

HSB 777

APPROPRIATIONS

HOUSE FILE § 0 2552

BY (PROPOSED COMMITTEE ON
APPROPRIATIONS BILL BY
CHAIRPERSON MILLAGE)

Passed House, Date _____ Passed Senate, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to and making appropriations to the justice
2 system, making related statutory changes, and providing an
3 effective date.

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

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1 Section 1. DEPARTMENT OF JUSTICE. There is appropriated
2 from the general fund of the state to the department of
3 justice for the fiscal year beginning July 1, 2000, and ending
4 June 30, 2001, the following amounts, or so much thereof as is
5 necessary, to be used for the purposes designated:

6 1. For the general office of attorney general for
7 salaries, support, maintenance, miscellaneous purposes
8 including odometer fraud enforcement, and for not more than
9 the following full-time equivalent positions:

10 \$ 8,524,304
11 FTEs 194.50

12 2. For the prosecuting attorney training program for
13 salaries, support, maintenance, miscellaneous purposes, and
14 for not more than the following full-time equivalent
15 positions:

16 \$ 322,856
17 FTEs 6.00

18 3. In addition to the funds appropriated in subsection 1,
19 there is appropriated from the general fund of the state to
20 the department of justice for the fiscal year beginning July
21 1, 2000, and ending June 30, 2001, an amount not exceeding
22 \$200,000 to be used for the enforcement of the Iowa
23 competition law. The funds appropriated in this subsection
24 are contingent upon receipt by the general fund of the state
25 of an amount at least equal to the expenditure amount from
26 either damages awarded to the state or a political subdivision
27 of the state by a civil judgment under chapter 553, if the
28 judgment authorizes the use of the award for enforcement
29 purposes or costs or attorneys fees awarded the state in state
30 or federal antitrust actions. However, if the amounts
31 received as a result of these judgments are in excess of
32 \$200,000, the excess amounts shall not be appropriated to the
33 department of justice pursuant to this subsection.

34 4. In addition to the funds appropriated in subsection 1,
35 there is appropriated from the general fund of the state to

1 the department of justice for the fiscal year beginning July
 2 1, 2000, and ending June 30, 2001, an amount not exceeding
 3 \$150,000 to be used for public education relating to consumer
 4 fraud and for enforcement of section 714.16, and an amount not
 5 exceeding \$75,000 for investigation, prosecution, and consumer
 6 education relating to consumer and criminal fraud against
 7 older Iowans. The funds appropriated in this subsection are
 8 contingent upon receipt by the general fund of the state of an
 9 amount at least equal to the expenditure amount from damages
 10 awarded to the state or a political subdivision of the state
 11 by a civil consumer fraud judgment or settlement, if the
 12 judgment or settlement authorizes the use of the award for
 13 public education on consumer fraud. However, if the funds
 14 received as a result of these judgments and settlements are in
 15 excess of \$225,000, the excess funds shall not be appropriated
 16 to the department of justice pursuant to this subsection.

17 5. For victim assistance grants:
 18 \$ 1,935,806

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

23 b. Notwithstanding sections 8.33 and 8.39, moneys
 24 appropriated in this subsection that remain unencumbered or
 25 unobligated at the close of the fiscal year shall not revert
 26 but shall remain available for expenditure during the
 27 subsequent fiscal year for the same purpose, and shall not be
 28 transferred to any other program.

29 6. For the GASA prosecuting attorney program and for not
 30 more than the following full-time equivalent positions:
 31 \$ 133,102
 32 FTEs 2.00

33 7. The balance of the victim compensation fund established
 34 in section 915.94 may be used to provide salary and support of
 35 not more than 20.00 FTEs and to provide maintenance for the

1 victim compensation functions of the department of justice.

2 8. The department of justice shall submit monthly
3 financial statements to the legislative fiscal bureau and the
4 department of management containing all appropriated accounts
5 in the same manner as provided in the monthly financial status
6 reports and personal services usage reports of the department
7 of revenue and finance. The monthly financial statements
8 shall include comparisons of the moneys and percentage spent
9 of budgeted to actual revenues and expenditures on a
10 cumulative basis for full-time equivalent positions and
11 available moneys.

12 9. a. The department of justice, in submitting budget
13 estimates for the fiscal year commencing July 1, 2001,
14 pursuant to section 8.23, shall include a report of funding
15 from sources other than amounts appropriated directly from the
16 general fund of the state to the department of justice or to
17 the office of consumer advocate. These funding sources shall
18 include, but are not limited to, reimbursements from other
19 state agencies, commissions, boards, or similar entities, and
20 reimbursements from special funds or internal accounts within
21 the department of justice. The department of justice shall
22 report actual reimbursements for the fiscal year commencing
23 July 1, 1999, and actual and expected reimbursements for the
24 fiscal year commencing July 1, 2000.

25 b. The department of justice shall include the report
26 required under paragraph "a", as well as information regarding
27 any revisions occurring as a result of reimbursements actually
28 received or expected at a later date, in a report to the co-
29 chairpersons and ranking members of the joint appropriations
30 subcommittee on the justice system and the legislative fiscal
31 bureau. The department of justice shall submit the report on
32 or before January 15, 2001.

33 10. For legal services for persons in poverty grants as
34 provided in section 13.34:

35 \$ 700,000

1 As a condition for accepting a grant funded pursuant to
 2 this subsection, an organization receiving a grant shall
 3 submit a report to the general assembly by January 1, 2001,
 4 concerning the use of any grants received during the previous
 5 fiscal year and efforts made by the organization to find
 6 alternative sources of revenue to replace any reductions in
 7 federal funding for the organization.

8 Sec. 2. DEPARTMENT OF JUSTICE -- ENVIRONMENTAL CRIMES
 9 INVESTIGATION AND PROSECUTION -- FUNDING. There is
 10 appropriated from the environmental crime fund of the
 11 department of justice, consisting of court-ordered fines and
 12 penalties awarded to the department arising out of the
 13 prosecution of environmental crimes, to the department of
 14 justice for the fiscal year beginning July 1, 2000, and ending
 15 June 30, 2001, an amount not exceeding \$20,000 to be used by
 16 the department, at the discretion of the attorney general, for
 17 the investigation and prosecution of environmental crimes,
 18 including the reimbursement of expenses incurred by county,
 19 municipal, and other local governmental agencies cooperating
 20 with the department in the investigation and prosecution of
 21 environmental crimes.

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

31 Notwithstanding section 8.33, moneys appropriated in this
 32 section that remain unexpended or unobligated at the close of
 33 the fiscal year shall not revert to the environmental crime
 34 fund but shall remain available for expenditure for the
 35 purpose designated until the close of the succeeding fiscal

1 year.

2 Sec. 3. OFFICE OF CONSUMER ADVOCATE. There is
3 appropriated from the general fund of the state to the office
4 of consumer advocate of the department of justice for the
5 fiscal year beginning July 1, 2000, and ending June 30, 2001,
6 the following amount, or so much thereof as is necessary, to
7 be used for the purposes designated:

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

11	\$	2,652,903
12	FTEs	32.00

13 Sec. 4. DEPARTMENT OF CORRECTIONS -- FACILITIES. There is
14 appropriated from the general fund of the state to the
15 department of corrections for the fiscal year beginning July
16 1, 2000, and ending June 30, 2001, the following amounts, or
17 so much thereof as is necessary, to be used for the purposes
18 designated:

19 1. For the operation of adult correctional institutions,
20 reimbursement of counties for certain confinement costs, and
21 federal prison reimbursement, to be allocated as follows:

22 a. For the operation of the Fort Madison correctional
23 facility, including salaries, support, maintenance, employment
24 of correctional officers, miscellaneous purposes, and for not
25 more than the following full-time equivalent positions:

26	\$	29,939,361
27	FTEs	531.50

28 b. For the operation of the Anamosa correctional facility,
29 including salaries, support, maintenance, employment of
30 correctional officers and a part-time chaplain to provide
31 religious counseling to inmates of a minority race,
32 miscellaneous purposes, and for not more than the following
33 full-time equivalent positions:

34	\$	23,573,251
35	FTEs	399.00

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

5 c. For the operation of the Oakdale correctional facility,
6 including salaries, support, maintenance, employment of
7 correctional officers, miscellaneous purposes, and for not
8 more than the following full-time equivalent positions:

9 \$ 20,499,682
10 FTEs 338.80

11 d. For the operation of the Newton correctional facility,
12 including salaries, support, maintenance, employment of
13 correctional officers, miscellaneous purposes, and for not
14 more than the following full-time equivalent positions:

15 \$ 22,702,023
16 FTEs 392.25

17 e. For the operation of the Mt. Pleasant correctional
18 facility, including salaries, support, maintenance, employment
19 of correctional officers and a full-time chaplain to provide
20 religious counseling at the Oakdale and Mt. Pleasant
21 correctional facilities, miscellaneous purposes, and for not
22 more than the following full-time equivalent positions:

23 \$ 21,383,028
24 FTEs 342.59

25 f. For the operation of the Rockwell City correctional
26 facility, including salaries, support, maintenance, employment
27 of correctional officers, miscellaneous purposes, and for not
28 more than the following full-time equivalent positions:

29 \$ 6,916,137
30 FTEs 121.00

31 g. For the operation of the Clarinda correctional
32 facility, including salaries, support, maintenance, employment
33 of correctional officers, miscellaneous purposes, and for not
34 more than the following full-time equivalent positions:

35 \$ 17,807,672

1 FTEs 292.75

2 Moneys received by the department of corrections as
3 reimbursement for services provided to the Clarinda youth
4 corporation are appropriated to the department and shall be
5 used for the purpose of operating the Clarinda correctional
6 facility.

7 h. For the operation of the Mitchellville correctional
8 facility, including salaries, support, maintenance, employment
9 of correctional officers, miscellaneous purposes, and for not
10 more than the following full-time equivalent positions:

11 \$ 11,954,276

12 FTEs 237.50

13 i. For the operation of the Fort Dodge correctional
14 facility, including salaries, support, maintenance, employment
15 of correctional officers, miscellaneous purposes, and for not
16 more than the following full-time equivalent positions:

17 \$ 24,961,904

18 FTEs 414.00

19 j. For reimbursement of counties for temporary confinement
20 of work release and parole violators, as provided in sections
21 901.7, 904.908, and 906.17 and for offenders confined pursuant
22 to section 904.513:

23 \$ 524,038

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

26 \$ 341,334

27 The department of corrections shall use funds appropriated
28 in this subsection to continue to contract for the services of
29 a Muslim imam.

30 2. a. If the inmate tort claim fund for inmate claims of
31 less than \$100 is exhausted during the fiscal year, sufficient
32 funds shall be transferred from the institutional budgets to
33 pay approved tort claims for the balance of the fiscal year.

34 The warden or superintendent of each institution or
35 correctional facility shall designate an employee to receive,

1 investigate, and recommend whether to pay any properly filed
 2 inmate tort claim for less than the above amount. The
 3 designee's recommendation shall be approved or denied by the
 4 warden or superintendent and forwarded to the department of
 5 corrections for final approval and payment. The amounts
 6 appropriated to this fund pursuant to 1987 Iowa Acts, chapter
 7 234, section 304, subsection 2, are not subject to reversion
 8 under section 8.33.

9 b. Tort claims denied at the institution shall be
 10 forwarded to the state appeal board for their consideration as
 11 if originally filed with that body. This procedure shall be
 12 used in lieu of chapter 669 for inmate tort claims of less
 13 than \$100.

14 3. It is the intent of the general assembly that the
 15 department of corrections shall timely fill correctional
 16 positions authorized for correctional facilities pursuant to
 17 this section.

18 Sec. 5. DEPARTMENT OF CORRECTIONS -- ADMINISTRATION.
 19 There is appropriated from the general fund of the state to
 20 the department of corrections for the fiscal year beginning
 21 July 1, 2000, and ending June 30, 2001, the following amounts,
 22 or so much thereof as is necessary, to be used for the
 23 purposes designated:

- 24 1. For general administration, including salaries,
 25 support, maintenance, employment of an education director and
 26 clerk to administer a centralized education program for the
 27 correctional system, miscellaneous purposes, and for not more
 28 than the following full-time equivalent positions:
- | | | |
|----------|------|-----------|
| 29 | \$ | 2,405,009 |
| 30 | FTEs | 37.18 |

31 a. The department shall monitor the use of the
 32 classification model by the judicial district departments of
 33 correctional services and has the authority to override a
 34 district department's decision regarding classification of
 35 community-based clients. The department shall notify a

1 district department of the reasons for the override.

2 b. It is the intent of the general assembly that as a
3 condition of receiving the appropriation provided in this
4 subsection, the department of corrections shall not, except as
5 otherwise provided in paragraph "c", enter into a new
6 contract, unless the contract is a renewal of an existing
7 contract, for the expenditure of moneys in excess of \$100,000
8 during the fiscal year beginning July 1, 2000, for the
9 privatization of services performed by the department using
10 state employees as of July 1, 2000, or for the privatization
11 of new services by the department, without prior consultation
12 with any applicable state employee organization affected by
13 the proposed new contract and prior notification of the co-
14 chairpersons and ranking members of the joint appropriations
15 subcommittee on the justice system.

16 c. The department of corrections shall not enter into a
17 new contract, or renew an existing contract, for the
18 expenditure of moneys for the privatization of medical
19 services through medical contract employees at the Fort
20 Madison correctional facility.

21 d. The department of general services shall,
22 notwithstanding any provisions of law or rule to the contrary,
23 permit the department of corrections the opportunity to
24 acquire, at no cost, computers that would otherwise be
25 disposed of by the department of general services. The
26 department of corrections shall use computers acquired under
27 this paragraph to provide educational training and programs
28 for inmates.

29 e. It is the intent of the general assembly that each
30 lease negotiated by the department of corrections with a
31 private corporation for the purpose of providing private
32 industry employment of inmates in a correctional institution
33 shall prohibit the private corporation from utilizing inmate
34 labor for partisan political purposes for any person seeking
35 election to public office in this state and that a violation

1 of this requirement shall result in a termination of the lease
2 agreement.

3 f. It is the intent of the general assembly that as a
4 condition of receiving the appropriation provided in this
5 subsection, the department of corrections shall not enter into
6 a lease or contractual agreement pursuant to section 904.809
7 with a private corporation for the use of building space for
8 the purpose of providing inmate employment without providing
9 that the terms of the lease or contract establish safeguards
10 to restrict, to the greatest extent feasible, access by
11 inmates working for the private corporation to personal
12 identifying information of citizens.

13 g. It is the intent of the general assembly that as a
14 condition of receiving the appropriation provided in this
15 subsection, the department of corrections shall not enter into
16 any new agreement with a private for-profit agency or
17 corporation for the purpose of transferring inmates under the
18 custody of the department to a jail or correctional facility
19 or institution in this state which is established, maintained,
20 or operated by a private for-profit agency or corporation
21 without prior approval by the general assembly.

22 2. For salaries, support, maintenance, miscellaneous
23 purposes, and for not more than the following full-time
24 equivalent positions at the correctional training center at
25 Mt. Pleasant:

26	\$	486,247
27	FTEs	8.07

28 3. For annual payment relating to the financial
29 arrangement for the construction of expansion in prison
30 capacity as provided in 1990 Iowa Acts, chapter 1257, section
31 24:

32	\$	796,940
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33 4. For educational programs for inmates at state penal
34 institutions:

35	\$	3,294,775
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1 It is the intent of the general assembly that moneys
2 appropriated in this subsection shall be used solely for the
3 purpose indicated and that the moneys shall not be transferred
4 for any other purpose. In addition, it is the intent of the
5 general assembly that the department shall consult with the
6 community colleges in the areas in which the institutions are
7 located to utilize moneys appropriated in this subsection to
8 fund the high school completion, high school equivalency
9 diploma, adult literacy, and adult basic education programs in
10 a manner so as to maintain these programs at the institutions.

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

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

21 5. For the development of the departmental-wide Iowa
22 corrections offender network (ICON) data system:
23 \$ 600,000

24 6. The department of corrections shall submit a report to
25 the general assembly on January 1, 2001, concerning progress
26 made in implementing the requirements of section 904.701,
27 concerning hard labor by inmates.

28 7. It is the intent of the general assembly that the
29 department of corrections shall continue to operate the
30 correctional farms under the control of the department at the
31 same or greater level of participation and involvement as
32 existed as of January 1, 2000, shall not enter into any rental
33 agreement or contract concerning any farmland under the
34 control of the department that is not subject to a rental
35 agreement or contract as of January 1, 2000, without prior

1 legislative approval, and shall further attempt to provide job
 2 opportunities at the farms for inmates. The department shall
 3 attempt to provide job opportunities at the farms for inmates
 4 by encouraging labor-intensive farming or gardening where
 5 appropriate, using inmates to grow produce and meat for
 6 institutional consumption, researching the possibility of
 7 instituting food canning and cook-and-chill operations, and
 8 exploring opportunities for organic farming and gardening,
 9 livestock ventures, horticulture, and specialized crops.

10 8. The department of corrections shall submit a report to
 11 the general assembly by January 1, 2001, concerning moneys
 12 recouped from inmate earnings for the reimbursement of
 13 operational expenses of the applicable facility during the
 14 fiscal year beginning July 1, 1999, for each correctional
 15 institution and judicial district department of correctional
 16 services. In addition, each correctional institution and
 17 judicial district department of correctional services shall
 18 continue to submit a report to each member of the joint
 19 appropriations subcommittee on the justice system and the
 20 legislative fiscal bureau on a monthly basis concerning moneys
 21 recouped from inmate earnings for the reimbursement of
 22 operational expenses for each correctional institution and
 23 district department during the previous calendar month.

24 Sec. 6. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL
 25 SERVICES.

26 1. There is appropriated from the general fund of the
 27 state to the department of corrections for the fiscal year
 28 beginning July 1, 2000, and ending June 30, 2001, the
 29 following amounts, or so much thereof as is necessary, to be
 30 allocated as follows:

31 a. For the first judicial district department of
 32 correctional services, including the treatment and supervision
 33 of probation and parole violators who have been released from
 34 the department of corrections violator program, the following
 35 amount, or so much thereof as is necessary:

1 \$ 8,629,425

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

7 \$ 6,719,176

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

13 \$ 3,991,894

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

19 \$ 3,130,030

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

25 \$ 11,502,993

26 f. For the sixth judicial district department of
27 correctional services, including the treatment and supervision
28 of probation and parole violators who have been released from
29 the department of corrections violator program, the following
30 amount, or so much thereof as is necessary:

31 \$ 8,711,480

32 g. For the seventh judicial district department of
33 correctional services, including the treatment and supervision
34 of probation and parole violators who have been released from
35 the department of corrections violator program, the following

1 amount, or so much thereof as is necessary:

2 \$ 5,171,401

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

8 \$ 4,980,350

9 i. For the department of corrections for the assistance
10 and support of each judicial district department of
11 correctional services, the following amount, or so much
12 thereof as is necessary:

13 \$ 83,576

14 2. Each judicial district department of correctional
15 services shall continue programs and plans established within
16 that district to provide for intensive supervision, sex
17 offender treatment, diversion of low-risk offenders to the
18 least restrictive sanction available, job development, and
19 expanded use of intermediate criminal sanctions.

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

24 4. Each judicial district department of correctional
25 services and the department of corrections shall continue the
26 treatment alternatives to street crime programs established in
27 1989 Iowa Acts, chapter 225, section 9.

28 5. The governor's alliance on substance abuse shall
29 consider federal grants made to the department of corrections
30 for the benefit of each of the eight judicial district
31 departments of correctional services as local government
32 grants, as defined pursuant to federal regulations.

33 6. Each judicial district department of correctional
34 services shall provide a report concerning the treatment and
35 supervision of probation and parole violators who have been

1 released from the department of corrections violator program,
2 to the co-chairpersons and ranking members of the joint
3 appropriations subcommittee on the justice system and the
4 legislative fiscal bureau, on or before January 15, 2001.

5 7. In addition to the requirements of section 8.39, the
6 department of corrections shall not make an intradepartmental
7 transfer of moneys appropriated to the department, unless
8 notice of the intradepartmental transfer is given prior to its
9 effective date to the legislative fiscal bureau. The notice
10 shall include information on the department's rationale for
11 making the transfer and details concerning the work load and
12 performance measures upon which the transfers are based.

13 8. Each judicial district department of correctional
14 services shall submit a report to the general assembly by
15 January 8, 2001, concerning what action, if any, the district
16 department has taken in order to implement, or not implement,
17 an intermediate criminal sanctions program as provided by
18 section 901B.1. If the district department has implemented
19 such a program, the report shall include information as to the
20 effectiveness of the program.

21 Sec. 7. CORRECTIONAL INSTITUTIONS -- VOCATIONAL TRAINING.

22 1. The state prison industries board and the department of
23 corrections shall continue the implementation of a plan to
24 enhance vocational training opportunities within the
25 correctional institutions listed in section 904.102, as
26 provided in 1993 Iowa Acts, chapter 171, section 12. The plan
27 shall provide for increased vocational training opportunities
28 within the correctional institutions, including the
29 possibility of approving community college credit for inmates
30 working in prison industries. The department of corrections
31 shall provide a report concerning the implementation of the
32 plan to the co-chairpersons and ranking members of the joint
33 appropriations subcommittee on the justice system and the
34 legislative fiscal bureau, on or before January 15, 2001.

35 2. It is the intent of the general assembly that each

1 correctional facility make all reasonable efforts to maintain
2 vocational education programs for inmates and to identify
3 available funding sources to continue these programs. The
4 department of corrections shall submit a report to the general
5 assembly by January 1, 2001, concerning the efforts made by
6 each correctional facility in maintaining vocational education
7 programs for inmates.

8 Sec. 8. STATE AGENCY PURCHASES FROM PRISON INDUSTRIES.

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

17 2. State agencies are hereby encouraged to purchase
18 products from Iowa state industries, as defined in section
19 904.802, when purchases are required and the products are
20 available from Iowa state industries.

21 3. State agencies shall submit to the legislative fiscal
22 bureau by January 15, 2001, a report of the dollar value of
23 products and services purchased from Iowa state industries by
24 the state agency during the fiscal year beginning July 1,
25 1999, and ending June 30, 2000.

26 Sec. 9. STATE PUBLIC DEFENDER. There is appropriated from
27 the general fund of the state to the office of the state
28 public defender of the department of inspections and appeals
29 for the fiscal year beginning July 1, 2000, and ending June
30 30, 2001, the following amounts, or so much thereof as is
31 necessary, for the purposes designated:

32 \$ 35,103,664

33 The funds appropriated and full-time equivalent positions
34 authorized in this section are allocated as follows:

35 1. For salaries, support, maintenance, and miscellaneous

1 purposes, and for not more than the following full-time
2 equivalent positions:

3 \$ 13,899,288
4 FTEs 201.00

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

8 \$ 21,204,376

9 Sec. 10. IOWA CORRECTIONS OFFENDER NETWORK DATA SYSTEM.

10 The department of corrections shall submit a report to the co-
11 chairpersons and ranking members of the joint appropriations
12 subcommittee on the justice system and the legislative fiscal
13 bureau, on or before January 15, 2001, concerning the
14 development and implementation of the Iowa corrections
15 offender network (ICON) data system. The report shall include
16 a description of the system and functions, a plan for
17 implementation of the system, including a timeline, resource
18 and staffing requirements for the system, and a current status
19 and progress report concerning the implementation of the
20 system. In addition, the report shall specifically address
21 the ability of the system to receive and transmit data between
22 prisons, community-based corrections district departments, the
23 judicial branch, board of parole, the criminal and juvenile
24 justice planning division of the department of human rights,
25 the department of public safety, and other applicable
26 governmental agencies. The report should include a detailed
27 discussion of the cooperation with other state agencies and
28 the judicial branch in the development and implementation of
29 the system.

30 Sec. 11. IOWA LAW ENFORCEMENT ACADEMY. There is
31 appropriated from the general fund of the state to the Iowa
32 law enforcement academy for the fiscal year beginning July 1,
33 2000, and ending June 30, 2001, the following amount, or so
34 much thereof as is necessary, to be used for the purposes
35 designated:

1 1. For salaries, support, maintenance, miscellaneous
2 purposes, including jailer training and technical assistance,
3 and for not more than the following full-time equivalent
4 positions:

5	\$	1,365,029
6	FTEs	31.05

7 It is the intent of the general assembly that the Iowa law
8 enforcement academy may provide training of state and local
9 law enforcement personnel concerning the recognition of and
10 response to persons with Alzheimer's disease.

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

24 Sec. 12. BOARD OF PAROLE. There is appropriated from the
25 general fund of the state to the board of parole for the
26 fiscal year beginning July 1, 2000, and ending June 30, 2001,
27 the following amount, or so much thereof as is necessary, to
28 be used for the purposes designated:

29 For salaries, support, maintenance, including maintenance
30 of an automated docket and the board's automated risk
31 assessment model, employment of two statistical research
32 analysts to assist with the application of the risk assessment
33 model in the parole decision-making process, miscellaneous
34 purposes, and for not more than the following full-time
35 equivalent positions:

1 \$ 1,042,404
2 FTEs 18.00

3 A portion of the funds appropriated in this section shall
4 be used to continue a pilot program for probation violations
5 in the sixth judicial district department of correctional
6 services. Data shall be maintained to evaluate the pilot
7 program.

8 Sec. 13. DEPARTMENT OF PUBLIC DEFENSE. There is
9 appropriated from the general fund of the state to the
10 department of public defense for the fiscal year beginning
11 July 1, 2000, and ending June 30, 2001, the following amounts,
12 or so much thereof as is necessary, to be used for the
13 purposes designated:

14 1. MILITARY DIVISION

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

18 \$ 4,992,231
19 FTEs 254.76

20 If there is a surplus in the general fund of the state for
21 the fiscal year ending June 30, 2001, within 60 days after the
22 close of the fiscal year, the military division may incur up
23 to an additional \$500,000 in expenditures from the surplus
24 prior to transfer of the surplus pursuant to section 8.57.

25 2. EMERGENCY MANAGEMENT DIVISION

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

29 \$ 1,032,186
30 FTEs 25.25

31 Sec. 14. DEPARTMENT OF PUBLIC SAFETY. There is
32 appropriated from the general fund of the state to the
33 department of public safety for the fiscal year beginning July
34 1, 2000, and ending June 30, 2001, the following amounts, or
35 so much thereof as is necessary, to be used for the purposes

1 designated:

2 1. For the department's administrative functions,
 3 including the criminal justice information system, and for not
 4 more than the following full-time equivalent positions:
 5 \$ 2,553,129
 6 FTEs 38.80

7 2. For the division of criminal investigation and bureau
 8 of identification including the state's contribution to the
 9 peace officers' retirement, accident, and disability system
 10 provided in chapter 97A in the amount of 17 percent of the
 11 salaries for which the funds are appropriated, to meet federal
 12 fund matching requirements, and for not more than the
 13 following full-time equivalent positions:
 14 \$ 12,215,423
 15 FTEs 229.50

16 Riverboat enforcement costs shall be billed in accordance
 17 with section 99F.10, subsection 4. The costs shall be not
 18 more than the department's estimated expenditures, including
 19 salary adjustment, for riverboat enforcement for the fiscal
 20 year.

21 The department of public safety, with the approval of the
 22 department of management, may employ no more than two special
 23 agents and four gaming enforcement officers for each
 24 additional riverboat regulated after July 1, 2000, and one
 25 special agent for each racing facility which becomes
 26 operational during the fiscal year which begins July 1, 2000.
 27 One additional gaming enforcement officer, up to a total of
 28 four per boat, may be employed for each riverboat that has
 29 extended operations to 24 hours and has not previously
 30 operated with a 24-hour schedule. Positions authorized in
 31 this paragraph are in addition to the full-time equivalent
 32 positions authorized in this subsection.

33 3. a. For the division of narcotics enforcement,
 34 including the state's contribution to the peace officers'
 35 retirement, accident, and disability system provided in

1 chapter 97A in the amount of 17 percent of the salaries for
2 which the funds are appropriated, to meet federal fund
3 matching requirements, and for not more than the following
4 full-time equivalent positions:

5 \$ 3,623,997
6 FTEs 61.00

7 b. For the division of narcotics enforcement for
8 undercover purchases:

9 \$ 139,202

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

16 \$ 1,930,061
17 FTEs 35.80

18 5. For the capitol police division, including the state's
19 contribution to the peace officers' retirement, accident, and
20 disability system provided in chapter 97A in the amount of 17
21 percent of the salaries for which the funds are appropriated
22 and for not more than the following full-time equivalent
23 positions:

24 \$ 1,386,588
25 FTEs 27.00

26 6. For the division of the Iowa state patrol of the
27 department of public safety, for salaries, support,
28 maintenance, workers' compensation costs, and miscellaneous
29 purposes, including the state's contribution to the peace
30 officers' retirement, accident, and disability system provided
31 in chapter 97A in the amount of 17 percent of the salaries for
32 which the funds are appropriated, and for not more than the
33 following full-time equivalent positions:

34 \$ 38,686,879
35 FTEs 579.25

1 7. For costs associated with the maintenance of the
 2 automated fingerprint information system (AFIS):
 3 \$ 269,425

4 8. An employee of the department of public safety who
 5 retires after July 1, 2000, but prior to June 30, 2001, is
 6 eligible for payment of life or health insurance premiums as
 7 provided for in the collective bargaining agreement covering
 8 the public safety bargaining unit at the time of retirement if
 9 that employee previously served in a position which would have
 10 been covered by the agreement. The employee shall be given
 11 credit for the service in that prior position as though it
 12 were covered by that agreement. The provisions of this
 13 subsection shall not operate to reduce any retirement benefits
 14 an employee may have earned under other collective bargaining
 15 agreements or retirement programs.

16 9. For costs associated with the training and equipment
 17 needs of volunteer fire fighters and for not more than the
 18 following full-time equivalent positions:
 19 \$ 709,405
 20 FTEs 1.00

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

26 Sec. 15. Section 99D.14, Code 1999, is amended by adding
 27 the following new subsection:

28 NEW SUBSECTION. 7. A licensee shall pay a fee in an
 29 amount representing one hundred percent of the costs of the
 30 division of criminal investigation of the department of public
 31 safety for enforcement of this chapter.

32 Sec. 16. Section 99F.10, subsection 4, Code 1999, is
 33 amended to read as follows:

34 4. In determining the license fees and state admission
 35 fees to be charged as provided under section 99F.4 and this

1 section, the commission shall use the amount appropriated to
2 the commission plus ~~the cost of salaries for no more than two~~
3 ~~special agents and no more than four gaming enforcement~~
4 ~~officers for each excursion gambling boat~~ an amount, based
5 upon the appropriation to the division of criminal
6 investigation of the department of public safety, representing
7 the cost to the division of criminal investigation for the
8 division of criminal investigation's excursion gambling boat
9 activities as the basis for determining the amount of revenue
10 to be raised from the license fees and admission fees. The In
11 determining the amount representing the cost to the division
12 for its excursion gambling boat activities, the division's
13 salary costs shall be limited to ~~sixty-five~~ one hundred
14 percent of the salary costs for special agents ~~and sixty-five,~~
15 one hundred percent of the salary costs for gaming enforcement
16 for personnel assigned to excursion gambling boats who enforce
17 laws and rules adopted by the commission, and all other
18 associated costs for the enforcement of this chapter.

19 Sec. 17. Section 99F.4A, Code 1999, is amended by adding
20 the following new subsection:

21 NEW SUBSECTION. 8. A licensee shall pay a fee in an
22 amount representing one hundred percent of the costs of the
23 division of criminal investigation of the department of public
24 safety for enforcement of this chapter.

25 Sec. 18. Section 100.1, Code 1999, is amended by added by
26 the following new subsection:

27 NEW SUBSECTION. 6. To adopt rules designating a fee to be
28 assessed to each building, structure, or facility for which a
29 fire safety inspection by the state fire marshal is required
30 as a condition of licensure. The fee designated by rule shall
31 be set in an amount that is reasonably related to the costs of
32 conducting the applicable inspection. The fees collected by
33 the state fire marshal shall be deposited in the general fund
34 of the state.

35 Sec. 19. Section 103A.23, Code 1999, is amended to read as

1 follows:

2 103A.23 FEES.

3 For the purpose of obtaining revenue to defray the costs of
4 administering the provisions of this chapter, the commissioner
5 shall establish by rule a schedule of fees based upon the
6 costs of administration which fees shall be collected from
7 persons whose manufacture, installation or construction is
8 subject to the provisions of the state building code. For the
9 performance of building plan reviews by the department of
10 public safety, the commissioner shall establish by rule a fee
11 which shall be equal to a percentage of the estimated total
12 valuation of the building and which shall be in an amount
13 reasonably related to the cost of conducting the review.

14 All fees collected by the commissioner shall be deposited
15 in the state treasury to the credit of the general fund of the
16 state.

17 All federal grants to and federal receipts of the office of
18 state building code commissioner are appropriated for the
19 purpose set forth in the federal grants or receipts.

20 Sec. 20. Section 904.508A, Code 1999, is amended to read
21 as follows:

22 904.508A INMATE TELEPHONE REBATE FUND.

23 ~~The department is authorized to establish and maintain an~~
24 An inmate telephone rebate fund in each institution for the
25 deposit of moneys is created in the office of the treasurer of
26 state. Moneys received by the department or an institution
27 for inmate telephone rebates shall be deposited in the fund.
28 ~~All funds deposited in this~~ Moneys deposited in the fund shall
29 be used only as provided in appropriations from the fund and
30 shall be used for the benefit of inmates. The director shall
31 ~~adopt rules providing for the disbursement of moneys from the~~
32 ~~fund.~~

33 Sec. 21. Section 905.14, subsection 1, Code 1999, is
34 amended to read as follows:

35 1. A person placed on probation or parole and subject to

1 supervision by a district department shall be required to pay
2 an enrollment fee of two hundred fifty dollars to the district
3 department to offset the costs of supervision. ~~The fee shall~~
4 ~~be based on the offense class of the most serious offense for~~
5 ~~which the person has received probation or parole, including~~
6 ~~deferred judgments or deferred sentences, and shall be as~~
7 follows:

8 a. ~~For a felony, one hundred fifty dollars.~~

9 b. ~~For an aggravated misdemeanor, one hundred twenty-five~~
10 dollars.

11 c. ~~For a serious or simple misdemeanor, one hundred~~
12 dollars.

