

**CHAPTER 135**  
**APPROPRIATIONS — JUSTICE SYSTEM**  
*S.F. 497*

**AN ACT** relating to appropriations to the justice system, and including effective date and retroactive applicability provisions.

*Be It Enacted by the General Assembly of the State of Iowa:*

DIVISION I  
FY 2015-2016  
APPROPRIATIONS

Section 1. DEPARTMENT OF JUSTICE.

1. There is appropriated from the general fund of the state to the department of justice for the fiscal year beginning July 1, 2015, and ending June 30, 2016, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

a. For the general office of attorney general for salaries, support, maintenance, and miscellaneous purposes, including the prosecuting attorneys training program, matching funds for federal violence against women grant programs, victim assistance grants, office of drug control policy prosecuting attorney program, and odometer fraud enforcement, and for not more than the following full-time equivalent positions:

..... \$ 7,989,905  
..... FTEs 214.00

It is the intent of the general assembly that as a condition of receiving the appropriation provided in this lettered paragraph, the department of justice shall maintain a record of the estimated time incurred representing each agency or department.

b. For victim assistance grants:

..... \$ 6,734,400

The moneys appropriated in this lettered paragraph shall be used to provide grants to care providers providing services to crime victims of domestic abuse or to crime victims of rape and sexual assault.

The balance of the victim compensation fund established in section 915.94 may be used to provide salary and support of not more than 24 FTEs and to provide maintenance for the victim compensation functions of the department of justice.

The department of justice shall transfer at least \$150,000 from the victim compensation fund established in section 915.94 to the victim assistance grant program.

Notwithstanding section 8.33, moneys appropriated in this paragraph “b” that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

c. For legal services for persons in poverty grants as provided in section 13.34:

..... \$ 2,400,000

2. a. The department of justice, in submitting budget estimates for the fiscal year commencing July 1, 2016, pursuant to section 8.23, shall include a report of funding from sources other than amounts appropriated directly from the general fund of the state to the department of justice or to the office of consumer advocate. These funding sources shall include but are not limited to reimbursements from other state agencies, commissions, boards, or similar entities, and reimbursements from special funds or internal accounts within the department of justice. The department of justice shall also report actual reimbursements for the fiscal year commencing July 1, 2014, and actual and expected reimbursements for the fiscal year commencing July 1, 2015.

b. The department of justice shall include the report required under paragraph “a”, as well as information regarding any revisions occurring as a result of reimbursements actually received or expected at a later date, in a report to the co-chairpersons and ranking members of the joint appropriations subcommittee on the justice system and the legislative services agency. The department of justice shall submit the report on or before January 15, 2016.

Sec. 2. OFFICE OF CONSUMER ADVOCATE. There is appropriated from the department of commerce revolving fund created in section 546.12 to the office of consumer advocate of the department of justice for the fiscal year beginning July 1, 2015, and ending June 30, 2016, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	3,137,588
.....	FTEs	22.00

Sec. 3. DEPARTMENT OF CORRECTIONS — FACILITIES.

1. There is appropriated from the general fund of the state to the department of corrections for the fiscal year beginning July 1, 2015, and ending June 30, 2016, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

a. For the operation of the Fort Madison correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

.....	\$	43,771,602
-------	----	------------

b. For the operation of the Anamosa correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

.....	\$	33,668,253
-------	----	------------

It is the intent of the general assembly that the department of corrections maintain and operate the Luster Heights prison camp.

c. For the operation of the Oakdale correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

.....	\$	60,158,092
-------	----	------------

d. For the operation of the Newton correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

.....	\$	27,572,108
-------	----	------------

e. For the operation of the Mount Pleasant correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

.....	\$	25,360,135
-------	----	------------

f. For the operation of the Rockwell City correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

.....	\$	9,836,353
-------	----	-----------

g. For the operation of the Clarinda correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

.....	\$	25,933,430
-------	----	------------

Moneys received by the department of corrections as reimbursement for services provided to the Clarinda youth corporation are appropriated to the department and shall be used for the purpose of operating the Clarinda correctional facility.<sup>1</sup>

h. For the operation of the Mitchellville correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

.....	\$	22,645,970
-------	----	------------

i. For the operation of the Fort Dodge correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

.....	\$	30,097,648
-------	----	------------

j. For reimbursement of counties for temporary confinement of work release and parole violators, as provided in sections 901.7, 904.908, and 906.17, and for offenders confined pursuant to section 904.513:

.....	\$	1,075,092
-------	----	-----------

k. For federal prison reimbursement, reimbursements for out-of-state placements, and miscellaneous contracts:

.....	\$	484,411
-------	----	---------

2. The department of corrections shall use moneys appropriated in subsection 1 to continue to contract for the services of a Muslim imam and a Native American spiritual leader.

<sup>1</sup> See chapter 137, §160 herein

Sec. 4. DEPARTMENT OF CORRECTIONS — ADMINISTRATION. There is appropriated from the general fund of the state to the department of corrections for the fiscal year beginning July 1, 2015, and ending June 30, 2016, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For general administration, including salaries, support, maintenance, employment of an education director to administer a centralized education program for the correctional system, and miscellaneous purposes:

..... \$ 5,270,010

a. It is the intent of the general assembly that each lease negotiated by the department of corrections with a private corporation for the purpose of providing private industry employment of inmates in a correctional institution shall prohibit the private corporation from utilizing inmate labor for partisan political purposes for any person seeking election to public office in this state and that a violation of this requirement shall result in a termination of the lease agreement.

b. It is the intent of the general assembly that as a condition of receiving the appropriation provided in this subsection the department of corrections shall not enter into a lease or contractual agreement pursuant to section 904.809 with a private corporation for the use of building space for the purpose of providing inmate employment without providing that the terms of the lease or contract establish safeguards to restrict, to the greatest extent feasible, access by inmates working for the private corporation to personal identifying information of citizens.

