

Senate Study Bill 1006

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
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:

8 TLSB 1790XC 80

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1 1 DIVISION I == HUMAN SERVICES

1 2 GIRLS TREATMENT CENTER

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

1 7 To provide matching funding for not more than 25 percent of
1 8 the construction costs of an adolescent girls treatment center
1 9 located in a county with a population between 189,000 and
1 10 196,000:

1 11 STATE TRAINING SCHOOL

1 12 Sec. 2. 2002 Iowa Acts, Second Extraordinary Session,
1 13 chapter 1003, section 120, subsection 2, is amended to read as
1 14 follows:

1 15 2. For operation of the state training school at Eldora
1 16 and for salaries, support, maintenance, and for not more than
1 17 the following full-time equivalent positions:

1 18 \$ ~~10,434,719~~
1 19 10,684,719
1 20 FTEs 218.53

1 21 Of the amount appropriated in this subsection, \$250,000 is

1 22 allocated to reopen and operate the unit that specializes in

1 23 addressing sexual and violent behavior.

1 24 CHILD AND FAMILY SERVICES

1 25 Sec. 3. 2002 Iowa Acts, Second Extraordinary Session,
1 26 chapter 1003, section 121, unnumbered paragraph 2, is amended
1 27 to read as follows:

1 28 For child and family services:

1 29 \$ ~~98,144,163~~
1 30 103,844,163

1 31 MT. PLEASANT STATE MENTAL HEALTH INSTITUTE

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

1 35 For the state mental health institute at Mount Pleasant for
2 1 salaries, support, maintenance, and miscellaneous purposes and
2 2 for not more than the following full-time equivalent
2 3 positions:

2 4 \$ ~~5,343,829~~
2 5 5,508,829
2 6 FTEs 100.07

2 7 STATE RESOURCE CENTERS

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

2 11 1. For the state resource center at Glenwood for salaries,
2 12 support, maintenance, and miscellaneous purposes:

2 13 \$ ~~2,170,150~~
2 14 4,074,150

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

2 17 \$ ~~1,463,073~~
2 18 2,557,073

2 19 DIVISION II == DEPARTMENT OF CORRECTIONS
 2 20 Sec. 6. 2002 Iowa Acts, Second Extraordinary Session,
 2 21 chapter 1001, section 39, is amended to read as follows:
 2 22 SEC. 39. UNITED STATES MARSHAL'S SERVICE AND FEDERAL
 2 23 BUREAU OF PRISONS. For the fiscal year beginning July 1,
 2 24 2002, of the regular per diem reimbursement costs billed by
 2 25 the department of corrections to the United States marshal's
 2 26 service for holding detainees and to the federal bureau of
 2 27 prisons for inmates, \$3,350,000 shall be deposited entirely
 2 28 into the general fund of the state. Regular per diem
 2 29 reimbursements received in addition to that amount for the
 2 30 fiscal year may be retained by and to the extent retained are
 2 31 appropriated to the department of corrections. Regular per
 2 32 diem reimbursements not retained shall be deposited into the
 2 33 general fund of the state. However, for the fiscal year
 2 34 beginning July 1, 2002, extraordinary costs, including but not
 2 35 limited to medical costs, billed over the regular daily per
 3 1 diem rate are appropriated to and shall be used by the
 3 2 department of corrections to offset the actual costs incurred.

3 3 CORRECTIONAL FACILITIES

3 4 Sec. 7. 2002 Iowa Acts, Second Extraordinary Session,
 3 5 chapter 1003, section 155, subsection 1, paragraph a,
 3 6 unnumbered paragraph 1, paragraph b, unnumbered paragraph 1,
 3 7 paragraphs c, d, e, and f, paragraph g, unnumbered paragraph
 3 8 1, paragraphs h and i, are amended to read as follows:

3 9 For the operation of the Fort Madison correctional
 3 10 facility, including salaries, support, maintenance, employment
 3 11 of correctional officers, miscellaneous purposes, and for not
 3 12 more than the following full-time equivalent positions:
 3 13 \$ 32,168,605
 3 14 33,955,898
 3 15 FTEs 543.69