13 Sec. 22. 1998 Iowa Acts, chapter 1101, section 15,
14 subsection 2, as amended by 1999 Iowa Acts, chapter 202,
15 section 25, is amended to read as follows:

16 2. a. There is appropriated from surcharge moneys
17 received by the E911 administrator and deposited into the
18 wireless E911 emergency communications fund, for the each
19 fiscal year in the fiscal period beginning July 1, 1998, and
20 ~~for the fiscal year beginning July 1, 1999~~ ending June 30,
21 2001, an amount not to exceed two hundred thousand dollars to
22 be used for the implementation, support, and maintenance of
23 the functions of the E911 administrator. The amount
24 appropriated in this paragraph includes any amounts necessary
25 to reimburse the division of emergency management of the
26 department of public defense pursuant to paragraph "b".

27 b. Notwithstanding the distribution formula in section
28 34A.7A, as enacted in this Act, and prior to any such
29 distribution, of the initial surcharge moneys received by the
30 E911 administrator and deposited into the wireless E911
31 emergency communications fund, for the each fiscal year in the
32 fiscal period beginning July 1, 1998, and ~~for the fiscal year~~
33 ~~beginning July 1, 1999~~ ending June 30, 2001, an amount ~~shall~~
34 ~~be transferred~~ is appropriated to the division of emergency
35 management of the department of public defense as necessary to

1 reimburse the division for amounts expended for the
2 implementation, support, and maintenance of the E911
3 administrator, including the E911 administrator's salary.

4 Sec. 23. CORRECTIONAL FARMS -- STUDY. The legislative
5 council is requested to establish a legislative interim
6 committee to study issues concerning the use of correctional
7 farms under the control of the department of corrections. The
8 committee shall consider, among other issues, possible ways to
9 create job opportunities for inmates at the farms and the
10 possible sale or rental of farmland under the control of the
11 department. The interim committee shall submit a report and
12 recommendations to the general assembly for the 2001
13 legislative session.

14 Sec. 24. EFFECTIVE DATE. Section 20 of this Act, amending
15 section 904.508A, takes effect July 1, 2001.

16 EXPLANATION

17 This bill makes appropriations for the 2000-2001 fiscal
18 year to the departments of justice, corrections, public
19 defense, and public safety, Iowa law enforcement academy,
20 office of public defender, and the board of parole.

21 Code section 99D.14 is amended to require a licensee
22 involved in horse and dog racing to pay a fee in an amount
23 representing 100 percent of the division of criminal
24 investigation's enforcement costs.

25 Code section 99F.4A is amended to require a licensee
26 involved with gambling games at a racetrack to pay a fee in an
27 amount representing 100 percent of the division of criminal
28 investigation's enforcement costs.

29 Code section 99F.10 governing the determination of license
30 and admission fees to be charged is amended to provide that
31 the fees shall reflect most of the costs incurred by the
32 division of criminal investigation relating to excursion
33 gambling boats. The change provides that 100 percent of the
34 costs of special agents and 100 percent of the cost of other
35 gaming enforcement personnel assigned to the boats shall be

1 considered in determining fees.

2 Code section 100.1 is amended to require the state fire
3 marshal to establish a fee for the inspection by the state
4 fire marshal's office of facilities requiring a state license.

5 Code section 103A.23 is amended to require the commissioner
6 of public safety to implement a fee, to be adopted by rule,
7 for the review of building plans for construction subject to
8 the state building code.

9 Code section 904.508A, concerning the inmate telephone
10 rebate fund, is amended. The change provides that the fund
11 shall be in the office of the treasurer of state and moneys
12 deposited in the fund from inmate telephone rebates shall be
13 used as appropriated for the benefit of inmates. Under
14 current law, the fund is established within each correctional
15 institution and used for the benefit of inmates pursuant to
16 rules adopted by the department of corrections. This
17 provision of the bill takes effect July 1, 2001.

18 Code section 905.14, relating to enrollment fees charged to
19 persons placed on parole subject to supervision by a judicial
20 district department of corrections, is amended. The amendment
21 strikes enrollment fee amounts specified for simple, serious,
22 and aggravated misdemeanors, and felonies and establishes an
23 enrollment fee of \$250 for all of those offense levels.

24 1998 Iowa Acts, chapter 1101, as amended in 1999 Iowa Acts,
25 is further amended to extend the appropriation of surcharge
26 moneys received by the E911 administrator for use by the
27 emergency management division of the department of public
28 defense for wireless E911 services implementation through the
29 fiscal year ending June 30, 2001.

30 The bill also requests the legislative council to appoint a
31 legislative interim study committee to consider issues
32 involving the use of farms under the control of the department
33 of corrections.

34

35

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MAR 23 2000

APPROPRIATIONS CALENDAR

HOUSE FILE

2552

BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HSB 777)

Passed House, Date ^(P.1119) 3-29-00 Passed Senate, Date ^(P.1342) 4/24/00
 Vote: Ayes 56 Nays 41 Vote: Ayes 47 Nays 0
 Approved Tom Vatas 5/17/00

A BILL FOR

1 An Act relating to and making appropriations to the justice
 2 system, making related statutory changes, and providing an
 3 effective date.

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

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HF 2552

1 Section 1. DEPARTMENT OF JUSTICE. There is appropriated
2 from the general fund of the state to the department of
3 justice for the fiscal year beginning July 1, 2000, and ending
4 June 30, 2001, the following amounts, or so much thereof as is
5 necessary, to be used for the purposes designated:

6 1. For the general office of attorney general for
7 salaries, support, maintenance, miscellaneous purposes
8 including odometer fraud enforcement, and for not more than
9 the following full-time equivalent positions:

10	\$	8,524,304
11	FTEs	194.50

12 2. For the prosecuting attorney training program for
13 salaries, support, maintenance, miscellaneous purposes, and
14 for not more than the following full-time equivalent
15 positions:

16	\$	322,856
17	FTEs	6.00

18 3. In addition to the funds appropriated in subsection 1,
19 there is appropriated from the general fund of the state to
20 the department of justice for the fiscal year beginning July
21 1, 2000, and ending June 30, 2001, an amount not exceeding
22 \$200,000 to be used for the enforcement of the Iowa
23 competition law. The funds appropriated in this subsection
24 are contingent upon receipt by the general fund of the state
25 of an amount at least equal to the expenditure amount from
26 either damages awarded to the state or a political subdivision
27 of the state by a civil judgment under chapter 553, if the
28 judgment authorizes the use of the award for enforcement
29 purposes or costs or attorneys fees awarded the state in state
30 or federal antitrust actions. However, if the amounts
31 received as a result of these judgments are in excess of
32 \$200,000, the excess amounts shall not be appropriated to the
33 department of justice pursuant to this subsection.

34 4. In addition to the funds appropriated in subsection 1,
35 there is appropriated from the general fund of the state to

1 the department of justice for the fiscal year beginning July
2 1, 2000, and ending June 30, 2001, an amount not exceeding
3 \$150,000 to be used for public education relating to consumer
4 fraud and for enforcement of section 714.16, and an amount not
5 exceeding \$75,000 for investigation, prosecution, and consumer
6 education relating to consumer and criminal fraud against
7 older Iowans. The funds appropriated in this subsection are
8 contingent upon receipt by the general fund of the state of an
9 amount at least equal to the expenditure amount from damages
10 awarded to the state or a political subdivision of the state
11 by a civil consumer fraud judgment or settlement, if the
12 judgment or settlement authorizes the use of the award for
13 public education on consumer fraud. However, if the funds
14 received as a result of these judgments and settlements are in
15 excess of \$225,000, the excess funds shall not be appropriated
16 to the department of justice pursuant to this subsection.

17 5. For victim assistance grants:
18 \$ 1,935,806

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

23 b. Notwithstanding sections 8.33 and 8.39, moneys
24 appropriated in this subsection that remain unencumbered or
25 unobligated at the close of the fiscal year shall not revert
26 but shall remain available for expenditure during the
27 subsequent fiscal year for the same purpose, and shall not be
28 transferred to any other program.

29 6. For the GASA prosecuting attorney program and for not
30 more than the following full-time equivalent positions:
31 \$ 133,102
32 FTEs 2.00

33 7. The balance of the victim compensation fund established
34 in section 915.94 may be used to provide salary and support of
35 not more than 20.00 FTEs and to provide maintenance for the

1 victim compensation functions of the department of justice.

2 8. The department of justice shall submit monthly
3 financial statements to the legislative fiscal bureau and the
4 department of management containing all appropriated accounts
5 in the same manner as provided in the monthly financial status
6 reports and personal services usage reports of the department
7 of revenue and finance. The monthly financial statements
8 shall include comparisons of the moneys and percentage spent
9 of budgeted to actual revenues and expenditures on a
10 cumulative basis for full-time equivalent positions and
11 available moneys.

12 9. a. The department of justice, in submitting budget
13 estimates for the fiscal year commencing July 1, 2001,
14 pursuant to section 8.23, shall include a report of funding
15 from sources other than amounts appropriated directly from the
16 general fund of the state to the department of justice or to
17 the office of consumer advocate. These funding sources shall
18 include, but are not limited to, reimbursements from other
19 state agencies, commissions, boards, or similar entities, and
20 reimbursements from special funds or internal accounts within
21 the department of justice. The department of justice shall
22 report actual reimbursements for the fiscal year commencing
23 July 1, 1999, and actual and expected reimbursements for the
24 fiscal year commencing July 1, 2000.

25 b. The department of justice shall include the report
26 required under paragraph "a", as well as information regarding
27 any revisions occurring as a result of reimbursements actually
28 received or expected at a later date, in a report to the co-
29 chairpersons and ranking members of the joint appropriations
30 subcommittee on the justice system and the legislative fiscal
31 bureau. The department of justice shall submit the report on
32 or before January 15, 2001.

33 10. For legal services for persons in poverty grants as
34 provided in section 13.34:

35 \$ 700,000

1 As a condition for accepting a grant funded pursuant to
2 this subsection, an organization receiving a grant shall
3 submit a report to the general assembly by January 1, 2001,
4 concerning the use of any grants received during the previous
5 fiscal year and efforts made by the organization to find
6 alternative sources of revenue to replace any reductions in
7 federal funding for the organization.

8 Sec. 2. DEPARTMENT OF JUSTICE -- ENVIRONMENTAL CRIMES
9 INVESTIGATION AND PROSECUTION -- FUNDING. There is
10 appropriated from the environmental crime fund of the
11 department of justice, consisting of court-ordered fines and
12 penalties awarded to the department arising out of the
13 prosecution of environmental crimes, to the department of
14 justice for the fiscal year beginning July 1, 2000, and ending
15 June 30, 2001, an amount not exceeding \$20,000 to be used by
16 the department, at the discretion of the attorney general, for
17 the investigation and prosecution of environmental crimes,
18 including the reimbursement of expenses incurred by county,
19 municipal, and other local governmental agencies cooperating
20 with the department in the investigation and prosecution of
21 environmental crimes.

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

31 Notwithstanding section 8.33, moneys appropriated in this
32 section that remain unexpended or unobligated at the close of
33 the fiscal year shall not revert to the environmental crime
34 fund but shall remain available for expenditure for the
35 purpose designated until the close of the succeeding fiscal

1 year.

2 Sec. 3. OFFICE OF CONSUMER ADVOCATE. There is
3 appropriated from the general fund of the state to the office
4 of consumer advocate of the department of justice for the
5 fiscal year beginning July 1, 2000, and ending June 30, 2001,
6 the following amount, or so much thereof as is necessary, to
7 be used for the purposes designated:

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

11	\$	2,652,903
12	FTEs	32.00

13 Sec. 4. DEPARTMENT OF CORRECTIONS -- FACILITIES. There is
14 appropriated from the general fund of the state to the
15 department of corrections for the fiscal year beginning July
16 1, 2000, and ending June 30, 2001, the following amounts, or
17 so much thereof as is necessary, to be used for the purposes
18 designated:

19 1. For the operation of adult correctional institutions,
20 reimbursement of counties for certain confinement costs, and
21 federal prison reimbursement, to be allocated as follows:

22 a. For the operation of the Fort Madison correctional
23 facility, including salaries, support, maintenance, employment
24 of correctional officers, miscellaneous purposes, and for not
25 more than the following full-time equivalent positions:

26	\$	29,939,361
27	FTEs	531.50

28 b. For the operation of the Anamosa correctional facility,
29 including salaries, support, maintenance, employment of
30 correctional officers and a part-time chaplain to provide
31 religious counseling to inmates of a minority race,
32 miscellaneous purposes, and for not more than the following
33 full-time equivalent positions:

34	\$	23,573,251
35	FTEs	399.00

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

5 c. For the operation of the Oakdale correctional facility,
6 including salaries, support, maintenance, employment of
7 correctional officers, miscellaneous purposes, and for not
8 more than the following full-time equivalent positions:

9 \$ 20,499,682
10 FTEs 338.80

11 d. For the operation of the Newton correctional facility,
12 including salaries, support, maintenance, employment of
13 correctional officers, miscellaneous purposes, and for not
14 more than the following full-time equivalent positions:

15 \$ 22,702,023
16 FTEs 392.25

17 e. For the operation of the Mt. Pleasant correctional
18 facility, including salaries, support, maintenance, employment
19 of correctional officers and a full-time chaplain to provide
20 religious counseling at the Oakdale and Mt. Pleasant
21 correctional facilities, miscellaneous purposes, and for not
22 more than the following full-time equivalent positions:

23 \$ 21,383,028
24 FTEs 342.59

25 f. For the operation of the Rockwell City correctional
26 facility, including salaries, support, maintenance, employment
27 of correctional officers, miscellaneous purposes, and for not
28 more than the following full-time equivalent positions:

29 \$ 6,916,137
30 FTEs 121.00

31 g. For the operation of the Clarinda correctional
32 facility, including salaries, support, maintenance, employment
33 of correctional officers, miscellaneous purposes, and for not
34 more than the following full-time equivalent positions:

35 \$ 17,807,672

1 FTEs 292.75

2 Moneys received by the department of corrections as
3 reimbursement for services provided to the Clarinda youth
4 corporation are appropriated to the department and shall be
5 used for the purpose of operating the Clarinda correctional
6 facility.

7 h. For the operation of the Mitchellville correctional
8 facility, including salaries, support, maintenance, employment
9 of correctional officers, miscellaneous purposes, and for not
10 more than the following full-time equivalent positions:

11 \$ 11,954,276

12 FTEs 237.50

13 i. For the operation of the Fort Dodge correctional
14 facility, including salaries, support, maintenance, employment
15 of correctional officers, miscellaneous purposes, and for not
16 more than the following full-time equivalent positions:

17 \$ 24,961,904

18 FTEs 414.00

19 j. For reimbursement of counties for temporary confinement
20 of work release and parole violators, as provided in sections
21 901.7, 904.908, and 906.17 and for offenders confined pursuant
22 to section 904.513:

23 \$ 524,038

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

26 \$ 341,334

27 The department of corrections shall use funds appropriated
28 in this subsection to continue to contract for the services of
29 a Muslim imam.

30 2. a. If the inmate tort claim fund for inmate claims of
31 less than \$100 is exhausted during the fiscal year, sufficient
32 funds shall be transferred from the institutional budgets to
33 pay approved tort claims for the balance of the fiscal year.
34 The warden or superintendent of each institution or
35 correctional facility shall designate an employee to receive,

1 investigate, and recommend whether to pay any properly filed
2 inmate tort claim for less than the above amount. The
3 designee's recommendation shall be approved or denied by the
4 warden or superintendent and forwarded to the department of
5 corrections for final approval and payment. The amounts
6 appropriated to this fund pursuant to 1987 Iowa Acts, chapter
7 234, section 304, subsection 2, are not subject to reversion
8 under section 8.33.

9 b. Tort claims denied at the institution shall be
10 forwarded to the state appeal board for their consideration as
11 if originally filed with that body. This procedure shall be
12 used in lieu of chapter 669 for inmate tort claims of less
13 than \$100.

14 3. It is the intent of the general assembly that the
15 department of corrections shall timely fill correctional
16 positions authorized for correctional facilities pursuant to
17 this section.

18 Sec. 5. DEPARTMENT OF CORRECTIONS -- ADMINISTRATION.
19 There is appropriated from the general fund of the state to
20 the department of corrections for the fiscal year beginning
21 July 1, 2000, and ending June 30, 2001, the following amounts,
22 or so much thereof as is necessary, to be used for the
23 purposes designated:

- 24 1. For general administration, including salaries,
- 25 support, maintenance, employment of an education director and
- 26 clerk to administer a centralized education program for the
- 27 correctional system, miscellaneous purposes, and for not more
- 28 than the following full-time equivalent positions:
- 29 \$ 2,405,009
- 30 FTEs 37.18

31 a. The department shall monitor the use of the
32 classification model by the judicial district departments of
33 correctional services and has the authority to override a
34 district department's decision regarding classification of
35 community-based clients. The department shall notify a

1 district department of the reasons for the override.

2 b. It is the intent of the general assembly that as a
3 condition of receiving the appropriation provided in this
4 subsection, the department of corrections shall not, except as
5 otherwise provided in paragraph "c", enter into a new
6 contract, unless the contract is a renewal of an existing
7 contract, for the expenditure of moneys in excess of \$100,000
8 during the fiscal year beginning July 1, 2000, for the
9 privatization of services performed by the department using
10 state employees as of July 1, 2000, or for the privatization
11 of new services by the department, without prior consultation
12 with any applicable state employee organization affected by
13 the proposed new contract and prior notification of the co-
14 chairpersons and ranking members of the joint appropriations
15 subcommittee on the justice system.

16 c. The department of corrections shall not enter into a
17 new contract, or renew an existing contract, for the
18 expenditure of moneys for the privatization of medical
19 services through medical contract employees at the Fort
20 Madison correctional facility.

21 d. The department of general services shall,
22 notwithstanding any provisions of law or rule to the contrary,
23 permit the department of corrections the opportunity to
24 acquire, at no cost, computers that would otherwise be
25 disposed of by the department of general services. The
26 department of corrections shall use computers acquired under
27 this paragraph to provide educational training and programs
28 for inmates.

29 e. It is the intent of the general assembly that each
30 lease negotiated by the department of corrections with a
31 private corporation for the purpose of providing private
32 industry employment of inmates in a correctional institution
33 shall prohibit the private corporation from utilizing inmate
34 labor for partisan political purposes for any person seeking
35 election to public office in this state and that a violation

1 of this requirement shall result in a termination of the lease
2 agreement.

3 f. It is the intent of the general assembly that as a
4 condition of receiving the appropriation provided in this
5 subsection, the department of corrections shall not enter into
6 a lease or contractual agreement pursuant to section 904.809
7 with a private corporation for the use of building space for
8 the purpose of providing inmate employment without providing
9 that the terms of the lease or contract establish safeguards
10 to restrict, to the greatest extent feasible, access by
11 inmates working for the private corporation to personal
12 identifying information of citizens.

13 g. It is the intent of the general assembly that as a
14 condition of receiving the appropriation provided in this
15 subsection, the department of corrections shall not enter into
16 any new agreement with a private for-profit agency or
17 corporation for the purpose of transferring inmates under the
18 custody of the department to a jail or correctional facility
19 or institution in this state which is established, maintained,
20 or operated by a private for-profit agency or corporation
21 without prior approval by the general assembly.

22 2. For salaries, support, maintenance, miscellaneous
23 purposes, and for not more than the following full-time
24 equivalent positions at the correctional training center at
25 Mt. Pleasant:

26	\$	486,247
27	FTEs	8.07

28 3. For annual payment relating to the financial
29 arrangement for the construction of expansion in prison
30 capacity as provided in 1990 Iowa Acts, chapter 1257, section
31 24:

32	\$	796,940
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33 4. For educational programs for inmates at state penal
34 institutions:

35	\$	3,294,775
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1 It is the intent of the general assembly that moneys
2 appropriated in this subsection shall be used solely for the
3 purpose indicated and that the moneys shall not be transferred
4 for any other purpose. In addition, it is the intent of the
5 general assembly that the department shall consult with the
6 community colleges in the areas in which the institutions are
7 located to utilize moneys appropriated in this subsection to
8 fund the high school completion, high school equivalency
9 diploma, adult literacy, and adult basic education programs in
10 a manner so as to maintain these programs at the institutions.

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

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

21 5. For the development of the departmental-wide Iowa
22 corrections offender network (ICON) data system:
23 \$ 600,000

24 6. The department of corrections shall submit a report to
25 the general assembly on January 1, 2001, concerning progress
26 made in implementing the requirements of section 904.701,
27 concerning hard labor by inmates.

28 7. It is the intent of the general assembly that the
29 department of corrections shall continue to operate the
30 correctional farms under the control of the department at the
31 same or greater level of participation and involvement as
32 existed as of January 1, 2000, shall not enter into any rental
33 agreement or contract concerning any farmland under the
34 control of the department that is not subject to a rental
35 agreement or contract as of January 1, 2000, without prior

1 legislative approval, and shall further attempt to provide job
2 opportunities at the farms for inmates. The department shall
3 attempt to provide job opportunities at the farms for inmates
4 by encouraging labor-intensive farming or gardening where
5 appropriate, using inmates to grow produce and meat for
6 institutional consumption, researching the possibility of
7 instituting food canning and cook-and-chill operations, and
8 exploring opportunities for organic farming and gardening,
9 livestock ventures, horticulture, and specialized crops.

10 8. The department of corrections shall submit a report to
11 the general assembly by January 1, 2001, concerning moneys
12 recouped from inmate earnings for the reimbursement of
13 operational expenses of the applicable facility during the
14 fiscal year beginning July 1, 1999, for each correctional
15 institution and judicial district department of correctional
16 services. In addition, each correctional institution and
17 judicial district department of correctional services shall
18 continue to submit a report to each member of the joint
19 appropriations subcommittee on the justice system and the
20 legislative fiscal bureau on a monthly basis concerning moneys
21 recouped from inmate earnings for the reimbursement of
22 operational expenses for each correctional institution and
23 district department during the previous calendar month.

24 Sec. 6. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL
25 SERVICES.

26 1. There is appropriated from the general fund of the
27 state to the department of corrections for the fiscal year
28 beginning July 1, 2000, and ending June 30, 2001, the
29 following amounts, or so much thereof as is necessary, to be
30 allocated as follows:

31 a. For the first judicial district department of
32 correctional services, including the treatment and supervision
33 of probation and parole violators who have been released from
34 the department of corrections violator program, the following
35 amount, or so much thereof as is necessary:

1 \$ 8,629,425

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

7 \$ 6,719,176

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

13 \$ 3,991,894

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

19 \$ 3,130,030

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

25 \$ 11,502,993

26 f. For the sixth judicial district department of
27 correctional services, including the treatment and supervision
28 of probation and parole violators who have been released from
29 the department of corrections violator program, the following
30 amount, or so much thereof as is necessary:

31 \$ 8,711,480

32 g. For the seventh judicial district department of
33 correctional services, including the treatment and supervision
34 of probation and parole violators who have been released from
35 the department of corrections violator program, the following

1 amount, or so much thereof as is necessary:

2 \$ 5,171,401

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

8 \$ 4,980,350

9 i. For the department of corrections for the assistance
10 and support of each judicial district department of
11 correctional services, the following amount, or so much
12 thereof as is necessary:

13 \$ 83,576

14 2. Each judicial district department of correctional
15 services shall continue programs and plans established within
16 that district to provide for intensive supervision, sex
17 offender treatment, diversion of low-risk offenders to the
18 least restrictive sanction available, job development, and
19 expanded use of intermediate criminal sanctions.

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

24 4. Each judicial district department of correctional
25 services and the department of corrections shall continue the
26 treatment alternatives to street crime programs established in
27 1989 Iowa Acts, chapter 225, section 9.

28 5. The governor's alliance on substance abuse shall
29 consider federal grants made to the department of corrections
30 for the benefit of each of the eight judicial district
31 departments of correctional services as local government
32 grants, as defined pursuant to federal regulations.

33 6. Each judicial district department of correctional
34 services shall provide a report concerning the treatment and
35 supervision of probation and parole violators who have been

1 released from the department of corrections violator program,
2 to the co-chairpersons and ranking members of the joint
3 appropriations subcommittee on the justice system and the
4 legislative fiscal bureau, on or before January 15, 2001.

5 7. In addition to the requirements of section 8.39, the
6 department of corrections shall not make an intradepartmental
7 transfer of moneys appropriated to the department, unless
8 notice of the intradepartmental transfer is given prior to its
9 effective date to the legislative fiscal bureau. The notice
10 shall include information on the department's rationale for
11 making the transfer and details concerning the work load and
12 performance measures upon which the transfers are based.

13 8. Each judicial district department of correctional
14 services shall submit a report to the general assembly by
15 January 8, 2001, concerning what action, if any, the district
16 department has taken in order to implement, or not implement,
17 an intermediate criminal sanctions program as provided by
18 section 901B.1. If the district department has implemented
19 such a program, the report shall include information as to the
20 effectiveness of the program.

21 Sec. 7. CORRECTIONAL INSTITUTIONS -- VOCATIONAL TRAINING.

22 1. The state prison industries board and the department of
23 corrections shall continue the implementation of a plan to
24 enhance vocational training opportunities within the
25 correctional institutions listed in section 904.102, as
26 provided in 1993 Iowa Acts, chapter 171, section 12. The plan
27 shall provide for increased vocational training opportunities
28 within the correctional institutions, including the
29 possibility of approving community college credit for inmates
30 working in prison industries. The department of corrections
31 shall provide a report concerning the implementation of the
32 plan to the co-chairpersons and ranking members of the joint
33 appropriations subcommittee on the justice system and the
34 legislative fiscal bureau, on or before January 15, 2001.

35 2. It is the intent of the general assembly that each

1 correctional facility make all reasonable efforts to maintain
2 vocational education programs for inmates and to identify
3 available funding sources to continue these programs. The
4 department of corrections shall submit a report to the general
5 assembly by January 1, 2001, concerning the efforts made by
6 each correctional facility in maintaining vocational education
7 programs for inmates.

8 Sec. 8. STATE AGENCY PURCHASES FROM PRISON INDUSTRIES.

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

17 2. State agencies are hereby encouraged to purchase
18 products from Iowa state industries, as defined in section
19 904.802, when purchases are required and the products are
20 available from Iowa state industries.

21 3. State agencies shall submit to the legislative fiscal
22 bureau by January 15, 2001, a report of the dollar value of
23 products and services purchased from Iowa state industries by
24 the state agency during the fiscal year beginning July 1,
25 1999, and ending June 30, 2000.

26 Sec. 9. STATE PUBLIC DEFENDER. There is appropriated from
27 the general fund of the state to the office of the state
28 public defender of the department of inspections and appeals
29 for the fiscal year beginning July 1, 2000, and ending June
30 30, 2001, the following amounts, or so much thereof as is
31 necessary, for the purposes designated:

32 \$ 35,103,664

33 The funds appropriated and full-time equivalent positions
34 authorized in this section are allocated as follows:

35 1. For salaries, support, maintenance, and miscellaneous

1 purposes, and for not more than the following full-time
2 equivalent positions:

3 \$ 13,899,288
4 FTEs 201.00

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

8 \$ 21,204,376

9 Sec. 10. IOWA CORRECTIONS OFFENDER NETWORK DATA SYSTEM.

10 The department of corrections shall submit a report to the co-
11 chairpersons and ranking members of the joint appropriations
12 subcommittee on the justice system and the legislative fiscal
13 bureau, on or before January 15, 2001, concerning the
14 development and implementation of the Iowa corrections
15 offender network (ICON) data system. The report shall include
16 a description of the system and functions, a plan for
17 implementation of the system, including a timeline, resource
18 and staffing requirements for the system, and a current status
19 and progress report concerning the implementation of the
20 system. In addition, the report shall specifically address
21 the ability of the system to receive and transmit data between
22 prisons, community-based corrections district departments, the
23 judicial branch, board of parole, the criminal and juvenile
24 justice planning division of the department of human rights,
25 the department of public safety, and other applicable
26 governmental agencies. The report should include a detailed
27 discussion of the cooperation with other state agencies and
28 the judicial branch in the development and implementation of
29 the system.

30 Sec. 11. IOWA LAW ENFORCEMENT ACADEMY. There is
31 appropriated from the general fund of the state to the Iowa
32 law enforcement academy for the fiscal year beginning July 1,
33 2000, and ending June 30, 2001, the following amount, or so
34 much thereof as is necessary, to be used for the purposes
35 designated:

1 1. For salaries, support, maintenance, miscellaneous
2 purposes, including jailer training and technical assistance,
3 and for not more than the following full-time equivalent
4 positions:

5	\$ 1,365,029
6	FTEs 31.05

7 It is the intent of the general assembly that the Iowa law
8 enforcement academy may provide training of state and local
9 law enforcement personnel concerning the recognition of and
10 response to persons with Alzheimer's disease.

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

24 Sec. 12. BOARD OF PAROLE. There is appropriated from the
25 general fund of the state to the board of parole for the
26 fiscal year beginning July 1, 2000, and ending June 30, 2001,
27 the following amount, or so much thereof as is necessary, to
28 be used for the purposes designated:

29 For salaries, support, maintenance, including maintenance
30 of an automated docket and the board's automated risk
31 assessment model, employment of two statistical research
32 analysts to assist with the application of the risk assessment
33 model in the parole decision-making process, miscellaneous
34 purposes, and for not more than the following full-time
35 equivalent positions:

1 \$ 1,042,404

2 FTEs 18.00

3 A portion of the funds appropriated in this section shall
4 be used to continue a pilot program for probation violations
5 in the sixth judicial district department of correctional
6 services. Data shall be maintained to evaluate the pilot
7 program.

8 Sec. 13. DEPARTMENT OF PUBLIC DEFENSE. There is
9 appropriated from the general fund of the state to the
10 department of public defense for the fiscal year beginning
11 July 1, 2000, and ending June 30, 2001, the following amounts,
12 or so much thereof as is necessary, to be used for the
13 purposes designated:

14 1. MILITARY DIVISION

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

18 \$ 4,992,231

19 FTEs 254.76

20 If there is a surplus in the general fund of the state for
21 the fiscal year ending June 30, 2001, within 60 days after the
22 close of the fiscal year, the military division may incur up
23 to an additional \$500,000 in expenditures from the surplus
24 prior to transfer of the surplus pursuant to section 8.57.

25 2. EMERGENCY MANAGEMENT DIVISION

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

29 \$ 1,032,186

30 FTEs 25.25

31 Sec. 14. DEPARTMENT OF PUBLIC SAFETY. There is
32 appropriated from the general fund of the state to the
33 department of public safety for the fiscal year beginning July
34 1, 2000, and ending June 30, 2001, the following amounts, or
35 so much thereof as is necessary, to be used for the purposes

1 designated:

2 1. For the department's administrative functions,
3 including the criminal justice information system, and for not
4 more than the following full-time equivalent positions:

5	\$	2,553,129
6	FTEs	38.80

7 2. For the division of criminal investigation and bureau
8 of identification including the state's contribution to the
9 peace officers' retirement, accident, and disability system
10 provided in chapter 97A in the amount of 17 percent of the
11 salaries for which the funds are appropriated, to meet federal
12 fund matching requirements, and for not more than the
13 following full-time equivalent positions:

14	\$	12,215,423
15	FTEs	229.50

16 Riverboat enforcement costs shall be billed in accordance
17 with section 99F.10, subsection 4. The costs shall be not
18 more than the department's estimated expenditures, including
19 salary adjustment, for riverboat enforcement for the fiscal
20 year.

21 The department of public safety, with the approval of the
22 department of management, may employ no more than two special
23 agents and four gaming enforcement officers for each
24 additional riverboat regulated after July 1, 2000, and one
25 special agent for each racing facility which becomes
26 operational during the fiscal year which begins July 1, 2000.
27 One additional gaming enforcement officer, up to a total of
28 four per boat, may be employed for each riverboat that has
29 extended operations to 24 hours and has not previously
30 operated with a 24-hour schedule. Positions authorized in
31 this paragraph are in addition to the full-time equivalent
32 positions authorized in this subsection.

33 3. a. For the division of narcotics enforcement,
34 including the state's contribution to the peace officers'
35 retirement, accident, and disability system provided in

1 chapter 97A in the amount of 17 percent of the salaries for
 2 which the funds are appropriated, to meet federal fund
 3 matching requirements, and for not more than the following
 4 full-time equivalent positions:

5 \$ 3,623,997
 6 FTEs 61.00

7 b. For the division of narcotics enforcement for
 8 undercover purchases:

9 \$ 139,202

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

16 \$ 1,930,061
 17 FTEs 35.80

18 5. For the capitol police division, including the state's
 19 contribution to the peace officers' retirement, accident, and
 20 disability system provided in chapter 97A in the amount of 17
 21 percent of the salaries for which the funds are appropriated
 22 and for not more than the following full-time equivalent
 23 positions:

24 \$ 1,386,588
 25 FTEs 27.00

26 6. For the division of the Iowa state patrol of the
 27 department of public safety, for salaries, support,
 28 maintenance, workers' compensation costs, and miscellaneous
 29 purposes, including the state's contribution to the peace
 30 officers' retirement, accident, and disability system provided
 31 in chapter 97A in the amount of 17 percent of the salaries for
 32 which the funds are appropriated, and for not more than the
 33 following full-time equivalent positions:

34 \$ 38,686,879
 35 FTEs 579.25

1 7. For costs associated with the maintenance of the
2 automated fingerprint information system (AFIS):
3 \$ 269,425

4 8. An employee of the department of public safety who
5 retires after July 1, 2000, but prior to June 30, 2001, is
6 eligible for payment of life or health insurance premiums as
7 provided for in the collective bargaining agreement covering
8 the public safety bargaining unit at the time of retirement if
9 that employee previously served in a position which would have
10 been covered by the agreement. The employee shall be given
11 credit for the service in that prior position as though it
12 were covered by that agreement. The provisions of this
13 subsection shall not operate to reduce any retirement benefits
14 an employee may have earned under other collective bargaining
15 agreements or retirement programs.

16 9. For costs associated with the training and equipment
17 needs of volunteer fire fighters and for not more than the
18 following full-time equivalent positions:
19 \$ 709,405
20 FTEs 1.00

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

26 Sec. 15. Section 99D.14, Code 1999, is amended by adding
27 the following new subsection:

28 NEW SUBSECTION. 7. A licensee shall pay a fee in an
29 amount representing one hundred percent of the costs of the
30 division of criminal investigation of the department of public
31 safety for enforcement of this chapter.

