

Senate File 2408 - Introduced

SENATE FILE 2408

BY WHITVER

(COMPANION TO LSB 6401YH BY
WINDSCHITL)

A BILL FOR

1 An Act relating to state and local finances by making and
2 supplementing appropriations, providing for legal and
3 regulatory responsibilities, providing for other properly
4 related matters, and including effective date provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

SUPPLEMENTAL APPROPRIATIONS

Section 1. DEPARTMENT OF HUMAN SERVICES — FY 2019-2020.

1. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2019, and ending June 30, 2020, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

a. To supplement the appropriation made for medical assistance program reimbursement and associated costs in 2019 Iowa Acts, chapter 85, section 13, unnumbered paragraph 2: \$ 88,982,734

b. To supplement the appropriation made for maintenance of the healthy and well kids in Iowa (hawk-i) program pursuant to chapter 514I in 2019 Iowa Acts, chapter 85, section 16, subsection 1: \$ 1,737,294

c. To supplement the appropriations made for the state resource center at Glenwood for salaries, support, maintenance, and miscellaneous purposes in 2019 Iowa Acts, chapter 85, section 25, subsection 1, paragraph "a", and 2020 Iowa Acts, Senate File 2144, section 1: \$ 595,608

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 for the purposes designated until the close of the succeeding fiscal year.

Sec. 2. STATE BOARD OF REGENTS — FY 2019-2020.

1. There is appropriated from the general fund of the state to the state board of regents 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:

To supplement the appropriation made for the state hygienic

1 laboratory of the state university of Iowa, including salaries,
2 support, maintenance, and miscellaneous purposes, in 2019 Iowa
3 Acts, chapter 135, section 9, subsection 2, paragraph "c":

4 \$ 525,578

5 2. Notwithstanding section 8.33, moneys appropriated in
6 this section that remain unencumbered or unobligated at the
7 close of the fiscal year shall not revert but shall remain
8 available for expenditure for the purposes designated until the
9 close of the succeeding fiscal year.

10 Sec. 3. EFFECTIVE DATE. This division of this Act, being
11 deemed of immediate importance, takes effect upon enactment.

12 DIVISION II

13 STANDING APPROPRIATIONS AND RELATED MATTERS

14 Sec. 4. LIMITATIONS OF STANDING APPROPRIATIONS — FY
15 2020-2021. Notwithstanding the standing appropriation in the
16 following designated section for the fiscal year beginning July
17 1, 2020, and ending June 30, 2021, the amount appropriated from
18 the general fund of the state pursuant to that section for the
19 following designated purpose shall not exceed the following
20 amount:

21 For payment of claims for nonpublic school pupil
22 transportation under section 285.2:
23 \$ 8,197,091

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

28 Sec. 5. INSTRUCTIONAL SUPPORT STATE AID — FY 2020-2021. In
29 lieu of the appropriation provided in section 257.20,
30 subsection 2, the appropriation for the fiscal year
31 beginning July 1, 2020, and ending June 30, 2021, for paying
32 instructional support state aid under section 257.20 for such
33 fiscal year is zero.

34 Sec. 6. Section 257.35, Code 2020, is amended by adding the
35 following new subsection:

1 NEW SUBSECTION. 14A. Notwithstanding subsection 1, and in
2 addition to the reduction applicable pursuant to subsection
3 2, the state aid for area education agencies and the portion
4 of the combined district cost calculated for these agencies
5 for the fiscal year beginning July 1, 2020, and ending June
6 30, 2021, shall be reduced by the department of management by
7 fifteen million dollars. The reduction for each area education
8 agency shall be prorated based on the reduction that the agency
9 received in the fiscal year beginning July 1, 2003.

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DIVISION III

11

CONTINUING APPROPRIATIONS

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Sec. 7. CONTINUING APPROPRIATIONS — FY 2020-2021.

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1. APPROPRIATIONS DETERMINED FROM 2019-2020 LINE ITEM AND

14

LIMITED STANDING APPROPRIATIONS.

