



THOMAS J. VILSACK  
GOVERNOR

OFFICE OF THE GOVERNOR

SALLY J. PEDERSON  
LT. GOVERNOR

March 29, 2006

The Honorable Chester Culver  
Secretary of State  
State Capitol Building  
LOCAL

Dear Mr. Secretary:

I hereby transmit:

**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.

**Senate File 2316**, an Act relating to the procedures for filing administrative rules.

The above Senate Files are hereby approved this date.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas J. Vilsack".

Thomas J. Vilsack  
Governor

TJV:jmc

cc: Secretary of the Senate  
Chief Clerk of the House





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
		<u>7,689,591</u>
.....	FTEs	113.15

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
		<u>40,398,034</u>

b. For the operation of the Anamosa correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

.....	\$	27,199,702
		<u>27,345,641</u>

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
		<u>25,856,042</u>

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

..... \$ 24,916,132  
25,085,801

e. For the operation of the Mt. Pleasant correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

..... \$ 23,694,840  
23,779,085

f. For the operation of the Rockwell City correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

..... \$ 8,039,378  
8,088,024

g. For the operation of the Clarinda correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

..... \$ 22,853,497  
22,970,960

Moneys received by the department of corrections as reimbursement for services provided to the Clarinda youth corporation are appropriated to the department and shall be used for the purpose of operating the Clarinda correctional facility.

h. For the operation of the Mitchellville correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

..... \$ 13,867,603  
13,935,233

i. For the operation of the Fort Dodge correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

..... \$ 26,244,693  
26,368,089

j. For reimbursement of counties for temporary confinement of work release and parole violators, as provided in sections 901.7, 904.908, and 906.17 and for offenders confined pursuant to section 904.513:

..... \$ 674,954  
799,954

k. For federal prison reimbursement, reimbursements for out-of-state placements, and miscellaneous contracts:

..... \$ 241,293

DEPARTMENT OF CORRECTIONS -- ADMINISTRATION

Sec. 4. 2005 Iowa Acts, chapter 174, section 5, subsection 1, paragraph a, unnumbered paragraph 1, is amended to read as follows:

For general administration, including salaries, support, maintenance, employment of an education director to administer a centralized education program for the correctional system, and miscellaneous purposes:

..... \$ 2,829,708  
3,454,708

STATE PUBLIC DEFENDER

Sec. 5. 2005 Iowa Acts, chapter 174, section 10, subsection 2, is amended to read as follows:

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

..... \$ ~~21,163,082~~  
25,163,082

DEPARTMENT OF PUBLIC SAFETY

Sec. 6. 2005 Iowa Acts, chapter 174, section 14, subsections 1 and 2, 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:

..... \$ 3,073,274  
3,473,274  
..... FTEs 38.00

2. 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:

..... \$ ~~14,760,898~~  
15,760,898  
..... FTEs 228.50

DIVISION IV  
MISCELLANEOUS

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

7D.29 PERFORMANCE OF DUTY -- EXPENSE.

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

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

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

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

3. A facility that is not operational within eighteen months after issuance of an approval for the facility by the board shall cease to be an eligible renewable energy facility. However, a wind energy conversion facility that is approved as eligible under this section but is not operational within eighteen months due to the unavailability of necessary

equipment shall be granted an additional twelve months to become operational. A facility that is granted and thereafter loses approval may reapply to the board for a new determination.

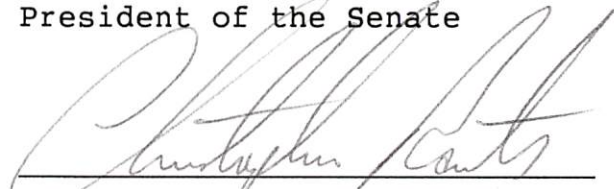
DIVISION V  
EFFECTIVE DATE

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



JOHN P. KIBBIE

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 2273, Eighty-first General Assembly.



MICHAEL E. MARSHALL

Secretary of the Senate

Approved MARCH 29, 2006



THOMAS J. VILSACK

Governor