

Maddox  
Lamberti  
Dvorsky

SSB-1205  
Appropriations  
Succeeded By  
SE/HP 468

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
APPROPRIATIONS BILL BY  
CHAIRPERSON McLAREN)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to and making appropriations to the justice  
2 system and providing effective dates.  
3 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, 1999, and ending  
4 June 30, 2000, 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 ..... \$ 7,792,457  
11 ..... FTEs 188.50

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 ..... \$ 298,825  
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, 1999, and ending June 30, 2000, 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, 1999, and ending June 30, 2000, 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 ..... \$ 1,759,806

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 ..... \$ 128,302  
 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 17.00 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, 2000,  
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, 1998, and actual and expected reimbursements for the  
24 fiscal year commencing July 1, 1999.

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, 2000.

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

35 ..... \$ 600,000

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, 2000,  
 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, 1999, and ending  
 15 June 30, 2000, 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, 1999, and ending June 30, 2000,  
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 .....	\$	2,623,170
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, 1999, and ending June 30, 2000, 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 to be allocated as follows:

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

25 .....	\$	28,474,916
26 .....	FTEs	502.00

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

33 .....	\$	22,918,926
34 .....	FTEs	394.25

35 Moneys are provided within this appropriation for two full-

1 time substance abuse counselors for the Luster Heights  
2 facility, for the purpose of certification of a substance  
3 abuse program at that facility.

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

8 ..... \$ 19,149,907  
9 ..... FTEs 338.80

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

14 ..... \$ 21,278,797  
15 ..... FTEs 380.58

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

22 ..... \$ 18,617,623  
23 ..... FTEs 329.26

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

28 ..... \$ 6,268,795  
29 ..... FTEs 117.00

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

34 ..... \$ 16,919,414  
35 ..... FTEs 286.90

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

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

10 .....	\$ 7,716,593
11 .....	FTEs 151.25

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

16 .....	\$ 16,470,414
17 .....	FTEs 287.00

18 2. a. If the inmate tort claim fund for inmate claims of  
19 less than \$100 is exhausted during the fiscal year, sufficient  
20 funds shall be transferred from the institutional budgets to  
21 pay approved tort claims for the balance of the fiscal year.  
22 The warden or superintendent of each institution or  
23 correctional facility shall designate an employee to receive,  
24 investigate, and recommend whether to pay any properly filed  
25 inmate tort claim for less than the above amount. The  
26 designee's recommendation shall be approved or denied by the  
27 warden or superintendent and forwarded to the department of  
28 corrections for final approval and payment. The amounts  
29 appropriated to this fund pursuant to 1987 Iowa Acts, chapter  
30 234, section 304, subsection 2, are not subject to reversion  
31 under section 8.33.

32 b. Tort claims denied at the institution shall be  
33 forwarded to the state appeal board for their consideration as  
34 if originally filed with that body. This procedure shall be  
35 used in lieu of chapter 669 for inmate tort claims of less



1 than \$100.

2 3. It is the intent of the general assembly that the  
3 department of corrections shall timely fill correctional  
4 positions authorized for correctional facilities pursuant to  
5 this section.

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

7 There is appropriated from the general fund of the state to  
8 the department of corrections for the fiscal year beginning  
9 July 1, 1999, and ending June 30, 2000, the following amounts,  
10 or so much thereof as is necessary, to be used for the  
11 purposes designated:

12 1. For general administration, including salaries,  
13 support, maintenance, employment of an education director and  
14 clerk to administer a centralized education program for the  
15 correctional system, miscellaneous purposes, and for not more  
16 than the following full-time equivalent positions:

17 .....	\$	2,226,916
18 .....	FTEs	37.18

19 The department shall monitor the use of the classification  
20 model by the judicial district departments of correctional  
21 services and has the authority to override a district  
22 department's decision regarding classification of community-  
23 based clients. The department shall notify a district  
24 department of the reasons for the override.

25 It is the intent of the general assembly that as a  
26 condition of receiving the appropriation provided in this  
27 subsection, the department of corrections shall not enter into  
28 a new contract, unless the contract is a renewal of an  
29 existing contract, for the expenditure of moneys in excess of  
30 \$100,000 during the fiscal year beginning July 1, 1999, for  
31 the privatization of services performed by the department  
32 using state employees as of July 1, 1999, or for the  
33 privatization of new services by the department, without prior  
34 consultation with any applicable state employee organization  
35 affected by the proposed new contract and prior notification

1 of the co-chairpersons and ranking members of the joint  
2 appropriations subcommittee on the justice system.

3 The department of general services shall, notwithstanding  
4 any provisions of law or rule to the contrary, permit the  
5 department of corrections the opportunity to acquire, at no  
6 cost, computers that would otherwise be disposed of by the  
7 department of general services. The department of corrections  
8 shall use computers acquired under this paragraph to provide  
9 educational training and programs for inmates.

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

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

29 2. For reimbursement of counties for temporary confinement  
30 of work release and parole violators, as provided in sections  
31 901.7, 904.908, and 906.17 and for offenders confined pursuant  
32 to section 904.513:

33 ..... \$ 524,038

34 3. For federal prison reimbursement, reimbursements for  
35 out-of-state placements, and miscellaneous contracts:

1 ..... \$ 341,334

2 The department of corrections shall use funds appropriated  
3 in this subsection to continue to contract for the services of  
4 a Muslim imam.

5 4. For salaries, support, maintenance, miscellaneous  
6 purposes, and for not more than the following full-time  
7 equivalent positions at the correctional training center at  
8 Mt. Pleasant:

9 ..... \$ 486,847

10 ..... FTEs 8.16

11 5. For hormonal treatment for sex offenders:

12 ..... \$ 500,000

13 6. For annual payment relating to the financial  
14 arrangement for the construction of expansion in prison  
15 capacity as provided in 1990 Iowa Acts, chapter 1257, section  
16 24:

17 ..... \$ 3,185,265

18 7. For educational programs for inmates at state penal  
19 institutions:

20 ..... \$ 2,950,600

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

31 To maximize the funding for educational programs, the  
32 department shall establish guidelines and procedures to  
33 prioritize the availability of educational and vocational  
34 training for inmates based upon the goal of facilitating an  
35 inmate's successful release from the correctional institution.

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

6 8. For educational programs for inmates at the  
7 Mitchellville correctional facility:

8 ..... \$ 12,000

9 It is the intent of the general assembly that moneys  
10 appropriated in this subsection shall be in addition to any  
11 moneys that would be allocated to the Mitchellville  
12 correctional facility for educational programs pursuant to the  
13 formula established by the department of corrections for  
14 distribution of moneys appropriated in subsection 7.

15 9. The department of corrections shall submit a report to  
16 the general assembly on January 1, 2000, concerning progress  
17 made in implementing the requirements of section 904.701,  
18 concerning hard labor by inmates.

19 10. The department of corrections shall study and consider  
20 the implementation of a computer database to provide inmate  
21 case management and offender profiling to better identify,  
22 track, and assist inmates of the correctional institutions.

23 11. It is the intent of the general assembly that the  
24 department of corrections shall continue to operate the  
25 correctional farms under the control of the department at the  
26 same or greater level of participation and involvement as  
27 existed as of January 1, 1999, and shall further attempt to  
28 provide meaningful job opportunities at the farms for inmates.

29 12. The department of corrections shall submit a report to  
30 the general assembly by January 1, 2000, concerning moneys  
31 deposited in, and expended from, each inmate telephone rebate  
32 fund established by a correctional institution pursuant to  
33 section 904.508A, during the fiscal year beginning July 1,  
34 1998. In addition, each correctional institution that has  
35 established an inmate telephone rebate fund shall continue to

1 submit a report to the legislative fiscal bureau on a  
2 quarterly basis concerning the moneys deposited in the fund  
3 and expended from the fund during the previous calendar  
4 quarter.

5 13. The department of corrections shall submit a report to  
6 the general assembly by January 1, 2000, concerning moneys  
7 recouped from inmate earnings for the reimbursement of  
8 operational expenses of the applicable facility during the  
9 fiscal year beginning July 1, 1998, for each correctional  
10 institution and judicial district department of correctional  
11 services. In addition, each correctional institution and  
12 judicial district department of correctional services shall  
13 continue to submit a report to each member of the joint  
14 appropriations subcommittee on the justice system and the  
15 legislative fiscal bureau on a monthly basis concerning moneys  
16 recouped from inmate earnings for the reimbursement of  
17 operational expenses for each correctional institution and  
18 district department during the previous calendar month.

19 Sec. 6. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL  
20 SERVICES.

21 1. There is appropriated from the general fund of the  
22 state to the department of corrections for the fiscal year  
23 beginning July 1, 1999, and ending June 30, 2000, the  
24 following amounts, or so much thereof as is necessary, to be  
25 allocated as follows:

26 a. For the first 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 ..... \$ 7,742,472

32 (1) The district department shall continue the intensive  
33 supervision program established within the district in 1988  
34 Iowa Acts, chapter 1271, section 6, subsection 1, paragraph  
35 "a", and the sex offender treatment program established within

1 the district in 1989 Iowa Acts, chapter 316, section 8,  
2 subsection 1, paragraph "a".

3 (2) The district department, in cooperation with the chief  
4 judge of the judicial district, shall continue the  
5 implementation of a plan to divert low-risk offenders to the  
6 least restrictive sanction available.

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

12 ..... \$ 6,158,059

13 (1) The district department shall continue the sex  
14 offender treatment program established within the district in  
15 1988 Iowa Acts, chapter 1271, section 6, subsection 1,  
16 paragraph "b".

17 (2) The district department, in cooperation with the chief  
18 judge of the judicial district, shall continue the  
19 implementation of a plan to divert low-risk offenders to the  
20 least restrictive sanction available.

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

26 ..... \$ 3,742,296

27 (1) The district department shall continue the sex  
28 offender treatment program established within the district in  
29 1988 Iowa Acts, chapter 1271, section 6, subsection 1,  
30 paragraph "c", and the intensive supervision program  
31 established within the district in 1990 Iowa Acts, chapter  
32 1268, section 6, subsection 3, paragraph "d".

33 (2) The district department, in cooperation with the chief  
34 judge of the judicial district, shall continue the  
35 implementation of a plan to divert low-risk offenders to the

1 least restrictive sanction available.

2 d. For the fourth 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 ..... \$ 2,861,255

8 (1) The district department shall continue the sex  
9 offender treatment program established within the district in  
10 1988 Iowa Acts, chapter 1271, section 6, subsection 1,  
11 paragraph "d".

12 (2) The district department, in cooperation with the chief  
13 judge of the judicial district, shall continue the  
14 implementation of a plan to divert low-risk offenders to the  
15 least restrictive sanction available.

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

21 ..... \$ 10,864,091

22 (1) The district department shall continue the intensive  
23 supervision program established within the district in 1988  
24 Iowa Acts, chapter 1271, section 6, subsection 1, paragraph  
25 "e", and shall continue to provide for the rental of  
26 electronic monitoring equipment.

27 (2) The district department, in cooperation with the chief  
28 judge of the judicial district, shall continue the  
29 implementation of a plan to divert low-risk offenders to the  
30 least restrictive sanction available.

31 f. For the sixth 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 ..... \$ 7,981,974

2 (1) The district department shall continue the intensive  
3 supervision program established within the district in 1988  
4 Iowa Acts, chapter 1271, section 6, subsection 1, paragraph  
5 "f", and the sex offender treatment program established within  
6 the district in 1989 Iowa Acts, chapter 316, section 8,  
7 subsection 1, paragraph "f".

8 (2) The district department, in cooperation with the chief  
9 judge of the judicial district, shall continue the  
10 implementation of a plan to divert low-risk offenders to the  
11 least restrictive sanction available.

12 (3) The district department shall continue the  
13 implementation of a plan providing for the expanded use of  
14 intermediate criminal sanctions, as provided in 1993 Iowa  
15 Acts, chapter 171, section 6, subsection 1, paragraph "f",  
16 subparagraph (3).

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

22 ..... \$ 4,931,035

23 (1) The district department shall continue the intensive  
24 supervision program established within the district in 1988  
25 Iowa Acts, chapter 1271, section 6, subsection 1, paragraph  
26 "g", and shall continue the sex offender treatment program  
27 established within the district in 1989 Iowa Acts, chapter  
28 316, section 8, subsection 1, paragraph "g".

29 (2) The district department shall continue the job  
30 development program established within the district in 1990  
31 Iowa Acts, chapter 1268, section 6, subsection 7, paragraph  
32 "e".

33 (3) The district department, in cooperation with the chief  
34 judge of the judicial district, shall continue the  
35 implementation of a plan to divert low-risk offenders to the



1 least restrictive sanction available.

2 h. For the eighth 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 ..... \$ 4,551,656

8 (1) The district department shall continue the intensive  
9 supervision program established within the district in 1988  
10 Iowa Acts, chapter 1271, section 6, subsection 1, paragraph  
11 "h", and shall continue the sex offender treatment program  
12 established within the district in 1989 Iowa Acts, chapter  
13 316, section 8, subsection 1, paragraph "h".

14 (2) The district department, in cooperation with the chief  
15 judge of the judicial district, shall continue the  
16 implementation of a plan to divert low-risk offenders to the  
17 least restrictive sanction available.

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

22 ..... \$ 83,576

23 2. The department of corrections shall continue to  
24 contract with a judicial district department of correctional  
25 services to provide for the rental of electronic monitoring  
26 equipment which shall be available statewide.

27 3. Each judicial district department of correctional  
28 services and the department of corrections shall continue the  
29 treatment alternatives to street crime programs established in  
30 1989 Iowa Acts, chapter 225, section 9.

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

1 5. Each judicial district department of correctional  
2 services shall provide a report concerning the treatment and  
3 supervision of probation and parole violators who have been  
4 released from the department of corrections violator program,  
5 to the co-chairpersons and ranking members of the joint  
6 appropriations subcommittee on the justice system and the  
7 legislative fiscal bureau, on or before January 15, 2000.

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

16 7. Each judicial district department of correctional  
17 services shall submit a report to the general assembly by  
18 January 8, 2000, concerning what action, if any, the district  
19 department has taken in order to implement, or not implement,  
20 an intermediate criminal sanctions program as provided by  
21 section 901B.1. If the district department has implemented  
22 such a program, the report shall include information as to the  
23 effectiveness of the program.

24 **Sec. 7. CORRECTIONAL INSTITUTIONS -- VOCATIONAL TRAINING.**

25 1. The state prison industries board and the department of  
26 corrections shall continue the implementation of a plan to  
27 enhance vocational training opportunities within the  
28 correctional institutions listed in section 904.102, as  
29 provided in 1993 Iowa Acts, chapter 171, section 12. The plan  
30 shall provide for increased vocational training opportunities  
31 within the correctional institutions, including the  
32 possibility of approving community college credit for inmates  
33 working in prison industries. The department of corrections  
34 shall provide a report concerning the implementation of the  
35 plan to the co-chairpersons and ranking members of the joint

1 appropriations subcommittee on the justice system and the  
2 legislative fiscal bureau, on or before January 15, 2000.

3 2. It is the intent of the general assembly that each  
4 correctional facility make all reasonable efforts to maintain  
5 vocational education programs for inmates and to identify  
6 available funding sources to continue these programs. The  
7 department of corrections shall submit a report to the general  
8 assembly by January 1, 2000, concerning the efforts made by  
9 each correctional facility in maintaining vocational education  
10 programs for inmates.

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

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

20 2. State agencies are hereby encouraged to purchase  
21 products from Iowa state industries, as defined in section  
22 904.802, when purchases are required and the products are  
23 available from Iowa state industries.

24 3. State agencies shall submit to the legislative fiscal  
25 bureau by January 15, 2000, a report of the dollar value of  
26 products and services purchased from Iowa state industries by  
27 the state agency during the fiscal year beginning July 1,  
28 1998, and ending June 30, 1999.

29 Sec. 9. STATE PUBLIC DEFENDER. There is appropriated from  
30 the general fund of the state to the office of the state  
31 public defender of the department of inspections and appeals  
32 for the fiscal year beginning July 1, 1999, and ending June  
33 30, 2000, the following amount, or so much thereof as is  
34 necessary, for the purposes designated:

35 ..... \$ 34,001,565

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

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

6 ..... \$ 13,089,276

7 ..... FTEs 199.00

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

11 ..... \$ 20,912,289

12 Sec. 10. JUDICIAL BRANCH. There is appropriated from the  
13 general fund of the state to the judicial branch for the  
14 fiscal year beginning July 1, 1999, and ending June 30, 2000,  
15 the following amounts, or so much thereof as is necessary, to  
16 be used for the purposes designated:

17 1. For salaries of supreme court justices, appellate court  
18 judges, district court judges, district associate judges,  
19 judicial magistrates and staff, state court administrator,  
20 clerk of the supreme court, district court administrators,  
21 clerks of the district court, juvenile court officers, board  
22 of law examiners and board of examiners of shorthand reporters  
23 and judicial qualifications commission, receipt and  
24 disbursement of child support payments, reimbursement of the  
25 auditor of state for expenses incurred in completing audits of  
26 the offices of the clerks of the district court during the  
27 fiscal year beginning July 1, 1999, and maintenance,  
28 equipment, and miscellaneous purposes:

29 ..... \$103,196,690

30 a. The judicial branch, except for purposes of internal  
31 processing, shall use the current state budget system, the  
32 state payroll system, and the Iowa finance and accounting  
33 system in administration of programs and payments for  
34 services, and shall not duplicate the state payroll,  
35 accounting, and budgeting systems.

