

House File 811 - Enrolled

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1 1 HOUSE FILE 811
1 2
1 3 AN ACT
1 4 RELATING TO AND MAKING APPROPRIATIONS TO THE JUSTICE SYSTEM,
1 5 REVISING PRETRIAL RELEASE REQUIREMENTS FOR CERTAIN CRIMINAL
1 6 OFFENSES, AND PROVIDING AN EFFECTIVE DATE.
1 7
1 8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
1 9
1 10 DIVISION I
1 11 FY 2005=2006 APPROPRIATIONS
1 12 JUSTICE SYSTEM
1 13 Section 1. DEPARTMENT OF JUSTICE.
1 14 1. There is appropriated from the general fund of the
1 15 state to the department of justice for the fiscal year
1 16 beginning July 1, 2005, and ending June 30, 2006, the
1 17 following amounts, or so much thereof as is necessary, to be
1 18 used for the purposes designated:
1 19 a. For the general office of attorney general for
1 20 salaries, support, maintenance, miscellaneous purposes
1 21 including the prosecuting attorneys training program, victim
1 22 assistance grants, office of drug control policy (ODCP)
1 23 prosecuting attorney program, legal services for persons in
1 24 poverty grants as provided in section 13.34, odometer fraud
1 25 enforcement, and for not more than the following full-time
1 26 equivalent positions:
1 27 \$ 8,024,280
1 28 FTEs 214.50
1 29 It is the intent of the general assembly that as a
1 30 condition of receiving the appropriation provided in this
1 31 lettered paragraph, the department of justice shall maintain a
1 32 record of the estimated time incurred representing each agency
1 33 or department.
1 34 b. For victim assistance grants:
1 35 \$ 5,000
2 1 The funds appropriated in this lettered paragraph shall be
2 2 used to provide grants to care providers providing services to
2 3 crime victims of domestic abuse or to crime victims of rape
2 4 and sexual assault.
2 5 c. For legal services for persons in poverty grants as
2 6 provided in section 13.34:
2 7 \$ 900,000
2 8 2. In addition to the funds appropriated in subsection 1,
2 9 there is appropriated from the general fund of the state to
2 10 the department of justice for the fiscal year beginning July
2 11 1, 2005, and ending June 30, 2006, an amount not exceeding
2 12 \$200,000 to be used for the enforcement of the Iowa
2 13 competition law. The funds appropriated in this subsection
2 14 are contingent upon receipt by the general fund of the state
2 15 of an amount at least equal to the expenditure amount from
2 16 either damages awarded to the state or a political subdivision
2 17 of the state by a civil judgment under chapter 553, if the
2 18 judgment authorizes the use of the award for enforcement
2 19 purposes or costs or attorneys fees awarded the state in state
2 20 or federal antitrust actions. However, if the amounts
2 21 received as a result of these judgments are in excess of
2 22 \$200,000, the excess amounts shall not be appropriated to the
2 23 department of justice pursuant to this subsection. The
2 24 department of justice shall report the department's actual
2 25 costs and an estimate of the time incurred enforcing the
2 26 competition law, to the co-chairpersons and ranking members of
2 27 the joint appropriations subcommittee on the justice system,
2 28 and to the legislative services agency by November 15, 2005.
2 29 3. In addition to the funds appropriated in subsection 1,
2 30 there is appropriated from the general fund of the state to
2 31 the department of justice for the fiscal year beginning July
2 32 1, 2005, and ending June 30, 2006, an amount not exceeding
2 33 \$1,125,000 to be used for public education relating to
2 34 consumer fraud and for enforcement of section 714.16, and an
2 35 amount not exceeding \$75,000 for investigation, prosecution,
3 1 and consumer education relating to consumer and criminal fraud
3 2 against older Iowans. The funds appropriated in this
3 3 subsection are contingent upon receipt by the general fund of
3 4 the state of an amount at least equal to the expenditure
3 5 amount from damages awarded to the state or a political

3 6 subdivision of the state by a civil consumer fraud judgment or
3 7 settlement, if the judgment or settlement authorizes the use
3 8 of the award for public education on consumer fraud. However,
3 9 if the funds received as a result of these judgments and
3 10 settlements are in excess of \$1,200,000, the excess funds
3 11 shall not be appropriated to the department of justice
3 12 pursuant to this subsection. The department of justice shall
3 13 report to the co-chairpersons and ranking members of the joint
3 14 appropriations subcommittee on the justice system, and to the
3 15 legislative services agency by November 15, 2005, the
3 16 department's actual costs and an estimate of the time incurred
3 17 in providing education pursuant to and enforcing this
3 18 subsection.

3 19 4. The balance of the victim compensation fund established
3 20 in section 915.94 may be used to provide salary and support of
3 21 not more than 22 FTEs and to provide maintenance for the
3 22 victim compensation functions of the department of justice.

3 23 5. As a condition of receiving the appropriation in
3 24 subsection 1, the department of justice shall transfer at
3 25 least \$2,450,000 from the victim compensation fund established
3 26 in section 915.94 to the victim assistance grant program.

3 27 6. a. The department of justice, in submitting budget
3 28 estimates for the fiscal year commencing July 1, 2006,
3 29 pursuant to section 8.23, shall include a report of funding
3 30 from sources other than amounts appropriated directly from the
3 31 general fund of the state to the department of justice or to
3 32 the office of consumer advocate. These funding sources shall
3 33 include, but are not limited to, reimbursements from other
3 34 state agencies, commissions, boards, or similar entities, and
3 35 reimbursements from special funds or internal accounts within
4 1 the department of justice. The department of justice shall
4 2 report actual reimbursements for the fiscal year commencing
4 3 July 1, 2004, and actual and expected reimbursements for the
4 4 fiscal year commencing July 1, 2005.

4 5 b. The department of justice shall include the report
4 6 required under paragraph "a", as well as information regarding
4 7 any revisions occurring as a result of reimbursements actually
4 8 received or expected at a later date, in a report to the co=
4 9 chairpersons and ranking members of the joint appropriations
4 10 subcommittee on the justice system and the legislative
4 11 services agency. The department of justice shall submit the
4 12 report on or before January 15, 2006.

