

Justice System Appropriations Bill
Senate File 510
Conference Committee Report

Last Action:

**Conference
Committee**

June 23, 2011

Executive Summary Only

An Act relating to and making appropriations to the justice system.

Fiscal Services Division
Legislative Services Agency

NOTES ON BILLS AND AMENDMENTS (NOBA)

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JUSTICE SYSTEM APPROPRIATIONS BILL

Conference Committee Report

SENATE FILE 510

Funding Summary: Senate File 510, per the Conference Committee report, appropriates a total of \$506.1 million from the General Fund and 5,822.9 FTE positions for FY 2012. This is an increase of \$14.6 million compared to estimated FY 2011. Senate File 510 also appropriates \$13.0 million from other funds. This is a decrease of \$200,000 compared to estimated FY 2011. **See the attached tracking document for funding totals and individual budget unit item details.**

Biennial Budgeting – FY 2013: Senate File 510 appropriates General Fund, other funds, and FTE positions for FY 2013 for the Justice System budget and includes necessary corresponding language. These appropriations are equal to 50.0% of the appropriations for FY 2012.

Major Language Provisions in the Conference Committee Report:

NOTE: *This summary represents major language provisions and should not be considered an all-inclusive comprehensive listing.*

Department of Justice: Requires at least \$150,000 be transferred from the Victim Compensation Fund to Victim Assistance Grants.

Department of Corrections (DOC):

- Requires the DOC to continue operating the prison farms.
- Requires the DOC to solicit requests for information to improve pharmacy efficiencies.
- Requires the Community-Based Corrections (CBC) District Departments to accept the transfer of offenders into residential facilities between CBC District Departments.
- Requests the Legislative Council to establish an interim committee to study treatment and placement options available for geriatric and psychiatric patients currently under the care, custody, and control of the State.
- Adds contingency language for the Governor's Office of Drug Control Policy (or any succeeding entity) for determining State and local grants.
- Directs the DOC to allocate three new correctional officer positions as necessary for security purposes.

Statutory Changes:

- Extends requirements that a notice of the availability of mortgage foreclosure counseling and mediation services be provided to individuals facing foreclosure proceedings prior to July 1, 2012.
- Adds bath salts, salvia divinorum, and K2 to the list of Schedule I controlled substances. The penalty for manufacturing, delivery, or possession with intent to manufacture or deliver is an aggravated misdemeanor. Possession under Code Section 124.401(5) is a serious misdemeanor. The changes related to K2 take effect upon enactment. The changes related to salvia divinorum and bath salts take effect 30 days after enactment.
- Permits funding annual pay adjustments and related benefits for racetrack, excursion boat, or gambling enforcement activities for agents and officers of the Division of Criminal Investigation.

Summary Data General Fund

	Estimated Net FY 2011 (1)	Conf Comm FY 2012 (2)	Conf Comm vs FY 2011 (3)	Conf Comm FY 2013 (4)	FY 2013 vs FY 2012 (5)
Justice System	\$ 491,487,673	\$ 506,075,850	\$ 14,588,177	\$ 253,037,934	\$ -253,037,916
Grand Total	\$ 491,487,673	\$ 506,075,850	\$ 14,588,177	\$ 253,037,934	\$ -253,037,916