32 Sec. 16. Section 99F.10, subsection 4, Code 1999, is
33 amended to read as follows:

34 4. In determining the license fees and state admission
35 fees to be charged as provided under section 99F.4 and this

1 section, the commission shall use the amount appropriated to
2 the commission plus ~~the cost of salaries for no more than two~~
3 ~~special agents and no more than four gaming enforcement~~
4 ~~officers for each excursion gambling boat~~ an amount, based
5 upon the appropriation to the division of criminal
6 investigation of the department of public safety, representing
7 the cost to the division of criminal investigation for the
8 division of criminal investigation's excursion gambling boat
9 activities as the basis for determining the amount of revenue
10 to be raised from the license fees and admission fees. The In
11 determining the amount representing the cost to the division
12 for its excursion gambling boat activities, the division's
13 salary costs shall be limited to sixty-five one hundred
14 percent of the salary costs for special agents and sixty-five,
15 one hundred percent of the salary costs for gaming enforcement
16 for personnel assigned to excursion gambling boats who enforce
17 laws and rules adopted by the commission, and all other
18 associated costs for the enforcement of this chapter.

19 Sec. 17. Section 99F.4A, Code 1999, is amended by adding
20 the following new subsection:

21 NEW SUBSECTION. 8. A licensee shall pay a fee in an
22 amount representing one hundred percent of the costs of the
23 division of criminal investigation of the department of public
24 safety for enforcement of this chapter.

25 Sec. 18. Section 100.1, Code 1999, is amended by added by
26 the following new subsection:

27 NEW SUBSECTION. 6. To adopt rules designating a fee to be
28 assessed to each building, structure, or facility for which a
29 fire safety inspection by the state fire marshal is required
30 as a condition of licensure. The fee designated by rule shall
31 be set in an amount that is reasonably related to the costs of
32 conducting the applicable inspection. The fees collected by
33 the state fire marshal shall be deposited in the general fund
34 of the state.

35 Sec. 19. Section 103A.23, Code 1999, is amended to read as

1 follows:

2 103A.23 FEES.

3 For the purpose of obtaining revenue to defray the costs of
4 administering the provisions of this chapter, the commissioner
5 shall establish by rule a schedule of fees based upon the
6 costs of administration which fees shall be collected from
7 persons whose manufacture, installation or construction is
8 subject to the provisions of the state building code. For the
9 performance of building plan reviews by the department of
10 public safety, the commissioner shall establish by rule a fee
11 which shall be equal to a percentage of the estimated total
12 valuation of the building and which shall be in an amount
13 reasonably related to the cost of conducting the review.

14 All fees collected by the commissioner shall be deposited
15 in the state treasury to the credit of the general fund of the
16 state.

17 All federal grants to and federal receipts of the office of
18 state building code commissioner are appropriated for the
19 purpose set forth in the federal grants or receipts.

20 Sec. 20. Section 904.508A, Code 1999, is amended to read
21 as follows:

22 904.508A INMATE TELEPHONE REBATE FUND.

23 ~~The department is authorized to establish and maintain an~~
24 An inmate telephone rebate fund in each institution for the
25 deposit of moneys is created in the office of the treasurer of
26 state. Moneys received by the department or an institution
27 for inmate telephone rebates shall be deposited in the fund.
28 ~~All funds deposited in this~~ Moneys deposited in the fund shall
29 be used only as provided in appropriations from the fund and
30 shall be used for the benefit of inmates. ~~The director shall~~
31 ~~adopt rules providing for the disbursement of moneys from the~~
32 ~~fund.~~

33 Sec. 21. Section 905.14, subsection 1, Code 1999, is
34 amended to read as follows:

35 1. A person placed on probation or parole and subject to

1 supervision by a district department shall be required to pay
2 an enrollment fee of two hundred fifty dollars to the district
3 department to offset the costs of supervision. ~~The fee shall~~
4 ~~be based on the offense class of the most serious offense for~~
5 ~~which the person has received probation or parole, including~~
6 ~~deferred judgments or deferred sentences, and shall be as~~
7 follows:

8 a. ~~For a felony, one hundred fifty dollars.~~

9 b. ~~For an aggravated misdemeanor, one hundred twenty-five~~
10 dollars.

11 c. ~~For a serious or simple misdemeanor, one hundred~~
12 dollars.

13 Sec. 22. 1998 Iowa Acts, chapter 1101, section 15,
14 subsection 2, as amended by 1999 Iowa Acts, chapter 202,
15 section 25, is amended to read as follows:

16 2. a. There is appropriated from surcharge moneys
17 received by the E911 administrator and deposited into the
18 wireless E911 emergency communications fund, for the each
19 fiscal year in the fiscal period beginning July 1, 1998, and
20 ~~for the fiscal year beginning July 1, 1999~~ ending June 30,
21 2001, an amount not to exceed two hundred thousand dollars to
22 be used for the implementation, support, and maintenance of
23 the functions of the E911 administrator. The amount
24 appropriated in this paragraph includes any amounts necessary
25 to reimburse the division of emergency management of the
26 department of public defense pursuant to paragraph "b".

27 b. Notwithstanding the distribution formula in section
28 34A.7A, as enacted in this Act, and prior to any such
29 distribution, of the initial surcharge moneys received by the
30 E911 administrator and deposited into the wireless E911
31 emergency communications fund, for the each fiscal year in the
32 fiscal period beginning July 1, 1998, and ~~for the fiscal year~~
33 ~~beginning July 1, 1999~~ ending June 30, 2001, an amount shall
34 ~~be transferred~~ is appropriated to the division of emergency
35 management of the department of public defense as necessary to

1 reimburse the division for amounts expended for the
2 implementation, support, and maintenance of the E911
3 administrator, including the E911 administrator's salary.

4 Sec. 23. CORRECTIONAL FARMS -- STUDY. The legislative
5 council is requested to establish a legislative interim
6 committee to study issues concerning the use of correctional
7 farms under the control of the department of corrections. The
8 committee shall consider, among other issues, possible ways to
9 create job opportunities for inmates at the farms and the
10 possible sale or rental of farmland under the control of the
11 department. The interim committee shall submit a report and
12 recommendations to the general assembly for the 2001
13 legislative session.

14 Sec. 24. EFFECTIVE DATE. Section 20 of this Act, amending
15 section 904.508A, takes effect July 1, 2001.

16 EXPLANATION

17 This bill makes appropriations for the 2000-2001 fiscal
18 year to the departments of justice, corrections, public
19 defense, and public safety, Iowa law enforcement academy,
20 office of public defender, and the board of parole.

21 Code section 99D.14 is amended to require a licensee
22 involved in horse and dog racing to pay a fee in an amount
23 representing 100 percent of the division of criminal
24 investigation's enforcement costs.

25 Code section 99F.4A is amended to require a licensee
26 involved with gambling games at a racetrack to pay a fee in an
27 amount representing 100 percent of the division of criminal
28 investigation's enforcement costs.

29 Code section 99F.10 governing the determination of license
30 and admission fees to be charged is amended to provide that
31 the fees shall reflect most of the costs incurred by the
32 division of criminal investigation relating to excursion
33 gambling boats. The change provides that 100 percent of the
34 costs of special agents and 100 percent of the cost of other
35 gaming enforcement personnel assigned to the boats shall be

1 considered in determining fees.

2 Code section 100.1 is amended to require the state fire
3 marshal to establish a fee for the inspection by the state
4 fire marshal's office of facilities requiring a state license.

5 Code section 103A.23 is amended to require the commissioner
6 of public safety to implement a fee, to be adopted by rule,
7 for the review of building plans for construction subject to
8 the state building code.

9 Code section 904.508A, concerning the inmate telephone
10 rebate fund, is amended. The change provides that the fund
11 shall be in the office of the treasurer of state and moneys
12 deposited in the fund from inmate telephone rebates shall be
13 used as appropriated for the benefit of inmates. Under
14 current law, the fund is established within each correctional
15 institution and used for the benefit of inmates pursuant to
16 rules adopted by the department of corrections. This
17 provision of the bill takes effect July 1, 2001.

18 Code section 905.14, relating to enrollment fees charged to
19 persons placed on parole subject to supervision by a judicial
20 district department of corrections, is amended. The amendment
21 strikes enrollment fee amounts specified for simple, serious,
22 and aggravated misdemeanors, and felonies and establishes an
23 enrollment fee of \$250 for all of those offense levels.

24 1998 Iowa Acts, chapter 1101, as amended in 1999 Iowa Acts,
25 is further amended to extend the appropriation of surcharge
26 moneys received by the E911 administrator for use by the
27 emergency management division of the department of public
28 defense for wireless E911 services implementation through the
29 fiscal year ending June 30, 2001.

30 The bill also requests the legislative council to appoint a
31 legislative interim study committee to consider issues
32 involving the use of farms under the control of the department
33 of corrections.

34

35

HOUSE FILE 2552

H-8624

1 Amend House File 2552 as follows:
 2 1. Page 21, by striking line 17 and inserting the
 3 following:
 4 "..... FTEs 36.80"
 5 2. Page 23, by inserting after line 34 the
 6 following:
 7 "Sec. ____ . Section 101.22, subsection 4, Code
 8 1999, is amended to read as follows:
 9 4. The registration notice of the owner or
 10 operator to the state fire marshal under subsections 1
 11 through 3 shall be accompanied by a an initial fee of
 12 ten dollars, valid until the next June 30, and an
 13 annual renewal fee of ten dollars thereafter, valid
 14 for a period commencing on July 1, and terminating on
 15 June 30, for each tank included in the notice. All
 16 moneys collected by the state fire marshal shall be
 17 deposited in the general fund of the state and the
 18 moneys from the fees are appropriated to the
 19 department of public safety for the purposes of
 20 administering this chapter. The annual renewal fee
 21 applies to all owners or operators who filed a
 22 registration notice with the state fire marshal
 23 pursuant to subsections 1 through 3."
 24 3. By renumbering as necessary.

By MYERS of Johnson

H-8624 FILED MARCH 28, 2000

W/D
3/29/00 (P. 1111)

HOUSE FILE 2552

H-8626

1 Amend House File 2552 as follows:
 2 1. Page 13, by striking line 1 and inserting the
 3 following:
 4 "..... \$ 8,834,100"
 5 2. Page 13, by striking line 7 and inserting the
 6 following:
 7 "..... \$ 6,760,111"
 8 3. Page 13, by striking line 13 and inserting the
 9 following:
 10 "..... \$ 4,152,634"
 11 4. Page 13, by striking line 25 and inserting the
 12 following:
 13 "..... \$ 11,707,668"
 14 5. Page 13, by striking line 31 and inserting the
 15 following:
 16 "..... \$ 8,875,220"
 17 6. Page 14, by striking line 2 and inserting the
 18 following:
 19 "..... \$ 5,207,755"
 20 7. Page 14, by striking line 8 and inserting the
 21 following:
 22 "..... \$ 5,103,155"

By MURPHY of Dubuque

H-8626 FILED MARCH 28, 2000

Lost 3/29/00 (P. 1116)

HOUSE FILE 2552

H-8627

1 Amend House File 2552 as follows:
 2 1. Page 21, by inserting after line 17 the
 3 following:
 4 "It is the intent of the general assembly that the
 5 state fire marshal's office should not be liable for
 6 claims against the state arising from a failure by the
 7 state fire marshal's office to conduct an inspection
 8 due to insufficient resources and staffing."

By RICHARDSON of Warren

H-8627 FILED MARCH 28, 2000

W/D
3/29/00 (P.111)

HOUSE FILE 2552

H-8628

1 Amend House File 2552 as follows:
 2 1. Page 3, by striking line 35 and inserting the
 3 following:
 4 "..... \$ 900,000"

By RICHARDSON of Warren

H-8628 FILED MARCH 28, 2000

W/D
3/29/00 P.(1103)

HOUSE FILE 2552

H-8629

1 Amend House File 2552 as follows:
 2 1. Page 21, line 10, by inserting after the
 3 figure "4." the following: "a."
 4 2. Page 21, by inserting after line 17 the
 5 following:
 6 "b. For the state fire marshal's office, for fire
 7 protection services as provided through the state fire
 8 service and emergency response council as created in
 9 the department, and for not more than the following
 10 full-time equivalent positions:
 11 \$ 590,591
 12 FTEs 10.00"

By GARMAN of Story

H-8629 FILED MARCH 28, 2000

Adopted
3/29/00
(P.111)

HOUSE FILE 2552

H-8630

1 Amend House File 2552 as follows:
 2 1. Page 21, by striking lines 5 and 6 and
 3 inserting the following:
 4 "..... \$ 3,800,639
 5 FTEs 63.00"

By LARKIN of Lee

H-8630 FILED MARCH 28, 2000

Lost
3-29-00 (P.1117)

HOUSE FILE 2552

H-8631

- 1 Amend House File 2552 as follows:
- 2 1. Page 21, by striking lines 5 and 6 and
- 3 inserting the following:
- 4 "..... \$ 4,153,925
- 5 FTEs 67.00"

By LARKIN of Lee

H-8631 FILED MARCH 28, 2000

*Lost
3/29/00
(P. 1110)*

HOUSE FILE 2552

H-8633

- 1 Amend House File 2552 as follows:
- 2 1. Page 12, by inserting after line 23 the
- 3 following:
- 4 "Sec. ____ . DEPARTMENT OF CORRECTIONS --
- 5 EDUCATIONAL PROGRAMS. Notwithstanding any provision
- 6 of section 904.508A to the contrary, of the moneys
- 7 received for inmate telephone rebates and deposited in
- 8 an inmate telephone rebate fund for each institution
- 9 during the fiscal year beginning July 1, 2000, and
- 10 ending June 30, 2001, \$300,000 is appropriated to the
- 11 department of corrections and shall be expended by the
- 12 department for educational programs, including
- 13 vocational education programs, for inmates at state
- 14 penal institutions."
- 15 2. By renumbering as necessary.

By GRUNDBERG of Polk

H-8633 FILED MARCH 28, 2000

*Adopted
3/29/00 (P. 1104)*

HOUSE FILE 2552

H-8634

- 1 Amend House File 2552 as follows:
- 2 1. Page 20, by striking lines 14 and 15 and
- 3 inserting the following:
- 4 "..... \$ 12,534,662
- 5 FTEs 234.50"

By HUSER of Polk

H-8634 FILED MARCH 28, 2000

*Lost
3/29/00
(P. 1106)*

HOUSE FILE 2552

H-8639

1 Amend House File 2552 as follows:

2 1. Page 12, by inserting after line 23 the
3 following:

4 "9. The department of corrections shall submit a
5 report to the general assembly by January 1, 2001,
6 concerning the use of inmate labor on capital
7 improvement projects."

8 2. Page 22, by inserting after line 25 the
9 following:

10 "Sec. ____ . Section 18.6, Code Supplement 1999, is
11 amended by adding the following new subsection:

12 NEW SUBSECTION. 16. The department shall not
13 award a contract to a bidder for a construction,
14 reconstruction, demolition, or repair project or
15 improvement with an estimated cost that exceeds
16 twenty-five thousand dollars in which the bid requires
17 the use of inmate labor supplied by the department of
18 corrections, but not employed by private industry
19 pursuant to section 904.809, to perform the project or
20 improvement."

21 3. Page 24, by inserting after line 19 the
22 following:

23 "Sec. ____ . Section 904.315, Code 1999, is amended
24 to read as follows:

25 904.315 CONTRACTS FOR IMPROVEMENTS.

26 The director of the department of general services
27 shall, in writing, let all contracts for authorized
28 improvements costing in excess of twenty-five thousand
29 dollars under chapter 18. Upon prior authorization by
30 the director, improvements costing five thousand
31 dollars or less may be made by the superintendent of
32 any institution.

33 Contracts-are A contract is not required for
34 improvements at a state institution where the labor of
35 inmates is to be used if the contract is not for a
36 construction, reconstruction, demolition, or repair
37 project or improvement with an estimated cost in
38 excess of twenty-five thousand dollars."

39 4. By renumbering as necessary.

By GARMAN of Story
BELL of Jasper
DAVIS of Wapello
RICHARDSON of Warren

SUKUP of Franklin
WARNSTADT of Woodbury
GIPP of Winneshiek

H-8639 FILED MARCH 28, 2000

Adopted
3/29/00
(p.1105)

HOUSE FILE 2552

H-8641

- 1 Amend House File 2552 as follows:
- 2 1. Page 20, by striking lines 14 and 15 and
- 3 inserting the following:
- 4 "..... \$ 12,652,423
- 5 FTEs 238.50"

By BELL of Jasper

H-8641 FILED MARCH 29, 2000

Lost
3/29/00 (p. 1107)

HOUSE FILE 2552

H-8642

- 1 Amend House File 2552 as follows:
- 2 1. Page 20, by striking lines 14 and 15 and
- 3 inserting the following:
- 4 "..... \$ 12,312,534
- 5 FTEs 231.50"

By BELL of Jasper

H-8642 FILED MARCH 29, 2000

Lost
3/29/00 (p. 1108)

HOUSE FILE 2552

H-8643

- 1 Amend the amendment, H-8629, to House File 2552 as
 - 2 follows:
 - 3 1. Page 1, line 12, by striking the figure
 - 4 "10.00" and inserting the following: "13.00".
- By SUNDERBRUCH of Scott
HUSER of Polk

H-8643 FILED MARCH 29, 2000

W/D
3/29/00 (p. 1110)

HOUSE FILE 2552

H-8644

- 1 Amend the amendment, H-8629, to House File 2552 as
 - 2 follows:
 - 3 1. Page 1, line 12, by striking the figure
 - 4 "10.00" and inserting the following: "12.00".
- By SUNDERBRUCH of Scott

H-8644 FILED MARCH 29, 2000

adopted
3/29/00 (p. 1110)

HOUSE FILE 2552

H-8645

- 1 Amend House File 2552 as follows:
 - 2 1. Page 24, line 10, by inserting after the word
 - 3 "fee" the following: ", chargeable to the owner of
 - 4 the building,".
- By WARNSTADT of Woodbury

H-8645 FILED MARCH 29, 2000

adopted
3/29/00
(p. 1111)

HOUSE FILE 2552

H-8646

1 Amend House File 2552 as follows:

2 1. Page 24, by inserting after line 19 the
3 following:

4 "Sec. _____. Section 124.401, subsection 1,
5 paragraph a, subparagraph (2), unnumbered paragraph 1,
6 Code Supplement 1999, is amended to read as follows:

7 More than five kilograms of a any compound, mixture
8 or, preparation, or substance containing a detectable
9 amount of any of the following:

10 Sec. _____. Section 124.401, subsection 1, paragraph
11 a, subparagraph (2), subparagraph subdivisions (a),
12 (b), and (c), Code Supplement 1999, are amended by
13 striking the subparagraph subdivisions.

14 Sec. _____. Section 124.401, subsection 1, paragraph
15 a, subparagraph (2), subparagraph subdivision (f),
16 Code Supplement 1999, is amended to read as follows:

17 (f) Any compound, mixture, or preparation which
18 contains any quantity of any of the substances
19 referred to in ~~subparagraph-subdivisions-(a)-through~~
20 ~~(e) this subparagraph (2).~~

21 Sec. _____. Section 124.401, subsection 1, paragraph
22 a, subparagraph (3), Code Supplement 1999, is amended
23 to read as follows:

24 (3) More than fifty grams of a any compound,
25 mixture or, preparation, or substance described in
26 subparagraph-(2)-which-contains-cocaine-base-
27 containing a detectable amount of any of the
28 following:

29 (a) Coca leaves, except coca leaves and extracts
30 of coca leaves from which cocaine, ecgonine, and
31 derivatives of ecgonine or their salts have been
32 removed.

33 (b) Cocaine, its salts, optical and geometric
34 isomers, and salts of isomers.

35 (c) Ecgonine, its derivatives, their salts,
36 isomers, and salts of isomers.

37 (d) Cocaine base.

38 Sec. _____. Section 124.401, subsection 1, paragraph
39 b, subparagraph (2), Code Supplement 1999, is amended
40 by striking the subparagraph.

41 Sec. _____. Section 124.401, subsection 1, paragraph
42 b, subparagraph (3), Code Supplement 1999, is amended
43 to read as follows:

44 (3) More than five grams but not more than fifty
45 grams of a any compound, mixture, preparation, or
46 substance described in-subparagraph-(2)-which-contains
47 cocaine-base- containing a detectable amount of any of
48 the following:

49 (a) Coca leaves, except coca leaves and extracts
50 of coca leaves from which cocaine, ecgonine, and

H-8646

-1-

H-8646

Page 2

1 derivatives of ecgonine or their salts have been
 2 removed.
 3 (b) Cocaine, its salts, optical and geometric
 4 isomers, and salts of isomers.
 5 (c) Ecgonine, its derivatives, their salts,
 6 isomers, and salts of isomers.
 7 (d) Cocaine base.
 8 Sec. ____ . Section 124.401, subsection 1, paragraph
 9 c, subparagraph (2), Code Supplement 1999, is amended
 10 by striking the subparagraph.
 11 Sec. ____ . Section 124.401, subsection 1, paragraph
 12 c, subparagraph (3), Code Supplement 1999, is amended
 13 to read as follows:
 14 (3) Five grams or less of a any compound, mixture,
 15 preparation, or substance described-in-subparagraph
 16 {2}-which-contains-cocaine-base- containing a
 17 detectable amount of any of the following:
 18 (a) Coca leaves, except coca leaves and extracts
 19 of coca leaves from which cocaine, ecgonine, and
 20 derivatives of ecgonine or their salts have been
 21 removed.
 22 (b) Cocaine, its salts, optical and geometric
 23 isomers, and salts of isomers.
 24 (c) Ecgonine, its derivatives, their salts,
 25 isomers, and salts of isomers.
 26 (d) Cocaine base.
 27 Sec. ____ . Section 232.22, subsection 1, paragraph
 28 e, subparagraph (2), Code 1999, is amended to read as
 29 follows:
 30 (2) A mixture or substance containing cocaine, its
 31 salts, optical and geometric isomers, and salts of
 32 isomers, and if the act was committed by an adult, it
 33 would be a violation of section 124.401, subsection 1,
 34 paragraph "a", subparagraph ~~{2}~~ (3), subparagraph
 35 subdivision (b), paragraph "b", subparagraph ~~{2}~~ (3),
 36 subparagraph subdivision (b), or paragraph "c",
 37 subparagraph ~~{2}~~ (3), subparagraph subdivision (b)."
 38 2. By renumbering as necessary.

By FORD of Polk

H-8646 FILED MARCH 29, 2000

not Hermone
Motion to Suspend Rules - Lost 3/29/00 (P.113)
 HOUSE FILE 2552

H-8654

1 Amend House File 2552, as follows:
 2 1. Page 24, by inserting after line 19 the
 3 following:
 4 "Sec. ____ . NEW SECTION. 708.2D ASSAULT -- CHOKE
 5 HOLD -- PENALTY.
 6 A person who commits an assault which is in
 7 violation of section 708.2, subsection 5, by applying
 8 a choke hold around the throat of a person is guilty
 9 of a serious misdemeanor."
 10 2. By renumbering as necessary.

By FORD of Polk

H-8654 FILED MARCH 29, 2000

W/D
3/29/00 (P.117)

S. 2/20/00 Approp.
S. 4/19/00 Do Pass

HOUSE FILE 2552
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HSB 777)

(As Amended and Passed by the House, March 29, 2000)

Passed House, Date ^(P. 1338) 4-25-00 Passed Senate, Date ^(P. 1342) 4/24/00
Vote: Ayes 93 Nays 5 Vote: Ayes 47 Nays 0
Approved 5/17/00
Stam
retired

A BILL FOR

^(P. 1342) *re Passed 4/26/00*
Vote 48-0

1 An Act relating to and making appropriations to the justice
2 system, making related statutory changes, and providing an
3 effective date.

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

HOUSE FILE 2552

S-5548

1 Amend House File 2552, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 5, by inserting before line 28 the
4 following:
5 "In addition to moneys appropriated in this
6 paragraph, there is appropriated an additional \$3,500
7 for the purchase of a trained guard dog for use at the
8 Fort Madison correctional facility."

By MARK SHEARER

S-5548 FILED APRIL 20, 2000

^(P. 1337)

1 Section 1. DEPARTMENT OF JUSTICE. There is appropriated
2 from the general fund of the state to the department of
3 justice for the fiscal year beginning July 1, 2000, and ending
4 June 30, 2001, the following amounts, or so much thereof as is
5 necessary, to be used for the purposes designated:

6 1. For the general office of attorney general for
7 salaries, support, maintenance, miscellaneous purposes
8 including odometer fraud enforcement, and for not more than
9 the following full-time equivalent positions:

10 \$ 8,524,304
11 FTEs 194.50

12 2. For the prosecuting attorney training program for
13 salaries, support, maintenance, miscellaneous purposes, and
14 for not more than the following full-time equivalent
15 positions:

16 \$ 322,856
17 FTEs 6.00

18 3. In addition to the funds appropriated in subsection 1,
19 there is appropriated from the general fund of the state to
20 the department of justice for the fiscal year beginning July
21 1, 2000, and ending June 30, 2001, an amount not exceeding
22 \$200,000 to be used for the enforcement of the Iowa
23 competition law. The funds appropriated in this subsection
24 are contingent upon receipt by the general fund of the state
25 of an amount at least equal to the expenditure amount from
26 either damages awarded to the state or a political subdivision
27 of the state by a civil judgment under chapter 553, if the
28 judgment authorizes the use of the award for enforcement
29 purposes or costs or attorneys fees awarded the state in state
30 or federal antitrust actions. However, if the amounts
31 received as a result of these judgments are in excess of
32 \$200,000, the excess amounts shall not be appropriated to the
33 department of justice pursuant to this subsection.

34 4. In addition to the funds appropriated in subsection 1,
35 there is appropriated from the general fund of the state to

1 the department of justice for the fiscal year beginning July
2 1, 2000, and ending June 30, 2001, an amount not exceeding
3 \$150,000 to be used for public education relating to consumer
4 fraud and for enforcement of section 714.16, and an amount not
5 exceeding \$75,000 for investigation, prosecution, and consumer
6 education relating to consumer and criminal fraud against
7 older Iowans. The funds appropriated in this subsection are
8 contingent upon receipt by the general fund of the state of an
9 amount at least equal to the expenditure amount from damages
10 awarded to the state or a political subdivision of the state
11 by a civil consumer fraud judgment or settlement, if the
12 judgment or settlement authorizes the use of the award for
13 public education on consumer fraud. However, if the funds
14 received as a result of these judgments and settlements are in
15 excess of \$225,000, the excess funds shall not be appropriated
16 to the department of justice pursuant to this subsection.

17 5. For victim assistance grants:
18 \$ 1,935,806

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

23 b. Notwithstanding sections 8.33 and 8.39, moneys
24 appropriated in this subsection that remain unencumbered or
25 unobligated at the close of the fiscal year shall not revert
26 but shall remain available for expenditure during the
27 subsequent fiscal year for the same purpose, and shall not be
28 transferred to any other program.

29 6. For the GASA prosecuting attorney program and for not
30 more than the following full-time equivalent positions:
31 \$ 133,102
32 FTEs 2.00

33 7. The balance of the victim compensation fund established
34 in section 915.94 may be used to provide salary and support of
35 not more than 20.00 FTEs and to provide maintenance for the

1 victim compensation functions of the department of justice.

2 8. The department of justice shall submit monthly
3 financial statements to the legislative fiscal bureau and the
4 department of management containing all appropriated accounts
5 in the same manner as provided in the monthly financial status
6 reports and personal services usage reports of the department
7 of revenue and finance. The monthly financial statements
8 shall include comparisons of the moneys and percentage spent
9 of budgeted to actual revenues and expenditures on a
10 cumulative basis for full-time equivalent positions and
11 available moneys.

12 9. a. The department of justice, in submitting budget
13 estimates for the fiscal year commencing July 1, 2001,
14 pursuant to section 8.23, shall include a report of funding
15 from sources other than amounts appropriated directly from the
16 general fund of the state to the department of justice or to
17 the office of consumer advocate. These funding sources shall
18 include, but are not limited to, reimbursements from other
19 state agencies, commissions, boards, or similar entities, and
20 reimbursements from special funds or internal accounts within
21 the department of justice. The department of justice shall
22 report actual reimbursements for the fiscal year commencing
23 July 1, 1999, and actual and expected reimbursements for the
24 fiscal year commencing July 1, 2000.

25 b. The department of justice shall include the report
26 required under paragraph "a", as well as information regarding
27 any revisions occurring as a result of reimbursements actually
28 received or expected at a later date, in a report to the co-
29 chairpersons and ranking members of the joint appropriations
30 subcommittee on the justice system and the legislative fiscal
31 bureau. The department of justice shall submit the report on
32 or before January 15, 2001.

33 10. For legal services for persons in poverty grants as
34 provided in section 13.34:

35 \$ 700,000

1 As a condition for accepting a grant funded pursuant to
2 this subsection, an organization receiving a grant shall
3 submit a report to the general assembly by January 1, 2001,
4 concerning the use of any grants received during the previous
5 fiscal year and efforts made by the organization to find
6 alternative sources of revenue to replace any reductions in
7 federal funding for the organization.

8 Sec. 2. DEPARTMENT OF JUSTICE -- ENVIRONMENTAL CRIMES
9 INVESTIGATION AND PROSECUTION -- FUNDING. There is
10 appropriated from the environmental crime fund of the
11 department of justice, consisting of court-ordered fines and
12 penalties awarded to the department arising out of the
13 prosecution of environmental crimes, to the department of
14 justice for the fiscal year beginning July 1, 2000, and ending
15 June 30, 2001, an amount not exceeding \$20,000 to be used by
16 the department, at the discretion of the attorney general, for
17 the investigation and prosecution of environmental crimes,
18 including the reimbursement of expenses incurred by county,
19 municipal, and other local governmental agencies cooperating
20 with the department in the investigation and prosecution of
21 environmental crimes.

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

31 Notwithstanding section 8.33, moneys appropriated in this
32 section that remain unexpended or unobligated at the close of
33 the fiscal year shall not revert to the environmental crime
34 fund but shall remain available for expenditure for the
35 purpose designated until the close of the succeeding fiscal

1 year.

2 Sec. 3. OFFICE OF CONSUMER ADVOCATE. There is
3 appropriated from the general fund of the state to the office
4 of consumer advocate of the department of justice for the
5 fiscal year beginning July 1, 2000, and ending June 30, 2001,
6 the following amount, or so much thereof as is necessary, to
7 be used for the purposes designated:

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

11	\$	2,652,903
12	FTEs	32.00

13 Sec. 4. DEPARTMENT OF CORRECTIONS -- FACILITIES. There is
14 appropriated from the general fund of the state to the
15 department of corrections for the fiscal year beginning July
16 1, 2000, and ending June 30, 2001, the following amounts, or
17 so much thereof as is necessary, to be used for the purposes
18 designated:

19 1. For the operation of adult correctional institutions,
20 reimbursement of counties for certain confinement costs, and
21 federal prison reimbursement, to be allocated as follows:

22 a. For the operation of the Fort Madison correctional
23 facility, including salaries, support, maintenance, employment
24 of correctional officers, miscellaneous purposes, and for not
25 more than the following full-time equivalent positions:

26	\$	29,939,361
27	FTEs	531.50

28 b. For the operation of the Anamosa correctional facility,
29 including salaries, support, maintenance, employment of
30 correctional officers and a part-time chaplain to provide
31 religious counseling to inmates of a minority race,
32 miscellaneous purposes, and for not more than the following
33 full-time equivalent positions:

34	\$	23,573,251
35	FTEs	399.00

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

5 c. For the operation of the Oakdale correctional facility,
6 including salaries, support, maintenance, employment of
7 correctional officers, miscellaneous purposes, and for not
8 more than the following full-time equivalent positions:

9 \$ 20,499,682
10 FTEs 338.80

11 d. For the operation of the Newton correctional facility,
12 including salaries, support, maintenance, employment of
13 correctional officers, miscellaneous purposes, and for not
14 more than the following full-time equivalent positions:

15 \$ 22,702,023
16 FTEs 392.25

17 e. For the operation of the Mt. Pleasant correctional
18 facility, including salaries, support, maintenance, employment
19 of correctional officers and a full-time chaplain to provide
20 religious counseling at the Oakdale and Mt. Pleasant
21 correctional facilities, miscellaneous purposes, and for not
22 more than the following full-time equivalent positions:

23 \$ 21,383,028
24 FTEs 342.59

25 f. For the operation of the Rockwell City correctional
26 facility, including salaries, support, maintenance, employment
27 of correctional officers, miscellaneous purposes, and for not
28 more than the following full-time equivalent positions:

29 \$ 6,916,137
30 FTEs 121.00

31 g. For the operation of the Clarinda correctional
32 facility, including salaries, support, maintenance, employment
33 of correctional officers, miscellaneous purposes, and for not
34 more than the following full-time equivalent positions:

35 \$ 17,807,672

1 FTEs 292.75

2 Moneys received by the department of corrections as
3 reimbursement for services provided to the Clarinda youth
4 corporation are appropriated to the department and shall be
5 used for the purpose of operating the Clarinda correctional
6 facility.

7 h. For the operation of the Mitchellville correctional
8 facility, including salaries, support, maintenance, employment
9 of correctional officers, miscellaneous purposes, and for not
10 more than the following full-time equivalent positions:

11 \$ 11,954,276

12 FTEs 237.50

13 i. For the operation of the Fort Dodge correctional
14 facility, including salaries, support, maintenance, employment
15 of correctional officers, miscellaneous purposes, and for not
16 more than the following full-time equivalent positions:

17 \$ 24,961,904

18 FTEs 414.00

19 j. For reimbursement of counties for temporary confinement
20 of work release and parole violators, as provided in sections
21 901.7, 904.908, and 906.17 and for offenders confined pursuant
22 to section 904.513:

23 \$ 524,038

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

26 \$ 341,334

27 The department of corrections shall use funds appropriated
28 in this subsection to continue to contract for the services of
29 a Muslim imam.

30 2. a. If the inmate tort claim fund for inmate claims of
31 less than \$100 is exhausted during the fiscal year, sufficient
32 funds shall be transferred from the institutional budgets to
33 pay approved tort claims for the balance of the fiscal year.

34 The warden or superintendent of each institution or
35 correctional facility shall designate an employee to receive,

1 investigate, and recommend whether to pay any properly filed
2 inmate tort claim for less than the above amount. The
3 designee's recommendation shall be approved or denied by the
4 warden or superintendent and forwarded to the department of
5 corrections for final approval and payment. The amounts
6 appropriated to this fund pursuant to 1987 Iowa Acts, chapter
7 234, section 304, subsection 2, are not subject to reversion
8 under section 8.33.

9 b. Tort claims denied at the institution shall be
10 forwarded to the state appeal board for their consideration as
11 if originally filed with that body. This procedure shall be
12 used in lieu of chapter 669 for inmate tort claims of less
13 than \$100.

