

FILED JAN 22 '03

SENATE FILE 36
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 1006)

Passed Senate, Date Passed Passed House, Date Passed
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved 2/17/03

A BILL FOR

1 An Act supplementing appropriations made for the fiscal year
2 beginning July 1, 2002, to the departments of human services,
3 corrections, and public safety, and to the state public
4 defender and the public broadcasting division of the
5 department of education, and providing effective date and
6 applicability provisions.

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

SF 36

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1 DIVISION I -- HUMAN SERVICES

2 GIRLS TREATMENT CENTER

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

7 To provide matching funding for not more than 25 percent of
8 the construction costs of an adolescent girls treatment center
9 located in a county with a population between 189,000 and
10 196,000:

11 CHILD AND FAMILY SERVICES

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

15 For child and family services:

16 \$ ~~98,144,163~~
17 103,844,163

18 MT. PLEASANT STATE MENTAL HEALTH INSTITUTE

19 Sec. 3. 2002 Iowa Acts, Second Extraordinary Session,
20 chapter 1003, section 125, subsection 4, unnumbered paragraph
21 1, is amended to read as follows:

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

26 \$ ~~5,343,829~~
27 5,508,829
28 FTEs 100.07

29 STATE RESOURCE CENTERS

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

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

35 \$ ~~2,170,150~~

1		4,074,150
2	2. For the state resource center at Woodward for salaries,	
3	support, maintenance, and miscellaneous purposes:	
4	\$ 1,746,373
5		<u>2,557,073</u>

DIVISION II -- DEPARTMENT OF CORRECTIONS

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

9 SEC. 39. UNITED STATES MARSHAL'S SERVICE AND FEDERAL
10 BUREAU OF PRISONS. For the fiscal year beginning July 1,
11 2002, of the regular per diem reimbursement costs billed by
12 the department of corrections to the United States marshal's
13 service for holding detainees and to the federal bureau of
14 prisons for inmates, \$3,350,000 shall be deposited entirely
15 into the general fund of the state. Regular per diem
16 reimbursements received in addition to that amount for the
17 fiscal year may be retained by and to the extent retained are
18 appropriated to the department of corrections. Regular per
19 diem reimbursements not retained shall be deposited into the
20 general fund of the state. However, for the fiscal year
21 beginning July 1, 2002, extraordinary costs, including but not
22 limited to medical costs, billed over the regular daily per
23 diem rate are appropriated to and shall be used by the
24 department of corrections to offset the actual costs incurred.

CORRECTIONAL FACILITIES

26 Sec. 6. 2002 Iowa Acts, Second Extraordinary Session,
27 chapter 1003, section 155, subsection 1, paragraph a,
28 unnumbered paragraph 1, paragraph b, unnumbered paragraph 1,
29 paragraphs c, d, e, and f, paragraph g, unnumbered paragraph
30 1, and paragraphs h and i, are amended to read as follows:

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

35	\$ 32,168,605
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S.F. 36 H.F. _____

1 33,955,898
2 FTEs 543.69
3 For the operation of the Anamosa correctional facility,
4 including salaries, support, maintenance, employment of
5 correctional officers and a part-time chaplain to provide
6 religious counseling to inmates of a minority race,
7 miscellaneous purposes, and for not more than the following
8 full-time equivalent positions:
9 \$ 23,786,629
10 24,968,782
11 FTEs 379.75
12 c. For the operation of the Oakdale correctional facility,
13 including salaries, support, maintenance, employment of
14 correctional officers, miscellaneous purposes, and for not
15 more than the following full-time equivalent positions:
16 \$ 21,497,363
17 22,023,488
18 FTEs 328.50
19 d. For the operation of the Newton correctional facility,
20 including salaries, support, maintenance, employment of
21 correctional officers, miscellaneous purposes, and for not
22 more than the following full-time equivalent positions:
23 \$ 22,538,275
24 23,053,492
25 FTEs 371.25
26 e. For the operation of the Mt. Pleasant correctional
27 facility, including salaries, support, maintenance, employment
28 of correctional officers and a full-time chaplain to provide
29 religious counseling at the Oakdale and Mt. Pleasant
30 correctional facilities, miscellaneous purposes, and for not
31 more than the following full-time equivalent positions:
32 \$ 21,161,133
33 21,679,030
34 FTEs 330.56
35 f. For the operation of the Rockwell City correctional