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

10 c. Of the funds appropriated in this subsection, not more  
 11 than \$1,897,728 may be transferred into the revolving fund  
 12 established pursuant to section 602.1302, subsection 3, to be  
 13 used for the payment of jury and witness fees and mileage.

14 d. The judicial branch shall focus efforts upon the  
 15 collection of delinquent fines, penalties, court costs, fees,  
 16 surcharges, or similar amounts.

17 e. It is the intent of the general assembly that the  
 18 offices of the clerks of the district court operate in all  
 19 ninety-nine counties and be accessible to the public as much  
 20 as is reasonably possible in order to address the relative  
 21 needs of the citizens of each county.

22 f. In addition to the requirements for transfers under  
 23 section 8.39, the judicial branch shall not change the  
 24 appropriations from the amounts appropriated to the branch in  
 25 this Act, unless notice of the revisions is given prior to  
 26 their effective date to the legislative fiscal bureau. The  
 27 notice shall include information on the branch's rationale for  
 28 making the changes and details concerning the work load and  
 29 performance measures upon which the changes are based.

30 g. The judicial branch shall provide a report semiannually  
 31 to the co-chairpersons and ranking members of the joint  
 32 appropriations subcommittee on the justice system and to the  
 33 legislative fiscal bureau specifying the amounts of fines,  
 34 surcharges, and court costs collected using the Iowa court  
 35 information system. The report shall demonstrate and specify

1 how the Iowa court information system is used to improve the  
2 collection process.

3 h. The judicial branch shall provide a report to the  
4 general assembly by January 1, 2000, concerning the amounts  
5 received and expended from the enhanced court collections fund  
6 created in section 602.1304 and the court technology and  
7 modernization fund created in section 602.8108, subsection 4,  
8 during the fiscal year beginning July 1, 1998, and ending June  
9 30, 1999, and the plans for expenditures from each fund during  
10 the fiscal year beginning July 1, 1999, and ending June 30,  
11 2000.

12 2. For the juvenile victim restitution program:

13 ..... \$ 183,471

14 Sec. 11. ENHANCED COURT COLLECTIONS FUND. Notwithstanding  
15 section 602.1304, subsection 2, for the fiscal year beginning  
16 July 1, 1999, and ending June 30, 2000, the maximum deposit  
17 amount for the enhanced court collections fund shall be  
18 \$6,000,000. For succeeding fiscal years, the maximum deposit  
19 amount shall be determined in accordance with section  
20 602.1304, subsection 2, and the maximum deposit amount shall  
21 not be increased due to the increase made in this section.

22 Sec. 12. JUDICIAL RETIREMENT FUND. There is appropriated  
23 from the general fund of the state to the judicial retirement  
24 fund for the fiscal year beginning July 1, 1999, and ending  
25 June 30, 2000, the following amount, or so much thereof as is  
26 necessary, to be used for the purpose designated:

27 For the state's contribution to the judicial retirement  
28 fund established in section 602.9104, in the amount of 23.7  
29 percent of the basic salaries of the judges covered under  
30 chapter 602, article 9:

31 ..... \$ 3,944,059

32 Sec. 13. INDIGENT DEFENSE COSTS. The supreme court shall  
33 submit a written report for the preceding fiscal year no later  
34 than January 1, 2000, indicating the amounts collected  
35 pursuant to section 815.9A, relating to recovery of indigent

1 defense costs. The report shall include the total amount  
 2 collected by all courts, as well as the amounts collected by  
 3 each judicial district. The supreme court shall also submit a  
 4 written report quarterly indicating the number of criminal and  
 5 juvenile filings which occur in each judicial district for  
 6 purposes of estimating indigent defense costs. A copy of each  
 7 report shall be provided to the public defender, the  
 8 department of management, and the legislative fiscal bureau.  
 9 The judicial branch shall continue to assist in the  
 10 development of an automated data system for use in the sharing  
 11 of information utilizing the generic program interface for  
 12 legislative and executive branch uses.

13 Sec. 14. AUTOMATED DATA SYSTEM. The department of  
 14 corrections, judicial district departments of correctional  
 15 services, board of parole, and the judicial branch shall  
 16 continue to develop an automated data system for use in the  
 17 sharing of information between the department of corrections,  
 18 judicial district departments of correctional services, board  
 19 of parole, and the judicial branch. The information to be  
 20 shared shall concern any individual who may, as the result of  
 21 an arrest or infraction of any law, be subject to the  
 22 jurisdiction of the department of corrections, judicial  
 23 district departments of correctional services, or board of  
 24 parole. The department of corrections, in consultation and  
 25 cooperation with the judicial district departments of  
 26 correctional services, the board of parole, and the judicial  
 27 branch, shall provide a report concerning the development of  
 28 the automated data system to the co-chairpersons and ranking  
 29 members of the joint appropriations subcommittee on the  
 30 justice system and the legislative fiscal bureau, on or before  
 31 January 15, 2000.

32 Sec. 15. IOWA LAW ENFORCEMENT ACADEMY. There is  
 33 appropriated from the general fund of the state to the Iowa  
 34 law enforcement academy for the fiscal year beginning July 1,  
 35 1999, and ending June 30, 2000, the following amounts, or so

1 much thereof as is necessary, to be used for the purposes  
2 designated:

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

7 ..... \$ 1,249,629  
8 ..... FTEs 30.55

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

13 2. For salaries, support, maintenance, and miscellaneous  
14 purposes to provide statewide coordination of the drug abuse  
15 resistance education (D.A.R.E.) program:

16 ..... \$ 80,000

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

30 Sec. 16. BOARD OF PAROLE. There is appropriated from the  
31 general fund of the state to the board of parole for the  
32 fiscal year beginning July 1, 1999, and ending June 30, 2000,  
33 the following amount, or so much thereof as is necessary, to  
34 be used for the purposes designated:

35 For salaries, support, maintenance, including maintenance



1 of an automated docket and the board's automated risk  
 2 assessment model, employment of two statistical research  
 3 analysts to assist with the application of the risk assessment  
 4 model in the parole decision-making process, miscellaneous  
 5 purposes, and for not more than the following full-time  
 6 equivalent positions:

7 ..... \$ 1,018,547  
 8 ..... FTEs 18.00

9 A portion of the funds appropriated in this section shall  
 10 be used to continue a pilot program for probation violations  
 11 in the sixth judicial district department of correctional  
 12 services. Data shall be maintained to evaluate the pilot  
 13 program.

14 Sec. 17. DEPARTMENT OF PUBLIC DEFENSE. There is  
 15 appropriated from the general fund of the state to the  
 16 department of public defense for the fiscal year beginning  
 17 July 1, 1999, and ending June 30, 2000, the following amounts,  
 18 or so much thereof as is necessary, to be used for the  
 19 purposes designated:

20 1. MILITARY DIVISION

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

24 ..... \$ 4,544,320  
 25 ..... FTEs 224.76

26 If there is a surplus in the general fund of the state for  
 27 the fiscal year ending June 30, 2000, within 60 days after the  
 28 close of the fiscal year, the military division may incur up  
 29 to an additional \$500,000 in expenditures from the surplus  
 30 prior to transfer of the surplus pursuant to section 8.57.

31 2. EMERGENCY MANAGEMENT DIVISION

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

35 ..... \$ 627,836

1 ..... FTEs 25.25

2 In the event that the state and local assistance program  
3 under the federal emergency management agency requires  
4 additional matching state funds for participation by the  
5 state, the department of management shall transfer to the  
6 department of public defense, emergency management division,  
7 in accordance with section 8.39, sufficient funds to meet the  
8 additional matching funds requirement.

9 Sec. 18. DEPARTMENT OF PUBLIC SAFETY. There is  
10 appropriated from the general fund of the state to the  
11 department of public safety for the fiscal year beginning July  
12 1, 1999, and ending June 30, 2000, the following amounts, or  
13 so much thereof as is necessary, to be used for the purposes  
14 designated:

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

18 ..... \$ 2,474,051  
19 ..... FTEs 38.80

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

27 ..... \$ 11,759,610  
28 ..... FTEs 227.50

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

34 The department of public safety, with the approval of the  
35 department of management, may employ no more than two special

1 agents and four gaming enforcement officers for each  
 2 additional riverboat regulated after July 1, 1999, and one  
 3 special agent for each racing facility which becomes  
 4 operational during the fiscal year which begins July 1, 1999.  
 5 One additional gaming enforcement officer, up to a total of  
 6 four per boat, may be employed for each riverboat that has  
 7 extended operations to 24 hours and has not previously  
 8 operated with a 24-hour schedule. Positions authorized in  
 9 this paragraph are in addition to the full-time equivalent  
 10 positions authorized in this subsection.

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

18 .....	\$	2,845,587
19 .....	FTEs	48.00

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

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

29 .....	\$	1,606,121
30 .....	FTEs	31.80

31 5. For the capitol security division, including the  
 32 state's contribution to the peace officers' retirement,  
 33 accident, and disability system provided in chapter 97A in the  
 34 amount of 17 percent of the salaries for which the funds are  
 35 appropriated and for not more than the following full-time

1 equivalent positions:

2 ..... \$ 1,307,615

3 ..... FTEs 27.00

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

12 ..... \$ 27,694,628

13 ..... FTEs 574.25

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

16 ..... \$ 244,930

17 8. An employee of the department of public safety who  
18 retires after July 1, 1999, but prior to June 30, 2000, is  
19 eligible for payment of life or health insurance premiums as  
20 provided for in the collective bargaining agreement covering  
21 the public safety bargaining unit at the time of retirement if  
22 that employee previously served in a position which would have  
23 been covered by the agreement. The employee shall be given  
24 credit for the service in that prior position as though it  
25 were covered by that agreement. The provisions of this  
26 subsection shall not operate to reduce any retirement benefits  
27 an employee may have earned under other collective bargaining  
28 agreements or retirement programs.

29 9. For costs associated with the training and equipment  
30 needs of volunteer fire fighters and for not more than the  
31 following full-time equivalent positions:

32 ..... \$ 709,405

33 ..... FTEs .50

34 Notwithstanding section 8.33, moneys appropriated in this  
35 subsection that remain unobligated or unexpended at the close

1 of the fiscal year shall not revert but shall remain available  
2 for expenditure only for the purpose designated in this  
3 subsection until the close of the succeeding fiscal year.

4 10. For the state medical examiner and for not more than  
5 the following full-time equivalent positions:

6 .....	\$	357,036
7 .....	FTEs	4.00

8 Any fees collected by the department of public safety for  
9 autopsies performed by the office of the state medical  
10 examiner shall be deposited in the general fund of the state.

11 Sec. 19. 1995 Iowa Acts, chapter 220, section 20,  
12 subsection 4, is amended by striking the subsection.

13 Sec. 20. Section 423.24, subsection 2, Code 1999, is  
14 amended to read as follows:

15 2. Notwithstanding any other provision of this section  
16 that provides that all revenue derived from the use tax on  
17 motor vehicles, trailers, and motor vehicle accessories and  
18 equipment as collected pursuant to section 423.7 shall be  
19 deposited and credited to the road use tax fund, twenty  
20 percent of the revenues shall be credited and deposited as  
21 follows: one-half to the road use tax fund and one-half to  
22 the primary road fund to be used for the commercial and  
23 industrial highway network, ~~except to the extent that the~~  
24 ~~department directs that moneys are deposited in the highway~~  
25 ~~safety patrol fund created in section 80.41 to fund the~~  
26 ~~appropriations made from the highway safety patrol fund in~~  
27 ~~accordance with the provisions of section 80.41. The~~  
28 ~~department shall determine the amount of moneys to be credited~~  
29 ~~under this subsection to the highway safety patrol fund and~~  
30 ~~shall deposit that amount into the highway safety patrol fund.~~

31 Sec. 21. Section 80.41, Code 1999, is repealed.

32 Sec. 22. EFFECTIVE DATES. Section 1, subsections 3 and 4,  
33 of this Act, relating to Iowa competition law or antitrust  
34 actions and to civil consumer fraud actions, being deemed of  
35 immediate importance, take effect upon enactment.

EXPLANATION

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This bill makes appropriations for the 1999-2000 fiscal year to the departments of justice, corrections, public defense, and public safety, and judicial branch, Iowa law enforcement academy, office of public defender, and board of parole.

The bill also repeals the highway safety patrol fund and its use as a mechanism to fund the Iowa state patrol.

4/5/99 Placed on Unfinished Business Calendar

REPRINTED

FILED APR 5 1999

SENATE FILE 468  
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 1205)

Passed Senate, Date 4/6/99 (P. 970) Passed House, Date 4/19/99 (P. 1438)  
Vote: Ayes 49 Nays 0 Vote: Ayes 55 Nays 43  
Approved Item Vetoed 5/21/99

A BILL FOR

1 An Act relating to and making appropriations to the justice  
2 system and providing effective dates.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 468

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, 1999, and ending  
4 June 30, 2000, 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 .....	\$	8,267,153
11 .....	FTEs	191.50

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 .....	\$	298,825
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, 1999, and ending June 30, 2000, 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, 1999, and ending June 30, 2000, 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 ..... \$ 1,809,806

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 ..... \$ 128,302  
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 17.00 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, 2000,  
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, 1998, and actual and expected reimbursements for the  
24 fiscal year commencing July 1, 1999.

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, 2000.

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

35 ..... \$ 900,000

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, 2000,  
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, 1999, and ending  
15 June 30, 2000, 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, 1999, and ending June 30, 2000,  
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 .....	\$ 2,623,170
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, 1999, and ending June 30, 2000, 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 to be allocated as follows:

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

25 .....	\$ 28,452,291
26 .....	FTEs 502.00

27 b. For the operation of the Anamosa correctional facility,  
28 including salaries, support, maintenance, employment of  
29 correctional officers, miscellaneous purposes, and for not  
30 more than the following full-time equivalent positions:

31 .....	\$ 23,100,584
32 .....	FTEs 394.25

33 c. For the operation of the Oakdale correctional facility,  
34 including salaries, support, maintenance, employment of  
35 correctional officers, miscellaneous purposes, and for not

1 more than the following full-time equivalent positions:

2 ..... \$ 19,753,532

3 ..... FTEs 339.80

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

8 ..... \$ 22,034,314

9 ..... FTEs 395.25

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

14 ..... \$ 19,455,397

15 ..... FTEs 344.26

16 f. For the operation of the Rockwell City correctional  
17 facility, including salaries, support, maintenance, employment  
18 of correctional officers, miscellaneous purposes, and for not  
19 more than the following full-time equivalent positions:

20 ..... \$ 6,699,684

21 ..... FTEs 121.00

22 g. For the operation of the Clarinda 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 ..... \$ 17,307,336

27 ..... FTEs 285.90

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

33 h. For the operation of the Mitchellville correctional  
34 facility, including salaries, support, maintenance, employment  
35 of correctional officers, miscellaneous purposes, and for not

1 more than the following full-time equivalent positions:

2 ..... \$ 9,838,647

3 ..... FTEs 198.96

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

8 ..... \$ 21,508,475

9 ..... FTEs 371.88

10 2. a. If the inmate tort claim fund for inmate claims of  
11 less than \$100 is exhausted during the fiscal year, sufficient  
12 funds shall be transferred from the institutional budgets to  
13 pay approved tort claims for the balance of the fiscal year.  
14 The warden or superintendent of each institution or  
15 correctional facility shall designate an employee to receive,  
16 investigate, and recommend whether to pay any properly filed  
17 inmate tort claim for less than the above amount. The  
18 designee's recommendation shall be approved or denied by the  
19 warden or superintendent and forwarded to the department of  
20 corrections for final approval and payment. The amounts  
21 appropriated to this fund pursuant to 1987 Iowa Acts, chapter  
22 234, section 304, subsection 2, are not subject to reversion  
23 under section 8.33.

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

29 3. It is the intent of the general assembly that the  
30 department of corrections shall timely fill correctional  
31 positions authorized for correctional facilities pursuant to  
32 this section.

33 Sec. 5. DEPARTMENT OF CORRECTIONS -- ADMINISTRATION.  
34 There is appropriated from the general fund of the state to  
35 the department of corrections for the fiscal year beginning

1 July 1, 1999, and ending June 30, 2000, the following amounts,  
2 or so much thereof as is necessary, to be used for the  
3 purposes designated:

4 1. For general administration, including salaries,  
5 support, maintenance, employment of an education director and  
6 clerk to administer a centralized education program for the  
7 correctional system, miscellaneous purposes, and for not more  
8 than the following full-time equivalent positions:

9 .....	\$	4,416,566
10 .....	FTEs	37.18

11 The department shall monitor the use of the classification  
12 model by the judicial district departments of correctional  
13 services and has the authority to override a district  
14 department's decision regarding classification of community-  
15 based clients. The department shall notify a district  
16 department of the reasons for the override.

17 It is the intent of the general assembly that as a  
18 condition of receiving the appropriation provided in this  
19 subsection, the department of corrections shall not enter into  
20 a new contract, unless the contract is a renewal of an  
21 existing contract, for the expenditure of moneys in excess of  
22 \$100,000 during the fiscal year beginning July 1, 1999, for  
23 the privatization of services performed by the department  
24 using state employees as of July 1, 1999, or for the  
25 privatization of new services by the department, without prior  
26 consultation with any applicable state employee organization  
27 affected by the proposed new contract and prior notification  
28 of the co-chairpersons and ranking members of the joint  
29 appropriations subcommittee on the justice system.

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

1 election to public office in this state and that a violation  
2 of this requirement shall result in a termination of the lease  
3 agreement.