4 13 Sec. 2. DEPARTMENT OF JUSTICE == ENVIRONMENTAL CRIMES
4 14 INVESTIGATION AND PROSECUTION == FUNDING. There is
4 15 appropriated from the environmental crime fund of the
4 16 department of justice, consisting of court-ordered fines and
4 17 penalties awarded to the department arising out of the
4 18 prosecution of environmental crimes, to the department of
4 19 justice for the fiscal year beginning July 1, 2005, and ending
4 20 June 30, 2006, an amount not exceeding \$20,000 to be used by
4 21 the department, at the discretion of the attorney general, for
4 22 the investigation and prosecution of environmental crimes,
4 23 including the reimbursement of expenses incurred by county,
4 24 municipal, and other local governmental agencies cooperating
4 25 with the department in the investigation and prosecution of
4 26 environmental crimes.

4 27 The funds appropriated in this section are contingent upon
4 28 receipt by the environmental crime fund of the department of
4 29 justice of an amount at least equal to the appropriations made
4 30 in this section and received from contributions, court-ordered
4 31 restitution as part of judgments in criminal cases, and
4 32 consent decrees entered into as part of civil or regulatory
4 33 enforcement actions. However, if the funds received during
4 34 the fiscal year are in excess of \$20,000, the excess funds
4 35 shall be deposited in the general fund of the state.

5 1 Notwithstanding section 8.33, moneys appropriated in this
5 2 section that remain unencumbered or unobligated at the close
5 3 of the fiscal year shall not revert but shall remain available
5 4 for expenditure for the purpose designated until the close of
5 5 the succeeding fiscal year.

5 6 Sec. 3. OFFICE OF CONSUMER ADVOCATE. There is
5 7 appropriated from the general fund of the state to the office
5 8 of consumer advocate of the department of justice for the
5 9 fiscal year beginning July 1, 2005, and ending June 30, 2006,
5 10 the following amount, or so much thereof as is necessary, to
5 11 be used for the purposes designated:

5 12 For salaries, support, maintenance, miscellaneous purposes,
5 13 and for not more than the following full-time equivalent
5 14 positions:
5 15 \$ 2,810,442
5 16 FTEs 27.00

5 17 Sec. 4. DEPARTMENT OF CORRECTIONS == FACILITIES.
5 18 1. There is appropriated from the general fund of the
5 19 state to the department of corrections for the fiscal year
5 20 beginning July 1, 2005, and ending June 30, 2006, the
5 21 following amounts, or so much thereof as is necessary, to be
5 22 used for the purposes designated:

5 23 For the operation of adult correctional institutions,
5 24 reimbursement of counties for certain confinement costs, and
5 25 federal prison reimbursement, to be allocated as follows:

5 26 a. For the operation of the Fort Madison correctional
5 27 facility, including salaries, support, maintenance, and
5 28 miscellaneous purposes:
5 29 \$ 38,840,761

5 30 b. For the operation of the Anamosa correctional facility,
5 31 including salaries, support, maintenance, and miscellaneous
5 32 purposes:
5 33 \$ 27,199,702

5 34 Moneys are provided within this appropriation for one full=
5 35 time substance abuse counselor for the Luster Heights
6 1 facility, for the purpose of certification of a substance
6 2 abuse program at that facility.

6 3 c. For the operation of the Oakdale correctional facility,
6 4 including salaries, support, maintenance, and miscellaneous
6 5 purposes:
6 6 \$ 25,650,778

6 7 d. For the operation of the Newton correctional facility,
6 8 including salaries, support, maintenance, and miscellaneous
6 9 purposes:
6 10 \$ 24,916,132

6 11 e. For the operation of the Mt. Pleasant correctional
6 12 facility, including salaries, support, maintenance, and
6 13 miscellaneous purposes:
6 14 \$ 23,694,840

6 15 f. For the operation of the Rockwell City correctional
6 16 facility, including salaries, support, maintenance, and
6 17 miscellaneous purposes:
6 18 \$ 8,039,378

6 19 g. For the operation of the Clarinda correctional
6 20 facility, including salaries, support, maintenance, and
6 21 miscellaneous purposes:
6 22 \$ 22,853,497

6 23 Moneys received by the department of corrections as
6 24 reimbursement for services provided to the Clarinda youth
6 25 corporation are appropriated to the department and shall be
6 26 used for the purpose of operating the Clarinda correctional
6 27 facility.

6 28 h. For the operation of the Mitchellville correctional
6 29 facility, including salaries, support, maintenance, and
6 30 miscellaneous purposes:
6 31 \$ 13,867,603

6 32 i. For the operation of the Fort Dodge correctional
6 33 facility, including salaries, support, maintenance, and
6 34 miscellaneous purposes:
6 35 \$ 26,244,693

7 1 j. For reimbursement of counties for temporary confinement
7 2 of work release and parole violators, as provided in sections
7 3 901.7, 904.908, and 906.17 and for offenders confined pursuant
7 4 to section 904.513:
7 5 \$ 674,954

7 6 k. For federal prison reimbursement, reimbursements for
7 7 out-of-state placements, and miscellaneous contracts:
7 8 \$ 241,293

7 9 2. The department of corrections shall use funds
7 10 appropriated in subsection 1 to continue to contract for the
7 11 services of a Muslim imam.

7 12 Sec. 5. DEPARTMENT OF CORRECTIONS == ADMINISTRATION.
7 13 1. There is appropriated from the general fund of the
7 14 state to the department of corrections for the fiscal year
7 15 beginning July 1, 2005, and ending June 30, 2006, the
7 16 following amounts, or so much thereof as is necessary, to be
7 17 used for the purposes designated:

7 18 a. For general administration, including salaries,
7 19 support, maintenance, employment of an education director to
7 20 administer a centralized education program for the
7 21 correctional system, and miscellaneous purposes:
7 22 \$ 2,829,708

7 23 (1) It is the intent of the general assembly that as a
7 24 condition of receiving the appropriation provided in this
7 25 lettered paragraph, the department of corrections shall not,
7 26 except as otherwise provided in subparagraph (3), enter into a
7 27 new contract, unless the contract is a renewal of an existing

7 28 contract, for the expenditure of moneys in excess of \$100,000
7 29 during the fiscal year beginning July 1, 2005, for the
7 30 privatization of services performed by the department using
7 31 state employees as of July 1, 2005, or for the privatization
7 32 of new services by the department, without prior consultation
7 33 with any applicable state employee organization affected by
7 34 the proposed new contract and prior notification of the co=
7 35 chairpersons and ranking members of the joint appropriations
8 1 subcommittee on the justice system.

