

# Senate Amendment 3261

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1 1 Amend House File 811, as amended, passed, and  
1 2 reprinted by the House, as follows:  
1 3 #1. By striking everything after the enacting  
1 4 clause and inserting the following:  
1 5 <DIVISION I  
1 6 FY 2005=2006 APPROPRIATIONS  
1 7 JUSTICE SYSTEM  
1 8 Section 1. DEPARTMENT OF JUSTICE.  
1 9 1. There is appropriated from the general fund of  
1 10 the state to the department of justice for the fiscal  
1 11 year beginning July 1, 2005, and ending June 30, 2006,  
1 12 the following amounts, or so much thereof as is  
1 13 necessary, to be used for the purposes designated:  
1 14 a. For the general office of attorney general for  
1 15 salaries, support, maintenance, miscellaneous purposes  
1 16 including the prosecuting attorneys training program,  
1 17 victim assistance grants, office of drug control  
1 18 policy (ODCP) prosecuting attorney program, legal  
1 19 services for persons in poverty grants as provided in  
1 20 section 13.34, odometer fraud enforcement, and for not  
1 21 more than the following full-time equivalent  
1 22 positions:  
1 23 ..... \$ 8,024,280  
1 24 ..... FTEs 214.50  
1 25 It is the intent of the general assembly that as a  
1 26 condition of receiving the appropriation provided in  
1 27 this lettered paragraph, the department of justice  
1 28 shall maintain a record of the estimated time incurred  
1 29 representing each agency or department.  
1 30 b. For victim assistance grants:  
1 31 ..... \$ 305,000  
1 32 The funds appropriated in this lettered paragraph  
1 33 shall be used to provide grants to care providers  
1 34 providing services to crime victims of domestic abuse  
1 35 or to crime victims of rape and sexual assault.  
1 36 c. For legal services for persons in poverty  
1 37 grants as provided in section 13.34:  
1 38 ..... \$ 750,000  
1 39 2. In addition to the funds appropriated in  
1 40 subsection 1, there is appropriated from the general  
1 41 fund of the state to the department of justice for the  
1 42 fiscal year beginning July 1, 2005, and ending June  
1 43 30, 2006, an amount not exceeding \$200,000 to be used  
1 44 for the enforcement of the Iowa competition law. The  
1 45 funds appropriated in this subsection are contingent  
1 46 upon receipt by the general fund of the state of an  
1 47 amount at least equal to the expenditure amount from  
1 48 either damages awarded to the state or a political  
1 49 subdivision of the state by a civil judgment under  
1 50 chapter 553, if the judgment authorizes the use of the  
2 1 award for enforcement purposes or costs or attorneys  
2 2 fees awarded the state in state or federal antitrust  
2 3 actions. However, if the amounts received as a result  
2 4 of these judgments are in excess of \$200,000, the  
2 5 excess amounts shall not be appropriated to the  
2 6 department of justice pursuant to this subsection.  
2 7 The department of justice shall report the  
2 8 department's actual costs and an estimate of the time  
2 9 incurred enforcing the competition law, to the co=  
2 10 chairpersons and ranking members of the joint  
2 11 appropriations subcommittee on the justice system, and  
2 12 to the legislative services agency by November 15,  
2 13 2005.  
2 14 3. In addition to the funds appropriated in  
2 15 subsection 1, there is appropriated from the general  
2 16 fund of the state to the department of justice for the  
2 17 fiscal year beginning July 1, 2005, and ending June  
2 18 30, 2006, an amount not exceeding \$1,125,000 to be  
2 19 used for public education relating to consumer fraud  
2 20 and for enforcement of section 714.16, and an amount  
2 21 not exceeding \$75,000 for investigation, prosecution,  
2 22 and consumer education relating to consumer and  
2 23 criminal fraud against older Iowans. The funds  
2 24 appropriated in this subsection are contingent upon

2 25 receipt by the general fund of the state of an amount  
2 26 at least equal to the expenditure amount from damages  
2 27 awarded to the state or a political subdivision of the  
2 28 state by a civil consumer fraud judgment or  
2 29 settlement, if the judgment or settlement authorizes  
2 30 the use of the award for public education on consumer  
2 31 fraud. However, if the funds received as a result of  
2 32 these judgments and settlements are in excess of  
2 33 \$1,200,000, the excess funds shall not be appropriated  
2 34 to the department of justice pursuant to this  
2 35 subsection. The department of justice shall report to  
2 36 the co-chairpersons and ranking members of the joint  
2 37 appropriations subcommittee on the justice system, and  
2 38 to the legislative services agency by November 15,  
2 39 2005, the department's actual costs and an estimate of  
2 40 the time incurred in providing education pursuant to  
2 41 and enforcing this subsection.

2 42 4. The balance of the victim compensation fund  
2 43 established in section 915.94 may be used to provide  
2 44 salary and support of not more than 22 FTEs and to  
2 45 provide maintenance for the victim compensation  
2 46 functions of the department of justice.

2 47 5. a. The department of justice, in submitting  
2 48 budget estimates for the fiscal year commencing July  
2 49 1, 2006, pursuant to section 8.23, shall include a  
2 50 report of funding from sources other than amounts  
3 1 appropriated directly from the general fund of the  
3 2 state to the department of justice or to the office of  
3 3 consumer advocate. These funding sources shall  
3 4 include, but are not limited to, reimbursements from  
3 5 other state agencies, commissions, boards, or similar  
3 6 entities, and reimbursements from special funds or  
3 7 internal accounts within the department of justice.  
3 8 The department of justice shall report actual  
3 9 reimbursements for the fiscal year commencing July 1,  
3 10 2004, and actual and expected reimbursements for the  
3 11 fiscal year commencing July 1, 2005.

3 12 b. The department of justice shall include the  
3 13 report required under paragraph "a", as well as  
3 14 information regarding any revisions occurring as a  
3 15 result of reimbursements actually received or expected  
3 16 at a later date, in a report to the co-chairpersons  
3 17 and ranking members of the joint appropriations  
3 18 subcommittee on the justice system and the legislative  
3 19 services agency. The department of justice shall  
3 20 submit the report on or before January 15, 2006.

3 21 6. In addition to the funds appropriated in  
3 22 subsection 1, there is appropriated from the general  
3 23 fund of the state to the department of justice for the  
3 24 fiscal year beginning July 1, 2005, and ending June  
3 25 30, 2006, an amount not exceeding \$150,000 to be used  
3 26 for legal services for persons in poverty grants as  
3 27 provided in section 13.34, and an amount not exceeding  
3 28 \$95,000 for legal services related to the department  
3 29 of elder affairs legal hotline. The funds  
3 30 appropriated in this subsection are contingent upon  
3 31 receipt by the general fund of the state of an amount  
3 32 at least equal to the expenditure amount from costs or  
3 33 attorney fees awarded the state in settlement of its  
3 34 antitrust action against Microsoft brought under  
3 35 chapter 553. However, if the amounts received as a  
3 36 result of this settlement are in excess of \$245,000,  
3 37 the excess amounts shall not be appropriated to the  
3 38 department of justice pursuant to this paragraph.