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

14 2. For reimbursement of counties for temporary confinement  
15 of work release and parole violators, as provided in sections  
16 901.7, 904.908, and 906.17 and for offenders confined pursuant  
17 to section 904.513:

18 ..... \$ 524,038

19 3. For federal prison reimbursement, reimbursements for  
20 out-of-state placements, and miscellaneous contracts:

21 ..... \$ 341,334

22 The department of corrections shall use funds appropriated  
23 in this subsection to continue to contract for the services of  
24 a Muslim imam.

25 4. For salaries, support, maintenance, miscellaneous  
26 purposes, and for not more than the following full-time  
27 equivalent positions at the correctional training center at  
28 Mt. Pleasant:

29 ..... \$ 538,847

30 ..... FTEs 9.07

31 5. For annual payment relating to the financial  
32 arrangement for the construction of expansion in prison  
33 capacity as provided in 1990 Iowa Acts, chapter 1257, section  
34 24:

35 ..... \$ 3,180,815



1 6. For educational programs for inmates at state penal  
2 institutions:

3 ..... \$ 3,275,600

4 It is the intent of the general assembly that moneys  
5 appropriated in this subsection shall be used solely for the  
6 purpose indicated and that the moneys shall not be transferred  
7 for any other purpose.

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

13 7. For educational programs for inmates at the  
14 Mitchellville correctional facility:

15 ..... \$ 12,000

16 8. The department of corrections shall submit a report to  
17 the general assembly on January 1, 2000, concerning progress  
18 made in implementing the requirements of section 904.701,  
19 concerning hard labor by inmates.

20 9. It is the intent of the general assembly that the  
21 department of corrections shall continue to operate the  
22 correctional farms under the control of the department at the  
23 same or greater level of participation and involvement as  
24 existed as of January 1, 1999, and shall further attempt to  
25 provide meaningful job opportunities at the farms for inmates.

26 10. The department of corrections shall submit a report to  
27 the general assembly by January 1, 2000, concerning moneys  
28 deposited in, and expended from, each inmate telephone rebate  
29 fund established by a correctional institution pursuant to  
30 section 904.508A, during the fiscal year beginning July 1,  
31 1998. In addition, each correctional institution that has  
32 established an inmate telephone rebate fund shall continue to  
33 submit a report to the legislative fiscal bureau on a  
34 quarterly basis concerning the moneys deposited in the fund  
35 and expended from the fund during the previous calendar

1 quarter.

2 11. The department of corrections shall submit a report to  
3 the general assembly by January 1, 2000, concerning moneys  
4 recouped from inmate earnings for the reimbursement of  
5 operational expenses of the applicable facility during the  
6 fiscal year beginning July 1, 1998, for each correctional  
7 institution and judicial district department of correctional  
8 services. In addition, each correctional institution and  
9 judicial district department of correctional services shall  
10 continue to submit a report to each member of the joint  
11 appropriations subcommittee on the justice system and the  
12 legislative fiscal bureau on a quarterly basis concerning  
13 moneys recouped from inmate earnings for the reimbursement of  
14 operational expenses for each correctional institution and  
15 district department during the previous calendar quarter.

16 Sec. 6. DEPARTMENT OF CORRECTIONS -- PRISON INFRASTRUCTURE  
17 FUND. Notwithstanding sections 8.33, 8.39, and 602.8108A, the  
18 department of corrections shall direct the treasurer of state  
19 to transfer on June 30, 1999, \$1,500,000 of the unused balance  
20 of moneys in the Iowa prison infrastructure fund created in  
21 section 602.8108A, to the department of corrections and the  
22 moneys transferred are appropriated to be used for the  
23 purposes designated:

- 24 1. For one-time start-up costs for equipment and
- 25 furnishings at the Iowa correctional institution for women:
- 26 ..... \$ 500,000
- 27 2. For one-time start-up costs for equipment and
- 28 furnishings at the Fort Dodge correctional facility:
- 29 ..... \$ 1,000,000

30 Sec. 7. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL  
31 SERVICES.

32 1. There is appropriated from the general fund of the  
33 state to the department of corrections for the fiscal year  
34 beginning July 1, 1999, and ending June 30, 2000, the  
35 following amounts, or so much thereof as is necessary, to be

1 allocated as follows:

2 a. For the first 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 ..... \$ 8,490,414

8 b. For the second 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 ..... \$ 6,732,350

14 c. For the third 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 ..... \$ 4,152,047

20 d. For the fourth 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 ..... \$ 3,090,797

26 e. For the fifth 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 ..... \$ 11,618,268

32 f. For the sixth 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 ..... \$ 8,795,925

3 g. For the seventh 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 ..... \$ 5,127,793

9 h. For the eighth 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 ..... \$ 5,020,701

15 i. For the department of corrections for the assistance  
16 and support of each judicial district department of  
17 correctional services, the following amount, or so much  
18 thereof as is necessary:

19 ..... \$ 83,576

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

26 3. The department of corrections shall continue to  
27 contract with a judicial district department of correctional  
28 services to provide for the rental of electronic monitoring  
29 equipment which shall be available statewide.

30 4. Each judicial district department of correctional  
31 services and the department of corrections shall continue the  
32 treatment alternatives to street crime programs established in  
33 1989 Iowa Acts, chapter 225, section 9.

34 5. The governor's alliance on substance abuse shall  
35 consider federal grants made to the department of corrections

1 for the benefit of each of the eight judicial district  
2 departments of correctional services as local government  
3 grants, as defined pursuant to federal regulations.

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

12 7. Each judicial district department of correctional  
13 services shall submit a report to the general assembly by  
14 January 8, 2000, concerning what action, if any, the district  
15 department has taken in order to implement, or not implement,  
16 an intermediate criminal sanctions program as provided by  
17 section 901B.1. If the district department has implemented  
18 such a program, the report shall include information as to the  
19 effectiveness of the program.

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

21 1. The state prison industries board and the department of  
22 corrections shall continue the implementation of a plan to  
23 enhance vocational training opportunities within the  
24 correctional institutions listed in section 904.102, as  
25 provided in 1993 Iowa Acts, chapter 171, section 12.

26 2. It is the intent of the general assembly that each  
27 correctional facility make all reasonable efforts to maintain  
28 vocational education programs for inmates and to identify  
29 available funding sources to continue these programs.

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

31 1. As used in this section, unless the context otherwise  
32 requires, "state agency" means the government of the state of  
33 Iowa, including but not limited to all executive departments,  
34 agencies, boards, bureaus, and commissions, the judicial  
35 branch, the general assembly and all legislative agencies,

1 institutions within the purview of the state board of regents,  
2 and any corporation whose primary function is to act as an  
3 instrumentality of the state.

4 2. State agencies are hereby encouraged to purchase  
5 products from Iowa state industries, as defined in section  
6 904.802, when purchases are required and the products are  
7 available from Iowa state industries.

8 3. State agencies shall submit to the legislative fiscal  
9 bureau by January 15, 2000, a report of the dollar value of  
10 products and services purchased from Iowa state industries by  
11 the state agency during the fiscal year beginning July 1,  
12 1998, and ending June 30, 1999.

13 Sec. 10. STATE PUBLIC DEFENDER. There is appropriated  
14 from the general fund of the state to the office of the state  
15 public defender of the department of inspections and appeals  
16 for the fiscal year beginning July 1, 1999, and ending June  
17 30, 2000, the following amount, or so much thereof as is  
18 necessary, for the purposes designated:

19 ..... \$ 34,301,565

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

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

25 ..... \$ 13,389,276

26 ..... FTEs 200.00

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

30 ..... \$ 20,912,289

31 Sec. 11. JUDICIAL BRANCH. There is appropriated from the  
32 general fund of the state to the judicial branch for the  
33 fiscal year beginning July 1, 1999, and ending June 30, 2000,  
34 the following amounts, or so much thereof as is necessary, to  
35 be used for the purposes designated:

1 1. For salaries of supreme court justices, appellate court  
2 judges, district court judges, district associate judges,  
3 judicial magistrates and staff, state court administrator,  
4 clerk of the supreme court, district court administrators,  
5 clerks of the district court, juvenile court officers, board  
6 of law examiners and board of examiners of shorthand reporters  
7 and judicial qualifications commission, receipt and  
8 disbursement of child support payments, reimbursement of the  
9 auditor of state for expenses incurred in completing audits of  
10 the offices of the clerks of the district court during the  
11 fiscal year beginning July 1, 1999, and maintenance,  
12 equipment, and miscellaneous purposes:

13 ..... \$105,098,011

14 a. The judicial branch, except for purposes of internal  
15 processing, shall use the current state budget system, the  
16 state payroll system, and the Iowa finance and accounting  
17 system in administration of programs and payments for  
18 services, and shall not duplicate the state payroll,  
19 accounting, and budgeting systems.

20 b. The judicial branch shall submit monthly financial  
21 statements to the legislative fiscal bureau and the department  
22 of management containing all appropriated accounts in the same  
23 manner as provided in the monthly financial status reports and  
24 personal services usage reports of the department of revenue  
25 and finance. The monthly financial statements shall include a  
26 comparison of the dollars and percentage spent of budgeted  
27 versus actual revenues and expenditures on a cumulative basis  
28 for full-time equivalent positions and dollars.

29 c. Of the funds appropriated in this subsection, not more  
30 than \$1,897,728 may be transferred into the revolving fund  
31 established pursuant to section 602.1302, subsection 3, to be  
32 used for the payment of jury and witness fees and mileage.

33 d. The judicial branch shall focus efforts upon the  
34 collection of delinquent fines, penalties, court costs, fees,  
35 surcharges, or similar amounts.

1 e. In addition to the requirements for transfers under  
2 section 8.39, the judicial branch shall not change the  
3 appropriations from the amounts appropriated to the branch in  
4 this Act, unless notice of the revisions is given prior to  
5 their effective date to the legislative fiscal bureau. The  
6 notice shall include information on the branch's rationale for  
7 making the changes and details concerning the work load and  
8 performance measures upon which the changes are based.

9 f. The judicial branch shall provide to the co-  
10 chairpersons and ranking members of the joint appropriations  
11 subcommittee on the justice system and to the legislative  
12 fiscal bureau by January 15, 2000, an annual report concerning  
13 the operation and use of the Iowa court information system and  
14 any recommendations to improve the utilization of the system.  
15 The annual report shall include information specifying the  
16 amounts of fines, surcharges, and court costs collected using  
17 the system and how the system is used to improve the  
18 collection process. The report shall also include information  
19 concerning efforts made by the judicial branch to facilitate  
20 the sharing of vital sentencing and other information with  
21 other state departments and governmental agencies involved in  
22 the criminal justice system through the Iowa court information  
23 system. In addition, the judicial branch shall submit a  
24 semiannual update to the co-chairpersons and ranking members  
25 specifying the amounts of fines, surcharges, and court costs  
26 collected using the Iowa court information system since the  
27 last report.

28 g. The judicial branch shall provide a report to the  
29 general assembly by January 1, 2000, concerning the amounts  
30 received and expended from the enhanced court collections fund  
31 created in section 602.1304 and the court technology and  
32 modernization fund created in section 602.8108, subsection 4,  
33 during the fiscal year beginning July 1, 1998, and ending June  
34 30, 1999, and the plans for expenditures from each fund during  
35 the fiscal year beginning July 1, 1999, and ending June 30,



1 2000.

2 h. Of the funds appropriated in this subsection, the  
3 judicial branch shall use not more than \$1,132,119 for an  
4 additional 3 district court judges, 3 district associate  
5 judges, 6 court reporters, and 4.5 court attendants. The  
6 additional district court judges and district associate judges  
7 shall be assigned, notwithstanding the provisions of section  
8 602.6301 to the contrary, as determined by the judicial  
9 branch.

10 2. For the juvenile victim restitution program:  
11 ..... \$ 210,291

12 Sec. 12. ENHANCED COURT COLLECTIONS FUND. Notwithstanding  
13 section 602.1304, subsection 2, for the fiscal year beginning  
14 July 1, 1999, and ending June 30, 2000, the maximum deposit  
15 amount for the enhanced court collections fund shall be  
16 \$5,000,000. For succeeding fiscal years, the maximum deposit  
17 amount shall be determined in accordance with section  
18 602.1304, subsection 2, and the maximum deposit amount shall  
19 not be increased due to the increase made in this section.

20 Sec. 13. JUDICIAL RETIREMENT FUND. There is appropriated  
21 from the general fund of the state to the judicial retirement  
22 fund for the fiscal year beginning July 1, 1999, and ending  
23 June 30, 2000, the following amount, or so much thereof as is  
24 necessary, to be used for the purpose designated:

25 For the state's contribution to the judicial retirement  
26 fund established in section 602.9104, in the amount of 23.7  
27 percent of the basic salaries of the judges covered under  
28 chapter 602, article 9:  
29 ..... \$ 4,202,697

30 Sec. 14. INDIGENT DEFENSE COSTS. The supreme court shall  
31 submit a written report for the preceding fiscal year no later  
32 than January 1, 2000, indicating the amounts collected  
33 pursuant to section 815.9A, relating to recovery of indigent  
34 defense costs. The report shall include the total amount  
35 collected by all courts, as well as the amounts collected by

1 each judicial district. The supreme court shall also submit a  
2 written report quarterly indicating the number of criminal and  
3 juvenile filings which occur in each judicial district for  
4 purposes of estimating indigent defense costs. A copy of each  
5 report shall be provided to the public defender, the  
6 department of management, and the legislative fiscal bureau.  
7 The judicial branch shall continue to assist in the  
8 development of an automated data system for use in the sharing  
9 of information utilizing the generic program interface for  
10 legislative and executive branch uses.

11 Sec. 15. IOWA CORRECTIONS OFFENDER NETWORK DATA SYSTEM.  
12 The department of corrections shall submit a report to the co-  
13 chairpersons and ranking members of the joint appropriations  
14 subcommittee on the justice system and the legislative fiscal  
15 bureau, on or before January 15, 2000, concerning the  
16 development and implementation of the Iowa corrections  
17 offender network (ICON) data system. The report shall include  
18 a description of the system and functions, a plan for  
19 implementation of the system, including a timeline, resource  
20 and staffing requirements for the system, and a current status  
21 and progress report concerning the implementation of the  
22 system. In addition, the report shall specifically address  
23 the ability of the system to receive and transmit data between  
24 prisons, community-based corrections district departments, the  
25 judicial branch, board of parole, the criminal and juvenile  
26 justice planning division of the department of human rights,  
27 the department of public safety, and other applicable  
28 governmental agencies. The report should include a detailed  
29 discussion of the cooperation with other state agencies and  
30 the judicial branch in the development and implementation of  
31 the system.

32 Sec. 16. IOWA LAW ENFORCEMENT ACADEMY. There is  
33 appropriated from the general fund of the state to the Iowa  
34 law enforcement academy for the fiscal year beginning July 1,  
35 1999, and ending June 30, 2000, the following amounts, or so

1 much thereof as is necessary, to be used for the purposes  
2 designated:

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

7 .....	\$	1,325,975
8 .....	FTEs	30.55

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

13 The Iowa law enforcement academy shall submit a report to  
14 the general assembly by January 8, 2000, concerning any  
15 efforts made to provide training concerning this issue to law  
16 enforcement personnel during the previous calendar year.

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

30 Sec. 17. BOARD OF PAROLE. There is appropriated from the  
31 general fund of the state to the board of parole for the  
32 fiscal year beginning July 1, 1999, and ending June 30, 2000,  
33 the following amount, or so much thereof as is necessary, to  
34 be used for the purposes designated:

35 For salaries, support, maintenance, including maintenance

1 of an automated docket and the board's automated risk  
2 assessment model, employment of two statistical research  
3 analysts to assist with the application of the risk assessment  
4 model in the parole decision-making process, miscellaneous  
5 purposes, and for not more than the following full-time  
6 equivalent positions:

7 ..... \$ 1,016,016  
8 ..... FTEs 18.00

9 A portion of the funds appropriated in this section shall  
10 be used to continue a pilot program for probation violations  
11 in the sixth judicial district department of correctional  
12 services. Data shall be maintained to evaluate the pilot  
13 program.

14 Sec. 18. DEPARTMENT OF PUBLIC DEFENSE. There is  
15 appropriated from the general fund of the state to the  
16 department of public defense for the fiscal year beginning  
17 July 1, 1999, and ending June 30, 2000, the following amounts,  
18 or so much thereof as is necessary, to be used for the  
19 purposes designated:

20 1. MILITARY DIVISION

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

24 ..... \$ 4,693,089  
25 ..... FTEs 224.76

26 If there is a surplus in the general fund of the state for  
27 the fiscal year ending June 30, 2000, within 60 days after the  
28 close of the fiscal year, the military division may incur up  
29 to an additional \$500,000 in expenditures from the surplus  
30 prior to transfer of the surplus pursuant to section 8.57.

31 2. EMERGENCY MANAGEMENT DIVISION

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

35 ..... \$ 897,909

1 ..... FTEs 25.25

2 In the event that the state and local assistance program  
3 under the federal emergency management agency requires  
4 additional matching state funds for participation by the  
5 state, the department of management shall transfer to the  
6 department of public defense, emergency management division,  
7 in accordance with section 8.39, sufficient funds to meet the  
8 additional matching funds requirement.

