

LEGISLATURE OF THE STATE OF IDAHO  
Sixty-first Legislature Second Regular Session - 2012

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 678

BY APPROPRIATIONS COMMITTEE

AN ACT

RELATING TO APPROPRIATIONS TO THE DEPARTMENT OF CORRECTION; AMENDING SECTION 1, CHAPTER 297, LAWS OF 2011, TO SHIFT MONEYS BETWEEN EXPENSE CLASSES; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF CORRECTION FOR COUNTY AND OUT-OF-STATE PLACEMENT FOR FISCAL YEAR 2012; APPROPRIATING MONEYS TO THE DEPARTMENT OF CORRECTION FOR FISCAL YEAR 2013; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; EXEMPTING A PORTION OF THE APPROPRIATION FROM PROGRAM TRANSFER LIMITATIONS; PROVIDING GUIDANCE FOR EMPLOYEE COMPENSATION AND BENEFITS; AND DECLARING AN EMERGENCY.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 1, Chapter 297, Laws of 2011, be, and the same is hereby amended to read as follows:

SECTION 1. In addition to the appropriation made in Section 3 of House Bill No. 276, as enacted by the First Regular Session of the Sixty-first Idaho Legislature, there is hereby appropriated to the Department of Correction for community-based substance abuse treatment and the region seven community corrections project the following amount to be expended according to the designated expense classes from the listed fund for the period July 1, 2011, through June 30, 2012:

FOR:

<u>Personnel Costs</u>	<u>\$595,200</u>
<u>Operating Expenditures</u>	<u>30,000</u>
Trustee and Benefit Payments	\$1,708,600
	<u>1,083,400</u>
<u>TOTAL</u>	<u>\$1,708,600</u>

FROM:

General Fund	\$1,708,600
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SECTION 2. In addition to the appropriation made in Section 3, Chapter 192, Laws of 2011, and any other appropriation provided for by law, there is hereby appropriated \$1,500,000 from the General Fund to the Department of Correction for County and Out-of-State Placement, to be expended for operating expenditures, for the period July 1, 2011, through June 30, 2012.

SECTION 3. There is hereby appropriated to the Department of Correction, the following amounts to be expended according to the designated pro-

grams and expense classes, from the listed funds for the period July 1, 2012, through June 30, 2013:

	FOR PERSONNEL COSTS	FOR OPERATING EXPENDITURES	FOR CAPITAL OUTLAY	FOR TRUSTEE AND BENEFIT PAYMENTS	TOTAL
I. MANAGEMENT SERVICES:					
FROM:					
General					
Fund	\$7,093,300	\$3,032,400	\$400,000		\$10,525,700
Inmate Labor					
Fund	35,500				35,500
Parolee Supervision					
Fund	162,000	92,300			254,300
Miscellaneous Revenue					
Fund	272,600	93,200			365,800
Penitentiary Endowment Income					
Fund			191,400		191,400
Federal Grant					
Fund	<u>0</u>	<u>414,000</u>	<u>0</u>		<u>414,000</u>
TOTAL	\$7,563,400	\$3,631,900	\$591,400		\$11,786,700
II. STATE PRISONS:					
A. PRISONS ADMINISTRATION:					
FROM:					
General					
Fund	\$685,000	\$61,300			\$746,300
Miscellaneous Revenue					
Fund	<u>162,800</u>	<u>53,900</u>			<u>216,700</u>
TOTAL	\$847,800	\$115,200			\$963,000
B. IDAHO STATE CORRECTIONAL INSTITUTION - BOISE:					
FROM:					
General					
Fund	\$17,819,700	\$3,429,400			\$21,249,100
Inmate Labor					
Fund		47,200			47,200
Miscellaneous Revenue					
Fund	536,100	138,400			674,500

