

Senate Amendment to  
House File 2335

H-8323

1 Amend House File 2335, as amended, passed, and  
2 reprinted by the House, as follows:

3 1. By striking everything after the enacting clause  
4 and inserting:

5 <Section 1. 2011 Iowa Acts, chapter 134, section  
6 30, is amended to read as follows:

7 SEC. 30. DEPARTMENT OF JUSTICE.

8 1. There is appropriated from the general fund  
9 of the state to the department of justice for the  
10 fiscal year beginning July 1, 2012, and ending June 30,  
11 2013, the following amounts, or so much thereof as is  
12 necessary, to be used for the purposes designated:

13 a. For the general office of attorney general for	
14 salaries, support, maintenance, and miscellaneous	
15 purposes, including the prosecuting attorneys training	
16 program, matching funds for federal violence against	
17 women grant programs, victim assistance grants, office	
18 of drug control policy prosecuting attorney program,	
19 and odometer fraud enforcement, and for not more than	
20 the following full-time equivalent positions:	
21 .....	\$ 3,896,465
22 .....	7,792,930
23 .....	<u>212.00</u>
24 .....	<u>214.00</u>

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

30 b. For victim assistance grants:	
31 .....	\$ 1,438,200
32 .....	<u>3,026,400</u>

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

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

42 The department of justice shall transfer at least  
43 \$150,000 from the victim compensation fund established  
44 in section 915.94 to the victim assistance grant  
45 program.

46 c. For legal services for persons in poverty grants	
47 as provided in section 13.34:	
48 .....	\$ 907,416
49 .....	<u>1,914,831</u>

50 2. a. The department of justice, in submitting

1 budget estimates for the fiscal year commencing July  
 2 1, 2013, pursuant to section 8.23, shall include a  
 3 report of funding from sources other than amounts  
 4 appropriated directly from the general fund of the  
 5 state to the department of justice or to the office of  
 6 consumer advocate. These funding sources shall include  
 7 but are not limited to reimbursements from other state  
 8 agencies, commissions, boards, or similar entities, and  
 9 reimbursements from special funds or internal accounts  
 10 within the department of justice. The department of  
 11 justice shall also report actual reimbursements for the  
 12 fiscal year commencing July 1, 2011, and actual and  
 13 expected reimbursements for the fiscal year commencing  
 14 July 1, 2012.

15 b. The department of justice shall include the  
 16 report required under paragraph "a", as well as  
 17 information regarding any revisions occurring as a  
 18 result of reimbursements actually received or expected  
 19 at a later date, in a report to the co-chairpersons  
 20 and ranking members of the joint appropriations  
 21 subcommittee on the justice system and the legislative  
 22 services agency. The department of justice shall  
 23 submit the report on or before January 15, 2013.

24 Sec. 2. 2011 Iowa Acts, chapter 134, section 31, is  
 25 amended to read as follows:

26 SEC. 31. OFFICE OF CONSUMER ADVOCATE. There is  
 27 appropriated from the department of commerce revolving  
 28 fund created in section 546.12 to the office of  
 29 consumer advocate of the department of justice for the  
 30 fiscal year beginning July 1, 2012, and ending June 30,  
 31 2013, the following amount, or so much thereof as is  
 32 necessary, to be used for the purposes designated:

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

36 .....	\$	<del>1,568,082</del>
37 .....		<u>3,136,163</u>
38 .....	FTEs	22.00

39 Sec. 3. 2011 Iowa Acts, chapter 134, section 32, is  
 40 amended to read as follows:

41 SEC. 32. DEPARTMENT OF CORRECTIONS — FACILITIES.

42 1. There is appropriated from the general fund of  
 43 the state to the department of corrections for the  
 44 fiscal year beginning July 1, 2012, and ending June  
 45 30, 2013, the following amounts, or so much thereof as  
 46 is necessary, to be used for the operation of adult  
 47 correctional institutions, reimbursement of counties  
 48 for certain confinement costs, and federal prison  
 49 reimbursement, to be allocated as follows:

50 a. For the operation of the Fort Madison

1 correctional facility, including salaries, support,  
2 maintenance, and miscellaneous purposes:  
3 ..... \$ ~~20,515,641~~  
4 42,686,899

5 As a condition of receiving an appropriation under  
6 this lettered paragraph the department of corrections  
7 shall submit, to the co-chairpersons and ranking  
8 members of the joint appropriations subcommittee on  
9 the justice system by January 15, 2013, the plans for  
10 the integration of the John Bennett facility and the  
11 clinical care unit into the new Fort Madison maximum  
12 security correctional facility and the future plans for  
13 the use of the current Fort Madison maximum security  
14 correctional facility after the inmates are transferred  
15 to the new facility.

