

Senate Study Bill 3229 - Introduced

SENATE/HOUSE FILE _____

BY (PROPOSED GOVERNOR'S BUDGET
BILL)

A BILL FOR

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

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. DEPARTMENT OF JUSTICE.

2 1. There is appropriated from the general fund of the state
3 to the department of justice for the fiscal year beginning July
4 1, 2010, and ending June 30, 2011, the following amounts, or
5 so much thereof as is necessary, to be used for the purposes
6 designated:

7 a. For the general office of attorney general for salaries,
8 support, maintenance, and miscellaneous purposes, including
9 the prosecuting attorneys training program, victim assistance
10 grants, office of drug control policy prosecuting attorney
11 program, and odometer fraud enforcement:

12 \$ 7,732,930

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

18 b. For victim assistance grants:

19 \$ 3,060,000

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

24 The department of justice may transfer moneys from the
25 victim compensation fund established in section 915.94 to the
26 victim assistance grant program.

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

29 \$ 1,759,171

30 2. a. The department of justice, in submitting budget
31 estimates for the fiscal year commencing July 1, 2011, pursuant
32 to section 8.23, shall include a report of funding from sources
33 other than amounts appropriated directly from the general fund
34 of the state to the department of justice or to the office of
35 consumer advocate. These funding sources shall include but

1 are not limited to reimbursements from other state agencies,
2 commissions, boards, or similar entities, and reimbursements
3 from special funds or internal accounts within the department
4 of justice. The department of justice shall also report actual
5 reimbursements for the fiscal year commencing July 1, 2009,
6 and actual and expected reimbursements for the fiscal year
7 commencing July 1, 2010.

8 b. The department of justice shall include the report
9 required under paragraph "a", as well as information regarding
10 any revisions occurring as a result of reimbursements actually
11 received or expected at a later date, in a report to the
12 co-chairpersons and ranking members of the joint appropriations
13 subcommittee on the justice system and the legislative services
14 agency. The department of justice shall submit the report on
15 or before January 15, 2011.

16 Sec. 2. OFFICE OF CONSUMER ADVOCATE. There is appropriated
17 from the department of commerce revolving fund established
18 in section 546.12 to the office of consumer advocate of the
19 department of justice for the fiscal year beginning July 1,
20 2010, and ending June 30, 2011, the following amount, or so
21 much thereof as is necessary, to be used for the purposes
22 designated:

23 For salaries, support, maintenance, and miscellaneous
24 purposes:

25 \$ 3,336,344

26 Sec. 3. DEPARTMENT OF CORRECTIONS — FACILITIES.

27 1. There is appropriated from the general fund of the state
28 to the department of corrections for the fiscal year beginning
29 July 1, 2010, and ending June 30, 2011, the following amounts,
30 or so much thereof as is necessary, to be used for the purposes
31 designated:

32 For the operation of adult correctional institutions,
33 reimbursement of counties for certain confinement costs, and
34 federal prison reimbursement, to be allocated as follows:

35 a. For the operation of the Fort Madison correctional

1 facility, including salaries, support, maintenance, and
2 miscellaneous purposes:

3 \$ 41,442,374

4 As a condition of receiving an appropriation in this
5 lettered paragraph, the department of corrections shall operate
6 the John Bennett facility either as an institution of the
7 department or a community-based correctional facility.

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

11 \$ 30,356,461

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

15 \$ 55,955,246

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

19 \$ 26,452,257

20 e. For the operation of the Mt. Pleasant correctional
21 facility, including salaries, support, maintenance, and
22 miscellaneous purposes:

23 \$ 26,265,257

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

27 \$ 9,324,565

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

31 \$ 23,645,033

32 Moneys received by the department of corrections as
33 reimbursement for services provided to the Clarinda youth
34 corporation are appropriated to the department and shall be
35 used for the purpose of operating the Clarinda correctional

1 facility.

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

5 \$ 15,486,586

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

9 \$ 29,020,235

10 j. For reimbursement of counties for temporary confinement
11 of work release and parole violators, as provided in sections
12 901.7, 904.908, and 906.17, and for offenders confined pursuant
13 to section 904.513:

14 \$ 775,092

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

17 \$ 239,411

18 2. The department of corrections shall use moneys
19 appropriated in subsection 1 to continue to contract for the
20 services of a Muslim imam.