8 2 (2) It is the intent of the general assembly that each
8 3 lease negotiated by the department of corrections with a
8 4 private corporation for the purpose of providing private
8 5 industry employment of inmates in a correctional institution
8 6 shall prohibit the private corporation from utilizing inmate
8 7 labor for partisan political purposes for any person seeking
8 8 election to public office in this state and that a violation
8 9 of this requirement shall result in a termination of the lease
8 10 agreement.

8 11 (3) It is the intent of the general assembly that as a
8 12 condition of receiving the appropriation provided in this
8 13 lettered paragraph, the department of corrections shall not
8 14 enter into a lease or contractual agreement pursuant to
8 15 section 904.809 with a private corporation for the use of
8 16 building space for the purpose of providing inmate employment
8 17 without providing that the terms of the lease or contract
8 18 establish safeguards to restrict, to the greatest extent
8 19 feasible, access by inmates working for the private
8 20 corporation to personal identifying information of citizens.

8 21 b. For educational programs for inmates at state penal
8 22 institutions:

8 23 \$ 1,058,358

8 24 It is the intent of the general assembly that moneys
8 25 appropriated in this lettered paragraph shall be used solely
8 26 for the purpose indicated and that the moneys shall not be
8 27 transferred for any other purpose. In addition, it is the
8 28 intent of the general assembly that the department shall
8 29 consult with the community colleges in the areas in which the
8 30 institutions are located to utilize moneys appropriated in
8 31 this lettered paragraph to fund the high school completion,
8 32 high school equivalency diploma, adult literacy, and adult
8 33 basic education programs in a manner so as to maintain these
8 34 programs at the institutions.

8 35 To maximize the funding for educational programs, the
9 1 department shall establish guidelines and procedures to
9 2 prioritize the availability of educational and vocational
9 3 training for inmates based upon the goal of facilitating an
9 4 inmate's successful release from the correctional institution.

9 5 The director of the department of corrections may transfer
9 6 moneys from Iowa prison industries for use in educational
9 7 programs for inmates.

9 8 Notwithstanding section 8.33, moneys appropriated in this
9 9 lettered paragraph that remain unobligated or unexpended at
9 10 the close of the fiscal year shall not revert but shall remain
9 11 available for expenditure only for the purpose designated in
9 12 this lettered paragraph until the close of the succeeding
9 13 fiscal year.

9 14 c. For the development of the Iowa corrections offender
9 15 network (ICON) data system:

9 16 \$ 427,700

9 17 d. For offender mental health and substance abuse
9 18 treatment:

9 19 \$ 125,000

9 20 2. It is the intent of the general assembly that the
9 21 department of corrections shall continue to operate the
9 22 correctional farms under the control of the department at the
9 23 same or greater level of participation and involvement as
9 24 existed as of January 1, 2005, shall not enter into any rental
9 25 agreement or contract concerning any farmland under the
9 26 control of the department that is not subject to a rental
9 27 agreement or contract as of January 1, 2005, without prior
9 28 legislative approval, and shall further attempt to provide job
9 29 opportunities at the farms for inmates. The department shall
9 30 attempt to provide job opportunities at the farms for inmates
9 31 by encouraging labor-intensive farming or gardening where
9 32 appropriate, using inmates to grow produce and meat for
9 33 institutional consumption, researching the possibility of
9 34 instituting food canning and cook-and-chill operations, and
9 35 exploring opportunities for organic farming and gardening,
10 1 livestock ventures, horticulture, and specialized crops.

10 2 3. The department shall work to increase produce gardening
10 3 by inmates under the control of the correctional institutions,

10 4 and, if appropriate, may use the central distribution network
10 5 at the Woodward state resource center. The department shall
10 6 file a report with the co-chairpersons and ranking members of
10 7 the joint appropriations subcommittee on the justice system by
10 8 December 1, 2005, regarding the feasibility of expanding the
10 9 number of acres devoted to organic gardening and to the
10 10 growing of organic produce for sale.

10 11 4. The department of corrections shall submit a report to
10 12 the general assembly by January 1, 2006, concerning moneys
10 13 recouped from inmate earnings for the reimbursement of
10 14 operational expenses of the applicable facility during the
10 15 fiscal year beginning July 1, 2004, for each correctional
10 16 institution and judicial district department of correctional
10 17 services. In addition, each correctional institution and
10 18 judicial district department of correctional services shall
10 19 continue to submit a report to the legislative services agency
10 20 on a monthly basis concerning moneys recouped from inmate
10 21 earnings pursuant to sections 904.702, 904.809, and 905.14.

10 22 5. It is the intent of the general assembly that as a
10 23 condition of receiving the appropriation provided in this
10 24 lettered paragraph, the department shall not enter into any
10 25 agreement with a private sector nongovernmental entity for the
10 26 purpose of housing inmates committed to the custody of the
10 27 director of the department, without express authorization of
10 28 the general assembly to do so.

10 29 Sec. 6. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL
10 30 SERVICES.

10 31 1. There is appropriated from the general fund of the
10 32 state to the department of corrections for the fiscal year
10 33 beginning July 1, 2005, and ending June 30, 2006, the
10 34 following amounts, or so much thereof as is necessary, to be
10 35 allocated as follows:

11 1 a. For the first judicial district department of
11 2 correctional services, including the treatment and supervision
11 3 of probation and parole violators who have been released from
11 4 the department of corrections violator program, the following
11 5 amount, or so much thereof as is necessary:

11 6 \$ 10,501,186

11 7 b. For the second judicial district department of
11 8 correctional services, including the treatment and supervision
11 9 of probation and parole violators who have been released from
11 10 the department of corrections violator program, the following
11 11 amount, or so much thereof as is necessary:

11 12 \$ 8,230,603

11 13 c. For the third judicial district department of
11 14 correctional services, including the treatment and supervision
11 15 of probation and parole violators who have been released from
11 16 the department of corrections violator program, the following
11 17 amount, or so much thereof as is necessary:

11 18 \$ 4,805,458

11 19 d. For the fourth judicial district department of
11 20 correctional services, including the treatment and supervision
11 21 of probation and parole violators who have been released from
11 22 the department of corrections violator program, the following
11 23 amount, or so much thereof as is necessary:

11 24 \$ 4,427,796

11 25 e. For the fifth judicial district department of
11 26 correctional services, including the treatment and supervision
11 27 of probation and parole violators who have been released from
11 28 the department of corrections violator program, and funding
11 29 for electronic monitoring devices for use on a statewide
11 30 basis, the following amount, or so much thereof as is
11 31 necessary:

11 32 \$ 14,167,169

11 33 f. For the sixth judicial district department of
11 34 correctional services, including the treatment and supervision
11 35 of probation and parole violators who have been released from
12 1 the department of corrections violator program, the following
12 2 amount, or so much thereof as is necessary:

12 3 \$ 10,378,668

12 4 g. For the seventh judicial district department of
12 5 correctional services, including the treatment and supervision
12 6 of probation and parole violators who have been released from
12 7 the department of corrections violator program, the following
12 8 amount, or so much thereof as is necessary:

12 9 \$ 5,870,653

12 10 h. For the eighth judicial district department of
12 11 correctional services, including the treatment and supervision
12 12 of probation and parole violators who have been released from
12 13 the department of corrections violator program, the following
12 14 amount, or so much thereof as is necessary:

12 15 \$ 5,970,648

12 16 As a condition of the funds appropriated in this paragraph,
12 17 the eighth judicial district department of correctional
12 18 services shall establish a drug court that uses the community=
12 19 panel model.