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

4	\$	7,268,049
5		<u>7,445,927</u>
6	FTEs	110.00

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

11	\$	18,326,306
12		<u>18,774,823</u>
13	FTEs	291.76

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

18	\$	12,024,416
19		<u>12,318,701</u>
20	FTEs	215.50

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

25	\$	24,379,674
26		<u>24,895,874</u>
27	FTEs	395.00

28 GENERAL ADMINISTRATION

29 Sec. 7. 2002 Iowa Acts, Second Extraordinary Session,
30 chapter 1003, section 156, subsection 1, unnumbered paragraph
31 1, is amended to read as follows:

32 For general administration, including salaries, support,
33 maintenance, employment of an education director and clerk to
34 administer a centralized education program for the
35 correctional system, miscellaneous purposes, and for not more

1 than the following full-time equivalent positions:

2 \$ 2,666,224
3 2,731,477
4 FTEs 42.18

5 COMMUNITY-BASED ADMINISTRATION

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

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

14 \$ 8,953,795
15 9,172,930

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

21 \$ 6,992,061
22 7,163,184

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

28 \$ 4,073,638
29 4,173,336

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

35 \$ 5,097,521

5,222,277

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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

1 FTEs 38.50
 2 For the division of criminal investigation and bureau of
 3 identification including the state's contribution to the peace
 4 officers' retirement, accident, and disability system provided
 5 in chapter 97A in the amount of 17 percent of the salaries for
 6 which the funds are appropriated, to meet federal fund
 7 matching requirements, and for not more than the following
 8 full-time equivalent positions:
 9 \$ 12,794,811
 10 FTEs 231.50
 11 a. For the division of narcotics enforcement, including
 12 the state's contribution to the peace officers' retirement,
 13 accident, and disability system provided in chapter 97A in the
 14 amount of 17 percent of the salaries for which the funds are
 15 appropriated, to meet federal fund matching requirements, and
 16 for not more than the following full-time equivalent
 17 positions:
 18 \$ 3,593,408
 19 FTEs 58.00
 20 a. For the state fire marshal's office, including the
 21 state's contribution to the peace officers' retirement,
 22 accident, and disability system provided in chapter 97A in the
 23 amount of 17 percent of the salaries for which the funds are
 24 appropriated, and for not more than the following full-time
 25 equivalent positions:
 26 \$ 1,932,508
 27 FTEs 38.80
 28 a. For the division of the Iowa state patrol of the
 29 department of public safety, for salaries, support,
 30 maintenance, workers' compensation costs, and miscellaneous
 31 purposes, including the state's contribution to the peace
 32 officers' retirement, accident, and disability system provided

1 in chapter 97A in the amount of 17 percent of the salaries for
2 which the funds are appropriated, and for not more than the
3 following full-time equivalent positions:

4	\$ 37,019,624
5	<u>37,542,385</u>
6	FTEs 545.00

7 DIVISION V -- PUBLIC BROADCASTING

8 Sec. 11. PUBLIC BROADCASTING DIVISION. There is
9 appropriated from the general fund of the state to the
10 department of education for the fiscal year beginning July 1,
11 2002, and ending June 30, 2003, the following amount, or so
12 much thereof as is necessary, to be used for the purpose
13 designated:

14 For the public broadcasting division, to supplement funds
15 appropriated for purposes of digital television in 2002 Iowa
16 Acts, chapter 1173, section 1, subsection 3B, to be used to
17 match a grant for the completion of certain low-power digital
18 transmission facilities:

19	\$ 280,000
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20 DIVISION VI -- EFFECTIVE DATE -- APPLICABILITY

21 Sec. 12. EFFECTIVE DATE. This Act, being deemed of
22 immediate importance, takes effect upon enactment.

23 Sec. 13. APPLICABILITY. The increases in appropriations
24 and appropriation made in this Act apply following the
25 reductions in appropriations made pursuant to 2002 Iowa Acts,
26 Second Extraordinary Session, chapter 1003, section 220, and
27 the provisions of 2002 Iowa Acts, Second Extraordinary
28 Session, chapter 1003, section 220, are not applicable to such
29 increases and appropriation.

30 EXPLANATION

31 This bill supplements appropriations made for the fiscal
32 year beginning July 1, 2002. The bill is organized into
33 divisions based upon the state agency receiving the
34 appropriations. Except as otherwise indicated, the
35 supplemental appropriations are made from the general fund of

1 the state.

2 Division I makes supplemental appropriations to the
3 department of human services for purposes of child and family
4 services, the state mental health institute at Mt. Pleasant,
5 and the state resource centers. The bill also narrows
6 language relating to an infrastructure appropriation made for
7 construction of an alternative services girls treatment
8 center.