21 Sec. 4. DEPARTMENT OF CORRECTIONS — ADMINISTRATION.

22 1. There is appropriated from the general fund of the state
23 to the department of corrections for the fiscal year beginning
24 July 1, 2010, and ending June 30, 2011, the following amounts,
25 or so much thereof as is necessary, to be used for the purposes
26 designated:

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

31 \$ 4,491,968

32 (1) It is the intent of the general assembly that as a
33 condition of receiving the appropriation provided in this
34 lettered paragraph the department of corrections shall not,
35 except as otherwise provided in subparagraph (3), enter

1 into a new contract, unless the contract is a renewal of an
 2 existing contract, for the expenditure of moneys in excess of
 3 \$100,000 during the fiscal year beginning July 1, 2010, for the
 4 privatization of services performed by the department using
 5 state employees as of July 1, 2010, or for the privatization
 6 of new services by the department without prior consultation
 7 with any applicable state employee organization affected
 8 by the proposed new contract and prior notification of the
 9 co-chairpersons and ranking members of the joint appropriations
 10 subcommittee on the justice system.

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

20 (3) It is the intent of the general assembly that as a
 21 condition of receiving the appropriation provided in this
 22 lettered paragraph the department of corrections shall not
 23 enter into a lease or contractual agreement pursuant to section
 24 904.809 with a private corporation for the use of building
 25 space for the purpose of providing inmate employment without
 26 providing that the terms of the lease or contract establish
 27 safeguards to restrict, to the greatest extent feasible, access
 28 by inmates working for the private corporation to personal
 29 identifying information of citizens.

30 b. For educational programs for inmates at state penal
 31 institutions:

32 \$ 1,558,109

33 As a condition of receiving the appropriation in this
 34 lettered paragraph, the department of corrections may transfer
 35 moneys from the canteen operating funds established pursuant

1 to section 904.310 to be used for correctional educational
2 programs funded in this lettered paragraph.

3 It is the intent of the general assembly that moneys
4 appropriated in this lettered paragraph shall be used solely
5 for the purpose indicated and that the moneys shall not be
6 transferred for any other purpose. In addition, it is the
7 intent of the general assembly that the department shall
8 consult with the community colleges in the areas in which the
9 institutions are located to utilize moneys appropriated in this
10 lettered paragraph to fund the high school completion, high
11 school equivalency diploma, adult literacy, and adult basic
12 education programs in a manner so as to maintain these programs
13 at the institutions.

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

19 The director of the department of corrections may transfer
20 moneys from Iowa prison industries for use in educational
21 programs for inmates.

22 Notwithstanding section 8.33, moneys appropriated in this
23 lettered paragraph that remain unobligated or unexpended at
24 the close of the fiscal year shall not revert but shall remain
25 available for expenditure only for the purpose designated in
26 this lettered paragraph until the close of the succeeding
27 fiscal year.

28 c. For the development of the Iowa corrections offender
29 network (ICON) data system:

30 \$ 424,364

31 d. For offender mental health and substance abuse
32 treatment:

33 \$ 22,319

34 e. For viral hepatitis prevention and treatment:

35 \$ 167,881

1 2. It is the intent of the general assembly that the
2 department of corrections shall continue to operate the
3 correctional farms under the control of the department at
4 the same or greater level of participation and involvement
5 as existed as of January 1, 2010; shall not enter into any
6 rental agreement or contract concerning any farmland under
7 the control of the department that is not subject to a rental
8 agreement or contract as of January 1, 2010, without prior
9 legislative approval; and shall further attempt to provide
10 job opportunities at the farms for inmates. The department
11 shall attempt to provide job opportunities at the farms for
12 inmates by encouraging labor-intensive farming or gardening
13 where appropriate; using inmates to grow produce and meat for
14 institutional consumption; researching the possibility of
15 instituting food canning and cook-and-chill operations; and
16 exploring opportunities for organic farming and gardening,
17 livestock ventures, horticulture, and specialized crops.

18 3. As a condition of receiving the appropriations made
19 in this section, the department of corrections shall develop
20 and implement offender reentry programs in Black Hawk and
21 Polk counties to provide transitional planning and release
22 primarily for offenders released from the Iowa correctional
23 institution for women at Mitchellville and the Fort Dodge
24 correctional facility. Programming shall include minority
25 and gender-specific responsivity, employment, substance
26 abuse treatment, mental health services, housing, and family
27 reintegration. The department of corrections shall collaborate
28 with the first and fifth judicial district departments of
29 correctional services, the Iowa department of workforce
30 development, the department of human services, community-based
31 providers and faith-based organizations, and local law
32 enforcement.