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a. For all line item appropriations, standing limited
16 appropriations, and standing unlimited appropriations otherwise
17 limited by law, including appropriations from federal and
18 nonstate funds, the department of management, in consultation
19 with the legislative services agency, shall determine the
20 amount of such line item appropriations, standing limited
21 appropriations, and standing unlimited appropriations otherwise
22 limited by law, including appropriations from federal and
23 nonstate funds, made for the fiscal year beginning July 1,
24 2019, and ending June 30, 2020, by taking into consideration
25 all of the following:

26

(1) 2020 Iowa Acts, Senate File 2144, and other 2020 Iowa
27 Acts.

28

(2) 2019 Iowa Acts.

29

(3) All interdepartmental and intradepartmental transfers
30 made pursuant to section 8.39 and other provisions of law.

31

(4) Other provisions of law.

32

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

1 2. CONTINUING APPROPRIATIONS. There is appropriated
2 from the appropriate state fund or account to the entities
3 identified pursuant to subsection 1, for the period beginning
4 July 1, 2020, and ending August 31, 2020, amounts, or so
5 much thereof as is necessary, equal to two-twelfths of the
6 amounts of all line item appropriations, standing limited
7 appropriations, and standing unlimited appropriations otherwise
8 limited by law, including federal and nonstate funds, made for
9 the fiscal year beginning July 1, 2019, and ending June 30,
10 2020, as determined pursuant to subsection 1.

11 3. DUPLICATIVE STANDING APPROPRIATIONS TEMPORARILY
12 SUPPLANTED. The amounts appropriated under subsection 2 shall
13 supplant, for only the period beginning July 1, 2020, and
14 ending August 31, 2020, any duplicative standing appropriation
15 for the fiscal year beginning July 1, 2020, and ending June 30,
16 2021.

17 4. CONTINUING APPROPRIATION CONSIDERED ALLOTMENT OF FULL
18 YEAR APPROPRIATION. Upon the governor's approval of any
19 enrolled bill, as passed by both the senate and the house
20 of representatives during the 2020 regular session of the
21 eighty-eighth general assembly, containing the same line item
22 or limited standing appropriation for the fiscal year beginning
23 July 1, 2020, and ending June 30, 2021, as made in the
24 two-twelfths appropriation under subsection 2, the two-twelfths
25 appropriation amount shall be considered an allotment of the
26 line item appropriation or limited standing appropriation for
27 the full fiscal year beginning July 1, 2020, and ending June
28 30, 2021.

29 5. EXCLUSIONS. This section does not apply to any of the
30 following:

31 a. Appropriations made from the rebuild Iowa infrastructure
32 fund and the technology reinvestment fund pursuant to 2019 Iowa
33 Acts, chapter 137.

34 b. Appropriations made to the department of transportation
35 from the road use tax fund for capital costs associated with

1 placing a driver and identification services center in Dallas
2 county pursuant to 2019 Iowa Acts, chapter 52, section 3,
3 subsection 13, and from the primary road fund for replacement
4 of the Sioux City combined facility pursuant to 2019 Iowa Acts,
5 chapter 52, section 4, subsection 16.

6 c. The appropriation made to the department of
7 administrative services from the general fund of the state for
8 establishing a listing of real property owned or leased by
9 the state pursuant to 2019 Iowa Acts, chapter 136, section 1,
10 subsection 1, paragraph "d".

11 d. The appropriation made to the department of management
12 from the general fund of the state for distribution of
13 moneys to other governmental entities for the payment of rate
14 adjustments established by the office of the chief information
15 officer pursuant to 2019 Iowa Acts, chapter 136, section 16,
16 subsection 2, paragraph "a".

17 e. The appropriation made to the department of agriculture
18 and land stewardship from the general fund of the state for
19 deposit in the hungry canyons account of the loess hills
20 development and conservation fund pursuant to 2019 Iowa Acts,
21 chapter 131, section 9, subsection 1.

22 f. The appropriation made to the department of cultural
23 affairs from the general fund of the state for payment of
24 rent for the state records center pursuant to 2019 Iowa Acts,
25 chapter 154, section 1, subsection 1, paragraph "g".

26 g. The appropriation made to the Iowa law enforcement
27 academy from the general fund of the state for costs associated
28 with temporary relocation of the Iowa law enforcement academy
29 pursuant to 2019 Iowa Acts, chapter 163, section 10, subsection
30 1, paragraph "a", subparagraph (2).