12 20 2. Each judicial district department of correctional
12 21 services, within the funding available, shall continue
12 22 programs and plans established within that district to provide
12 23 for intensive supervision, sex offender treatment, diversion
12 24 of low-risk offenders to the least restrictive sanction
12 25 available, job development, and expanded use of intermediate
12 26 criminal sanctions.

12 27 3. Each judicial district department of correctional
12 28 services shall provide alternatives to prison consistent with
12 29 chapter 901B. The alternatives to prison shall ensure public
12 30 safety while providing maximum rehabilitation to the offender.
12 31 A judicial district department may also establish a day
12 32 program.

12 33 4. The governor's office of drug control policy shall
12 34 consider federal grants made to the department of corrections
12 35 for the benefit of each of the eight judicial district
13 1 departments of correctional services as local government
13 2 grants, as defined pursuant to federal regulations.

13 3 5. The department of corrections shall continue to
13 4 contract with a judicial district department of correctional
13 5 services to provide for the rental of electronic monitoring
13 6 equipment which shall be available statewide.

13 7 Sec. 7. INTENT == REPORTS.

13 8 1. The department of corrections shall submit a report on
13 9 inmate labor to the general assembly, to the co-chairpersons
13 10 and the ranking members of the joint appropriations
13 11 subcommittee on the justice system, and to the legislative
13 12 services agency by January 15, 2006. The report shall
13 13 specifically address the progress the department has made in
13 14 implementing the requirements of section 904.701, inmate labor
13 15 on capital improvement projects, community work crews, inmate
13 16 produce gardening, and private-sector employment.

13 17 2. The department in cooperation with townships, the Iowa
13 18 cemetery associations, and other nonprofit or governmental
13 19 entities may use inmate labor to restore or preserve rural
13 20 cemeteries and historical landmarks. The department in
13 21 cooperation with the counties may also use inmate labor to
13 22 clean up roads, major water sources, and other water sources
13 23 around the state.

13 24 3. Each month the department shall provide a status report
13 25 regarding private-sector employment to the legislative
13 26 services agency beginning on July 1, 2005. The report shall
13 27 include the number of offenders employed in the private
13 28 sector, the combined number of hours worked by the offenders,
13 29 and the total amount of allowances, and the distribution of
13 30 allowances pursuant to section 904.702, including any moneys
13 31 deposited in the general fund of the state.

13 32 Sec. 8. ELECTRONIC MONITORING REPORT. The department of
13 33 corrections shall submit a report on electronic monitoring to
13 34 the general assembly, to the co-chairpersons and the ranking
13 35 members of the joint appropriations subcommittee on the
14 1 justice system, and to the legislative services agency by
14 2 January 15, 2006. The report shall specifically address the
14 3 number of persons being electronically monitored and break
14 4 down the number of persons being electronically monitored by
14 5 offense committed. The report shall also include a comparison
14 6 of any data from the prior fiscal year with the current year.

14 7 Sec. 9. STATE AGENCY PURCHASES FROM PRISON INDUSTRIES.

14 8 1. As used in this section, unless the context otherwise
14 9 requires, "state agency" means the government of the state of
14 10 Iowa, including but not limited to all executive branch
14 11 departments, agencies, boards, bureaus, and commissions, the
14 12 judicial branch, the general assembly and all legislative
14 13 agencies, institutions within the purview of the state board
14 14 of regents, and any corporation whose primary function is to
14 15 act as an instrumentality of the state.

14 16 2. State agencies are hereby encouraged to purchase
14 17 products from Iowa state industries, as defined in section
14 18 904.802, when purchases are required and the products are
14 19 available from Iowa state industries. State agencies shall
14 20 obtain bids from Iowa state industries for purchases of office
14 21 furniture exceeding \$5,000 or in accordance with applicable
14 22 administrative rules related to purchases for the agency.

14 23 Sec. 10. STATE PUBLIC DEFENDER. There is appropriated
14 24 from the general fund of the state to the office of the state
14 25 public defender of the department of inspections and appeals

14 26 for the fiscal year beginning July 1, 2005, and ending June
14 27 30, 2006, the following amounts, or so much thereof as is
14 28 necessary, to be allocated as follows for the purposes
14 29 designated:

14 30 1. For salaries, support, maintenance, and miscellaneous
14 31 purposes, and for not more than the following full-time
14 32 equivalent positions:
14 33 \$ 18,444,964
14 34 FTEs 202.00

14 35 2. For the fees of court-appointed attorneys for indigent
15 1 adults and juveniles, in accordance with section 232.141 and
15 2 chapter 815:
15 3 \$ 21,163,082

15 4 Sec. 11. IOWA LAW ENFORCEMENT ACADEMY.

15 5 1. There is appropriated from the general fund of the
15 6 state to the Iowa law enforcement academy for the fiscal year
15 7 beginning July 1, 2005, and ending June 30, 2006, the
15 8 following amount, or so much thereof as is necessary, to be
15 9 used for the purposes designated:

15 10 For salaries, support, maintenance, miscellaneous purposes,
15 11 including jailer training and technical assistance, and for
15 12 not more than the following full-time equivalent positions:
15 13 \$ 1,075,138
15 14 FTEs 30.05

15 15 It is the intent of the general assembly that the Iowa law
15 16 enforcement academy may provide training of state and local
15 17 law enforcement personnel concerning the recognition of and
15 18 response to persons with Alzheimer's disease.

15 19 The Iowa law enforcement academy may temporarily exceed and
15 20 draw more than the amount appropriated and incur a negative
15 21 cash balance as long as there are receivables equal to or
15 22 greater than the negative balance and the amount appropriated
15 23 in this subsection is not exceeded at the close of the fiscal
15 24 year.