3 16 For the operation of the Anamosa correctional facility,
 3 17 including salaries, support, maintenance, employment of
 3 18 correctional officers and a part-time chaplain to provide
 3 19 religious counseling to inmates of a minority race,
 3 20 miscellaneous purposes, and for not more than the following
 3 21 full-time equivalent positions:
 3 22 \$ 23,786,629
 3 23 24,968,782
 3 24 FTEs 379.75

3 25 c. For the operation of the Oakdale correctional facility,
 3 26 including salaries, support, maintenance, employment of
 3 27 correctional officers, miscellaneous purposes, and for not
 3 28 more than the following full-time equivalent positions:
 3 29 \$ 21,497,363
 3 30 22,023,488
 3 31 FTEs 328.50

3 32 d. For the operation of the Newton correctional facility,
 3 33 including salaries, support, maintenance, employment of
 3 34 correctional officers, miscellaneous purposes, and for not
 3 35 more than the following full-time equivalent positions:
 4 1 \$ 22,538,275
 4 2 23,053,492
 4 3 FTEs 371.25

4 4 e. For the operation of the Mt. Pleasant correctional
 4 5 facility, including salaries, support, maintenance, employment
 4 6 of correctional officers and a full-time chaplain to provide
 4 7 religious counseling at the Oakdale and Mt. Pleasant
 4 8 correctional facilities, miscellaneous purposes, and for not
 4 9 more than the following full-time equivalent positions:
 4 10 \$ 21,161,133
 4 11 21,679,030
 4 12 FTEs 330.56

4 13 f. For the operation of the Rockwell City correctional
 4 14 facility, including salaries, support, maintenance, employment
 4 15 of correctional officers, miscellaneous purposes, and for not
 4 16 more than the following full-time equivalent positions:
 4 17 \$ 7,268,049
 4 18 7,445,927
 4 19 FTEs 110.00

4 20 For the operation of the Clarinda correctional facility,
 4 21 including salaries, support, maintenance, employment of
 4 22 correctional officers, miscellaneous purposes, and for not
 4 23 more than the following full-time equivalent positions:
 4 24 \$ 18,326,306
 4 25 18,774,823
 4 26 FTEs 291.76

4 27 h. For the operation of the Mitchellville correctional
 4 28 facility, including salaries, support, maintenance, employment
 4 29 of correctional officers, miscellaneous purposes, and for not

4 30 more than the following full-time equivalent positions:
 4 31 \$ 12,024,416
 4 32 12,318,701
 4 33 FTEs 215.50
 4 34 i. For the operation of the Fort Dodge correctional
 4 35 facility, including salaries, support, maintenance, employment
 5 1 of correctional officers, miscellaneous purposes, and for not
 5 2 more than the following full-time equivalent positions:
 5 3 \$ 24,379,674
 5 4 24,895,874
 5 5 FTEs 395.00

5 6 GENERAL ADMINISTRATION

5 7 Sec. 8. 2002 Iowa Acts, Second Extraordinary Session,
 5 8 chapter 1003, section 156, subsection 1, unnumbered paragraph
 5 9 1, is amended to read as follows:
 5 10 For general administration, including salaries, support,
 5 11 maintenance, employment of an education director and clerk to
 5 12 administer a centralized education program for the
 5 13 correctional system, miscellaneous purposes, and for not more
 5 14 than the following full-time equivalent positions:
 5 15 \$ 2,666,224
 5 16 2,731,477
 5 17 FTEs 42.18

5 18 COMMUNITY=BASED ADMINISTRATION

5 19 Sec. 9. 2002 Iowa Acts, Second Extraordinary Session,
 5 20 chapter 1003, section 157, subsection 1, paragraphs a, b, c,
 5 21 and h, are amended to read as follows:
 5 22 a. For the first judicial district department of
 5 23 correctional services, including the treatment and supervision
 5 24 of probation and parole violators who have been released from
 5 25 the department of corrections violator program, the following
 5 26 amount, or so much thereof as is necessary:
 5 27 \$ 8,953,795
 5 28 9,172,930