16 b. For the operation of the Anamosa correctional  
17 facility, including salaries, support, maintenance, and  
18 miscellaneous purposes:  
19 ..... \$ ~~15,992,987~~  
20 33,697,392

21 It is the intent of the general assembly that the  
22 department of corrections fully operate the Luster  
23 Heights facility at the facility's 88-bed capacity.

24 c. For the operation of the Oakdale correctional  
25 facility, including salaries, support, maintenance, and  
26 miscellaneous purposes:  
27 ..... \$ ~~27,797,213~~  
28 57,950,613

29 d. For the operation of the Newton correctional  
30 facility, including salaries, support, maintenance, and  
31 miscellaneous purposes:  
32 ..... \$ ~~12,979,379~~  
33 27,127,290

34 e. For the operation of the Mt. Pleasant  
35 correctional facility, including salaries, support,  
36 maintenance, and miscellaneous purposes:  
37 ..... \$ ~~12,958,908~~  
38 26,751,707

39 f. For the operation of the Rockwell City  
40 correctional facility, including salaries, support,  
41 maintenance, and miscellaneous purposes:  
42 ..... \$ ~~4,658,233~~  
43 9,758,146

44 g. For the operation of the Clarinda correctional  
45 facility, including salaries, support, maintenance, and  
46 miscellaneous purposes:  
47 ..... \$ ~~12,241,178~~  
48 26,357,056

49 Moneys received by the department of corrections as  
50 reimbursement for services provided to the Clarinda

1 youth corporation are appropriated to the department  
2 and shall be used for the purpose of operating the  
3 Clarinda correctional facility.

4 h. For the operation of the Mitchellville  
5 correctional facility, including salaries, support,  
6 maintenance, and miscellaneous purposes:  
7 ..... \$ ~~7,807,687~~  
8 16,558,690

9 i. For the operation of the Fort Dodge correctional  
10 facility, including salaries, support, maintenance, and  
11 miscellaneous purposes:  
12 ..... \$ ~~14,531,118~~  
13 30,062,193

14 j. For reimbursement of counties for temporary  
15 confinement of work release and parole violators, as  
16 provided in sections 901.7, 904.908, and 906.17, and  
17 for offenders confined pursuant to section 904.513:  
18 ..... \$ ~~387,546~~  
19 1,075,092

20 k. For federal prison reimbursement, reimbursements  
21 for out-of-state placements, and miscellaneous  
22 contracts:  
23 ..... \$ ~~119,706~~  
24 484,411

25 ~~1. For three correctional officer full-time~~  
26 ~~equivalent positions that are to be assigned to~~  
27 ~~a correctional institution by the director of the~~  
28 ~~department of corrections:~~  
29 ~~..... \$ ~~78,581~~~~

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

34 Sec. 4. 2011 Iowa Acts, chapter 134, section 33, is  
35 amended to read as follows:

36 SEC. 33. DEPARTMENT OF CORRECTIONS —  
37 ADMINISTRATION. There is appropriated from the general  
38 fund of the state to the department of corrections for  
39 the fiscal year beginning July 1, 2012, and ending June  
40 30, 2013, the following amounts, or so much thereof as  
41 is necessary, to be used for the purposes designated:

42 1. For general administration, including salaries,  
43 support, maintenance, employment of an education  
44 director to administer a centralized education  
45 program for the correctional system, and miscellaneous  
46 purposes:  
47 ..... \$ ~~2,417,771~~  
48 5,181,582

49 0b. It is the intent of the general assembly  
50 that as a condition of receiving the appropriation

1 provided in this lettered paragraph the department of  
2 corrections shall not, except as otherwise provided  
3 in paragraph "c", enter into a new contract, unless  
4 the contract is a renewal of an existing contract,  
5 for the expenditure of moneys in excess of \$100,000  
6 during the fiscal year beginning July 1, 2012, for the  
7 privatization of services performed by the department  
8 using state employees as of July 1, 2012, or for the  
9 privatization of new services by the department without  
10 prior consultation with any applicable state employee  
11 organization affected by the proposed new contract and  
12 prior notification of the co-chairpersons and ranking  
13 members of the joint appropriations subcommittee on the  
14 justice system.