14 3. It is the intent of the general assembly that the
15 department of corrections shall timely fill correctional
16 positions authorized for correctional facilities pursuant to
17 this section.

18 Sec. 5. DEPARTMENT OF CORRECTIONS -- ADMINISTRATION.

19 There is appropriated from the general fund of the state to
20 the department of corrections for the fiscal year beginning
21 July 1, 2000, and ending June 30, 2001, the following amounts,
22 or so much thereof as is necessary, to be used for the
23 purposes designated:

24 1. For general administration, including salaries,
25 support, maintenance, employment of an education director and
26 clerk to administer a centralized education program for the
27 correctional system, miscellaneous purposes, and for not more
28 than the following full-time equivalent positions:

29	\$	2,405,009
30	FTEs	37.18

31 a. The department shall monitor the use of the
32 classification model by the judicial district departments of
33 correctional services and has the authority to override a
34 district department's decision regarding classification of
35 community-based clients. The department shall notify a

1 district department of the reasons for the override.

2 b. It is the intent of the general assembly that as a
3 condition of receiving the appropriation provided in this
4 subsection, the department of corrections shall not, except as
5 otherwise provided in paragraph "c", enter into a new
6 contract, unless the contract is a renewal of an existing
7 contract, for the expenditure of moneys in excess of \$100,000
8 during the fiscal year beginning July 1, 2000, for the
9 privatization of services performed by the department using
10 state employees as of July 1, 2000, or for the privatization
11 of new services by the department, without prior consultation
12 with any applicable state employee organization affected by
13 the proposed new contract and prior notification of the co-
14 chairpersons and ranking members of the joint appropriations
15 subcommittee on the justice system.

16 c. The department of corrections shall not enter into a
17 new contract, or renew an existing contract, for the
18 expenditure of moneys for the privatization of medical
19 services through medical contract employees at the Fort
20 Madison correctional facility.

21 d. The department of general services shall,
22 notwithstanding any provisions of law or rule to the contrary,
23 permit the department of corrections the opportunity to
24 acquire, at no cost, computers that would otherwise be
25 disposed of by the department of general services. The
26 department of corrections shall use computers acquired under
27 this paragraph to provide educational training and programs
28 for inmates.

29 e. It is the intent of the general assembly that each
30 lease negotiated by the department of corrections with a
31 private corporation for the purpose of providing private
32 industry employment of inmates in a correctional institution
33 shall prohibit the private corporation from utilizing inmate
34 labor for partisan political purposes for any person seeking
35 election to public office in this state and that a violation

1 of this requirement shall result in a termination of the lease
2 agreement.

3 f. It is the intent of the general assembly that as a
4 condition of receiving the appropriation provided in this
5 subsection, the department of corrections shall not enter into
6 a lease or contractual agreement pursuant to section 904.809
7 with a private corporation for the use of building space for
8 the purpose of providing inmate employment without providing
9 that the terms of the lease or contract establish safeguards
10 to restrict, to the greatest extent feasible, access by
11 inmates working for the private corporation to personal
12 identifying information of citizens.

13 g. It is the intent of the general assembly that as a
14 condition of receiving the appropriation provided in this
15 subsection, the department of corrections shall not enter into
16 any new agreement with a private for-profit agency or
17 corporation for the purpose of transferring inmates under the
18 custody of the department to a jail or correctional facility
19 or institution in this state which is established, maintained,
20 or operated by a private for-profit agency or corporation
21 without prior approval by the general assembly.

22 2. For salaries, support, maintenance, miscellaneous
23 purposes, and for not more than the following full-time
24 equivalent positions at the correctional training center at
25 Mt. Pleasant:

26	\$	486,247
27	FTEs	8.07

28 3. For annual payment relating to the financial
29 arrangement for the construction of expansion in prison
30 capacity as provided in 1990 Iowa Acts, chapter 1257, section
31 24:

32	\$	796,940
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33 4. For educational programs for inmates at state penal
34 institutions:

35	\$	3,294,775
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1 It is the intent of the general assembly that moneys
2 appropriated in this subsection shall be used solely for the
3 purpose indicated and that the moneys shall not be transferred
4 for any other purpose. In addition, it is the intent of the
5 general assembly that the department shall consult with the
6 community colleges in the areas in which the institutions are
7 located to utilize moneys appropriated in this subsection to
8 fund the high school completion, high school equivalency
9 diploma, adult literacy, and adult basic education programs in
10 a manner so as to maintain these programs at the institutions.

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

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

21 5. For the development of the departmental-wide Iowa
22 corrections offender network (ICON) data system:
23 \$ 600,000

24 6. The department of corrections shall submit a report to
25 the general assembly on January 1, 2001, concerning progress
26 made in implementing the requirements of section 904.701,
27 concerning hard labor by inmates.

28 7. It is the intent of the general assembly that the
29 department of corrections shall continue to operate the
30 correctional farms under the control of the department at the
31 same or greater level of participation and involvement as
32 existed as of January 1, 2000, shall not enter into any rental
33 agreement or contract concerning any farmland under the
34 control of the department that is not subject to a rental
35 agreement or contract as of January 1, 2000, without prior

1 legislative approval, and shall further attempt to provide job
2 opportunities at the farms for inmates. The department shall
3 attempt to provide job opportunities at the farms for inmates
4 by encouraging labor-intensive farming or gardening where
5 appropriate, using inmates to grow produce and meat for
6 institutional consumption, researching the possibility of
7 instituting food canning and cook-and-chill operations, and
8 exploring opportunities for organic farming and gardening,
9 livestock ventures, horticulture, and specialized crops.

10 8. The department of corrections shall submit a report to
11 the general assembly by January 1, 2001, concerning moneys
12 recouped from inmate earnings for the reimbursement of
13 operational expenses of the applicable facility during the
14 fiscal year beginning July 1, 1999, for each correctional
15 institution and judicial district department of correctional
16 services. In addition, each correctional institution and
17 judicial district department of correctional services shall
18 continue to submit a report to each member of the joint
19 appropriations subcommittee on the justice system and the
20 legislative fiscal bureau on a monthly basis concerning moneys
21 recouped from inmate earnings for the reimbursement of
22 operational expenses for each correctional institution and
23 district department during the previous calendar month.

24 9. The department of corrections shall submit a report to
25 the general assembly by January 1, 2001, concerning the use of
26 inmate labor on capital improvement projects.

27 Sec. 6. DEPARTMENT OF CORRECTIONS -- EDUCATIONAL PROGRAMS.
28 Notwithstanding any provision of section 904.508A to the
29 contrary, of the moneys received for inmate telephone rebates
30 and deposited in an inmate telephone rebate fund for each
31 institution during the fiscal year beginning July 1, 2000, and
32 ending June 30, 2001, \$300,000 is appropriated to the
33 department of corrections and shall be expended by the
34 department for educational programs, including vocational
35 education programs, for inmates at state penal institutions.

1 Sec. 7. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL
2 SERVICES.

3 1. There is appropriated from the general fund of the
4 state to the department of corrections for the fiscal year
5 beginning July 1, 2000, and ending June 30, 2001, the
6 following amounts, or so much thereof as is necessary, to be
7 allocated as follows:

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

13 \$ 8,629,425

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

19 \$ 6,719,176

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

25 \$ 3,991,894

26 d. For the fourth judicial district department of
27 correctional services, including the treatment and supervision
28 of probation and parole violators who have been released from
29 the department of corrections violator program, the following
30 amount, or so much thereof as is necessary:

31 \$ 3,130,030

32 e. For the fifth judicial district department of
33 correctional services, including the treatment and supervision
34 of probation and parole violators who have been released from
35 the department of corrections violator program, the following

1 amount, or so much thereof as is necessary:

2 \$ 11,502,993

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

8 \$ 8,711,480

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

14 \$ 5,171,401

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

20 \$ 4,980,350

21 i. For the department of corrections for the assistance
22 and support of each judicial district department of
23 correctional services, the following amount, or so much
24 thereof as is necessary:

25 \$ 83,576

26 2. Each judicial district department of correctional
27 services shall continue programs and plans established within
28 that district to provide for intensive supervision, sex
29 offender treatment, diversion of low-risk offenders to the
30 least restrictive sanction available, job development, and
31 expanded use of intermediate criminal sanctions.

32 3. The department of corrections shall continue to
33 contract with a judicial district department of correctional
34 services to provide for the rental of electronic monitoring
35 equipment which shall be available statewide.

1 4. Each judicial district department of correctional
2 services and the department of corrections shall continue the
3 treatment alternatives to street crime programs established in
4 1989 Iowa Acts, chapter 225, section 9.

5 5. The governor's alliance on substance abuse shall
6 consider federal grants made to the department of corrections
7 for the benefit of each of the eight judicial district
8 departments of correctional services as local government
9 grants, as defined pursuant to federal regulations.

10 6. Each judicial district department of correctional
11 services shall provide a report concerning the treatment and
12 supervision of probation and parole violators who have been
13 released from the department of corrections violator program,
14 to the co-chairpersons and ranking members of the joint
15 appropriations subcommittee on the justice system and the
16 legislative fiscal bureau, on or before January 15, 2001.

17 7. In addition to the requirements of section 8.39, the
18 department of corrections shall not make an intradepartmental
19 transfer of moneys appropriated to the department, unless
20 notice of the intradepartmental transfer is given prior to its
21 effective date to the legislative fiscal bureau. The notice
22 shall include information on the department's rationale for
23 making the transfer and details concerning the work load and
24 performance measures upon which the transfers are based.

25 8. Each judicial district department of correctional
26 services shall submit a report to the general assembly by
27 January 8, 2001, concerning what action, if any, the district
28 department has taken in order to implement, or not implement,
29 an intermediate criminal sanctions program as provided by
30 section 901B.1. If the district department has implemented
31 such a program, the report shall include information as to the
32 effectiveness of the program.

33 Sec. 8. CORRECTIONAL INSTITUTIONS -- VOCATIONAL TRAINING.

34 1. The state prison industries board and the department of
35 corrections shall continue the implementation of a plan to

1 enhance vocational training opportunities within the
2 correctional institutions listed in section 904.102, as
3 provided in 1993 Iowa Acts, chapter 171, section 12. The plan
4 shall provide for increased vocational training opportunities
5 within the correctional institutions, including the
6 possibility of approving community college credit for inmates
7 working in prison industries. The department of corrections
8 shall provide a report concerning the implementation of the
9 plan to the co-chairpersons and ranking members of the joint
10 appropriations subcommittee on the justice system and the
11 legislative fiscal bureau, on or before January 15, 2001.

12 2. It is the intent of the general assembly that each
13 correctional facility make all reasonable efforts to maintain
14 vocational education programs for inmates and to identify
15 available funding sources to continue these programs. The
16 department of corrections shall submit a report to the general
17 assembly by January 1, 2001, concerning the efforts made by
18 each correctional facility in maintaining vocational education
19 programs for inmates.

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

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

29 2. State agencies are hereby encouraged to purchase
30 products from Iowa state industries, as defined in section
31 904.802, when purchases are required and the products are
32 available from Iowa state industries.

33 3. State agencies shall submit to the legislative fiscal
34 bureau by January 15, 2001, a report of the dollar value of
35 products and services purchased from Iowa state industries by

1 the state agency during the fiscal year beginning July 1,
2 1999, and ending June 30, 2000.

3 Sec. 10. STATE PUBLIC DEFENDER. There is appropriated
4 from the general fund of the state to the office of the state
5 public defender of the department of inspections and appeals
6 for the fiscal year beginning July 1, 2000, and ending June
7 30, 2001, the following amounts, or so much thereof as is
8 necessary, for the purposes designated:

9 \$ 35,103,664

10 The funds appropriated and full-time equivalent positions
11 authorized in this section are allocated as follows:

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

15 \$ 13,899,288

16 FTEs 201.00

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

20 \$ 21,204,376

21 Sec. 11. IOWA CORRECTIONS OFFENDER NETWORK DATA SYSTEM.

22 The department of corrections shall submit a report to the co-
23 chairpersons and ranking members of the joint appropriations
24 subcommittee on the justice system and the legislative fiscal
25 bureau, on or before January 15, 2001, concerning the
26 development and implementation of the Iowa corrections
27 offender network (ICON) data system. The report shall include
28 a description of the system and functions, a plan for
29 implementation of the system, including a timeline, resource
30 and staffing requirements for the system, and a current status
31 and progress report concerning the implementation of the
32 system. In addition, the report shall specifically address
33 the ability of the system to receive and transmit data between
34 prisons, community-based corrections district departments, the
35 judicial branch, board of parole, the criminal and juvenile

1 justice planning division of the department of human rights,
2 the department of public safety, and other applicable
3 governmental agencies. The report should include a detailed
4 discussion of the cooperation with other state agencies and
5 the judicial branch in the development and implementation of
6 the system.

7 Sec. 12. IOWA LAW ENFORCEMENT ACADEMY. There is
8 appropriated from the general fund of the state to the Iowa
9 law enforcement academy for the fiscal year beginning July 1,
10 2000, and ending June 30, 2001, the following amount, or so
11 much thereof as is necessary, to be used for the purposes
12 designated:

13 1. For salaries, support, maintenance, miscellaneous
14 purposes, including jailer training and technical assistance,
15 and for not more than the following full-time equivalent
16 positions:

17	\$	1,365,029
18	FTEs	31.05

19 It is the intent of the general assembly that the Iowa law
20 enforcement academy may provide training of state and local
21 law enforcement personnel concerning the recognition of and
22 response to persons with Alzheimer's disease.

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

1 Sec. 13. BOARD OF PAROLE. There is appropriated from the
2 general fund of the state to the board of parole for the
3 fiscal year beginning July 1, 2000, and ending June 30, 2001,
4 the following amount, or so much thereof as is necessary, to
5 be used for the purposes designated:

6 For salaries, support, maintenance, including maintenance
7 of an automated docket and the board's automated risk
8 assessment model, employment of two statistical research
9 analysts to assist with the application of the risk assessment
10 model in the parole decision-making process, miscellaneous
11 purposes, and for not more than the following full-time
12 equivalent positions:

13	\$	1,042,404
14	FTEs	18.00

15 A portion of the funds appropriated in this section shall
16 be used to continue a pilot program for probation violations
17 in the sixth judicial district department of correctional
18 services. Data shall be maintained to evaluate the pilot
19 program.

20 Sec. 14. DEPARTMENT OF PUBLIC DEFENSE. There is
21 appropriated from the general fund of the state to the
22 department of public defense for the fiscal year beginning
23 July 1, 2000, and ending June 30, 2001, the following amounts,
24 or so much thereof as is necessary, to be used for the
25 purposes designated:

26 1. MILITARY DIVISION

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

30	\$	4,992,231
31	FTEs	254.76

32 If there is a surplus in the general fund of the state for
33 the fiscal year ending June 30, 2001, within 60 days after the
34 close of the fiscal year, the military division may incur up
35 to an additional \$500,000 in expenditures from the surplus

1 prior to transfer of the surplus pursuant to section 8.57.

2 2. EMERGENCY MANAGEMENT DIVISION

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

6 \$ 1,032,186

7 FTEs 25.25

8 Sec. 15. DEPARTMENT OF PUBLIC SAFETY. There is

9 appropriated from the general fund of the state to the
10 department of public safety for the fiscal year beginning July
11 1, 2000, and ending June 30, 2001, the following amounts, or
12 so much thereof as is necessary, to be used for the purposes
13 designated:

14 1. For the department's administrative functions,
15 including the criminal justice information system, and for not
16 more than the following full-time equivalent positions:

17 \$ 2,553,129

18 FTEs 38.80

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

26 \$ 12,215,423

27 FTEs 229.50

28 Riverboat enforcement costs shall be billed in accordance
29 with section 99F.10, subsection 4. The costs shall be not
30 more than the department's estimated expenditures, including
31 salary adjustment, for riverboat enforcement for the fiscal
32 year.

33 The department of public safety, with the approval of the
34 department of management, may employ no more than two special
35 agents and four gaming enforcement officers for each

1 additional riverboat regulated after July 1, 2000, and one
2 special agent for each racing facility which becomes
3 operational during the fiscal year which begins July 1, 2000.
4 One additional gaming enforcement officer, up to a total of
5 four per boat, may be employed for each riverboat that has
6 extended operations to 24 hours and has not previously
7 operated with a 24-hour schedule. Positions authorized in
8 this paragraph are in addition to the full-time equivalent
9 positions authorized in this subsection.

10 3. a. For the division of narcotics enforcement,
11 including the state's contribution to the peace officers'
12 retirement, accident, and disability system provided in
13 chapter 97A in the amount of 17 percent of the salaries for
14 which the funds are appropriated, to meet federal fund
15 matching requirements, and for not more than the following
16 full-time equivalent positions:

17	\$	3,623,997
18	FTEs	61.00

19 b. For the division of narcotics enforcement for
20 undercover purchases:

21	\$	139,202
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22 4. a. For the state fire marshal's office, including the
23 state's contribution to the peace officers' retirement,
24 accident, and disability system provided in chapter 97A in the
25 amount of 17 percent of the salaries for which the funds are
26 appropriated, and for not more than the following full-time
27 equivalent positions:

28	\$	1,930,061
29	FTEs	35.80

30 b. For the state fire marshal's office, for fire
31 protection services as provided through the state fire service
32 and emergency response council as created in the department,
33 and for not more than the following full-time equivalent
34 positions:

35	\$	590,591
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1 FTEs 12.00

2 5. For the capitol police division, including the state's
3 contribution to the peace officers' retirement, accident, and
4 disability system provided in chapter 97A in the amount of 17
5 percent of the salaries for which the funds are appropriated
6 and for not more than the following full-time equivalent
7 positions:

8 \$ 1,386,588
9 FTEs 27.00

10 6. For the division of the Iowa state patrol of the
11 department of public safety, for salaries, support,
12 maintenance, workers' compensation costs, and miscellaneous
13 purposes, including the state's contribution to the peace
14 officers' retirement, accident, and disability system provided
15 in chapter 97A in the amount of 17 percent of the salaries for
16 which the funds are appropriated, and for not more than the
17 following full-time equivalent positions:

18 \$ 38,686,879
19 FTEs 579.25

20 7. For costs associated with the maintenance of the
21 automated fingerprint information system (AFIS):

22 \$ 269,425

23 8. An employee of the department of public safety who
24 retires after July 1, 2000, but prior to June 30, 2001, is
25 eligible for payment of life or health insurance premiums as
26 provided for in the collective bargaining agreement covering
27 the public safety bargaining unit at the time of retirement if
28 that employee previously served in a position which would have
29 been covered by the agreement. The employee shall be given
30 credit for the service in that prior position as though it
31 were covered by that agreement. The provisions of this
32 subsection shall not operate to reduce any retirement benefits
33 an employee may have earned under other collective bargaining
34 agreements or retirement programs.

35 9. For costs associated with the training and equipment

1 needs of volunteer fire fighters and for not more than the
2 following full-time equivalent positions:

3	\$	709,405
4	FTEs	1.00

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

10 Sec. 16. Section 18.6, Code Supplement 1999, is amended by
11 adding the following new subsection:

12 NEW SUBSECTION. 16. The department shall not award a
13 contract to a bidder for a construction, reconstruction,
14 demolition, or repair project or improvement with an estimated
15 cost that exceeds twenty-five thousand dollars in which the
16 bid requires the use of inmate labor supplied by the
17 department of corrections, but not employed by private
18 industry pursuant to section 904.809, to perform the project
19 or improvement.

20 Sec. 17. Section 99D.14, Code 1999, is amended by adding
21 the following new subsection:

22 NEW SUBSECTION. 7. A licensee shall pay a fee in an
23 amount representing one hundred percent of the costs of the
24 division of criminal investigation of the department of public
25 safety for enforcement of this chapter.

26 Sec. 18. Section 99F.10, subsection 4, Code 1999, is
27 amended to read as follows:

28 4. In determining the license fees and state admission
29 fees to be charged as provided under section 99F.4 and this
30 section, the commission shall use the amount appropriated to
31 ~~the commission plus the cost of salaries for no more than two~~
32 ~~special agents and no more than four gaming enforcement~~
33 ~~officers for each excursion gambling boat~~ an amount, based
34 upon the appropriation to the division of criminal
35 investigation of the department of public safety, representing

1 the cost to the division of criminal investigation for the
2 division of criminal investigation's excursion gambling boat
3 activities as the basis for determining the amount of revenue
4 to be raised from the license fees and admission fees. The In
5 determining the amount representing the cost to the division
6 for its excursion gambling boat activities, the division's
7 salary costs shall be limited to sixty-five one hundred
8 percent of the salary costs for special agents and-sixty-five,
9 one hundred percent of the salary costs for gaming enforcement
10 for personnel assigned to excursion gambling boats who enforce
11 laws and rules adopted by the commission, and all other
12 associated costs for the enforcement of this chapter.

13 Sec. 19. Section 99F.4A, Code 1999, is amended by adding
14 the following new subsection:

15 NEW SUBSECTION. 8. A licensee shall pay a fee in an
16 amount representing one hundred percent of the costs of the
17 division of criminal investigation of the department of public
18 safety for enforcement of this chapter.

19 Sec. 20. Section 100.1, Code 1999, is amended by added by
20 the following new subsection:

21 NEW SUBSECTION. 6. To adopt rules designating a fee to be
22 assessed to each building, structure, or facility for which a
23 fire safety inspection by the state fire marshal is required
24 as a condition of licensure. The fee designated by rule shall
25 be set in an amount that is reasonably related to the costs of
26 conducting the applicable inspection. The fees collected by
27 the state fire marshal shall be deposited in the general fund
28 of the state.

29 Sec. 21. Section 103A.23, Code 1999, is amended to read as
30 follows:

31 103A.23 FEES.

32 For the purpose of obtaining revenue to defray the costs of
33 administering the provisions of this chapter, the commissioner
34 shall establish by rule a schedule of fees based upon the
35 costs of administration which fees shall be collected from

1 persons whose manufacture, installation or construction is
2 subject to the provisions of the state building code. For the
3 performance of building plan reviews by the department of
4 public safety, the commissioner shall establish by rule a fee,
5 chargeable to the owner of the building, which shall be equal
6 to a percentage of the estimated total valuation of the
7 building and which shall be in an amount reasonably related to
8 the cost of conducting the review.

9 All fees collected by the commissioner shall be deposited
10 in the state treasury to the credit of the general fund of the
11 state.

12 All federal grants to and federal receipts of the office of
13 state building code commissioner are appropriated for the
14 purpose set forth in the federal grants or receipts.

15 Sec. 22. Section 904.315, Code 1999, is amended to read as
16 follows:

17 904.315 CONTRACTS FOR IMPROVEMENTS.

18 The director of the department of general services shall,
19 in writing, let all contracts for authorized improvements
20 costing in excess of twenty-five thousand dollars under
21 chapter 18. Upon prior authorization by the director,
22 improvements costing five thousand dollars or less may be made
23 by the superintendent of any institution.

24 Contracts-are A contract is not required for improvements
25 at a state institution where the labor of inmates is to be
26 used if the contract is not for a construction,
27 reconstruction, demolition, or repair project or improvement
28 with an estimated cost in excess of twenty-five thousand
29 dollars.

30 Sec. 23. Section 904.508A, Code 1999, is amended to read
31 as follows:

32 904.508A INMATE TELEPHONE REBATE FUND.

33 The department is authorized to establish and maintain an
34 An inmate telephone rebate fund in each institution for the
35 deposit of moneys is created in the office of the treasurer of

1 state. Moneys received by the department or an institution
2 for inmate telephone rebates shall be deposited in the fund.
3 ~~All funds deposited in this~~ Moneys deposited in the fund shall
4 be used only as provided in appropriations from the fund and
5 shall be used for the benefit of inmates. The director shall
6 ~~adopt rules providing for the disbursement of moneys from the~~
7 ~~fund.~~

8 Sec. 24. Section 905.14, subsection 1, Code 1999, is
9 amended to read as follows:

10 1. A person placed on probation or parole and subject to
11 supervision by a district department shall be required to pay
12 an enrollment fee of two hundred fifty dollars to the district
13 department to offset the costs of supervision. ~~The fee shall~~
14 ~~be based on the offense class of the most serious offense for~~
15 ~~which the person has received probation or parole, including~~
16 ~~deferred judgments or deferred sentences, and shall be as~~
17 ~~follows:~~

- 18 a. ~~For a felony, one hundred fifty dollars.~~
- 19 b. ~~For an aggravated misdemeanor, one hundred twenty-five~~
20 ~~dollars.~~
- 21 c. ~~For a serious or simple misdemeanor, one hundred~~
22 ~~dollars.~~

23 Sec. 25. 1998 Iowa Acts, chapter 1101, section 15,
24 subsection 2, as amended by 1999 Iowa Acts, chapter 202,
25 section 25, is amended to read as follows:

26 2. a. There is appropriated from surcharge moneys
27 received by the E911 administrator and deposited into the
28 wireless E911 emergency communications fund, for the each
29 fiscal year in the fiscal period beginning July 1, 1998, and
30 ~~for the fiscal year beginning July 1, 1999~~ ending June 30,
31 2001, an amount not to exceed two hundred thousand dollars to
32 be used for the implementation, support, and maintenance of
33 the functions of the E911 administrator. The amount
34 appropriated in this paragraph includes any amounts necessary
35 to reimburse the division of emergency management of the

1 department of public defense pursuant to paragraph "b".

2 b. Notwithstanding the distribution formula in section
3 34A.7A, as enacted in this Act, and prior to any such
4 distribution, of the initial surcharge moneys received by the
5 E911 administrator and deposited into the wireless E911
6 emergency communications fund, for the each fiscal year in the
7 fiscal period beginning July 1, 1998, and ~~for the fiscal year~~
8 ~~beginning July 1, 1999~~ ending June 30, 2001, an amount ~~shall~~
9 ~~be transferred~~ is appropriated to the division of emergency
10 management of the department of public defense as necessary to
11 reimburse the division for amounts expended for the
12 implementation, support, and maintenance of the E911
13 administrator, including the E911 administrator's salary.

14 Sec. 26. CORRECTIONAL FARMS -- STUDY. The legislative
15 council is requested to establish a legislative interim
16 committee to study issues concerning the use of correctional
17 farms under the control of the department of corrections. The
18 committee shall consider, among other issues, possible ways to
19 create job opportunities for inmates at the farms and the
20 possible sale or rental of farmland under the control of the
21 department. The interim committee shall submit a report and
22 recommendations to the general assembly for the 2001
23 legislative session.

24 Sec. 27. EFFECTIVE DATE. Section 23 of this Act, amending
25 section 904.508A, takes effect July 1, 2001.

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HOUSE FILE 2552

S-5538

1 Amend House File 2552, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 18, line 30, by inserting after the word
4 "However," the following: "prior to turning over any
5 automobiles to be exchanged by the academy to the
6 state fleet administrator, the academy shall offer not
7 more than two automobiles to the Iowa law enforcement
8 academy at Hawkeye community college. In addition,".
9 2. Page 18, line 31, by inserting after the word
10 "academy" the following: "and not selected by the
11 Iowa law enforcement academy at Hawkeye community
12 college".

By PATRICIA HARPER

S-5538 FILED APRIL 19, 2000

Ret 4/24/00 (p. 1338)

HOUSE FILE 2552

S-5544

1 Amend House File 2552, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 5, by inserting before line 28 the
4 following:
5 "In addition to moneys appropriated in this
6 paragraph, there is appropriated an additional \$2,000
7 for the purchase of a trained guard dog for use at the
8 Fort Madison correctional facility."

By MARK SHEARER
EUGENE S. FRAISE

*W/D 4/24/00
(p. 1337)*
S-5544 FILED APRIL 19, 2000

HOUSE FILE 2552

S-5540

1 Amend House File 2552, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 10, by inserting after line 21 the
 4 following:
 5 "h. The department of corrections shall not enter
 6 into a new contract, or renew an existing contract,
 7 concerning the providing of telephone service for
 8 inmates and the receipt of moneys for inmate telephone
 9 rebates without receiving bids to provide the service
 10 through a competitive bidding process consistent with
 11 the requirements provided in section 18.6."
 12 2. By renumbering as necessary.

By MARK SHEARER

S-5540 FILED APRIL 19, 2000

(P. 1337)
Dept
4/24/00

HOUSE FILE 2552

S-5542

1 Amend House File 2552, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 13, by striking line 19 and inserting the
 4 following:
 5 "..... \$ 6,759,782"
 6 2. Page 13, by striking line 25 and inserting the
 7 following:
 8 "..... \$ 4,073,1
 9 3. Page 13, by striking line 31 and inserting the
 10 following:
 11 "..... \$ 3,170,636"
 12 4. Page 14, by striking line 2 and inserting the
 13 following:
 14 "..... \$ 11,584,205"
 15 5. Page 14, by striking line 8 and inserting the
 16 following:
 17 "..... \$ 8,752,086"
 18 6. Page 14, by striking line 14 and inserting the
 19 following:
 20 "..... \$ 5,212,007"
 21 7. Page 14, by striking line 20 and inserting the
 22 following:
 23 "..... \$ 5,020,956"

By O. GENE MADDIX

S-5542 FILED APRIL 19, 2000

W/20
4/24/00
 (P. 1337)

HOUSE FILE 2552

S-5550

1 Amend House File 2552, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 27, by inserting after line 23 the
4 following:
5 "Sec. ____ . DEPARTMENT OF CORRECTIONS INSTITUTION
6 STAFFING -- STUDY -- REPORT. The department of
7 corrections, the Iowa department of personnel, and the
8 applicable certified collective bargaining
9 representative for the affected employees, shall
10 jointly conduct a study concerning staffing
11 requirements at department of corrections'
12 institutions. The study participants shall examine
13 and include findings in a joint report concerning the
14 impact of current staffing authorizations at
15 department of corrections' institutions on affected
16 employees and on the ability of the institutions to
17 efficiently operate, including, but not limited to,
18 examination of the use of overtime by employees at the
19 institutions and the ability of affected employees to
20 utilize accrued leave. In addition, the study
21 participants shall consider and include a
22 recommendation in the joint report concerning what
23 level of staffing at department of corrections'
24 institutions would provide adequate staffing at the
25 institutions based on the needs of both the
26 institutions and the affected employees. In making a
27 recommendation concerning staffing levels, the study
28 participants shall consider what level of staffing at
29 the institutions would allow for a reasonable
30 reduction in the use of overtime by employees and
31 would allow affected employees to reasonably utilize
32 their accrued leave. In addition, the study
33 participants shall consider and make findings
34 concerning the possible costs, and possible cost
35 savings, for establishing the staffing levels
36 recommended. The study participants shall submit a
37 joint report, concerning their findings and
38 recommendations, to the general assembly by January 1,
39 2001."
40 2. By renumbering as necessary.

By MARK SHEARER
ROBERT E. DVORSKY
EUGENE S. FRAISE

S-5550 FILED APRIL 20, 2000

W/12
4/24/00
(P. 1340)

HOUSE FILE 2552

S-5553

1 Amend House File 2552, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 25, line 8, by inserting after the word
4 "review." the following: "If the commissioner
5 establishes by rule a fee for the performance of a
6 building plan review by the department, the
7 commissioner shall also provide by rule that the
8 failure of the department to approve or disapprove a
9 building plan review within sixty days of submission
10 of the plan shall be deemed to be an approval of the
11 plan."

By O. GENE MADDOX

S-5553 FILED APRIL 20, 2000

Adopted
4-24-00 (P.1340)

HOUSE FILE 2552

S-5564

1 Amend House File 2552, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 27, by inserting after line 23 the
4 following:
5 "Sec. ____ . SEX OFFENDER REGISTRY -- STUDY. The
6 legislative council is requested to establish a
7 legislative interim committee to study issues
8 concerning the operation of the sex offender registry
9 program pursuant to chapter 692A. The committee
10 should be directed to assess the current effectiveness
11 of the sex offender registry program and to consider,
12 among other issues, the method of determining
13 placement on the registry, the timeliness of
14 information placed on the registry, and the
15 dissemination of information on the registry. In
16 conducting its study, the committee should examine the
17 effectiveness of sex offender registry programs in
18 other states and should consider testimony from
19 interested stakeholders involved in Iowa's sex
20 offender registry program at both the state and local
21 level. The interim committee should submit a report,
22 including its findings and recommendations, to the
23 general assembly for the 2001 legislative session."
24 2. By renumbering as necessary.