3 39 Sec. 2. DEPARTMENT OF JUSTICE == ENVIRONMENTAL  
3 40 CRIMES INVESTIGATION AND PROSECUTION == FUNDING.  
3 41 There is appropriated from the environmental crime  
3 42 fund of the department of justice, consisting of  
3 43 court-ordered fines and penalties awarded to the  
3 44 department arising out of the prosecution of  
3 45 environmental crimes, to the department of justice for  
3 46 the fiscal year beginning July 1, 2005, and ending  
3 47 June 30, 2006, an amount not exceeding \$20,000 to be  
3 48 used by the department, at the discretion of the  
3 49 attorney general, for the investigation and  
3 50 prosecution of environmental crimes, including the  
4 1 reimbursement of expenses incurred by county,  
4 2 municipal, and other local governmental agencies  
4 3 cooperating with the department in the investigation  
4 4 and prosecution of environmental crimes.

4 5 The funds appropriated in this section are

4 6 contingent upon receipt by the environmental crime  
4 7 fund of the department of justice of an amount at  
4 8 least equal to the appropriations made in this section  
4 9 and received from contributions, court-ordered  
4 10 restitution as part of judgments in criminal cases,  
4 11 and consent decrees entered into as part of civil or  
4 12 regulatory enforcement actions. However, if the funds  
4 13 received during the fiscal year are in excess of  
4 14 \$20,000, the excess funds shall be deposited in the  
4 15 general fund of the state.

4 16 Notwithstanding section 8.33, moneys appropriated  
4 17 in this section that remain unencumbered or  
4 18 unobligated at the close of the fiscal year shall not  
4 19 revert but shall remain available for expenditure for  
4 20 the purpose designated until the close of the  
4 21 succeeding fiscal year.

4 22 Sec. 3. OFFICE OF CONSUMER ADVOCATE. There is  
4 23 appropriated from the general fund of the state to the  
4 24 office of consumer advocate of the department of  
4 25 justice for the fiscal year beginning July 1, 2005,  
4 26 and ending June 30, 2006, the following amount, or so  
4 27 much thereof as is necessary, to be used for the  
4 28 purposes designated:

4 29 For salaries, support, maintenance, miscellaneous  
4 30 purposes, and for not more than the following full=  
4 31 time equivalent positions:  
4 32 ..... \$ 2,810,442  
4 33 ..... FTEs 27.00

4 34 Sec. 4. DEPARTMENT OF CORRECTIONS == FACILITIES.

4 35 1. There is appropriated from the general fund of  
4 36 the state to the department of corrections for the  
4 37 fiscal year beginning July 1, 2005, and ending June  
4 38 30, 2006, the following amounts, or so much thereof as  
4 39 is necessary, to be used for the purposes designated:

4 40 For the operation of adult correctional  
4 41 institutions, reimbursement of counties for certain  
4 42 confinement costs, and federal prison reimbursement,  
4 43 to be allocated as follows:

4 44 a. For the operation of the Fort Madison  
4 45 correctional facility, including salaries, support,  
4 46 maintenance, and miscellaneous purposes:  
4 47 ..... \$ 38,923,261

4 48 b. For the operation of the Anamosa correctional  
4 49 facility, including salaries, support, maintenance,  
4 50 and miscellaneous purposes:  
5 1 ..... \$ 27,257,452

5 2 Moneys are provided within this appropriation for  
5 3 one full-time substance abuse counselor for the Luster  
5 4 Heights facility, for the purpose of certification of  
5 5 a substance abuse program at that facility.

5 6 c. For the operation of the Oakdale correctional  
5 7 facility, including salaries, support, maintenance,  
5 8 and miscellaneous purposes:  
5 9 ..... \$ 25,730,278

5 10 d. For the operation of the Newton correctional  
5 11 facility, including salaries, support, maintenance,  
5 12 and miscellaneous purposes:  
5 13 ..... \$ 25,073,632

5 14 e. For the operation of the Mt. Pleasant  
5 15 correctional facility, including salaries, support,  
5 16 maintenance, and miscellaneous purposes:  
5 17 ..... \$ 23,753,340

5 18 f. For the operation of the Rockwell City  
5 19 correctional facility, including salaries, support,  
5 20 maintenance, and miscellaneous purposes:  
5 21 ..... \$ 8,096,378

5 22 g. For the operation of the Clarinda correctional  
5 23 facility, including salaries, support, maintenance,  
5 24 and miscellaneous purposes:  
5 25 ..... \$ 22,904,497

5 26 Moneys received by the department of corrections as  
5 27 reimbursement for services provided to the Clarinda  
5 28 youth corporation are appropriated to the department  
5 29 and shall be used for the purpose of operating the  
5 30 Clarinda correctional facility.

5 31 h. For the operation of the Mitchellville  
5 32 correctional facility, including salaries, support,  
5 33 maintenance, and miscellaneous purposes:  
5 34 ..... \$ 14,002,603

5 35 i. For the operation of the Fort Dodge  
5 36 correctional facility, including salaries, support,

5 37 maintenance, and miscellaneous purposes:  
5 38 ..... \$ 26,315,943  
5 39 j. For reimbursement of counties for temporary  
5 40 confinement of work release and parole violators, as  
5 41 provided in sections 901.7, 904.908, and 906.17 and  
5 42 for offenders confined pursuant to section 904.513:  
5 43 ..... \$ 674,954

5 44 k. For federal prison reimbursement,  
5 45 reimbursements for out-of-state placements, and  
5 46 miscellaneous contracts:  
5 47 ..... \$ 241,293

5 48 2. The department of corrections shall use funds  
5 49 appropriated in subsection 1 to continue to contract  
5 50 for the services of a Muslim imam.

6 1 Sec. 5. DEPARTMENT OF CORRECTIONS ==  
6 2 ADMINISTRATION.

6 3 1. There is appropriated from the general fund of  
6 4 the state to the department of corrections for the  
6 5 fiscal year beginning July 1, 2005, and ending June  
6 6 30, 2006, the following amounts, or so much thereof as  
6 7 is necessary, to be used for the purposes designated:

6 8 a. For general administration, including salaries,  
6 9 support, maintenance, employment of an education  
6 10 director to administer a centralized education program  
6 11 for the correctional system, and miscellaneous  
6 12 purposes:  
6 13 ..... \$ 2,829,708

6 14 (1) It is the intent of the general assembly that  
6 15 as a condition of receiving the appropriation provided  
6 16 in this lettered paragraph, the department of  
6 17 corrections shall not, except as otherwise provided in  
6 18 subparagraph (3), enter into a new contract, unless  
6 19 the contract is a renewal of an existing contract, for  
6 20 the expenditure of moneys in excess of \$100,000 during  
6 21 the fiscal year beginning July 1, 2005, for the  
6 22 privatization of services performed by the department  
6 23 using state employees as of July 1, 2005, or for the  
6 24 privatization of new services by the department,  
6 25 without prior consultation with any applicable state  
6 26 employee organization affected by the proposed new  
6 27 contract and prior notification of the co=  
6 28 chairpersons and ranking members of the joint  
6 29 appropriations subcommittee on the justice system.

