

House File 2335

S-5056

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	214.00

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	\$	1,568,082
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	\$	12,541,591
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	\$	15,340,464
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	\$	526,918
49		<u>1,203,835</u>
50	FTEs	12.50

13.00

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

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

10 1. MILITARY DIVISION

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

14	\$	2,763,521
15		<u>5,675,042</u>
16	FTEs	<u>313.00</u>
17		<u>297.01</u>

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

25 2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT
26 DIVISION

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

30	\$	918,439
31		<u>1,836,877</u>
32	FTEs	<u>40.00</u>
33		<u>35.34</u>

34 For statewide flood mitigation:

35	\$	<u>100,000</u>
----------	----	----------------

36 a. The homeland security and emergency management
37 division may temporarily exceed and draw more than
38 the ~~amount~~ amounts appropriated in this subsection
39 and incur a negative cash balance as long as there
40 are receivables of federal funds equal to or greater
41 than the negative balance and the ~~amount~~ amounts
42 appropriated in this subsection ~~is~~ are not exceeded at
43 the close of the fiscal year.

44 b. It is the intent of the general assembly that
45 the homeland security and emergency management division
46 work in conjunction with the department of public
47 safety, to the extent possible, when gathering and
48 analyzing information related to potential domestic
49 or foreign security threats, and when monitoring such
50 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 \$ 3,214,942
6 6,429,884
7 FTEs 74.00
8 68.00

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

11 \$ 54,521
12 109,042

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 \$ 2,149,354
24 4,298,707
25 FTEs 55.00
26 54.00

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 \$ 25,951,617
37 52,403,233
38 FTEs 513.00
39 502.00

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 \$ 139,759
49 279,517

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

27 SEC. 44. GAMING ENFORCEMENT.

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

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

41 \$ 4,918,153
 42 10,335,709
 43 FTEs 120.00
 44 115.00

45 2. For each additional license to conduct gambling
 46 games on an excursion gambling boat, gambling
 47 structure, or racetrack enclosure issued during
 48 the fiscal year beginning July 1, 2012, there is
 49 appropriated from the gaming enforcement fund to
 50 the department of public safety for the fiscal year

1 beginning July 1, 2012, and ending June 30, 2013, an
2 additional amount of not more than \$521,000 to be used
3 for not more than 6.00 additional full-time equivalent
4 positions.

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

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

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

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

31	\$	648,535
32		<u>1,297,069</u>
33	FTEs	28.00

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

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

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

48 For criminal and juvenile justice research:

49	\$	80,000
50	FTEs	1.00

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

3 SEC. 46. HOMELAND SECURITY AND EMERGENCY MANAGEMENT
4 DIVISION. There is appropriated from the wireless
5 E911 emergency communications fund created in section
6 34A.7A to the administrator of the homeland security
7 and emergency management division of the department of
8 public defense for the fiscal year beginning July 1,
9 2012, and ending June 30, 2013, an amount not exceeding
10 ~~\$200,000~~ \$250,000 to be used for implementation,
11 support, and maintenance of the functions of the
12 administrator and program manager under chapter 34A and
13 to employ the auditor of the state to perform an annual
14 audit of the wireless E911 emergency communications
15 fund.

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

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

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

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

44 Sec. 17. Section 85.67, Code 2011, is amended to
45 read as follows:

46 **85.67 Administration of fund — special counsel —**
47 **payment of award.**

48 The attorney general shall appoint a staff member to
49 represent the treasurer of state and the fund in all
50 proceedings and matters arising under this division.

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

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

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

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

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

46 Sec. 20. Section 654.4B, subsection 2, paragraph b,
47 Code Supplement 2011, is amended to read as follows:

48 b. This subsection is repealed July 1, ~~2012~~ 2013.

49 Sec. 21. EFFECTIVE UPON ENACTMENT. The following
50 provisions of this Act, being deemed of immediate

1 importance, take effect upon enactment:

2 1. The section of this Act amending section 80.43,
3 subsection 1.

4 2. The section of this Act amending section 99D.14,
5 subsection 2, paragraph "b".

6 3. The section of this Act amending section 99F.10,
7 subsection 4.>

COMMITTEE ON APPROPRIATIONS
ROBERT E. DVORSKY, CHAIRPERSON