By ROBERT E. DVORSKY
O. GENE MADDOX
JEFF ANGELO

(P.1340)

S-5564 FILED APRIL 24, 2000

ADOPTED

HOUSE FILE 2552

S-5575

1 Amend House File 2552, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 5, by striking lines 26 and 27 and
4 inserting the following:
5 "..... \$ 30,153,729
6 FTEs 533.50"
7 2. Page 5, by striking line 34 and inserting the
8 following:
9 "..... \$ 23,601,997"
10 3. Page 6, by striking line 9 and inserting the
11 following:
12 "..... \$ 21,300,914"
13 4. Page 6, by striking line 15 and inserting the
14 following:
15 "..... \$ 22,775,087"
16 5. Page 6, by striking line 23 and inserting the
17 following:
18 "..... \$ 21,490,369"
19 6. Page 6, by striking line 29 and inserting the
20 following:
21 "..... \$ 6,939,481"
22 7. Page 6, by striking line 35 and inserting the
23 following:
24 "..... \$ 17,814,313"
25 8. Page 7, by striking line 11 and inserting the
26 following:
27 "..... \$ 11,960,757"
28 9. Page 13, by striking line 13 and inserting the
29 following:
30 "..... \$ 8,793,845"
31 10. Page 13, by striking line 19 and inserting
32 the following:
33 "..... \$ 7,024,872"
34 11. Page 13, by striking line 25 and inserting
35 the following:
36 "..... \$ 4,311,723"
37 12. Page 13, by striking line 31 and inserting
38 the following:
39 "..... \$ 3,168,299"
40 13. Page 14, by striking line 2 and inserting the
41 following:
42 "..... \$ 11,708,518"
43 14. Page 14, by striking line 8 and inserting the
44 following:
45 "..... \$ 8,875,900"
46 15. Page 14, by striking line 20 and inserting
47 the following:
48 "..... \$ 5,062,560"
49 16. Page 20, by striking lines 26 and 27 and
50 inserting the following:

S-5575

S-5575

Page 2

1 "	.....	\$	12,470,844
2 "	.....	FTEs	233.50"
3	17. Page 21, by striking lines 17 and 18 and		
4	inserting the following:		
5 "	.....	\$	3,883,963
6 "	.....	FTEs	64.00"

By O. GENE MADDOX

S-5575 FILED APRIL 24, 2000
WITHDRAWN

(p. 1334)

HOUSE FILE 2552

S-5584

1 Amend House File 2552, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 5, by striking lines 26 and 27 and
4 inserting the following:
5 "..... \$ 30,153,729
6 FTEs 533.50"
7 2. Page 5, by striking line 34 and inserting the
8 following:
9 "..... \$ 23,601,997"
10 3. Page 6, by striking line 9 and inserting the
11 following:
12 "..... \$ 21,300,914"
13 4. Page 6, by striking line 15 and inserting the
14 following:
15 "..... \$ 22,775,087"
16 5. Page 6, by striking line 23 and inserting the
17 following:
18 "..... \$ 21,490,369"
19 6. Page 6, by striking line 29 and inserting the
20 following:
21 "..... \$ 6,939,481"
22 7. Page 6, by striking line 35 and inserting the
23 following:
24 "..... \$ 17,814,313"
25 8. Page 7, by striking line 11 and inserting the
26 following:
27 "..... \$ 11,960,757"
28 9. Page 13, by striking line 13 and inserting the
29 following:
30 "..... \$ 8,793,845"
31 10. Page 13, by striking line 19 and inserting
32 the following:
33 "..... \$ 7,024,872"
34 11. Page 13, by striking line 25 and inserting
35 the following:
36 "..... \$ 4,261,670"
37 12. Page 14, by striking line 2 and inserting the
38 following:
39 "..... \$ 11,708,518"
40 13. Page 14, by striking line 8 and inserting the
41 following:
42 "..... \$ 8,875,900"
43 14. Page 14, by striking line 20 and inserting
44 the following:
45 "..... \$ 5,062,560"
46 15. Page 20, by striking lines 26 and 27 and
47 inserting the following:
48 "..... \$ 12,470,844
49 FTEs 233.50"
50 16. Page 21, by striking lines 17 and 18 and

S-5584

S-5584

Page 2

1 inserting the following:

2 "	.....	\$	3,972,285
3 "	.....	FTEs	65.00"

By O. GENE MADDOX

S-5584 FILED APRIL 24, 2000

ADOPTED

(P. 1342)

HOUSE FILE 2552

S-5585

1 Amend the amendment, S-5584, to House File 2552, as

2 amended, passed, and reprinted by the House, as

3 follows:

4 1. Page 1, line 21, by striking the figure

5 "6,939,481" and inserting the following: "7,117,981".

By MIKE SEXTON

S-5585 FILED APRIL 24, 2000

ADOPTED

(P. 1336)

HOUSE FILE 2552

S-5587

- 1 Amend House File 2552, as amended, passed, and
2 reprinted by the House, as follows:
- 3 1. Page 23, line 23, by striking the words "one
4 hundred percent of the" and inserting the following:
5 "eighty percent of the salary".
- 6 2. Page 23, line 25, by inserting after the word
7 "chapter" the following: "and an additional amount
8 for the division's costs to enforce this chapter
9 which, for all licensees, shall not exceed thirty
10 thousand dollars".
- 11 3. By striking page 23, line 31 through page 24,
12 line 6 and inserting the following: "the commission
13 plus the cost of salaries for no more than two special
14 agents and no more than four gaming enforcement
15 officers for each excursion gambling boat for the
16 division of criminal investigation's excursion
17 gambling boat activities and an amount for all
18 licensees, not to exceed one hundred twenty-five
19 thousand dollars, representing other associated costs
20 of the division, as the basis for determining the
21 amount of revenue to be raised from the license fees
22 and admission fees. The division's".
- 23 4. Page 24, line 7, by striking the words "one
24 hundred" and inserting the following: "eighty".
- 25 5. Page 24, line 8, by striking the words "and
26 sixty-five," and inserting the following: "and sixty-
27 five".
- 28 6. Page 24, line 9, by striking the words "one
29 hundred" and inserting the following: "eighty".
- 30 7. Page 24, line 9, by striking the word "salary"
31 and inserting the following: "salary".
- 32 8. Page 24, by striking lines 11 and 12 and
33 inserting the following: "laws and rules adopted by
34 the commission."
- 35 9. Page 24, line 16, by striking the words "one
36 hundred percent of the" and inserting the following:
37 "eighty percent of the salary".
- 38 10. By renumbering as necessary.

By DERRYL McLAREN

STEWART IVERSON, Jr.

MICHAEL E. GRONSTAL

TOM FLYNN

S-5587 FILED APRIL 24, 2000

ADOPTED

(P. 1340)

HOUSE FILE 2552

S-5590

1 Amend House File 2552, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 1, by striking lines 10 and 11 and
4 inserting the following:

5 "..... \$ 8,635,862
6 FTEs 196.50"

By ROBERT E. DVORSKY

S-5590 FILED APRIL 24, 2000
LOST

(p. 1333)

HOUSE FILE 2552

S-5591

1 Amend House File 2552, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 3, by striking line 35 and inserting the
4 following:

5 "..... \$ 800,000"

By ROBERT E. DVORSKY

S-5591 FILED APRIL 24, 2000
LOST

(p. 1334)

HOUSE FILE 2552

S-5592

1 Amend the amendment, S-5584, to House File 2552, as
2 amended, passed, and reprinted by the House, as
3 follows:
4 1. Page 1, by striking line 5 and inserting the
5 following:

6 ""..... \$ 31,569,809"

By EUGENE S. FRAISE

S-5592 FILED APRIL 24, 2000
LOST

(p. 1335)

HOUSE FILE 2552

S-5593

1 Amend the amendment, S-5584, to House File 2552, as
2 amended, passed, and reprinted by the House, as
3 follows:
4 1. Page 2, by striking lines 2 and 3 and
5 inserting the following:

6 ""..... \$ 4,162,007
7 FTEs 67.00"

By JOHN JUDGE

S-5593 FILED APRIL 24, 2000
LOST

(p. 1334)

HOUSE FILE 2552

S-5594

- 1 Amend House File 2552, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 20, line 19, by inserting before the
- 4 words "For the" the following: "a."
- 5 2. Page 20, by inserting before line 28 the
- 6 following:
- 7 "b. For the division of criminal investigation and
- 8 bureau of identification, for the sex offender
- 9 registry program, and for not more than the following
- 10 full-time equivalent positions:
- 11 \$ 319,239
- 12 FTEs 5.00"
- 13 3. Page 20, line 28, by inserting before the word
- 14 "Riverboat" the following: "c."
- 15 4. Page 20, line 33, by inserting before the
- 16 words "The department" the following: "d."
- 17 5. By renumbering as necessary.

By JOE BOLKCOM

S-5594 FILED APRIL 24, 2000

LOST

(P.1339)

HOUSE FILE 2552

S-5595

1 Amend the amendment, S-5584 to House File 2552, as
2 amended, passed, and reprinted by the House, as
3 follows:

- 4 1. Page 1, by striking lines 28 through 45 and
5 inserting the following:
6 " Page 13, by striking line 13 and inserting
7 the following:
8 "..... \$ 8,889,920"
9 Page 13, by striking line 19 and inserting
10 the following:
11 "..... \$ 7,179,949"
12 Page 13, by striking line 25 and inserting
13 the following:
14 "..... \$ 4,361,810"
15 Page 13, by striking line 31 and inserting
16 the following:
17 "..... \$ 3,370,590"
18 Page 14, by striking line 2 and inserting
19 the following:
20 "..... \$ 12,126,800"
21 Page 14, by striking line 8 and inserting
22 the following:
23 "..... \$ 9,022,393"
24 Page 14, by striking line 14 and inserting
25 the following:
26 "..... \$ 5,240,920"
27 Page 14, by striking line 20 and inserting
28 the following:
29 "..... \$ 5,118,239"
30 2. By renumbering as necessary.

By ROBERT E. DVORSKY
EUGENE S. FRAISE

S-5595 FILED APRIL 24, 2000
WITHDRAWN

(p. 1336)

HOUSE FILE 2552

S-5596

1 Amend House File 2552, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 20, line 19, by inserting before the
4 words "For the" the following: "a."

5 2. Page 20, by inserting before line 28 the
6 following:

7 "b. For the division of criminal investigation and
8 bureau of identification, for the division's
9 criminalistics laboratory, and for not more than the
10 following full-time equivalent positions:

11	\$	181,579
12	FTEs	5.00"

13 3. Page 20, line 28, by inserting before the word
14 "Riverboat" the following: "c."

15 4. Page 20, line 33, by inserting before the
16 words "The department" the following: "d."

17 5. By renumbering as necessary.

By JOE BOLKCOM

S-5596 FILED APRIL 24, 2000

LOST

(p. 1339)

HOUSE FILE 2552

S-5597

1 Amend the amendment, S-5584 to House File 2552, as
2 amended, passed, and reprinted by the House, as
3 follows:
4 1. Page 1, by inserting after line 2 the
5 following:
6 "____. Page 1, by striking line 10 and inserting
7 the following:
8 "..... \$ 8,647,279"
9 _____. Page 1, by striking line 16 and inserting
10 the following:
11 "..... \$ 327,665"
12 _____. Page 2, by striking line 31 and inserting
13 the following:
14 "..... \$ 135,120"
15 _____. Page 5, by striking line 11 and inserting
16 the following:
17 "..... \$ 2,677,872"
18 2. Page 1, by striking lines 7 through 27 and
19 inserting the following:
20 "____. Page 5, by striking line 34 and inserting
21 the following:
22 "..... \$ 23,678,204"
23 _____. Page 6, by striking line 9 and inserting the
24 following:
25 "..... \$ 21,763,298"
26 _____. Page 6, by striking line 15 and inserting
27 the following:
28 "..... \$ 22,879,195"
29 _____. Page 6, by striking line 23 and inserting
30 the following:
31 "..... \$ 21,584,062"
32 _____. Page 6, by striking lines 29 and 30
33 inserting the following:
34 "..... \$ 7,170,892
35 FTEs 122.00"
36 _____. Page 6, by striking line 35 and inserting
37 the following:
38 "..... \$ 17,890,112"
39 _____. Page 7, by striking line 1 and inserting the
40 following:
41 "..... FTEs 293.75"
42 _____. Page 7, by striking line 11 and inserting
43 the following:
44 "..... \$ 12,045,125"
45 _____. Page 7, by striking line 17 and inserting
46 the following:
47 "..... \$ 24,994,480"
48 _____. Page 8, by striking line 29 and inserting
49 the following:
50 "..... \$ 2,433,211"

S-5597

S-5597

Page 2

1 _____ Page 10, by striking line 26 and inserting
2 the following:
3 "..... \$ 486,847"
4 3. Page 1, by striking lines 46 through 49 and
5 inserting the following:
6 "_____ Page 17, by striking line 9 and inserting
7 the following:
8 "..... \$ 35,161,750"
9 _____ Page 17, by striking line 15 and inserting
10 the following:
11 "..... \$ 13,957,374"
12 _____ Page 18, by striking line 17 and inserting
13 the following:
14 "..... \$ 1,377,848"
15 _____ Page 19, by striking line 13 and inserting
16 the following:
17 "..... \$ 1,059,739"
18 _____ Page 19, by striking lines 30 and 31 and
19 inserting the following:
20 "..... \$ 5,027,184
21 FTEs 256.76"
22 _____ Page 20, by striking lines 6 and 7 and
23 inserting the following:
24 "..... \$ 1,039,364
25 FTEs 25.26"
26 _____ Page 20, by striking lines 17 and 18 and
27 inserting the following:
28 "..... \$ 2,701,818
29 FTEs 46.80"
30 _____ Page 20, by striking lines 26 and 27 and
31 inserting the following:
32 "..... \$ 12,694,059
33 FTEs 240.50"
34 4. Page 2, by inserting after line 3 the
35 following:
36 "_____ Page 21, by striking line 29 and inserting
37 the following:
38 "..... FTEs 38.80"
39 _____ Page 22, by striking line 8 and inserting
40 the following:
41 "..... \$ 1,391,970"
42 _____ Page 22, by striking line 18 and inserting
43 the following:
44 "..... \$ 38,795,191"
45 5. By renumbering as necessary.

By TOM FLYNN

S-5597 FILED APRIL 24, 2000

LOST

(p. 1334)

HOUSE FILE 2552

S-5598

1 Amend House File 2552, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 25, by inserting after line 14 the
4 following:

5 "Sec. _____. Section 123.3, Code 1999, is amended by
6 adding the following new subsection:

7 NEW SUBSECTION. 12A. "Designated security
8 employee" means an agent or employee of a licensee or
9 permittee who is primarily employed for security
10 purposes at a commercial establishment licensed or
11 permitted under chapter 123.

12 Sec. _____. Section 123.31, Code 1999, is amended by
13 adding the following new subsection:

14 NEW SUBSECTION. 6A. A statement, if required by
15 the local authority, indicating whether all designated
16 security employees have received training and
17 certification as provided in section 123.32.

18 Sec. _____. Section 123.32, Code 1999, is amended by
19 adding the following new subsection:

20 NEW SUBSECTION. 3A. A local authority, as a
21 condition of obtaining a license or permit for on
22 premises consumption, may require a designated
23 security employee as defined in section 123.3, to be
24 trained and certified in security methods. The
25 training shall include but is not limited to mediation
26 techniques, civil rights or unfair practices awareness
27 as provided in section 216.7, and providing
28 instruction on the proper physical restraint methods
29 used against a person who has become combative.

30 Sec. _____. Section 321.47, Code Supplement 1999, is
31 amended by adding the following new unnumbered
32 paragraph:

33 NEW UNNUMBERED PARAGRAPH. A person convicted of a
34 violation of this section is guilty of a simple
35 misdemeanor punishable as a scheduled violation under
36 section 805.8, subsection 2, paragraph "ad".

37 Sec. _____. Section 321.91, subsection 2, Code 1999,
38 is amended to read as follows:

39 2. ~~Any A person who abandons a vehicle shall be~~
40 convicted of a violation of this section is guilty of
41 a simple misdemeanor punishable as a scheduled
42 violation under section 805.8, subsection 2, paragraph
43 "m".

44 Sec. _____. Section 321.99, Code 1999, is amended to
45 read as follows:

46 321.99 FRAUDULENT USE OF REGISTRATION.

47 A person shall not knowingly lend to another a
48 registration card, registration plate, special plate,
49 or permit issued to the person if the other person
50 desiring to borrow the card, plate, or permit would

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1 not be entitled to the use of it. A person shall not
2 knowingly permit the use of a registration card,
3 registration plate, special plate, or permit issued to
4 the person by one not entitled to it, nor shall a
5 person knowingly display upon a vehicle a registration
6 card, registration plate, special plate, or permit not
7 issued for that vehicle under this chapter. A person
8 convicted of a violation of this section is guilty of
9 a simple misdemeanor punishable as a scheduled
10 violation under section 805.8, subsection 2, paragraph
11 "o".

12 Sec. _____. Section 321.115, Code 1999, is amended
13 by adding the following new subsection:

14 NEW SUBSECTION. 5. A person convicted of a
15 violation of this section is guilty of a simple
16 misdemeanor punishable as a scheduled violation under
17 section 805.8, subsection 2, paragraph "o".

18 Sec. _____. Section 321.219, Code 1999, is amended
19 to read as follows:

20 321.219 PERMITTING UNAUTHORIZED MINOR TO DRIVE.

21 No A person shall not cause or knowingly permit the
22 person's child or ward under the age of eighteen years
23 to drive a motor vehicle upon any highway when such
24 the minor is not authorized hereunder under this
25 section or in violation of any-of-the-provisions-of
26 this chapter.

27 A person convicted of a violation of this section
28 is guilty of a simple misdemeanor punishable as a
29 scheduled violation under section 805.8, subsection 2,
30 paragraph "w".

31 Sec. _____. Section 321.220, Code 1999, is amended
32 by adding the following new unnumbered paragraph:

33 NEW UNNUMBERED PARAGRAPH. A person convicted of a
34 violation of this section is guilty of a simple
35 misdemeanor punishable as a scheduled violation under
36 section 805.8, subsection 2, paragraph "w".

37 Sec. _____. Section 321.234A, Code Supplement 1999,
38 is amended by adding the following new unnumbered
39 paragraph:

40 NEW UNNUMBERED PARAGRAPH. A person convicted of a
41 violation of this section is guilty of a simple
42 misdemeanor punishable as a scheduled violation under
43 section 805.8, subsection 4, paragraph "b".

44 Sec. _____. Section 321.247, Code 1999, is amended
45 by adding the following new unnumbered paragraph:

46 NEW UNNUMBERED PARAGRAPH. A person convicted of a
47 violation of this section is guilty of a simple
48 misdemeanor punishable as a scheduled violation under
49 section 805.8, subsection 2, paragraph "e".

50 Sec. _____. Section 321.302, Code 1999, is amended

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1 by adding the following new unnumbered paragraph:

2 NEW UNNUMBERED PARAGRAPH. A person convicted of a
3 violation of this section is guilty of a simple
4 misdemeanor punishable as a scheduled violation under
5 section 805.8, subsection 2, paragraph "h".

6 Sec. _____. Section 321.327, Code 1999, is amended
7 by adding the following new unnumbered paragraph:

8 NEW UNNUMBERED PARAGRAPH. A person convicted of a
9 violation of this section is guilty of a simple
10 misdemeanor punishable as a scheduled violation under
11 section 805.8, subsection 2, paragraph "i".

12 Sec. _____. Section 321.366, unnumbered paragraph 3,
13 Code 1999, is amended to read as follows:

14 Violations A person convicted of a violation of
15 subsection 6 is guilty of a simple misdemeanor
16 punishable as a scheduled violation under section
17 805.8, subsection 2, paragraph "ai". Other violations
18 of this section are punishable as provided in section
19 321.482.

20 Sec. _____. Section 321.421, Code 1999, is amended
21 by adding the following new unnumbered paragraph:

22 NEW UNNUMBERED PARAGRAPH. A person convicted of a
23 violation of this section is guilty of a simple
24 misdemeanor punishable as a scheduled violation under
25 section 805.8, subsection 2, paragraph "e".

26 Sec. _____. Section 331.302, subsection 2, Code
27 Supplement 1999, is amended to read as follows:

28 2. A county shall not provide a penalty in excess
29 of a ~~two~~ five hundred dollar fine or in excess of
30 thirty days imprisonment for the violation of an
31 ordinance. The criminal penalty surcharge required by
32 section 911.2 shall be added to a county fine and is
33 not a part of the county's penalty.

34 Sec. _____. Section 331.302, subsection 4A,
35 paragraph a, subparagraph (2), Code Supplement 1999,
36 is amended to read as follows:

37 (2) A portion of the Code of Iowa may be adopted
38 by reference only if the criminal penalty provided by
39 the law adopted does not exceed thirty days'
40 imprisonment or a ~~two~~ five hundred dollar fine.

41 Sec. _____. Section 364.3, subsection 2, Code
42 Supplement 1999, is amended to read as follows:

43 2. A city shall not provide a penalty in excess of
44 a ~~two~~ five hundred dollar fine or in excess of thirty
45 days imprisonment for the violation of an ordinance.
46 An amount equal to ten percent of all fines collected
47 by cities shall be deposited in the account
48 established in section 602.8108. However, one hundred
49 percent of all fines collected by a city pursuant to
50 section 321.236, subsection 1, shall be retained by

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1 the city. The criminal penalty surcharge required by
2 section 911.2 shall be added to a city fine and is not
3 a part of the city's penalty.

4 Sec. _____. Section 380.10, subsection 2, Code 1999,
5 is amended to read as follows:

6 2. A portion of the Code of Iowa may be adopted by
7 reference only if the criminal penalty provided by the
8 law adopted does not exceed thirty days' imprisonment
9 or and a one five hundred dollar fine.

10 Sec. _____. Section 482.15, Code 1999, is amended to
11 read as follows:

12 482.15 PENALTIES.

13 A person who violates ~~a provision of~~ this chapter
14 or a rule issued under this chapter is guilty of a
15 simple misdemeanor punishable as a scheduled violation
16 under section 805.8, subsection 5, paragraph "e".

17 Sec. _____. Section 483A.42, Code 1999, is amended
18 to read as follows:

19 483A.42 PENALTIES.

20 A person who violates ~~a provision of~~ this chapter
21 is guilty of a simple misdemeanor ~~and shall be fined~~
22 ~~not less than ten dollars for each cited offense~~
23 punishable as a scheduled violation under section
24 805.8, subsection 5, paragraph "e".

25 Sec. _____. Section 610A.3, subsection 1, paragraphs
26 a and b, Code 1999, are amended to read as follows:

27 a. The loss of some or all of the ~~good-conduct~~
28 earned time credits acquired by the inmate or
29 prisoner. Previous dismissals under section 610A.2
30 may be considered in determining the appropriate level
31 of penalty.

32 b. If the inmate or prisoner has no ~~good-conduct~~
33 earned time credits to deduct, the order of the court
34 or the disciplinary hearing may deduct up to fifty
35 percent of the average balance of the inmate account
36 under section 904.702 or of any prisoner account.

37 Sec. _____. NEW SECTION. 622.51A COMPUTER
38 PRINTOUTS.

39 For purposes of chapters 714 and 716, computer
40 printouts shall be admitted as evidence of any
41 computer software, program, or data contained in or
42 taken from a computer, notwithstanding an applicable
43 rule of evidence to the contrary.

44 Sec. _____. NEW SECTION. 702.1A COMPUTER
45 TERMINOLOGY.

46 For purposes of section 714.1, subsection 7A, and
47 section 716.6B:

48 1. "Computer" means an electronic device which
49 performs logical, arithmetical, and memory functions
50 by manipulation of electronic or magnetic impulses,

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1 and includes all input, output, processing, storage,
2 computer software, and communication facilities which
3 are connected or related to the computer in a computer
4 system or computer network.

5 2. "Computer access" means to instruct,
6 communicate with, store data in, or retrieve data from
7 a computer, computer system, or computer network.

8 3. "Computer data" means a representation of
9 information, knowledge, facts, concepts, or
10 instructions that has been prepared or is being
11 prepared in a formalized manner and has been
12 processed, or is intended to be processed in a
13 computer. Computer data may be in any form including,
14 but not limited to, printouts, magnetic storage media,
15 punched cards, and as stored in the memory of a
16 computer.

17 4. "Computer network" means a set of related,
18 remotely connected devices and communication
19 facilities including two or more computers with
20 capability to transmit data among them through
21 communication facilities.

22 5. "Computer program" means an ordered set of
23 instructions or statements that, when executed by a
24 computer, causes the computer to process data.

25 6. "Computer services" means the use of a
26 computer, computer system, or computer network and
27 includes, but is not limited to, computer time, data
28 processing, and storage functions.

29 7. "Computer software" means a set of computer
30 programs, procedures, or associated documentation used
31 in the operation of a computer.

32 8. "Computer system" means related, connected or
33 unconnected, computers or peripheral equipment.

34 9. "Loss of property" means the greatest of the
35 following:

36 a. The retail value of the property involved.

37 b. The reasonable replacement or repair cost,
38 whichever is less.

39 10. "Loss of services" means the reasonable value
40 of the damage created by the unavailability or lack of
41 utility of the property or services involved until
42 repair or replacement can be effected.

43 Sec. ____ . Section 702.14, Code 1999, is amended to
44 read as follows:

45 702.14 PROPERTY.

46 "Property" is anything of value, whether publicly
47 or privately owned, including but not limited to
48 computers and computer data, computer software, and
49 computer programs. The term includes both tangible
50 and intangible property, labor, and services. The

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1 term includes all that is included in the terms "real
2 property" and "personal property".

3 Sec. _____. NEW SECTION. 702.20A VIDEO RENTAL
4 PROPERTY.

5 "Video rental property" means an audiovisual
6 recording, including a videotape, videodisc, or other
7 tangible medium of expression on which an audiovisual
8 work is recorded or otherwise stored, or any equipment
9 or supplies used to view the recording, and which is
10 held out for rental to the public in the ordinary
11 course of business.

12 Sec. _____. Section 709.8, unnumbered paragraph 2,
13 Code 1999, is amended to read as follows:

14 Any person who violates a provision of this section
15 shall, upon conviction, be guilty of a class "D"
16 felony. A person who violates a provision of this
17 section and who is sentenced to a term of confinement
18 shall also be sentenced to an additional term of
19 parole or work release not to exceed two years. The
20 board of parole shall determine whether the person
21 should be released on parole or placed in a work
22 release program. The sentence of an additional term
23 of parole or work release supervision shall commence
24 immediately upon the expiration of the preceding
25 sentence and shall be under the terms and conditions
26 as set out in chapter 906. Violations of parole or
27 work release shall be subject to the procedures set
28 out in chapter 905 or 908 or rules adopted under those
29 chapters. The sentence of an additional term of
30 parole or work release shall be consecutive to the
31 original term of confinement.

32 Sec. _____. Section 713.6A, Code 1999, is amended to
33 read as follows:

34 713.6A BURGLARY IN THE THIRD DEGREE.

35 1. All burglary which is not burglary in the first
36 degree or burglary in the second degree is burglary in
37 the third degree. Burglary in the third degree is a
38 class "D" felony.

39 2. Notwithstanding any other provision of the Code
40 to the contrary, a person who violates this section
41 may be sentenced to a combination of any intermediate
42 criminal sanction level or sublevel under section
43 901B.1, subsection 1. If a person is sentenced to
44 prison, the court, at its discretion, may sentence a
45 person to a maximum indeterminate term which is less
46 than the maximum term provided for class "D" felonies
47 under section 902.9, if mitigating circumstances
48 warrant a reduction in the maximum term and those
49 circumstances are stated specifically on the record.
50 The state may appeal the discretionary decision on the

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1 grounds that the stated mitigating circumstances do
2 not warrant a reduction of the sentence.

3 Sec. ____ . Section 714.1, Code 1999, is amended by
4 adding the following new subsections:

5 NEW SUBSECTION. 7A. Knowingly and without
6 authorization accesses or causes to be accessed a
7 computer, computer system, or computer network, or any
8 part thereof, for the purpose of obtaining computer
9 services, information, or property or knowingly and
10 without authorization and with the intent to
11 permanently deprive the owner of possession, takes,
12 transfers, conceals, or retains possession of a
13 computer, computer system, or computer network or any
14 computer software or computer program, or computer
15 data contained in a computer, computer system, or
16 computer network.

17 NEW SUBSECTION. 7B. a. Obtains the temporary use
18 of video rental property with the intent to deprive
19 the owner of the use and possession of the video
20 rental property without the consent of the owner.

21 b. Lawfully obtains the temporary use of video
22 rental property and fails to return the video rental
23 property by the agreed time with the intent to deprive
24 the owner of the use and possession of the video
25 rental property without the consent of the owner. The
26 aggregate value of the video rental property involved
27 shall be the original retail value of the video rental
28 property.

29 Sec. ____ . NEW SECTION. 714.6A VIDEO RENTAL
30 PROPERTY THEFT -- EVIDENCE OF INTENTION -- AFFIRMATIVE
31 DEFENSE.

32 1. The fact that a person obtains possession of
33 video rental property by means of deception, including
34 but not limited to furnishing a false name, address,
35 or other identification to the owner, is evidence that
36 possession was obtained with intent to knowingly
37 deprive the owner of the use and possession of the
38 video rental property.

39 2. The fact that a person, having lawfully
40 obtained possession of video rental property, fails to
41 pay the owner the fair market value of the video
42 rental property or to return or make arrangements
43 acceptable to the owner to return the video rental
44 property to the owner, within forty-eight hours after
45 receipt of written notice and demand from the owner is
46 evidence of an intent to knowingly deprive the owner
47 of the use and possession of the video rental
48 property.

49 3. It shall be an affirmative defense to a
50 prosecution under section 714.1, subsection 7B,

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1 paragraph "a", if the defendant in possession of video
2 rental property pays the owner the fair market value
3 of the video rental property or returns the property
4 to the owner within forty-eight hours of arrest,
5 together with any standard overdue charges for the
6 period that the owner was unlawfully deprived of
7 possession, but not to exceed one hundred twenty days,
8 and the value of the damage to the property, if any.

9 Sec. _____. Section 715A.2, Code 1999, is amended by
10 adding the following new subsection:

11 NEW SUBSECTION. 3. Notwithstanding any other
12 provision of the Code to the contrary a person who
13 violates this section may be sentenced to a
14 combination of any intermediate criminal sanction
15 level or sublevel under section 901B.1, subsection 1.
16 If a person is sentenced to prison, the court, at its
17 discretion may sentence a person to a maximum
18 indeterminate term which is less than the maximum term
19 provided for class "D" felonies under section 902.9 or
20 aggravated misdemeanors under section 903.1, if
21 mitigating circumstances warrant a reduction in the
22 maximum term and those circumstances are stated
23 specifically in the record. The state may appeal the
24 discretionary decision on the grounds that the stated
25 mitigating circumstances do not warrant a reduction of
26 the sentence.

27 Sec. _____. NEW SECTION. 716.6B UNAUTHORIZED
28 COMPUTER ACCESS.

29 A person who knowingly and without authorization
30 accesses a computer, computer system, or computer
31 network commits a simple misdemeanor.

32 Sec. _____. Section 722.4, Code 1999, is amended to
33 read as follows:

34 722.4 BRIBERY OF ELECTOR OR ELECTION OFFICIALS.

35 1. A person who offers, promises, or gives
36 anything of value or any benefit to any elector for
37 the purpose of influencing the elector's vote, in any
38 election authorized by law, or any elector who
39 receives anything of value or any benefit knowing that
40 it was given for such purpose, commits an aggravated
41 misdemeanor.

42 2. A person who offers, promises, or gives
43 anything of value or any benefit to any precinct
44 election official authorized by law, or to any
45 executive officer attending the same, conditioned on
46 some act done or omitted to be done contrary to the
47 person's official duty in relation to such election,
48 commits an aggravated misdemeanor.

49 Sec. _____. Section 722.8, Code 1999, is amended to
50 read as follows:

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1 722.8 DURESS TO PREVENT OR PROCURE VOTING.

2 1. A person who unlawfully and by force, or
3 threats of force, prevents or endeavors to prevent an
4 elector from giving the elector's vote at any public
5 election commits an aggravated misdemeanor.

6 2. A person who procures, or endeavors to procure,
7 the vote of an elector for or against any candidate or
8 for or against any issue by means of violence, threats
9 of violence, or by any means of duress commits an
10 aggravated misdemeanor.

11 Sec. _____. Section 805.8, subsection 2, paragraph
12 e, Code Supplement 1999, is amended to read as
13 follows:

14 e. For improperly used or nonused or defective or
15 improper equipment under sections 321.383, 321.384,
16 321.385, 321.386, 321.398, 321.402, 321.403, 321.404,
17 321.409, 321.419, 321.420, 321.423, 321.430, and
18 321.433, the scheduled fine is twenty dollars. For
19 violations of sections 321.247 and 321.421, the
20 scheduled fine is one hundred dollars.

21 Sec. _____. Section 805.8, subsection 2, paragraph
22 h, Code Supplement 1999, is amended to read as
23 follows:

24 h. For operating, passing, turning, and standing
25 violations under section 321.236, subsections 3, 4, 9,
26 and 12, section 321.275, subsections 1 through 7,
27 sections 321.295, 321.297, 321.299, 321.303, 321.304,
28 subsections 1 and 2, sections 321.305, 321.306,
29 321.311, 321.312, 321.314, 321.315, 321.316, 321.318,
30 321.323, 321.340, 321.353, 321.354, 321.363, 321.365,
31 ~~321.366~~, 321.368, 321.382, and 321.395, the scheduled
32 fine is fifteen dollars. For violations of section
33 321.302, the scheduled fine is one hundred dollars.

34 Sec. _____. Section 805.8, subsection 2, paragraph
35 i, Code Supplement 1999, is amended to read as
36 follows:

37 i. For violations involving failures to yield or
38 to observe pedestrians and other vehicles under
39 section 321.257, subsection 2, sections 321.288,
40 321.298, 321.307, 321.308, 321.313, 321.319, 321.320,
41 321.321, 321.329, 321.333, and 321.367, the scheduled
42 fine is twenty dollars. For violations of section
43 321.327, the scheduled fine is one hundred dollars.

44 Sec. _____. Section 805.8, subsection 2, paragraph
45 m, Code Supplement 1999, is amended to read as
46 follows:

47 m. For height, weight, length, width, and load
48 violations and towed vehicle violations under sections
49 321.309, 321.310, 321.381, 321.394, 321.437, 321.454,
50 321.455, 321.456, 321.457, 321.458, 321.461, and

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1 321.462, the scheduled fine is twenty-five dollars.
2 For weight violations under sections 321.459 and
3 321.466, the scheduled fine is twenty dollars for each
4 two thousand pounds or fraction thereof of overweight.
5 For abandoned vehicles under section 321.91, the
6 scheduled fine is one hundred dollars.

7 Sec. ____ . Section 805.8, subsection 2, paragraph
8 o, Code Supplement 1999, is amended to read as
9 follows:

10 o. For violation of registration provisions under
11 section 321.17; violation of intrastate hauling on
12 foreign registration under section 321.54; improper
13 operation or failure to register under section 321.55;
14 and violation of requirement for display of
15 registration or plates under section 321.98, the
16 scheduled fine is twenty dollars. For fraudulent use
17 of registration violations under section 321.99 and
18 violations of antique car registration requirements
19 under section 321.115, the scheduled fine is one
20 hundred dollars.

21 Sec. ____ . Section 805.8, subsection 2, paragraph
22 v, Code Supplement 1999, is amended to read as
23 follows:

24 v. Violations of the schedule of axle and tandem
25 axle and gross or group of axle weight violations in
26 section 321.463 shall be scheduled violations subject
27 to the provisions, procedures and exceptions contained
28 in sections 805.6 to 805.11, irrespective of the
29 amount of the fine under that schedule. Violations of
30 the schedule of weight violations shall be chargeable,
31 where the fine charged does not exceed one hundred
32 thousand dollars, only by uniform citation and
33 complaint. Violations of the schedule of weight
34 violations, where the fine charged exceeds one hundred
35 thousand dollars shall, when the violation is admitted
36 and section 805.9 applies, be chargeable upon uniform
37 citation and complaint, indictment, or county
38 attorney's information, but otherwise, shall be
39 chargeable only upon indictment or county attorney's
40 information.

41 In all cases of charges under the schedule of
42 weight violations, the charge shall specify the amount
43 of fine charged under the schedule. Where a defendant
44 is convicted and the fine under the foregoing schedule
45 of weight violations exceeds one hundred thousand
46 dollars, the conviction shall be of an indictable
47 offense although section 805.9 is employed and whether
48 the violation is charged upon uniform citation and
49 complaint, indictment, or county attorney's
50 information.