6 30 (2) It is the intent of the general assembly that  
6 31 each lease negotiated by the department of corrections  
6 32 with a private corporation for the purpose of  
6 33 providing private industry employment of inmates in a  
6 34 correctional institution shall prohibit the private  
6 35 corporation from utilizing inmate labor for partisan  
6 36 political purposes for any person seeking election to  
6 37 public office in this state and that a violation of  
6 38 this requirement shall result in a termination of the  
6 39 lease agreement.

6 40 (3) It is the intent of the general assembly that  
6 41 as a condition of receiving the appropriation provided  
6 42 in this lettered paragraph, the department of  
6 43 corrections shall not enter into a lease or  
6 44 contractual agreement pursuant to section 904.809 with  
6 45 a private corporation for the use of building space  
6 46 for the purpose of providing inmate employment without  
6 47 providing that the terms of the lease or contract  
6 48 establish safeguards to restrict, to the greatest  
6 49 extent feasible, access by inmates working for the  
6 50 private corporation to personal identifying

7 1 information of citizens.  
7 2 b. For educational programs for inmates at state  
7 3 penal institutions:  
7 4 ..... \$ 1,008,358

7 5 It is the intent of the general assembly that  
7 6 moneys appropriated in this lettered paragraph shall  
7 7 be used solely for the purpose indicated and that the  
7 8 moneys shall not be transferred for any other purpose.  
7 9 In addition, it is the intent of the general assembly  
7 10 that the department shall consult with the community  
7 11 colleges in the areas in which the institutions are  
7 12 located to utilize moneys appropriated in this  
7 13 lettered paragraph to fund the high school completion,  
7 14 high school equivalency diploma, adult literacy, and  
7 15 adult basic education programs in a manner so as to  
7 16 maintain these programs at the institutions.

7 17 To maximize the funding for educational programs,

7 18 the department shall establish guidelines and  
7 19 procedures to prioritize the availability of  
7 20 educational and vocational training for inmates based  
7 21 upon the goal of facilitating an inmate's successful  
7 22 release from the correctional institution.

7 23 The director of the department of corrections may  
7 24 transfer moneys from Iowa prison industries for use in  
7 25 educational programs for inmates.

7 26 Notwithstanding section 8.33, moneys appropriated  
7 27 in this lettered paragraph that remain unobligated or  
7 28 unexpended at the close of the fiscal year shall not  
7 29 revert but shall remain available for expenditure only  
7 30 for the purpose designated in this lettered paragraph  
7 31 until the close of the succeeding fiscal year.

7 32 c. For the development of the Iowa corrections  
7 33 offender network (ICON) data system:

7 34 ..... \$ 427,700

7 35 2. It is the intent of the general assembly that  
7 36 the department of corrections shall continue to  
7 37 operate the correctional farms under the control of  
7 38 the department at the same or greater level of  
7 39 participation and involvement as existed as of January  
7 40 1, 2005, shall not enter into any rental agreement or  
7 41 contract concerning any farmland under the control of  
7 42 the department that is not subject to a rental  
7 43 agreement or contract as of January 1, 2005, without  
7 44 prior legislative approval, and shall further attempt  
7 45 to provide job opportunities at the farms for inmates.  
7 46 The department shall attempt to provide job  
7 47 opportunities at the farms for inmates by encouraging  
7 48 labor-intensive farming or gardening where  
7 49 appropriate, using inmates to grow produce and meat  
7 50 for institutional consumption, researching the  
8 1 possibility of instituting food canning and cook-and=  
8 2 chill operations, and exploring opportunities for  
8 3 organic farming and gardening, livestock ventures,  
8 4 horticulture, and specialized crops.

8 5 3. The department shall work to increase produce  
8 6 gardening by inmates under the control of the  
8 7 correctional institutions, and, if appropriate, may  
8 8 use the central distribution network at the Woodward  
8 9 state resource center. The department shall file a  
8 10 report with the co-chairpersons and ranking members of  
8 11 the joint appropriations subcommittee on the justice  
8 12 system by December 1, 2005, regarding the feasibility  
8 13 of expanding the number of acres devoted to organic  
8 14 gardening and to the growing of organic produce for  
8 15 sale.

8 16 4. The department of corrections shall submit a  
8 17 report to the general assembly by January 1, 2006,  
8 18 concerning moneys recouped from inmate earnings for  
8 19 the reimbursement of operational expenses of the  
8 20 applicable facility during the fiscal year beginning  
8 21 July 1, 2004, for each correctional institution and  
8 22 judicial district department of correctional services.  
8 23 In addition, each correctional institution and  
8 24 judicial district department of correctional services  
8 25 shall continue to submit a report to the legislative  
8 26 services agency on a monthly basis concerning moneys  
8 27 recouped from inmate earnings pursuant to sections  
8 28 904.702, 904.809, and 905.14.

8 29 5. It is the intent of the general assembly that  
8 30 as a condition of receiving the appropriation provided  
8 31 in this lettered paragraph, the department shall not  
8 32 enter into any agreement with a private sector  
8 33 nongovernmental entity for the purpose of housing  
8 34 inmates committed to the custody of the director of  
8 35 the department, without express authorization of the  
8 36 general assembly to do so.

8 37 Sec. 6. JUDICIAL DISTRICT DEPARTMENTS OF  
8 38 CORRECTIONAL SERVICES.

8 39 1. There is appropriated from the general fund of  
8 40 the state to the department of corrections for the  
8 41 fiscal year beginning July 1, 2005, and ending June  
8 42 30, 2006, the following amounts, or so much thereof as  
8 43 is necessary, to be allocated as follows:

8 44 a. For the first judicial district department of  
8 45 correctional services, including the treatment and  
8 46 supervision of probation and parole violators who have  
8 47 been released from the department of corrections  
8 48 violator program, the following amount, or so much