15 25 2. The Iowa law enforcement academy may select at least
15 26 five automobiles of the department of public safety, division
15 27 of the Iowa state patrol, prior to turning over the
15 28 automobiles to the department of administrative services to be
15 29 disposed of by public auction and the Iowa law enforcement
15 30 academy may exchange any automobile owned by the academy for
15 31 each automobile selected if the selected automobile is used in
15 32 training law enforcement officers at the academy. However,
15 33 any automobile exchanged by the academy shall be substituted
15 34 for the selected vehicle of the department of public safety
15 35 and sold by public auction with the receipts being deposited
16 1 in the depreciation fund to the credit of the department of
16 2 public safety, division of the Iowa state patrol.

16 3 Sec. 12. BOARD OF PAROLE. There is appropriated from the
16 4 general fund of the state to the board of parole for the
16 5 fiscal year beginning July 1, 2005, and ending June 30, 2006,
16 6 the following amount, or so much thereof as is necessary, to
16 7 be used for the purposes designated:

16 8 For salaries, support, maintenance, miscellaneous purposes,
16 9 and for not more than the following full-time equivalent
16 10 positions:
16 11 \$ 1,121,044
16 12 FTEs 17.50

16 13 Sec. 13. DEPARTMENT OF PUBLIC DEFENSE. There is
16 14 appropriated from the general fund of the state to the
16 15 department of public defense for the fiscal year beginning
16 16 July 1, 2005, and ending June 30, 2006, the following amounts,
16 17 or so much thereof as is necessary, to be used for the
16 18 purposes designated:

16 19 1. MILITARY DIVISION
16 20 For salaries, support, maintenance, miscellaneous purposes,
16 21 and for not more than the following full-time equivalent
16 22 positions:
16 23 \$ 5,130,040
16 24 FTEs 312.55

16 25 The military division may temporarily exceed and draw more
16 26 than the amount appropriated and incur a negative cash balance
16 27 as long as there are receivables of federal funds equal to or
16 28 greater than the negative balance and the amount appropriated
16 29 in this subsection is not exceeded at the close of the fiscal
16 30 year.

16 31 2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION
16 32 For salaries, support, maintenance, miscellaneous purposes,
16 33 and for not more than the following full-time equivalent
16 34 positions:
16 35 \$ 1,172,230
17 1 FTEs 24.75

17 2 Sec. 14. DEPARTMENT OF PUBLIC SAFETY. There is
17 3 appropriated from the general fund of the state to the
17 4 department of public safety for the fiscal year beginning July
17 5 1, 2005, and ending June 30, 2006, the following amounts, or
17 6 so much thereof as is necessary, to be used for the purposes
17 7 designated:

17 8 1. For the department's administrative functions,
17 9 including the criminal justice information system, and for not
17 10 more than the following full-time equivalent positions:
17 11 \$ 3,073,274
17 12 FTEs 38.00

17 13 2. For the division of criminal investigation and bureau
17 14 of identification, including the state's contribution to the
17 15 peace officers' retirement, accident, and disability system
17 16 provided in chapter 97A in the amount of 17 percent of the
17 17 salaries for which the funds are appropriated, to meet federal
17 18 fund matching requirements, and for not more than the
17 19 following full-time equivalent positions:
17 20 \$ 14,760,898
17 21 FTEs 228.50

17 22 3. For the criminalistics laboratory fund, if created in
17 23 section 602.8108:
17 24 \$ 342,000

17 25 The department of public safety, with the approval of the
17 26 department of management, may employ no more than two special
17 27 agents and four gaming enforcement officers for each
17 28 additional riverboat regulated after July 1, 2005, and one
17 29 special agent for each racing facility which becomes
17 30 operational during the fiscal year which begins July 1, 2005.
17 31 One additional gaming enforcement officer, up to a total of
17 32 four per riverboat, may be employed for each riverboat that
17 33 has extended operations to 24 hours and has not previously
17 34 operated with a 24-hour schedule. Positions authorized in
17 35 this paragraph are in addition to the full-time equivalent

18 1 positions otherwise authorized in this subsection.
18 2 4. a. For the division of narcotics enforcement,
18 3 including the state's contribution to the peace officers'
18 4 retirement, accident, and disability system provided in
18 5 chapter 97A in the amount of 17 percent of the salaries for
18 6 which the funds are appropriated, to meet federal fund
18 7 matching requirements, and for not more than the following
18 8 full-time equivalent positions:
18 9 \$ 4,701,141
18 10 FTEs 75.00

18 11 b. For the division of narcotics enforcement for
18 12 undercover purchases:
18 13 \$ 123,343

18 14 5. a. For the state fire marshal's office, including the
18 15 state's contribution to the peace officers' retirement,
18 16 accident, and disability system provided in chapter 97A in the
18 17 amount of 17 percent of the salaries for which the funds are
18 18 appropriated, and for not more than the following full-time
18 19 equivalent positions:
18 20 \$ 2,256,998
18 21 FTEs 42.00

18 22 b. For the state fire marshal's office, for fire
18 23 protection services as provided through the state fire service
18 24 and emergency response council as created in the department,
18 25 and for not more than the following full-time equivalent
18 26 positions:
18 27 \$ 638,021
18 28 FTEs 10.00

18 29 Of the amount appropriated in this paragraph, the state
18 30 fire marshal shall allocate \$200 for the mailing of a notice
18 31 to all affected agencies or emergency services providers
18 32 informing the agencies or providers about the requirement of
18 33 an autopsy under section 144.56A.

18 34 6. For the division of the Iowa state patrol of the
18 35 department of public safety, for salaries, support,
19 1 maintenance, workers' compensation costs, and miscellaneous
19 2 purposes, including the state's contribution to the peace
19 3 officers' retirement, accident, and disability system provided
19 4 in chapter 97A in the amount of 17 percent of the salaries for
19 5 which the funds are appropriated, and for not more than the
19 6 following full-time equivalent positions:
19 7 \$ 43,076,973
19 8 FTEs 531.00

19 9 It is the intent of the general assembly that members of
19 10 the Iowa state patrol be assigned to patrol the highways and
19 11 roads in lieu of assignments for inspecting school buses for
19 12 the school districts.