	FOR	FOR	FOR	FOR	
	PERSONNEL	OPERATING	CAPITAL	TRUSTEE AND	
	COSTS	EXPENDITURES	OUTLAY	BENEFIT	TOTAL
				PAYMENTS	
1					
2					
3					
4					
5	Penitentiary Endowment Income				
6	Fund	745,700	\$148,700		894,400
7	Federal Grant				
8	Fund	<u>141,100</u>	<u>0</u>	<u>0</u>	<u>141,100</u>
9	TOTAL	\$18,496,900	\$4,360,700	\$148,700	\$23,006,300
10	C. IDAHO CORRECTIONAL INSTITUTION - OROFINO:				
11	FROM:				
12	General				
13	Fund	\$6,464,500	\$1,380,000		\$7,844,500
14	Inmate Labor				
15	Fund	885,200	640,700		1,525,900
16	Miscellaneous Revenue				
17	Fund	52,100	53,000		105,100
18	Penitentiary Endowment Income				
19	Fund	<u>0</u>	<u>0</u>	<u>\$112,500</u>	<u>112,500</u>
20	TOTAL	\$7,401,800	\$2,073,700	\$112,500	\$9,588,000
21	D. NORTH IDAHO CORRECTIONAL INSTITUTION - COTTONWOOD:				
22	FROM:				
23	General				
24	Fund	\$3,950,800	\$962,700		\$4,913,500
25	Inmate Labor				
26	Fund		32,600		32,600
27	Miscellaneous Revenue				
28	Fund	46,200	141,000		187,200
29	Penitentiary Endowment Income				
30	Fund			\$53,800	53,800
31	Federal Grant				
32	Fund	<u>0</u>	<u>300,000</u>	<u>500,000</u>	<u>800,000</u>
33	TOTAL	\$3,997,000	\$1,436,300	\$553,800	\$5,987,100
34	E. SOUTH IDAHO CORRECTIONAL INSTITUTION - BOISE:				
35	FROM:				
36	General				
37	Fund	\$5,278,300	\$1,433,300		\$6,711,600

	FOR	FOR	FOR	FOR	
	PERSONNEL	OPERATING	CAPITAL	TRUSTEE AND	
	COSTS	EXPENDITURES	OUTLAY	BENEFIT	TOTAL
				PAYMENTS	
1					
2					
3					
4					
5	Inmate Labor				
6	Fund	892,300	453,000	\$102,100	1,447,400
7	Miscellaneous Revenue				
8	Fund	89,800	47,600		137,400
9	Penitentiary Endowment Income				
10	Fund			72,600	72,600
11	Federal Grant				
12	Fund	<u>56,600</u>	<u>0</u>	<u>0</u>	<u>56,600</u>
13	TOTAL	\$6,317,000	\$1,933,900	\$174,700	\$8,425,600
14	F. IDAHO MAXIMUM SECURITY INSTITUTION - BOISE:				
15	FROM:				
16	General				
17	Fund	\$8,126,600	\$1,771,800		\$9,898,400
18	Inmate Labor				
19	Fund		23,600		23,600
20	Miscellaneous Revenue				
21	Fund	56,300	50,300		106,600
22	Penitentiary Endowment Income				
23	Fund	<u>0</u>	<u>0</u>	<u>\$42,000</u>	<u>42,000</u>
24	TOTAL	\$8,182,900	\$1,845,700	\$42,000	\$10,070,600
25	G. ST. ANTHONY WORK CAMP:				
26	FROM:				
27	General				
28	Fund	\$1,851,500	\$403,100		\$2,254,600
29	Inmate Labor				
30	Fund	775,400	511,800		1,287,200
31	Miscellaneous Revenue				
32	Fund		16,000		16,000
33	Penitentiary Endowment Income				
34	Fund	<u>0</u>	<u>0</u>	<u>\$17,500</u>	<u>17,500</u>
35	TOTAL	\$2,626,900	\$930,900	\$17,500	\$3,575,300

