

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2015

That the House recede from its amendments on pages 1253 and 1254 of the Senate Journal and pages 1145-1147 of the House Journal and that Engrossed Senate Bill No. 2015 be amended as follows:

Page 1, line 2, after "rehabilitation" insert "; to provide contingent appropriations; and to declare an emergency"

Page 1, line 12, replace "23,925,378" with "15,336,491" and replace "152,075,644" with "143,486,757"

Page 1, line 13, replace "3,549,748" with "2,386,163" and replace "26,497,916" with "25,334,331"

Page 1, line 14, replace the first "1,525,000" with "1,372,519" and replace the second "1,525,000" with "1,372,519"

Page 1, line 15, replace "29,000,126" with "19,095,173" and replace "180,098,560" with "170,193,607"

Page 1, line 16, replace "5,949,241" with "1,886,741" and replace "30,000,193" with "25,937,643"

Page 1, line 17, replace "23,050,885" with "17,208,432" and replace "150,098,367" with "144,255,914"

Page 1, line 18, replace "27.00" with "23.00" and replace "738.29" with "734.29"

Page 2, line 2, replace "1,525,000" with "1,372,519"

Page 2, line 4, replace "636,000" with "595,500"

Page 2, line 5, replace "2,161,000" with "1,968,019"

Page 2, after line 14, insert:

**"SECTION 4. DEPARTMENT OF CORRECTIONS AND REHABILITATION SHARE OF SALARY EQUITY POOL.** The office of management and budget shall provide at least twenty-nine percent of any general fund salary equity pool that is appropriated for salary equity increases for state employees, for the biennium beginning July 1, 2009, and ending June 30, 2011, to the department of corrections and rehabilitation. The department of corrections and rehabilitation may provide salary equity increases only to employees classified in pay grades one through fourteen.

**SECTION 5. CONTINGENT FUNDING - MISSOURI RIVER CORRECTIONAL CENTER REPAIRS.** Section 1 of this Act includes \$93,592 from the general fund for roof repairs for the dining and kitchen area at the Missouri River correctional center which may be spent only if the Missouri River correctional center is not relocated to the state penitentiary as part of the prison expansion project, for the biennium beginning July 1, 2009, and ending June 30, 2011.

**SECTION 6. CONTINGENT FUNDING - PROGRAMS AND PROJECTS.**

Section 1 of this Act includes \$225,041 for a summer replacement boiler, \$18,928 for conversion of the energy management system from analog to digital, \$15,774 for heating and cooling equipment replacement, and \$160,000 for temporary housing of sexual offenders from the general fund which may be spent only to the extent that federal funds appropriated in section 9 of this Act are not available for these purposes.

**SECTION 7. HEART OF AMERICA CORRECTION AND TREATMENT CENTER - TREATMENT SERVICES PAYMENTS.**

The department of corrections and rehabilitation shall distribute, in twenty-four equal payments, the sum of \$1,628,813 from the general fund appropriated in the adult services line item in section 1 of this Act to the heart of America correction and treatment center for inmate-related treatment services, for the biennium beginning July 1, 2009, and ending June 30, 2011. If the heart of America correction and treatment center does not accept a sufficient number of inmates to occupy at least ninety-six percent of the average daily treatment program bed count provided for in the contract for the first ten months of each year of the biennium, the department of corrections and rehabilitation shall reduce the monthly payments for the remaining two months of each year. The total reduction for the two months is the sum of the monthly calculation of the number of beds at ninety-six percent occupancy less the number of beds filled multiplied by the daily rate multiplied by the number of days in the month. The department of corrections and rehabilitation shall refer a sufficient number of inmates, excluding sexual offenders, to the heart of America correction and treatment center to allow for the average daily treatment program bed count provided for in the contract to be fulfilled, for the biennium beginning July 1, 2009, and ending June 30, 2011.

**SECTION 8. APPROPRIATION - FEDERAL FISCAL STIMULUS FUNDS - ADDITIONAL FUNDING APPROVAL.**

The funds provided in this section, or so much of the funds as may be necessary, are appropriated from federal funds made available to the state under the federal American Recovery and Reinvestment Act of 2009, not otherwise appropriated, to the department of corrections and rehabilitation, for the period beginning with the effective date of this Act and ending June 30, 2011, as follows:

Summer replacement boiler	\$225,041
(from funds available through department of commerce)	
Energy management system conversion	18,928
(from funds available through department of commerce)	
Heating and cooling equipment replacement	15,574
(from funds available through department of commerce)	
Temporary housing of sexual offenders	160,000
(from funds available through department of commerce)	
Crime victims assistance	542,000
Crime victims compensation	<u>78,313</u>
Total federal funds	\$1,039,856

The department of corrections and rehabilitation may seek emergency commission and budget section approval under chapter 54-16 for authority to spend any additional federal funds received under the federal American Recovery and Reinvestment Act of 2009 in excess of the amounts appropriated in this section, for the period beginning with the effective date of this Act and ending June 30, 2011.

Any federal funds appropriated under this section are not a part of the agency's 2011-13 base budget. Any program expenditures made with these funds will not be replaced with state funds after the federal American Recovery and Reinvestment Act of 2009 funds are no longer available.

**SECTION 9. EMERGENCY.** Section 8 of this Act is declared to be an emergency measure."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT - LC 98034.0207 FN 3**

**A copy of the statement of purpose of amendment is attached.**