*\*c. It is the intent of the general assembly that as a condition of receiving the appropriation provided in this subsection the department of corrections shall not, except as otherwise provided in paragraph "b", enter into a new contract, unless the contract is a renewal of an existing contract, for the expenditure of moneys in excess of \$100,000 during the fiscal year beginning July 1, 2015, for the privatization of services performed by the department using state employees as of July 1, 2015, or for the privatization of new services by the department without prior consultation with any applicable state employee organization affected by the proposed new contract and prior notification of the co-chairpersons and ranking members of the joint appropriations subcommittee on the justice system.*

d. It is the intent of the general assembly that the department of corrections shall add additional correctional officer positions to the current number of correctional officer positions as of July 1, 2015.\*

2. For educational programs for inmates at state penal institutions:

..... \$ 2,608,109

a. To maximize the funding for educational programs, the department shall establish guidelines and procedures to prioritize the availability of educational and vocational training for inmates based upon the goal of facilitating an inmate's successful release from the correctional institution.

b. The director of the department of corrections may transfer moneys from Iowa prison industries and the canteen operating funds established pursuant to section 904.310, for use in educational programs for inmates.

c. Notwithstanding section 8.33, moneys appropriated in this subsection that remain unobligated or unexpended at the close of the fiscal year shall not revert but shall remain available to be used only for the purposes designated in this subsection until the close of the succeeding fiscal year.

3. For the development of the Iowa corrections offender network (ICON) data system:

..... \$ 2,000,000

4. For offender mental health and substance abuse treatment:

..... \$ 22,319

5. It is the intent of the general assembly that for the fiscal year addressed by this section the department of corrections shall continue to operate the correctional farms under the control of the department at the same or greater level of participation and involvement as existed as of January 1, 2011; shall not enter into any rental agreement or contract concerning any farmland under the control of the department that is not subject to a rental

\* Item veto; see message at end of the Act

agreement or contract as of January 1, 2011, without prior legislative approval; and shall further attempt to provide job opportunities at the farms for inmates. The department shall attempt to provide job opportunities at the farms for inmates by encouraging labor-intensive farming or gardening where appropriate; using inmates to grow produce and meat for institutional consumption; researching the possibility of instituting food canning and cook-and-chill operations; and exploring opportunities for organic farming and gardening, livestock ventures, horticulture, and specialized crops.

Sec. 5. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL SERVICES.

1. There is appropriated from the general fund of the state to the department of corrections for the fiscal year beginning July 1, 2015, and ending June 30, 2016, for salaries, support, maintenance, and miscellaneous purposes, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

a. For the first judicial district department of correctional services:  
..... \$ 14,787,977

It is the intent of the general assembly that the first judicial district department of correctional services maintain the drug courts operated by the district department.

b. For the second judicial district department of correctional services:  
..... \$ 11,500,661

It is the intent of the general assembly that the second judicial district department of correctional services establish and maintain two drug courts to be operated by the district department.

c. For the third judicial district department of correctional services:  
..... \$ 7,241,257

d. For the fourth judicial district department of correctional services:  
..... \$ 5,638,005

e. For the fifth judicial district department of correctional services, including funding for electronic monitoring devices for use on a statewide basis:  
..... \$ 21,078,393

It is the intent of the general assembly that the fifth judicial district department of correctional services maintain the drug court operated by the district department.

f. For the sixth judicial district department of correctional services:  
..... \$ 14,863,623

It is the intent of the general assembly that the sixth judicial district department of correctional services maintain the drug court operated by the district department.

g. For the seventh judicial district department of correctional services:  
..... \$ 7,856,873

It is the intent of the general assembly that the seventh judicial district department of correctional services maintain the drug court operated by the district department.

h. For the eighth judicial district department of correctional services:  
..... \$ 8,167,194

2. Each judicial district department of correctional services, within the funding available, shall continue programs and plans established within that district to provide for intensive supervision, sex offender treatment, diversion of low-risk offenders to the least restrictive sanction available, job development, and expanded use of intermediate criminal sanctions.

3. Each judicial district department of correctional services shall provide alternatives to prison consistent with chapter 901B. The alternatives to prison shall ensure public safety while providing maximum rehabilitation to the offender. A judicial district department of correctional services may also establish a day program.

4. The governor’s office of drug control policy shall consider federal grants made to the department of corrections for the benefit of each of the eight judicial district departments of correctional services as local government grants, as defined pursuant to federal regulations.

5. The department of corrections shall continue to contract with a judicial district department of correctional services to provide for the rental of electronic monitoring equipment which shall be available statewide.

Sec. 6. DEPARTMENT OF CORRECTIONS — REALLOCATION OF APPROPRIATIONS. Notwithstanding section 8.39, within the moneys appropriated in this division of this Act to the department of corrections, the department may reallocate the moneys appropriated and allocated as necessary to best fulfill the needs of the correctional institutions, administration of the department, and the judicial district departments of correctional services. However, in addition to complying with the requirements of sections 904.116 and 905.8 and providing notice to the legislative services agency, the department of corrections shall also provide notice to the department of management, prior to the effective date of the revision or reallocation of an appropriation made pursuant to this section. The department of corrections shall not reallocate an appropriation or allocation for the purpose of eliminating any program.

Sec. 7. INTENT — REPORTS.

1. The department of corrections in cooperation with townships, the Iowa cemetery associations, and other nonprofit or governmental entities may use inmate labor during the fiscal year beginning July 1, 2015, to restore or preserve rural cemeteries and historical landmarks. The department in cooperation with the counties may also use inmate labor to clean up roads, major water sources, and other water sources around the state.