9 Sec. 19. DEPARTMENT OF PUBLIC SAFETY. There is  
10 appropriated from the general fund of the state to the  
11 department of public safety for the fiscal year beginning July  
12 1, 1999, and ending June 30, 2000, the following amounts, or  
13 so much thereof as is necessary, to be used for the purposes  
14 designated:

- 15 1. For the department's administrative functions,
- 16 including the criminal justice information system, and for not
- 17 more than the following full-time equivalent positions:
- 18 ..... \$ 2,472,219
- 19 ..... FTEs 38.80

- 20 2. For the division of criminal investigation and bureau
- 21 of identification including the state's contribution to the
- 22 peace officers' retirement, accident, and disability system
- 23 provided in chapter 97A in the amount of 17 percent of the
- 24 salaries for which the funds are appropriated, to meet federal
- 25 fund matching requirements, and for not more than the
- 26 following full-time equivalent positions:
- 27 ..... \$ 11,790,193
- 28 ..... FTEs 228.50

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

34 The department of public safety, with the approval of the  
35 department of management, may employ no more than two special

1 agents and four gaming enforcement officers for each  
2 additional riverboat regulated after July 1, 1999, and one  
3 special agent for each racing facility which becomes  
4 operational during the fiscal year which begins July 1, 1999.  
5 One additional gaming enforcement officer, up to a total of  
6 four per boat, may be employed for each riverboat that has  
7 extended operations to 24 hours and has not previously  
8 operated with a 24-hour schedule. Positions authorized in  
9 this paragraph are in addition to the full-time equivalent  
10 positions authorized in this subsection.

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

18 .....	\$	2,843,480
19 .....	FTEs	48.00

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

22 .....	\$	139,099
----------	----	---------

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

29 .....	\$	1,629,182
30 .....	FTEs	31.80

31 5. For the capitol security division, including the  
32 state's contribution to the peace officers' retirement,  
33 accident, and disability system provided in chapter 97A in the  
34 amount of 17 percent of the salaries for which the funds are  
35 appropriated and for not more than the following full-time

1 equivalent positions:

2 ..... \$ 1,307,147

3 ..... FTEs 27.00

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

12 ..... \$ 37,061,546

13 ..... FTEs 574.25

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

16 ..... \$ 244,930

17 8. An employee of the department of public safety who  
18 retires after July 1, 1999, but prior to June 30, 2000, is  
19 eligible for payment of life or health insurance premiums as  
20 provided for in the collective bargaining agreement covering  
21 the public safety bargaining unit at the time of retirement if  
22 that employee previously served in a position which would have  
23 been covered by the agreement. The employee shall be given  
24 credit for the service in that prior position as though it  
25 were covered by that agreement. The provisions of this  
26 subsection shall not operate to reduce any retirement benefits  
27 an employee may have earned under other collective bargaining  
28 agreements or retirement programs.

29 9. For costs associated with the training and equipment  
30 needs of volunteer fire fighters and for not more than the  
31 following full-time equivalent positions:

32 ..... \$ 709,405

33 ..... FTEs 1.00

34 Notwithstanding section 8.33, moneys appropriated in this  
35 subsection that remain unobligated or unexpended at the close

1 of the fiscal year shall not revert but shall remain available  
2 for expenditure only for the purpose designated in this  
3 subsection until the close of the succeeding fiscal year.

4 10. For the state medical examiner and for not more than  
5 the following full-time equivalent positions:

6 .....	\$	357,036
7 .....	FTEs	4.00

8 Any fees collected by the department of public safety, or  
9 the department of public health, if applicable, for autopsies  
10 performed by the office of the state medical examiner shall be  
11 deposited in the general fund of the state.

12 If 1999 Iowa Acts, Senate File 376, is enacted, the moneys  
13 appropriated in this subsection shall instead be appropriated  
14 as provided in that Act.

15 Sec. 20. Section 423.24, subsection 2, Code 1999, is  
16 amended to read as follows:

17 2. Notwithstanding any other provision of this section  
18 that provides that all revenue derived from the use tax on  
19 motor vehicles, trailers, and motor vehicle accessories and  
20 equipment as collected pursuant to section 423.7 shall be  
21 deposited and credited to the road use tax fund, twenty  
22 percent of the revenues shall be credited and deposited as  
23 follows: one-half to the road use tax fund and one-half to  
24 the primary road fund to be used for the commercial and  
25 industrial highway network, ~~except to the extent that the~~  
26 ~~department directs that moneys are deposited in the highway~~  
27 ~~safety patrol fund created in section 80.41 to fund the~~  
28 ~~appropriations made from the highway safety patrol fund in~~  
29 ~~accordance with the provisions of section 80.41. The~~  
30 ~~department shall determine the amount of moneys to be credited~~  
31 ~~under this subsection to the highway safety patrol fund and~~  
32 ~~shall deposit that amount into the highway safety patrol fund.~~

33 Sec. 21. Section 602.6201, subsection 10, Code 1999, is  
34 amended to read as follows:

35 10. Notwithstanding the formula for determining the number



1 of judgeships in this section, the number of district judges  
2 shall not exceed one hundred ~~twelve~~ fifteen during the period  
3 commencing July 1, ~~1997~~ 1999.

4 Sec. 22. 1995 Iowa Acts, chapter 220, section 20,  
5 subsection 4, is amended by striking the subsection.

6 Sec. 23. Section 80.41, Code 1999, is repealed.

7 Sec. 24. EFFECTIVE DATES. Section 1, subsections 3 and 4,  
8 of this Act, relating to Iowa competition law or antitrust  
9 actions and to civil consumer fraud actions, being deemed of  
10 immediate importance, take effect upon enactment.

11 EXPLANATION

12 This bill makes appropriations for the 1999-2000 fiscal  
13 year to the departments of justice, corrections, public  
14 defense, and public safety, and judicial branch, Iowa law  
15 enforcement academy, office of public defender, and board of  
16 parole.

17 The bill repeals the highway safety patrol fund and its use  
18 as a mechanism to fund the Iowa state patrol.

19 The bill amends Code section 602.6201, relating to  
20 apportionment of district judges, to increase the authorized  
21 number of district judges from 112 to 115 beginning July 1,  
22 1999.

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SENATE FILE 468

S-3259

1 Amend Senate File 468 as follows:

2 1. Page 2, by striking line 18 and inserting the  
3 following:

4 "..... \$ 1,881,806"

By MIKE CONNOLLY  
JOHNIE HAMMOND

S-3259 FILED APRIL 6, 1999  
WITHDRAWN

(P. 962)

SENATE FILE 468

S-3280

1 Amend Senate File 468 as follows:

2 1. Page 11, by inserting after line 15 the  
3 following:

4 " . The department of corrections shall submit a  
5 report to the general assembly by January 10, 2000,  
6 concerning the medical treatment of inmates at the  
7 Fort Madison correctional facility. The study shall  
8 examine the current method of providing medical  
9 treatment and care to inmates through a contract with  
10 a private entity and shall particularly study the  
11 costs associated with providing care through the  
12 private contract and the level of care provided to  
13 inmates pursuant to that contract. The department  
14 shall compare the costs and care provided at Fort  
15 Madison with the costs and care provided at other  
16 correctional facilities that do not provide the care  
17 through a private contract. In addition, the  
18 department shall solicit input from medical care  
19 professionals, including those professionals within  
20 the department and others, if applicable, concerning  
21 the level of care provided to inmates at Fort Madison  
22 and to solicit suggestions for providing a high level  
23 of care at the facility at reasonable cost. The study  
24 shall include a report of the findings and  
25 recommendations of the department."

26 2. By renumbering as necessary.

By ROBERT E. DVORSKY  
EUGENE S. FRAISE

S-3280 FILED APRIL 6, 1999

ADOPTED (P. 964)

SENATE FILE 468

S-3281

1 Amend Senate File 468 as follows:

2 1. Page 15, by striking line 19 and inserting the  
3 following:

4 "..... \$ 33,879,652"

5 2. Page 15, by striking lines 25 and 26 and  
6 inserting the following:

7 "..... \$ 13,478,276

8 ..... FTEs 201.00"

9 3. Page 15, by striking line 30 and inserting the  
10 following:

11 "..... \$ 20,401,376"

By ELAINE SZYMONIAK

S-3281 FILED APRIL 6, 1999

WITHDRAWN

(P. 965)

SENATE FILE 468

S-3262

1 Amend Senate File 468 as follows:

2 1. Page 20, by inserting after line 16 the  
3 following:

4 " \_\_\_\_\_. For costs associated with training by the  
5 Iowa coalition chapters of the Alzheimer's association  
6 of state and local law enforcement personnel  
7 concerning the recognition of and response to persons  
8 with Alzheimer's disease:

9 ..... \$ 70,000

10 It is the intent of the general assembly that each  
11 chapter of the Alzheimer's association receiving  
12 moneys as provided in this subsection shall submit  
13 quarterly reports to the academy concerning the number  
14 and location of training programs conducted. The  
15 academy shall include this information in the report  
16 required to be submitted to the general assembly as  
17 provided in subsection 1."

18 2. By renumbering as necessary.

By ROBERT E. DVORSKY

S-3262 FILED APRIL 6, 1999

LOST (p. 969)

SENATE FILE 468

S-3279

1 Amend Senate File 468 as follows:

2 1. Page 3, by striking line 35 and inserting the  
3 following:

4 "..... \$ 950,000"

By PATRICIA HARPER

S-3279 FILED APRIL 6, 1999

WITHDRAWN

(p. 963)

SENATE FILE 468

S-3284

1 Amend Senate File 468 as follows:

2 1. Page 12, by striking line 7 and inserting the  
3 following:

4 "..... \$ 8,593,596"

5 2. Page 12, by striking line 13 and inserting the  
6 following:

7 "..... \$ 6,961,192"

8 3. Page 12, by striking line 19 and inserting the  
9 following:

10 "..... \$ 4,252,830"

11 4. Page 12, by striking line 25 and inserting the  
12 following:

13 "..... \$ 3,188,898"

14 5. Page 12, by striking line 31 and inserting the  
15 following:

16 "..... \$ 11,975,954"

17 6. Page 13, by striking line 2 and inserting the  
18 following:

19 "..... \$ 8,917,919"

20 7. Page 13, by striking line 8 and inserting the  
21 following:

22 "..... \$ 5,177,904"

23 8. Page 13, by striking line 14 and inserting the  
24 following:

25 "..... \$ 5,174,014"

By MICHAEL E. GRONSTAL  
TOM FLYNN  
EUGENE S. FRAISE  
ROBERT E. DVORSKY  
ELAINE SZYMONIAK  
DENNIS H. BLACK  
PATRICIA HARPER  
JOHN P. KIBBIE  
MIKE CONNOLLY  
BETTY A. SOUKUP

MATT McCOY  
WALLY E. HORN  
BILL FINK  
STEVEN D. HANSEN  
MARK SHEARER  
JOE BOLKCOM  
DICK L. DEARDEN  
PATRICK J. DELUHERY  
JOHNIE HAMMOND  
JOHN JUDGE

S-3284 FILED APRIL 6, 1999

LOST

(p. 965)

SENATE FILE 468

S-3282

1 Amend Senate File 468 as follows:

2 1. Page 1, by striking lines 10 and 11 and  
3 inserting the following:

4 "..... \$ 8,381,457  
5 ..... FTEs 192.50"

By JOE BOLKCOM

S-3282 FILED APRIL 6, 1999

LOST (p.961)

SENATE FILE 468

S-3283

1 Amend Senate File 468 as follows:

2 1. Page 20, by inserting after line 16 the  
3 following:

4 "\_\_\_\_. For salaries, support, maintenance, and  
5 miscellaneous purposes to provide statewide  
6 coordination of the drug abuse resistance education  
7 (D.A.R.E.) program:

8 ..... \$ 80,000"

9 2. By renumbering as necessary.

By DENNIS H. BLACK	BILL FINK
EUGENE S. FRAISE	STEVEN D. HANSEN
TOM FLYNN	MARK SHEARER
MICHAEL E. GRONSTAL	BETTY A. SOUKUP
JOHN P. KIBBIE	PATRICK J. DELUHERY
MIKE CONNOLLY	JOHN JUDGE

S-3283 FILED APRIL 6, 1999

LOST (p.967)

SENATE FILE 468

3286

1 Amend Senate File 468 as follows:

2 1. Page 20, by striking line 7 and inserting the  
3 following:

4 "..... \$ 1,329,629"

5 2. Page 21, by striking line 24 and inserting the  
6 following:

7 "..... \$ 4,696,387"

8 3. Page 21, by striking line 35 and inserting the  
9 following:

10 "..... \$ 898,541"

11 4. Page 22, by striking line 18 and inserting the  
12 following:

13 "..... \$ 2,474,051"

14 5. Page 22, by striking lines 27 and 28 and  
15 inserting the following:

16 "..... \$ 11,759,610

17 ..... FTEs 227.50"

18 6. Page 23, by striking line 18 and inserting the  
19 following:

20 "..... \$ 2,845,587"

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

23 "..... \$ 139,202"

24 8. Page 23, by striking line 29 and inserting the  
25 following:

26 "..... \$ 1,629,621"

27 9. Page 24, by striking line 2 and inserting the  
28 following:

29 "..... \$ 1,307,615"

30 10. Page 24, by striking line 12 and inserting  
31 the following:

32 "..... \$ 37,344,284"

33 11. Page 24, by striking line 16 and inserting  
34 the following:

35 "..... \$ 269,425"

36 12. By renumbering, relettering, or redesignating  
37 and correcting internal references as necessary.

By JOHN JUDGE

S-3286 FILED APRIL 6, 1999

LOST

(P. 966)

SENATE FILE 468

S-3285

- 1 Amend Senate File 468 as follows:
- 2 1. Page 26, by inserting after line 5 the
- 3 following:
- 4 "Sec. 101. 1998 Iowa Acts, chapter 1222, section
- 5 25, subsection 3, is amended to read as follows:
- 6 3. For the installation of perimeter fencing and
- 7 physical plant improvements at the Mt. Pleasant
- 8 correctional facility:
- 9 ..... \$ 300,000"
- 10 2. Page 26, by inserting after line 10 the
- 11 following:
- 12 "Section 101 of this Act, amending 1998 Iowa Acts,
- 13 chapter 1222, being deemed of immediate importance,
- 14 takes effect upon enactment."
- 15 3. By renumbering as necessary.

By O. GENE MADDOX

S-3285 FILED APRIL 6, 1999  
ADOPTED

(p. 967)



SENATE FILE 468

S-3288

- 1 Amend Senate File 468 as follows:
- 2 1. Page 5, by striking line 25 and inserting the
- 3 following:
- 4 "..... \$ 29,459,808"
- 5 2. Page 5, by striking line 31 and inserting the
- 6 following:
- 7 "..... \$ 23,133,514"
- 8 3. Page 6, by striking line 2 and inserting the
- 9 following:
- 10 "..... \$ 20,054,367"
- 11 4. Page 6, by striking line 8 and inserting the
- 12 following:
- 13 "..... \$ 22,188,698"
- 14 5. Page 6, by striking line 14 and inserting the
- 15 following:
- 16 "..... \$ 20,149,111"
- 17 6. Page 6, by striking line 20 and inserting the
- 18 following:
- 19 "..... \$ 6,934,936"
- 20 7. Page 7, by striking line 8 and inserting the
- 21 following:
- 22 "..... \$ 23,907,753"
- 23 8. Page 8, by striking lines 9 and 10 and
- 24 inserting the following:
- 25 "..... \$ 4,496,916
- 26 ..... FTES 38.18"
- 27 9. Page 9, by striking lines 29 and 30 and
- 28 inserting the following:
- 29 "..... \$ 590,847
- 30 ..... FTES 10.07"
- 31 10. Page 10, by striking line 3 and inserting the
- 32 following:
- 33 "..... \$ 3,282,775"

By EUGENE S. FRAISE  
 MICHAEL E. CONNOLLY  
 JOHN JUDGE  
 JOE BOLKCOM  
 BETTY SOUKUP  
 MICHAEL E. GRONSTAL  
 WALLY E. HORN  
 STEVEN D. HANSEN  
 DICK L. DEARDEN  
 BILL FINK

DENNIS E. BLACK  
 PATRICIA M. HARPER  
 ROBERT E. DVORSKY  
 ELAINE SZYMONIAK  
 JOHNE HAMMOND  
 PATRICK J. DELUHERY  
 JOHN P. KIBBIE  
 TOM FLYNN  
 MATT MCCOY  
 MARK SHEARER

S-3288 FILED APRIL 6, 1999  
 LOST

(P 963)

SENATE FILE 468

S-3287

1 Amend Senate File 468 as follows:

2 1. Page 6, by striking lines 26 and 27 and  
3 inserting the following:

4 "..... \$ 17,455,368  
5 ..... FTEs 292.75"

6 2. Page 7, by striking line 2 and inserting the  
7 following:

8 "..... \$ 11,347,025"

9 3. Page 11, by striking lines 16 through 29.

10 4. By renumbering and relettering as necessary.