8 49 thereof as is necessary:  
8 50 ..... \$ 10,718,695  
9 1 b. For the second judicial district department of  
9 2 correctional services, including the treatment and  
9 3 supervision of probation and parole violators who have  
9 4 been released from the department of corrections  
9 5 violator program, the following amount, or so much  
9 6 thereof as is necessary:  
9 7 ..... \$ 8,308,209  
9 8 c. For the third judicial district department of  
9 9 correctional services, including the treatment and  
9 10 supervision of probation and parole violators who have  
9 11 been released from the department of corrections  
9 12 violator program, the following amount, or so much  
9 13 thereof as is necessary:  
9 14 ..... \$ 4,983,792  
9 15 d. For the fourth judicial district department of  
9 16 correctional services, including the treatment and  
9 17 supervision of probation and parole violators who have  
9 18 been released from the department of corrections  
9 19 violator program, the following amount, or so much  
9 20 thereof as is necessary:  
9 21 ..... \$ 4,443,392  
9 22 e. For the fifth judicial district department of  
9 23 correctional services, including the treatment and  
9 24 supervision of probation and parole violators who have  
9 25 been released from the department of corrections  
9 26 violator program, the following amount, or so much  
9 27 thereof as is necessary:  
9 28 ..... \$ 14,678,288  
9 29 f. For the sixth judicial district department of  
9 30 correctional services, including the treatment and  
9 31 supervision of probation and parole violators who have  
9 32 been released from the department of corrections  
9 33 violator program, the following amount, or so much  
9 34 thereof as is necessary:  
9 35 ..... \$ 10,598,160  
9 36 g. For the seventh judicial district department of  
9 37 correctional services, including the treatment and  
9 38 supervision of probation and parole violators who have  
9 39 been released from the department of corrections  
9 40 violator program, the following amount, or so much  
9 41 thereof as is necessary:  
9 42 ..... \$ 6,010,963  
9 43 h. For the eighth judicial district department of  
9 44 correctional services, including the treatment and  
9 45 supervision of probation and parole violators who have  
9 46 been released from the department of corrections  
9 47 violator program, the following amount, or so much  
9 48 thereof as is necessary:  
9 49 ..... \$ 6,164,249  
9 50 As a condition of the funds appropriated in this  
10 1 paragraph, the eighth judicial district department of  
10 2 correctional services shall establish a drug court  
10 3 that uses the community=panel model.  
10 4 2. Each judicial district department of  
10 5 correctional services, within the funding available,  
10 6 shall continue programs and plans established within  
10 7 that district to provide for intensive supervision,  
10 8 sex offender treatment, diversion of low-risk  
10 9 offenders to the least restrictive sanction available,  
10 10 job development, and expanded use of intermediate  
10 11 criminal sanctions.  
10 12 3. Each judicial district department of  
10 13 correctional services shall provide alternatives to  
10 14 prison consistent with chapter 901B. The alternatives  
10 15 to prison shall ensure public safety while providing  
10 16 maximum rehabilitation to the offender. A judicial  
10 17 district department may also establish a day program.  
10 18 4. The governor's office of drug control policy  
10 19 shall consider federal grants made to the department  
10 20 of corrections for the benefit of each of the eight  
10 21 judicial district departments of correctional services  
10 22 as local government grants, as defined pursuant to  
10 23 federal regulations.  
10 24 5. The department of corrections shall continue to  
10 25 contract with a judicial district department of  
10 26 correctional services to provide for the rental of  
10 27 electronic monitoring equipment which shall be  
10 28 available statewide.  
10 29 Sec. 7. INTENT == REPORTS.

10 30 1. The department of corrections shall submit a  
10 31 report on inmate labor to the general assembly, to the  
10 32 co-chairpersons and the ranking members of the joint  
10 33 appropriations subcommittee on the justice system, and  
10 34 to the legislative services agency by January 15,  
10 35 2006. The report shall specifically address the  
10 36 progress the department has made in implementing the  
10 37 requirements of section 904.701, inmate labor on  
10 38 capital improvement projects, community work crews,  
10 39 inmate produce gardening, and private-sector  
10 40 employment.

10 41 2. The department in cooperation with townships,  
10 42 the Iowa cemetery associations, and other nonprofit or  
10 43 governmental entities may use inmate labor to restore  
10 44 or preserve rural cemeteries and historical landmarks.  
10 45 The department in cooperation with the counties may  
10 46 also use inmate labor to clean up roads, major water  
10 47 sources, and other water sources around the state.

10 48 3. Each month the department shall provide a  
10 49 status report regarding private-sector employment to  
10 50 the legislative services agency beginning on July 1,  
11 1 2005. The report shall include the number of  
11 2 offenders employed in the private sector, the combined  
11 3 number of hours worked by the offenders, and the total  
11 4 amount of allowances, and the distribution of  
11 5 allowances pursuant to section 904.702, including any  
11 6 moneys deposited in the general fund of the state.

11 7 Sec. 8. ELECTRONIC MONITORING REPORT. The  
11 8 department of corrections shall submit a report on  
11 9 electronic monitoring to the general assembly, to the  
11 10 co-chairpersons and the ranking members of the joint  
11 11 appropriations subcommittee on the justice system, and  
11 12 to the legislative services agency by January 15,  
11 13 2006. The report shall specifically address the  
11 14 number of persons being electronically monitored and  
11 15 break down the number of persons being electronically  
11 16 monitored by offense committed. The report shall also  
11 17 include a comparison of any data from the prior fiscal  
11 18 year with the current year.

11 19 Sec. 9. STATE AGENCY PURCHASES FROM PRISON  
11 20 INDUSTRIES.

11 21 1. As used in this section, unless the context  
11 22 otherwise requires, "state agency" means the  
11 23 government of the state of Iowa, including but not  
11 24 limited to all executive branch departments, agencies,  
11 25 boards, bureaus, and commissions, the judicial branch,  
11 26 the general assembly and all legislative agencies,  
11 27 institutions within the purview of the state board of  
11 28 regents, and any corporation whose primary function is  
11 29 to act as an instrumentality of the state.

11 30 2. State agencies are hereby encouraged to  
11 31 purchase products from Iowa state industries, as  
11 32 defined in section 904.802, when purchases are  
11 33 required and the products are available from Iowa  
11 34 state industries. State agencies shall obtain bids  
11 35 from Iowa state industries for purchases of office  
11 36 furniture exceeding \$5,000 or in accordance with  
11 37 applicable administrative rules related to purchases  
11 38 for the agency.

11 39 Sec. 10. STATE PUBLIC DEFENDER. There is  
11 40 appropriated from the general fund of the state to the  
11 41 office of the state public defender of the department  
11 42 of inspections and appeals for the fiscal year  
11 43 beginning July 1, 2005, and ending June 30, 2006, the  
11 44 following amounts, or so much thereof as is necessary,  
11 45 to be allocated as follows for the purposes  
11 46 designated:

11 47 1. For salaries, support, maintenance, and  
11 48 miscellaneous purposes, and for not more than the  
11 49 following full-time equivalent positions:  
11 50 ..... \$ 18,444,964  
12 1 ..... FTEs 202.00

12 2 2. For the fees of court-appointed attorneys for  
12 3 indigent adults and juveniles, in accordance with  
12 4 section 232.141 and chapter 815:  
12 5 ..... \$ 21,163,082

12 6 Sec. 11. IOWA LAW ENFORCEMENT ACADEMY.