2. On a quarterly basis the department shall provide a status report regarding private-sector employment to the legislative services agency beginning on July 1, 2015. The report shall include the number of offenders employed in the private sector, the combined number of hours worked by the offenders, the total amount of allowances, and the distribution of allowances pursuant to section 904.702, including any moneys deposited in the general fund of the state.

Sec. 8. ELECTRONIC MONITORING REPORT. The department of corrections shall submit a report on electronic monitoring to the general assembly, to the co-chairpersons and the ranking members of the joint appropriations subcommittee on the justice system, and to the legislative services agency by January 15, 2016. The report shall specifically address the number of persons being electronically monitored and break down the number of persons being electronically monitored by offense committed. The report shall also include a comparison of any data from the prior fiscal year with the current year.

Sec. 9. STATE AGENCY PURCHASES FROM PRISON INDUSTRIES.

1. As used in this section, unless the context otherwise requires, “state agency” means the government of the state of Iowa, including but not limited to all executive branch departments, agencies, boards, bureaus, and commissions, the judicial branch, the general assembly and all legislative agencies, institutions within the purview of the state board of regents, and any corporation whose primary function is to act as an instrumentality of the state.

2. State agencies are encouraged to purchase products from Iowa state industries, as defined in section 904.802, when purchases are required and the products are available from Iowa state industries. State agencies shall obtain bids from Iowa state industries for purchases of office furniture during the fiscal year beginning July 1, 2015, exceeding \$5,000 or in accordance with applicable administrative rules related to purchases for the agency.

Sec. 10. IOWA LAW ENFORCEMENT ACADEMY.

1. There is appropriated from the general fund of the state to the Iowa law enforcement academy for the fiscal year beginning July 1, 2015, and ending June 30, 2016, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes, including jailer training and technical assistance, and for not more than the following full-time equivalent positions:

.....	\$	1,003,214
.....	FTEs	24.00

It is the intent of the general assembly that the Iowa law enforcement academy may provide training of state and local law enforcement personnel concerning the recognition of and response to persons with Alzheimer’s disease.

The Iowa law enforcement academy may temporarily exceed and draw more than the amount appropriated in this subsection and incur a negative cash balance as long as there are receivables equal to or greater than the negative balance and the amount appropriated in this subsection is not exceeded at the close of the fiscal year.

2. The Iowa law enforcement academy may select at least five automobiles of the department of public safety, division of state patrol, prior to turning over the automobiles to the department of administrative services to be disposed of by public auction, and the Iowa law enforcement academy may exchange any automobile owned by the academy for each automobile selected if the selected automobile is used in training law enforcement officers at the academy. However, any automobile exchanged by the academy shall be substituted for the selected vehicle of the department of public safety and sold by public auction with the receipts being deposited in the depreciation fund to the credit of the department of public safety, division of state patrol.

Sec. 11. STATE PUBLIC DEFENDER. There is appropriated from the general fund of the state to the office of the state public defender of the department of inspections and appeals for the fiscal year beginning July 1, 2015, and ending June 30, 2016, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 26,032,243  
..... FTEs 223.00

2. For payments on behalf of eligible adults and juveniles from the indigent defense fund, in accordance with section 815.11:

..... \$ 29,751,929

Sec. 12. BOARD OF PAROLE. There is appropriated from the general fund of the state to the board of parole for the fiscal year beginning July 1, 2015, and ending June 30, 2016, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 1,204,583  
..... FTEs 10.75

Sec. 13. DEPARTMENT OF PUBLIC DEFENSE.

1. There is appropriated from the general fund of the state to the department of public defense, for the fiscal year beginning July 1, 2015, and ending June 30, 2016, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 6,554,478  
..... FTEs 277.50

2. The department of public defense may temporarily exceed and draw more than the amount appropriated in this section and incur a negative cash balance as long as there are receivables of federal funds equal to or greater than the negative balance and the amount appropriated in this section is not exceeded at the close of the fiscal year.

Sec. 14. THE DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT.

1. There is appropriated from the general fund of the state to the department of homeland security and emergency management for the fiscal year beginning July 1, 2015, and ending June 30, 2016, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 2,229,623  
..... FTEs 35.95

2. The department of homeland security and emergency management may temporarily exceed and draw more than the amount appropriated in this section and incur a negative cash balance as long as there are receivables of federal funds equal to or greater than the negative balance and the amount appropriated in this section is not exceeded at the close of the fiscal year.

3. It is the intent of the general assembly that the department of homeland security and emergency management work in conjunction with the department of public safety, to the extent possible, when gathering and analyzing information related to potential domestic or foreign security threats, and when monitoring such threats.

Sec. 15. DEPARTMENT OF PUBLIC SAFETY. There is appropriated from the general fund of the state to the department of public safety for the fiscal year beginning July 1, 2015, and ending June 30, 2016, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For the department’s administrative functions, including the criminal justice information system, and for not more than the following full-time equivalent positions:

.....	\$	4,226,131
.....	FTEs	38.00

2. For the division of criminal investigation, including the state’s contribution to the peace officers’ retirement, accident, and disability system provided in chapter 97A in the amount of the state’s normal contribution rate, as defined in section 97A.8, multiplied by the salaries for which the moneys are appropriated, to meet federal fund matching requirements, and for not more than the following full-time equivalent positions:

.....	\$	13,796,544
.....	FTEs	159.00

3. For the criminalistics laboratory fund created in section 691.9:

.....	\$	302,345
-------	----	---------

4. a. For the division of narcotics enforcement, including the state’s contribution to the peace officers’ retirement, accident, and disability system provided in chapter 97A in the amount of the state’s normal contribution rate, as defined in section 97A.8, multiplied by the salaries for which the moneys are appropriated, to meet federal fund matching requirements, and for not more than the following full-time equivalent positions:

.....	\$	7,391,039
.....	FTEs	65.50

b. For the division of narcotics enforcement for undercover purchases:

.....	\$	109,042
-------	----	---------

5. For the division of state fire marshal, for fire protection services as provided through the state fire service and emergency response council as created in the department, and for the state’s contribution to the peace officers’ retirement, accident, and disability system provided in chapter 97A in the amount of the state’s normal contribution rate, as defined in section 97A.8, multiplied by the salaries for which the moneys are appropriated, and for not more than the following full-time equivalent positions:

.....	\$	4,651,010
.....	FTEs	53.00

6. For the division of state patrol, for salaries, support, maintenance, workers’ compensation costs, and miscellaneous purposes, including the state’s contribution to the peace officers’ retirement, accident, and disability system provided in chapter 97A in the amount of the state’s normal contribution rate, as defined in section 97A.8, multiplied by the salaries for which the moneys are appropriated, and for not more than the following full-time equivalent positions:

.....	\$	61,501,575
.....	FTEs	512.00

It is the intent of the general assembly that the division of state patrol implement the endangered persons advisory alert system.

It is the intent of the general assembly that members of the state patrol be assigned to patrol the highways and roads in lieu of assignments for inspecting school buses for the school districts.

7. For deposit in the sick leave benefits fund established under section 80.42 for all departmental employees eligible to receive benefits for accrued sick leave under the collective bargaining agreement:

..... \$ 279,517

8. For costs associated with the training and equipment needs of volunteer fire fighters:

..... \$ 825,520

a. Notwithstanding section 8.33, moneys appropriated in this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure only for the purpose designated in this subsection until the close of the succeeding fiscal year.

b. Notwithstanding section 8.39, the department of public safety may reallocate moneys appropriated in this section as necessary to best fulfill the needs provided for in the appropriation. However, the department shall not reallocate moneys appropriated to the department in this section unless notice of the reallocation is given to the legislative services agency and the department of management prior to the effective date of the reallocation. The notice shall include information regarding the rationale for reallocating the moneys. The department shall not reallocate moneys appropriated in this section for the purpose of eliminating any program.

9. For the public safety interoperable and broadband communications fund established in section 80.44:

..... \$ 154,661

Sec. 16. GAMING ENFORCEMENT.

1. There is appropriated from the gaming enforcement revolving fund created in section 80.43 to the department of public safety for the fiscal year beginning July 1, 2015, and ending June 30, 2016, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For any direct support costs for agents and officers of the division of criminal investigation’s excursion gambling boat, gambling structure, and racetrack enclosure enforcement activities, including salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 10,898,008

..... FTEs 102.00

2. For each additional license to conduct gambling games on an excursion gambling boat, gambling structure, or racetrack enclosure issued during the fiscal year beginning July 1, 2015, there is appropriated from the gaming enforcement fund to the department of public safety for the fiscal year beginning July 1, 2015, and ending June 30, 2016, an additional amount of not more than \$300,000 to be used for not more than 3 additional full-time equivalent positions.

3. The department of public safety, with the approval of the department of management, may employ no more than three special agents for each additional riverboat or gambling structure regulated after July 1, 2015, and three special agents for each racing facility which becomes operational during the fiscal year which begins July 1, 2015. Positions authorized in this subsection are in addition to the full-time equivalent positions otherwise authorized in this section.

Sec. 17. CIVIL RIGHTS COMMISSION.

1. There is appropriated from the general fund of the state to the Iowa state civil rights commission for the fiscal year beginning July 1, 2015, and ending June 30, 2016, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 1,169,540

..... FTEs 28.00

2. The Iowa state civil rights commission may enter into a contract with a nonprofit organization to provide legal assistance to resolve civil rights complaints.



Sec. 18. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION.

1. There is appropriated from the general fund of the state to the criminal and juvenile justice planning division of the department of human rights for the fiscal year beginning July 1, 2015, and ending June 30, 2016, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	1,260,105
.....	FTEs	12.15

2. The criminal and juvenile justice planning advisory council and the juvenile justice advisory council shall coordinate their efforts in carrying out their respective duties relative to juvenile justice.

Sec. 19. DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT. There is appropriated from the E911 emergency communications fund created in section 34A.7A to the department of homeland security and emergency management for the fiscal year beginning July 1, 2015, and ending June 30, 2016, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For implementation, support, and maintenance of the functions of the administrator and program manager under chapter 34A and to employ the auditor of the state to perform an annual audit of the E911 emergency communications fund:

.....	\$	250,000
-------	----	---------

Sec. 20. Section 915.80, Code 2015, is amended by adding the following new subsections:

NEW SUBSECTION. 4A. “Emergency relocation” means a relocation that takes place within thirty days of the date of a crime or the discovery of a crime, or within thirty days after a crime could reasonably be reported. “Emergency relocation” also includes a relocation that takes place within the thirty days before or after an offender related to the crime is released from incarceration.

NEW SUBSECTION. 4B. “Housing assistance” means living expenses associated with owning or renting housing, including essential utilities, intended to maintain or reestablish the living arrangement, health, and safety of a victim impacted by a crime.

Sec. 21. Section 915.84, Code 2015, is amended by adding the following new subsection:

NEW SUBSECTION. 1A. The department may waive, for good cause shown, the requirement that an emergency relocation must take place within thirty days of the date or discovery of a crime or within thirty days before or after the offender is released from incarceration.

Sec. 22. Section 915.86, Code 2015, is amended by adding the following new subsections:

NEW SUBSECTION. 16. Reasonable charges incurred by a victim, a secondary victim, the survivor of a homicide victim as described in subsection 9, or by a victim service program on behalf of a victim, for emergency relocation expenses, not to exceed one thousand dollars per person per lifetime.

NEW SUBSECTION. 17. Reasonable expenses incurred by a victim, or by a victim service program on behalf of a victim, for up to three months of housing assistance, not to exceed two thousand dollars per person per lifetime.