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

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

36 2. For educational programs for inmates at state  
37 penal institutions:  
38 ..... \$ 1,154,055  
39 2,558,109

40 b. It is the intent of the general assembly that  
41 moneys appropriated in this subsection shall be used  
42 solely for the purpose indicated and that the moneys  
43 shall not be transferred for any other purpose. In  
44 addition, it is the intent of the general assembly  
45 that the department shall consult with the community  
46 colleges in the areas in which the institutions  
47 are located to utilize moneys appropriated in this  
48 subsection to fund the high school completion, high  
49 school equivalency diploma, adult literacy, and adult  
50 basic education programs in a manner so as to maintain

1 these programs at the institutions.

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

8 d. The director of the department of corrections  
9 may transfer moneys from Iowa prison industries and the  
10 canteen operating funds established pursuant to section  
11 904.310, for use in educational programs for inmates.

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

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

20 ..... \$ 212,182  
21 ..... 424,364

22 4. For offender mental health and substance abuse  
23 treatment:

24 ..... \$ 11,160  
25 ..... 22,319

26 5. For viral hepatitis prevention and treatment:

27 ..... \$ 83,941  
28 ..... 167,881

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

49 ~~7. The department of corrections shall solicit~~  
50 ~~requests for information to improve efficiencies at the~~

1 ~~pharmacy under the control of the department.~~

2 Sec. 5. 2011 Iowa Acts, chapter 134, section 34, is  
3 amended to read as follows:

4 SEC. 34. JUDICIAL DISTRICT DEPARTMENTS OF  
5 CORRECTIONAL SERVICES.

6 1. There is appropriated from the general fund of  
7 the state to the department of corrections for the  
8 fiscal year beginning July 1, 2012, and ending June  
9 30, 2013, for salaries, support, maintenance, and  
10 miscellaneous purposes, the following amounts, or  
11 so much thereof as is necessary, to be allocated as  
12 follows:

- 13 a. For the first judicial district department of  
14 correctional services:  
15 ..... \$ ~~6,102,474~~  
16 14,301,004
- 17 b. For the second judicial district department of  
18 correctional services:  
19 ..... \$ ~~5,168,474~~  
20 11,001,278
- 21 c. For the third judicial district department of  
22 correctional services:  
23 ..... \$ ~~2,799,883~~  
24 7,245,713
- 25 d. For the fourth judicial district department of  
26 correctional services:  
27 ..... \$ ~~2,695,678~~  
28 5,520,807
- 29 e. For the fifth judicial district department of  
30 correctional services, including funding for electronic  
31 monitoring devices for use on a statewide basis:  
32 ..... \$ ~~9,371,065~~  
33 19,530,766
- 34 f. For the sixth judicial district department of  
35 correctional services:  
36 ..... \$ ~~6,556,282~~  
37 14,095,408
- 38 g. For the seventh judicial district department of  
39 correctional services:  
40 ..... \$ ~~3,246,407~~  
41 7,673,973
- 42 h. For the eighth judicial district department of  
43 correctional services:  
44 ..... \$ ~~3,439,858~~  
45 7,914,828

46 2. Each judicial district department of  
47 correctional services, within the funding available,  
48 shall continue programs and plans established within  
49 that district to provide for intensive supervision, sex  
50 offender treatment, diversion of low-risk offenders

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

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

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

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

23 Sec. 6. 2011 Iowa Acts, chapter 134, section 39, is  
24 amended to read as follows:

25 SEC. 39. IOWA LAW ENFORCEMENT ACADEMY.

26 1. There is appropriated from the general fund of  
27 the state to the Iowa law enforcement academy for the  
28 fiscal year beginning July 1, 2012, and ending June 30,  
29 2013, the following amount, or so much thereof as is  
30 necessary, to be used for the purposes designated:

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

35 .....	\$	434,349
36 .....		968,698
37 .....	FTEs	24.55
38 .....		25.50

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

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

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

16 Sec. 7. 2011 Iowa Acts, chapter 134, section 40, is  
 17 amended to read as follows:

18 SEC. 40. STATE PUBLIC DEFENDER. There is  
 19 appropriated from the general fund of the state to the  
 20 office of the state public defender of the department  
 21 of inspections and appeals for the fiscal year  
 22 beginning July 1, 2012, and ending June 30, 2013, the  
 23 following amounts, or so much thereof as is necessary,  
 24 to be allocated as follows for the purposes designated:

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

28 .....	\$	<u>12,541,591</u>
29 .....		<u>25,862,182</u>
30 .....	FTEs	219.00

31 2. For the ~~fees of court-appointed attorneys for~~  
 32 indigent payments on behalf of eligible adults and  
 33 juveniles from the indigent defense fund, in accordance  
 34 with section 232.141 and chapter 815 815.11:

35 .....	\$	<u>15,340,464</u>
36 .....		<u>29,901,929</u>

37 Sec. 8. 2011 Iowa Acts, chapter 134, section 41, is  
 38 amended to read as follows:

39 SEC. 41. BOARD OF PAROLE. There is appropriated  
 40 from the general fund of the state to the board of  
 41 parole for the fiscal year beginning July 1, 2012, and  
 42 ending June 30, 2013, the following amount, or so much  
 43 thereof as is necessary, to be used for the purposes  
 44 designated:

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

48 .....	\$	<u>526,918</u>
49 .....		<u>1,203,835</u>
50 .....	FTEs	<u>12.50</u>

13.00

Sec. 9. 2011 Iowa Acts, chapter 134, section 42, is amended to read as follows:

SEC. 42. DEPARTMENT OF PUBLIC DEFENSE. There is appropriated from the general fund of the state to the department of public defense for the fiscal year beginning July 1, 2012, and ending June 30, 2013, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. MILITARY DIVISION

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

.....	\$	<del>2,763,521</del>
		<u>5,527,042</u>
.....	FTEs	<del>313.00</del>
		<u>296.00</u>

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

2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION

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

.....	\$	<del>918,439</del>
		<u>1,836,877</u>
.....	FTEs	<del>40.00</del>
		<u>35.34</u>

For statewide flood mitigation:

.....	\$	<u>100,000</u>
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a. The homeland security and emergency management division may temporarily exceed and draw more than the ~~amount~~ amounts appropriated in this subsection and incur a negative cash balance as long as there are receivables of federal funds equal to or greater than the negative balance and the ~~amount~~ amounts appropriated in this subsection ~~is~~ are not exceeded at the close of the fiscal year.

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

1 Sec. 10. 2011 Iowa Acts, chapter 134, section 43,  
2 is amended to read as follows:

3 SEC. 43. DEPARTMENT OF PUBLIC SAFETY. There is  
4 appropriated from the general fund of the state to  
5 the department of public safety for the fiscal year  
6 beginning July 1, 2012, and ending June 30, 2013, the  
7 following amounts, or so much thereof as is necessary,  
8 to be used for the purposes designated:

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

13 .....	\$	<u>2,003,538</u>
14 .....		<u>4,007,075</u>
15 .....	FTEs	36.00

16 2. For the division of criminal investigation,  
17 including the state's contribution to the peace  
18 officers' retirement, accident, and disability system  
19 provided in chapter 97A in the amount of the state's  
20 normal contribution rate, as defined in section  
21 97A.8, multiplied by the salaries for which the  
22 funds are appropriated, to meet federal fund matching  
23 requirements, and for not more than the following  
24 full-time equivalent positions:

25 .....	\$	<u>6,266,966</u>
26 .....		<u>12,533,931</u>
27 .....	FTEs	<u>159.10</u>
28 .....		<u>154.60</u>

29 The department shall employ one additional special  
30 agent and one additional criminalist for the purpose  
31 of investigating cold cases. Prior to employing the  
32 additional special agent and criminalist authorized  
33 in this paragraph, the department shall provide a  
34 written statement to prospective employees that states  
35 to the effect that the positions are being funded by  
36 a temporary federal grant and there are no assurances  
37 that funds from other sources will be available after  
38 the federal funding expires. If the federal funding  
39 for the additional positions expires during the fiscal  
40 year, the number of full-time equivalent positions  
41 authorized in this subsection is reduced by 2.00 FTEs.