33 Sec. 5. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL
34 SERVICES.

35 1. There is appropriated from the general fund of the state

1 to the department of corrections for the fiscal year beginning
2 July 1, 2010, and ending June 30, 2011, for the treatment and
3 supervision of probation and parole violators who have been
4 released from the department of corrections violator program,
5 the following amounts, or so much thereof as is necessary, to
6 be allocated as follows:

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

9 \$ 12,453,082

10 b. For the second judicial district department of
11 correctional services:

12 \$ 10,770,616

13 c. For the third judicial district department of
14 correctional services:

15 \$ 5,715,578

16 d. For the fourth judicial district department of
17 correctional services:

18 \$ 5,522,416

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

22 \$ 18,938,081

23 f. For the sixth judicial district department of
24 correctional services:

25 \$ 13,030,356

26 g. For the seventh judicial district department of
27 correctional services:

28 \$ 6,846,560

29 h. For the eighth judicial district department of
30 correctional services:

31 \$ 6,935,622

32 2. Each judicial district department of correctional
33 services, within the funding available, shall continue programs
34 and plans established within that district to provide for
35 intensive supervision, sex offender treatment, diversion of

1 low-risk offenders to the least restrictive sanction available,
2 job development, and expanded use of intermediate criminal
3 sanctions.

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

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

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

19 6. A judicial district department of correctional services
20 shall accept into the facilities of the district department,
21 offenders assigned from other judicial district departments of
22 correctional services.

23 Sec. 6. DEPARTMENT OF CORRECTIONS — REALLOCATION OF
24 APPROPRIATIONS. Notwithstanding section 8.39, within
25 the moneys appropriated in this Act to the department of
26 corrections, the department may reallocate the moneys
27 appropriated and allocated as necessary to best fulfill the
28 needs of the correctional institutions, administration of
29 the department, and the judicial district departments of
30 correctional services. However, in addition to complying with
31 the requirements of sections 904.116 and 905.8 and providing
32 notice to the legislative services agency, the department
33 of corrections shall also provide notice to the department
34 of management, prior to the effective date of the revision
35 or reallocation of an appropriation made pursuant to this

1 section. The department shall not reallocate an appropriation
2 or allocation for the purpose of eliminating any program.

3 Sec. 7. INTENT — REPORTS.

4 1. The department in cooperation with townships, the Iowa
5 cemetery associations, and other nonprofit or governmental
6 entities may use inmate labor during the fiscal year beginning
7 July 1, 2010, to restore or preserve rural cemeteries and
8 historical landmarks. The department in cooperation with the
9 counties may also use inmate labor to clean up roads, major
10 water sources, and other water sources around the state.

11 2. Each month the department shall provide a status report
12 regarding private-sector employment to the legislative services
13 agency beginning on July 1, 2010. The report shall include
14 the number of offenders employed in the private sector, the
15 combined number of hours worked by the offenders, and the
16 total amount of allowances, and the distribution of allowances
17 pursuant to section 904.702, including any moneys deposited in
18 the general fund of the state.

19 Sec. 8. ELECTRONIC MONITORING REPORT. The department of
20 corrections shall submit a report on electronic monitoring to
21 the general assembly, to the co-chairpersons and the ranking
22 members of the joint appropriations subcommittee on the justice
23 system, and to the legislative services agency by January
24 15, 2011. The report shall specifically address the number
25 of persons being electronically monitored and break down the
26 number of persons being electronically monitored by offense
27 committed. The report shall also include a comparison of any
28 data from the prior fiscal year with the current year.

29 Sec. 9. STATE AGENCY PURCHASES FROM PRISON INDUSTRIES.

30 1. As used in this section, unless the context otherwise
31 requires, "state agency" means the government of the state
32 of Iowa, including but not limited to all executive branch
33 departments, agencies, boards, bureaus, and commissions, the
34 judicial branch, the general assembly and all legislative
35 agencies, institutions within the purview of the state board of

1 regents, and any corporation whose primary function is to act
2 as an instrumentality of the state.

3 2. State agencies are hereby encouraged to purchase
4 products from Iowa state industries, as defined in section
5 904.802, when purchases are required and the products are
6 available from Iowa state industries. State agencies shall
7 obtain bids from Iowa state industries for purchases of
8 office furniture during the fiscal year beginning July 1,
9 2010, exceeding \$5,000 or in accordance with applicable
10 administrative rules related to purchases for the agency.