DIVISION II  
FY 2016-2017  
APPROPRIATIONS

Sec. 23. DEPARTMENT OF JUSTICE.

1. There is appropriated from the general fund of the state to the department of justice for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

a. For the general office of attorney general for salaries, support, maintenance, and miscellaneous purposes, including the prosecuting attorneys training program, matching

funds for federal violence against women grant programs, victim assistance grants, office of drug control policy prosecuting attorney program, and odometer fraud enforcement, and for not more than the following full-time equivalent positions:

.....	\$	3,994,953
.....	FTEs	214.00

As a condition of receiving the appropriation provided in this lettered paragraph, the department of justice shall maintain a record of the estimated time incurred representing each agency or department.

b. For victim assistance grants:

.....	\$	3,367,200
-------	----	-----------

The moneys appropriated in this lettered paragraph shall be used to provide grants to care providers providing services to crime victims of domestic abuse or to crime victims of rape and sexual assault.

The balance of the victim compensation fund established in section 915.94 may be used to provide salary and support of not more than 24 FTEs and to provide maintenance for the victim compensation functions of the department of justice.

The department of justice shall transfer at least \$150,000 from the victim compensation fund established in section 915.94 to the victim assistance grant program.

Notwithstanding section 8.33, moneys appropriated in this paragraph "b" that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

c. For legal services for persons in poverty grants as provided in section 13.34:

.....	\$	1,200,000
-------	----	-----------

2. a. The department of justice, in submitting budget estimates for the fiscal year commencing July 1, 2017, pursuant to section 8.23, shall include a report of funding from sources other than amounts appropriated directly from the general fund of the state to the department of justice or to the office of consumer advocate. These funding sources shall include but are not limited to reimbursements from other state agencies, commissions, boards, or similar entities, and reimbursements from special funds or internal accounts within the department of justice. The department of justice shall also report actual reimbursements for the fiscal year commencing July 1, 2015, and actual and expected reimbursements for the fiscal year commencing July 1, 2016.

b. The department of justice shall include the report required under paragraph "a", as well as information regarding any revisions occurring as a result of reimbursements actually received or expected at a later date, in a report to the co-chairpersons and ranking members of the joint appropriations subcommittee on the justice system and the legislative services agency. The department of justice shall submit the report on or before January 15, 2017.

Sec. 24. OFFICE OF CONSUMER ADVOCATE. There is appropriated from the department of commerce revolving fund created in section 546.12 to the office of consumer advocate of the department of justice for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	1,568,794
.....	FTEs	22.00

Sec. 25. DEPARTMENT OF CORRECTIONS — FACILITIES.

1. There is appropriated from the general fund of the state to the department of corrections for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

a. For the operation of the Fort Madison correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

.....	\$	21,885,801
-------	----	------------

b. For the operation of the Anamosa correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

..... \$ 16,834,127

It is the intent of the general assembly that the department of corrections maintain and operate the Luster Heights prison camp.

c. For the operation of the Oakdale correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

..... \$ 30,079,046

d. For the operation of the Newton correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

..... \$ 13,786,054

e. For the operation of the Mount Pleasant correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

..... \$ 12,680,067

f. For the operation of the Rockwell City correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

..... \$ 4,918,177

g. For the operation of the Clarinda correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

..... \$ 12,966,715

Moneys received by the department of corrections as reimbursement for services provided to the Clarinda youth corporation are appropriated to the department and shall be used for the purpose of operating the Clarinda correctional facility.<sup>2</sup>

h. For the operation of the Mitchellville correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

..... \$ 11,322,985

i. For the operation of the Fort Dodge correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

..... \$ 15,048,824

j. For reimbursement of counties for temporary confinement of work release and parole violators, as provided in sections 901.7, 904.908, and 906.17, and for offenders confined pursuant to section 904.513:

..... \$ 537,546

k. For federal prison reimbursement, reimbursements for out-of-state placements, and miscellaneous contracts:

..... \$ 242,205

2. The department of corrections shall use moneys appropriated in subsection 1 to continue to contract for the services of a Muslim imam and a Native American spiritual leader.

Sec. 26. DEPARTMENT OF CORRECTIONS — ADMINISTRATION. There is appropriated from the general fund of the state to the department of corrections for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For general administration, including salaries, support, maintenance, employment of an education director to administer a centralized education program for the correctional system, and miscellaneous purposes:

..... \$ 2,635,005

a. It is the intent of the general assembly that each lease negotiated by the department of corrections with a private corporation for the purpose of providing private industry employment of inmates in a correctional institution shall prohibit the private corporation from utilizing inmate labor for partisan political purposes for any person seeking election to public office in this state and that a violation of this requirement shall result in a termination of the lease agreement.

b. It is the intent of the general assembly that as a condition of receiving the appropriation provided in this subsection the department of corrections shall not enter into a lease or

<sup>2</sup> See chapter 137, §161 herein

contractual agreement pursuant to section 904.809 with a private corporation for the use of building space for the purpose of providing inmate employment without providing that the terms of the lease or contract establish safeguards to restrict, to the greatest extent feasible, access by inmates working for the private corporation to personal identifying information of citizens.

