



THOMAS J. VILSACK
GOVERNOR

OFFICE OF THE GOVERNOR

SALLY J. PEDERSON
LT. GOVERNOR

February 17, 2003

The Honorable Chester Culver
Secretary of State
State Capitol Building
LOCAL


Dear Mr. Secretary:

I hereby transmit:

Senate File 36, an Act supplementing appropriations made for the fiscal year beginning July 1, 2002, to the Departments of Human Services, Corrections, and Public Safety, and to the State Public Defender, and providing effective date and applicability provisions.

The above Senate File is hereby approved this date.

Sincerely,


Thomas J. Vilsack
Governor

TJV:jmc

cc: Secretary of the Senate
Chief Clerk of the House





SENATE FILE 36

AN ACT

SUPPLEMENTING APPROPRIATIONS MADE FOR THE FISCAL YEAR BEGINNING JULY 1, 2002, TO THE DEPARTMENTS OF HUMAN SERVICES, CORRECTIONS, AND PUBLIC SAFETY, AND TO THE STATE PUBLIC DEFENDER, AND PROVIDING EFFECTIVE DATE AND APPLICABILITY PROVISIONS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I -- HUMAN SERVICES

GIRLS TREATMENT CENTER

Section 1. 2002 Iowa Acts, chapter 1173, section 1, subsection 5, unnumbered paragraph 1, is amended by striking the unnumbered paragraph and inserting in lieu thereof the following:

To provide matching funding for not more than 25 percent of the construction costs of an adolescent girls treatment center located in a county with a population between 189,000 and 196,000:

CHILD AND FAMILY SERVICES

Sec. 2. 2002 Iowa Acts, Second Extraordinary Session, chapter 1003, section 121, unnumbered paragraph 2, is amended to read as follows:

For child and family services:

..... \$ ~~98,144,163~~
103,844,163

MT. PLEASANT STATE MENTAL HEALTH INSTITUTE

Sec. 3. 2002 Iowa Acts, Second Extraordinary Session, chapter 1003, section 125, subsection 4, unnumbered paragraph 1, is amended to read as follows:

For the state mental health institute at Mount Pleasant for salaries, support, maintenance, and miscellaneous purposes and for not more than the following full-time equivalent positions:

.....	\$	5,343,829
		<u>5,508,829</u>
.....	FTEs	100.07

STATE RESOURCE CENTERS

Sec. 4. 2002 Iowa Acts, Second Extraordinary Session, chapter 1003, section 126, subsections 1 and 2, are amended to read as follows:

1. For the state resource center at Glenwood for salaries, support, maintenance, and miscellaneous purposes:

.....	\$	2,170,150
		<u>4,074,150</u>

2. For the state resource center at Woodward for salaries, support, maintenance, and miscellaneous purposes:

.....	\$	1,463,073
		<u>2,557,073</u>

DIVISION II -- DEPARTMENT OF CORRECTIONS

Sec. 5. 2002 Iowa Acts, Second Extraordinary Session, chapter 1001, section 39, is amended to read as follows:

SEC. 39. UNITED STATES MARSHAL'S SERVICE AND FEDERAL BUREAU OF PRISONS. For the fiscal year beginning July 1, 2002, of the regular per diem reimbursement costs billed by the department of corrections to the United States marshal's service for holding detainees and to the federal bureau of prisons for inmates, \$3,350,000 shall be deposited entirely into the general fund of the state. Regular per diem reimbursements received in addition to that amount for the fiscal year may be retained by and to the extent retained are appropriated to the department of corrections. Regular per diem reimbursements not retained shall be deposited into the general fund of the state. However, for the fiscal year beginning July 1, 2002, extraordinary costs, including but not limited to medical costs, billed over the regular daily per diem rate are appropriated to and shall be used by the department of corrections to offset the actual costs incurred.