11 Sec. 10. STATE PUBLIC DEFENDER. There is appropriated from
12 the general fund of the state to the office of the state public
13 defender of the department of inspections and appeals for the
14 fiscal year beginning July 1, 2010, and ending June 30, 2011,
15 the following amounts, or so much thereof as is necessary, to
16 be allocated as follows for the purposes designated:

17 1. For salaries, support, maintenance, and miscellaneous
18 purposes:

19 \$ 21,743,182

20 2. For the fees of court-appointed attorneys for indigent
21 adults and juveniles, in accordance with section 232.141 and
22 chapter 815:

23 \$ 19,433,929

24 Sec. 11. IOWA LAW ENFORCEMENT ACADEMY.

25 1. There is appropriated from the general fund of the
26 state to the Iowa law enforcement academy for the fiscal year
27 beginning July 1, 2010, and ending June 30, 2011, the following
28 amount, or so much thereof as is necessary, to be used for the
29 purposes designated:

30 For salaries, support, maintenance, and miscellaneous
31 purposes, including jailer training and technical assistance:

32 \$ 1,049,430

33 It is the intent of the general assembly that the Iowa law
34 enforcement academy may provide training of state and local
35 law enforcement personnel concerning the recognition of and

1 response to persons with Alzheimer's disease.

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

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

21 Sec. 12. BOARD OF PAROLE. There is appropriated from the
22 general fund of the state to the board of parole for the fiscal
23 year beginning July 1, 2010, and ending June 30, 2011, the
24 following amount, or so much thereof as is necessary, to be
25 used for the purposes designated:

26 For salaries, support, maintenance, and miscellaneous
27 purposes:

28 \$ 1,045,259

29 Sec. 13. DEPARTMENT OF PUBLIC DEFENSE. There is
30 appropriated from the general fund of the state to the
31 department of public defense for the fiscal year beginning July
32 1, 2010, and ending June 30, 2011, the following amounts, or
33 so much thereof as is necessary, to be used for the purposes
34 designated:

35 1. MILITARY DIVISION

1 For salaries, support, maintenance, and miscellaneous
2 purposes:

3 \$ 6,249,201

4 The military division may temporarily exceed and draw more
5 than the amount appropriated and incur a negative cash balance
6 as long as there are receivables of federal funds equal to or
7 greater than the negative balance and the amount appropriated
8 in this subsection is not exceeded at the close of the fiscal
9 year.

10 2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION

11 For salaries, support, maintenance, and miscellaneous
12 purposes:

13 \$ 2,038,119

14 The homeland security and emergency management division may
15 temporarily exceed and draw more than the amount appropriated
16 and incur a negative cash balance as long as there are
17 receivables of federal funds equal to or greater than the
18 negative balance and the amount appropriated in this subsection
19 is not exceeded at the close of the fiscal year.

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

26 Sec. 14. DEPARTMENT OF PUBLIC SAFETY. There is appropriated
27 from the general fund of the state to the department of public
28 safety for the fiscal year beginning July 1, 2010, and ending
29 June 30, 2011, the following amounts, or so much thereof as is
30 necessary, to be used for the purposes designated:

31 1. For the department's administrative functions, including
32 the criminal justice information system:

33 \$ 4,134,461

34 2. For the division of criminal investigation, including
35 the state's contribution to the peace officers' retirement,

1 accident, and disability system provided in chapter 97A in the
2 amount of the state's normal contribution rate, as defined
3 in section 97A.8, multiplied by the salaries for which the
4 funds are appropriated, and to meet federal fund matching
5 requirements:

6 \$ 12,861,710

7 The department of public safety, with the approval of the
8 department of management, may employ no more than two special
9 agents and four gaming enforcement officers for each additional
10 riverboat or gambling structure regulated after July 1, 2010,
11 and one special agent for each racing facility which becomes
12 operational during the fiscal year which begins July 1, 2010.
13 One additional gaming enforcement officer, up to a total of
14 four per riverboat or gambling structure, may be employed
15 for each riverboat or gambling structure that has extended
16 operations to 24 hours and has not previously operated with a
17 24-hour schedule. Positions authorized in this paragraph are
18 in addition to the full-time equivalent positions otherwise
19 authorized in this subsection.