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1 Sec. ____ . Section 805.8, subsection 2, paragraph
2 w, Code 1999, is amended to read as follows:

3 w. For failure to have a valid license or permit
4 for operating a motor vehicle on the highways of this
5 state pursuant to section 321.174, or permitting an
6 unauthorized minor to drive in violation of section
7 321.219, or permitting an unauthorized person to drive
8 in violation of section 321.220, the scheduled fine is
9 one hundred dollars.

10 Sec. ____ . Section 805.8, subsection 2, paragraph
11 ad, Code Supplement 1999, is amended to read as
12 follows:

13 ad. For violations of section 321.57, the
14 scheduled fine is fifty dollars. For violations of
15 section 321.62, the scheduled fine is fifty dollars.
16 For violations of section 321.47, the scheduled fine
17 is one hundred dollars.

18 Sec. ____ . Section 805.8, subsection 2, Code
19 Supplement 1999, is amended by adding the following
20 new paragraph:

21 NEW PARAGRAPH. ai. For violations of section
22 321.366, the scheduled fine is one hundred dollars.

23 Sec. ____ . Section 805.8, subsection 4, paragraph
24 b, Code Supplement 1999, is amended to read as
25 follows:

26 b. For operating violations under section 321G.9,
27 subsections 1, 2, 3, 4, 5 and 7, sections 321G.11, and
28 321G.13, subsections 4 and 9, the scheduled fine is
29 twenty dollars. For violations of section 321.234A,
30 the scheduled fine is one hundred dollars.

31 Sec. ____ . Section 805.8, subsection 5, paragraph
32 e, Code Supplement 1999, is amended to read as
33 follows:

34 e. For violations of sections 481A.85, 481A.93,
35 481A.95, 481A.120, 481A.137, 481B.5, 482.3, and 482.9,
36 482.15, and 483A.42, the scheduled fine is one hundred
37 dollars.

38 Sec. ____ . Section 901.5, subsection 9, paragraph
39 a, Code 1999, is amended to read as follows:

40 a. That the defendant's term of incarceration may
41 be reduced ~~by as much as half of~~ from the maximum
42 sentence because of statutory ~~good-conduct~~ earned
43 time, work credits, and program credits.

44 Sec. ____ . Section 901.5A, Code Supplement 1999, is
45 amended by adding the following new subsection:

46 NEW SUBSECTION. 1A. A defendant may have a
47 judgment and sentence entered under section 901.5
48 reopened for resentencing if the following apply:

49 a. The sentence of the defendant is subject to a
50 maximum accumulation of good conduct time of fifteen

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1 percent of the total sentence of confinement under
2 section 902.12.

3 b. The board of parole and the department of
4 corrections file a motion in the sentencing court to
5 reopen the sentence of the defendant.

6 c. The county attorney from the county which
7 prosecuted the defendant is served a copy of the
8 motion to reopen by certified mail. The motion shall
9 specify the county attorney has ninety days to consult
10 with the victim if possible and to file a written
11 objection.

12 d. The court, upon hearing, grants the motion.

13 Sec. _____. Section 901.5A, subsections 2 and 3,
14 Code Supplement 1999, are amended to read as follows:

15 2. Upon a finding by the court that the defendant
16 cooperated in the prosecution of other persons or upon
17 the court granting a motion to reopen the sentence by
18 the board of parole and the department of corrections,
19 the court may reduce the maximum sentence imposed
20 under the original sentencing order.

21 3. For purposes of calculating good-conduct earned
22 time under section 903A.2, the sentencing date for a
23 defendant whose sentence has been reopened under this
24 section shall be the date of the original sentencing
25 order. If the original sentence was subject to the
26 maximum accumulation of earned time of fifteen percent
27 of the total sentence of confinement under section
28 902.12, the maximum accumulation of earned time on the
29 new sentence of confinement shall be fifteen percent
30 of the new total sentence of confinement imposed by
31 the court upon reopening. Any earned time accumulated
32 on the original sentence shall be credited to the new
33 sentence upon reopening.

34 Sec. _____. Section 903A.2, Code 1999, is amended to
35 read as follows:

36 903A.2 GOOD-CONDUCT-TIME EARNED TIME.

37 1. Each inmate committed to the custody of the
38 director of the department of corrections is eligible
39 for to earn a reduction of sentence for-good-behavior
40 in the manner provided in this section. For purposes
41 of calculating the amount of time by which an inmate's
42 sentence may be reduced, inmates shall be grouped into
43 the following two sentencing categories:

44 a. Category "A" sentences are those sentences
45 which are not subject to a maximum accumulation of
46 good-conduct earned time of fifteen percent of the
47 total sentence of confinement under section 902.12.
48 To the extent provided in subsection 5, category "A"
49 sentences also include life sentences imposed under
50 section 902.1. An inmate of an institution under the

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1 control of the department of corrections who is
2 serving a category "A" sentence is eligible for a
3 reduction of sentence equal-to-one-day-for-each-day-of
4 good-conduct-while-committed-to-one-of-the
5 department's-institutions.-In-addition,-each-inmate
6 who-is-serving-a-category-"A"-sentence-is-eligible-for
7 an-additional-reduction-of-up-to-five-days-per-month
8 if-the-inmate-participates-satisfactorily-in-any-of
9 the-following-activities equal to one and two-tenths
10 days for each day the inmate demonstrates good conduct
11 and satisfactorily participates in any program or
12 placement status identified by the director to earn
13 the reduction. The programs include but are not
14 limited to the following:

- 15 (1) Employment in the institution.
- 16 (2) Iowa state industries.
- 17 (3) An employment program established by the
18 director.
- 19 (4) A treatment program established by the
20 director.
- 21 (5) An inmate educational program approved by the
22 director.

23 b. Category "B" sentences are those sentences
24 which are subject to a maximum accumulation of good
25 conduct earned time of fifteen percent of the total
26 sentence of confinement under section 902.12. An
27 inmate of an institution under the control of the
28 department of corrections who is serving a category
29 "B" sentence is eligible for a reduction of sentence
30 equal to fifteen eighty-fifths of a day for each day
31 of good conduct by the inmate.

32 2. Good-conduct Earned time earned accrued
33 pursuant to this section may be forfeited in the
34 manner prescribed in section 903A.3.

35 3. Time served in a jail or another facility prior
36 to actual placement in an institution under the
37 control of the department of corrections and credited
38 against the sentence by the court shall accrue for the
39 purpose of reduction of sentence under this section.
40 Time which elapses during an escape shall not accrue
41 for purposes of reduction of sentence under this
42 section.

43 4. Time which elapses between the date on which a
44 person is incarcerated, based upon a determination of
45 the board of parole that a violation of parole has
46 occurred, and the date on which the violation of
47 parole was committed shall not accrue for purposes of
48 reduction of sentence under this section.

49 5. Good-conduct Earned time accrued by inmates
50 serving life sentences imposed under section 902.1

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1 shall not reduce the life sentence, but shall be
2 credited against the inmate's sentence if the life
3 sentence is commuted to a term of years under section
4 902.2.

5 Sec. _____. Section 903A.3, subsections 1 and 3,
6 Code 1999, are amended to read as follows:

7 1. Upon finding that an inmate has violated an
8 institutional rule, or has had an action or appeal
9 dismissed under section 610A.2, the independent
10 administrative law judge may order forfeiture of any
11 or all good-conduct earned time earned accrued and not
12 forfeited up to the date of the violation by the
13 inmate and may order forfeiture of any or all good
14 conduct earned time earned accrued and not forfeited
15 up to the date the action or appeal is dismissed,
16 unless the court entered such an order under section
17 610A.3. The independent administrative law judge has
18 discretion within the guidelines established pursuant
19 to section 903A.4, to determine the amount of time
20 that should be forfeited based upon the severity of
21 the violation. Prior violations by the inmate may be
22 considered by the administrative law judge in the
23 decision.

24 3. The director of the Iowa department of
25 corrections or the director's designee, may restore
26 all or any portion of previously forfeited good
27 conduct earned time for acts of heroism or for
28 meritorious actions. The director shall establish by
29 rule the requirements as to which activities may
30 warrant the restoration of good-conduct earned time
31 and the amount of good-conduct earned time to be
32 restored.

33 Sec. _____. Section 903A.4, Code 1999, is amended to
34 read as follows:

35 903A.4 POLICIES AND PROCEDURES.

36 The director of the Iowa department of corrections
37 shall develop policy and procedural rules to implement
38 sections 903A.1 through 903A.3. The rules may specify
39 disciplinary offenses which may result in the loss of
40 good-conduct earned time, and the amount of good
41 conduct earned time which may be lost as a result of
42 each disciplinary offense. The director shall
43 establish rules as to what constitutes "satisfactory
44 participation" for purposes of additional a reduction
45 of sentence-under-section-903A-3-for-employment-in
46 the-institution,-in-iowa-state-industries,-in-an
47 inmate-employment-program-established-by-the-director,
48 or-for-participation-in-an-educational-program
49 approved-by-the-director,-when-such-employment-or
50 programs-are-available sentence under section 903A.2,

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1 for programs that are available or unavailable. The
2 rules shall specify that earned time shall be
3 calculated on a monthly basis as it accrues. The
4 department shall generate an earned time report for
5 each inmate which shall include the amount of actual
6 time served, the number of earned time credits which
7 have not been lost or forfeited, and the amount of
8 time remaining on an inmate's sentence.

9 Sec. _____. Section 903A.5, unnumbered paragraph 1,
10 Code Supplement 1999, is amended to read as follows:

11 An inmate shall not be discharged from the custody
12 of the director of the Iowa department of corrections
13 until the inmate has served the full term for which
14 the inmate was sentenced, less good-conduct earned
15 time and other credits earned and not forfeited,
16 unless the inmate is pardoned or otherwise legally
17 released. Good-conduct Earned time earned accrued and
18 not forfeited shall apply to reduce a mandatory
19 minimum sentence being served pursuant to section
20 124.406, 124.413, 902.7, 902.8, 902.8A, or 902.11. An
21 inmate shall be deemed to be serving the sentence from
22 the day on which the inmate is received into the
23 institution. If an inmate was confined to a county
24 jail or other correctional or mental facility at any
25 time prior to sentencing, or after sentencing but
26 prior to the case having been decided on appeal,
27 because of failure to furnish bail or because of being
28 charged with a nonbailable offense, the inmate shall
29 be given credit for the days already served upon the
30 term of the sentence. However, if a person commits
31 any offense while confined in a county jail or other
32 correctional or mental health facility, the person
33 shall not be granted jail credit for that offense.
34 Unless the inmate was confined in a correctional
35 facility, the sheriff of the county in which the
36 inmate was confined shall certify to the clerk of the
37 district court from which the inmate was sentenced and
38 to the department of corrections' records
39 administrator at the Iowa medical and classification
40 center the number of days so served. The department
41 of corrections' records administrator, or the
42 administrator's designee, shall apply jail credit as
43 ordered by the court of proper jurisdiction or as
44 authorized by this section and section 907.3,
45 subsection 3, and shall forward a copy of the number
46 of days served to the clerk of the district court from
47 which the inmate was sentenced.

48 Sec. _____. Section 903A.5, unnumbered paragraph 2,
49 Code Supplement 1999, is amended to read as follows:

50 An inmate shall not receive credit upon the

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1 inmate's sentence for time spent in custody in another
2 state resisting return to Iowa following an escape ~~or~~
3 ~~for time served~~. However, an inmate shall receive
4 credit upon the inmate's sentence while incarcerated
5 in an institution or jail of another jurisdiction
6 during any period of time the person is receiving
7 credit upon a sentence of that other jurisdiction.

8 Sec. ____ . Section 903A.7, Code 1999, is amended to
9 read as follows:

10 903A.7 SEPARATE SENTENCES.

11 Consecutive multiple sentences that are within the
12 same category under section 903A.2 shall be construed
13 as one continuous sentence for purposes of calculating
14 reductions of sentence for good-conduct earned time.
15 If a person is sentenced to serve sentences of both
16 categories, category "B" sentences shall be served
17 before category "A" sentences are served, and good
18 conduct earned time earned accrued against the
19 category "B" sentences shall not be used to reduce the
20 category "A" sentences. If an inmate serving a
21 category "A" sentence is sentenced to serve a category
22 "B" sentence, the category "A" sentence shall be
23 interrupted, and no further good-conduct earned time
24 shall accrue against that sentence until the category
25 "B" sentence is completed."

26 2. Page 26, by inserting after line 7 the
27 following:

28 "Sec. ____ . Section 904.513, subsection 1, Code
29 1999, is amended to read as follows:

30 1. a. The department of corrections, in
31 cooperation with the judicial district departments of
32 correctional services, shall establish in each
33 judicial district a continuum of programming for the
34 supervision and treatment of offenders convicted of
35 violating chapter 321J who are sentenced to the
36 custody of the director. The continuum shall include
37 a range of sanctioning options that include, but are
38 not limited to, prisons and residential facilities.

39 b. (1) The department of corrections shall
40 develop standardized assessment criteria for the
41 assignment of offenders pursuant to this chapter.

42 (2) Offenders convicted of violating chapter 321J,
43 sentenced to the custody of the director, and awaiting
44 placement in a community residential substance abuse
45 treatment program for such offenders shall be placed
46 in an institutional substance abuse program for such
47 offenders within sixty days of admission to the
48 institution or as soon as practical. When placing
49 offenders convicted of violating chapter 321J in
50 community residential substance abuse treatment

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1 programs for such offenders, the department shall give
 2 priority as appropriate to the placement of those
 3 offenders currently in institutional substance abuse
 4 programs for such offenders. The department shall
 5 work with each judicial district to enable such
 6 offenders to enter community residential substance
 7 abuse treatment programs at a level comparable to
 8 their prior institutional program participation.

9 (3) Assignment shall be for the purposes of risk
 10 management and substance abuse treatment and may
 11 include education or work programs when the offender
 12 is not participating in other program components.

13 (4) Assignment may also be made on the basis of
 14 the offender's treatment program performance, as a
 15 disciplinary measure, for medical needs, and for space
 16 availability at community residential facilities. If
 17 there is insufficient space at a community residential
 18 facility, the court may order an offender to be
 19 released to the supervision of the judicial district
 20 department of correctional services or held in jail."

21 3. Page 27, by inserting after line 13 the
 22 following:

23 "Sec. 101. CONVERSION OF GOOD CONDUCT TIME. On
 24 the effective date of this Act, the department shall
 25 convert the existing accrued good conduct time and
 26 other accrued reductions on each inmate's sentence to
 27 earned time. An inmate's sentence shall be credited
 28 with one day of earned time for every one day of
 29 reduction credited under section 903A.2 and not lost
 30 or forfeited under section 903A.3. The earned time
 31 credited to an inmate's sentence shall equal the
 32 amount of good conduct time or other reductions
 33 credited which have not been lost or forfeited prior
 34 to January 1, 2001. The department shall provide an
 35 inmate with the number of earned time credits which
 36 have been applied to the inmate's sentence as a result
 37 of the conversion by February 1, 2001."

38 4. Page 27, by inserting after line 23 the
 39 following:

40 "Sec. _____. Chapter 714C, Code 1999, is repealed.

41 Sec. _____. Chapter 716A, Code 1999 and Code
 42 Supplement 1999, is repealed.

43 Sec. _____. Sections 722.6 and 722.9, Code 1999, are
 44 repealed.

45 Sec. _____. EFFECTIVE DATE. The amendments in this
 46 Act to chapter 903A, and section 101 of this Act
 47 converting good conduct time, take effect on January
 48 1, 2001."

49 5. Title page, line 2, by inserting after the
 50 word "statutory" the following: "and criminal

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1 penalty".

2 6. By renumbering as necessary.

By ANDY McKEAN

EUGENE S. FRAISE

JEFF ANGELO

O. GENE MADDOX

ROBERT E. DVORSKY

S-5598 FILED APRIL 24, 2000

ADOPTED

(P. 1341)

HOUSE FILE 2552

S-5599

1 Amend House File 2552, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 20, by inserting before line 19 the
4 following:

5 "Of the funding appropriated in this subsection,
6 the department shall expend the amount necessary to
7 provide information on the availability of weapons
8 training programs and for the promotion of safe weapon
9 storage as required pursuant to section 724.22A as
10 enacted in this Act."

11 2. Page 25, by inserting after line 14 the
12 following:

13 "Sec. ____ . NEW SECTION. 724.22A TRIGGER OR GUN
14 LOCKS REQUIRED AT POINT-OF-SALE -- INSTRUCTIONS,
15 INFORMATION, AND POSTING.

16 1. A person that engages in the retail sale of
17 handguns, other than an antique handgun, shall provide
18 to a purchaser at the time of the sale of the handgun
19 a trigger lock, gun lock, or gun-locking device
20 appropriate for such handgun and shall demonstrate its
21 use.

22 2. A person that engages in the retail sale of
23 handguns, other than an antique handgun, shall post
24 information that shall be provided by the department
25 of public safety promoting the safe storage of weapons
26 and providing information on the availability of
27 weapons training programs.

28 3. This section does not apply to the sale of a
29 handgun by an individual who is not regularly engaged,
30 either full-time or part-time, in a business of
31 selling, buying for resale, or exchanging firearms as
32 a principal or agent."

33 3. By renumbering as necessary.

By PATRICIA HARPER

S-5599 FILED APRIL 24, 2000

RULED OUT OF ORDER

(P. 1341)

HOUSE FILE 2552

S-5604

1 Amend the amendment, S-5584, to House File 2552, as
2 amended, passed, and reprinted by the House, as
3 follows:

4 1. Page 1, line 30, by striking the figure
5 "8,793,845", and inserting the following:
6 "8,876,459".

7 2. Page 1, line 33, by striking the figure
8 "7,024,872", and inserting the following:
9 "7,077,772".

10 3. Page 1, line 36, by striking the figure
11 "4,261,670", and inserting the following:
12 "4,298,286".

13 4. Page 1, by inserting after line 36 the
14 following:

15 "____. Page 13, by striking line 31 and inserting
16 the following:

17 "..... \$ 3,157,660".

18 5. Page 1, line 39, by striking the figure
19 "11,708,518", and inserting the following:
20 "11,816,080".

21 6. Page 1, line 42, by striking the figure
22 "8,875,900", and inserting the following:
23 "8,946,563".

24 7. Page 1, by inserting after line 42 the
25 following:

26 "____. Page 14, by striking line 14 and inserting
27 the following:

28 "..... \$ 5,219,210"

29 8. Page 1, line 45, by striking the figure
30 "5,062,560", and inserting the following:
31 "5,105,125".

By ROBERT E. DVORSKY

S-5604 FILED APRIL 24, 2000

LOST

(p. 134)

SENATE AMENDMENT TO
HOUSE FILE 2552

H-9077

1 Amend House File 2552, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 5, by striking lines 26 and 27 and
4 inserting the following:

5 "..... \$ 30,153,729
6 FTEs 533.50"

7 2. Page 5, by striking line 34 and inserting the
8 following:

9 "..... \$ 23,601,997"

10 3. Page 6, by striking line 9 and inserting the
11 following:

12 "..... \$ 21,300,914"

13 4. Page 6, by striking line 15 and inserting the
14 following:

15 "..... \$ 22,775,087"

16 5. Page 6, by striking line 23 and inserting the
17 following:

18 "..... \$ 21,490,369"

19 6. Page 6, by striking line 29 and inserting the
20 following:

21 "..... \$ 7,117,981"

22 7. Page 6, by striking line 35 and inserting the
23 following:

24 "..... \$ 17,814,313"

25 8. Page 7, by striking line 11 and inserting the
26 following:

27 "..... \$ 11,960,757"

28 9. Page 13, by striking line 13 and inserting the
29 following:

30 "..... \$ 8,793,845"

31 10. Page 13, by striking line 19 and inserting
32 the following:

33 "..... \$ 7,024,872"

34 11. Page 13, by striking line 25 and inserting
35 the following:

36 "..... \$ 4,261,670"

37 12. Page 14, by striking line 2 and inserting the
38 following:

39 "..... \$ 11,708,518"

40 13. Page 14, by striking line 8 and inserting the
41 following:

42 "..... \$ 8,875,900"

43 14. Page 14, by striking line 20 and inserting
44 the following:

45 "..... \$ 5,062,560"

46 15. Page 20, by striking lines 26 and 27 and
47 inserting the following:

48 "..... \$ 12,470,844
49 FTEs 233.50"

50 16. Page 21, by striking lines 17 and 18 and

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Page 2

1 inserting the following:

2	".....	\$	3,972,285
3	FTEs	65.00

4 17. Page 23, line 23, by striking the words "one
5 hundred percent of the" and inserting the following:
6 "eighty percent of the salary".

7 18. Page 23, line 25, by inserting after the word
8 "chapter" the following: "and an additional amount
9 for the division's costs to enforce this chapter
10 which, for all licensees, shall not exceed thirty
11 thousand dollars".

12 19. By striking page 23, line 31 through page 24,
13 line 6 and inserting the following: "the commission
14 plus the cost of salaries for no more than two special
15 agents and no more than four gaming enforcement
16 officers for each excursion gambling boat for the
17 division of criminal investigation's excursion
18 gambling boat activities and an amount for all
19 licensees, not to exceed one hundred twenty-five
20 thousand dollars, representing other associated costs
21 of the division, as the basis for determining the
22 amount of revenue to be raised from the license fees
23 and admission fees. The division's".

24 20. Page 24, line 7, by striking the words "one
25 hundred" and inserting the following: "eighty".

26 21. Page 24, line 8, by striking the words "and
27 sixty-five," and inserting the following: "and sixty-
28 five".

29 22. Page 24, line 9, by striking the word "salary"
30 and inserting the following: "salary".

31 23. Page 24, line 9, by striking the words "one
32 hundred" and inserting the following: "eighty".

33 24. Page 24, by striking lines 11 and 12 and
34 inserting the following: "laws and rules adopted by
35 the commission."

36 25. Page 24, line 16, by striking the words "one
37 hundred percent of the" and inserting the following:
38 "eighty percent of the salary".

39 26. Page 25, line 8, by inserting after the word
40 "review." the following: "If the commissioner
41 establishes by rule a fee for the performance of a
42 building plan review by the department, the
43 commissioner shall also provide by rule that the
44 failure of the department to approve or disapprove a
45 building plan review within sixty days of submission
46 of the plan shall be deemed to be an approval of the
47 plan."

48 27. Page 25, by inserting after line 14 the
49 following:

50 "Sec. ____ . Section 123.3, Code 1999, is amended by

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1 adding the following new subsection:

2 NEW SUBSECTION. 12A. "Designated security
3 employee" means an agent or employee of a licensee or
4 permittee who is primarily employed for security
5 purposes at a commercial establishment licensed or
6 permitted under chapter 123.

7 Sec. _____. Section 123.31, Code 1999, is amended by
8 adding the following new subsection:

9 NEW SUBSECTION. 6A. A statement, if required by
10 the local authority, indicating whether all designated
11 security employees have received training and
12 certification as provided in section 123.32.

13 Sec. _____. Section 123.32, Code 1999, is amended by
14 adding the following new subsection:

15 NEW SUBSECTION. 3A. A local authority, as a
16 condition of obtaining a license or permit for on
17 premises consumption, may require a designated
18 security employee as defined in section 123.3, to be
19 trained and certified in security methods. The
20 training shall include but is not limited to mediation
21 techniques, civil rights or unfair practices awareness
22 as provided in section 216.7, and providing
23 instruction on the proper physical restraint methods
24 used against a person who has become combative.

25 Sec. _____. Section 321.47, Code Supplement 1999, is
26 amended by adding the following new unnumbered
27 paragraph:

28 NEW UNNUMBERED PARAGRAPH. A person convicted of a
29 violation of this section is guilty of a simple
30 misdemeanor punishable as a scheduled violation under
31 section 805.8, subsection 2, paragraph "ad".

32 Sec. _____. Section 321.91, subsection 2, Code 1999,
33 is amended to read as follows:

34 2. ~~Any A person who abandons a vehicle shall be~~
35 convicted of a violation of this section is guilty of
36 a simple misdemeanor punishable as a scheduled
37 violation under section 805.8, subsection 2, paragraph
38 "m".

39 Sec. _____. Section 321.99, Code 1999, is amended to
40 read as follows:

41 321.99 FRAUDULENT USE OF REGISTRATION.

42 A person shall not knowingly lend to another a
43 registration card, registration plate, special plate,
44 or permit issued to the person if the other person
45 desiring to borrow the card, plate, or permit would
46 not be entitled to the use of it. A person shall not
47 knowingly permit the use of a registration card,
48 registration plate, special plate, or permit issued to
49 the person by one not entitled to it, nor shall a
50 person knowingly display upon a vehicle a registration

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1 card, registration plate, special plate, or permit not
2 issued for that vehicle under this chapter. A person
3 convicted of a violation of this section is guilty of
4 a simple misdemeanor punishable as a scheduled
5 violation under section 805.8, subsection 2, paragraph
6 "o".

7 Sec. _____. Section 321.115, Code 1999, is amended
8 by adding the following new subsection:

9 NEW SUBSECTION. 5. A person convicted of a
10 violation of this section is guilty of a simple
11 misdemeanor punishable as a scheduled violation under
12 section 805.8, subsection 2, paragraph "o".

13 Sec. _____. Section 321.219, Code 1999, is amended
14 to read as follows:

15 321.219 PERMITTING UNAUTHORIZED MINOR TO DRIVE.

16 No A person shall not cause or knowingly permit the
17 person's child or ward under the age of eighteen years
18 to drive a motor vehicle upon any highway when such
19 the minor is not authorized hereunder under this
20 section or in violation of ~~any-of-the-provisions-of~~
21 this chapter.

22 A person convicted of a violation of this section
23 is guilty of a simple misdemeanor punishable as a
24 scheduled violation under section 805.8, subsection 2,
25 paragraph "w".

26 Sec. _____. Section 321.220, Code 1999, is amended
27 by adding the following new unnumbered paragraph:

28 NEW UNNUMBERED PARAGRAPH. A person convicted of a
29 violation of this section is guilty of a simple
30 misdemeanor punishable as a scheduled violation under
31 section 805.8, subsection 2, paragraph "w".

32 Sec. _____. Section 321.234A, Code Supplement 1999,
33 is amended by adding the following new unnumbered
34 paragraph:

35 NEW UNNUMBERED PARAGRAPH. A person convicted of a
36 violation of this section is guilty of a simple
37 misdemeanor punishable as a scheduled violation under
38 section 805.8, subsection 4, paragraph "b".

39 Sec. _____. Section 321.247, Code 1999, is amended
40 by adding the following new unnumbered paragraph:

41 NEW UNNUMBERED PARAGRAPH. A person convicted of a
42 violation of this section is guilty of a simple
43 misdemeanor punishable as a scheduled violation under
44 section 805.8, subsection 2, paragraph "e".

45 Sec. _____. Section 321.302, Code 1999, is amended
46 by adding the following new unnumbered paragraph:

47 NEW UNNUMBERED PARAGRAPH. A person convicted of a
48 violation of this section is guilty of a simple
49 misdemeanor punishable as a scheduled violation under
50 section 805.8, subsection 2, paragraph "h".

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1 Sec. _____. Section 321.327, Code 1999, is amended
2 by adding the following new unnumbered paragraph:
3 NEW UNNUMBERED PARAGRAPH. A person convicted of a
4 violation of this section is guilty of a simple
5 misdemeanor punishable as a scheduled violation under
6 section 805.8, subsection 2, paragraph "i".

7 Sec. _____. Section 321.366, unnumbered paragraph 3,
8 Code 1999, is amended to read as follows:

9 Violations A person convicted of a violation of
10 subsection 6 is guilty of a simple misdemeanor
11 punishable as a scheduled violation under section
12 805.8, subsection 2, paragraph "ai". Other violations
13 of this section are punishable as provided in section
14 321.482.

15 Sec. _____. Section 321.421, Code 1999, is amended
16 by adding the following new unnumbered paragraph:
17 NEW UNNUMBERED PARAGRAPH. A person convicted of a
18 violation of this section is guilty of a simple
19 misdemeanor punishable as a scheduled violation under
20 section 805.8, subsection 2, paragraph "e".

21 Sec. _____. Section 331.302, subsection 2, Code
22 Supplement 1999, is amended to read as follows:

23 2. A county shall not provide a penalty in excess
24 of a two five hundred dollar fine or in excess of
25 thirty days imprisonment for the violation of an
26 ordinance. The criminal penalty surcharge required by
27 section 911.2 shall be added to a county fine and is
28 not a part of the county's penalty.

29 Sec. _____. Section 331.302, subsection 4A,
30 paragraph a, subparagraph (2), Code Supplement 1999,
31 is amended to read as follows:

32 (2) A portion of the Code of Iowa may be adopted
33 by reference only if the criminal penalty provided by
34 the law adopted does not exceed thirty days'
35 imprisonment or a two five hundred dollar fine.

36 Sec. _____. Section 364.3, subsection 2, Code
37 Supplement 1999, is amended to read as follows:

38 2. A city shall not provide a penalty in excess of
39 a two five hundred dollar fine or in excess of thirty
40 days imprisonment for the violation of an ordinance.
41 An amount equal to ten percent of all fines collected
42 by cities shall be deposited in the account
43 established in section 602.8108. However, one hundred
44 percent of all fines collected by a city pursuant to
45 section 321.236, subsection 1, shall be retained by
46 the city. The criminal penalty surcharge required by
47 section 911.2 shall be added to a city fine and is not
48 a part of the city's penalty.

49 Sec. _____. Section 380.10, subsection 2, Code 1999,
50 is amended to read as follows:

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1 2. A portion of the Code of Iowa may be adopted by
2 reference only if the criminal penalty provided by the
3 law adopted does not exceed thirty days' imprisonment
4 or and a one five hundred dollar fine.

5 Sec. _____. Section 482.15, Code 1999, is amended to
6 read as follows:

7 482.15 PENALTIES.

8 A person who violates ~~a-provision-of~~ this chapter
9 or a rule issued under this chapter is guilty of a
10 simple misdemeanor punishable as a scheduled violation
11 under section 805.8, subsection 5, paragraph "e".

12 Sec. _____. Section 483A.42, Code 1999, is amended
13 to read as follows:

14 483A.42 PENALTIES.

15 A person who violates ~~a-provision-of~~ this chapter
16 is guilty of a simple misdemeanor ~~and-shall-be-fined~~
17 ~~not-less-than-ten-dollars-for-each-cited-offense~~
18 punishable as a scheduled violation under section
19 805.8, subsection 5, paragraph "e".

20 Sec. _____. Section 610A.3, subsection 1, paragraphs
21 a and b, Code 1999, are amended to read as follows:

22 a. The loss of some or all of the ~~good-conduct~~
23 earned time credits acquired by the inmate or
24 prisoner. Previous dismissals under section 610A.2
25 may be considered in determining the appropriate level
26 of penalty.

27 b. If the inmate or prisoner has no ~~good-conduct~~
28 earned time credits to deduct, the order of the court
29 or the disciplinary hearing may deduct up to fifty
30 percent of the average balance of the inmate account
31 under section 904.702 or of any prisoner account.

32 Sec. _____. NEW SECTION. 622.51A COMPUTER
33 PRINTOUTS.

34 For purposes of chapters 714 and 716, computer
35 printouts shall be admitted as evidence of any
36 computer software, program, or data contained in or
37 taken from a computer, notwithstanding an applicable
38 rule of evidence to the contrary.

39 Sec. _____. NEW SECTION. 702.1A COMPUTER
40 TERMINOLOGY.

41 For purposes of section 714.1, subsection 7A, and
42 section 716.6B:

43 1. "Computer" means an electronic device which
44 performs logical, arithmetical, and memory functions
45 by manipulation of electronic or magnetic impulses,
46 and includes all input, output, processing, storage,
47 computer software, and communication facilities which
48 are connected or related to the computer in a computer
49 system or computer network.

50 2. "Computer access" means to instruct,

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1 communicate with, store data in, or retrieve data from
2 a computer, computer system, or computer network.

3 3. "Computer data" means a representation of
4 information, knowledge, facts, concepts, or
5 instructions that has been prepared or is being
6 prepared in a formalized manner and has been
7 processed, or is intended to be processed in a
8 computer. Computer data may be in any form including,
9 but not limited to, printouts, magnetic storage media,
10 punched cards, and as stored in the memory of a
11 computer.

12 4. "Computer network" means a set of related,
13 remotely connected devices and communication
14 facilities including two or more computers with
15 capability to transmit data among them through
16 communication facilities.

17 5. "Computer program" means an ordered set of
18 instructions or statements that, when executed by a
19 computer, causes the computer to process data.

20 6. "Computer services" means the use of a
21 computer, computer system, or computer network and
22 includes, but is not limited to, computer time, data
23 processing, and storage functions.

24 7. "Computer software" means a set of computer
25 programs, procedures, or associated documentation used
26 in the operation of a computer.

27 8. "Computer system" means related, connected or
28 unconnected, computers or peripheral equipment.

29 9. "Loss of property" means the greatest of the
30 following:

31 a. The retail value of the property involved.

32 b. The reasonable replacement or repair cost,
33 whichever is less.

34 10. "Loss of services" means the reasonable value
35 of the damage created by the unavailability or lack of
36 utility of the property or services involved until
37 repair or replacement can be effected.

38 Sec. _____. Section 702.14, Code 1999, is amended to
39 read as follows:

40 702.14 PROPERTY.

41 "Property" is anything of value, whether publicly
42 or privately owned, including but not limited to
43 computers and computer data, computer software, and
44 computer programs. The term includes both tangible
45 and intangible property, labor, and services. The
46 term includes all that is included in the terms "real
47 property" and "personal property".

48 Sec. _____. NEW SECTION. 702.20A VIDEO RENTAL
49 PROPERTY.

50 "Video rental property" means an audiovisual

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1 recording, including a videotape, videodisc, or other
2 tangible medium of expression on which an audiovisual
3 work is recorded or otherwise stored, or any equipment
4 or supplies used to view the recording, and which is
5 held out for rental to the public in the ordinary
6 course of business.