	FOR	FOR	FOR	FOR	
	PERSONNEL	OPERATING	CAPITAL	TRUSTEE AND	
	COSTS	EXPENDITURES	OUTLAY	BENEFIT	TOTAL
				PAYMENTS	
5	H. POCA TELLO WOMEN'S CORRECTIONAL CENTER:				
6	FROM:				
7	General				
8	Fund	\$4,488,200	\$875,200		\$5,363,400
9	Inmate Labor				
10	Fund	249,100	118,100	\$22,300	389,500
11	Miscellaneous Revenue				
12	Fund	220,800	20,500		241,300
13	Penitentiary Endowment Income				
14	Fund	<u>0</u>	<u>0</u>	<u>13,800</u>	<u>13,800</u>
15	TOTAL	\$4,958,100	\$1,013,800	\$36,100	\$6,008,000
16	I. SOUTH BOISE WOMEN'S CORRECTIONAL CENTER:				
17	FROM:				
18	General				
19	Fund	\$2,722,600	\$630,700		\$3,353,300
20	Miscellaneous Revenue				
21	Fund	<u>0</u>	<u>5,200</u>		<u>5,200</u>
22	TOTAL	\$2,722,600	\$635,900		\$3,358,500
23	DIVISION				
24	TOTAL	\$55,551,000	\$14,346,100	\$1,085,300	\$70,982,400
25	III. PRIVATE PRISONS:				
26	FROM:				
27	General				
28	Fund		\$29,766,000		\$29,766,000
29	IV. COUNTY & OUT-OF-STATE PLACEMENT:				
30	FROM:				
31	General				
32	Fund		\$7,100,000		\$7,100,000
33	Federal Grant				
34	Fund		<u>83,700</u>		<u>83,700</u>
35	TOTAL		\$7,183,700		\$7,183,700

		FOR	FOR	FOR	FOR	
	PERSONNEL	OPERATING	CAPITAL	TRUSTEE AND	BENEFIT	
	COSTS	EXPENDITURES	OUTLAY	PAYMENTS	TOTAL	
5	V. CORRECTIONAL ALTERNATIVE PLACEMENT:					
6	FROM:					
7	General					
8	Fund	\$7,666,300	\$720,800			\$8,387,100
9	Miscellaneous Revenue					
10	Fund	<u>90,000</u>	<u>0</u>			<u>90,000</u>
11	TOTAL	\$7,756,300	\$720,800			\$8,477,100
12	VI. COMMUNITY CORRECTIONS:					
13	A. COMMUNITY SUPERVISION:					
14	FROM:					
15	General					
16	Fund	\$11,827,500	\$1,284,600			\$13,112,100
17	Parolee Supervision					
18	Fund	5,322,900	1,154,800			6,477,700
19	Drug and Mental Health Court Supervision					
20	Fund	399,000	27,200			426,200
21	Federal Grant					
22	Fund	<u>50,800</u>	<u>73,800</u>			<u>124,600</u>
23	TOTAL	\$17,600,200	\$2,540,400			\$20,140,600
24	B. COMMUNITY WORK CENTERS:					
25	FROM:					
26	General					
27	Fund	\$2,368,300	\$1,600			\$2,369,900
28	Inmate Labor					
29	Fund	587,700	1,120,800	\$191,200		1,899,700
30	Miscellaneous Revenue					
31	Fund	<u>0</u>	<u>29,700</u>	<u>0</u>		<u>29,700</u>
32	TOTAL	\$2,956,000	\$1,152,100	\$191,200		\$4,299,300
33	DIVISION					
34	TOTAL	\$20,556,200	\$3,692,500	\$191,200		\$24,439,900