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

44 .....	\$	<u>151,173</u>
45 .....		<u>302,345</u>

46 4. a. For the division of narcotics enforcement,  
47 including the state's contribution to the peace  
48 officers' retirement, accident, and disability system  
49 provided in chapter 97A in the amount of the state's  
50 normal contribution rate, as defined in section

1 97A.8, multiplied by the salaries for which the  
 2 funds are appropriated, to meet federal fund matching  
 3 requirements, and for not more than the following  
 4 full-time equivalent positions:

5 .....	\$	<u>3,214,942</u>
6 .....		<u>6,429,884</u>
7 .....	FTEs	<u>74.00</u>
8 .....		<u>68.00</u>

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

11 .....	\$	<u>54,521</u>
12 .....		<u>109,042</u>

13 5. For the division of state fire marshal, for fire  
 14 protection services as provided through the state fire  
 15 service and emergency response council as created in  
 16 the department, and for the state's contribution to the  
 17 peace officers' retirement, accident, and disability  
 18 system provided in chapter 97A in the amount of the  
 19 state's normal contribution rate, as defined in section  
 20 97A.8, multiplied by the salaries for which the funds  
 21 are appropriated, and for not more than the following  
 22 full-time equivalent positions:

23 .....	\$	<u>2,149,354</u>
24 .....		<u>4,298,707</u>
25 .....	FTEs	<u>55.00</u>
26 .....		<u>54.00</u>

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

36 .....	\$	<u>25,951,617</u>
37 .....		<u>52,403,233</u>
38 .....	FTEs	<u>513.00</u>
39 .....		<u>502.00</u>

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

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

48 .....	\$	<u>139,759</u>
49 .....		<u>279,517</u>

50 8. For costs associated with the training and

1 equipment needs of volunteer fire fighters:  
 2 ..... \$ 362,760  
 3 ..... 795,520

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

11 b. Notwithstanding section 8.39, within the  
 12 moneys appropriated in this section, the department  
 13 of public safety may reallocate moneys as necessary  
 14 to best fulfill the needs provided for in the  
 15 appropriation. However, the department shall not  
 16 reallocate an appropriation made to the department  
 17 in this section unless notice of the reallocation  
 18 is given to the legislative services agency and  
 19 the department of management prior to the effective  
 20 date of the reallocation. The notice shall include  
 21 information regarding the rationale for reallocating  
 22 the appropriation. The department shall not reallocate  
 23 an appropriation made in this section for the purpose  
 24 of eliminating any program.

25 9. For costs associated with the training and  
 26 operation of the statewide interoperable communications  
 27 system board excluding salaries and contracts:

28 ..... \$ 148,000

29 Sec. 11. 2011 Iowa Acts, chapter 134, section 44,  
 30 is amended to read as follows:

31 SEC. 44. GAMING ENFORCEMENT.

32 1. There is appropriated from the gaming  
 33 enforcement revolving fund created in section 80.43 to  
 34 the department of public safety for the fiscal year  
 35 beginning July 1, 2012, and ending June 30, 2013, the  
 36 following amount, or so much thereof as is necessary,  
 37 to be used for the purposes designated:

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

45 ..... \$ 4,918,153  
 46 ..... 10,335,709  
 47 ..... FTEs 120.00  
 48 ..... 115.00

49 2. For each additional license to conduct gambling  
 50 games on an excursion gambling boat, gambling

1 structure, or racetrack enclosure issued during  
2 the fiscal year beginning July 1, 2012, there is  
3 appropriated from the gaming enforcement fund to  
4 the department of public safety for the fiscal year  
5 beginning July 1, 2012, and ending June 30, 2013, an  
6 additional amount of not more than \$521,000 to be used  
7 for not more than 6.00 additional full-time equivalent  
8 positions.

