

Senate File 2273 - Enrolled

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SENATE FILE 2273

AN ACT

RELATING TO FINANCIAL AND REGULATORY MATTERS BY MAKING AND REVISING APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 2005, AND PROVIDING AN EFFECTIVE DATE.

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

DIVISION I EDUCATION

Section 1. STATE BOARD OF REGENTS == UNIVERSITY OF NORTHERN IOWA'S GILCHRIST HALL. There is appropriated from the rebuild Iowa infrastructure fund to the state board of regents for the fiscal year beginning July 1, 2005, and ending June 30, 2006, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For repair and restoration of Gilchrist hall at the university of northern Iowa:

\$ 2,000,000

Notwithstanding section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall revert at the close of the fiscal year beginning July 1, 2007. However, if the projects for which the moneys are appropriated are completed in an earlier fiscal year, unencumbered or unobligated moneys shall revert at the close of that fiscal year.

DIVISION II HEALTH AND HUMAN SERVICES

MENTAL HEALTH INSTITUTE AT CLARINDA

Sec. 2. 2005 Iowa Acts, chapter 175, section 21, subsection 2, is amended to read as follows:

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

\$ 7,439,591
7,689,591
113.15 FTEs

DIVISION III JUSTICE SYSTEM

DEPARTMENT OF CORRECTIONS == FACILITIES

Sec. 3. 2005 Iowa Acts, chapter 174, section 4, subsection 1, is amended to read as follows:

1. There is appropriated from the general fund of the state to the department of corrections for the fiscal year beginning July 1, 2005, and ending June 30, 2006, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

For the operation of adult correctional institutions, reimbursement of counties for certain confinement costs, and federal prison reimbursement, to be allocated as follows:

a. For the operation of the Fort Madison correctional facility, including salaries, support, maintenance, and miscellaneous purposes:
\$ 38,840,761
40,398,034

b. For the operation of the Anamosa correctional facility, including salaries, support, maintenance, and miscellaneous purposes:
\$ 27,199,702
27,345,641

Moneys are provided within this appropriation for one full-time substance abuse counselor for the Luster Heights facility, for the purpose of certification of a substance abuse program at that facility.

c. For the operation of the Oakdale correctional facility, including salaries, support, maintenance, and miscellaneous purposes:
\$ 25,650,778
25,856,042

d. For the operation of the Newton correctional facility, including salaries, support, maintenance, and miscellaneous

3 4 purposes:
 3 5 \$ ~~24,916,132~~
 3 6 25,085,801
 3 7 e. For the operation of the Mt. Pleasant correctional
 3 8 facility, including salaries, support, maintenance, and
 3 9 miscellaneous purposes:
 3 10 \$ ~~23,694,840~~
 3 11 23,779,085
 3 12 f. For the operation of the Rockwell City correctional
 3 13 facility, including salaries, support, maintenance, and
 3 14 miscellaneous purposes:
 3 15 \$ ~~8,039,378~~
 3 16 8,088,024
 3 17 g. For the operation of the Clarinda correctional
 3 18 facility, including salaries, support, maintenance, and
 3 19 miscellaneous purposes:
 3 20 \$ ~~22,853,497~~
 3 21 22,970,960
 3 22 Moneys received by the department of corrections as
 3 23 reimbursement for services provided to the Clarinda youth
 3 24 corporation are appropriated to the department and shall be
 3 25 used for the purpose of operating the Clarinda correctional
 3 26 facility.
 3 27 h. For the operation of the Mitchellville correctional
 3 28 facility, including salaries, support, maintenance, and
 3 29 miscellaneous purposes:
 3 30 \$ ~~13,867,603~~
 3 31 13,935,233
 3 32 i. For the operation of the Fort Dodge correctional
 3 33 facility, including salaries, support, maintenance, and
 3 34 miscellaneous purposes:
 3 35 \$ ~~26,244,693~~
 4 1 26,368,089
 4 2 j. For reimbursement of counties for temporary confinement
 4 3 of work release and parole violators, as provided in sections
 4 4 901.7, 904.908, and 906.17 and for offenders confined pursuant
 4 5 to section 904.513:
 4 6 \$ ~~674,954~~
 4 7 799,954
 4 8 k. For federal prison reimbursement, reimbursements for
 4 9 out-of-state placements, and miscellaneous contracts:
 4 10 \$ 241,293
 4 11 DEPARTMENT OF CORRECTIONS == ADMINISTRATION
 4 12 Sec. 4. 2005 Iowa Acts, chapter 174, section 5, subsection
 4 13 1, paragraph a, unnumbered paragraph 1, is amended to read as
 4 14 follows:
 4 15 For general administration, including salaries, support,
 4 16 maintenance, employment of an education director to administer
 4 17 a centralized education program for the correctional system,
 4 18 and miscellaneous purposes:
 4 19 \$ ~~2,829,708~~
 4 20 3,454,708
 4 21 STATE PUBLIC DEFENDER
 4 22 Sec. 5. 2005 Iowa Acts, chapter 174, section 10,
 4 23 subsection 2, is amended to read as follows:
 4 24 2. For the fees of court-appointed attorneys for indigent
 4 25 adults and juveniles, in accordance with section 232.141 and
 4 26 chapter 815:
 4 27 \$ ~~21,163,082~~
 4 28 25,163,082
 4 29 DEPARTMENT OF PUBLIC SAFETY
 4 30 Sec. 6. 2005 Iowa Acts, chapter 174, section 14,
 4 31 subsections 1 and 2, are amended to read as follows:
 4 32 1. For the department's administrative functions,
 4 33 including the criminal justice information system, and for not
 4 34 more than the following full-time equivalent positions:
 4 35 \$ ~~3,073,274~~
 5 1 3,473,274
 5 2 FTEs 38.00
 5 3 2. For the division of criminal investigation and bureau
 5 4 of identification, including the state's contribution to the
 5 5 peace officers' retirement, accident, and disability system
 5 6 provided in chapter 97A in the amount of 17 percent of the
 5 7 salaries for which the funds are appropriated, to meet federal
 5 8 fund matching requirements, and for not more than the
 5 9 following full-time equivalent positions:
 5 10 \$ ~~14,760,898~~
 5 11 15,760,898
 5 12 FTEs ~~228.50~~
 5 13 257.50
 5 14