5 29 b. For the second judicial district department of
 5 30 correctional services, including the treatment and supervision
 5 31 of probation and parole violators who have been released from
 5 32 the department of corrections violator program, the following
 5 33 amount, or so much thereof as is necessary:
 5 34 \$ 6,992,061
 5 35 7,163,184

6 1 c. For the third judicial district department of
 6 2 correctional services, including the treatment and supervision
 6 3 of probation and parole violators who have been released from
 6 4 the department of corrections violator program, the following
 6 5 amount, or so much thereof as is necessary:
 6 6 \$ 4,073,638
 6 7 4,173,336

6 8 h. For the eighth judicial district department of
 6 9 correctional services, including the treatment and supervision
 6 10 of probation and parole violators who have been released from
 6 11 the department of corrections violator program, the following
 6 12 amount, or so much thereof as is necessary:
 6 13 \$ 5,097,521
 6 14 5,222,277

6 15 DIVISION III == STATE PUBLIC DEFENDER

6 16 Sec. 10. 2002 Iowa Acts, Second Extraordinary Session,
 6 17 chapter 1003, section 160, is amended to read as follows:
 6 18 SEC. 160. STATE PUBLIC DEFENDER. There is appropriated
 6 19 from the general fund of the state to the office of the state
 6 20 public defender of the department of inspections and appeals
 6 21 for the fiscal year beginning July 1, 2002, and ending June
 6 22 30, 2003, the following amount, or so much thereof as is
 6 23 necessary, for the purposes designated:
 6 24 \$ 33,908,325
 6 25 36,208,325

6 26 The funds appropriated and full-time equivalent positions
 6 27 authorized in this section are allocated as follows:

6 28 1. For salaries, support, maintenance, and miscellaneous
 6 29 purposes, and for not more than the following full-time
 6 30 equivalent positions:
 6 31 \$ 15,770,739
 6 32 FTEs 202.00

6 33 2. For the fees of court-appointed attorneys for indigent
 6 34 adults and juveniles, in accordance with section 232.141 and
 6 35 chapter 815:
 7 1 \$ 18,137,586
 7 2 20,437,586

7 3 DIVISION IV == DEPARTMENT OF PUBLIC SAFETY

7 4 Sec. 11. 2002 Iowa Acts, Second Extraordinary Session,
 7 5 chapter 1003, section 165, subsection 1, subsection 2,

7 6 unnumbered paragraph 1, subsection 3, paragraph a, subsection
 7 7 4, paragraph a, and subsection 5, paragraph a, are amended to
 7 8 read as follows:
 7 9 1. For the department's administrative functions,
 7 10 including the criminal justice information system, and for not
 7 11 more than the following full-time equivalent positions:
 7 12 \$ ~~2,379,176~~
 7 13 2,456,772
 7 14 FTEs 38.50

7 15 For the division of criminal investigation and bureau of
 7 16 identification including the state's contribution to the peace
 7 17 officers' retirement, accident, and disability system provided
 7 18 in chapter 97A in the amount of 17 percent of the salaries for
 7 19 which the funds are appropriated, to meet federal fund
 7 20 matching requirements, and for not more than the following
 7 21 full-time equivalent positions:
 7 22 \$ ~~12,050,565~~
 7 23 12,794,811
 7 24 FTEs 231.50

7 25 a. For the division of narcotics enforcement, including
 7 26 the state's contribution to the peace officers' retirement,
 7 27 accident, and disability system provided in chapter 97A in the
 7 28 amount of 17 percent of the salaries for which the funds are
 7 29 appropriated, to meet federal fund matching requirements, and
 7 30 for not more than the following full-time equivalent
 7 31 positions:
 7 32 \$ ~~3,392,889~~
 7 33 3,593,408
 7 34 FTEs 58.00

7 35 a. For the state fire marshal's office, including the
 8 1 state's contribution to the peace officers' retirement,
 8 2 accident, and disability system provided in chapter 97A in the
 8 3 amount of 17 percent of the salaries for which the funds are
 8 4 appropriated, and for not more than the following full-time
 8 5 equivalent positions:
 8 6 \$ ~~1,777,630~~
 8 7 1,932,508
 8 8 FTEs 38.80