9 3. The department of public safety, with the  
10 approval of the department of management, may employ  
11 no more than two special agents and four gaming  
12 enforcement officers for each additional riverboat  
13 or gambling structure regulated after July 1, 2012,  
14 and one special agent for each racing facility which  
15 becomes operational during the fiscal year which  
16 begins July 1, 2012. One additional gaming enforcement  
17 officer, up to a total of four per riverboat or  
18 gambling structure, may be employed for each riverboat  
19 or gambling structure that has extended operations to  
20 24 hours and has not previously operated with a 24-hour  
21 schedule. Positions authorized in this subsection  
22 are in addition to the full-time equivalent positions  
23 otherwise authorized in this section.

24 Sec. 12. 2011 Iowa Acts, chapter 134, section 45,  
25 is amended to read as follows:

26 SEC. 45. CIVIL RIGHTS COMMISSION. There is  
27 appropriated from the general fund of the state to the  
28 Iowa state civil rights commission for the fiscal year  
29 beginning July 1, 2012, and ending June 30, 2013, the  
30 following amount, or so much thereof as is necessary,  
31 to be used for the purposes designated:

32 For salaries, support, maintenance, miscellaneous  
33 purposes, and for not more than the following full-time  
34 equivalent positions:  
35 ..... \$ 648,535  
36 ..... 1,297,069  
37 ..... FTEs 28.00

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

42 Sec. 13. 2011 Iowa Acts, chapter 134, is amended by  
43 adding the following new section:

44 NEW SECTION. SEC. 45A. DIVISION OF CRIMINAL AND  
45 JUVENILE JUSTICE PLANNING — APPROPRIATION. There is  
46 appropriated from the general fund of the state to the  
47 division of criminal and juvenile justice planning of  
48 the department of human rights for the fiscal year  
49 beginning July 1, 2012, and ending June 30, 2013, the  
50 following amount, or so much thereof as is necessary,

1 to be used for the purposes designated:  
2 For criminal and juvenile justice research:  
3 ..... \$ 80,000  
4 ..... FTEs 1.00

5 Sec. 14. 2011 Iowa Acts, chapter 134, section 46,  
6 is amended to read as follows:

7 SEC. 46. HOMELAND SECURITY AND EMERGENCY MANAGEMENT  
8 DIVISION. There is appropriated from the wireless  
9 E911 emergency communications fund created in section  
10 34A.7A to the administrator of the homeland security  
11 and emergency management division of the department of  
12 public defense for the fiscal year beginning July 1,  
13 2012, and ending June 30, 2013, an amount not exceeding  
14 ~~\$200,000~~ \$250,000 to be used for implementation,  
15 support, and maintenance of the functions of the  
16 administrator and program manager under chapter 34A and  
17 to employ the auditor of the state to perform an annual  
18 audit of the wireless E911 emergency communications  
19 fund.

20 Sec. 15. Section 80.18, unnumbered paragraph 2,  
21 Code 2011, is amended to read as follows:

22 The department may expend moneys from the support  
23 allocation of the department as reimbursement for  
24 replacement or repair of personal items of the  
25 department's peace officers or employees damaged or  
26 destroyed during a peace officer's or employee's course  
27 of employment. However, the reimbursement shall not  
28 exceed the greater of ~~one hundred fifty~~ two hundred  
29 dollars or the amount agreed to under the collective  
30 bargaining agreement for each item. The department  
31 shall adopt rules in accordance with chapter 17A to  
32 administer this paragraph.

33 Sec. 16. Section 80.43, subsection 1, Code 2011, is  
34 amended to read as follows:

35 1. A gaming enforcement revolving fund is created  
36 in the state treasury under the control of the  
37 department. The fund shall consist of fees collected  
38 and deposited into the fund paid by licensees pursuant  
39 to section 99D.14, subsection 2, paragraph "b", and  
40 fees paid by licensees pursuant to section 99F.10,  
41 subsection 4, paragraph "b". All costs for agents and  
42 officers plus any direct ~~and indirect~~ support costs for  
43 such agents and officers of the division of criminal  
44 investigation's racetrack, excursion boat, or gambling  
45 structure enforcement activities shall be paid from  
46 the fund as provided in appropriations made for this  
47 purpose by the general assembly.

48 Sec. 17. Section 85.67, Code 2011, is amended to  
49 read as follows:

50 **85.67 Administration of fund — special counsel —**

1 payment of award.