MISCELLANEOUS

5 15
5 16 Sec. 7. Section 7D.29, Code 2005, is amended to read as
5 17 follows:

5 18 7D.29 PERFORMANCE OF DUTY == EXPENSE.

5 19 1. The executive council shall not employ others, or incur
5 20 any expense, for the purpose of performing any duty imposed
5 21 upon the council when the duty may, without neglect of their
5 22 usual duties, be performed by the members, or by their regular
5 23 employees, but, subject to this limitation, the council may
5 24 incur the necessary expense to perform or cause to be
5 25 performed any legal duty imposed on the council, and pay the
5 26 same out of any money in the state treasury not otherwise
5 27 appropriated.

5 28 2. At least two weeks prior to the executive council's
5 29 approval of a payment authorization under this section, the
5 30 secretary of the executive council shall notify the
5 31 legislative services agency that the authorization request
5 32 will be considered by the executive council and shall provide
5 33 background information justifying the request.

5 34 3. The duties of the executive council under subsection 1
5 35 shall include but are not limited to the authority provided by
6 1 this subsection. If repairs to state property are necessary
6 2 on an emergency basis in order to address health or safety
6 3 considerations and if sufficient funds for making the repairs
6 4 have not been appropriated to the state department responsible
6 5 for the state property or are not otherwise available for such
6 6 purposes within the budget of the state department, the
6 7 executive council may authorize payment for the expenses
6 8 needed by the state department for repairing the state
6 9 property. This subsection is repealed June 30, 2008.

6 10 Sec. 8. Section 476C.3, subsection 3, Code Supplement
6 11 2005, is amended to read as follows:

6 12 3. A facility that is not operational within eighteen
6 13 months after issuance of an approval for the facility by the
6 14 board shall cease to be an eligible renewable energy facility.
6 15 However, a wind energy conversion facility that is approved as
6 16 eligible under this section but is not operational within
6 17 eighteen months due to the unavailability of necessary
6 18 equipment shall be granted an additional twelve months to
6 19 become operational. A facility that is granted and thereafter
6 20 loses approval may reapply to the board for a new
6 21 determination.

DIVISION V
EFFECTIVE DATE

6 24 Sec. 9. EFFECTIVE DATE. This Act, being deemed of
6 25 immediate importance, takes effect upon enactment.

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6 30 JOHN P. KIBBIE
6 31 President of the Senate

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6 35 CHRISTOPHER C. RANTS
6 36 Speaker of the House

7 1
7 2 I hereby certify that this bill originated in the Senate and
7 3 is known as Senate File 2273, Eighty-first General Assembly.

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7 7 _____
7 8 MICHAEL E. MARSHALL
7 9 Secretary of the Senate

7 9 Approved _____, 2006

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7 12 _____
7 13 THOMAS J. VILSACK
7 14 Governor