12 7 1. There is appropriated from the general fund of  
12 8 the state to the Iowa law enforcement academy for the  
12 9 fiscal year beginning July 1, 2005, and ending June  
12 10 30, 2006, the following amount, or so much thereof as

12 11 is necessary, to be used for the purposes designated:  
12 12 For salaries, support, maintenance, miscellaneous  
12 13 purposes, including jailer training and technical  
12 14 assistance, and for not more than the following full=  
12 15 time equivalent positions:  
12 16 ..... \$ 1,075,138  
12 17 ..... FTEs 30.05

12 18 It is the intent of the general assembly that the  
12 19 Iowa law enforcement academy may provide training of  
12 20 state and local law enforcement personnel concerning  
12 21 the recognition of and response to persons with  
12 22 Alzheimer's disease.  
12 23 The Iowa law enforcement academy may temporarily  
12 24 exceed and draw more than the amount appropriated and  
12 25 incur a negative cash balance as long as there are  
12 26 receivables equal to or greater than the negative  
12 27 balance and the amount appropriated in this subsection  
12 28 is not exceeded at the close of the fiscal year.  
12 29 2. The Iowa law enforcement academy may select at  
12 30 least five automobiles of the department of public  
12 31 safety, division of the Iowa state patrol, prior to  
12 32 turning over the automobiles to the department of  
12 33 administrative services to be disposed of by public  
12 34 auction and the Iowa law enforcement academy may  
12 35 exchange any automobile owned by the academy for each  
12 36 automobile selected if the selected automobile is used  
12 37 in training law enforcement officers at the academy.  
12 38 However, any automobile exchanged by the academy shall  
12 39 be substituted for the selected vehicle of the  
12 40 department of public safety and sold by public auction  
12 41 with the receipts being deposited in the depreciation  
12 42 fund to the credit of the department of public safety,  
12 43 division of the Iowa state patrol.  
12 44 Sec. 12. BOARD OF PAROLE. There is appropriated  
12 45 from the general fund of the state to the board of  
12 46 parole for the fiscal year beginning July 1, 2005, and  
12 47 ending June 30, 2006, the following amount, or so much  
12 48 thereof as is necessary, to be used for the purposes  
12 49 designated:  
12 50 For salaries, support, maintenance, miscellaneous  
13 1 purposes, and for not more than the following full=  
13 2 time equivalent positions:  
13 3 ..... \$ 1,121,044  
13 4 ..... FTEs 17.50

13 5 Sec. 13. DEPARTMENT OF PUBLIC DEFENSE. There is  
13 6 appropriated from the general fund of the state to the  
13 7 department of public defense for the fiscal year  
13 8 beginning July 1, 2005, and ending June 30, 2006, the  
13 9 following amounts, or so much thereof as is necessary,  
13 10 to be used for the purposes designated:  
13 11 1. MILITARY DIVISION  
13 12 For salaries, support, maintenance, miscellaneous  
13 13 purposes, and for not more than the following full=  
13 14 time equivalent positions:  
13 15 ..... \$ 5,130,040  
13 16 ..... FTEs 312.55

13 17 The military division may temporarily exceed and  
13 18 draw more than the amount appropriated and incur a  
13 19 negative cash balance as long as there are receivables  
13 20 of federal funds equal to or greater than the negative  
13 21 balance and the amount appropriated in this subsection  
13 22 is not exceeded at the close of the fiscal year.  
13 23 2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT  
13 24 DIVISION  
13 25 For salaries, support, maintenance, miscellaneous  
13 26 purposes, and for not more than the following full=  
13 27 time equivalent positions:  
13 28 ..... \$ 1,172,230  
13 29 ..... FTEs 24.75

13 30 Sec. 14. DEPARTMENT OF PUBLIC SAFETY. There is  
13 31 appropriated from the general fund of the state to the  
13 32 department of public safety for the fiscal year  
13 33 beginning July 1, 2005, and ending June 30, 2006, the  
13 34 following amounts, or so much thereof as is necessary,  
13 35 to be used for the purposes designated:  
13 36 1. For the department's administrative functions,  
13 37 including the criminal justice information system, and  
13 38 for not more than the following full-time equivalent  
13 39 positions:  
13 40 ..... \$ 3,370,033  
13 41 ..... FTEs 38.00



13 42 2. For the division of criminal investigation and  
 13 43 bureau of identification, including the state's  
 13 44 contribution to the peace officers' retirement,  
 13 45 accident, and disability system provided in chapter  
 13 46 97A in the amount of 17 percent of the salaries for  
 13 47 which the funds are appropriated, to meet federal fund  
 13 48 matching requirements, and for not more than the  
 13 49 following full-time equivalent positions:  
 13 50 ..... \$ 15,682,052  
 14 1 ..... FTEs 225.50

14 2 In addition to the funds appropriated in this  
 14 3 subsection, there is appropriated from the general  
 14 4 fund of the state to the department of public safety,  
 14 5 division of criminal investigation and bureau of  
 14 6 identification for the fiscal year beginning July 1,  
 14 7 2005, and ending June 30, 2006, an amount not  
 14 8 exceeding \$304,206 to be used for the purchase of DNA  
 14 9 profiling equipment. The funds appropriated in this  
 14 10 paragraph are contingent upon receipt by the general  
 14 11 fund of the state of an amount at least equal to the  
 14 12 expenditure amount from costs or attorney fees awarded  
 14 13 the state in settlement of its antitrust action  
 14 14 against Microsoft brought under chapter 553. However,  
 14 15 if the amounts received as a result of this settlement  
 14 16 are in excess of \$304,206, the excess amounts shall  
 14 17 not be appropriated to the department pursuant to this  
 14 18 paragraph.

14 19 3. For the criminalistics laboratory fund, if  
 14 20 created in section 602.8108:  
 14 21 ..... \$ 342,000

14 22 In addition to the funds appropriated in this  
 14 23 subsection, there is appropriated from the general  
 14 24 fund of the state to the department of public safety  
 14 25 for the fiscal year beginning July 1, 2005, and ending  
 14 26 June 30, 2006, an amount not exceeding \$390,000 to be  
 14 27 used for the purchase of crime laboratory equipment.  
 14 28 The funds appropriated in this paragraph are  
 14 29 contingent upon receipt by the general fund of the  
 14 30 state of an amount at least equal to the expenditure  
 14 31 amount from costs or attorney fees awarded the state  
 14 32 in settlement of its antitrust action against  
 14 33 Microsoft brought under chapter 553. However, if the  
 14 34 amounts received as a result of this settlement are in  
 14 35 excess of \$390,000, the excess amounts shall not be  
 14 36 appropriated to the department pursuant to this  
 14 37 paragraph.

14 38 The department of public safety, with the approval  
 14 39 of the department of management, may employ no more  
 14 40 than two special agents and four gaming enforcement  
 14 41 officers for each additional riverboat regulated after  
 14 42 July 1, 2005, and one special agent for each racing  
 14 43 facility which becomes operational during the fiscal  
 14 44 year which begins July 1, 2005. One additional gaming  
 14 45 enforcement officer, up to a total of four per  
 14 46 riverboat, may be employed for each riverboat that has  
 14 47 extended operations to 24 hours and has not previously  
 14 48 operated with a 24-hour schedule. Positions  
 14 49 authorized in this paragraph are in addition to the  
 14 50 full-time equivalent positions otherwise authorized in  
 15 1 this subsection.