2 The attorney general shall appoint a staff member to  
3 represent the treasurer of state and the fund in all  
4 proceedings and matters arising under this division.  
5 The attorney general shall be reimbursed up to ~~one~~  
6 ~~hundred fifty~~ two hundred thousand dollars annually  
7 from the fund for services provided related to the  
8 fund. The commissioner of insurance shall consider the  
9 reimbursement to the attorney general as an outstanding  
10 liability when making a determination of funding  
11 availability under section 85.65A, subsection 2. In  
12 making an award under this division, the workers'  
13 compensation commissioner shall specifically find the  
14 amount the injured employee shall be paid weekly, the  
15 number of weeks of compensation which shall be paid by  
16 the employer, the date upon which payments out of the  
17 fund shall begin, and, if possible, the length of time  
18 the payments shall continue.

19 Sec. 18. Section 99D.14, subsection 2, paragraph b,  
20 Code Supplement 2011, is amended to read as follows:

21 b. Notwithstanding sections 8.60 and 99D.17, the  
22 portion of the fee paid pursuant to paragraph "a"  
23 relating to the costs of special agents plus any  
24 direct and indirect support costs for the agents, for  
25 the division of criminal investigation's racetrack  
26 activities, ~~shall not be deposited in the general~~  
27 ~~fund of the state but instead~~ shall be deposited into  
28 the gaming enforcement revolving fund established  
29 in section 80.43. However, the department of public  
30 safety shall transfer, on an annual basis, the portion  
31 of the regulatory fee attributable to the indirect  
32 support costs of the special agents to the general fund  
33 of the state.

34 Sec. 19. Section 99F.10, subsection 4, paragraph b,  
35 Code Supplement 2011, is amended to read as follows:

36 b. Notwithstanding sections 8.60 and 99F.4, the  
37 portion of the fee paid pursuant to paragraph "a"  
38 relating to the costs of special agents and officers  
39 plus any direct and indirect support costs for the  
40 agents and officers, for the division of criminal  
41 investigation's excursion gambling boat or gambling  
42 structure activities, ~~shall not be deposited in~~  
43 ~~the general fund of the state but instead~~ shall be  
44 deposited into the gaming enforcement revolving fund  
45 established in section 80.43. However, the department  
46 of public safety shall transfer, on an annual basis,  
47 the portion of the regulatory fee attributable to the  
48 indirect support costs of the special agents and gaming  
49 enforcement officers to the general fund of the state.

50 Sec. 20. Section 654.4B, subsection 2, paragraph b,

1 Code Supplement 2011, is amended to read as follows:  
2     *b.* This subsection is repealed July 1, ~~2012~~ 2013.  
3     Sec. 21. Section 904A.4A, Code 2011, is amended by  
4 adding the following new subsections:  
5     NEW SUBSECTION. 7. Act as the representative of  
6 the board relative to the passage, defeat, approval, or  
7 modification of legislation that is being considered by  
8 the general assembly.  
9     NEW SUBSECTION. 8. Develop a budget for the board  
10 subject to the approval of the board and prepare all  
11 reports required by law.  
12     NEW SUBSECTION. 9. Hire and supervise all staff  
13 pursuant to the provisions of chapter 8A, subchapter  
14 IV.  
15     Sec. 22. REPEAL. Section 904A.4B, Code 2011, is  
16 repealed.  
17     Sec. 23. DEPARTMENT OF PUBLIC SAFETY BUILDING  
18 DESIGNATION. The state office building located at  
19 215 east seventh street, which houses the department  
20 of public safety, shall be named after Oran Pape, the  
21 first member of the state patrol killed in the line of  
22 duty and the only member of the state patrol to have  
23 been murdered. An appropriate commemorative plaque  
24 shall be placed near the entrance of the state building  
25 in recognition of Oran Pape and his sacrifice as a  
26 member of the state patrol.  
27     Sec. 24. EFFECTIVE UPON ENACTMENT. The following  
28 provisions of this Act, being deemed of immediate  
29 importance, take effect upon enactment:  
30     1. The section of this Act amending section 80.43,  
31 subsection 1.  
32     2. The section of this Act amending section 99D.14,  
33 subsection 2, paragraph "b".  
34     3. The section of this Act amending section 99F.10,  
35 subsection 4.>