7 Sec. _____. Section 709.8, unnumbered paragraph 2,
8 Code 1999, is amended to read as follows:

9 Any person who violates a provision of this section
10 shall, upon conviction, be guilty of a class "D"
11 felony. A person who violates a provision of this
12 section and who is sentenced to a term of confinement
13 shall also be sentenced to an additional term of
14 parole or work release not to exceed two years. The
15 board of parole shall determine whether the person
16 should be released on parole or placed in a work
17 release program. The sentence of an additional term
18 of parole or work release supervision shall commence
19 immediately upon the expiration of the preceding
20 sentence and shall be under the terms and conditions
21 as set out in chapter 906. Violations of parole or
22 work release shall be subject to the procedures set
23 out in chapter 905 or 908 or rules adopted under those
24 chapters. The sentence of an additional term of
25 parole or work release shall be consecutive to the
26 original term of confinement.

27 Sec. _____. Section 713.6A, Code 1999, is amended to
28 read as follows:

29 713.6A BURGLARY IN THE THIRD DEGREE.

30 1. All burglary which is not burglary in the first
31 degree or burglary in the second degree is burglary in
32 the third degree. Burglary in the third degree is a
33 class "D" felony.

34 2. Notwithstanding any other provision of the Code
35 to the contrary, a person who violates this section
36 may be sentenced to a combination of any intermediate
37 criminal sanction level or sublevel under section
38 901B.1, subsection 1. If a person is sentenced to
39 prison, the court, at its discretion, may sentence a
40 person to a maximum indeterminate term which is less
41 than the maximum term provided for class "D" felonies
42 under section 902.9, if mitigating circumstances
43 warrant a reduction in the maximum term and those
44 circumstances are stated specifically on the record.
45 The state may appeal the discretionary decision on the
46 grounds that the stated mitigating circumstances do
47 not warrant a reduction of the sentence.

48 Sec. _____. Section 714.1, Code 1999, is amended by
49 adding the following new subsections:

50 NEW SUBSECTION. 7A. Knowingly and without

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1 authorization accesses or causes to be accessed a
2 computer, computer system, or computer network, or any
3 part thereof, for the purpose of obtaining computer
4 services, information, or property or knowingly and
5 without authorization and with the intent to
6 permanently deprive the owner of possession, takes,
7 transfers, conceals, or retains possession of a
8 computer, computer system, or computer network or any
9 computer software or computer program, or computer
10 data contained in a computer, computer system, or
11 computer network.

12 NEW SUBSECTION. 7B. a. Obtains the temporary use
13 of video rental property with the intent to deprive
14 the owner of the use and possession of the video
15 rental property without the consent of the owner.

16 b. Lawfully obtains the temporary use of video
17 rental property and fails to return the video rental
18 property by the agreed time with the intent to deprive
19 the owner of the use and possession of the video
20 rental property without the consent of the owner. The
21 aggregate value of the video rental property involved
22 shall be the original retail value of the video rental
23 property.

24 Sec. ____ . NEW SECTION. 714.6A VIDEO RENTAL
25 PROPERTY THEFT -- EVIDENCE OF INTENTION -- AFFIRMATIVE
26 DEFENSE.

27 1. The fact that a person obtains possession of
28 video rental property by means of deception, including
29 but not limited to furnishing a false name, address,
30 or other identification to the owner, is evidence that
31 possession was obtained with intent to knowingly
32 deprive the owner of the use and possession of the
33 video rental property.

34 2. The fact that a person, having lawfully
35 obtained possession of video rental property, fails to
36 pay the owner the fair market value of the video
37 rental property or to return or make arrangements
38 acceptable to the owner to return the video rental
39 property to the owner, within forty-eight hours after
40 receipt of written notice and demand from the owner is
41 evidence of an intent to knowingly deprive the owner
42 of the use and possession of the video rental
43 property.

44 3. It shall be an affirmative defense to a
45 prosecution under section 714.1, subsection 7B,
46 paragraph "a", if the defendant in possession of video
47 rental property pays the owner the fair market value
48 of the video rental property or returns the property
49 to the owner within forty-eight hours of arrest,
50 together with any standard overdue charges for the

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1 period that the owner was unlawfully deprived of
2 possession, but not to exceed one hundred twenty days,
3 and the value of the damage to the property, if any.

4 Sec. _____. Section 715A.2, Code 1999, is amended by
5 adding the following new subsection:

6 NEW SUBSECTION. 3. Notwithstanding any other
7 provision of the Code to the contrary a person who
8 violates this section may be sentenced to a
9 combination of any intermediate criminal sanction
10 level or sublevel under section 901B.1, subsection 1.
11 If a person is sentenced to prison, the court, at its
12 discretion may sentence a person to a maximum
13 indeterminate term which is less than the maximum term
14 provided for class "D" felonies under section 902.9 or
15 aggravated misdemeanors under section 903.1, if
16 mitigating circumstances warrant a reduction in the
17 maximum term and those circumstances are stated
18 specifically in the record. The state may appeal the
19 discretionary decision on the grounds that the stated
20 mitigating circumstances do not warrant a reduction of
21 the sentence.

22 Sec. _____. NEW SECTION. 716.6B UNAUTHORIZED
23 COMPUTER ACCESS.

24 A person who knowingly and without authorization
25 accesses a computer, computer system, or computer
26 network commits a simple misdemeanor.

27 Sec. _____. Section 722.4, Code 1999, is amended to
28 read as follows:

29 722.4 BRIBERY OF ELECTOR OR ELECTION OFFICIALS.

30 1. A person who offers, promises, or gives
31 anything of value or any benefit to any elector for
32 the purpose of influencing the elector's vote, in any
33 election authorized by law, or any elector who
34 receives anything of value or any benefit knowing that
35 it was given for such purpose, commits an aggravated
36 misdemeanor.

37 2. A person who offers, promises, or gives
38 anything of value or any benefit to any precinct
39 election official authorized by law, or to any
40 executive officer attending the same, conditioned on
41 some act done or omitted to be done contrary to the
42 person's official duty in relation to such election,
43 commits an aggravated misdemeanor.

44 Sec. _____. Section 722.8, Code 1999, is amended to
45 read as follows:

46 722.8 DURESS TO PREVENT OR PROCURE VOTING.

47 1. A person who unlawfully and by force, or
48 threats of force, prevents or endeavors to prevent an
49 elector from giving the elector's vote at any public
50 election commits an aggravated misdemeanor.

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1 2. A person who procures, or endeavors to procure,
2 the vote of an elector for or against any candidate or
3 for or against any issue by means of violence, threats
4 of violence, or by any means of duress commits an
5 aggravated misdemeanor.

6 Sec. ____ . Section 805.8, subsection 2, paragraph
7 e, Code Supplement 1999, is amended to read as
8 follows:

9 e. For improperly used or nonused or defective or
10 improper equipment under sections 321.383, 321.384,
11 321.385, 321.386, 321.398, 321.402, 321.403, 321.404,
12 321.409, 321.419, 321.420, 321.423, 321.430, and
13 321.433, the scheduled fine is twenty dollars. For
14 violations of sections 321.247 and 321.421, the
15 scheduled fine is one hundred dollars.

16 Sec. ____ . Section 805.8, subsection 2, paragraph
17 h, Code Supplement 1999, is amended to read as
18 follows:

19 h. For operating, passing, turning, and standing
20 violations under section 321.236, subsections 3, 4, 9,
21 and 12, section 321.275, subsections 1 through 7,
22 sections 321.295, 321.297, 321.299, 321.303, 321.304,
23 subsections 1 and 2, sections 321.305, 321.306,
24 321.311, 321.312, 321.314, 321.315, 321.316, 321.318,
25 321.323, 321.340, 321.353, 321.354, 321.363, 321.365,
26 ~~321.366~~, 321.368, 321.382, and 321.395, the scheduled
27 fine is fifteen dollars. For violations of section
28 321.302, the scheduled fine is one hundred dollars.

29 Sec. ____ . Section 805.8, subsection 2, paragraph
30 i, Code Supplement 1999, is amended to read as
31 follows:

32 i. For violations involving failures to yield or
33 to observe pedestrians and other vehicles under
34 section 321.257, subsection 2, sections 321.288,
35 321.298, 321.307, 321.308, 321.313, 321.319, 321.320,
36 321.321, 321.329, 321.333, and 321.367, the scheduled
37 fine is twenty dollars. For violations of section
38 321.327, the scheduled fine is one hundred dollars.

39 Sec. ____ . Section 805.8, subsection 2, paragraph
40 m, Code Supplement 1999, is amended to read as
41 follows:

42 m. For height, weight, length, width, and load
43 violations and towed vehicle violations under sections
44 321.309, 321.310, 321.381, 321.394, 321.437, 321.454,
45 321.455, 321.456, 321.457, 321.458, 321.461, and
46 321.462, the scheduled fine is twenty-five dollars.
47 For weight violations under sections 321.459 and
48 321.466, the scheduled fine is twenty dollars for each
49 two thousand pounds or fraction thereof of overweight.
50 For abandoned vehicles under section 321.91, the

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1 scheduled fine is one hundred dollars.

2 Sec. _____. Section 805.8, subsection 2, paragraph
3 o, Code Supplement 1999, is amended to read as
4 follows:

5 o. For violation of registration provisions under
6 section 321.17; violation of intrastate hauling on
7 foreign registration under section 321.54; improper
8 operation or failure to register under section 321.55;
9 and violation of requirement for display of
10 registration or plates under section 321.98, the
11 scheduled fine is twenty dollars. For fraudulent use
12 of registration violations under section 321.99 and
13 violations of antique car registration requirements
14 under section 321.115, the scheduled fine is one
15 hundred dollars.

16 Sec. _____. Section 805.8, subsection 2, paragraph
17 v, Code Supplement 1999, is amended to read as
18 follows:

19 v. Violations of the schedule of axle and tandem
20 axle and gross or group of axle weight violations in
21 section 321.463 shall be scheduled violations subject
22 to the provisions, procedures and exceptions contained
23 in sections 805.6 to 805.11, irrespective of the
24 amount of the fine under that schedule. Violations of
25 the schedule of weight violations shall be chargeable,
26 where the fine charged does not exceed one hundred
27 thousand dollars, only by uniform citation and
28 complaint. Violations of the schedule of weight
29 violations, where the fine charged exceeds one hundred
30 thousand dollars shall, when the violation is admitted
31 and section 805.9 applies, be chargeable upon uniform
32 citation and complaint, indictment, or county
33 attorney's information, but otherwise, shall be
34 chargeable only upon indictment or county attorney's
35 information.

36 In all cases of charges under the schedule of
37 weight violations, the charge shall specify the amount
38 of fine charged under the schedule. Where a defendant
39 is convicted and the fine under the foregoing schedule
40 of weight violations exceeds one hundred thousand
41 dollars, the conviction shall be of an indictable
42 offense although section 805.9 is employed and whether
43 the violation is charged upon uniform citation and
44 complaint, indictment, or county attorney's
45 information.

46 Sec. _____. Section 805.8, subsection 2, paragraph
47 w, Code 1999, is amended to read as follows:

48 w. For failure to have a valid license or permit
49 for operating a motor vehicle on the highways of this
50 state pursuant to section 321.174, or permitting an

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1 unauthorized minor to drive in violation of section
2 321.219, or permitting an unauthorized person to drive
3 in violation of section 321.220, the scheduled fine is
4 one hundred dollars.

5 Sec. _____. Section 805.8, subsection 2, paragraph
6 ad, Code Supplement 1999, is amended to read as
7 follows:

8 ad. For violations of section 321.57, the
9 scheduled fine is fifty dollars. For violations of
10 section 321.62, the scheduled fine is fifty dollars.
11 For violations of section 321.47, the scheduled fine
12 is one hundred dollars.

13 Sec. _____. Section 805.8, subsection 2, Code
14 Supplement 1999, is amended by adding the following
15 new paragraph:

16 NEW PARAGRAPH. ai. For violations of section
17 321.366, the scheduled fine is one hundred dollars.

18 Sec. _____. Section 805.8, subsection 4, paragraph
19 b, Code Supplement 1999, is amended to read as
20 follows:

21 b. For operating violations under section 321G.9,
22 subsections 1, 2, 3, 4, 5 and 7, sections 321G.11, and
23 321G.13, subsections 4 and 9, the scheduled fine is
24 twenty dollars. For violations of section 321.234A,
25 the scheduled fine is one hundred dollars.

26 Sec. _____. Section 805.8, subsection 5, paragraph
27 e, Code Supplement 1999, is amended to read as
28 follows:

29 e. For violations of sections 481A.85, 481A.93,
30 481A.95, 481A.120, 481A.137, 481B.5, 482.3, and 482.9,
31 482.15, and 483A.42, the scheduled fine is one hundred
32 dollars.

33 Sec. _____. Section 901.5, subsection 9, paragraph
34 a, Code 1999, is amended to read as follows:

35 a. That the defendant's term of incarceration may
36 be reduced ~~by as much as half of~~ from the maximum
37 sentence because of statutory good-conduct earned
38 time, work credits, and program credits.

39 Sec. _____. Section 901.5A, Code Supplement 1999, is
40 amended by adding the following new subsection:

41 NEW SUBSECTION. 1A. A defendant may have a
42 judgment and sentence entered under section 901.5
43 reopened for resentencing if the following apply:

44 a. The sentence of the defendant is subject to a
45 maximum accumulation of good conduct time of fifteen
46 percent of the total sentence of confinement under
47 section 902.12.

48 b. The board of parole and the department of
49 corrections file a motion in the sentencing court to
50 reopen the sentence of the defendant.

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1 c. The county attorney from the county which
2 prosecuted the defendant is served a copy of the
3 motion to reopen by certified mail. The motion shall
4 specify the county attorney has ninety days to consult
5 with the victim if possible and to file a written
6 objection.

7 d. The court, upon hearing, grants the motion.

8 Sec. _____. Section 901.5A, subsections 2 and 3,
9 Code Supplement 1999, are amended to read as follows:

10 2. Upon a finding by the court that the defendant
11 cooperated in the prosecution of other persons or upon
12 the court granting a motion to reopen the sentence by
13 the board of parole and the department of corrections,
14 the court may reduce the maximum sentence imposed
15 under the original sentencing order.

16 3. For purposes of calculating good-conduct earned
17 time under section 903A.2, the sentencing date for a
18 defendant whose sentence has been reopened under this
19 section shall be the date of the original sentencing
20 order. If the original sentence was subject to the
21 maximum accumulation of earned time of fifteen percent
22 of the total sentence of confinement under section
23 902.12, the maximum accumulation of earned time on the
24 new sentence of confinement shall be fifteen percent
25 of the new total sentence of confinement imposed by
26 the court upon reopening. Any earned time accumulated
27 on the original sentence shall be credited to the new
28 sentence upon reopening.

29 Sec. _____. Section 903A.2, Code 1999, is amended to
30 read as follows:

31 903A.2 ~~GOOD-CONDUCT-TIME~~ EARNED TIME.

32 1. Each inmate committed to the custody of the
33 director of the department of corrections is eligible
34 ~~for to earn~~ a reduction of sentence ~~for-good-behavior~~
35 in the manner provided in this section. For purposes
36 of calculating the amount of time by which an inmate's
37 sentence may be reduced, inmates shall be grouped into
38 the following two sentencing categories:

39 a. Category "A" sentences are those sentences
40 which are not subject to a maximum accumulation of
41 good-conduct earned time of fifteen percent of the
42 total sentence of confinement under section 902.12.
43 To the extent provided in subsection 5, category "A"
44 sentences also include life sentences imposed under
45 section 902.1. An inmate of an institution under the
46 control of the department of corrections who is
47 serving a category "A" sentence is eligible for a
48 reduction of sentence ~~equal-to-one-day-for-each-day-of~~
49 ~~good-conduct-while-committed-to-one-of-the~~
50 ~~department's-institutions--in-addition;--each-inmate~~

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1 ~~who-is-serving-a-category-"A"-sentence-is-eligible-for~~
2 ~~an-additional-reduction-of-up-to-five-days-per-month~~
3 ~~if-the-inmate-participates-satisfactorily-in-any-of~~
4 ~~the-following-activities equal to one and two-tenths~~
5 ~~days for each day the inmate demonstrates good conduct~~
6 ~~and satisfactorily participates in any program or~~
7 ~~placement status identified by the director to earn~~
8 ~~the reduction. The programs include but are not~~
9 ~~limited to the following:~~

10 (1) Employment in the institution.

11 (2) Iowa state industries.

12 (3) An employment program established by the
13 director.

14 (4) A treatment program established by the
15 director.

16 (5) An inmate educational program approved by the
17 director.

18 b. Category "B" sentences are those sentences
19 which are subject to a maximum accumulation of good
20 conduct earned time of fifteen percent of the total
21 sentence of confinement under section 902.12. An
22 inmate of an institution under the control of the
23 department of corrections who is serving a category
24 "B" sentence is eligible for a reduction of sentence
25 equal to fifteen eighty-fifths of a day for each day
26 of good conduct by the inmate.

27 2. Good-conduct Earned time earned accrued
28 pursuant to this section may be forfeited in the
29 manner prescribed in section 903A.3.

30 3. Time served in a jail or another facility prior
31 to actual placement in an institution under the
32 control of the department of corrections and credited
33 against the sentence by the court shall accrue for the
34 purpose of reduction of sentence under this section.
35 Time which elapses during an escape shall not accrue
36 for purposes of reduction of sentence under this
37 section.

38 4. Time which elapses between the date on which a
39 person is incarcerated, based upon a determination of
40 the board of parole that a violation of parole has
41 occurred, and the date on which the violation of
42 parole was committed shall not accrue for purposes of
43 reduction of sentence under this section.

44 5. Good-conduct Earned time accrued by inmates
45 serving life sentences imposed under section 902.1
46 shall not reduce the life sentence, but shall be
47 credited against the inmate's sentence if the life
48 sentence is commuted to a term of years under section
49 902.2.

50 Sec. ____ . Section 903A.3, subsections 1 and 3,

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1 Code 1999, are amended to read as follows:

2 1. Upon finding that an inmate has violated an
3 institutional rule, or has had an action or appeal
4 dismissed under section 610A.2, the independent
5 administrative law judge may order forfeiture of any
6 or all good-conduct earned time earned accrued and not
7 forfeited up to the date of the violation by the
8 inmate and may order forfeiture of any or all good
9 conduct earned time earned accrued and not forfeited
10 up to the date the action or appeal is dismissed,
11 unless the court entered such an order under section
12 610A.3. The independent administrative law judge has
13 discretion within the guidelines established pursuant
14 to section 903A.4, to determine the amount of time
15 that should be forfeited based upon the severity of
16 the violation. Prior violations by the inmate may be
17 considered by the administrative law judge in the
18 decision.

19 3. The director of the Iowa department of
20 corrections or the director's designee, may restore
21 all or any portion of previously forfeited good
22 conduct earned time for acts of heroism or for
23 meritorious actions. The director shall establish by
24 rule the requirements as to which activities may
25 warrant the restoration of good-conduct earned time
26 and the amount of good-conduct earned time to be
27 restored.

28 Sec. ____ . Section 903A.4, Code 1999, is amended to
29 read as follows:

30 903A.4 POLICIES AND PROCEDURES.

31 The director of the Iowa department of corrections
32 shall develop policy and procedural rules to implement
33 sections 903A.1 through 903A.3. The rules may specify
34 disciplinary offenses which may result in the loss of
35 good-conduct earned time, and the amount of good
36 conduct earned time which may be lost as a result of
37 each disciplinary offense. The director shall
38 establish rules as to what constitutes "satisfactory
39 participation" for purposes of ~~additional~~ a reduction
40 of ~~sentence-under-section-903A.3,-for-employment-in~~
41 ~~the-institution,-in-Iowa-state-industries,-in-an~~
42 ~~inmate-employment-program-established-by-the-director,-~~
43 ~~or-for-participation-in-an-educational-program~~
44 ~~approved-by-the-director,-when-such-employment-or~~
45 ~~programs-are-available~~ sentence under section 903A.2,
46 for programs that are available or unavailable. The
47 rules shall specify that earned time shall be
48 calculated on a monthly basis as it accrues. The
49 department shall generate an earned time report for
50 each inmate which shall include the amount of actual

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1 time served, the number of earned time credits which
2 have not been lost or forfeited, and the amount of
3 time remaining on an inmate's sentence.

4 Sec. ____ . Section 903A.5, unnumbered paragraph 1,
5 Code Supplement 1999, is amended to read as follows:
6 An inmate shall not be discharged from the custody
7 of the director of the Iowa department of corrections
8 until the inmate has served the full term for which
9 the inmate was sentenced, less good-conduct earned
10 time and other credits earned and not forfeited,
11 unless the inmate is pardoned or otherwise legally
12 released. Good-conduct Earned time earned accrued and
13 not forfeited shall apply to reduce a mandatory
14 minimum sentence being served pursuant to section
15 124.406, 124.413, 902.7, 902.8, 902.8A, or 902.11. An
16 inmate shall be deemed to be serving the sentence from
17 the day on which the inmate is received into the
18 institution. If an inmate was confined to a county
19 jail or other correctional or mental facility at any
20 time prior to sentencing, or after sentencing but
21 prior to the case having been decided on appeal,
22 because of failure to furnish bail or because of being
23 charged with a nonbailable offense, the inmate shall
24 be given credit for the days already served upon the
25 term of the sentence. However, if a person commits
26 any offense while confined in a county jail or other
27 correctional or mental health facility, the person
28 shall not be granted jail credit for that offense.
29 Unless the inmate was confined in a correctional
30 facility, the sheriff of the county in which the
31 inmate was confined shall certify to the clerk of the
32 district court from which the inmate was sentenced and
33 to the department of corrections' records
34 administrator at the Iowa medical and classification
35 center the number of days so served. The department
36 of corrections' records administrator, or the
37 administrator's designee, shall apply jail credit as
38 ordered by the court of proper jurisdiction or as
39 authorized by this section and section 907.3,
40 subsection 3, and shall forward a copy of the number
41 of days served to the clerk of the district court from
42 which the inmate was sentenced.

43 Sec. ____ . Section 903A.5, unnumbered paragraph 2,
44 Code Supplement 1999, is amended to read as follows:
45 An inmate shall not receive credit upon the
46 inmate's sentence for time spent in custody in another
47 state resisting return to Iowa following an escape ~~or~~
48 for-time-served. However, an inmate shall receive
49 credit upon the inmate's sentence while incarcerated
50 in an institution or jail of another jurisdiction

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1 during any period of time the person is receiving
2 credit upon a sentence of that other jurisdiction.
3 Sec. _____. Section 903A.7, Code 1999, is amended to
4 read as follows:

5 903A.7 SEPARATE SENTENCES.

6 Consecutive multiple sentences that are within the
7 same category under section 903A.2 shall be construed
8 as one continuous sentence for purposes of calculating
9 reductions of sentence for good-conduct earned time.
10 If a person is sentenced to serve sentences of both
11 categories, category "B" sentences shall be served
12 before category "A" sentences are served, and good
13 conduct earned time earned accrued against the
14 category "B" sentences shall not be used to reduce the
15 category "A" sentences. If an inmate serving a
16 category "A" sentence is sentenced to serve a category
17 "B" sentence, the category "A" sentence shall be
18 interrupted, and no further good-conduct earned time
19 shall accrue against that sentence until the category
20 "B" sentence is completed."

21 28. Page 26, by inserting after line 7 the
22 following:

23 "Sec. _____. Section 904.513, subsection 1, Code
24 1999, is amended to read as follows:

25 1. a. The department of corrections, in
26 cooperation with the judicial district departments of
27 correctional services, shall establish in each
28 judicial district a continuum of programming for the
29 supervision and treatment of offenders convicted of
30 violating chapter 321J who are sentenced to the
31 custody of the director. The continuum shall include
32 a range of sanctioning options that include, but are
33 not limited to, prisons and residential facilities.

34 b. (1) The department of corrections shall
35 develop standardized assessment criteria for the
36 assignment of offenders pursuant to this chapter.

37 (2) Offenders convicted of violating chapter 321J,
38 sentenced to the custody of the director, and awaiting
39 placement in a community residential substance abuse
40 treatment program for such offenders shall be placed
41 in an institutional substance abuse program for such
42 offenders within sixty days of admission to the
43 institution or as soon as practical. When placing
44 offenders convicted of violating chapter 321J in
45 community residential substance abuse treatment
46 programs for such offenders, the department shall give
47 priority as appropriate to the placement of those
48 offenders currently in institutional substance abuse
49 programs for such offenders. The department shall
50 work with each judicial district to enable such

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1 offenders to enter community residential substance
2 abuse treatment programs at a level comparable to
3 their prior institutional program participation.

4 (3) Assignment shall be for the purposes of risk
5 management and substance abuse treatment and may
6 include education or work programs when the offender
7 is not participating in other program components.

8 (4) Assignment may also be made on the basis of
9 the offender's treatment program performance, as a
10 disciplinary measure, for medical needs, and for space
11 availability at community residential facilities. If
12 there is insufficient space at a community residential
13 facility, the court may order an offender to be
14 released to the supervision of the judicial district
15 department of correctional services or held in jail."

16 29. Page 27, by inserting after line 13 the
17 following:

18 "Sec. 101. CONVERSION OF GOOD CONDUCT TIME. On
19 the effective date of this Act, the department shall
20 convert the existing accrued good conduct time and
21 other accrued reductions on each inmate's sentence to
22 earned time. An inmate's sentence shall be credited
23 with one day of earned time for every one day of
24 reduction credited under section 903A.2 and not lost
25 or forfeited under section 903A.3. The earned time
26 credited to an inmate's sentence shall equal the
27 amount of good conduct time or other reductions
28 credited which have not been lost or forfeited prior
29 to January 1, 2001. The department shall provide an
30 inmate with the number of earned time credits which
31 have been applied to the inmate's sentence as a result
32 of the conversion by February 1, 2001."

33 30. Page 27, by inserting after line 23 the
34 following:

35 "Sec. _____. SEX OFFENDER REGISTRY -- STUDY. The
36 legislative council is requested to establish a
37 legislative interim committee to study issues
38 concerning the operation of the sex offender registry
39 program pursuant to chapter 692A. The committee
40 should be directed to assess the current effectiveness
41 of the sex offender registry program and to consider,
42 among other issues, the method of determining
43 placement on the registry, the timeliness of
44 information placed on the registry, and the
45 dissemination of information on the registry. In
46 conducting its study, the committee should examine the
47 effectiveness of sex offender registry programs in
48 other states and should consider testimony from
49 interested stakeholders involved in Iowa's sex
50 offender registry program at both the state and local

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Page 20

1 level. The interim committee should submit a report,
 2 including its findings and recommendations, to the
 3 general assembly for the 2001 legislative session."

4 31. Page 27, by inserting after line 23 the
 5 following:

6 "Sec. _____. Chapter 714C, Code 1999, is repealed.

7 Sec. _____. Chapter 716A, Code 1999 and Code
 8 Supplement 1999, is repealed.

9 Sec. _____. Sections 722.6 and 722.9, Code 1999, are
 10 repealed.

11 Sec. _____. EFFECTIVE DATE. The amendments in this
 12 Act to chapter 903A, and section 101 of this Act
 13 converting good conduct time, take effect on January
 14 1, 2001."

15 32. Title page, line 2, by inserting after the
 16 word "statutory" the following: "and criminal
 17 penalty".

18 33. By renumbering, relettering, or redesignating
 19 and correcting internal references as necessary.

RECEIVED FROM THE SENATE

H-9077 FILED APRIL 24, 2000

House Concurred
 4-25-00 (p. 1828)

HOUSE FILE 2552

H-9079

1 Amend the Senate amendment, H-9077, to House File
 2 2552, as amended, passed, and reprinted by the House,
 3 as follows:

4 1. By striking page 2, line 48, through page 19,
 5 line 32.

6 2. Page 20, by striking lines 4 through 17.
 By MILLAGE of Scott

H-9079 FILED APRIL 25, 2000

Adopted
 4/25/00 (p. 1825)

HOUSE FILE 2552

H-9084

1 Amend Senate amendment, H-9077, to House File 2552,
 2 as amended, passed, and reprinted by the House, as
 3 follows:

4 1. Page 17, line 48, by striking the word "shall"
 5 and inserting the following: "may".

By PARMENTER of Story

H-9084 FILED APRIL 25, 2000

Adopted
 4/25/00 (p. 1822)

now out of order with adoption of H-9079

HOUSE FILE 2552

H-9085

1 Amend the Senate amendment, H-9077, to House File
 2 2552, as amended, passed, and reprinted by the House,
 3 as follows:
 4 1. Page 1, by inserting after line 27 the
 5 following:
 6 "____. Page 9, line 20, by inserting after the
 7 word "facility." the following: "However, in order to
 8 facilitate the phaseout of using medical contract
 9 employees for medical services at the Fort Madison
 10 correctional facility, the department may continue to
 11 use medical contract employees at the facility for a
 12 period of time not to exceed the three months
 13 immediately following July 1, 2000."

By GARMAN of Story

H-9085 FILED APRIL 25, 2000

W/D
4/25/00 (P.1821)

HOUSE FILE 2552

H-9089

1 Amend the Senate amendment, H-9077, to House File
 2 2552, as amended, passed, and reprinted by the House,
 3 as follows:
 4 1. Page 1, line 12, by striking the figure
 5 "21,300,914" and inserting the following:
 6 "21,500,732".
 7 2. Page 1, line 36, by striking the figure
 8 "4,261,670" and inserting the following: "4,225,316".
 9 3. Page 1, line 39, by striking the figure
 10 "11,708,518" and inserting the following:
 11 "11,667,912".
 12 4. Page 1, line 42, by striking the figure
 13 "8,875,900" and inserting the following: "8,835,294".
 14 5. Page 1, by striking lines 48 and 49 and
 15 inserting the following:

16 ""..... \$ 12,392,844
 17 FTEs 231.50"

By GARMAN of Story

H-9089 FILED APRIL 25, 2000

W/D
4/25/00 (P.1821)

HOUSE FILE 2552

H-9091

1 Amend the amendment, H-9079, to Senate amendment,
 2 H-9077, to House File 2552, as amended, passed, and
 3 reprinted by the House, as follows:
 4 1. Page 1, line 4, by striking the word and
 5 figures "2, line 48" and inserting the following: "3,
 6 line 25".

By FORD of Polk

H-9091 FILED APRIL 25, 2000

LOT
4.25.00 (P.1824)

HOUSE FILE 2552

H-9092

- 1 Amend the Senate amendment, H-9077, to House File
2 2552, as amended, passed, and reprinted by the House
3 as follows:
4 1. Page 1, by inserting after line 27 the
5 following:
6 "____". Page 10, by inserting after line 21 the
7 following:
8 "h. As a condition of the appropriation made in
9 this subsection, the director of the department of
10 corrections, in consultation with the directors of the
11 judicial district departments of correctional services
12 and the director of the department of workforce
13 development, shall consider developing a
14 rehabilitation program pilot project in two judicial
15 districts. The rehabilitation program pilot project
16 may include but is not limited to the following:
17 1. A career interest inventory assessment.
18 2. An employment program.
19 3. A treatment program.
20 4. An educational program."
21 2. By renumbering as necessary.

By SHEY of Linn
LARSON of Linn
KREIMAN of Davis

H-9092 FILED APRIL 25, 2000

Lost
4/25/00
(P. 1822)

HOUSE FILE 2552

H-9093

1 Amend the Senate amendment, H-9077, to House File
2 2552, as amended, passed, and reprinted by the House,
3 as follows:

4 1. Page 1, by inserting after line 2 the
5 following:

6 "_____. Page 3, by striking line 35 and inserting
7 the following:

8 "..... \$ 950,000"

9 2. Page 1, by striking lines 5 and 6 and
10 inserting the following:

11 "..... \$ 29,970,766
12 FTEs 534.58"

13 3. Page 1, line 12, by striking the figure
14 "21,300,914" and inserting the following:
15 "21,350,914".

16 4. Page 1, line 27, by striking the figure
17 "11,960,757" and inserting the following:
18 "12,053,329".

19 5. Page 1, by inserting after line 27 the
20 following:

21 "_____. Page 10, by inserting after line 35 the
22 following:

23 "In addition to the funds appropriated in this
24 subsection, \$300,000 is appropriated from the general
25 fund of the state to the department of corrections for
26 the fiscal year beginning July 1, 2000, and ending
27 June 30, 2001, for additional educational programs for
28 inmates at state penal institutions."

29 6. Page 1, line 30, by striking the figure
30 "8,793,845" and inserting the following: "8,816,416".

31 7. Page 1, line 33, by striking the figure
32 "7,024,872" and inserting the following: "7,026,552".

33 8. Page 1, line 39, by striking the figure
34 "11,708,518" and inserting the following:
35 "11,778,613".

36 9. Page 1, line 42, by striking the figure
37 "8,875,900" and inserting the following: "8,887,640".

38 10. Page 1, by inserting after line 42 the
39 following:

40 "_____. Page 14, by striking line 14 and inserting
41 the following:

42 "..... \$ 5,183,141"

43 11. Page 1, by inserting after line 45 the
44 following:

45 "_____. Page 18, by inserting after line 18 the
46 following:

47 "In addition to the funds appropriated in this
48 subsection, \$20,000 is appropriated from the general
49 fund of the state to the Iowa law enforcement academy
50 for the fiscal year beginning July 1, 2000, and ending

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Page 2

1 June 30, 2001, for the training of instructional staff
 2 at the academy."
 3 _____. Page 19, by striking line 13 and inserting
 4 the following:
 5 "..... \$ 1,054,904"
 6 12. Page 2, by striking lines 4 through 38 and
 7 inserting the following:
 8 "_____. Page 23, by striking line 3 and inserting
 9 the following:
 10 "..... \$ 959,405"
 11 _____. Page 23, by inserting after line 9 the
 12 following:
 13 "Sec. _____. JUDICIAL BRANCH. There is appropriated
 14 from the general fund of the state to the judicial
 15 branch for the fiscal year beginning July 1, 2000, and
 16 ending June 30, 2001, the following amount, or so much
 17 thereof as is necessary, to be used for the purpose
 18 designated:
 19 For the court appointed special advocate program,
 20 and for not more than the following full-time
 21 equivalent positions:
 22 \$ 112,550
 23 FTEs 3.76"
 24 13. By renumbering as necessary.
 By GARMAN of Story JAGER of Black Hawk
 BELL of Jasper MUNDIE of Webster
 DAVIS of Wapello RICHARDSON of Warren

H-9093 FILED APRIL 25, 2000

Lost
4/25/00
(P. 1827)

HOUSE AMENDMENT TO SENATE AMENDMENT TO
HOUSE FILE 2552

S-5652

- 1 Amend the Senate amendment, H-9077, to House File
2 2552, as amended, passed, and reprinted by the House,
3 as follows:
4 1. Page 1, by inserting after line 27 the
5 following:
6 "_____. Page 9, line 20, by inserting after the
7 word "facility." the following: "However, in order to
8 facilitate the phaseout of using medical contract
9 employees for medical services at the Fort Madison
10 correctional facility, the department may continue to
11 use medical contract employees at the facility for a
12 period of time not to exceed the three months
13 immediately following July 1, 2000.""
14 2. By striking page 2, line 48, through page 19,
15 line 32.
16 3. Page 20, by striking lines 4 through 17.
17 4. By renumbering, relettering, or redesignating
18 and correcting internal references as necessary.