\*c. It is the intent of the general assembly that as a condition of receiving the appropriation provided in this subsection the department of corrections shall not, except as otherwise provided in paragraph "b", enter into a new contract, unless the contract is a renewal of an existing contract, for the expenditure of moneys in excess of \$100,000 during the fiscal year beginning July 1, 2016, for the privatization of services performed by the department using state employees as of July 1, 2016, or for the privatization of new services by the department without prior consultation with any applicable state employee organization affected by the proposed new contract and prior notification of the co-chairpersons and ranking members of the joint appropriations subcommittee on the justice system.

d. It is the intent of the general assembly that the department of corrections shall add additional correctional officer positions to the current number of correctional officer positions as of July 1, 2016.\*

2. For educational programs for inmates at state penal institutions:

..... \$ 1,304,055

a. To maximize the funding for educational programs, the department shall establish guidelines and procedures to prioritize the availability of educational and vocational training for inmates based upon the goal of facilitating an inmate's successful release from the correctional institution.

b. The director of the department of corrections may transfer moneys from Iowa prison industries and the canteen operating funds established pursuant to section 904.310, for use in educational programs for inmates.

c. Notwithstanding section 8.33, moneys appropriated in this subsection that remain unobligated or unexpended at the close of the fiscal year shall not revert but shall remain available to be used only for the purposes designated in this subsection until the close of the succeeding fiscal year.

3. For the development of the Iowa corrections offender network (ICON) data system:

..... \$ 1,000,000

4. For offender mental health and substance abuse treatment:

..... \$ 11,159

5. It is the intent of the general assembly that for the fiscal year addressed by this section the department of corrections shall continue to operate the correctional farms under the control of the department at the same or greater level of participation and involvement as existed as of January 1, 2011; shall not enter into any rental agreement or contract concerning any farmland under the control of the department that is not subject to a rental agreement or contract as of January 1, 2011, without prior legislative approval; and shall further attempt to provide job opportunities at the farms for inmates. The department shall attempt to provide job opportunities at the farms for inmates by encouraging labor-intensive farming or gardening where appropriate; using inmates to grow produce and meat for institutional consumption; researching the possibility of instituting food canning and cook-and-chill operations; and exploring opportunities for organic farming and gardening, livestock ventures, horticulture, and specialized crops.

Sec. 27. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL SERVICES.

1. There is appropriated from the general fund of the state to the department of corrections for the fiscal year beginning July 1, 2016, and ending June 30, 2017, for salaries, support, maintenance, and miscellaneous purposes, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

a. For the first judicial district department of correctional services:

..... \$ 7,393,988

\* Item veto; see message at end of the Act

It is the intent of the general assembly that the first judicial district department of correctional services maintain the drug courts operated by the district department.

b. For the second judicial district department of correctional services:  
..... \$ 5,750,331

It is the intent of the general assembly that the second judicial district department of correctional services establish and maintain two drug courts to be operated by the district department.

c. For the third judicial district department of correctional services:  
..... \$ 3,620,628

d. For the fourth judicial district department of correctional services:  
..... \$ 2,819,003

e. For the fifth judicial district department of correctional services, including funding for electronic monitoring devices for use on a statewide basis:  
..... \$ 10,539,196

It is the intent of the general assembly that the fifth judicial district department of correctional services maintain the drug court operated by the district department.

f. For the sixth judicial district department of correctional services:  
..... \$ 7,431,812

It is the intent of the general assembly that the sixth judicial district department of correctional services maintain the drug court operated by the district department.

g. For the seventh judicial district department of correctional services:  
..... \$ 3,928,436

It is the intent of the general assembly that the seventh judicial district department of correctional services maintain the drug court operated by the district department.

h. For the eighth judicial district department of correctional services:  
..... \$ 4,083,597

2. Each judicial district department of correctional services, within the funding available, shall continue programs and plans established within that district to provide for intensive supervision, sex offender treatment, diversion of low-risk offenders to the least restrictive sanction available, job development, and expanded use of intermediate criminal sanctions.

3. Each judicial district department of correctional services shall provide alternatives to prison consistent with chapter 901B. The alternatives to prison shall ensure public safety while providing maximum rehabilitation to the offender. A judicial district department of correctional services may also establish a day program.

4. The governor’s office of drug control policy shall consider federal grants made to the department of corrections for the benefit of each of the eight judicial district departments of correctional services as local government grants, as defined pursuant to federal regulations.

5. The department of corrections shall continue to contract with a judicial district department of correctional services to provide for the rental of electronic monitoring equipment which shall be available statewide.

Sec. 28. DEPARTMENT OF CORRECTIONS — REALLOCATION OF APPROPRIATIONS. Notwithstanding section 8.39, within the moneys appropriated in this division of this Act to the department of corrections, the department may reallocate the moneys appropriated and allocated as necessary to best fulfill the needs of the correctional institutions, administration of the department, and the judicial district departments of correctional services. However, in addition to complying with the requirements of sections 904.116 and 905.8 and providing notice to the legislative services agency, the department of corrections shall also provide notice to the department of management, prior to the effective date of the revision or reallocation of an appropriation made pursuant to this section. The department of corrections shall not reallocate an appropriation or allocation for the purpose of eliminating any program.

Sec. 29. INTENT — REPORTS.

1. The department of corrections in cooperation with townships, the Iowa cemetery associations, and other nonprofit or governmental entities may use inmate labor during the fiscal year beginning July 1, 2016, to restore or preserve rural cemeteries and historical

landmarks. The department in cooperation with the counties may also use inmate labor to clean up roads, major water sources, and other water sources around the state.

2. On a quarterly basis the department shall provide a status report regarding private-sector employment to the legislative services agency beginning on July 1, 2016. The report shall include the number of offenders employed in the private sector, the combined number of hours worked by the offenders, the total amount of allowances, and the distribution of allowances pursuant to section 904.702, including any moneys deposited in the general fund of the state.

Sec. 30. ELECTRONIC MONITORING REPORT. The department of corrections shall submit a report on electronic monitoring to the general assembly, to the co-chairpersons and the ranking members of the joint appropriations subcommittee on the justice system, and to the legislative services agency by January 15, 2017. The report shall specifically address the number of persons being electronically monitored and break down the number of persons being electronically monitored by offense committed. The report shall also include a comparison of any data from the prior fiscal year with the current year.