15 2 4. a. For the division of narcotics enforcement,  
 15 3 including the state's contribution to the peace  
 15 4 officers' retirement, accident, and disability system  
 15 5 provided in chapter 97A in the amount of 17 percent of  
 15 6 the salaries for which the funds are appropriated, to  
 15 7 meet federal fund matching requirements, and for not  
 15 8 more than the following full-time equivalent  
 15 9 positions:  
 15 10 ..... \$ 4,701,141  
 15 11 ..... FTEs 75.00

15 12 b. For the division of narcotics enforcement for  
 15 13 undercover purchases:  
 15 14 ..... \$ 123,343

15 15 5. a. For the state fire marshal's office,  
 15 16 including the state's contribution to the peace  
 15 17 officers' retirement, accident, and disability system  
 15 18 provided in chapter 97A in the amount of 17 percent of  
 15 19 the salaries for which the funds are appropriated, and  
 15 20 for not more than the following full-time equivalent  
 15 21 positions:  
 15 22 ..... \$ 2,181,998

15 23 ..... FTEs 39.00  
15 24 b. For the state fire marshal's office, for fire  
15 25 protection services as provided through the state fire  
15 26 service and emergency response council as created in  
15 27 the department, and for not more than the following  
15 28 full-time equivalent positions:  
15 29 ..... \$ 638,021  
15 30 ..... FTEs 10.00  
15 31 Of the amount appropriated in this paragraph, the  
15 32 state fire marshal shall allocate \$200 for the mailing  
15 33 of a notice to all affected agencies or emergency  
15 34 services providers informing the agencies or providers  
15 35 about the requirement of an autopsy under section  
15 36 144.56A.  
15 37 6. For the division of the Iowa state patrol of  
15 38 the department of public safety, for salaries,  
15 39 support, maintenance, workers' compensation costs, and  
15 40 miscellaneous purposes, including the state's  
15 41 contribution to the peace officers' retirement,  
15 42 accident, and disability system provided in chapter  
15 43 97A in the amount of 17 percent of the salaries for  
15 44 which the funds are appropriated, and for not more  
15 45 than the following full-time equivalent positions:  
15 46 ..... \$ 43,747,973  
15 47 ..... FTEs 531.00  
15 48 In addition to the funds appropriated in this  
15 49 subsection, there is appropriated from the general  
15 50 fund of the state to the division of the Iowa state  
16 1 patrol for the fiscal year beginning July 1, 2005, and  
16 2 ending June 30, 2006, an amount not exceeding \$700,000  
16 3 to be used for motor vehicle depreciation, and an  
16 4 amount not exceeding \$75,000 for the purchase of  
16 5 weapons. The funds appropriated in this paragraph are  
16 6 contingent upon receipt by the general fund of the  
16 7 state of an amount at least equal to the expenditure  
16 8 amount from costs or attorney fees awarded the state  
16 9 in settlement of its antitrust action against  
16 10 Microsoft brought under chapter 553. However, if the  
16 11 amounts received as a result of this settlement are in  
16 12 excess of \$775,000, the excess amounts shall not be  
16 13 appropriated to the division of the Iowa state patrol  
16 14 pursuant to this paragraph.  
16 15 It is the intent of the general assembly that  
16 16 members of the Iowa state patrol be assigned to patrol  
16 17 the highways and roads in lieu of assignments for  
16 18 inspecting school buses for the school districts.  
16 19 7. For deposit in the public safety law  
16 20 enforcement sick leave benefits fund established under  
16 21 section 80.42, for all departmental employees eligible  
16 22 to receive benefits for accrued sick leave under the  
16 23 collective bargaining agreement:  
16 24 ..... \$ 316,179  
16 25 An employee of the department of public safety who  
16 26 retires after July 1, 2005, but prior to June 30,  
16 27 2006, is eligible for payment of life or health  
16 28 insurance premiums as provided for in the collective  
16 29 bargaining agreement covering the public safety  
16 30 bargaining unit at the time of retirement if that  
16 31 employee previously served in a position which would  
16 32 have been covered by the agreement. The employee  
16 33 shall be given credit for the service in that prior  
16 34 position as though it were covered by that agreement.  
16 35 The provisions of this subsection shall not operate to  
16 36 reduce any retirement benefits an employee may have  
16 37 earned under other collective bargaining agreements or  
16 38 retirement programs.  
16 39 8. For costs associated with the training and  
16 40 equipment needs of volunteer fire fighters and for not  
16 41 more than the following full-time equivalent position:  
16 42 ..... \$ 699,587  
16 43 ..... FTEs 1.00  
16 44 Notwithstanding section 8.33, moneys appropriated  
16 45 in this subsection that remain unobligated or  
16 46 unexpended at the close of the fiscal year shall not  
16 47 revert but shall remain available for expenditure only  
16 48 for the purpose designated in this subsection until  
16 49 the close of the succeeding fiscal year.  
16 50 Sec. 15. CIVIL RIGHTS COMMISSION. There is  
17 1 appropriated from the general fund of the state to the  
17 2 Iowa state civil rights commission for the fiscal year  
17 3 beginning July 1, 2005, and ending June 30, 2006, the

17 4 following amount, or so much thereof as is necessary,  
17 5 to be used for the purposes designated:  
17 6 For salaries, support, maintenance, miscellaneous  
17 7 purposes, and for not more than the following full=  
17 8 time equivalent positions:  
17 9 ..... \$ 1,000,788  
17 10 ..... FTEs 27.50

17 11 The Iowa state civil rights commission may enter  
17 12 into a contract with a nonprofit organization to  
17 13 provide legal assistance to resolve civil rights  
17 14 complaints.

17 15 Sec. 16. DIVISION OF CRIMINAL AND JUVENILE JUSTICE  
17 16 PLANNING. In addition to any other funds appropriated  
17 17 to the division of criminal and juvenile justice  
17 18 planning of the department of human rights, there is  
17 19 appropriated from the general fund of the state to the  
17 20 division of criminal and juvenile justice planning for  
17 21 the fiscal year beginning July 1, 2005, and ending  
17 22 June 30, 2006, the following amount, or so much  
17 23 thereof as is necessary, to be used for the purposes  
17 24 designated:

17 25 For the establishment and administration of the sex  
17 26 offender treatment and supervision task force:  
17 27 ..... \$ 75,000

17 28 Sec. 17. HOMELAND SECURITY AND EMERGENCY  
17 29 MANAGEMENT DIVISION. There is appropriated from the  
17 30 wireless E911 emergency communications fund to the  
17 31 administrator of the homeland security and emergency  
17 32 management division of the department of public  
17 33 defense for the fiscal year beginning July 1, 2005,  
17 34 and ending June 30, 2006, an amount not exceeding two  
17 35 hundred thousand dollars to be used for  
17 36 implementation, support, and maintenance of the  
17 37 functions of the administrator and program manager  
17 38 under chapter 34A and to employ the auditor of the  
17 39 state to perform an annual audit of the wireless E911  
17 40 emergency communications fund.