By PATRICK J. DELUHERY	JOHNIE HAMMOND
MIKE CONNOLLY	WALLY E. HORN
JOHN JUDGE	JOHN P. KIBBIE
JOE BOLKCOM	MATT McCOY
EUGENE S. FRAISE	TOM FLYNN
BETTY A. SOUKUP	MARK SHEARER
MICHAEL E. GRONSTAL	ELAINE SZYMONIAK
BILL FINK	PATRICIA HARPER
DENNIS H. BLACK	DICK L. DEARDEN
ROBERT E. DVORSKY	STEVEN D. HANSEN

S-3287 FILED APRIL 6, 1999  
LOST

(p. 963)

SENATE FILE 468

S-3292

1 Amend Senate File 468 as follows:

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DIV	2	1. Page 1, by striking line 10 and inserting the	
B	3	following:	
	4	".....	\$ 8,241,673"
	5	2. Page 1, by striking line 16 and inserting the	
	6	following:	
	7	".....	\$ 295,870"
	8	3. Page 2, by striking line 31 and inserting the	
	9	following:	
	10	".....	\$ 127,248"
	11	4. Page 5, by striking line 11 and inserting the	
	12	following:	
	13	".....	\$ 2,612,929"
	14	5. Page 5, by striking line 25 and inserting the	
	15	following:	
	16	".....	\$ 28,432,849"
	17	6. Page 5, by striking line 31 and inserting the	
	18	following:	
	19	".....	\$ 23,082,242"
	20	7. Page 6, by striking line 2 and inserting the	
	21	following:	
	22	".....	\$ 19,736,871"
	23	8. Page 6, by striking line 8 and inserting the	
	24	following:	
	25	".....	\$ 21,992,464"
	26	9. Page 6, by striking line 14 and inserting the	
	27	following:	
	28	".....	\$ 19,441,112"
	29	10. Page 6, by striking line 20 and inserting the	
	30	following:	
	31	".....	\$ 6,695,114"
	32	11. Page 6, by striking line 26 and inserting the	
	33	following:	
	34	".....	\$ 17,271,670"

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DIV	35	12. Page 7, by striking line 8 and inserting the	
A	36	following:	
	37	".....	\$ 22,164,204"

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DIV	38	13. Page 8, by striking line 9 and inserting the	
B	39	following:	
	40	".....	\$ 4,413,568"
	41	14. Page 9, by striking line 29 and inserting the	
	42	following:	
	43	".....	\$ 537,798"
	44	15. Page 10, by striking line 3 and inserting the	
	45	following:	
	46	".....	\$ 3,275,561"

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DIV	47	16. Page 10, by inserting after line 15 the	
A	48	following:	
	49	"____. For increased inmate costs at correctional	
	50	facilities:	

S-3292

S-3292

Page 2

	1	.....	\$	741,644"
DIV	2	17. Page 12, by striking line 7 and inserting the		
B	3	following:		
	4	".....	\$	8,475,041"
	5	18. Page 12, by striking line 13 and inserting		
	6	the following:		
	7	".....	\$	6,717,985"
	8	19. Page 12, by striking line 19 and inserting		
	9	the following:		
	10	".....	\$	4,145,154"
	11	20. Page 12, by striking line 25 and inserting		
	12	the following:		
	13	".....	\$	3,080,712"
	14	21. Page 12, by striking line 31 and inserting		
	15	the following:		
	16	".....	\$	11,591,891"
	17	22. Page 13, by striking line 2 and inserting the		
	18	following:		
	19	".....	\$	8,780,186"
	20	23. Page 13, by striking line 8 and inserting the		
	21	following:		
	22	".....	\$	5,117,411"
	23	24. Page 13, by striking line 14 and inserting		
	24	the following:		
	25	".....	\$	5,008,241"
	26	25. Page 13, by striking line 19 and inserting		
	27	the following:		
	28	".....	\$	83,498"
	29	26. Page 16, by striking line 13 and inserting		
	30	the following:		
	31	".....	\$	104,196,941"
	32	27. Page 18, by striking line 11 and inserting		
	33	the following:		
	34	".....	\$	209,719"
	35	28. Page 20, by striking line 7 and inserting the		
	36	following:		
	37	".....	\$	1,315,747"
	38	29. Page 21, by striking line 7 and inserting the		
	39	following:		
	40	".....	\$	1,010,274"
	41	30. Page 21, by striking line 24 and inserting		
	42	the following:		
	43	".....	\$	4,689,799"
	44	31. Page 21, by striking line 35 and inserting		
	45	the following:		
	46	".....	\$	891,469"
	47	32. Page 22, by striking line 18 and inserting		
	48	the following:		
	49	".....	\$	2,459,984"
	50	33. Page 22, by striking line 27 and inserting		

S-3292

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Page 3

- 1 the following:
- 2 "..... \$ 11,747,922"
- 3 34. Page 23, by striking line 18 and inserting
- 4 the following:
- 5 "..... \$ 2,838,429"
- 6 35. Page 23, by striking line 29 and inserting
- 7 the following:
- 8 "..... \$ 1,622,591"
- 9 36. Page 24, by striking line 2 and inserting the
- 10 following:
- 11 "..... \$ 1,306,107"
- 12 37. Page 24, by striking line 12 and inserting
- 13 the following:
- 14 "..... \$ 37,025,708"
- 15 38. Page 24, by striking line 32 and inserting
- 16 the following:
- 17 "..... \$ 708,812"
- 18 39. Page 25, by striking line 6 and inserting the
- 19 following:
- 20 "..... \$ 355,541"
- 21 40. By renumbering as necessary.

By O. GENE MADDOX

S-3292 FILED APRIL 6, 1999  
DIV A - ADOPTED, DIV B - ADOPTED

(p. 968)

SENATE FILE 468

S-3290

- 1 Amend Senate File 468 as follows:
- 2 1. Page 16, by striking line 13 and inserting the
- 3 following:
- 4 "..... \$106,111,858"
- 5 2. Page 18, line 3, by striking the figure
- 6 "1,132,119" and inserting the following: "2,003,819".
- 7 3. Page 18, by striking lines 4 and 5 and
- 8 inserting the following: "additional 6 district court
- 9 judges, 4 district associate judges, 10 court
- 10 reporters, 3 legal assistants, 1 case coordinator, and
- 11 7.5 court attendants. The".
- 12 4. Page 26, line 2, by striking the word
- 13 "fifteen" and inserting the following: "eighteen".

By MATT McCOY

S-3290 FILED APRIL 6, 1999

LOST

(p. 905)

SENATE FILE 468

S-3296

1 Amend Senate File 468 as follows:

2 1. Page 1, by striking lines 10 and 11 and

3 inserting the following:

4 "..... \$ 8,356.153

5 ..... FTEs 192.50"

6 2. Page 15, by striking line 19 and inserting the

7 following:

8 "..... \$ 34,390,565"

9 3. Page 15, by striking lines 25 and 26 and

10 inserting the following:

11 "..... \$ 13,478,276

12 ..... FTEs 201.00"

By ROBERT E. DVORSKY  
PATRICK J. DELUHERY

S-3296 FILED APRIL 6, 1999  
LOST

(P.962)

SENATE FILE 468

S-3293

1 Amend Senate File 468 as follows:

- DIV 2 1. Page 2, by striking line 18 and inserting the
- A 3 following:
- 4 "..... \$ 2,000,000"

---

- DIV 5 2. Page 3, by striking line 35 and inserting the
- B 6 following:
- 7 "..... \$ 950,000"
- 8 3. Page 7, by striking line 2 and inserting the
- 9 following:
- 10 "..... \$ 10,818,173"
- 11 4. Page 10, by inserting after line 15 the
- 12 following:
- 13 "\_\_\_ For upgrading and expanding computer
- 14 technology at correctional facilities:
- 15 ..... \$ 37,503"
- 16 5. Page 13, by inserting after line 19 the
- 17 following:
- 18 "j. For additional probation and parole officers
- 19 at such judicial district departments of correctional
- 20 services as determined by the department of
- 21 corrections:
- 22 ..... \$ 58,497
- 23 k. For increased residential staffing at such
- 24 judicial district departments of correctional services
- 25 as determined by the department of corrections:
- 26 ..... \$ 172,845"
- 27 6. Page 15, by striking line 19 and inserting the
- 28 following:
- 29 "..... \$ 32,754,872"
- 30 7. Page 15, by striking line 25 and inserting the
- 31 following:
- 32 "..... \$ 13,342,583"
- 33 8. Page 15, by striking line 26 and inserting the
- 34 following:
- 35 "..... FTEs 201.00"
- 36 9. Page 15, by striking line 30 and inserting the
- 37 following:
- 38 "..... \$ 19,412,289
- 39 In addition to moneys appropriated in this
- 40 subsection, the executive council is authorized,
- 41 notwithstanding any provision to the contrary in
- 42 section 668A.1, to disburse from the civil reparations
- 43 trust fund created in section 668A.1 an amount, not to
- 44 exceed \$1,500,000, to the office of the state public
- 45 defender to be used for the purposes described in this
- 46 subsection."

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- 47 10. By renumbering as necessary.

By O. GENE MADDOX  
DERRYL McLAREN

S-3293 FILED APRIL 6, 1999  
DIV A - ADOPTED, DIV B - ADOPTED

(P. 969)



H- 4/7/99 approp.  
H- 4/13/99 Amend/Do Pass  
W/P 588

SENATE FILE 468  
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 1205)

(AS AMENDED AND PASSED BY THE SENATE APRIL 6, 1999)

----- - New Language by the Senate

(P. 132) Passed Senate, Date 4-28-99 Passed House, Date 4/19/99 (P. 1437)  
Vote: Ayes 49 Nays 0 Vote: Ayes 55 Nays 43  
APPROPRIATION 5/21/99 Repassed 4-28-99  
retired Vote 90-7 (P. 1852)

A BILL FOR

1 An Act relating to and making appropriations to the justice  
2 system and providing effective dates.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S.F. 468

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, 1999, and ending  
4 June 30, 2000, 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 ..... \$ 8,241,673  
11 ..... FTEs 191.50

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 ..... \$ 295,870  
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, 1999, and ending June 30, 2000, 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, 1999, and ending June 30, 2000, 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 ..... \$ 2,000,000

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 ..... \$ 127,248  
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 17.00 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, 2000,  
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, 1998, and actual and expected reimbursements for the  
24 fiscal year commencing July 1, 1999.

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, 2000.

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

35 ..... \$ 950,000

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, 2000,  
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, 1999, and ending  
15 June 30, 2000, 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, 1999, and ending June 30, 2000,  
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 ..... \$ 2,612,929  
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, 1999, and ending June 30, 2000, 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 to be allocated as follows:

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

25 ..... \$ 28,432,849  
26 ..... FTEs 502.00

27 b. For the operation of the Anamosa correctional facility,  
28 including salaries, support, maintenance, employment of  
29 correctional officers, miscellaneous purposes, and for not  
30 more than the following full-time equivalent positions:

31 ..... \$ 23,082,242  
32 ..... FTEs 394.25

33 c. For the operation of the Oakdale correctional facility,  
34 including salaries, support, maintenance, employment of  
35 correctional officers, miscellaneous purposes, and for not

1 more than the following full-time equivalent positions:

2 ..... \$ 19,736,871

3 ..... FTEs 339.80

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

8 ..... \$ 21,992,464

9 ..... FTEs 395.25

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

14 ..... \$ 19,441,112

15 ..... FTEs 344.26

16 f. For the operation of the Rockwell City correctional  
17 facility, including salaries, support, maintenance, employment  
18 of correctional officers, miscellaneous purposes, and for not  
19 more than the following full-time equivalent positions:

20 ..... \$ 6,695,114

21 ..... FTEs 121.00

22 g. For the operation of the Clarinda 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 ..... \$ 17,271,670

27 ..... FTEs 285.90

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

33 h. For the operation of the Mitchellville correctional  
34 facility, including salaries, support, maintenance, employment  
35 of correctional officers, miscellaneous purposes, and for not

1 more than the following full-time equivalent positions:

2 ..... \$ 10,818,173

3 ..... FTEs 198.96

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

8 ..... \$ 22,164,204

9 ..... FTEs 371.88

10 2. a. If the inmate tort claim fund for inmate claims of  
11 less than \$100 is exhausted during the fiscal year, sufficient  
12 funds shall be transferred from the institutional budgets to  
13 pay approved tort claims for the balance of the fiscal year.  
14 The warden or superintendent of each institution or  
15 correctional facility shall designate an employee to receive,  
16 investigate, and recommend whether to pay any properly filed  
17 inmate tort claim for less than the above amount. The  
18 designee's recommendation shall be approved or denied by the  
19 warden or superintendent and forwarded to the department of  
20 corrections for final approval and payment. The amounts  
21 appropriated to this fund pursuant to 1987 Iowa Acts, chapter  
22 234, section 304, subsection 2, are not subject to reversion  
23 under section 8.33.

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

29 3. It is the intent of the general assembly that the  
30 department of corrections shall timely fill correctional  
31 positions authorized for correctional facilities pursuant to  
32 this section.

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

34 There is appropriated from the general fund of the state to  
35 the department of corrections for the fiscal year beginning



1 July 1, 1999, and ending June 30, 2000, the following amounts,  
2 or so much thereof as is necessary, to be used for the  
3 purposes designated:

4 1. For general administration, including salaries,  
5 support, maintenance, employment of an education director and  
6 clerk to administer a centralized education program for the  
7 correctional system, miscellaneous purposes, and for not more  
8 than the following full-time equivalent positions:

9 .....	\$ 4,413,568
10 .....	FTEs 37.18

11 The department shall monitor the use of the classification  
12 model by the judicial district departments of correctional  
13 services and has the authority to override a district  
14 department's decision regarding classification of community-  
15 based clients. The department shall notify a district  
16 department of the reasons for the override.

17 It is the intent of the general assembly that as a  
18 condition of receiving the appropriation provided in this  
19 subsection, the department of corrections shall not enter into  
20 a new contract, unless the contract is a renewal of an  
21 existing contract, for the expenditure of moneys in excess of  
22 \$100,000 during the fiscal year beginning July 1, 1999, for  
23 the privatization of services performed by the department  
24 using state employees as of July 1, 1999, or for the  
25 privatization of new services by the department, without prior  
26 consultation with any applicable state employee organization  
27 affected by the proposed new contract and prior notification  
28 of the co-chairpersons and ranking members of the joint  
29 appropriations subcommittee on the justice system.

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

1 election to public office in this state and that a violation  
2 of this requirement shall result in a termination of the lease  
3 agreement.

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

14 2. For reimbursement of counties for temporary confinement  
15 of work release and parole violators, as provided in sections  
16 901.7, 904.908, and 906.17 and for offenders confined pursuant  
17 to section 904.513:

18 ..... \$ 524,038

19 3. For federal prison reimbursement, reimbursements for  
20 out-of-state placements, and miscellaneous contracts:

21 ..... \$ 341,334

22 The department of corrections shall use funds appropriated  
23 in this subsection to continue to contract for the services of  
24 a Muslim imam.

25 4. For salaries, support, maintenance, miscellaneous  
26 purposes, and for not more than the following full-time  
27 equivalent positions at the correctional training center at  
28 Mt. Pleasant:

29 ..... \$ 537,798

30 ..... FTEs 9.07

31 5. For annual payment relating to the financial  
32 arrangement for the construction of expansion in prison  
33 capacity as provided in 1990 Iowa Acts, chapter 1257, section  
34 24:

35 ..... \$ 3,180,815

1 6. For educational programs for inmates at state penal  
2 institutions:  
3 ..... \$ 3,275,561

4 It is the intent of the general assembly that moneys  
5 appropriated in this subsection shall be used solely for the  
6 purpose indicated and that the moneys shall not be transferred  
7 for any other purpose.

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

13 7. For educational programs for inmates at the  
14 Mitchellville correctional facility:  
15 ..... \$ 12,000

16 8. For increased inmate costs at correctional facilities:  
17 ..... \$ 741,644

18 9. For upgrading and expanding computer technology at  
19 correctional facilities:  
20 ..... \$ 37,503

21 10. The department of corrections shall submit a report to  
22 the general assembly on January 1, 2000, concerning progress  
23 made in implementing the requirements of section 904.701,  
24 concerning hard labor by inmates.

25 11. It is the intent of the general assembly that the  
26 department of corrections shall continue to operate the  
27 correctional farms under the control of the department at the  
28 same or greater level of participation and involvement as  
29 existed as of January 1, 1999, and shall further attempt to  
30 provide meaningful job opportunities at the farms for inmates.

31 12. The department of corrections shall submit a report to  
32 the general assembly by January 1, 2000, concerning moneys  
33 deposited in, and expended from, each inmate telephone rebate  
34 fund established by a correctional institution pursuant to  
35 section 904.508A, during the fiscal year beginning July 1,

1 1998. In addition, each correctional institution that has  
2 established an inmate telephone rebate fund shall continue to  
3 submit a report to the legislative fiscal bureau on a  
4 quarterly basis concerning the moneys deposited in the fund  
5 and expended from the fund during the previous calendar  
6 quarter.

7 13. The department of corrections shall submit a report to  
8 the general assembly by January 1, 2000, concerning moneys  
9 recouped from inmate earnings for the reimbursement of  
10 operational expenses of the applicable facility during the  
11 fiscal year beginning July 1, 1998, for each correctional  
12 institution and judicial district department of correctional  
13 services. In addition, each correctional institution and  
14 judicial district department of correctional services shall  
15 continue to submit a report to each member of the joint  
16 appropriations subcommittee on the justice system and the  
17 legislative fiscal bureau on a quarterly basis concerning  
18 moneys recouped from inmate earnings for the reimbursement of  
19 operational expenses for each correctional institution and  
20 district department during the previous calendar quarter.

21 14. The department of corrections shall submit a report to  
22 the general assembly by January 10, 2000, concerning the  
23 medical treatment of inmates at the Fort Madison correctional  
24 facility. The study shall examine the current method of  
25 providing medical treatment and care to inmates through a  
26 contract with a private entity and shall particularly study  
27 the costs associated with providing care through the private  
28 contract and the level of care provided to inmates pursuant to  
29 that contract. The department shall compare the costs and  
30 care provided at Fort Madison with the costs and care provided  
31 at other correctional facilities that do not provide the care  
32 through a private contract. In addition, the department shall  
33 solicit input from medical care professionals, including those  
34 professionals within the department and others, if applicable,  
35 concerning the level of care provided to inmates at Fort

1 Madison and to solicit suggestions for providing a high level  
2 of care at the facility at reasonable cost. The study shall  
3 include a report of the findings and recommendations of the  
4 department.