9 Division II makes supplemental appropriations to the
10 department of corrections. Language requiring per diem
11 reimbursements from the United States marshal's service to be
12 deposited into the general fund is amended to provide that the
13 department may retain moneys received over \$3.35 million and
14 to reference inmates from the federal bureau of prisons.
15 Supplemental appropriations are provided for each correctional
16 facility, general administration, and certain community-based
17 corrections districts.

18 Division III makes a supplemental appropriation to the
19 state public defender and allocates the appropriation for
20 court-appointed attorneys for indigent adults and juveniles.

21 Division IV makes supplemental appropriations for these
22 divisions of the department of public safety: administration,
23 criminal investigation, narcotics enforcement, state fire
24 marshal, and Iowa state patrol.

25 Division V makes a supplemental appropriation to the
26 department of education for the public broadcasting division
27 to be used to match a grant for the completion of certain low-
28 power digital transmission facilities.

29 Division VI provides that the bill takes effect upon
30 enactment. An applicability provision provides that the
31 bill's appropriation increases and appropriation are made
32 after applying the across-the-board reductions to the
33 appropriations made from the general fund of the state to the
34 executive branch pursuant to law enacted during the 2002
35 Second Extraordinary Session. The bill states that across-

1 the-board reductions and other requirements of that law do not
2 apply to the appropriation increases and appropriation made in
3 the bill.

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SENATE FILE 36

H-1004

1 Amend Senate File 36, as passed by the Senate, as
2 follows:

- 3 1. Page 8, by striking lines 7 through 19.
- 4 2. Title page, by striking lines 4 and 5 and
- 5 inserting the following: "defender, and providing
- 6 effective date and".
- 7 3. By renumbering as necessary.

By COMMITTEE ON APPROPRIATIONS
DIX of Butler, Chairperson

H-1004 FILED JANUARY 28, 2003

Adopted

HOUSE AMENDMENT TO
SENATE FILE 36

S-3007

1 Amend Senate File 36, as passed by the Senate, as
2 follows:

- 3 1. Page 8, by striking lines 7 through 19.
- 4 2. Title page, by striking lines 4 and 5 and
- 5 inserting the following: "defender, and providing
- 6 effective date and".
- 7 3. By renumbering as necessary.

RECEIVED FROM THE HOUSE

S-3007 FILED JANUARY 29, 2003

Senate concurred

Lamberti
Kramer
Dvorsky

Succeeded By
① HF 36

SENATE FILE *SB 1004*
BY (PROPOSED COMMITTEE ON *Appropriations*
APPROPRIATIONS BILL BY
CHAIRPERSON LAMBERTI)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act supplementing appropriations made for the fiscal year
2 beginning July 1, 2002, to the departments of human services,
3 corrections, and public safety, and to the state public
4 defender and the public broadcasting division of the
5 department of education, and providing effective date and
6 applicability provisions.

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

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1 DIVISION I -- HUMAN SERVICES

2 GIRLS TREATMENT CENTER

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

7 To provide matching funding for not more than 25 percent of
8 the construction costs of an adolescent girls treatment center
9 located in a county with a population between 189,000 and
10 196,000:

11 STATE TRAINING SCHOOL

12 Sec. 2. 2002 Iowa Acts, Second Extraordinary Session,
13 chapter 1003, section 120, subsection 2, is amended to read as
14 follows:

15 2. For operation of the state training school at Eldora
16 and for salaries, support, maintenance, and for not more than
17 the following full-time equivalent positions:

18	\$ 10,743,719
19	<u>10,684,719</u>
20	FTEs 218.53

21 Of the amount appropriated in this subsection, \$250,000 is
22 allocated to reopen and operate the unit that specializes in
23 addressing sexual and violent behavior.

24 CHILD AND FAMILY SERVICES

25 Sec. 3. 2002 Iowa Acts, Second Extraordinary Session,
26 chapter 1003, section 121, unnumbered paragraph 2, is amended
27 to read as follows:

28 For child and family services:

29	\$ 98,144,163
30	<u>103,844,163</u>

31 MT. PLEASANT STATE MENTAL HEALTH INSTITUTE

32 Sec. 4. 2002 Iowa Acts, Second Extraordinary Session,
33 chapter 1003, section 125, subsection 4, unnumbered paragraph
34 1, is amended to read as follows:

35 For the state mental health institute at Mount Pleasant for

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

4	\$	5,343,829
5		<u>5,508,829</u>
6	FTEs	100.07

7 STATE RESOURCE CENTERS

8 Sec. 5. 2002 Iowa Acts, Second Extraordinary Session,
 9 chapter 1003, section 126, subsections 1 and 2, are amended to
 10 read as follows:

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

13	\$	2,770,150
14		<u>4,074,150</u>

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

17	\$	1,746,073
18		<u>2,557,073</u>

19 DIVISION II -- DEPARTMENT OF CORRECTIONS

20 Sec. 6. 2002 Iowa Acts, Second Extraordinary Session,
 21 chapter 1001, section 39, is amended to read as follows:

22 SEC. 39. UNITED STATES MARSHAL'S SERVICE AND FEDERAL
 23 BUREAU OF PRISONS. For the fiscal year beginning July 1,
 24 2002, of the regular per diem reimbursement costs billed by
 25 the department of corrections to the United States marshal's
 26 service for holding detainees and to the federal bureau of
 27 prisons for inmates, \$3,350,000 shall be deposited entirely
 28 into the general fund of the state. Regular per diem
 29 reimbursements received in addition to that amount for the
 30 fiscal year may be retained by and to the extent retained are
 31 appropriated to the department of corrections. Regular per
 32 diem reimbursements not retained shall be deposited into the
 33 general fund of the state. However, for the fiscal year
 34 beginning July 1, 2002, extraordinary costs, including but not
 35 limited to medical costs, billed over the regular daily per

1 diem rate are appropriated to and shall be used by the
2 department of corrections to offset the actual costs incurred.

3 CORRECTIONAL FACILITIES

4 Sec. 7. 2002 Iowa Acts, Second Extraordinary Session,
5 chapter 1003, section 155, subsection 1, paragraph a,
6 unnumbered paragraph 1, paragraph b, unnumbered paragraph 1,
7 paragraphs c, d, e, and f, paragraph g, unnumbered paragraph
8 1, paragraphs h and i, are amended to read as follows:

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

13	\$ 32,168,605
14	<u>33,955,898</u>
15	FTEs 543.69

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

22	\$ 23,786,629
23	<u>24,968,782</u>
24	FTEs 379.75

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

29	\$ 21,497,363
30	<u>22,023,488</u>
31	FTEs 328.50

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

1 \$ 22,538,275
 2 23,053,492
 3 FTEs 371.25

4 e. For the operation of the Mt. Pleasant correctional
 5 facility, including salaries, support, maintenance, employment
 6 of correctional officers and a full-time chaplain to provide
 7 religious counseling at the Oakdale and Mt. Pleasant
 8 correctional facilities, miscellaneous purposes, and for not
 9 more than the following full-time equivalent positions:

10 \$ ~~21,716,133~~
 11 21,679,030
 12 FTEs 330.56

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

17 \$ ~~7,268,049~~
 18 7,445,927
 19 FTEs 110.00

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

24 \$ ~~18,326,306~~
 25 18,774,823
 26 FTEs 291.76

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

31 \$ ~~12,024,416~~
 32 12,318,701
 33 FTEs 215.50

34 i. For the operation of the Fort Dodge correctional
 35 facility, including salaries, support, maintenance, employment

1 of correctional officers, miscellaneous purposes, and for not
2 more than the following full-time equivalent positions:

3	\$ 24,379,674
4	<u>24,895,874</u>
5	FTEs 395.00

6 GENERAL ADMINISTRATION

7 Sec. 8. 2002 Iowa Acts, Second Extraordinary Session,
8 chapter 1003, section 156, subsection 1, unnumbered paragraph
9 1, is amended to read as follows:

10 For general administration, including salaries, support,
11 maintenance, employment of an education director and clerk to
12 administer a centralized education program for the
13 correctional system, miscellaneous purposes, and for not more
14 than the following full-time equivalent positions:

15	\$ 27,666,224
16	<u>2,731,477</u>
17	FTEs 42.18

18 COMMUNITY-BASED ADMINISTRATION

19 Sec. 9. 2002 Iowa Acts, Second Extraordinary Session,
20 chapter 1003, section 157, subsection 1, paragraphs a, b, c,
21 and h, are amended to read as follows:

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

27	\$ 8,953,795
28	<u>9,172,930</u>

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

34	\$ 6,992,061
35	<u>7,163,184</u>

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

6 \$ 470737638
7 4,173,336

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

13 \$ 570977521
14 5,222,277

15 DIVISION III -- STATE PUBLIC DEFENDER

16 Sec. 10. 2002 Iowa Acts, Second Extraordinary Session,
17 chapter 1003, section 160, is amended to read as follows:

18 SEC. 160. STATE PUBLIC DEFENDER. There is appropriated
19 from the general fund of the state to the office of the state
20 public defender of the department of inspections and appeals
21 for the fiscal year beginning July 1, 2002, and ending June
22 30, 2003, the following amount, or so much thereof as is
23 necessary, for the purposes designated:

24 \$ 3379087325
25 36,208,325

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

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

31 \$ 15,770,739
32 FTEs 202.00

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

1 \$ 18,137,586
2 20,437,586

3 DIVISION IV -- DEPARTMENT OF PUBLIC SAFETY

4 Sec. 11. 2002 Iowa Acts, Second Extraordinary Session,
5 chapter 1003, section 165, subsection 1, subsection 2,
6 unnumbered paragraph 1, subsection 3, paragraph a, subsection
7 4, paragraph a, and subsection 5, paragraph a, are amended to
8 read as follows:

9 1. For the department's administrative functions,
10 including the criminal justice information system, and for not
11 more than the following full-time equivalent positions:
12 \$ 2,379,176
13 2,456,772
14 FTEs 38.50

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

22 \$ 12,050,565
23 12,794,811
24 FTEs 231.50

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

32 \$ 3,392,889
33 3,593,408
34 FTEs 58.00

35 a. For the state fire marshal's office, including the

1 state's contribution to the peace officers' retirement,
2 accident, and disability system provided in chapter 97A in the
3 amount of 17 percent of the salaries for which the funds are
4 appropriated, and for not more than the following full-time
5 equivalent positions:

6	\$	±7777,630
7		<u>1,932,508</u>
8	FTEs	38.80

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

17	\$	37,019,624
18		<u>37,542,385</u>
19	FTEs	545.00

20 DIVISION V -- PUBLIC BROADCASTING

21 Sec. 12. PUBLIC BROADCASTING DIVISION. There is
22 appropriated from the general fund of the state to the
23 department of education for the fiscal year beginning July 1,
24 2002, and ending June 30, 2003, the following amount, or so
25 much thereof as is necessary, to be used for the purpose
26 designated:

27 For the public broadcasting division, to supplement funds
28 appropriated for purposes of digital television in 2002 Iowa
29 Acts, chapter 1173, section 1, subsection 3B, to be used to
30 match a grant for the completion of certain low-power digital
31 transmission facilities:

32	\$	280,000
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33 DIVISION VI -- EFFECTIVE DATE -- APPLICABILITY

34 Sec. 13. EFFECTIVE DATE. This Act, being deemed of
35 immediate importance, takes effect upon enactment.

1 criminal investigation, narcotics enforcement, state fire
2 marshal, and Iowa state patrol.

3 Division V makes a supplemental appropriation to the
4 department of education for the public broadcasting division
5 to be used to match a grant for the completion of certain low-
6 power digital transmission facilities.

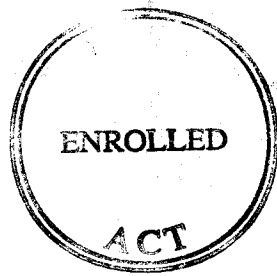
7 Division VI provides that the bill takes effect upon
8 enactment. An applicability provision provides that the
9 bill's appropriation increases and appropriation are made
10 after applying the across-the-board reductions to the
11 appropriations made from the general fund of the state to the
12 executive branch pursuant to law enacted during the 2002
13 Second Extraordinary Session. The bill states that across-
14 the-board reductions and other requirements of that law do not
15 apply to the appropriation increases and appropriation made in
16 the bill.

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TBA 901

CHAPTER 168

MISCELLANEOUS
SUPPLEMENTAL AND OTHER
APPROPRIATIONS



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
5,508,829
..... 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
4,074,150

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

..... \$ 1,463,073
2,557,073

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:

.....	\$ 32,168,605
	<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
22,023,488

..... 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
23,053,492

..... 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:

..... \$ 21,161,133
21,679,030

..... 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
7,445,927

..... 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
18,774,823

..... 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:

..... \$ 67,992,061
7,163,184

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:

..... \$ 47,073,638
4,173,336

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:

..... \$ 57,097,521
5,222,277

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:

..... \$ ~~18,713,758~~6
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
		<u>3,593,408</u>
.....	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
		<u>1,932,508</u>
.....	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
		<u>37,542,385</u>
.....	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 **FEB 17** _____, 2003

THOMAS J. VILSACK
Governor