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

22 \$ 302,345

23 4. a. For the division of narcotics enforcement, including
24 the state's contribution to the peace officers' retirement,
25 accident, and disability system provided in chapter 97A in the
26 amount of the state's normal contribution rate, as defined
27 in section 97A.8, multiplied by the salaries for which the
28 funds are appropriated, and to meet federal fund matching
29 requirements:

30 \$ 6,507,048

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

33 \$ 109,042

34 5. For the division of state fire marshal, for fire
35 protection services as provided through the state fire service

1 and emergency response council as created in the department,
 2 and for the state's contribution to the peace officers'
 3 retirement, accident, and disability system provided in chapter
 4 97A in the amount of the state's normal contribution rate, as
 5 defined in section 97A.8, and multiplied by the salaries for
 6 which the funds are appropriated:

7 \$ 4,343,896

8 6. For the division of state patrol, for salaries, support,
 9 maintenance, workers' compensation costs, and miscellaneous
 10 purposes, including the state's contribution to the peace
 11 officers' retirement, accident, and disability system provided
 12 in chapter 97A in the amount of the state's normal contribution
 13 rate, as defined in section 97A.8, and multiplied by the
 14 salaries for which the funds are appropriated:

15 \$ 48,984,147

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

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

24 \$ 279,517

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

27 \$ 612,255

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

33 Notwithstanding section 8.39, within the moneys appropriated
 34 in this section the department of public safety may reallocate
 35 moneys as necessary to best fulfill the needs provided for

1 in the appropriation. However, the department shall not
 2 reallocate an appropriation made to the department in this
 3 section unless notice of the reallocation is given to the
 4 legislative services agency and the department of management
 5 prior to the effective date of the reallocation. The notice
 6 shall include information about the rationale for reallocating
 7 the appropriation. The department shall not reallocate
 8 an appropriation made in this section for the purpose of
 9 eliminating any program.

10 Sec. 15. CIVIL RIGHTS COMMISSION. There is appropriated
 11 from the general fund of the state to the Iowa state civil
 12 rights commission for the fiscal year beginning July 1,
 13 2010, and ending June 30, 2011, the following amount, or so
 14 much thereof as is necessary, to be used for the purposes
 15 designated:

16 For salaries, support, maintenance, and miscellaneous
 17 purposes:

18 \$ 1,379,861

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

22 Sec. 16. IOWA COMMUNICATIONS NETWORK. It is the intent
 23 of the general assembly that the executive branch agencies
 24 receiving an appropriation in this Act utilize the Iowa
 25 communications network or other electronic communications
 26 in lieu of traveling for the fiscal year addressed by the
 27 appropriations.

28 Sec. 17. HOMELAND SECURITY AND EMERGENCY MANAGEMENT
 29 DIVISION. There is appropriated from the wireless E911
 30 emergency communications fund created in section 34A.7A to the
 31 administrator of the homeland security and emergency management
 32 division of the department of public defense for the fiscal
 33 year beginning July 1, 2010, and ending June 30, 2011, an
 34 amount not exceeding \$200,000 to be used for implementation,
 35 support, and maintenance of the functions of the administrator

1 and program manager under chapter 34A and to employ the auditor
2 of the state to perform an annual audit of the wireless E911
3 emergency communications fund.

4 Sec. 18. Section 80B.11B, subsection 2, Code 2009, is
5 amended to read as follows:

6 2. The Iowa law enforcement academy may also charge the
7 department of natural resources or other agency or department
8 of the state, a member of a police force of a city or county, or
9 any political subdivision of the state not more than one-half
10 of the cost of providing the basic training course which is
11 designed to meet the minimum basic training requirements for
12 a law enforcement officer, unless a majority of the Iowa
13 law enforcement academy council authorizes charging more
14 than one-half of the cost of providing basic training. All
15 other candidates to the law enforcement academy, including a
16 candidate from a tribal government, shall pay the full costs of
17 providing the basic training requirements for a law enforcement
18 officer.

19 Sec. 19. Section 99D.14, subsection 2, Code 2009, is amended
20 to read as follows:

21 2. a. A licensee shall pay a regulatory fee to be charged
22 as provided in this section. In determining the regulatory fee
23 to be charged as provided under this section, the commission
24 shall use the amount appropriated to the commission plus the
25 cost of salaries for no more than two special agents for each
26 racetrack that has not been issued a table games license under
27 chapter 99F or no more than three special agents for each
28 racetrack that has been issued a table games license under
29 chapter 99F, plus any direct and indirect support costs for the
30 agents, for the division of criminal investigation's racetrack
31 activities, as the basis for determining the amount of revenue
32 to be raised from the regulatory fee.