Justice System General Fund

	Estimated Net FY 2011 <u>(1)</u>	Conf Comm FY 2012 <u>(2)</u>	Conf Comm vs FY 2011 <u>(3)</u>	Conf Comm FY 2013 <u>(4)</u>	FY 2013 vs FY 2012 <u>(5)</u>
<u>Justice, Department of</u>					
Justice, Dept. of					
General Office A.G.	\$ 7,792,930	\$ 7,792,930	\$ 0	\$ 3,896,465	\$ -3,896,465
Victim Assistance Grants	3,060,000	2,876,400	-183,600	1,438,200	-1,438,200
Legal Services Poverty Grants	1,930,671	1,814,831	-115,840	907,416	-907,415
Total Justice, Department of	\$ 12,783,601	\$ 12,484,161	\$ -299,440	\$ 6,242,081	\$ -6,242,080
<u>Civil Rights Commission</u>					
Civil Rights Commission					
Civil Rights Commission	\$ 1,335,282	\$ 1,297,069	\$ -38,213	\$ 648,534	\$ -648,535
Total Civil Rights Commission	\$ 1,335,282	\$ 1,297,069	\$ -38,213	\$ 648,534	\$ -648,535
<u>Corrections, Dept. of</u>					
Fort Madison					
Ft. Madison Institution	\$ 38,453,601	\$ 41,031,283	\$ 2,577,682	\$ 20,515,641	\$ -20,515,642
Anamosa					
Anamosa Institution	\$ 29,563,854	\$ 31,985,974	\$ 2,422,120	\$ 15,992,987	\$ -15,992,987
Oakdale					
Oakdale Institution	\$ 55,000,040	\$ 55,594,426	\$ 594,386	\$ 27,797,213	\$ -27,797,213
Newton					
Newton Institution	\$ 25,700,753	\$ 25,958,757	\$ 258,004	\$ 12,979,379	\$ -12,979,378
Mt Pleasant					
Mt. Pleasant Inst.	\$ 25,551,510	\$ 25,917,815	\$ 366,305	\$ 12,958,908	\$ -12,958,907
Rockwell City					
Rockwell City Institution	\$ 9,078,666	\$ 9,316,466	\$ 237,800	\$ 4,658,233	\$ -4,658,233
Clarinda					
Clarinda Institution	\$ 23,016,294	\$ 24,482,356	\$ 1,466,062	\$ 12,241,178	\$ -12,241,178
Mitchellville					
Mitchellville Institution	\$ 15,283,848	\$ 15,615,374	\$ 331,526	\$ 7,807,687	\$ -7,807,687

Justice System General Fund

	Estimated Net FY 2011 <u>(1)</u>	Conf Comm FY 2012 <u>(2)</u>	Conf Comm vs FY 2011 <u>(3)</u>	Conf Comm FY 2013 <u>(4)</u>	FY 2013 vs FY 2012 <u>(5)</u>
Fort Dodge					
Ft. Dodge Institution	\$ 28,310,185	\$ 29,062,235	\$ 752,050	\$ 14,531,118	\$ -14,531,117
New Correctional Officers	0	157,162	157,162	78,581	-78,581
Total Fort Dodge	<u>\$ 28,310,185</u>	<u>\$ 29,219,397</u>	<u>\$ 909,212</u>	<u>\$ 14,609,699</u>	<u>\$ -14,609,698</u>
Central Office					
County Confinement	\$ 775,092	\$ 775,092	\$ 0	\$ 387,546	\$ -387,546
Federal Prisoners/Contractual	239,411	239,411	0	119,706	-119,705
Corrections Administration	4,237,054	4,835,542	598,488	2,417,771	-2,417,771
Corrections Education	1,558,109	2,308,109	750,000	1,154,055	-1,154,054
Iowa Corrections Offender Network	424,364	424,364	0	212,182	-212,182
Mental Health/Substance Abuse	22,319	22,319	0	11,160	-11,159
Hepatitis Treatment And Education	167,881	167,881	0	83,941	-83,940
Total Central Office	<u>\$ 7,424,230</u>	<u>\$ 8,772,718</u>	<u>\$ 1,348,488</u>	<u>\$ 4,386,361</u>	<u>\$ -4,386,357</u>
CBC District 1					
CBC District I	\$ 11,920,098	\$ 12,204,948	\$ 284,850	\$ 6,102,474	\$ -6,102,474
CBC District 2					
CBC District II	\$ 10,336,948	\$ 10,336,948	\$ 0	\$ 5,168,474	\$ -5,168,474
CBC District 3					
CBC District III	\$ 5,501,879	\$ 5,599,765	\$ 97,886	\$ 2,799,883	\$ -2,799,882
CBC District 4					
CBC District IV	\$ 5,391,355	\$ 5,391,355	\$ 0	\$ 2,695,678	\$ -2,695,677
CBC District 5					
CBC District V	\$ 18,407,129	\$ 18,742,129	\$ 335,000	\$ 9,371,065	\$ -9,371,064
CBC District 6					
CBC District VI	\$ 12,709,753	\$ 13,112,563	\$ 402,810	\$ 6,556,282	\$ -6,556,281
CBC District 7					
CBC District VII	\$ 6,492,814	\$ 6,492,814	\$ 0	\$ 3,246,407	\$ -3,246,407
CBC District 8					
CBC District VIII	\$ 6,731,055	\$ 6,879,715	\$ 148,660	\$ 3,439,858	\$ -3,439,857
Total Corrections, Dept. of	<u>\$ 334,874,012</u>	<u>\$ 346,654,803</u>	<u>\$ 11,780,791</u>	<u>\$ 173,327,407</u>	<u>\$ -173,327,396</u>

