



### STATE PUBLIC DEFENDER'S OFFICE – FY 2010 REALLOCATION

**Reallocation of Funds.** The Department of Inspections and Appeals recently reallocated \$575,000 of FY 2010 appropriated funds from the Indigent Defense Fund to the Office of the State Public Defender. This reallocation is in addition to the reallocation of \$2.1 million from the Indigent Defense Fund to the Office of the State Public Defender that occurred in January 2010.

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### CORRECTIONS CLOSES FARMS

**Farms Closed.** Effective July 20, 2010, the Department of Corrections (DOC) closed the housing units at Farms One and Three at Fort Madison. The official capacity is now 7,234 beds, a reduction of 180 minimum-security beds on the farms. The prison system is now operating at 118.0% of capacity with 8,535 offenders in space designed for 7,234 beds.

**Relocation of Offenders.** The majority of the offenders living in the housing units on the farms have been moved to the John Bennett Unit at Fort Madison. The remaining offenders have been moved to other locations within the prison system. Iowa Prison Industries continues to operate the farms and is transporting offenders from the John Bennett Unit to the farms for work.

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### SENATE FILE 2383 – DEBT COLLECTION ACT UPDATE

**Status Update.** As of July 1, the State Debt Coordinator has not been appointed. The Department of Revenue has begun preparing to implement the Court Debt Amnesty Program. The Program will be available from September 1 through November 30, 2010. Persons confined to jail or prison, or under correctional supervision, are not eligible for the Program. The debt must be four years old or older. Forgiveness is equal to 50.0% of the eligible debt owed and payment must be in a lump sum. A person is not eligible for the Amnesty Program if another payment plan is already in effect.

**Software Upgrade Status.** The collection software upgrade required by the 2008 Iowa Acts, Chapter 1172, Section 31, remains an ongoing project for the Department of Revenue with implementation scheduled for November 1. Because of the size and cost, this project remains the Department's top priority. System integration and user acceptance testing is just beginning. The software upgrade and Court Debt Amnesty Program will consume all available resources through December 31, 2010. The County Treasurer collection and utility subpoena programs will be implemented as resources become available upon completion of the amnesty and software programs.

**County Participation.** As of July 1, county attorneys were required to sign the Notice of Full Commitment with the Judicial Branch for FY 2011. There are 46 counties participating in the county attorney collection program, a decrease of one county compared to the previous year.

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## **NEW PRISON BONDS ISSUED**

**Prison Bonds Issued.** In July 2010, the Treasurer of State issued revenue bonds that were authorized during the 2008 Legislative Session for purposes of prison construction. The net proceeds were deposited in the FY 2009 Prison Bonding Fund to provide funds for the construction of the new Iowa State Penitentiary at Fort Madison. Debt service on the new prison bonds will be paid from the Prison Infrastructure Fund that is funded by judicial revenue per Code Section 602.8108A.

**Debt Service Costs.** Currently, the first \$9.5 million in court fines and other Judicial Branch revenue is transferred to the Prison Infrastructure Fund to pay the annual debt service on existing prison bonds of \$8.4 million. The portion (\$1.1 million) of the \$9.5 million not used for debt service is transferred back to the General Fund each year. Beginning in FY 2011, an estimated additional \$5.5 million will need to be transferred from Judicial Branch revenue to the Prison Infrastructure Fund to ensure debt service payments. The debt on the new prison bonds combined with the existing bonds is approximately \$14.9 million, leaving approximately \$100,000 (or less) to transfer to the General Fund. The exception to this is FY 2011. In FY 2011, the debt service is \$14.1 million, leaving approximately \$900,000 available for transfer to the General Fund. In March 2010, the Revenue Estimating Conference estimated FY 2010 and FY 2011 Judicial Branch revenue at \$114.0 million annually.

**Total Debt Obligation.** The prison bonds were issued through FY 2027 with interest at 3.8%. The outstanding obligation includes principal of \$135.0 million and interest of \$74.9 million for a total debt of \$209.9 million. The State broke ground for the new penitentiary in April 2010. Construction is expected to be completed in 2013. Funds appropriated for the project do not revert until the end of FY 2013.

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## **PSEUDOEPHEDRINE TRACKING SYSTEM**

**Implementation of Tracking System.** Senate File 237 (Pseudoephedrine Sales and Verification Act) implemented an electronic tracking system of over-the-counter pseudoephedrine sales, contingent upon the receipt of funding. Iowa received \$750,000 from the federal government through the Community-Oriented Policing Services Grant in the FFY 2009 U.S. Commerce Justice Science Appropriation Act. The System has been provided free-of-charge to the State from the vendor company, Appriss. The federal funding will be used to purchase hardware and software for pharmacies that have to use the web application to access the System. The intent is for no development and implementation costs to the State or to pharmacies. The on-going cost is estimated to be a \$50 annual fee per pharmacy for hardware/software costs.

**Training Locations.** At the end of May, the Memorandum of Understanding (MOU) was signed between the Office of Drug Control Policy and the National Association of Drug Diversion Investigators (NADDI). The NADDI is funding the project. The administrative rules are in the final review and will take effect September 1, 2010. Training for pharmacists and law enforcement personnel will be held at six locations in Iowa July 20 through 30. The six locations include:

- Clinton
- Ottumwa
- West Des Moines
- Sioux City
- Mason City
- Cedar Rapids

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## EARLY CHILDHOOD IOWA – MERGER WAIVER CRITERIA

**Board Meeting.** The Early Childhood Iowa State Board met in special session on Thursday, July 29, 2010, and adopted the recommendations from the Merger Exception to Policy Workgroup. The recommendations included a final completion date of July 1, 2013, for all mergers. Two criteria were added for the Board to consider when evaluating requests for a waiver of the statutory requirements for designation of local Early Childhood Iowa area boards:

- Hardships that merging would create that reduce performance or quality of services. The area board would need to provide compelling documentation of the hardship and clearly document the impact to performance and/or quality of services.
- The ECI area board is performing at a high level as defined by achieving Model Level status in the Levels of Excellence rating system. It was noted that the initial criteria for the rating system will be presented to the State Board for approval at its September meeting.