33 b. Notwithstanding sections 8.60 and 99D.17, the portion of
34 the fee paid pursuant to paragraph "a" relating to the costs
35 of special agents plus any direct and indirect support costs

1 for the agents, for the division of criminal investigation's
2 racetrack activities, shall not be deposited in the general
3 fund of the state but instead are appropriated to supplement
4 appropriations made to the department of public safety to
5 be used for such activities by the division of criminal
6 investigation.

7 Sec. 20. Section 99F.10, subsection 4, Code 2009, is amended
8 to read as follows:

9 4. a. In determining the license fees and state regulatory
10 fees to be charged as provided under section 99F.4 and this
11 section, the commission shall use as the basis for determining
12 the amount of revenue to be raised from the license fees and
13 regulatory fees the amount appropriated to the commission
14 plus the cost of salaries for no more than two special agents
15 for each excursion gambling boat or gambling structure and no
16 more than four gaming enforcement officers for each excursion
17 gambling boat or gambling structure with a patron capacity of
18 less than two thousand persons or no more than five gaming
19 enforcement officers for each excursion gambling boat or
20 gambling structure with a patron capacity of at least two
21 thousand persons, plus any direct and indirect support costs
22 for the agents and officers, for the division of criminal
23 investigation's excursion gambling boat or gambling structure
24 activities.

25 b. Notwithstanding sections 8.60 and 99F.4, the portion of
26 the fee paid pursuant to paragraph "a" relating to the costs
27 of special agents and officers plus any direct and indirect
28 support costs for the agents and officers, for the division of
29 criminal investigation's excursion gambling boat or gambling
30 structure activities, shall not be deposited in the general
31 fund of the state but instead are appropriated to supplement
32 appropriations made to the department of public safety to
33 be used for such activities by the division of criminal
34 investigation.

35 Sec. 21. Section 904A.4B, Code 2009, is amended to read as

1 follows:

2 **904A.4B Executive director of the board of parole — duties.**

3 1. The chief administrative officer of the board of
4 parole shall be the executive director, except as provided in
5 subsection 2. The executive director shall be appointed by the
6 chairperson, subject to the approval of the board and shall
7 serve at the pleasure of the board. The executive director
8 shall do all of the following:

9 ~~1.~~ a. Advise the board on matters relating to parole,
10 work release, and executive clemency, and advise the board on
11 matters involving automation and word processing.

12 ~~2.~~ b. Carry out all directives of the board.

13 ~~3.~~ c. Hire and supervise all of the board's staff pursuant
14 to the provisions of chapter 8A, subchapter IV.

15 ~~4.~~ d. Act as the board's liaison with the general assembly.

16 ~~5.~~ e. Prepare a budget for the board, subject to the
17 approval of the board, and prepare all other reports required
18 by law.

19 ~~6.~~ f. Develop long-range parole and work release planning,
20 in cooperation with the department of corrections.

21 2. If an executive director is not appointed as provided in
22 subsection 1, the chairperson shall serve as acting executive
23 director and perform the administrative duties under subsection
24 1.

25 EXPLANATION

26 This bill makes appropriations from the general fund of the
27 state for fiscal year 2010-2011 to the departments of justice,
28 corrections, public defense, and public safety, and the Iowa
29 law enforcement academy, office of the state public defender,
30 board of parole, and Iowa state civil rights commission.

31 The bill makes appropriations from the department of
32 commerce revolving fund established in Code section 546.12 to
33 the office of consumer advocate of the department of justice.
34 The office of consumer advocate is currently funded through an
35 appropriation from the general fund of the state.

1 The bill removes the limitation of moneys the department of
2 corrections may use from the canteen funds established in Code
3 section 904.310 for correctional education programs.

4 The bill amends Code section 80B.11B to authorize the Iowa
5 law enforcement academy to charge more than one-half of the
6 cost of providing the basic training course, if a majority of
7 the Iowa law enforcement academy council authorizes charging
8 more than one-half the cost of providing such training.

9 Code sections 99D.14 and 99F.10 are amended to provide that
10 the portion of the regulatory fees collected for the regulatory
11 activities of special agents and gambling enforcement officers
12 of the department of public safety, division of criminal
13 investigation and associated costs, are appropriated to the
14 department of public safety to be used for such activities
15 instead of being credited to the general fund.

16 The bill amends Code section 904A.4B to provide that the
17 chairperson may act as executive director of the board of
18 parole, if the board does not appoint such a director. The
19 duties of the executive director are specified in Code section
20 904A.4B.