Justice System General Fund

	Estimated Net FY 2011 <u>(1)</u>	Conf Comm FY 2012 <u>(2)</u>	Conf Comm vs FY 2011 <u>(3)</u>	Conf Comm FY 2013 <u>(4)</u>	FY 2013 vs FY 2012 <u>(5)</u>
<u>Inspections & Appeals, Dept. of</u>					
Public Defender					
Public Defender	\$ 24,083,182	\$ 25,083,182	\$ 1,000,000	\$ 12,541,591	\$ -12,541,591
Indigent Defense Appropriation	31,680,929	30,680,929	-1,000,000	15,340,464	-15,340,465
Total Inspections & Appeals, Dept. of	\$ 55,764,111	\$ 55,764,111	\$ 0	\$ 27,882,055	\$ -27,882,056
<u>Law Enforcement Academy</u>					
Law Enforcement Academy					
Law Enforcement Academy	\$ 849,147	\$ 868,698	\$ 19,551	\$ 434,349	\$ -434,349
Total Law Enforcement Academy	\$ 849,147	\$ 868,698	\$ 19,551	\$ 434,349	\$ -434,349
<u>Parole, Board of</u>					
Parole Board					
Parole Board	\$ 969,043	\$ 1,053,835	\$ 84,792	\$ 526,918	\$ -526,917
Total Parole, Board of	\$ 969,043	\$ 1,053,835	\$ 84,792	\$ 526,918	\$ -526,917
<u>Public Defense, Dept. of</u>					
Public Defense, Dept. of					
Public Defense, Department of	\$ 5,879,832	\$ 5,527,042	\$ -352,790	\$ 2,763,521	\$ -2,763,521
Emergency Management Division					
Homeland Security & Emer. Mgmt.	\$ 1,954,125	\$ 1,836,877	\$ -117,248	\$ 918,439	\$ -918,438
Total Public Defense, Dept. of	\$ 7,833,957	\$ 7,363,919	\$ -470,038	\$ 3,681,960	\$ -3,681,959

Justice System General Fund

	Estimated Net FY 2011 <u>(1)</u>	Conf Comm FY 2012 <u>(2)</u>	Conf Comm vs FY 2011 <u>(3)</u>	Conf Comm FY 2013 <u>(4)</u>	FY 2013 vs FY 2012 <u>(5)</u>
<u>Public Safety, Department of</u>					
Public Safety, Dept. of					
Public Safety Administration	\$ 4,007,075	\$ 4,007,075	\$ 0	\$ 2,003,538	\$ -2,003,537
Public Safety DCI	12,533,931	12,533,931	0	6,266,966	-6,266,965
DCI - Crime Lab Equipment/Training	302,345	302,345	0	151,173	-151,172
Narcotics Enforcement	6,429,884	6,429,884	0	3,214,942	-3,214,942
Public Safety Undercover Funds	109,042	109,042	0	54,521	-54,521
DPS Fire Marshal	4,298,707	4,298,707	0	2,149,354	-2,149,353
Iowa State Patrol	48,505,764	51,903,233	3,397,469	25,951,617	-25,951,616
DPS/SPOC Sick Leave Payout	279,517	279,517	0	139,759	-139,758
Fire Fighter Training	612,255	725,520	113,265	362,760	-362,760
Total Public Safety, Department of	\$ 77,078,520	\$ 80,589,254	\$ 3,510,734	\$ 40,294,630	\$ -40,294,624
Total Justice System	\$ 491,487,673	\$ 506,075,850	\$ 14,588,177	\$ 253,037,934	\$ -253,037,916