5 Sec. 6. DEPARTMENT OF CORRECTIONS -- PRISON INFRASTRUCTURE  
6 FUND. Notwithstanding sections 8.33, 8.39, and 602.8108A, the  
7 department of corrections shall direct the treasurer of state  
8 to transfer on June 30, 1999, \$1,500,000 of the unused balance  
9 of moneys in the Iowa prison infrastructure fund created in  
10 section 602.8108A, to the department of corrections and the  
11 moneys transferred are appropriated to be used for the  
12 purposes designated:

- 13 1. For one-time start-up costs for equipment and  
14 furnishings at the Iowa correctional institution for women:  
15 ..... \$ 500,000
- 16 2. For one-time start-up costs for equipment and  
17 furnishings at the Fort Dodge correctional facility:  
18 ..... \$ 1,000,000

19 Sec. 7. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL  
20 SERVICES.

21 1. There is appropriated from the general fund of the  
22 state to the department of corrections for the fiscal year  
23 beginning July 1, 1999, and ending June 30, 2000, the  
24 following amounts, or so much thereof as is necessary, to be  
25 allocated as follows:

- 26 a. For the first 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 ..... \$ 8,475,041

32 b. For the second 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 ..... \$ 6,717,985

3 c. For the third 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 ..... \$ 4,145,154

9 d. For the fourth 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 ..... \$ 3,080,712

15 e. For the fifth 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 ..... \$ 11,591,891

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

26 ..... \$ 8,780,186

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

32 ..... \$ 5,117,411

33 h. For the eighth judicial district department of  
34 correctional services, including the treatment and supervision  
35 of probation and parole violators who have been released from

1 the department of corrections violator program, the following  
2 amount, or so much thereof as is necessary:

3 ..... \$ 5,008,241

4 i. For the department of corrections for the assistance  
5 and support of each judicial district department of  
6 correctional services, the following amount, or so much  
7 thereof as is necessary:

8 ..... \$ 83,498

9 j. For additional probation and parole officers at such  
10 judicial district departments of correctional services as  
11 determined by the department of corrections:

12 ..... \$ 58,497

13 k. For increased residential staffing at such judicial  
14 district departments of correctional services as determined by  
15 the department of corrections:

16 ..... \$ 172,845

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

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

27 4. Each judicial district department of correctional  
28 services and the department of corrections shall continue the  
29 treatment alternatives to street crime programs established in  
30 1989 Iowa Acts, chapter 225, section 9.

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

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

9 7. Each judicial district department of correctional  
10 services shall submit a report to the general assembly by  
11 January 8, 2000, concerning what action, if any, the district  
12 department has taken in order to implement, or not implement,  
13 an intermediate criminal sanctions program as provided by  
14 section 901B.1. If the district department has implemented  
15 such a program, the report shall include information as to the  
16 effectiveness of the program.

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

18 1. The state prison industries board and the department of  
19 corrections shall continue the implementation of a plan to  
20 enhance vocational training opportunities within the  
21 correctional institutions listed in section 904.102, as  
22 provided in 1993 Iowa Acts, chapter 171, section 12.

23 2. It is the intent of the general assembly that each  
24 correctional facility make all reasonable efforts to maintain  
25 vocational education programs for inmates and to identify  
26 available funding sources to continue these programs.

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

28 1. As used in this section, unless the context otherwise  
29 requires, "state agency" means the government of the state of  
30 Iowa, including but not limited to all executive departments,  
31 agencies, boards, bureaus, and commissions, the judicial  
32 branch, the general assembly and all legislative agencies,  
33 institutions within the purview of the state board of regents,  
34 and any corporation whose primary function is to act as an  
35 instrumentality of the state.



1 2. State agencies are hereby encouraged to purchase  
2 products from Iowa state industries, as defined in section  
3 904.802, when purchases are required and the products are  
4 available from Iowa state industries.

5 3. State agencies shall submit to the legislative fiscal  
6 bureau by January 15, 2000, a report of the dollar value of  
7 products and services purchased from Iowa state industries by  
8 the state agency during the fiscal year beginning July 1,  
9 1998, and ending June 30, 1999.

10 Sec. 10. STATE PUBLIC DEFENDER. There is appropriated  
11 from the general fund of the state to the office of the state  
12 public defender of the department of inspections and appeals  
13 for the fiscal year beginning July 1, 1999, and ending June  
14 30, 2000, the following amount, or so much thereof as is  
15 necessary, for the purposes designated:

16 ..... \$ 32,754,872

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

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

22 ..... \$ 13,342,583

23 ..... FTEs 201.00

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

27 ..... \$ 19,412,289

28 In addition to moneys appropriated in this subsection, the  
29 executive council is authorized, notwithstanding any provision  
30 to the contrary in section 668A.1, to disburse from the civil  
31 reparations trust fund created in section 668A.1 an amount,  
32 not to exceed \$1,500,000, to the office of the state public  
33 defender to be used for the purposes described in this  
34 subsection.

35 Sec. 11. JUDICIAL BRANCH. There is appropriated from the

1 general fund of the state to the judicial branch for the  
2 fiscal year beginning July 1, 1999, and ending June 30, 2000,  
3 the following amounts, or so much thereof as is necessary, to  
4 be used for the purposes designated:

5 1. For salaries of supreme court justices, appellate court  
6 judges, district court judges, district associate judges,  
7 judicial magistrates and staff, state court administrator,  
8 clerk of the supreme court, district court administrators,  
9 clerks of the district court, juvenile court officers, board  
10 of law examiners and board of examiners of shorthand reporters  
11 and judicial qualifications commission, receipt and  
12 disbursement of child support payments, reimbursement of the  
13 auditor of state for expenses incurred in completing audits of  
14 the offices of the clerks of the district court during the  
15 fiscal year beginning July 1, 1999, and maintenance,  
16 equipment, and miscellaneous purposes:

17 ..... \$104,196,941

18 a. The judicial branch, except for purposes of internal  
19 processing, shall use the current state budget system, the  
20 state payroll system, and the Iowa finance and accounting  
21 system in administration of programs and payments for  
22 services, and shall not duplicate the state payroll,  
23 accounting, and budgeting systems.

24 b. The judicial branch shall submit monthly financial  
25 statements to the legislative fiscal bureau and the department  
26 of management containing all appropriated accounts in the same  
27 manner as provided in the monthly financial status reports and  
28 personal services usage reports of the department of revenue  
29 and finance. The monthly financial statements shall include a  
30 comparison of the dollars and percentage spent of budgeted  
31 versus actual revenues and expenditures on a cumulative basis  
32 for full-time equivalent positions and dollars.

33 c. Of the funds appropriated in this subsection, not more  
34 than \$1,897,728 may be transferred into the revolving fund  
35 established pursuant to section 602.1302, subsection 3, to be

1 used for the payment of jury and witness fees and mileage.

2 d. The judicial branch shall focus efforts upon the  
3 collection of delinquent fines, penalties, court costs, fees,  
4 surcharges, or similar amounts.

5 e. In addition to the requirements for transfers under  
6 section 8.39, the judicial branch shall not change the  
7 appropriations from the amounts appropriated to the branch in  
8 this Act, unless notice of the revisions is given prior to  
9 their effective date to the legislative fiscal bureau. The  
10 notice shall include information on the branch's rationale for  
11 making the changes and details concerning the work load and  
12 performance measures upon which the changes are based.

13 f. The judicial branch shall provide to the co-  
14 chairpersons and ranking members of the joint appropriations  
15 subcommittee on the justice system and to the legislative  
16 fiscal bureau by January 15, 2000, an annual report concerning  
17 the operation and use of the Iowa court information system and  
18 any recommendations to improve the utilization of the system.  
19 The annual report shall include information specifying the  
20 amounts of fines, surcharges, and court costs collected using  
21 the system and how the system is used to improve the  
22 collection process. The report shall also include information  
23 concerning efforts made by the judicial branch to facilitate  
24 the sharing of vital sentencing and other information with  
25 other state departments and governmental agencies involved in  
26 the criminal justice system through the Iowa court information  
27 system. In addition, the judicial branch shall submit a  
28 semiannual update to the co-chairpersons and ranking members  
29 specifying the amounts of fines, surcharges, and court costs  
30 collected using the Iowa court information system since the  
31 last report.

32 g. The judicial branch shall provide a report to the  
33 general assembly by January 1, 2000, concerning the amounts  
34 received and expended from the enhanced court collections fund  
35 created in section 602.1304 and the court technology and

1 modernization fund created in section 602.8108, subsection 4,  
2 during the fiscal year beginning July 1, 1998, and ending June  
3 30, 1999, and the plans for expenditures from each fund during  
4 the fiscal year beginning July 1, 1999, and ending June 30,  
5 2000.

6 h. Of the funds appropriated in this subsection, the  
7 judicial branch shall use not more than \$1,132,119 for an  
8 additional 3 district court judges, 3 district associate  
9 judges, 6 court reporters, and 4.5 court attendants. The  
10 additional district court judges and district associate judges  
11 shall be assigned, notwithstanding the provisions of section  
12 602.6301 to the contrary, as determined by the judicial  
13 branch.

14 2. For the juvenile victim restitution program:  
15 ..... \$ 209,719

16 Sec. 12. ENHANCED COURT COLLECTIONS FUND. Notwithstanding  
17 section 602.1304, subsection 2, for the fiscal year beginning  
18 July 1, 1999, and ending June 30, 2000, the maximum deposit  
19 amount for the enhanced court collections fund shall be  
20 \$5,000,000. For succeeding fiscal years, the maximum deposit  
21 amount shall be determined in accordance with section  
22 602.1304, subsection 2, and the maximum deposit amount shall  
23 not be increased due to the increase made in this section.

24 Sec. 13. JUDICIAL RETIREMENT FUND. There is appropriated  
25 from the general fund of the state to the judicial retirement  
26 fund for the fiscal year beginning July 1, 1999, and ending  
27 June 30, 2000, the following amount, or so much thereof as is  
28 necessary, to be used for the purpose designated:

29 For the state's contribution to the judicial retirement  
30 fund established in section 602.9104, in the amount of 23.7  
31 percent of the basic salaries of the judges covered under  
32 chapter 602, article 9:  
33 ..... \$ 4,202,697

34 Sec. 14. INDIGENT DEFENSE COSTS. The supreme court shall  
35 submit a written report for the preceding fiscal year no later

1 than January 1, 2000, indicating the amounts collected  
2 pursuant to section 815.9A, relating to recovery of indigent  
3 defense costs. The report shall include the total amount  
4 collected by all courts, as well as the amounts collected by  
5 each judicial district. The supreme court shall also submit a  
6 written report quarterly indicating the number of criminal and  
7 juvenile filings which occur in each judicial district for  
8 purposes of estimating indigent defense costs. A copy of each  
9 report shall be provided to the public defender, the  
10 department of management, and the legislative fiscal bureau.  
11 The judicial branch shall continue to assist in the  
12 development of an automated data system for use in the sharing  
13 of information utilizing the generic program interface for  
14 legislative and executive branch uses.

15 Sec. 15. IOWA CORRECTIONS OFFENDER NETWORK DATA SYSTEM.  
16 The department of corrections shall submit a report to the co-  
17 chairpersons and ranking members of the joint appropriations  
18 subcommittee on the justice system and the legislative fiscal  
19 bureau, on or before January 15, 2000, concerning the  
20 development and implementation of the Iowa corrections  
21 offender network (ICON) data system. The report shall include  
22 a description of the system and functions, a plan for  
23 implementation of the system, including a timeline, resource  
24 and staffing requirements for the system, and a current status  
25 and progress report concerning the implementation of the  
26 system. In addition, the report shall specifically address  
27 the ability of the system to receive and transmit data between  
28 prisons, community-based corrections district departments, the  
29 judicial branch, board of parole, the criminal and juvenile  
30 justice planning division of the department of human rights,  
31 the department of public safety, and other applicable  
32 governmental agencies. The report should include a detailed  
33 discussion of the cooperation with other state agencies and  
34 the judicial branch in the development and implementation of  
35 the system.

1     Sec. 16. IOWA LAW ENFORCEMENT ACADEMY. There is  
2 appropriated from the general fund of the state to the Iowa  
3 law enforcement academy for the fiscal year beginning July 1,  
4 1999, and ending June 30, 2000, the following amounts, or so  
5 much thereof as is necessary, to be used for the purposes  
6 designated:

7     1. For salaries, support, maintenance, miscellaneous  
8 purposes, including jailer training and technical assistance,  
9 and for not more than the following full-time equivalent  
10 positions:

11 .....	\$ 1,315,747
12 .....	FTEs           30.55

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

17     The Iowa law enforcement academy shall submit a report to  
18 the general assembly by January 8, 2000, concerning any  
19 efforts made to provide training concerning this issue to law  
20 enforcement personnel during the previous calendar year.

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

34     Sec. 17. BOARD OF PAROLE. There is appropriated from the  
35 general fund of the state to the board of parole for the

1 fiscal year beginning July 1, 1999, and ending June 30, 2000,  
2 the following amount, or so much thereof as is necessary, to  
3 be used for the purposes designated:

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

11 ..... \$ 1,010,274  
12 ..... FTEs 18.00

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

18 Sec. 18. DEPARTMENT OF PUBLIC DEFENSE. There is  
19 appropriated from the general fund of the state to the  
20 department of public defense for the fiscal year beginning  
21 July 1, 1999, and ending June 30, 2000, the following amounts,  
22 or so much thereof as is necessary, to be used for the  
23 purposes designated:

24 1. MILITARY DIVISION

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

28 ..... \$ 4,689,799  
29 ..... FTEs 224.76

30 If there is a surplus in the general fund of the state for  
31 the fiscal year ending June 30, 2000, within 60 days after the  
32 close of the fiscal year, the military division may incur up  
33 to an additional \$500,000 in expenditures from the surplus  
34 prior to transfer of the surplus pursuant to section 8.57.

35 2. EMERGENCY MANAGEMENT DIVISION

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

4 ..... \$ 891,469  
5 ..... FTEs 25.25

6 In the event that the state and local assistance program  
7 under the federal emergency management agency requires  
8 additional matching state funds for participation by the  
9 state, the department of management shall transfer to the  
10 department of public defense, emergency management division,  
11 in accordance with section 8.39, sufficient funds to meet the  
12 additional matching funds requirement.

13 Sec. 19. DEPARTMENT OF PUBLIC SAFETY. There is  
14 appropriated from the general fund of the state to the  
15 department of public safety for the fiscal year beginning July  
16 1, 1999, and ending June 30, 2000, the following amounts, or  
17 so much thereof as is necessary, to be used for the purposes  
18 designated:

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

22 ..... \$ 2,459,984  
23 ..... FTEs 38.80

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

31 ..... \$ 11,747,922  
32 ..... FTEs 228.50

33 Riverboat enforcement costs shall be billed in accordance  
34 with section 99F.10, subsection 4. The costs shall be not  
35 more than the department's estimated expenditures, including



1 salary adjustment, for riverboat enforcement for the fiscal  
2 year.

3 The department of public safety, with the approval of the  
4 department of management, may employ no more than two special  
5 agents and four gaming enforcement officers for each  
6 additional riverboat regulated after July 1, 1999, and one  
7 special agent for each racing facility which becomes  
8 operational during the fiscal year which begins July 1, 1999.  
9 One additional gaming enforcement officer, up to a total of  
10 four per boat, may be employed for each riverboat that has  
11 extended operations to 24 hours and has not previously  
12 operated with a 24-hour schedule. Positions authorized in  
13 this paragraph are in addition to the full-time equivalent  
14 positions authorized in this subsection.

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

22 ..... \$ 2,838,429  
23 ..... FTEs 48.00

24 b. For the division of narcotics enforcement for  
25 undercover purchases:

26 ..... \$ 139,099

27 4. For the state fire marshal's office, including the  
28 state's contribution to the peace officers' retirement,  
29 accident, and disability system provided in chapter 97A in the  
30 amount of 17 percent of the salaries for which the funds are  
31 appropriated, and for not more than the following full-time  
32 equivalent positions:

33 ..... \$ 1,622,591  
34 ..... FTEs 31.80

35 5. For the capitol security division, including the

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

6 ..... \$ 1,306,107  
7 ..... FTEs 27.00

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

16 ..... \$ 37,025,708  
17 ..... FTEs 574.25

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

20 ..... \$ 244,930

21 8. An employee of the department of public safety who  
22 retires after July 1, 1999, but prior to June 30, 2000, is  
23 eligible for payment of life or health insurance premiums as  
24 provided for in the collective bargaining agreement covering  
25 the public safety bargaining unit at the time of retirement if  
26 that employee previously served in a position which would have  
27 been covered by the agreement. The employee shall be given  
28 credit for the service in that prior position as though it  
29 were covered by that agreement. The provisions of this  
30 subsection shall not operate to reduce any retirement benefits  
31 an employee may have earned under other collective bargaining  
32 agreements or retirement programs.

33 9. For costs associated with the training and equipment  
34 needs of volunteer fire fighters and for not more than the  
35 following full-time equivalent positions:

1 ..... \$ 708,812

2 ..... FTEs 1.00

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

8 10. For the state medical examiner and for not more than  
9 the following full-time equivalent positions:

10 ..... \$ 355,541

11 ..... FTEs 4.00

12 Any fees collected by the department of public safety, or  
13 the department of public health, if applicable, for autopsies  
14 performed by the office of the state medical examiner shall be  
15 deposited in the general fund of the state.