Sec. 31. STATE AGENCY PURCHASES FROM PRISON INDUSTRIES.

1. As used in this section, unless the context otherwise requires, "state agency" means the government of the state of Iowa, including but not limited to all executive branch departments, agencies, boards, bureaus, and commissions, the judicial branch, the general assembly and all legislative agencies, institutions within the purview of the state board of regents, and any corporation whose primary function is to act as an instrumentality of the state.

2. State agencies are encouraged to purchase products from Iowa state industries, as defined in section 904.802, when purchases are required and the products are available from Iowa state industries. State agencies shall obtain bids from Iowa state industries for purchases of office furniture during the fiscal year beginning July 1, 2016, exceeding \$5,000 or in accordance with applicable administrative rules related to purchases for the agency.

Sec. 32. IOWA LAW ENFORCEMENT ACADEMY.

1. There is appropriated from the general fund of the state to the Iowa law enforcement academy for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes, including jailer training and technical assistance, and for not more than the following full-time equivalent positions:	\$	501,607
.....		
.....	FTEs	24.00

It is the intent of the general assembly that the Iowa law enforcement academy may provide training of state and local law enforcement personnel concerning the recognition of and response to persons with Alzheimer's disease.

The Iowa law enforcement academy may temporarily exceed and draw more than the amount appropriated in this subsection and incur a negative cash balance as long as there are receivables equal to or greater than the negative balance and the amount appropriated in this subsection is not exceeded at the close of the fiscal year.

2. The Iowa law enforcement academy may select at least five automobiles of the department of public safety, division of state patrol, prior to turning over the automobiles to the department of administrative services to be disposed of by public auction, and the Iowa law enforcement academy may exchange any automobile owned by the academy for each automobile selected if the selected automobile is used in training law enforcement officers at the academy. However, any automobile exchanged by the academy shall be substituted for the selected vehicle of the department of public safety and sold by public auction with the receipts being deposited in the depreciation fund to the credit of the department of public safety, division of state patrol.

Sec. 33. STATE PUBLIC DEFENDER. There is appropriated from the general fund of the state to the office of the state public defender of the department of inspections and appeals for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	13,016,121
.....	FTEs	223.00

2. For payments on behalf of eligible adults and juveniles from the indigent defense fund, in accordance with section 815.11:

.....	\$	14,875,965
-------	----	------------

Sec. 34. BOARD OF PAROLE. There is appropriated from the general fund of the state to the board of parole for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	602,291
.....	FTEs	10.75

Sec. 35. DEPARTMENT OF PUBLIC DEFENSE.

1. There is appropriated from the general fund of the state to the department of public defense, for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	3,277,239
.....	FTEs	277.50

2. The department of public defense may temporarily exceed and draw more than the amount appropriated in this section and incur a negative cash balance as long as there are receivables of federal funds equal to or greater than the negative balance and the amount appropriated in this section is not exceeded at the close of the fiscal year.

Sec. 36. THE DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT.

1. There is appropriated from the general fund of the state to the department of homeland security and emergency management for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	1,114,812
.....	FTEs	35.95

2. The department of homeland security and emergency management may temporarily exceed and draw more than the amount appropriated in this section and incur a negative cash balance as long as there are receivables of federal funds equal to or greater than the negative balance and the amount appropriated in this section is not exceeded at the close of the fiscal year.

3. It is the intent of the general assembly that the department of homeland security and emergency management work in conjunction with the department of public safety, to the extent possible, when gathering and analyzing information related to potential domestic or foreign security threats, and when monitoring such threats.

Sec. 37. DEPARTMENT OF PUBLIC SAFETY. There is appropriated from the general fund of the state to the department of public safety for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For the department’s administrative functions, including the criminal justice information system, and for not more than the following full-time equivalent positions:

.....	\$	2,113,065
.....	FTEs	38.00

2. For the division of criminal investigation, including the state’s contribution to the peace officers’ retirement, accident, and disability system provided in chapter 97A in the amount of the state’s normal contribution rate, as defined in section 97A.8, multiplied by the salaries for which the moneys are appropriated, to meet federal fund matching requirements, and for not more than the following full-time equivalent positions:

.....	\$	6,898,272
.....	FTEs	159.00

3. For the criminalistics laboratory fund created in section 691.9:

.....	\$	151,173
-------	----	---------

4. a. For the division of narcotics enforcement, including the state’s contribution to the peace officers’ retirement, accident, and disability system provided in chapter 97A in the amount of the state’s normal contribution rate, as defined in section 97A.8, multiplied by the salaries for which the moneys are appropriated, to meet federal fund matching requirements, and for not more than the following full-time equivalent positions:

.....	\$	3,695,519
.....	FTEs	65.50

b. For the division of narcotics enforcement for undercover purchases:

.....	\$	54,521
-------	----	--------

5. For the division of state fire marshal, for fire protection services as provided through the state fire service and emergency response council as created in the department, and for the state’s contribution to the peace officers’ retirement, accident, and disability system provided in chapter 97A in the amount of the state’s normal contribution rate, as defined in section 97A.8, multiplied by the salaries for which the moneys are appropriated, and for not more than the following full-time equivalent positions:

.....	\$	2,325,505
.....	FTEs	53.00

6. For the division of state patrol, for salaries, support, maintenance, workers’ compensation costs, and miscellaneous purposes, including the state’s contribution to the peace officers’ retirement, accident, and disability system provided in chapter 97A in the amount of the state’s normal contribution rate, as defined in section 97A.8, multiplied by the salaries for which the moneys are appropriated, and for not more than the following full-time equivalent positions:

.....	\$	30,750,788
.....	FTEs	512.00

It is the intent of the general assembly that the division of state patrol implement the endangered persons advisory alert system.