17 41 Sec. 18. IOWA LAW ENFORCEMENT ACADEMY == FEES.  
17 42 Notwithstanding section 80B.11B, the Iowa law  
17 43 enforcement academy may charge more than one-half the  
17 44 cost of providing the basic training course if a  
17 45 majority of the Iowa law enforcement academy council  
17 46 authorizes charging more than one-half of the cost of  
17 47 providing basic training. This section is repealed on  
17 48 June 30, 2006.

17 49 Sec. 19. NEW SECTION. 144.56A PUBLIC SAFETY  
17 50 OFFICER DEATH == REQUIRED NOTICE == AUTOPSY.

18 1 A person who is authorized to pronounce individuals  
18 2 dead is required to inform one of the persons  
18 3 authorized to request an autopsy, as provided in  
18 4 section 144.56, that an autopsy will be required if  
18 5 the individual who died was a public safety officer  
18 6 who may have died in the line of duty and an eligible  
18 7 beneficiary of the deceased seeks to claim a federal  
18 8 public safety officer death benefit.

18 9 Sec. 20. Section 158.2, Code 2005, is amended by  
18 10 adding the following new subsection:

18 11 NEW SUBSECTION. 7. Offenders committed to the  
18 12 custody of the director of the department of  
18 13 corrections who cut the hair, or trim or shave the  
18 14 beard of any other offender within a correctional  
18 15 facility, without receiving direct compensation from  
18 16 the person receiving the service.

18 17 DIVISION II  
18 18 SUPPLEMENTAL APPROPRIATIONS

18 19 DEPARTMENT OF CORRECTIONS == FACILITIES

18 20 Sec. 21. Section 804.21, subsection 1, Code 2005,  
18 21 as amended by 2005 Iowa Acts, Senate File 169, section  
18 22 7, is amended to read as follows:

18 23 1. A person arrested in obedience to a warrant  
18 24 shall be taken without unnecessary delay before the  
18 25 nearest or most accessible magistrate. The officer  
18 26 shall at the same time deliver to the magistrate the  
18 27 warrant with the officer's return endorsed on it and  
18 28 subscribed by the officer with the officer's official  
18 29 title. However, this section, and sections 804.22 and  
18 30 804.23, do not preclude the release of an arrested  
18 31 person within the period of time the person would  
18 32 otherwise remain incarcerated while waiting to be  
18 33 taken before a magistrate if the release is pursuant  
18 34 to pretrial release guidelines or a bond schedule

18 35 promulgated by the judicial council, unless the person  
18 36 is charged with manufacture, ~~delivery, or possession~~  
18 37 with intent to ~~deliver, or distribution of~~ manufacture  
18 38 methamphetamine. If, however, a person is released  
18 39 pursuant to pretrial release guidelines, a magistrate  
18 40 must, within twenty-four hours of the release, or as  
18 41 soon as practicable on the next subsequent working day  
18 42 of the court, either approve in writing of the  
18 43 release, or disapprove of the release and issue a  
18 44 warrant for the person's arrest.

18 45 Sec. 22. Section 804.22, unnumbered paragraph 2,  
18 46 Code 2005, as amended by 2005 Iowa Acts, Senate File  
18 47 169, section 8, is amended to read as follows:

18 48 This section and the rules of criminal procedure do  
18 49 not affect the provisions of chapter 805 authorizing  
18 50 the release of a person on citation or bail prior to  
19 1 initial appearance, unless the person is charged with  
19 2 manufacture, ~~delivery, or possession~~ with intent to  
19 3 ~~deliver, or distribution of~~ manufacture  
19 4 methamphetamine. The initial appearance of a person  
19 5 so released shall be scheduled for a time not more  
19 6 than thirty days after the date of release.

19 7 Sec. 23. Section 811.2, subsection 1, unnumbered  
19 8 paragraph 2, Code 2005, as amended by 2005 Iowa Acts,  
19 9 Senate File 169, section 10, is amended to read as  
19 10 follows:

19 11 Any bailable defendant who is charged with unlawful  
19 12 possession, manufacture, delivery, or distribution of  
19 13 a controlled substance or other drug under chapter 124  
19 14 and is ordered released shall be required, as a  
19 15 condition of that release, to submit to a substance  
19 16 abuse evaluation and follow any recommendations  
19 17 proposed in the evaluation for appropriate substance  
19 18 abuse treatment. However, if a bailable defendant is  
19 19 charged with manufacture, ~~delivery, or possession~~ with  
19 20 the intent to ~~deliver, or distribution of~~ manufacture  
19 21 methamphetamine, its salts, optical isomers, and salts  
19 22 of its optical isomers, the defendant shall, in  
19 23 addition to a substance abuse evaluation, remain under  
19 24 supervision and be required to undergo random drug  
19 25 tests as a condition of release.

19 26 Sec. 24. Section 811.2, subsection 3, Code 2005,  
19 27 as amended by 2005 Iowa Acts, Senate File 169, section  
19 28 11, is amended to read as follows:

19 29 3. RELEASE AT INITIAL APPEARANCE. This chapter  
19 30 does not preclude the release of an arrested person as  
19 31 authorized by section 804.21, unless the arrested  
19 32 person is charged with manufacture, ~~delivery, or~~  
19 33 possession with the intent to ~~deliver, or distribution~~  
19 34 ~~of~~ manufacture methamphetamine.

19 35 Sec. 25. 2004 Iowa Acts, chapter 1175, section  
19 36 183, subsection 1, paragraph c, is amended to read as  
19 37 follows:

19 38 c. For the operation of the Oakdale correctional  
19 39 facility, including salaries, support, maintenance,  
19 40 and miscellaneous purposes:

19 41 ..... \$ ~~23,536,936~~  
19 42 23,636,936

19 43 Of the funds allocated in this paragraph "c",  
19 44 \$100,000 is allocated for the costs of remodeling and  
19 45 construction to establish a specialized 24-bed mental  
19 46 health unit for offenders who are not ordered to  
19 47 inpatient mental health treatment. The unit shall  
19 48 operate as an adjunct to the licensed hospital program  
19 49 within the Oakdale correctional facility.