	FOR	FOR	FOR	FOR	
	PERSONNEL	OPERATING	CAPITAL	TRUSTEE AND	
	COSTS	EXPENDITURES	OUTLAY	BENEFIT	TOTAL
				PAYMENTS	
VII. EDUCATION & TREATMENT:					
A. OFFENDER PROGRAMS:					
FROM:					
General					
Fund	\$1,545,800	\$609,600			\$2,155,400
Inmate Labor					
Fund		84,100			84,100
Miscellaneous Revenue					
Fund	90,800	59,500			150,300
Federal Grant					
Fund	<u>392,900</u>	<u>852,700</u>			<u>1,245,600</u>
TOTAL	\$2,029,500	\$1,605,900			\$3,635,400
B. COMMUNITY-BASED SUBSTANCE ABUSE TREATMENT:					
FROM:					
General					
Fund	\$1,444,800	\$65,800		\$4,016,200	\$5,526,800
DIVISION					
TOTAL	\$3,474,300	\$1,671,700		\$4,016,200	\$9,162,200
VIII. MEDICAL SERVICES:					
FROM:					
General					
Fund		\$25,221,000			\$25,221,000
Miscellaneous Revenue					
Fund		<u>81,000</u>			<u>81,000</u>
TOTAL		\$25,302,000			\$25,302,000
GRAND TOTAL	\$87,144,900	\$93,350,200	\$2,588,700	\$4,016,200	\$187,100,000

SECTION 4. FTP AUTHORIZATION. In accordance with Section 67-3519, Idaho Code, the Department of Correction is authorized no more than one thousand five hundred sixty-one and ninety-three hundredths (1,561.93) full-time equivalent positions at any point during the period July 1, 2012,

1 through June 30, 2013, unless specifically authorized by the Governor. The  
2 Joint Finance-Appropriations Committee will be notified promptly of any  
3 increased positions so authorized.

4 SECTION 5. EXEMPTIONS FROM PROGRAM TRANSFER LIMITATIONS. For fiscal  
5 year 2013, the Department of Correction is hereby exempted from the pro-  
6 visions of Section 67-3511(2), Idaho Code, allowing unlimited transfers  
7 between and among the Private Prisons, County and Out-of-State Placement,  
8 Correctional Alternative Placement and Medical Services programs, for all  
9 General Fund moneys appropriated to those programs for the period July  
10 1, 2012, through June 30, 2013. Legislative appropriations shall not be  
11 transferred from one fund to another fund unless expressly approved by the  
12 Legislature.

13 SECTION 6. EMPLOYEE COMPENSATION AND BENEFITS. The Legislature rec-  
14 ognizes and thanks all state workers for their dedication, professionalism  
15 and for the personal sacrifices they make every day in the performance of  
16 their duties to serve our citizens. In accordance with the provisions of  
17 Section 67-5309C, Idaho Code, the Legislature supports the Governor's rec-  
18 ommendation in not making changes in annual salaries and benefits for state  
19 employees based upon labor markets or specific occupational inequities;  
20 directs agencies and institutions that have excess personnel cost appro-  
21 priations or salary savings due to turnover to use such funding for a merit  
22 increase component, notwithstanding the provisions of Section 67-5309B(4),  
23 Idaho Code, to recognize and reward permanent and temporary state employ-  
24 ees; and does provide funding to agencies and institutions to provide a two  
25 percent (2%) pay increase for all classified and nonclassified permanent  
26 performing employees. Performing employees shall be all permanent employ-  
27 ees, including adjunct faculty at colleges and universities, who have been  
28 rated as "achieves" or better on a performance plan if required by Division  
29 of Human Resources rule, including probationary permanent employees making  
30 satisfactory progress. The Legislature supports the Governor's recommenda-  
31 tion to fund increases in the cost of health insurance benefits and directs  
32 the director of the Department of Administration, as the administrator of  
33 the state insurance plan, to maintain the current benefit package to the ex-  
34 tent possible, which may require a cost sharing on the part of employees for  
35 the increased cost of the health insurance plan.

36 SECTION 7. An emergency existing therefor, which emergency is hereby  
37 declared to exist, Sections 1 and 2 of this act shall be in full force and ef-  
38 fect on and after passage and approval.