31 h. The appropriation made to the department of public safety
32 from the general fund of the state for costs associated with
33 the training and equipment needs of volunteer fire fighters
34 pursuant to 2019 Iowa Acts, chapter 163, section 15, subsection
35 8.

1 i. The appropriation made to the department of homeland
2 security and emergency management from the general fund of the
3 state for flood recovery pursuant to 2020 Iowa Acts, Senate
4 File 2144, section 3.

5 Sec. 8. EFFECTIVE DATE. This division of this Act, being
6 deemed of immediate importance, takes effect upon enactment.

7 DIVISION IV

8 INTERDEPARTMENTAL AND INTRADEPARTMENTAL TRANSFERS

9 Sec. 9. APPLICABILITY OF LIMITATIONS AND REQUIREMENTS. All
10 of the following do not apply to transfers made by the director
11 of the department of management pursuant to section 8.39 for
12 the fiscal year beginning July 1, 2019, and ending June 30,
13 2020, and for the period beginning July 1, 2020, and ending
14 August 31, 2020:

15 1. The limitations on the amount of an interdepartmental
16 transfer and the sum of interdepartmental transfers under
17 section 8.39, subsection 2.

18 2. The limitations on the aggregate amount of
19 intradepartmental and interdepartmental transfers under section
20 8.39, subsection 3.

21 3. The requirement under section 8.39, subsection 4,
22 that the director of the department of management give the
23 chairpersons of the standing committees on budget of the senate
24 and the house of representatives, and the chairpersons of
25 subcommittees of such committees, at least two weeks to review
26 and comment on a proposed transfer before the transfer is
27 made. This subsection shall not be construed to relieve the
28 director of the department of management of the director's duty
29 to notify such chairpersons of a proposed transfer before the
30 transfer is made.

31 Sec. 10. EFFECTIVE DATE. This division of this Act, being
32 deemed of immediate importance, takes effect upon enactment.

33 DIVISION V

34 IOWA ECONOMIC EMERGENCY FUND

35 Sec. 11. DEPARTMENT OF MANAGEMENT — APPROPRIATION.

1 1. Notwithstanding section 8.55, subsection 3, there is
2 appropriated from the Iowa economic emergency fund to the
3 department of management for the period beginning on the
4 effective date of this division of this Act, and ending August
5 31, 2020, an amount not to exceed ten percent of the balance
6 of the Iowa economic emergency fund at the close of the fiscal
7 year beginning July 1, 2019, and ending June 30, 2020, or so
8 much thereof as is necessary, to be used for purposes approved
9 by the governor.

10 2. Notwithstanding section 8.55, subsection 3, in the event
11 the amount appropriated under subsection 1 is insufficient,
12 there is appropriated from the Iowa economic emergency fund to
13 the department of management for the period beginning on the
14 effective date of this division of this Act, and ending August
15 31, 2020, an amount not to exceed the maximum balance of the
16 Iowa economic emergency fund under section 8.55, subsection 2,
17 or so much thereof as is necessary, to be used for purposes
18 approved by the governor and the legislative council.

19 3. This section is repealed on the date the 2020 regular
20 session of the eighty-eighth general assembly reconvenes after
21 the effective date of this division of this Act, or August 31,
22 2020, whichever occurs earlier.

23 Sec. 12. EFFECTIVE DATE. This division of this Act, being
24 deemed of immediate importance, takes effect upon enactment.

25 DIVISION VI

26 INSTRUCTIONAL TIME WAIVERS FOR SCHOOLS

27 Sec. 13. INSTRUCTIONAL TIME WAIVERS FOR SCHOOL DISTRICTS
28 AND ACCREDITED NONPUBLIC SCHOOLS — COVID-19.

29 1. Notwithstanding any other provision of law to the
30 contrary, if a school district or accredited nonpublic school
31 is closed or closes on or before April 12, 2020, in order to
32 prevent or contain the spread of COVID-19, the instructional
33 time requirements of section 279.10, subsection 1, and the
34 minimum school day requirements of section 256.7, subsection
35 19, are waived for the affected school district or accredited

1 nonpublic school for such a closure.