8 9 a. For the division of the Iowa state patrol of the
 8 10 department of public safety, for salaries, support,
 8 11 maintenance, workers' compensation costs, and miscellaneous
 8 12 purposes, including the state's contribution to the peace
 8 13 officers' retirement, accident, and disability system provided
 8 14 in chapter 97A in the amount of 17 percent of the salaries for
 8 15 which the funds are appropriated, and for not more than the
 8 16 following full-time equivalent positions:
 8 17 \$ ~~37,019,624~~
 8 18 37,542,385
 8 19 FTEs 545.00

8 20 DIVISION V == PUBLIC BROADCASTING

8 21 Sec. 12. PUBLIC BROADCASTING DIVISION. There is
 8 22 appropriated from the general fund of the state to the
 8 23 department of education for the fiscal year beginning July 1,
 8 24 2002, and ending June 30, 2003, the following amount, or so
 8 25 much thereof as is necessary, to be used for the purpose
 8 26 designated:

8 27 For the public broadcasting division, to supplement funds
 8 28 appropriated for purposes of digital television in 2002 Iowa
 8 29 Acts, chapter 1173, section 1, subsection 3B, to be used to
 8 30 match a grant for the completion of certain low-power digital
 8 31 transmission facilities:
 8 32 \$ 280,000

8 33 DIVISION VI == EFFECTIVE DATE == APPLICABILITY

8 34 Sec. 13. EFFECTIVE DATE. This Act, being deemed of
 8 35 immediate importance, takes effect upon enactment.

9 1 Sec. 14. APPLICABILITY. The increases in appropriations
 9 2 and appropriation made in this Act apply following the
 9 3 reductions in appropriations made pursuant to 2002 Iowa Acts,
 9 4 Second Extraordinary Session, chapter 1003, section 220, and
 9 5 the provisions of 2002 Iowa Acts, Second Extraordinary
 9 6 Session, chapter 1003, section 220, are not applicable to such
 9 7 increases and appropriation.

9 8 EXPLANATION

9 9 This bill supplements appropriations made for the fiscal
 9 10 year beginning July 1, 2002. The bill is organized into
 9 11 divisions based upon the state agency receiving the
 9 12 appropriations. Except as otherwise indicated, the
 9 13 supplemental appropriations are made from the general fund of
 9 14 the state.

9 15 Division I makes supplemental appropriations to the
 9 16 department of human services for purposes of the state

9 17 training school, child and family services, the state mental
9 18 health institute at Mt. Pleasant, and the state resource
9 19 centers. The bill also narrows language relating to an
9 20 infrastructure appropriation made for construction of an
9 21 alternative services girls treatment center.
9 22 Division II makes supplemental appropriations to the
9 23 department of corrections. Language requiring per diem
9 24 reimbursements from the United States marshal's service to be
9 25 deposited into the general fund is amended to provide that the
9 26 department may retain moneys received over \$3.35 million and
9 27 to reference inmates from the federal bureau of prisons.
9 28 Supplemental appropriations are provided for each correctional
9 29 facility, general administration, and certain community-based
9 30 corrections districts.
9 31 Division III makes a supplemental appropriation to the
9 32 state public defender and allocates the appropriation for
9 33 court-appointed attorneys for indigent adults and juveniles.
9 34 Division IV makes supplemental appropriations for these
9 35 divisions of the department of public safety: administration,
10 1 criminal investigation, narcotics enforcement, state fire
10 2 marshal, and Iowa state patrol.
10 3 Division V makes a supplemental appropriation to the
10 4 department of education for the public broadcasting division
10 5 to be used to match a grant for the completion of certain low-
10 6 power digital transmission facilities.
10 7 Division VI provides that the bill takes effect upon
10 8 enactment. An applicability provision provides that the
10 9 bill's appropriation increases and appropriation are made
10 10 after applying the across-the-board reductions to the
10 11 appropriations made from the general fund of the state to the
10 12 executive branch pursuant to law enacted during the 2002
10 13 Second Extraordinary Session. The bill states that across-
10 14 the-board reductions and other requirements of that law do not
10 15 apply to the appropriation increases and appropriation made in
10 16 the bill.
10 17 LSB 1790XC 80
10 18 jp/pj/5.1