19 50 DEPARTMENT OF CORRECTIONS == ADMINISTRATION

20 1 Sec. 26. 2004 Iowa Acts, chapter 1175, section  
20 2 184, subsection 1, paragraph a, unnumbered paragraph  
20 3 1, is amended to read as follows:

20 4 For general administration, including salaries,  
20 5 support, maintenance, employment of an education  
20 6 director to administer a centralized education program  
20 7 for the correctional system, and miscellaneous  
20 8 purposes:

20 9 ..... \$ ~~2,784,393~~  
20 10 3,198,809

20 11 JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL  
20 12 SERVICES

20 13 Sec. 27. 2004 Iowa Acts, chapter 1175, section  
20 14 185, subsection 1, is amended to read as follows:

20 15 1. There is appropriated from the general fund of

20 16 the state to the department of corrections for the  
 20 17 fiscal year beginning July 1, 2004, and ending June  
 20 18 30, 2005, the following amounts, or so much thereof as  
 20 19 is necessary, to be allocated as follows:  
 20 20 a. For the first judicial district department of  
 20 21 correctional services, including the treatment and  
 20 22 supervision of probation and parole violators who have  
 20 23 been released from the department of corrections  
 20 24 violator program, the following amount, or so much  
 20 25 thereof as is necessary:  
 20 26 ..... \$ ~~10,090,207~~  
 20 27 10,142,332  
 20 28 b. For the second judicial district department of  
 20 29 correctional services, including the treatment and  
 20 30 supervision of probation and parole violators who have  
 20 31 been released from the department of corrections  
 20 32 violator program, the following amount, or so much  
 20 33 thereof as is necessary:  
 20 34 ..... \$ ~~7,755,402~~  
 20 35 7,803,027  
 20 36 c. For the third judicial district department of  
 20 37 correctional services, including the treatment and  
 20 38 supervision of probation and parole violators who have  
 20 39 been released from the department of corrections  
 20 40 violator program, the following amount, or so much  
 20 41 thereof as is necessary:  
 20 42 ..... \$ ~~4,631,423~~  
 20 43 4,668,548  
 20 44 d. For the fourth judicial district department of  
 20 45 correctional services, including the treatment and  
 20 46 supervision of probation and parole violators who have  
 20 47 been released from the department of corrections  
 20 48 violator program, the following amount, or so much  
 20 49 thereof as is necessary:  
 20 50 ..... \$ ~~4,248,965~~  
 21 1 4,268,465  
 21 2 e. For the fifth judicial district department of  
 21 3 correctional services, including the treatment and  
 21 4 supervision of probation and parole violators who have  
 21 5 been released from the department of corrections  
 21 6 violator program, the following amount, or so much  
 21 7 thereof as is necessary:  
 21 8 ..... \$ ~~12,982,837~~  
 21 9 13,105,462  
 21 10 f. For the sixth judicial district department of  
 21 11 correctional services, including the treatment and  
 21 12 supervision of probation and parole violators who have  
 21 13 been released from the department of corrections  
 21 14 violator program, the following amount, or so much  
 21 15 thereof as is necessary:  
 21 16 ..... \$ ~~10,064,717~~  
 21 17 10,105,217  
 21 18 g. For the seventh judicial district department of  
 21 19 correctional services, including the treatment and  
 21 20 supervision of probation and parole violators who have  
 21 21 been released from the department of corrections  
 21 22 violator program, the following amount, or so much  
 21 23 thereof as is necessary:  
 21 24 ..... \$ ~~5,677,314~~  
 21 25 5,700,939  
 21 26 h. For the eighth judicial district department of  
 21 27 correctional services, including the treatment and  
 21 28 supervision of probation and parole violators who have  
 21 29 been released from the department of corrections  
 21 30 violator program, the following amount, or so much  
 21 31 thereof as is necessary:  
 21 32 ..... \$ ~~5,574,865~~  
 21 33 5,606,740  
 21 34 The appropriations made in this subsection include  
 21 35 additional funding for costs to address additional  
 21 36 methamphetamine drug offenders under supervision.  
 21 37 MILITARY DIVISION  
 21 38 Sec. 28. 2004 Iowa Acts, chapter 1175, section  
 21 39 191, subsection 1, unnumbered paragraph 1, is amended  
 21 40 to read as follows:  
 21 41 For salaries, support, maintenance, miscellaneous  
 21 42 purposes, and for not more than the following full-  
 21 43 time equivalent positions:  
 21 44 ..... \$ ~~5,084,143~~  
 21 45 10,837,143  
 21 46 ..... FTEs 310.80

21 47 Of the amount appropriated in this section  
21 48 \$5,753,000 is allocated for repayment of grant funding  
21 49 and accrued interest to the federal government.  
21 50 Sec. 29. 2004 Iowa Acts, chapter 1175, section  
22 1 188, is amended to read as follows:  
22 2 SEC. 188. STATE PUBLIC DEFENDER. There is  
22 3 appropriated from the general fund of the state to the  
22 4 office of the state public defender of the department  
22 5 of inspections and appeals for the fiscal year  
22 6 beginning July 1, 2004, and ending June 30, 2005, the  
22 7 following amounts, or so much thereof as is necessary,  
22 8 to be allocated as follows for the purposes  
22 9 designated:

22 10 1. For salaries, support, maintenance, and	
22 11 miscellaneous purposes, and for not more than the	
22 12 following full-time equivalent positions:	
22 13 .....	\$ <del>16,663,446</del>
22 14 .....	<u>18,247,561</u>
22 15 .....	FTEs 202.00
22 16 2. For the fees of court-appointed attorneys for	
22 17 indigent adults and juveniles, in accordance with	
22 18 section 232.141 and chapter 815:	
22 19 .....	\$ <del>19,355,297</del>
22 20 .....	<u>25,251,339</u>

22 21 Sec. 30. 2004 Iowa Acts, chapter 1175, section  
22 22 192, subsection 2, unnumbered paragraph 1, is amended  
22 23 to read as follows:  
22 24 For the division of criminal investigation and  
22 25 bureau of identification, including the state's  
22 26 contribution to the peace officers' retirement,  
22 27 accident, and disability system provided in chapter  
22 28 97A in the amount of 17 percent of the salaries for  
22 29 which the funds are appropriated, to meet federal fund  
22 30 matching requirements, and for not more than the  
22 31 following full-time equivalent positions:

22 32 .....	\$ <del>14,058,510</del>
22 33 .....	<u>14,208,510</u>
22 34 .....	FTEs 221.50

22 35 Sec. 31. 2004 Iowa Acts, chapter 1175, section  
22 36 193, is amended to read as follows:  
22 37 SEC. 193. CIVIL RIGHTS COMMISSION. There is  
22 38 appropriated from the general fund of the state to the  
22 39 Iowa state civil rights commission for the fiscal year  
22 40 beginning July 1, 2004, and ending June 30, 2005, the  
22 41 following amount, or so much thereof as is necessary,  
22 42 to be used for the purposes designated:

22 43 For salaries, support, maintenance, miscellaneous	
22 44 purposes, and for not more than the following full-	
22 45 time equivalent positions:	
22 46 .....	\$ <del>825,752</del>
22 47 .....	<u>911,752</u>
22 48 .....	FTEs 28.00

22 49 The Iowa state civil rights commission may enter  
22 50 into a contract with a nonprofit organization to  
23 1 provide legal assistance to resolve civil rights  
23 2 complaints.  
23 3 Sec. 32. EFFECTIVE DATE. This division of this  
23 4 Act, being deemed of immediate importance, takes  
23 5 effect upon enactment.>  
23 6 #2. Title page, line 2, by inserting after the  
23 7 word <system> the following: <, revising pretrial  
23 8 release requirements for certain criminal offenses,>.  
23 9  
23 10  
23 11  
23 12 \_\_\_\_\_  
23 13 EUGENE S. FRAISE  
23 14  
23 15 \_\_\_\_\_  
23 16 LARRY McKIBBEN  
23 17 HF 811.306 81  
23 18 jm/cf/2971