CORRECTIONAL FACILITIES

Sec. 6. 2002 Iowa Acts, Second Extraordinary Session, chapter 1003, section 155, subsection 1, paragraph a, unnumbered paragraph 1, paragraph b, unnumbered paragraph 1, paragraphs c, d, e, and f, paragraph g, unnumbered paragraph 1, and paragraphs h and i, are amended to read as follows:

For the operation of the Fort Madison correctional facility, including salaries, support, maintenance, employment of correctional officers, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$ 32,768,605
	<u>33,955,898</u>
.....	FTEs 543.69

For the operation of the Anamosa correctional facility, including salaries, support, maintenance, employment of correctional officers and a part-time chaplain to provide religious counseling to inmates of a minority race, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$ 23,786,629
	<u>24,968,782</u>
.....	FTEs 379.75

c. For the operation of the Oakdale correctional facility, including salaries, support, maintenance, employment of correctional officers, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$ 21,497,363
	<u>22,023,488</u>
.....	FTEs 328.50

d. For the operation of the Newton correctional facility, including salaries, support, maintenance, employment of correctional officers, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$ 22,538,275
	<u>23,053,492</u>
.....	FTEs 371.25

e. For the operation of the Mt. Pleasant correctional facility, including salaries, support, maintenance, employment of correctional officers and a full-time chaplain to provide religious counseling at the Oakdale and Mt. Pleasant

correctional facilities, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$ 21,617,133
	<u>21,679,030</u>
.....	FTEs 330.56

f. For the operation of the Rockwell City correctional facility, including salaries, support, maintenance, employment of correctional officers, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$ 7,268,049
	<u>7,445,927</u>
.....	FTEs 110.00

For the operation of the Clarinda correctional facility, including salaries, support, maintenance, employment of correctional officers, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$ 18,326,306
	<u>18,774,823</u>
.....	FTEs 291.76

h. For the operation of the Mitchellville correctional facility, including salaries, support, maintenance, employment of correctional officers, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$ 12,024,416
	<u>12,318,701</u>
.....	FTEs 215.50

i. For the operation of the Fort Dodge correctional facility, including salaries, support, maintenance, employment of correctional officers, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$ 24,379,674
	<u>24,895,874</u>
.....	FTEs 395.00

GENERAL ADMINISTRATION

Sec. 7. 2002 Iowa Acts, Second Extraordinary Session, chapter 1003, section 156, subsection 1, unnumbered paragraph 1, is amended to read as follows:

For general administration, including salaries, support, maintenance, employment of an education director and clerk to administer a centralized education program for the

correctional system, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	2,666,224
		<u>2,731,477</u>
.....	FTEs	42.18

COMMUNITY-BASED ADMINISTRATION

Sec. 8. 2002 Iowa Acts, Second Extraordinary Session, chapter 1003, section 157, subsection 1, paragraphs a, b, c, and h, are amended to read as follows:

a. For the first judicial district department of correctional services, including the treatment and supervision of probation and parole violators who have been released from the department of corrections violator program, the following amount, or so much thereof as is necessary:

.....	\$	8,953,795
		<u>9,172,930</u>

b. For the second judicial district department of correctional services, including the treatment and supervision of probation and parole violators who have been released from the department of corrections violator program, the following amount, or so much thereof as is necessary:

.....	\$	6,992,061
		<u>7,163,184</u>

c. For the third judicial district department of correctional services, including the treatment and supervision of probation and parole violators who have been released from the department of corrections violator program, the following amount, or so much thereof as is necessary:

.....	\$	4,073,638
		<u>4,173,336</u>

h. For the eighth judicial district department of correctional services, including the treatment and supervision of probation and parole violators who have been released from the department of corrections violator program, the following amount, or so much thereof as is necessary:

.....	\$	5,097,521
		<u>5,222,277</u>

DIVISION III -- STATE PUBLIC DEFENDER

Sec. 9. 2002 Iowa Acts, Second Extraordinary Session, chapter 1003, section 160, is amended to read as follows:

SEC. 160. STATE PUBLIC DEFENDER. There is appropriated from the general fund of the state to the office of the state public defender of the department of inspections and appeals for the fiscal year beginning July 1, 2002, and ending June 30, 2003, the following amount, or so much thereof as is necessary, for the purposes designated:

..... \$ 33,908,325
36,208,325

The funds appropriated and full-time equivalent positions authorized in this section are allocated as follows:

1. For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 15,770,739
..... FTEs 202.00

2. For the fees of court-appointed attorneys for indigent adults and juveniles, in accordance with section 232.141 and chapter 815:

..... \$ 18,137,586
20,437,586

DIVISION IV -- DEPARTMENT OF PUBLIC SAFETY

Sec. 10. 2002 Iowa Acts, Second Extraordinary Session, chapter 1003, section 165, subsection 1, subsection 2, unnumbered paragraph 1, subsection 3, paragraph a, subsection 4, paragraph a, and subsection 5, paragraph a, are amended to read as follows:

1. For the department's administrative functions, including the criminal justice information system, and for not more than the following full-time equivalent positions:

..... \$ 2,379,176
2,456,772
..... FTEs 38.50

For the division of criminal investigation and bureau of identification including the state's contribution to the peace officers' retirement, accident, and disability system provided in chapter 97A in the amount of 17 percent of the salaries for which the funds are appropriated, to meet federal fund matching requirements, and for not more than the following full-time equivalent positions:

..... \$ 12,050,565

..... 12,794,811
 FTEs 231.50

a. For the division of narcotics enforcement, including the state's contribution to the peace officers' retirement, accident, and disability system provided in chapter 97A in the amount of 17 percent of the salaries for which the funds are appropriated, to meet federal fund matching requirements, and for not more than the following full-time equivalent positions:

..... \$ 3,392,889
 3,593,408
 FTEs 58.00

a. For the state fire marshal's office, including the state's contribution to the peace officers' retirement, accident, and disability system provided in chapter 97A in the amount of 17 percent of the salaries for which the funds are appropriated, and for not more than the following full-time equivalent positions:

..... \$ 1,777,630
 1,932,508
 FTEs 38.80

a. For the division of the Iowa state patrol of the department of public safety, for salaries, support, maintenance, workers' compensation costs, and miscellaneous purposes, including the state's contribution to the peace officers' retirement, accident, and disability system provided in chapter 97A in the amount of 17 percent of the salaries for which the funds are appropriated, and for not more than the following full-time equivalent positions:

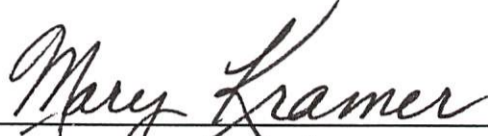
..... \$ 37,019,624
 37,542,385
 FTEs 545.00

DIVISION V -- EFFECTIVE DATE -- APPLICABILITY

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

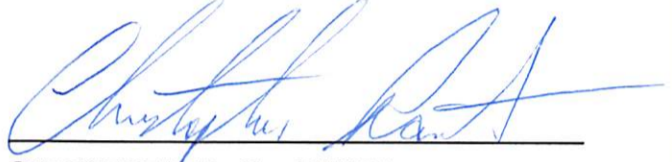
Sec. 12. APPLICABILITY. The increases in appropriations and appropriation made in this Act apply following the reductions in appropriations made pursuant to 2002 Iowa Acts, Second Extraordinary Session, chapter 1003, section 220, and the provisions of 2002 Iowa Acts, Second Extraordinary

Session, chapter 1003, section 220, are not applicable to such increases and appropriation.



MARY E. KRAMER

President of the Senate



CHRISTOPHER C. RANTS

Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 36, Eightieth General Assembly.



MICHAEL E. MARSHALL

Secretary of the Senate

Approved February 17, 2003



THOMAS J. VILSACK

Governor