16 If 1999 Iowa Acts, Senate File 376, is enacted, the moneys  
17 appropriated in this subsection shall instead be appropriated  
18 as provided in that Act.

19 Sec. 20. Section 423.24, subsection 2, Code 1999, is  
20 amended to read as follows:

21 2. Notwithstanding any other provision of this section  
22 that provides that all revenue derived from the use tax on  
23 motor vehicles, trailers, and motor vehicle accessories and  
24 equipment as collected pursuant to section 423.7 shall be  
25 deposited and credited to the road use tax fund, twenty  
26 percent of the revenues shall be credited and deposited as  
27 follows: one-half to the road use tax fund and one-half to  
28 the primary road fund to be used for the commercial and  
29 industrial highway network, ~~except to the extent that the~~  
30 ~~department directs that moneys are deposited in the highway~~  
31 ~~safety patrol fund created in section 80.41 to fund the~~  
32 ~~appropriations made from the highway safety patrol fund in~~  
33 ~~accordance with the provisions of section 80.41.~~ The  
34 ~~department shall determine the amount of moneys to be credited~~  
35 ~~under this subsection to the highway safety patrol fund and~~

1 ~~shall deposit that amount into the highway safety patrol fund.~~

2 Sec. 21. Section 602.6201, subsection 10, Code 1999, is  
3 amended to read as follows:

4 10. Notwithstanding the formula for determining the number  
5 of judgeships in this section, the number of district judges  
6 shall not exceed one hundred ~~twelve~~ fifteen during the period  
7 commencing July 1, ~~1997~~ 1999.

8 Sec. 22. 1995 Iowa Acts, chapter 220, section 20,  
9 subsection 4, is amended by striking the subsection.

10 Sec. 23. 1998 Iowa Acts, chapter 1222, section 25,  
11 subsection 3, is amended to read as follows:

12 3. For the installation of perimeter fencing and physical  
13 plant improvements at the Mt. Pleasant correctional facility:

14 ..... \$ 300,000

15 Sec. 24. Section 80.41, Code 1999, is repealed.

16 Sec. 25. EFFECTIVE DATES. Section 1, subsections 3 and 4,  
17 of this Act, relating to Iowa competition law or antitrust  
18 actions and to civil consumer fraud actions, being deemed of  
19 immediate importance, take effect upon enactment.

20 Section 23 of this Act, amending 1998 Iowa Acts, chapter  
21 1222, being deemed of immediate importance, takes effect upon  
22 enactment.

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SENATE FILE 468

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1 Amend Senate File 468, as amended, passed, and  
2 reprinted by the Senate, as follows:

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

5 "Section 1. DEPARTMENT OF JUSTICE. There is  
6 appropriated from the general fund of the state to the  
7 department of justice for the fiscal year beginning  
8 July 1, 1999, and ending June 30, 2000, the following  
9 amounts, or so much thereof as is necessary, to be  
10 used for the purposes designated:

11 1. For the general office of attorney general for  
12 salaries, support, maintenance, miscellaneous purposes  
13 including odometer fraud enforcement, and for not more  
14 than the following full-time equivalent positions:

15 .....	\$	8,207,153
16 .....	FTEs	190.50

17 2. For the prosecuting attorney training program  
18 for salaries, support, maintenance, miscellaneous  
19 purposes, and for not more than the following full-  
20 time equivalent positions:

21 .....	\$	298,825
22 .....	FTEs	6.00

23 3. In addition to the funds appropriated in  
24 subsection 1, there is appropriated from the general  
25 fund of the state to the department of justice for the  
26 fiscal year beginning July 1, 1999, and ending June  
27 30, 2000, an amount not exceeding \$200,000 to be used  
28 for the enforcement of the Iowa competition law. The  
29 funds appropriated in this subsection are contingent  
30 upon receipt by the general fund of the state of an  
31 amount at least equal to the expenditure amount from  
32 either damages awarded to the state or a political  
33 subdivision of the state by a civil judgment under  
34 chapter 553, if the judgment authorizes the use of the  
35 award for enforcement purposes or costs or attorneys  
36 fees awarded the state in state or federal antitrust  
37 actions. However, if the amounts received as a result  
38 of these judgments are in excess of \$200,000, the  
39 excess amounts shall not be appropriated to the  
40 department of justice pursuant to this subsection.

41 4. In addition to the funds appropriated in  
42 subsection 1, there is appropriated from the general  
43 fund of the state to the department of justice for the  
44 fiscal year beginning July 1, 1999, and ending June  
45 30, 2000, an amount not exceeding \$150,000 to be used  
46 for public education relating to consumer fraud and  
47 for enforcement of section 714.16, and an amount not  
48 exceeding \$75,000 for investigation, prosecution, and  
49 consumer education relating to consumer and criminal  
50 fraud against older Iowans. The funds appropriated in

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1 this subsection are contingent upon receipt by the  
 2 general fund of the state of an amount at least equal  
 3 to the expenditure amount from damages awarded to the  
 4 state or a political subdivision of the state by a  
 5 civil consumer fraud judgment or settlement, if the  
 6 judgment or settlement authorizes the use of the award  
 7 for public education on consumer fraud. However, if  
 8 the funds received as a result of these judgments and  
 9 settlements are in excess of \$225,000, the excess  
 10 funds shall not be appropriated to the department of  
 11 justice pursuant to this subsection.

12 5. For victim assistance grants:  
 13 ..... \$ 1,935,806

14 a. The funds appropriated in this subsection shall  
 15 be used to provide grants to care providers providing  
 16 services to crime victims of domestic abuse or to  
 17 crime victims of rape and sexual assault.

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

25 6. For the GASA prosecuting attorney program and  
 26 for not more than the following full-time equivalent  
 27 positions:

28 ..... \$ 128,302  
 29 ..... FTEs 2.00

30 7. The balance of the victim compensation fund  
 31 established in section 915.94 may be used to provide  
 32 salary and support of not more than 17.00 FTEs and to  
 33 provide maintenance for the victim compensation  
 34 functions of the department of justice.

35 8. The department of justice shall submit monthly  
 36 financial statements to the legislative fiscal bureau  
 37 and the department of management containing all  
 38 appropriated accounts in the same manner as provided  
 39 in the monthly financial status reports and personal  
 40 services usage reports of the department of revenue  
 41 and finance. The monthly financial statements shall  
 42 include comparisons of the moneys and percentage spent  
 43 of budgeted to actual revenues and expenditures on a  
 44 cumulative basis for full-time equivalent positions  
 45 and available moneys.

46 9. a. The department of justice, in submitting  
 47 budget estimates for the fiscal year commencing July  
 48 1, 2000, pursuant to section 8.23, shall include a  
 49 report of funding from sources other than amounts  
 50 appropriated directly from the general fund of the

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1 state to the department of justice or to the office of  
 2 consumer advocate. These funding sources shall  
 3 include, but are not limited to, reimbursements from  
 4 other state agencies, commissions, boards, or similar  
 5 entities, and reimbursements from special funds or  
 6 internal accounts within the department of justice.  
 7 The department of justice shall report actual  
 8 reimbursements for the fiscal year commencing July 1,  
 9 1998, and actual and expected reimbursements for the  
 10 fiscal year commencing July 1, 1999.

11 b. The department of justice shall include the  
 12 report required under paragraph "a", as well as  
 13 information regarding any revisions occurring as a  
 14 result of reimbursements actually received or expected  
 15 at a later date, in a report to the co-chairpersons  
 16 and ranking members of the joint appropriations  
 17 subcommittee on the justice system and the legislative  
 18 fiscal bureau. The department of justice shall submit  
 19 the report on or before January 15, 2000.

20 10. For legal services for persons in poverty  
 21 grants as provided in section 13.34:

22 ..... \$ 600,000

23 As a condition for accepting a grant funded  
 24 pursuant to this subsection, an organization receiving  
 25 a grant shall submit a report to the general assembly  
 26 by January 1, 2000, concerning the use of any grants  
 27 received during the previous fiscal year and efforts  
 28 made by the organization to find alternative sources  
 29 of revenue to replace any reductions in federal  
 30 funding for the organization.

31 Sec. 2. DEPARTMENT OF JUSTICE -- ENVIRONMENTAL  
 32 CRIMES INVESTIGATION AND PROSECUTION -- FUNDING.

33 There is appropriated from the environmental crime  
 34 fund of the department of justice, consisting of  
 35 court-ordered fines and penalties awarded to the  
 36 department arising out of the prosecution of  
 37 environmental crimes, to the department of justice for  
 38 the fiscal year beginning July 1, 1999, and ending  
 39 June 30, 2000, an amount not exceeding \$20,000 to be  
 40 used by the department, at the discretion of the  
 41 attorney general, for the investigation and  
 42 prosecution of environmental crimes, including the  
 43 reimbursement of expenses incurred by county,  
 44 municipal, and other local governmental agencies  
 45 cooperating with the department in the investigation  
 46 and prosecution of environmental crimes.

47 The funds appropriated in this section are  
 48 contingent upon receipt by the environmental crime  
 49 fund of the department of justice of an amount at  
 50 least equal to the appropriations made in this section

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1 and received from contributions, court-ordered  
2 restitution as part of judgments in criminal cases,  
3 and consent decrees entered into as part of civil or  
4 regulatory enforcement actions. However, if the funds  
5 received during the fiscal year are in excess of  
6 \$20,000, the excess funds shall be deposited in the  
7 general fund of the state.

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

14 Sec. 3. OFFICE OF CONSUMER ADVOCATE. There is  
15 appropriated from the general fund of the state to the  
16 office of consumer advocate of the department of  
17 justice for the fiscal year beginning July 1, 1999,  
18 and ending June 30, 2000, the following amount, or so  
19 much thereof as is necessary, to be used for the  
20 purposes designated:

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

24 .....	\$	2,623,170
25 .....	FTEs	32.00

26 Sec. 4. DEPARTMENT OF CORRECTIONS -- FACILITIES.

27 There is appropriated from the general fund of the  
28 state to the department of corrections for the fiscal  
29 year beginning July 1, 1999, and ending June 30, 2000,  
30 the following amounts, or so much thereof as is  
31 necessary, to be used for the purposes designated:

32 1. For the operation of adult correctional  
33 institutions, reimbursement of counties for certain  
34 confinement costs, and federal prison reimbursement,  
35 to be allocated as follows:

36 a. For the operation of the Fort Madison  
37 correctional facility, including salaries, support,  
38 maintenance, employment of correctional officers,  
39 miscellaneous purposes, and for not more than the  
40 following full-time equivalent positions:

41 .....	\$	28,459,808
42 .....	FTEs	502.00

43 b. For the operation of the Anamosa correctional  
44 facility, including salaries, support, maintenance,  
45 employment of correctional officers and a part-time  
46 chaplain to provide religious counseling to inmates of  
47 a minority race, miscellaneous purposes, and for not  
48 more than the following full-time equivalent  
49 positions:

50 .....	\$	23,133,514
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1 ..... FTEs 394.25

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

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

12 ..... \$ 19,975,313

13 ..... FTEs 338.80

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

19 ..... \$ 22,024,146

20 ..... FTEs 392.25

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

28 ..... \$ 19,766,574

29 ..... FTEs 337.26

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

35 ..... \$ 6,934,936

36 ..... FTEs 120.00

37 g. For the operation of the Clarinda correctional  
38 facility, including salaries, support, maintenance,  
39 employment of correctional officers, miscellaneous  
40 purposes, and for not more than the following full-  
41 time equivalent positions:

42 ..... \$ 17,455,368

43 ..... FTEs 285.90

44 Moneys received by the department of corrections as  
45 reimbursement for services provided to the Clarinda  
46 youth corporation are appropriated to the department  
47 and shall be used for the purpose of operating the  
48 Clarinda correctional facility.

49 h. For the operation of the Mitchellville  
50 correctional facility, including salaries, support,

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1 maintenance, employment of correctional officers,  
2 miscellaneous purposes, and for not more than the  
3 following full-time equivalent positions:  
4 ..... \$ 10,353,659  
5 ..... FTEs 191.00  
6 i. For the operation of the Fort Dodge  
7 correctional facility, including salaries, support,  
8 maintenance, employment of correctional officers,  
9 miscellaneous purposes, and for not more than the  
10 following full-time equivalent positions:  
11 ..... \$ 22,208,114  
12 ..... FTEs 358.00  
13 j. For reimbursement of counties for temporary  
14 confinement of work release and parole violators, as  
15 provided in sections 901.7, 904.908, and 906.17 and  
16 for offenders confined pursuant to section 904.513:  
17 ..... \$ 524,038  
18 k. For federal prison reimbursement,  
19 reimbursements for out-of-state placements, and  
20 miscellaneous contracts:  
21 ..... \$ 341,334

22 The department of corrections shall use funds  
23 appropriated in this subsection to continue to  
24 contract for the services of a Muslim imam.

25 2. a. If the inmate tort claim fund for inmate  
26 claims of less than \$100 is exhausted during the  
27 fiscal year, sufficient funds shall be transferred  
28 from the institutional budgets to pay approved tort  
29 claims for the balance of the fiscal year. The warden  
30 or superintendent of each institution or correctional  
31 facility shall designate an employee to receive,  
32 investigate, and recommend whether to pay any properly  
33 filed inmate tort claim for less than the above  
34 amount. The designee's recommendation shall be  
35 approved or denied by the warden or superintendent and  
36 forwarded to the department of corrections for final  
37 approval and payment. The amounts appropriated to  
38 this fund pursuant to 1987 Iowa Acts, chapter 234,  
39 section 304, subsection 2, are not subject to  
40 reversion under section 8.33.

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

46 3. It is the intent of the general assembly that  
47 the department of corrections shall timely fill  
48 correctional positions authorized for correctional  
49 facilities pursuant to this section.

50 Sec. 5. DEPARTMENT OF CORRECTIONS --

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1 ADMINISTRATION. There is appropriated from the  
2 general fund of the state to the department of  
3 corrections for the fiscal year beginning July 1,  
4 1999, and ending June 30, 2000, the following amounts,  
5 or so much thereof as is necessary, to be used for the  
6 purposes designated:

7 1. For general administration, including salaries,  
8 support, maintenance, employment of an education  
9 director and clerk to administer a centralized  
10 education program for the correctional system,  
11 miscellaneous purposes, and for not more than the  
12 following full-time equivalent positions:

13 .....	\$	4,416,916
14 .....	FTEs	37.18

15 The department shall monitor the use of the  
16 classification model by the judicial district  
17 departments of correctional services and has the  
18 authority to override a district department's decision  
19 regarding classification of community-based clients.  
20 The department shall notify a district department of  
21 the reasons for the override.

22 It is the intent of the general assembly that as a  
23 condition of receiving the appropriation provided in  
24 this subsection, the department of corrections shall  
25 not enter into a new contract, unless the contract is  
26 a renewal of an existing contract, for the expenditure  
27 of moneys in excess of \$100,000 during the fiscal year  
28 beginning July 1, 1999, for the privatization of  
29 services performed by the department using state  
30 employees as of July 1, 1999, or for the privatization  
31 of new services by the department, without prior  
32 consultation with any applicable state employee  
33 organization affected by the proposed new contract and  
34 prior notification of the co-chairpersons and ranking  
35 members of the joint appropriations subcommittee on  
36 the justice system.

37 The department of general services shall,  
38 notwithstanding any provisions of law or rule to the  
39 contrary, permit the department of corrections the  
40 opportunity to acquire, at no cost, computers that  
41 would otherwise be disposed of by the department of  
42 general services. The department of corrections shall  
43 use computers acquired under this paragraph to provide  
44 educational training and programs for inmates.

45 It is the intent of the general assembly that each  
46 lease negotiated by the department of corrections with  
47 a private corporation for the purpose of providing  
48 private industry employment of inmates in a  
49 correctional institution shall prohibit the private  
50 corporation from utilizing inmate labor for partisan

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1 political purposes for any person seeking election to  
2 public office in this state and that a violation of  
3 this requirement shall result in a termination of the  
4 lease agreement.

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

16 2. For salaries, support, maintenance,  
17 miscellaneous purposes, and for not more than the  
18 following full-time equivalent positions at the  
19 correctional training center at Mt. Pleasant:

20 .....	\$	486,847
21 .....	FTEs	8.07

22 3. For annual payment relating to the financial  
23 arrangement for the construction of expansion in  
24 prison capacity as provided in 1990 Iowa Acts, chapter  
25 1257, section 24:

26 ..... \$ 3,180,815

27 4. For educational programs for inmates at state  
28 penal institutions:

29 ..... \$ 3,294,775

30 It is the intent of the general assembly that  
31 moneys appropriated in this subsection shall be used  
32 solely for the purpose indicated and that the moneys  
33 shall not be transferred for any other purpose. In  
34 addition, it is the intent of the general assembly  
35 that the department shall consult with the community  
36 colleges in the areas in which the institutions are  
37 located to utilize moneys appropriated in this  
38 subsection to fund the high school completion, high  
39 school equivalency diploma, adult literacy, and adult  
40 basic education programs in a manner so as to maintain  
41 these programs at the institutions.

42 To maximize the funding for educational programs,  
43 the department shall establish guidelines and  
44 procedures to prioritize the availability of  
45 educational and vocational training for inmates based  
46 upon the goal of facilitating an inmate's successful  
47 release from the correctional institution.

48 Notwithstanding section 8.33, moneys appropriated  
49 in this subsection that remain unobligated or  
50 unexpended at the close of the fiscal year shall not

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1 revert but shall remain available for expenditure only  
2 for the purposes designated in this subsection until  
3 the close of the succeeding fiscal year.