19 13 7. For deposit in the public safety law enforcement sick
19 14 leave benefits fund established under section 80.42, for all
19 15 departmental employees eligible to receive benefits for
19 16 accrued sick leave under the collective bargaining agreement:
19 17 \$ 316,179
19 18 An employee of the department of public safety who retires
19 19 after July 1, 2005, but prior to June 30, 2006, is eligible
19 20 for payment of life or health insurance premiums as provided
19 21 for in the collective bargaining agreement covering the public
19 22 safety bargaining unit at the time of retirement if that
19 23 employee previously served in a position which would have been
19 24 covered by the agreement. The employee shall be given credit
19 25 for the service in that prior position as though it were
19 26 covered by that agreement. The provisions of this subsection
19 27 shall not operate to reduce any retirement benefits an
19 28 employee may have earned under other collective bargaining
19 29 agreements or retirement programs.

19 30 8. For costs associated with the training and equipment
19 31 needs of volunteer fire fighters and for not more than the
19 32 following full-time equivalent position:
19 33 \$ 699,587
19 34 FTEs 1.00

19 35 Notwithstanding section 8.33, moneys appropriated in this
20 1 subsection that remain unobligated or unexpended at the close
20 2 of the fiscal year shall not revert but shall remain available
20 3 for expenditure only for the purpose designated in this
20 4 subsection until the close of the succeeding fiscal year.

20 5 Sec. 15. CIVIL RIGHTS COMMISSION. There is appropriated
20 6 from the general fund of the state to the Iowa state civil
20 7 rights commission for the fiscal year beginning July 1, 2005,
20 8 and ending June 30, 2006, the following amount, or so much
20 9 thereof as is necessary, to be used for the purposes
20 10 designated:
20 11 For salaries, support, maintenance, miscellaneous purposes,
20 12 and for not more than the following full-time equivalent
20 13 positions:
20 14 \$ 950,788
20 15 FTEs 27.50

20 16 The Iowa state civil rights commission may enter into a
20 17 contract with a nonprofit organization to provide legal
20 18 assistance to resolve civil rights complaints.

20 19 Sec. 16. DIVISION OF CRIMINAL AND JUVENILE JUSTICE
20 20 PLANNING. In addition to any other funds appropriated to the
20 21 division of criminal and juvenile justice planning of the
20 22 department of human rights, there is appropriated from the
20 23 general fund of the state to the division of criminal and
20 24 juvenile justice planning for the fiscal year beginning July
20 25 1, 2005, and ending June 30, 2006, the following amount, or so
20 26 much thereof as is necessary, to be used for the purposes
20 27 designated:
20 28 For the establishment and administration of the sex
20 29 offender treatment and supervision task force:
20 30 \$ 75,000

20 31 Sec. 17. HOMELAND SECURITY AND EMERGENCY MANAGEMENT
20 32 DIVISION. There is appropriated from the wireless E911
20 33 emergency communications fund to the administrator of the
20 34 homeland security and emergency management division of the
20 35 department of public defense for the fiscal year beginning
21 1 July 1, 2005, and ending June 30, 2006, an amount not
21 2 exceeding two hundred thousand dollars to be used for
21 3 implementation, support, and maintenance of the functions of
21 4 the administrator and program manager under chapter 34A and to
21 5 employ the auditor of the state to perform an annual audit of
21 6 the wireless E911 emergency communications fund.

21 7 Sec. 18. IOWA LAW ENFORCEMENT ACADEMY == FEES.
21 8 Notwithstanding section 80B.11B, the Iowa law enforcement
21 9 academy may charge more than one-half the cost of providing
21 10 the basic training course if a majority of the Iowa law
21 11 enforcement academy council authorizes charging more than one-
21 12 half of the cost of providing basic training. This section is
21 13 repealed on June 30, 2006.

21 14 Sec. 19. NEW SECTION. 144.56A PUBLIC SAFETY OFFICER
21 15 DEATH == REQUIRED NOTICE == AUTOPSY.
21 16 A person who is authorized to pronounce individuals dead is
21 17 required to inform one of the persons authorized to request an
21 18 autopsy, as provided in section 144.56, that an autopsy will
21 19 be required if the individual who died was a public safety
21 20 officer who may have died in the line of duty and an eligible
21 21 beneficiary of the deceased seeks to claim a federal public
21 22 safety officer death benefit.

21 23 Sec. 20. Section 158.2, Code 2005, is amended by adding

21 24 the following new subsection:
21 25 NEW SUBSECTION. 7. Offenders committed to the custody of
21 26 the director of the department of corrections who cut the
21 27 hair, or trim or shave the beard of any other offender within
21 28 a correctional facility, without receiving direct compensation
21 29 from the person receiving the service.

21 30 DIVISION II
21 31 METHAMPHETAMINE BAIL
21 32 PROVISIONS

21 33 Sec. 21. Section 804.21, subsection 1, Code 2005, as
21 34 amended by 2005 Iowa Acts, Senate File 169, section 7, is
21 35 amended to read as follows:

22 1 1. A person arrested in obedience to a warrant shall be
22 2 taken without unnecessary delay before the nearest or most
22 3 accessible magistrate. The officer shall at the same time
22 4 deliver to the magistrate the warrant with the officer's
22 5 return endorsed on it and subscribed by the officer with the
22 6 officer's official title. However, this section, and sections
22 7 804.22 and 804.23, do not preclude the release of an arrested
22 8 person within the period of time the person would otherwise
22 9 remain incarcerated while waiting to be taken before a
22 10 magistrate if the release is pursuant to pretrial release
22 11 guidelines or a bond schedule promulgated by the judicial
22 12 council, unless the person is charged with manufacture,
22 13 delivery, possession with intent to manufacture or deliver, or
22 14 distribution of methamphetamine. If, however, a person is
22 15 released pursuant to pretrial release guidelines, a magistrate
22 16 must, within twenty-four hours of the release, or as soon as
22 17 practicable on the next subsequent working day of the court,
22 18 either approve in writing of the release, or disapprove of the
22 19 release and issue a warrant for the person's arrest.

22 20 Sec. 22. Section 804.22, unnumbered paragraph 2, Code
22 21 2005, as amended by 2005 Iowa Acts, Senate File 169, section
22 22 8, is amended to read as follows:

22 23 This section and the rules of criminal procedure do not
22 24 affect the provisions of chapter 805 authorizing the release
22 25 of a person on citation or bail prior to initial appearance,
22 26 unless the person is charged with manufacture, delivery,
22 27 possession with intent to manufacture or deliver, or
22 28 distribution of methamphetamine. The initial appearance of a
22 29 person so released shall be scheduled for a time not more than
22 30 thirty days after the date of release.

