2011.

NOTE: The Governor signed this Act on June 30, 2011.

4 9 DIVISION II  
4 10 MISCELLANEOUS

4 11 Sec. 4. 2011 Iowa Acts, House File 645, section 5,  
4 12 subsection 4, paragraph a, if enacted, is amended to read as  
4 13 follows:

4 14 a. For salaries, support, maintenance, miscellaneous  
4 15 purposes, and for not more than the following full-time  
4 16 equivalent positions:

4 17 .....	\$	1,209,619
4 18 .....	FTEs	<del>17.00</del>
4 19 .....		<u>29.00</u>

Provides an increase of 12.00 FTE positions for the State Library of the Department of Education for FY 2012.

DETAIL: This increase accommodates the consolidation of the State Library and Library Service Areas authorized in HF 645 (FY 2012 Education Appropriations Act).