RECEIVED FROM THE HOUSE

S-5652 FILED APRIL 26, 2000
CONCURRED

(P. 1436)



THOMAS J. VILSACK
GOVERNOR

OFFICE OF THE GOVERNOR

SALLY J. PEDERSON
LT. GOVERNOR

May 17, 2000

RECEIVED

MAY 10 2000

LEGISLATIVE SERVICE
BUREAU

The Honorable Chester Culver
Secretary of State
State Capitol
LOCAL

Dear Mr. Secretary:

I hereby transmit House File 2552, an Act appropriating funds to the Justice system, making related statutory changes, and providing an effective date.

Safe communities are a priority of all Iowans, and I am pleased that this bill provides additional opportunities to move closer to this goal. Notable achievements in this bill include: four new narcotics agents to continue the fight against the illegal drug markets in our communities, additional criminal laboratory personnel to work toward more timely processing of criminal evidence, and new fire inspectors to assure that fire and safety code standards are followed. Within the Department of Corrections budget, many efforts also were included to ensure safer communities for all Iowans. This is evidenced by the expansion of drug courts to stop the cycle of the non-violent drug offenders, the addition of 20 new Community Based Corrections personnel to help monitor those on probation and parole, funding for the new Community Based Corrections beds, as well as for beds added at the recently expanded Fort Dodge and Mitchellville prison facilities.

House File 2552 is, therefore, approved on this date with the following exceptions, which I hereby disapprove.

I am unable to approve the items designated as Sections 6, 23, and 28 in their entirety. Section 6 appropriates funds for educational and vocational programming from the inmate telephone rebate fund. Section 23, also regarding the inmate telephone rebate fund, would only allow expenditures by the legislative appropriation process. While I agree with the intent of using funds from inmate telephone rebates for educational and vocational programs, the Department of Corrections has, since 1998, used telephone rebate funds well above this level for educational and vocational projects. The Department of Corrections, with oversight from the Board of Corrections will continue in the coming fiscal year to utilize the authority to spend telephone rebate funds for educational and vocational programs that are for the benefit of inmates, without the need for a specific legislative mandate to do so. The Department will expend in excess of the \$300,000 identified by the legislature for educational and vocational programs in both

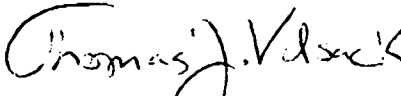
fiscal years 2000 and 2001. To improve oversight of these expenditures in the past year, I asked the Board of Corrections to review all projects prior to departmental action. At this time, it appears that the process is working well and I see no need to approve this additional legislative mandate. Section 28 sets the enactment date for Section 23, therefore, is not needed.

I am unable to approve the designated portion of Section 21. This item limits the time frame for any building plan review process to within sixty days of submission of the plan. Unless otherwise acted upon, this language would mandate that all plans automatically be approved after the expiration of the sixty-day period. I do not think it is wise governmental policy to have plans deemed automatically approved because of the elapse of an arbitrary time frame. Building access and safety codes should not be compromised, or deemed approved, without the necessary review.

However, the expectation of a sixty-day turnaround is a proper goal. Therefore, although I will veto this section, I also am directing the Department of Public Safety, Fire Marshal Office Division, to submit for approval by administrative rule a sixty-day turnaround on building plan reviews, and offer a 'money back guarantee,' if they are unable to meet the deadline.

For the above reasons, I hereby respectfully approve House File 2552 with the exceptions noted above.

Sincerely,


Thomas J. Vilsack
Governor

TJV:jmc

CC: Secretary of the Senate
Chief Clerk of the House

Item Vetred

HOUSE FILE 2552

AN ACT
RELATING TO AND MAKING APPROPRIATIONS TO THE JUSTICE SYSTEM,
MAKING RELATED STATUTORY CHANGES, AND PROVIDING AN EFFECTIVE
DATE.

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

Section 1. DEPARTMENT OF JUSTICE. There is appropriated from the general fund of the state to the department of justice for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For the general office of attorney general for salaries, support, maintenance, miscellaneous purposes including odometer fraud enforcement, and for not more than the following full-time equivalent positions:

..... \$ 8,524,304
..... FTEs 194.50

2. For the prosecuting attorney training program for salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 322,856
..... FTEs 6.00

3. In addition to the funds appropriated in subsection 1, there is appropriated from the general fund of the state to the department of justice for the fiscal year beginning July 1, 2000, and ending June 30, 2001, an amount not exceeding \$200,000 to be used for the enforcement of the Iowa competition law. The funds appropriated in this subsection are contingent upon receipt by the general fund of the state of an amount at least equal to the expenditure amount from either damages awarded to the state or a political subdivision

of the state by a civil judgment under chapter 553, if the judgment authorizes the use of the award for enforcement purposes or costs or attorneys fees awarded the state in state or federal antitrust actions. However, if the amounts received as a result of these judgments are in excess of \$200,000, the excess amounts shall not be appropriated to the department of justice pursuant to this subsection.

4. In addition to the funds appropriated in subsection 1, there is appropriated from the general fund of the state to the department of justice for the fiscal year beginning July 1, 2000, and ending June 30, 2001, an amount not exceeding \$150,000 to be used for public education relating to consumer fraud and for enforcement of section 714.16, and an amount not exceeding \$75,000 for investigation, prosecution, and consumer education relating to consumer and criminal fraud against older Iowans. The funds appropriated in this subsection are contingent upon receipt by the general fund of the state of an amount at least equal to the expenditure amount from damages awarded to the state or a political subdivision of the state by a civil consumer fraud judgment or settlement, if the judgment or settlement authorizes the use of the award for public education on consumer fraud. However, if the funds received as a result of these judgments and settlements are in excess of \$225,000, the excess funds shall not be appropriated to the department of justice pursuant to this subsection.

5. For victim assistance grants:
..... \$ 1,935,806

a. The funds appropriated in this subsection shall be used to provide grants to care providers providing services to crime victims of domestic abuse or to crime victims of rape and sexual assault.

b. Notwithstanding sections 8.33 and 8.39, moneys appropriated in this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not be transferred to any other program.

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6. For the GASA prosecuting attorney program and for not more than the following full-time equivalent positions:

.....	\$	133,102
.....	FTEs	2.00

7. The balance of the victim compensation fund established in section 915.94 may be used to provide salary and support of not more than 20.00 FTEs and to provide maintenance for the victim compensation functions of the department of justice.

8. The department of justice shall submit monthly financial statements to the legislative fiscal bureau and the department of management containing all appropriated accounts in the same manner as provided in the monthly financial status reports and personal services usage reports of the department of revenue and finance. The monthly financial statements shall include comparisons of the moneys and percentage spent of budgeted to actual revenues and expenditures on a cumulative basis for full-time equivalent positions and available moneys.

9. a. The department of justice, in submitting budget estimates for the fiscal year commencing July 1, 2001, pursuant to section 8.23, shall include a report of funding from sources other than amounts appropriated directly from the general fund of the state to the department of justice or to the office of consumer advocate. These funding sources shall include, but are not limited to, reimbursements from other state agencies, commissions, boards, or similar entities, and reimbursements from special funds or internal accounts within the department of justice. The department of justice shall report actual reimbursements for the fiscal year commencing July 1, 1999, and actual and expected reimbursements for the fiscal year commencing July 1, 2000.

b. The department of justice shall include the report required under paragraph "a", as well as information regarding any revisions occurring as a result of reimbursements actually received or expected at a later date, in a report to the co-chairpersons and ranking members of the joint appropriations subcommittee on the justice system and the legislative fiscal

bureau. The department of justice shall submit the report on or before January 15, 2001.

10. For legal services for persons in poverty grants as provided in section 13.34:

.....	\$	700,000
-------	----	---------

As a condition for accepting a grant funded pursuant to this subsection, an organization receiving a grant shall submit a report to the general assembly by January 1, 2001, concerning the use of any grants received during the previous fiscal year and efforts made by the organization to find alternative sources of revenue to replace any reductions in federal funding for the organization.

Sec. 2. DEPARTMENT OF JUSTICE -- ENVIRONMENTAL CRIMES INVESTIGATION AND PROSECUTION -- FUNDING. There is appropriated from the environmental crime fund of the department of justice, consisting of court-ordered fines and penalties awarded to the department arising out of the prosecution of environmental crimes, to the department of justice for the fiscal year beginning July 1, 2000, and ending June 30, 2001, an amount not exceeding \$20,000 to be used by the department, at the discretion of the attorney general, for the investigation and prosecution of environmental crimes, including the reimbursement of expenses incurred by county, municipal, and other local governmental agencies cooperating with the department in the investigation and prosecution of environmental crimes.

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

Notwithstanding section 8.33, moneys appropriated in this section that remain unexpended or unobligated at the close of

the fiscal year shall not revert to the environmental crime fund but shall remain available for expenditure for the purpose designated until the close of the succeeding fiscal year.

Sec. 3. OFFICE OF CONSUMER ADVOCATE. There is appropriated from the general fund of the state to the office of consumer advocate of the department of justice for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

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

..... \$ 2,652,903
..... FTEs 32.00

Sec. 4. DEPARTMENT OF CORRECTIONS -- FACILITIES. There is appropriated from the general fund of the state to the department of corrections for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

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

a. For the operation of the Fort Madison correctional facility, including salaries, support, maintenance, employment of correctional officers, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 30,153,729
..... FTEs 533.50

b. For the operation of the Anamosa correctional facility, including salaries, support, maintenance, employment of correctional officers and a part-time chaplain to provide religious counseling to inmates of a minority race, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 23,601,997

..... FTEs 399.00

Moneys are provided within this appropriation for two full-time substance abuse counselors for the Luster Heights facility, for the purpose of certification of a substance abuse program at that facility.

c. For the operation of the Oakdale correctional facility, including salaries, support, maintenance, employment of correctional officers, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 21,300,914
..... FTEs 338.80

d. For the operation of the Newton correctional facility, including salaries, support, maintenance, employment of correctional officers, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 22,775,087
..... FTEs 392.25

e. For the operation of the Mt. Pleasant correctional facility, including salaries, support, maintenance, employment of correctional officers and a full-time chaplain to provide religious counseling at the Oakdale and Mt. Pleasant correctional facilities, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 21,490,369
..... FTEs 342.59

f. For the operation of the Rockwell City correctional facility, including salaries, support, maintenance, employment of correctional officers, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 7,117,981
..... FTEs 121.00

g. For the operation of the Clarinda correctional facility, including salaries, support, maintenance, employment of correctional officers, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 17,814,313
..... FTEs 292.75

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

h. For the operation of the Mitchellville correctional facility, including salaries, support, maintenance, employment of correctional officers, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 11,960,757
..... FTEs 237.50

i. For the operation of the Fort Dodge correctional facility, including salaries, support, maintenance, employment of correctional officers, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 24,961,904
..... FTEs 414.00

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

..... \$ 524,038

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

..... \$ 341,334

The department of corrections shall use funds appropriated in this subsection to continue to contract for the services of a Muslim imam.

2. a. If the inmate tort claim fund for inmate claims of less than \$100 is exhausted during the fiscal year, sufficient funds shall be transferred from the institutional budgets to pay approved tort claims for the balance of the fiscal year. The warden or superintendent of each institution or correctional facility shall designate an employee to receive, investigate, and recommend whether to pay any properly filed inmate tort claim for less than the above amount. The designee's recommendation shall be approved or denied by the

warden or superintendent and forwarded to the department of corrections for final approval and payment. The amounts appropriated to this fund pursuant to 1987 Iowa Acts, chapter 234, section 304, subsection 2, are not subject to reversion under section 8.33.

b. Tort claims denied at the institution shall be forwarded to the state appeal board for their consideration as if originally filed with that body. This procedure shall be used in lieu of chapter 669 for inmate tort claims of less than \$100.

3. It is the intent of the general assembly that the department of corrections shall timely fill correctional positions authorized for correctional facilities pursuant to this section.

Sec. 5. DEPARTMENT OF CORRECTIONS -- ADMINISTRATION. There is appropriated from the general fund of the state to the department of corrections for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For general administration, including salaries, support, maintenance, employment of an education director and clerk to administer a centralized education program for the correctional system, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 2,405,009
..... FTEs 37.18

a. The department shall monitor the use of the classification model by the judicial district departments of correctional services and has the authority to override a district department's decision regarding classification of community-based clients. The department shall notify a district department of the reasons for the override.

b. It is the intent of the general assembly that as a condition of receiving the appropriation provided in this subsection, the department of corrections shall not, except as otherwise provided in paragraph "c", enter into a new

contract, unless the contract is a renewal of an existing contract, for the expenditure of moneys in excess of \$100,000 during the fiscal year beginning July 1, 2000, for the privatization of services performed by the department using state employees as of July 1, 2000, or for the privatization of new services by the department, without prior consultation with any applicable state employee organization affected by the proposed new contract and prior notification of the co-chairpersons and ranking members of the joint appropriations subcommittee on the justice system.

c. The department of corrections shall not enter into a new contract, or renew an existing contract, for the expenditure of moneys for the privatization of medical services through medical contract employees at the Fort Madison correctional facility. However, in order to facilitate the phaseout of using medical contract employees for medical services at the Fort Madison correctional facility, the department may continue to use medical contract employees at the facility for a period of time not to exceed the three months immediately following July 1, 2000.

d. The department of general services shall, notwithstanding any provisions of law or rule to the contrary, permit the department of corrections the opportunity to acquire, at no cost, computers that would otherwise be disposed of by the department of general services. The department of corrections shall use computers acquired under this paragraph to provide educational training and programs for inmates.

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

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

g. It is the intent of the general assembly that as a condition of receiving the appropriation provided in this subsection, the department of corrections shall not enter into any new agreement with a private for-profit agency or corporation for the purpose of transferring inmates under the custody of the department to a jail or correctional facility or institution in this state which is established, maintained, or operated by a private for-profit agency or corporation without prior approval by the general assembly.

2. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions at the correctional training center at Mt. Pleasant:

..... \$ 486,247
..... FTEs 8.07

3. For annual payment relating to the financial arrangement for the construction of expansion in prison capacity as provided in 1990 Iowa Acts, chapter 1257, section 24:

..... \$ 796,940

4. For educational programs for inmates at state penal institutions:

..... \$ 3,294,775

It is the intent of the general assembly that moneys appropriated in this subsection shall be used solely for the purpose indicated and that the moneys shall not be transferred for any other purpose. In addition, it is the intent of the

general assembly that the department shall consult with the community colleges in the areas in which the institutions are located to utilize moneys appropriated in this subsection to fund the high school completion, high school equivalency diploma, adult literacy, and adult basic education programs in a manner so as to maintain these programs at the institutions.

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

Notwithstanding section 8.33, moneys appropriated in this subsection that remain unobligated or unexpended at the close of the fiscal year shall not revert but shall remain available for expenditure only for the purposes designated in this subsection until the close of the succeeding fiscal year.

5. For the development of the departmental-wide Iowa corrections offender network (ICON) data system:

..... \$ 600,000

6. The department of corrections shall submit a report to the general assembly on January 1, 2001, concerning progress made in implementing the requirements of section 904.701, concerning hard labor by inmates.

7. It is the intent of the general assembly that the department of corrections shall continue to operate the correctional farms under the control of the department at the same or greater level of participation and involvement as existed as of January 1, 2000, shall not enter into any rental agreement or contract concerning any farmland under the control of the department that is not subject to a rental agreement or contract as of January 1, 2000, without prior legislative approval, and shall further attempt to provide job opportunities at the farms for inmates. The department shall attempt to provide job opportunities at the farms for inmates by encouraging labor-intensive farming or gardening where appropriate, using inmates to grow produce and meat for institutional consumption, researching the possibility of

instituting food canning and cook-and-chill operations, and exploring opportunities for organic farming and gardening, livestock ventures, horticulture, and specialized crops.

8. The department of corrections shall submit a report to the general assembly by January 1, 2001, concerning moneys recouped from inmate earnings for the reimbursement of operational expenses of the applicable facility during the fiscal year beginning July 1, 1999, for each correctional institution and judicial district department of correctional services. In addition, each correctional institution and judicial district department of correctional services shall continue to submit a report to each member of the joint appropriations subcommittee on the justice system and the legislative fiscal bureau on a monthly basis concerning moneys recouped from inmate earnings for the reimbursement of operational expenses for each correctional institution and district department during the previous calendar month.

9. The department of corrections shall submit a report to the general assembly by January 1, 2001, concerning the use of inmate labor on capital improvement projects.

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Sec. 6. DEPARTMENT OF CORRECTIONS -- EDUCATIONAL PROGRAMS. Notwithstanding any provision of section 904.508A to the contrary, of the moneys received for inmate telephone rebates and deposited in an inmate telephone rebate fund for each institution during the fiscal year beginning July 1, 2000, and ending June 30, 2001, \$300,000 is appropriated to the department of corrections and shall be expended by the department for educational programs, including vocational education programs, for inmates at state penal institutions.

Sec. 7. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL SERVICES.

1. There is appropriated from the general fund of the state to the department of corrections for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amounts, or so much thereof as is necessary, to be allocated as follows:

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

..... \$ 8,793,845

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

..... \$ 7,024,872

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

..... \$ 4,261,670

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

..... \$ 3,130,030

e. For the fifth judicial district department of correctional services, including the treatment and supervision of probation and parole violators who have been released from the department of corrections violator program, the following amount, or so much thereof as is necessary:

..... \$ 11,708,518

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

..... \$ 8,875,900

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

..... \$ 5,171,401

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

..... \$ 5,062,560

i. For the department of corrections for the assistance and support of each judicial district department of correctional services, the following amount, or so much thereof as is necessary:

..... \$ 83,576

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

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

4. Each judicial district department of correctional services and the department of corrections shall continue the treatment alternatives to street crime programs established in 1989 Iowa Acts, chapter 225, section 9.

5. The governor's alliance on substance abuse shall consider federal grants made to the department of corrections for the benefit of each of the eight judicial district departments of correctional services as local government grants, as defined pursuant to federal regulations.

6. Each judicial district department of correctional services shall provide a report concerning the treatment and supervision of probation and parole violators who have been released from the department of corrections violator program, to the co-chairpersons and ranking members of the joint appropriations subcommittee on the justice system and the legislative fiscal bureau, on or before January 15, 2001.

7. In addition to the requirements of section 8.39, the department of corrections shall not make an intradepartmental transfer of moneys appropriated to the department, unless notice of the intradepartmental transfer is given prior to its effective date to the legislative fiscal bureau. The notice shall include information on the department's rationale for making the transfer and details concerning the work load and performance measures upon which the transfers are based.

8. Each judicial district department of correctional services shall submit a report to the general assembly by January 8, 2001, concerning what action, if any, the district department has taken in order to implement, or not implement, an intermediate criminal sanctions program as provided by section 901B.1. If the district department has implemented such a program, the report shall include information as to the effectiveness of the program.

Sec. 8. CORRECTIONAL INSTITUTIONS -- VOCATIONAL TRAINING.

1. The state prison industries board and the department of corrections shall continue the implementation of a plan to enhance vocational training opportunities within the correctional institutions listed in section 904.102, as provided in 1993 Iowa Acts, chapter 171, section 12. The plan shall provide for increased vocational training opportunities within the correctional institutions, including the possibility of approving community college credit for inmates working in prison industries. The department of corrections shall provide a report concerning the implementation of the plan to the co-chairpersons and ranking members of the joint appropriations subcommittee on the justice system and the legislative fiscal bureau, on or before January 15, 2001.

2. It is the intent of the general assembly that each correctional facility make all reasonable efforts to maintain vocational education programs for inmates and to identify available funding sources to continue these programs. The department of corrections shall submit a report to the general assembly by January 1, 2001, concerning the efforts made by each correctional facility in maintaining vocational education programs for inmates.

Sec. 9. STATE AGENCY PURCHASES FROM PRISON INDUSTRIES.

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

2. State agencies are hereby encouraged to purchase products from Iowa state industries, as defined in section 904.802, when purchases are required and the products are available from Iowa state industries.

3. State agencies shall submit to the legislative fiscal bureau by January 15, 2001, a report of the dollar value of products and services purchased from Iowa state industries by the state agency during the fiscal year beginning July 1, 1999, and ending June 30, 2000.

Sec. 10. STATE PUBLIC DEFENDER. There is appropriated from the general fund of the state to the office of the state public defender of the department of inspections and appeals for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amounts, or so much thereof as is necessary, for the purposes designated:

..... \$ 35,103,664

The funds appropriated and full-time equivalent positions authorized in this section are allocated as follows:

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

..... \$ 13,899,288
 FTEs 201.00

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

..... \$ 21,204,376

Sec. 11. IOWA CORRECTIONS OFFENDER NETWORK DATA SYSTEM.

The department of corrections shall submit a report to the co-chairpersons and ranking members of the joint appropriations subcommittee on the justice system and the legislative fiscal bureau, on or before January 15, 2001, concerning the development and implementation of the Iowa corrections offender network (ICON) data system. The report shall include a description of the system and functions, a plan for implementation of the system, including a timeline, resource and staffing requirements for the system, and a current status and progress report concerning the implementation of the system. In addition, the report shall specifically address the ability of the system to receive and transmit data between prisons, community-based corrections district departments, the judicial branch, board of parole, the criminal and juvenile justice planning division of the department of human rights, the department of public safety, and other applicable governmental agencies. The report should include a detailed discussion of the cooperation with other state agencies and the judicial branch in the development and implementation of the system.

Sec. 12. IOWA LAW ENFORCEMENT ACADEMY. There is appropriated from the general fund of the state to the Iowa law enforcement academy for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

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

..... \$ 1,365,029
 FTEs 31.05

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

2. The Iowa law enforcement academy may select at least five automobiles of the department of public safety, division of the Iowa state patrol, prior to turning over the automobiles to the state fleet administrator to be disposed of by public auction and the Iowa law enforcement academy may exchange any automobile owned by the academy for each automobile selected if the selected automobile is used in training law enforcement officers at the academy. However, any automobile exchanged by the academy shall be substituted for the selected vehicle of the department of public safety and sold by public auction with the receipts being deposited in the depreciation fund to the credit of the department of public safety, division of the Iowa state patrol.

Sec. 13. BOARD OF PAROLE. There is appropriated from the general fund of the state to the board of parole for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, including maintenance of an automated docket and the board's automated risk assessment model, employment of two statistical research analysts to assist with the application of the risk assessment model in the parole decision-making process, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 1,042,404
 FTEs 18.00

A portion of the funds appropriated in this section shall be used to continue a pilot program for probation violations in the sixth judicial district department of correctional services. Data shall be maintained to evaluate the pilot program.

Sec. 14. DEPARTMENT OF PUBLIC DEFENSE. There is appropriated from the general fund of the state to the department of public defense for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. MILITARY DIVISION

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

..... \$ 4,992,231
..... FTEs 254.76

If there is a surplus in the general fund of the state for the fiscal year ending June 30, 2001, within 60 days after the close of the fiscal year, the military division may incur up to an additional \$500,000 in expenditures from the surplus prior to transfer of the surplus pursuant to section 8.57.

2. EMERGENCY MANAGEMENT DIVISION

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

..... \$ 1,032,186
..... FTEs 25.25

Sec. 15. DEPARTMENT OF PUBLIC SAFETY. There is appropriated from the general fund of the state to the department of public safety for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

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

..... \$ 2,553,129
..... FTEs 38.80

2. For the division of criminal investigation and bureau of identification including the state's contribution to the peace officers' retirement, accident, and disability system

provided in chapter 97A in the amount of 17 percent of the salaries for which the funds are appropriated, to meet federal fund matching requirements, and for not more than the following full-time equivalent positions:

..... \$ 12,470,844
..... FTEs 233.50

Riverboat enforcement costs shall be billed in accordance with section 99F.10, subsection 4. The costs shall be not more than the department's estimated expenditures, including salary adjustment, for riverboat enforcement for the fiscal year.

The department of public safety, with the approval of the department of management, may employ no more than two special agents and four gaming enforcement officers for each additional riverboat regulated after July 1, 2000, and one special agent for each racing facility which becomes operational during the fiscal year which begins July 1, 2000. One additional gaming enforcement officer, up to a total of four per boat, may be employed for each riverboat that has extended operations to 24 hours and has not previously operated with a 24-hour schedule. Positions authorized in this paragraph are in addition to the full-time equivalent positions authorized in this subsection.

3. a. For the division of narcotics enforcement, including the state's contribution to the peace officers' retirement, accident, and disability system provided in chapter 97A in the amount of 17 percent of the salaries for which the funds are appropriated, to meet federal fund matching requirements, and for not more than the following full-time equivalent positions:

..... \$ 3,972,285
..... FTEs 65.00

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

..... \$ 139,202

4. a. For the state fire marshal's office, including the state's contribution to the peace officers' retirement,

accident, and disability system provided in chapter 97A in the amount of 17 percent of the salaries for which the funds are appropriated, and for not more than the following full-time equivalent positions:

..... \$ 1,930,061
..... FTEs 35.80

b. For the state fire marshal's office, for fire protection services as provided through the state fire service and emergency response council as created in the department, and for not more than the following full-time equivalent positions:

..... \$ 590,591
..... FTEs 12.00

5. For the capitol police division, including the state's contribution to the peace officers' retirement, accident, and disability system provided in chapter 97A in the amount of 17 percent of the salaries for which the funds are appropriated and for not more than the following full-time equivalent positions:

..... \$ 1,386,588
..... FTEs 27.00

6. For the division of the Iowa state patrol of the department of public safety, for salaries, support, maintenance, workers' compensation costs, and miscellaneous purposes, including the state's contribution to the peace officers' retirement, accident, and disability system provided in chapter 97A in the amount of 17 percent of the salaries for which the funds are appropriated, and for not more than the following full-time equivalent positions:

..... \$ 38,686,879
..... FTEs 579.25

7. For costs associated with the maintenance of the automated fingerprint information system (AFIS):

..... \$ 269,425

8. An employee of the department of public safety who retires after July 1, 2000, but prior to June 30, 2001, is eligible for payment of life or health insurance premiums as

provided for in the collective bargaining agreement covering the public safety bargaining unit at the time of retirement if that employee previously served in a position which would have been covered by the agreement. The employee shall be given credit for the service in that prior position as though it were covered by that agreement. The provisions of this subsection shall not operate to reduce any retirement benefits an employee may have earned under other collective bargaining agreements or retirement programs.

9. For costs associated with the training and equipment needs of volunteer fire fighters and for not more than the following full-time equivalent positions:

..... \$ 709,405
..... FTEs 1.00

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

Sec. 16. Section 18.6, Code Supplement 1999, is amended by adding the following new subsection:

NEW SUBSECTION. 16. The department shall not award a contract to a bidder for a construction, reconstruction, demolition, or repair project or improvement with an estimated cost that exceeds twenty-five thousand dollars in which the bid requires the use of inmate labor supplied by the department of corrections, but not employed by private industry pursuant to section 904.809, to perform the project or improvement.

Sec. 17. Section 99D.14, Code 1999, is amended by adding the following new subsection:

NEW SUBSECTION. 7. A licensee shall pay a fee in an amount representing eighty percent of the salary costs of the division of criminal investigation of the department of public safety for enforcement of this chapter and an additional amount for the division's costs to enforce this chapter which, for all licensees, shall not exceed thirty thousand dollars.

Sec. 18. Section 99F.10, subsection 4, Code 1999, is amended to read as follows:

4. In determining the license fees and state admission fees to be charged as provided under section 99F.4 and this section, the commission shall use the amount appropriated to the commission plus the cost of salaries for no more than two special agents and no more than four gaming enforcement officers for each excursion gambling boat for the division of criminal investigation's excursion gambling boat activities and an amount for all licensees, not to exceed one hundred twenty-five thousand dollars, representing other associated costs of the division, as the basis for determining the amount of revenue to be raised from the license fees and admission fees. The division's salary costs shall be limited to sixty-five eighty percent of the salary costs for special agents and sixty-five eighty percent of the salary costs for gaming enforcement for personnel assigned to excursion gambling boats who enforce laws and rules adopted by the commission.

Sec. 19. Section 99F.4A, Code 1999, is amended by adding the following new subsection:

NEW SUBSECTION. 8. A licensee shall pay a fee in an amount representing eighty percent of the salary costs of the division of criminal investigation of the department of public safety for enforcement of this chapter.

Sec. 20. Section 100.1, Code 1999, is amended by added by the following new subsection:

NEW SUBSECTION. 6. To adopt rules designating a fee to be assessed to each building, structure, or facility for which a fire safety inspection by the state fire marshal is required as a condition of licensure. The fee designated by rule shall be set in an amount that is reasonably related to the costs of conducting the applicable inspection. The fees collected by the state fire marshal shall be deposited in the general fund of the state.

Sec. 21. Section 103A.23, Code 1999, is amended to read as follows:

103A.23 FEES.

For the purpose of obtaining revenue to defray the costs of administering the provisions of this chapter, the commissioner shall establish by rule a schedule of fees based upon the costs of administration which fees shall be collected from persons whose manufacture, installation or construction is subject to the provisions of the state building code. For the performance of building plan reviews by the department of public safety, the commissioner shall establish by rule a fee, chargeable to the owner of the building, which shall be equal to a percentage of the estimated total valuation of the building and which shall be in an amount reasonably related to the cost of conducting the review. If the commissioner establishes by rule a fee for the performance of a building plan review by the department, the commissioner shall also provide by rule that the failure of the department to approve or disapprove a building plan review within sixty days of submission of the plan shall be deemed to be an approval of the plan.

Verified

All fees collected by the commissioner shall be deposited in the state treasury to the credit of the general fund of the state.

All federal grants to and federal receipts of the office of state building code commissioner are appropriated for the purpose set forth in the federal grants or receipts.

Sec. 22. Section 904.315, Code 1999, is amended to read as follows:

904.315 CONTRACTS FOR IMPROVEMENTS.

The director of the department of general services shall, in writing, let all contracts for authorized improvements costing in excess of twenty-five thousand dollars under chapter 18. Upon prior authorization by the director, improvements costing five thousand dollars or less may be made by the superintendent of any institution.

Contracts are A contract is not required for improvements at a state institution where the labor of inmates is to be used if the contract is not for a construction, reconstruction, demolition, or repair project or improvement

with an estimated cost in excess of twenty-five thousand dollars.

Sec. 23. Section 904.508A, Code 1999, is amended to read as follows:

904.508A INMATE TELEPHONE REBATE FUND.

~~The department is authorized to establish and maintain an~~
An inmate telephone rebate fund in each institution for the deposit of moneys is created in the office of the treasurer of state. Moneys received by the department or an institution for inmate telephone rebates shall be deposited in the fund. All funds deposited in this Moneys deposited in the fund shall be used only as provided in appropriations from the fund and shall be used for the benefit of inmates. The director shall adopt rules providing for the disbursement of moneys from the fund.

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Sec. 24. Section 905.14, subsection 1, Code 1999, is amended to read as follows:

1. A person placed on probation or parole and subject to supervision by a district department shall be required to pay an enrollment fee of two hundred fifty dollars to the district department to offset the costs of supervision. ~~The fee shall be based on the offense class of the most serious offense for which the person has received probation or parole, including deferred judgments or deferred sentences, and shall be as follows:~~

~~a. For a felony, one hundred fifty dollars;~~

~~b. For an aggravated misdemeanor, one hundred twenty-five dollars;~~

~~c. For a serious or simple misdemeanor, one hundred dollars.~~

Sec. 25. 1998 Iowa Acts, chapter 1101, section 15, subsection 2, as amended by 1999 Iowa Acts, chapter 202, section 25, is amended to read as follows:

2. a. There is appropriated from surcharge moneys received by the E911 administrator and deposited into the wireless E911 emergency communications fund, for the each fiscal year in the fiscal period beginning July 1, 1998, and

~~for the fiscal year beginning July 1, 1999 ending June 30, 2001~~, an amount not to exceed two hundred thousand dollars to be used for the implementation, support, and maintenance of the functions of the E911 administrator. The amount appropriated in this paragraph includes any amounts necessary to reimburse the division of emergency management of the department of public defense pursuant to paragraph "b".

b. Notwithstanding the distribution formula in section 34A.7A, as enacted in this Act, and prior to any such distribution, of the initial surcharge moneys received by the E911 administrator and deposited into the wireless E911 emergency communications fund, for the each fiscal year in the fiscal period beginning July 1, 1998, and ~~for the fiscal year beginning July 1, 1999 ending June 30, 2001~~, an amount ~~shall be transferred~~ is appropriated to the division of emergency management of the department of public defense as necessary to reimburse the division for amounts expended for the implementation, support, and maintenance of the E911 administrator, including the E911 administrator's salary.

Sec. 26. CORRECTIONAL FARMS -- STUDY. The legislative council is requested to establish a legislative interim committee to study issues concerning the use of correctional farms under the control of the department of corrections. The committee shall consider, among other issues, possible ways to create job opportunities for inmates at the farms and the possible sale or rental of farmland under the control of the department. The interim committee shall submit a report and recommendations to the general assembly for the 2001 legislative session.

Sec. 27. SEX OFFENDER REGISTRY -- STUDY. The legislative council is requested to establish a legislative interim committee to study issues concerning the operation of the sex offender registry program pursuant to chapter 692A. The committee should be directed to assess the current effectiveness of the sex offender registry program and to consider, among other issues, the method of determining placement on the registry, the timeliness of information

placed on the registry, and the dissemination of information on the registry. In conducting its study, the committee should examine the effectiveness of sex offender registry programs in other states and should consider testimony from interested stakeholders involved in Iowa's sex offender registry program at both the state and local level. The interim committee should submit a report, including its findings and recommendations, to the general assembly for the ~~2001 legislative session.~~

vetoed

Sec. 28. EFFECTIVE DATE. Section 23 of this Act, amending section 904.508A, takes effect July 1, 2001.

BRENT SIEGRIST
Speaker of the House

MARY E. KRAMER
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2552, Seventy-eighth General Assembly.

ELIZABETH ISAACSON
Chief Clerk of the House

Stem Veto
Approved May 17, 2000

THOMAS J. VILSACK
Governor