22 31 Sec. 23. Section 811.2, subsection 1, unnumbered paragraph
22 32 2, Code 2005, as amended by 2005 Iowa Acts, Senate File 169,
22 33 section 10, is amended to read as follows:

22 34 Any bailable defendant who is charged with unlawful
22 35 possession, manufacture, delivery, or distribution of a
23 1 controlled substance or other drug under chapter 124 and is
23 2 ordered released shall be required, as a condition of that
23 3 release, to submit to a substance abuse evaluation and follow
23 4 any recommendations proposed in the evaluation for appropriate
23 5 substance abuse treatment. However, if a bailable defendant
23 6 is charged with manufacture, delivery, possession with the
23 7 intent to manufacture or deliver, or distribution of
23 8 methamphetamine, its salts, optical isomers, and salts of its
23 9 optical isomers, the defendant shall, in addition to a
23 10 substance abuse evaluation, remain under supervision and be
23 11 required to undergo random drug tests as a condition of
23 12 release.

23 13 Sec. 24. Section 811.2, subsection 3, Code 2005, as
23 14 amended by 2005 Iowa Acts, Senate File 169, section 11, is
23 15 amended to read as follows:

23 16 3. RELEASE AT INITIAL APPEARANCE. This chapter does not
23 17 preclude the release of an arrested person as authorized by
23 18 section 804.21, unless the arrested person is charged with
23 19 manufacture, delivery, possession with the intent to
23 20 manufacture or deliver, or distribution of methamphetamine.

23 21 Sec. 25. EFFECTIVE DATE. This division of this Act, being
23 22 deemed of immediate importance, takes effect upon enactment.

23 23 DIVISION III
23 24 SUPPLEMENTAL APPROPRIATIONS

23 25 Sec. 26. 2004 Iowa Acts, chapter 1175, section 183,
23 26 subsection 1, paragraph c, is amended to read as follows:

23 27 c. For the operation of the Oakdale correctional facility,
23 28 including salaries, support, maintenance, and miscellaneous
23 29 purposes:

23 30 \$ ~~23,536,936~~
23 31 23,636,936

23 32 Of the funds allocated in this paragraph "c", \$100,000 is
23 33 allocated for the costs of remodeling and construction to
23 34 establish a specialized 24-bed mental health unit for

23 35 offenders who are not ordered to inpatient mental health
24 1 treatment. The unit shall operate as an adjunct to the
24 2 licensed hospital program within the Oakdale correctional
24 3 facility.

24 4 DEPARTMENT OF CORRECTIONS == ADMINISTRATION
24 5 Sec. 27. 2004 Iowa Acts, chapter 1175, section 184,
24 6 subsection 1, paragraph a, unnumbered paragraph 1, is amended
24 7 to read as follows:
24 8 For general administration, including salaries, support,
24 9 maintenance, employment of an education director to administer
24 10 a centralized education program for the correctional system,
24 11 and miscellaneous purposes:
24 12 \$ ~~2,784,393~~
24 13 3,198,809

24 14 JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL
24 15 SERVICES

24 16 Sec. 28. 2004 Iowa Acts, chapter 1175, section 185,
24 17 subsection 1, is amended to read as follows:
24 18 1. There is appropriated from the general fund of the
24 19 state to the department of corrections for the fiscal year
24 20 beginning July 1, 2004, and ending June 30, 2005, the
24 21 following amounts, or so much thereof as is necessary, to be
24 22 allocated as follows:

24 23 a. For the first judicial district department of
24 24 correctional services, including the treatment and supervision
24 25 of probation and parole violators who have been released from
24 26 the department of corrections violator program, the following
24 27 amount, or so much thereof as is necessary:
24 28 \$ ~~10,090,207~~
24 29 10,142,332

24 30 b. For the second judicial district department of
24 31 correctional services, including the treatment and supervision
24 32 of probation and parole violators who have been released from
24 33 the department of corrections violator program, the following
24 34 amount, or so much thereof as is necessary:
24 35 \$ ~~7,755,402~~
25 1 7,803,027

25 2 c. For the third judicial district department of
25 3 correctional services, including the treatment and supervision
25 4 of probation and parole violators who have been released from
25 5 the department of corrections violator program, the following
25 6 amount, or so much thereof as is necessary:
25 7 \$ ~~4,631,423~~
25 8 4,668,548

25 9 d. For the fourth judicial district department of
25 10 correctional services, including the treatment and supervision
25 11 of probation and parole violators who have been released from
25 12 the department of corrections violator program, the following
25 13 amount, or so much thereof as is necessary:
25 14 \$ ~~4,248,965~~
25 15 4,268,465

25 16 e. For the fifth judicial district department of
25 17 correctional services, including the treatment and supervision
25 18 of probation and parole violators who have been released from
25 19 the department of corrections violator program, the following
25 20 amount, or so much thereof as is necessary:
25 21 \$ ~~12,982,837~~
25 22 13,105,462

25 23 f. For the sixth judicial district department of
25 24 correctional services, including the treatment and supervision
25 25 of probation and parole violators who have been released from
25 26 the department of corrections violator program, the following
25 27 amount, or so much thereof as is necessary:
25 28 \$ ~~10,064,717~~
25 29 10,105,217

25 30 g. For the seventh judicial district department of
25 31 correctional services, including the treatment and supervision
25 32 of probation and parole violators who have been released from
25 33 the department of corrections violator program, the following
25 34 amount, or so much thereof as is necessary:
25 35 \$ ~~5,677,314~~
26 1 5,700,939

26 2 h. For the eighth judicial district department of
26 3 correctional services, including the treatment and supervision
26 4 of probation and parole violators who have been released from
26 5 the department of corrections violator program, the following
26 6 amount, or so much thereof as is necessary:
26 7 \$ ~~5,574,865~~
26 8 5,606,740

26 9 The appropriations made in this subsection include
26 10 additional funding for costs to address additional

26 11 methamphetamine drug offenders under supervision.