Summary Data

Other Fund

	Estimated Net FY 2011 <u>(1)</u>	Conf Comm FY 2012 <u>(2)</u>	Conf Comm vs FY 2011 <u>(3)</u>	Conf Comm FY 2013 <u>(4)</u>	FY 2013 vs FY 2012 <u>(5)</u>
Justice System	\$ 13,172,650	\$ 12,972,469	\$ -200,181	\$ 6,486,235	\$ -6,486,234
Grand Total	<u>\$ 13,172,650</u>	<u>\$ 12,972,469</u>	<u>\$ -200,181</u>	<u>\$ 6,486,235</u>	<u>\$ -6,486,234</u>

Justice System Other Fund

	Estimated Net FY 2011 <u>(1)</u>	Conf Comm FY 2012 <u>(2)</u>	Conf Comm vs FY 2011 <u>(3)</u>	Conf Comm FY 2013 <u>(4)</u>	FY 2013 vs FY 2012 <u>(5)</u>
<u>Justice, Department of</u>					
Consumer Advocate					
Consumer Advocate - CMRF	\$ 3,336,344	\$ 3,136,163	\$ -200,181	\$ 1,568,082	\$ -1,568,081
Total Justice, Department of	\$ 3,336,344	\$ 3,136,163	\$ -200,181	\$ 1,568,082	\$ -1,568,081
<u>Public Safety, Department of</u>					
Public Safety, Dept. of					
DPS Gaming Enforcement	\$ 9,836,306	\$ 9,836,306	\$ 0	\$ 4,918,153	\$ -4,918,153
Total Public Safety, Department of	\$ 9,836,306	\$ 9,836,306	\$ 0	\$ 4,918,153	\$ -4,918,153
Total Justice System	\$ 13,172,650	\$ 12,972,469	\$ -200,181	\$ 6,486,235	\$ -6,486,234

Summary Data

FTE

	Estimated Net FY 2011 (1)	Conf Comm FY 2012 (2)	Conf Comm vs FY 2011 (3)	Conf Comm FY 2013 (4)	FY 2013 vs FY 2012 (5)
Justice System	5,131.69	5,822.90	691.21	5,822.90	0.00
Grand Total	5,131.69	5,822.90	691.21	5,822.90	0.00

Justice System FTE

	Estimated Net FY 2011 (1)	Conf Comm FY 2012 (2)	Conf Comm vs FY 2011 (3)	Conf Comm FY 2013 (4)	FY 2013 vs FY 2012 (5)
Justice, Department of					
Justice, Dept. of					
General Office A.G.	214.00	212.00	-2.00	212.00	0.00
Victim Compensation Fund	22.00	24.00	2.00	24.00	0.00
Total Justice, Dept. of	236.00	236.00	0.00	236.00	0.00
Consumer Advocate					
Consumer Advocate	0.00	22.00	22.00	22.00	0.00
Consumer Advocate - CMRF	22.00	0.00	-22.00	0.00	0.00
Total Consumer Advocate	22.00	22.00	0.00	22.00	0.00
Total Justice, Department of	258.00	258.00	0.00	258.00	0.00
Civil Rights Commission					
Civil Rights Commission					
Civil Rights Commission	28.00	28.00	0.00	28.00	0.00
Total Civil Rights Commission	28.00	28.00	0.00	28.00	0.00
Corrections, Dept. of					
Fort Madison					
Ft. Madison Institution	368.50	459.00	90.50	459.00	0.00
Anamosa					
Anamosa Institution	276.00	361.00	85.00	361.00	0.00
Oakdale					
Oakdale Institution	446.50	556.50	110.00	556.50	0.00
Newton					
Newton Institution	300.00	300.00	0.00	300.00	0.00
Mt Pleasant					
Mt. Pleasant Inst.	240.56	288.28	47.72	288.28	0.00
Rockwell City					
Rockwell City Institution	24.00	102.00	78.00	102.00	0.00
Clarinda					
Clarinda Institution	213.85	283.40	69.55	283.40	0.00