**Next Meeting.** The next meeting of the ECI State Board is scheduled for September 10, 2010.

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## ANATOMY OF IOWA FLOODS: PREPARING FOR THE FUTURE

**Final Meeting.** The last in a series of six public meetings intended to improve understanding of flooding in Iowa was held in Ames on July 19. The meetings were cooperatively sponsored by the University of Iowa Center for Global and Regional Environmental Research, the Rebuild Iowa Office, the University of Northern Iowa Center of Energy and Environmental Education, the Iowa Department of Natural Resources, the Iowa Department of Agriculture and Land Stewardship, Iowa State University Extension, the Iowa League of Cities, and the Iowa State Association of Counties. Topics discussed included:

- Trends in precipitation – identifying an increased pattern of heavy rainfall with greater likelihood of future flooding.
- Trends in run-off – explaining the factors affecting run-off and the effects of changes in land use.
- The Iowa Flood Center – research, information coordination, and improvements in flood prediction.
- Floodplain management – issues related to increased flooding, floodplain usage, and construction of floodplains.
- Water quality – issues as related to flooding, pollutants, water retention, and quality.
- Rural-Urban watershed coalition building – examining planning and mediation within a watershed flowing from rural areas into Des Moines.
- Cedar Falls Floodplain Initiative – an example of local involvement in floodplain management, planning, and problems with regulations.
- State public policy issues – recent legislation.

**More Information.** Copies of Anatomy of Iowa Floods: Preparing for the Future were available after the conference. The book documents recent flood events, trends, and issues facing Iowa. Additional information is available at <http://www.cgrrer.uiowa.edu/index.html>.

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## BOARD OF CORRECTIONS MEETING

**Board Meeting.** The Board of Corrections met at the Iowa Correctional Institution for Women at Mitchellville on July 15. Warden Patti Wachtendorf welcomed the Board to the Institution. Director John Baldwin recognized three teams for assisting in the search for a Newton inmate escapee – Newton Correctional Facility Corrections Emergency Response Team (CERT), Newton Correctional Facility K-9 Unit, and the Fifth Community-Based Corrections District Department Warrant Team. The escapee was found in Newton.

**Construction Update.** The construction team presented an overview of the construction project at Mitchellville. The team includes:

- STV Architects. Inc. – Principal in Charge
- Pulitzer, Bogard, and Associates – Corrections Specialists
- STV Architects – Design Architects

- Brooks Borg Skiles – Project Manager
- Heery International – Construction Manager

**Next Meeting.** The Board adjourned for a ground-breaking ceremony. The next meeting is scheduled for August 6 in Davenport.

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### **CRIMINAL AND JUVENILE JUSTICE PLANNING ADVISORY COUNCIL MEETING**

**Council Meeting.** The Criminal and Juvenile Justice Planning Advisory Council met July 21 in Des Moines. The Council took the following actions regarding the Public Safety Advisory Board:

- Established that members of the Public Safety Advisory Board are the same as members of the Criminal and Juvenile Justice Planning Advisory Council.
- Reviewed background on sentencing commissions in other states.
- Reviewed data from the Criminal and Juvenile Justice Planning Division of the Department of Human Rights.
- Identified initial plans for the Board.

**Next Meeting.** The next meeting is scheduled for September 8 in Des Moines.

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### **MEETINGS MONITORED**

**Meetings Monitored:** Following is a list of meetings attended and monitored by Fiscal Services staff. Please contact the staff listed for more information.

<b>Meeting</b>	<b>Date</b>	<b>Staff Contact</b>
Iowa Statewide Interoperable Communications System	6/30/10	Jen Acton (1-7846)
Iowa Smart Planning Webinar	7/07/10	Marcia Tannian (1-7942) Deb Kozel (1-6767)
Commission on Veterans Affairs	7/7/10	Sue Lerdal (1-7794)
Business Disaster Case Management Task Force	7/13/10	Marcia Tannian (1-7942) Sue Lerdal (1-7794)
Smart Planning Task Force Comprehensive Planning Committee (telephonic)	7/13/10	Marcia Tannian (1-7942) Deb Kozel (1-6767) Sue Lerdal (1-7794)
Administrative Rules Review Committee	7/14/10	Sue Lerdal (1-7794)
Board of Corrections	7/15/10	Beth Lenstra (1-6301)
Electrical Examining Board	7/15/10	Jen Acton (1-7846)
Individual Disaster Case Management Advisory Committee	7/15/10	Jess Benson (1-4611) Sue Lerdal (1-7794)
Veterans Task Force	7/15/10	Sue Lerdal (1-7794)
Criminal and Juvenile Justice Planning Advisory Council	7/21/10	Beth Lenstra (1-6301)
Emergency 911 Council	7/28/10	Beth Lenstra (1-6301)
Statewide Interoperable Communications System Board	7/28/10	Beth Lenstra (1-6301)
Criminal Justice Information System Advisory Committee	7/29/10	Beth Lenstra (1-6301)
Early Childhood Iowa Board	7/29/10	Robin Madison (1-5270)

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This document can be found on the LSA website: <http://www.legis.state.ia.us/Fiscal/fiscupdt/>