26 12 Sec. 29. 2004 Iowa Acts, chapter 1175, section 188, is
26 13 amended to read as follows:

26 14 SEC. 188. STATE PUBLIC DEFENDER. There is appropriated
26 15 from the general fund of the state to the office of the state
26 16 public defender of the department of inspections and appeals
26 17 for the fiscal year beginning July 1, 2004, and ending June
26 18 30, 2005, the following amounts, or so much thereof as is
26 19 necessary, to be allocated as follows for the purposes
26 20 designated:

26 21 1. For salaries, support, maintenance, and miscellaneous
26 22 purposes, and for not more than the following full-time
26 23 equivalent positions:
26 24 \$ ~~16,663,446~~
26 25 18,247,561
26 26 FTEs 202.00

26 27 2. For the fees of court-appointed attorneys for indigent
26 28 adults and juveniles, in accordance with section 232.141 and
26 29 chapter 815:
26 30 \$ ~~19,355,297~~
26 31 22,251,339

26 32 Sec. 30. 2004 Iowa Acts, chapter 1175, section 192,
26 33 subsection 2, unnumbered paragraph 1, is amended to read as
26 34 follows:

26 35 For the division of criminal investigation and bureau of
27 1 identification, including the state's contribution to the
27 2 peace officers' retirement, accident, and disability system
27 3 provided in chapter 97A in the amount of 17 percent of the
27 4 salaries for which the funds are appropriated, to meet federal
27 5 fund matching requirements, and for not more than the
27 6 following full-time equivalent positions:

27 7 \$ ~~14,058,510~~
27 8 14,208,510
27 9 FTEs 221.50

27 10 Sec. 31. 2004 Iowa Acts, chapter 1175, section 192,
27 11 subsection 4, paragraph a, is amended to read as follows:

27 12 a. For the state fire marshal's office, including the
27 13 state's contribution to the peace officers' retirement,
27 14 accident, and disability system provided in chapter 97A in the
27 15 amount of 17 percent of the salaries for which the funds are
27 16 appropriated, and for not more than the following full-time
27 17 equivalent positions:

27 18 \$ ~~2,181,998~~
27 19 2,281,998
27 20 FTEs 39.00

27 21 Notwithstanding section 8.33, moneys appropriated in this
27 22 lettered paragraph that remain unencumbered or unobligated at
27 23 the close of the fiscal year shall not revert but shall remain
27 24 available for expenditure for the purposes designated until
27 25 the close of the succeeding fiscal year.

27 26 Sec. 32. 2004 Iowa Acts, chapter 1175, section 193, is
27 27 amended to read as follows:

27 28 SEC. 193. CIVIL RIGHTS COMMISSION. There is appropriated
27 29 from the general fund of the state to the Iowa state civil
27 30 rights commission for the fiscal year beginning July 1, 2004,
27 31 and ending June 30, 2005, the following amount, or so much
27 32 thereof as is necessary, to be used for the purposes
27 33 designated:

27 34 For salaries, support, maintenance, miscellaneous purposes,
27 35 and for not more than the following full-time equivalent
28 1 positions:
28 2 \$ ~~825,752~~
28 3 911,752
28 4 FTEs 28.00

28 5 The Iowa state civil rights commission may enter into a
28 6 contract with a nonprofit organization to provide legal
28 7 assistance to resolve civil rights complaints.

28 8 Sec. 33. EFFECTIVE DATE. This division of this Act, being
28 9 deemed of immediate importance, takes effect upon enactment.

28 10 DIVISION IV
28 11 APPROPRIATIONS FROM HEALTHY IOWANS TOBACCO TRUST

28 12 Sec. 34. In addition to any other funds appropriated from
28 13 the healthy Iowans tobacco trust created in section 12.65 to
28 14 the department of corrections for the fiscal year beginning
28 15 July 1, 2005, and ending June 30, 2006, there is appropriated
28 16 from the healthy Iowans tobacco trust to the department of
28 17 corrections for the fiscal year beginning July 1, 2005, and
28 18 ending June 30, 2006, the following amount, or so much thereof
28 19 as is necessary, to be used for the purpose designated:

28 20 For the judicial district departments of correctional
28 21 services:

28 22 \$ 800,000
28 23 Of the funds appropriated in this division, \$100,000 shall
28 24 be allocated to each judicial district department of
28 25 correctional services.

28 26 DIVISION V
28 27 CONTINGENT APPROPRIATIONS FROM
28 28 MICROSOFT SETTLEMENT

28 29 Sec. 35. DIVISION OF THE IOWA STATE PATROL. In addition
28 30 to any other funds appropriated from the general fund of the
28 31 state to the division of the Iowa state patrol, there is
28 32 appropriated from the general fund of the state to the
28 33 division of the Iowa state patrol for the fiscal year
28 34 beginning July 1, 2005, and ending June 30, 2006, an amount
28 35 not exceeding \$785,000 to be used for motor vehicle
29 1 depreciation. The funds appropriated in this section are
29 2 contingent upon receipt by the general fund of the state of an
29 3 amount at least equal to the expenditure amount from costs or
29 4 attorney fees awarded the state in settlement of its antitrust
29 5 action against Microsoft brought under chapter 553. However,
29 6 if the amounts received as a result of this settlement are in
29 7 excess of \$785,000, the excess amounts shall not be
29 8 appropriated to the division of the Iowa state patrol pursuant
29 9 to this section.

29 10 Sec. 36. DIVISION OF CRIMINAL INVESTIGATION AND BUREAU OF
29 11 IDENTIFICATION. In addition to any other funds appropriated
29 12 from the general fund of the state to the division of criminal
29 13 investigation and bureau of identification, there is
29 14 appropriated from the general fund of the state to the
29 15 division of criminal investigation and bureau of
29 16 identification for the fiscal year beginning July 1, 2005, and
29 17 ending June 30, 2006, an amount not exceeding \$929,206. The
29 18 funds appropriated in this section are contingent upon receipt
29 19 by the general fund of the state of an amount at least equal
29 20 to the expenditure amount from costs or attorney fees awarded
29 21 the state in settlement of its antitrust action against
29 22 Microsoft brought under chapter 553. However, if the amounts
29 23 received as a result of this settlement are in excess of
29 24 \$929,206, the excess amounts shall not be appropriated to the
29 25 division of criminal investigation and bureau of
29 26 identification pursuant to this section.

29 27
29 28
29 29
29 30 _____
29 31 CHRISTOPHER C. RANTS
29 32 Speaker of the House
29 33

29 34 _____
29 35 JOHN P. KIBBIE
30 1 President of the Senate
30 2

30 3 I hereby certify that this bill originated in the House and
30 4 is known as House File 811, Eighty-first General Assembly.
30 5
30 6
30 7

30 8 _____
30 9 MARGARET THOMSON
30 10 Chief Clerk of the House

30 10 Approved _____, 2005
30 11
30 12
30 13

30 14 _____
30 15 THOMAS J. VILSACK
30 15 Governor