Justice System FTE

	Estimated Net FY 2011 <u>(1)</u>	Conf Comm FY 2012 <u>(2)</u>	Conf Comm vs FY 2011 <u>(3)</u>	Conf Comm FY 2013 <u>(4)</u>	FY 2013 vs FY 2012 <u>(5)</u>
Mitchellville					
Mitchellville Institution	181.00	188.00	7.00	188.00	0.00
Fort Dodge					
Ft. Dodge Institution	246.00	306.00	60.00	306.00	0.00
New Correctional Officers	0.00	3.00	3.00	3.00	0.00
Total Fort Dodge	<u>246.00</u>	<u>309.00</u>	<u>63.00</u>	<u>309.00</u>	<u>0.00</u>
Central Office					
Corrections Administration	39.00	39.00	0.00	39.00	0.00
CBC District 1					
CBC District I	143.92	177.41	33.49	177.41	0.00
CBC District 2					
CBC District II	139.66	144.36	4.70	144.36	0.00
CBC District 3					
CBC District III	58.99	74.99	16.00	74.99	0.00
CBC District 4					
CBC District IV	51.00	65.00	14.00	65.00	0.00
CBC District 5					
CBC District V	234.45	255.95	21.50	255.95	0.00
CBC District 6					
CBC District VI	167.63	189.51	21.88	189.51	0.00
CBC District 7					
CBC District VII	71.58	86.45	14.87	86.45	0.00
CBC District 8					
CBC District VIII	88.90	90.90	2.00	90.90	0.00
Total Corrections, Dept. of	<u>3,291.54</u>	<u>3,970.75</u>	<u>679.21</u>	<u>3,970.75</u>	<u>0.00</u>
<u>Inspections & Appeals, Dept. of</u>					
Public Defender					
Public Defender	219.00	219.00	0.00	219.00	0.00
Total Inspections & Appeals, Dept. of	<u>219.00</u>	<u>219.00</u>	<u>0.00</u>	<u>219.00</u>	<u>0.00</u>

Justice System FTE

	Estimated Net FY 2011 (1)	Conf Comm FY 2012 (2)	Conf Comm vs FY 2011 (3)	Conf Comm FY 2013 (4)	FY 2013 vs FY 2012 (5)
<u>Law Enforcement Academy</u>					
Law Enforcement Academy	26.80	24.55	-2.25	24.55	0.00
Total Law Enforcement Academy	26.80	24.55	-2.25	24.55	0.00
<u>Parole, Board of</u>					
Parole Board	12.50	12.50	0.00	12.50	0.00
Total Parole, Board of	12.50	12.50	0.00	12.50	0.00
<u>Public Defense, Dept. of</u>					
Public Defense, Dept. of Public Defense, Department of	301.65	313.00	11.35	313.00	0.00
Emergency Management Division Homeland Security & Emer. Mgmt.	34.10	40.00	5.90	40.00	0.00
Total Public Defense, Dept. of	335.75	353.00	17.25	353.00	0.00
<u>Public Safety, Department of</u>					
Public Safety, Dept. of Public Safety Administration	36.00	36.00	0.00	36.00	0.00
Public Safety DCI	160.10	159.10	-1.00	159.10	0.00
Narcotics Enforcement	74.00	74.00	0.00	74.00	0.00
DPS Fire Marshal	55.00	55.00	0.00	55.00	0.00
Iowa State Patrol	515.00	513.00	-2.00	513.00	0.00
DPS Gaming Enforcement	120.00	120.00	0.00	120.00	0.00
Total Public Safety, Department of	960.10	957.10	-3.00	957.10	0.00
Total Justice System	5,131.69	5,822.90	691.21	5,822.90	0.00