2 2. The governor, by appropriate executive order, may
3 waive the instructional time requirements of section 279.10,
4 subsection 1, and the minimum school day requirements of
5 section 256.7, subsection 19, for a school district or
6 accredited nonpublic school that is closed or closes after
7 April 12, 2020, in order to prevent or contain the spread of
8 COVID-19.

9 3. This section is repealed July 1, 2020.

10 Sec. 14. EFFECTIVE DATE. This division of this Act, being
11 deemed of immediate importance, takes effect upon enactment.

12 EXPLANATION

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

15 This bill relates to state and local finances by making
16 and supplementing appropriations, providing for legal and
17 regulatory responsibilities, and providing for other properly
18 related matters.

19 DIVISION I — SUPPLEMENTAL APPROPRIATIONS. The bill
20 appropriates moneys from the general fund for FY 2019-2020
21 to the department of human services for medical assistance
22 program reimbursement and associated costs, the children's
23 health insurance program, and the state resource center at
24 Glenwood, and to the state board of regents for the state
25 hygienic laboratory. This division of the bill takes effect
26 upon enactment.

27 DIVISION II — STANDING APPROPRIATIONS AND RELATED MATTERS.
28 The bill limits standing appropriations for FY 2020-2021 for
29 payment of claims for nonpublic school pupil transportation,
30 instructional support state aid, and state aid for area
31 education agencies.

32 DIVISION III — CONTINUING APPROPRIATIONS. The bill
33 requires the department of management, in consultation with
34 the legislative services agency, to determine the amount of
35 line item appropriations, standing limited appropriations,

1 and standing unlimited appropriations otherwise limited by
2 law, including appropriations from federal and nonstate funds,
3 made for FY 2019-2020, and identify the entities to which such
4 appropriations were made. The bill appropriates two-twelfths
5 of the determined amounts to the identified entities for the
6 period beginning July 1, 2020, and ending August 31, 2020.
7 This division of the bill does not apply to certain capital
8 appropriations and one-time appropriations as set forth in the
9 bill. This division of the bill takes effect upon enactment.

10 DIVISION IV — INTERDEPARTMENTAL AND INTRADEPARTMENTAL
11 TRANSFERS. The bill provides that certain limitations on
12 amounts, and certain notice and comment requirements, for
13 intradepartmental and interdepartmental transfers made by the
14 director of the department of management pursuant to Code
15 section 8.39 do not apply to transfers made for FY 2019-2020
16 and from July 1, 2020, to August 31, 2020. This division of the
17 bill takes effect upon enactment.

18 DIVISION V — IOWA ECONOMIC EMERGENCY FUND. The bill
19 appropriates from the Iowa economic emergency fund to the
20 department of management for the period beginning on the
21 effective date of this division of the bill, and ending August
22 31, 2020, an amount not to exceed 10 percent of the balance of
23 the Iowa economic emergency fund at the close of the fiscal
24 year beginning July 1, 2019, and ending June 30, 2020, or so
25 much thereof as is necessary, to be used for purposes approved
26 by the governor.

27 In the event the amount appropriated is insufficient,
28 the bill appropriates from the Iowa economic emergency fund
29 to the department of management for the period beginning on
30 the effective date of this division of the bill, and ending
31 August 31, 2020, an amount not to exceed the maximum balance
32 of the Iowa economic emergency fund, or so much thereof as is
33 necessary, to be used for purposes approved by the governor and
34 the legislative council.

35 This provision of the bill is repealed on the date the 2020

1 regular session of the 88th general assembly reconvenes after
2 the effective date of this division of the bill, or August 31,
3 2020, whichever occurs earlier. This division of the bill
4 takes effect upon enactment.

5 DIVISION VI — INSTRUCTIONAL TIME WAIVERS FOR SCHOOLS. The
6 bill waives the instructional time requirements for school
7 districts and accredited nonpublic schools that are closed
8 or close on or before April 12, 2020, in order to prevent
9 or contain the spread of COVID-19. The bill authorizes the
10 governor to waive such requirements for school districts or
11 accredited nonpublic schools that are closed or close after
12 April 12, 2020, for such purposes. This provision is repealed
13 July 1, 2020. This division of the bill takes effect upon
14 enactment.