It is the intent of the general assembly that members of the state patrol be assigned to patrol the highways and roads in lieu of assignments for inspecting school buses for the school districts.

7. For deposit in the sick leave benefits fund established under section 80.42 for all departmental employees eligible to receive benefits for accrued sick leave under the collective bargaining agreement:

.....	\$	139,759
-------	----	---------

8. For costs associated with the training and equipment needs of volunteer fire fighters:

.....	\$	412,760
-------	----	---------

a. Notwithstanding section 8.33, moneys appropriated in this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure only for the purpose designated in this subsection until the close of the succeeding fiscal year.

b. Notwithstanding section 8.39, the department of public safety may reallocate moneys appropriated in this section as necessary to best fulfill the needs provided for in the appropriation. However, the department shall not reallocate moneys appropriated to the department in this section unless notice of the reallocation is given to the legislative services



agency and the department of management prior to the effective date of the reallocation. The notice shall include information regarding the rationale for reallocating the moneys. The department shall not reallocate moneys appropriated in this section for the purpose of eliminating any program.

9. For the public safety interoperable and broadband communications fund established in section 80.44:

..... \$ 77,330

Sec. 38. GAMING ENFORCEMENT.

1. There is appropriated from the gaming enforcement revolving fund created in section 80.43 to the department of public safety for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For any direct support costs for agents and officers of the division of criminal investigation's excursion gambling boat, gambling structure, and racetrack enclosure enforcement activities, including salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 5,449,004  
..... FTEs 102.00

2. For each additional license to conduct gambling games on an excursion gambling boat, gambling structure, or racetrack enclosure issued during the fiscal year beginning July 1, 2016, there is appropriated from the gaming enforcement fund to the department of public safety for the fiscal year beginning July 1, 2016, and ending June 30, 2017, an additional amount of not more than \$300,000 to be used for not more than 3 additional full-time equivalent positions.

3. The department of public safety, with the approval of the department of management, may employ no more than three special agents for each additional riverboat or gambling structure regulated after July 1, 2016, and three special agents for each racing facility which becomes operational during the fiscal year which begins July 1, 2016. Positions authorized in this subsection are in addition to the full-time equivalent positions otherwise authorized in this section.

Sec. 39. CIVIL RIGHTS COMMISSION.

1. There is appropriated from the general fund of the state to the Iowa state civil rights commission for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 584,770  
..... FTEs 28.00

2. The Iowa state civil rights commission may enter into a contract with a nonprofit organization to provide legal assistance to resolve civil rights complaints.

Sec. 40. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION.

1. There is appropriated from the general fund of the state to the criminal and juvenile justice planning division of the department of human rights for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 630,053  
..... FTEs 12.15

2. The criminal and juvenile justice planning advisory council and the juvenile justice advisory council shall coordinate their efforts in carrying out their respective duties relative to juvenile justice.

Sec. 41. DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT. There is appropriated from the E911 emergency communications fund created in section 34A.7A to the department of homeland security and emergency management for the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For implementation, support, and maintenance of the functions of the administrator and program manager under chapter 34A and to employ the auditor of the state to perform an annual audit of the E911 emergency communications fund:  
..... \$ 125,000

DIVISION III  
CONDITIONAL EFFECTIVE DATE AND RETROACTIVE APPLICABILITY PROVISIONS

Sec. 42. EFFECTIVE UPON ENACTMENT. Unless otherwise provided, this Act, if approved by the governor on or after July 1, 2015, takes effect upon enactment.

Sec. 43. RETROACTIVE APPLICABILITY. Unless otherwise provided, this Act, if approved by the governor on or after July 1, 2015, applies retroactively to July 1, 2015.

*Approved July 2, 2015, with exceptions noted.*

TERRY E. BRANSTAD, Governor

Dear Mr. Secretary:

I hereby transmit Senate File 497, an Act relating to appropriations to the justice system, and including effective date and retroactive applicability provisions.

Senate File 497 is approved on this date with the following exceptions, which I hereby disapprove.

I am unable to approve the item designated as Section 4, subsection 1, lettered paragraph c, in its entirety. This item contains policy language pertaining to the Department of Corrections entering into a new contract in excess of \$100,000 for privatized services during fiscal year 2016 without prior notification of the legislature and employee organizations. However, this item allows the department to renew existing contracts without notification. This item would prevent the department from obtaining services for inmates in an effective and efficient manner. This notification unnecessarily impedes the department’s management authority.

I am unable to approve the item designated as Section 4, subsection 1, lettered paragraph d, in its entirety. This item contains policy language regarding staffing levels at the Department of Corrections. While I support efforts to ensure adequate numbers of correctional officers, I believe that flexibility is needed to determine how many officers are hired based on costs, availability of funding and the needs of each institution. Adequate staffing is the prerogative of the Executive Branch; therefore, this language is unnecessary.

I am unable to approve the item designated as Section 26, subsection 1, lettered paragraph c, in its entirety. This item contains policy language pertaining to the Department of Corrections entering into a new contract in excess of \$100,000 for privatized services during fiscal year 2017 without prior notification of the legislature and employee organizations. However, this item allows the department to renew existing contracts without notification. This item would prevent the department from obtaining services for inmates in an effective and efficient manner. This notification unnecessarily impedes the department’s management authority.

I am unable to approve the item designated as Section 26, subsection 1, lettered paragraph d, in its entirety. This item contains policy language regarding staffing levels at the Department of Corrections. While I support efforts to ensure adequate numbers of correctional officers, I believe that flexibility is needed to determine how many officers are hired based on costs, availability of funding and the needs of each institution. Adequate staffing is the prerogative of the Executive Branch; therefore, this language is unnecessary.

For the above reasons, I respectfully disapprove the designated items in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in Senate File 497 are hereby approved as of this date.

Sincerely,  
TERRY E. BRANSTAD, *Governor*