4 5. The department of corrections shall submit a  
5 report to the general assembly on January 1, 2000,  
6 concerning progress made in implementing the  
7 requirements of section 904.701, concerning hard labor  
8 by inmates.

9 6. It is the intent of the general assembly that  
10 the department of corrections shall continue to  
11 operate the correctional farms under the control of  
12 the department at the same or greater level of  
13 participation and involvement as existed as of January  
14 1, 1999, shall not enter into any rental agreement or  
15 contract concerning any farm land under the control of  
16 the department that is not subject to a rental  
17 agreement or contract as of January 1, 1999, without  
18 prior legislative approval, and shall further attempt  
19 to provide job opportunities at the farms for inmates.  
20 The department shall attempt to provide job  
21 opportunities at the farms for inmates by encouraging  
22 labor-intensive farming or gardening where  
23 appropriate, using inmates to grow produce and meat  
24 for institutional consumption, researching the  
25 possibility of instituting food canning and cook-and-  
26 chill operations, and exploring opportunities for  
27 organic farming and gardening, livestock ventures,  
28 horticulture, and specialized crops.

29 7. The department of corrections shall submit a  
30 report to the general assembly by January 1, 2000,  
31 concerning moneys recouped from inmate earnings for  
32 the reimbursement of operational expenses of the  
33 applicable facility during the fiscal year beginning  
34 July 1, 1998, for each correctional institution and  
35 judicial district department of correctional services.  
36 In addition, each correctional institution and  
37 judicial district department of correctional services  
38 shall continue to submit a report to each member of  
39 the joint appropriations subcommittee on the justice  
40 system and the legislative fiscal bureau on a monthly  
41 basis concerning moneys recouped from inmate earnings  
42 for the reimbursement of operational expenses for each  
43 correctional institution and district department  
44 during the previous calendar month.

45 8. The department of corrections shall submit a  
46 report to the general assembly by January 10, 2000,  
47 concerning the medical treatment of inmates at the  
48 Fort Madison correctional facility. The study shall  
49 examine the current method of providing medical  
50 treatment and care to inmates through a contract with

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1 a private entity and shall particularly study the  
 2 costs associated with providing care through the  
 3 private contract and the level of care provided to  
 4 inmates pursuant to that contract. The department  
 5 shall compare the costs and care provided at Fort  
 6 Madison with the costs and care provided at other  
 7 correctional facilities that do not provide the care  
 8 through a private contract. In addition, the  
 9 department shall solicit input from medical care  
 10 professionals, including those professionals within  
 11 the department and others, if applicable, concerning  
 12 the level of care provided to inmates at Fort Madison  
 13 and to solicit suggestions for providing a high level  
 14 of care at the facility at reasonable cost. The study  
 15 shall include a report of the findings and  
 16 recommendations of the department.

17 Sec. 6. DEPARTMENT OF CORRECTIONS -- PRISON  
 18 INFRASTRUCTURE FUND. Notwithstanding sections 8.33,  
 19 8.39, and 602.8108A, the department of corrections  
 20 shall direct the treasurer of state to transfer on  
 21 June 30, 1999, \$1,500,000 of the unused balance of  
 22 moneys in the Iowa prison infrastructure fund created  
 23 in section 602.8108A, to the department of corrections  
 24 and the moneys transferred are appropriated to be used  
 25 for the purposes designated:

- 26 1. For one-time start-up costs for equipment and  
 27 furnishings at the Iowa correctional institution for  
 28 women:  
 29 ..... \$ 500,000
- 30 2. For one-time start-up costs for equipment and  
 31 furnishings at the Fort Dodge correctional facility:  
 32 ..... \$ 1,000,000

33 Sec. 7. JUDICIAL DISTRICT DEPARTMENTS OF  
 34 CORRECTIONAL SERVICES.

35 1. There is appropriated from the general fund of  
 36 the state to the department of corrections for the  
 37 fiscal year beginning July 1, 1999, and ending June  
 38 30, 2000, the following amounts, or so much thereof as  
 39 is necessary, to be allocated as follows:

- 40 a. For the first judicial district department of  
 41 correctional services, including the treatment and  
 42 supervision of probation and parole violators who have  
 43 been released from the department of corrections  
 44 violator program, the following amount, or so much  
 45 thereof as is necessary:  
 46 ..... \$ 8,162,528
- 47 b. For the second judicial district department of  
 48 correctional services, including the treatment and  
 49 supervision of probation and parole violators who have  
 50 been released from the department of corrections

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1 violator program, the following amount, or so much  
 2 thereof as is necessary:  
 3 ..... \$ 6,450,779

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

10 ..... \$ 4,051,516

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

17 ..... \$ 3,016,517

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

24 ..... \$ 11,394,621

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

31 ..... \$ 8,421,871

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

38 ..... \$ 5,033,673

39 h. For the eighth judicial district department of  
 40 correctional services, including the treatment and  
 41 supervision of probation and parole violators who have  
 42 been released from the department of corrections  
 43 violator program, the following amount, or so much  
 44 thereof as is necessary:

45 ..... \$ 4,884,454

46 i. For the department of corrections for the  
 47 assistance and support of each judicial district  
 48 department of correctional services, the following  
 49 amount, or so much thereof as is necessary:

50 ..... \$ 83,576

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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, 2000.

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, 2000, 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

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1 as to the effectiveness of the program.

2 Sec. 8. CORRECTIONAL INSTITUTIONS -- VOCATIONAL  
3 TRAINING.

4 1. The state prison industries board and the  
5 department of corrections shall continue the  
6 implementation of a plan to enhance vocational  
7 training opportunities within the correctional  
8 institutions listed in section 904.102, as provided in  
9 1993 Iowa Acts, chapter 171, section 12. The plan  
10 shall provide for increased vocational training  
11 opportunities within the correctional institutions,  
12 including the possibility of approving community  
13 college credit for inmates working in prison  
14 industries. The department of corrections shall  
15 provide a report concerning the implementation of the  
16 plan to the co-chairpersons and ranking members of the  
17 joint appropriations subcommittee on the justice  
18 system and the legislative fiscal bureau, on or before  
19 January 15, 2000.

20 2. It is the intent of the general assembly that  
21 each correctional facility make all reasonable efforts  
22 to maintain vocational education programs for inmates  
23 and to identify available funding sources to continue  
24 these programs. The department of corrections shall  
25 submit a report to the general assembly by January 1,  
26 2000, concerning the efforts made by each correctional  
27 facility in maintaining vocational education programs  
28 for inmates.

29 Sec. 9. STATE AGENCY PURCHASES FROM PRISON  
30 INDUSTRIES.

31 1. As used in this section, unless the context  
32 otherwise requires, "state agency" means the  
33 government of the state of Iowa, including but not  
34 limited to all executive departments, agencies,  
35 boards, bureaus, and commissions, the judicial branch,  
36 the general assembly and all legislative agencies,  
37 institutions within the purview of the state board of  
38 regents, and any corporation whose primary function is  
39 to act as an instrumentality of the state.

40 2. State agencies are hereby encouraged to  
41 purchase products from Iowa state industries, as  
42 defined in section 904.802, when purchases are  
43 required and the products are available from Iowa  
44 state industries.

45 3. State agencies shall submit to the legislative  
46 fiscal bureau by January 15, 2000, a report of the  
47 dollar value of products and services purchased from  
48 Iowa state industries by the state agency during the  
49 fiscal year beginning July 1, 1998, and ending June  
50 30, 1999.

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1 Sec. 10. STATE PUBLIC DEFENDER. There is  
 2 appropriated from the general fund of the state to the  
 3 office of the state public defender of the department  
 4 of inspections and appeals for the fiscal year  
 5 beginning July 1, 1999, and ending June 30, 2000, the  
 6 following amount, or so much thereof as is necessary,  
 7 for the purposes designated:

8 ..... \$ 33,790,652

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

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

15 ..... \$ 13,389,276  
 16 ..... FTEs 201.00

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

20 ..... \$ 20,401,376

21 Sec. 11. JUDICIAL BRANCH. There is appropriated  
 22 from the general fund of the state to the judicial  
 23 branch for the fiscal year beginning July 1, 1999, and  
 24 ending June 30, 2000, the following amounts, or so  
 25 much thereof as is necessary, to be used for the  
 26 purposes designated:

27 1. For salaries of supreme court justices,  
 28 appellate court judges, district court judges,  
 29 district associate judges, judicial magistrates and  
 30 staff, state court administrator, clerk of the supreme  
 31 court, district court administrators, clerks of the  
 32 district court, juvenile court officers, board of law  
 33 examiners and board of examiners of shorthand  
 34 reporters and judicial qualifications commission,  
 35 receipt and disbursement of child support payments,  
 36 reimbursement of the auditor of state for expenses  
 37 incurred in completing audits of the offices of the  
 38 clerks of the district court during the fiscal year  
 39 beginning July 1, 1999, and maintenance, equipment,  
 40 and miscellaneous purposes:

41 ..... \$105,045,862

42 a. The judicial branch, except for purposes of  
 43 internal processing, shall use the current state  
 44 budget system, the state payroll system, and the Iowa  
 45 finance and accounting system in administration of  
 46 programs and payments for services, and shall not  
 47 duplicate the state payroll, accounting, and budgeting  
 48 systems.

49 b. The judicial branch shall submit monthly  
 50 financial statements to the legislative fiscal bureau

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1 and the department of management containing all  
2 appropriated accounts in the same manner as provided  
3 in the monthly financial status reports and personal  
4 services usage reports of the department of revenue  
5 and finance. The monthly financial statements shall  
6 include a comparison of the dollars and percentage  
7 spent of budgeted versus actual revenues and  
8 expenditures on a cumulative basis for full-time  
9 equivalent positions and dollars.

10 c. The judicial branch shall continue to assist in  
11 the development and implementation of a justice data  
12 warehouse which shall include in the Iowa court  
13 information system starting with appointments of  
14 counsel made on or after July 1, 1999, the means to  
15 identify any case where the court has determined  
16 indigence, and whether the case is handled by a public  
17 defender or other court-appointed counsel.

18 d. Of the funds appropriated in this subsection,  
19 not more than \$1,897,728 may be transferred into the  
20 revolving fund established pursuant to section  
21 602.1302, subsection 3, to be used for the payment of  
22 jury and witness fees and mileage.

23 e. The judicial branch shall focus efforts upon  
24 the collection of delinquent fines, penalties, court  
25 costs, fees, surcharges, or similar amounts.

26 f. It is the intent of the general assembly that  
27 the offices of the clerks of the district court  
28 operate in all ninety-nine counties and be accessible  
29 to the public as much as is reasonably possible in  
30 order to address the relative needs of the citizens of  
31 each county.

32 g. In addition to the requirements for transfers  
33 under section 8.39, the judicial branch shall not  
34 change the appropriations from the amounts  
35 appropriated to the branch in this Act, unless notice  
36 of the revisions is given prior to their effective  
37 date to the legislative fiscal bureau. The notice  
38 shall include information on the branch's rationale  
39 for making the changes and details concerning the work  
40 load and performance measures upon which the changes  
41 are based.

42 h. The judicial branch shall provide to the co-  
43 chairpersons and ranking members of the joint  
44 appropriations subcommittee on the justice system and  
45 to the legislative fiscal bureau by January 15, 2000,  
46 an annual report concerning the operation and use of  
47 the Iowa court information system and any  
48 recommendations to improve the utilization of the  
49 system. The annual report shall include information  
50 specifying the amounts of fines, surcharges, and court

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1 costs collected using the system and how the system is  
 2 used to improve the collection process. The report  
 3 shall also include information concerning efforts made  
 4 by the judicial branch to facilitate the sharing of  
 5 vital sentencing and other information with other  
 6 state departments and governmental agencies involved  
 7 in the criminal justice system through the Iowa court  
 8 information system. In addition, the judicial branch  
 9 shall submit a semiannual update to the co-  
 10 chairpersons and ranking members specifying the  
 11 amounts of fines, surcharges, and court costs  
 12 collected using the Iowa court information system  
 13 since the last report.

14 i. Of the funds appropriated in this subsection,  
 15 the judicial branch shall use not more than \$585,270  
 16 for an additional 3 district court judges, 3 court  
 17 reporters, and 3 court attendants. Of the additional  
 18 district court judges, one additional district court  
 19 judge shall be assigned, one each, to judicial  
 20 election subdistricts one-B and five-C and to judicial  
 21 election district 7.

22 j. The judicial branch shall provide a report to  
 23 the general assembly by January 1, 2000, concerning  
 24 the amounts received and expended from the enhanced  
 25 court collections fund created in section 602.1304 and  
 26 the court technology and modernization fund created in  
 27 section 602.8108, subsection 4, during the fiscal year  
 28 beginning July 1, 1998, and ending June 30, 1999, and  
 29 the plans for expenditures from each fund during the  
 30 fiscal year beginning July 1, 1999, and ending June  
 31 30, 2000.

32 2. For the juvenile victim restitution program:  
 33 ..... \$ 210,291

34 Sec. 12. ENHANCED COURT COLLECTIONS FUND.  
 35 Notwithstanding section 602.1304, subsection 2, for  
 36 the fiscal year beginning July 1, 1999, and ending  
 37 June 30, 2000, the maximum deposit amount for the  
 38 enhanced court collections fund shall be \$5,000,000.  
 39 For succeeding fiscal years, the maximum deposit  
 40 amount shall be determined in accordance with section  
 41 602.1304, subsection 2, and the maximum deposit amount  
 42 shall not be increased due to the increase made in  
 43 this section.

44 Sec. 13. JUDICIAL RETIREMENT FUND. There is  
 45 appropriated from the general fund of the state to the  
 46 judicial retirement fund for the fiscal year beginning  
 47 July 1, 1999, and ending June 30, 2000, the following  
 48 amount, or so much thereof as is necessary, to be used  
 49 for the purpose designated:

50 For the state's contribution to the judicial

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1 retirement fund established in section 602.9104, in  
 2 the amount of 23.7 percent of the basic salaries of  
 3 the judges covered under chapter 602, article 9:  
 4 ..... \$ 4,202,697

5 Sec. 14. INDIGENT DEFENSE COSTS. The supreme  
 6 court shall submit a written report for the preceding  
 7 fiscal year no later than January 1, 2000, indicating  
 8 the amounts collected pursuant to section 815.9A,  
 9 relating to recovery of indigent defense costs. The  
 10 report shall include the total amount collected by all  
 11 courts, as well as the amounts collected by each  
 12 judicial district. The supreme court shall also  
 13 submit a written report quarterly indicating the  
 14 number of criminal and juvenile filings which occur in  
 15 each judicial district for purposes of estimating  
 16 indigent defense costs. A copy of each report shall  
 17 be provided to the public defender, the department of  
 18 management, and the legislative fiscal bureau. The  
 19 judicial branch shall continue to assist in the  
 20 development of an automated data system for use in the  
 21 sharing of information utilizing the generic program  
 22 interface for legislative and executive branch uses.

23 Sec. 15. IOWA CORRECTIONS OFFENDER NETWORK DATA  
 24 SYSTEM. The department of corrections shall submit a  
 25 report to the co-chairpersons and ranking members of  
 26 the joint appropriations subcommittee on the justice  
 27 system and the legislative fiscal bureau, on or before  
 28 January 15, 2000, concerning the development and  
 29 implementation of the Iowa corrections offender  
 30 network (ICON) data system. The report shall include  
 31 a description of the system and functions, a plan for  
 32 implementation of the system, including a timeline,  
 33 resource and staffing requirements for the system, and  
 34 a current status and progress report concerning the  
 35 implementation of the system. In addition, the report  
 36 shall specifically address the ability of the system  
 37 to receive and transmit data between prisons,  
 38 community-based corrections district departments, the  
 39 judicial branch, board of parole, the criminal and  
 40 juvenile justice planning division of the department  
 41 of human rights, the department of public safety, and  
 42 other applicable governmental agencies. The report  
 43 should include a detailed discussion of the  
 44 cooperation with other state agencies and the judicial  
 45 branch in the development and implementation of the  
 46 system.

47 Sec. 16. IOWA LAW ENFORCEMENT ACADEMY. There is  
 48 appropriated from the general fund of the state to the  
 49 Iowa law enforcement academy for the fiscal year  
 50 beginning July 1, 1999, and ending June 30, 2000, the

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1 following amounts, or so much thereof as is necessary,  
2 to be used for the purposes designated:

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

7 ..... \$ 1,329,629  
8 ..... FTEs 30.55

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

14 2. For salaries, support, maintenance, and  
15 miscellaneous purposes to provide statewide  
16 coordination of the drug abuse resistance education  
17 (D.A.R.E.) program:

18 ..... \$ 80,000

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

34 Sec. 17. BOARD OF PAROLE. There is appropriated  
35 from the general fund of the state to the board of  
36 parole for the fiscal year beginning July 1, 1999, and  
37 ending June 30, 2000, the following amount, or so much  
38 thereof as is necessary, to be used for the purposes  
39 designated:

40 For salaries, support, maintenance, including  
41 maintenance of an automated docket and the board's  
42 automated risk assessment model, employment of two  
43 statistical research analysts to assist with the  
44 application of the risk assessment model in the parole  
45 decision-making process, miscellaneous purposes, and  
46 for not more than the following full-time equivalent  
47 positions:

48 ..... \$ 1,018,547  
49 ..... FTEs 18.00

50 A portion of the funds appropriated in this section

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1 shall be used to continue a pilot program for  
2 probation violations in the sixth judicial district  
3 department of correctional services. Data shall be  
4 maintained to evaluate the pilot program.

5 Sec. 18. DEPARTMENT OF PUBLIC DEFENSE. There is  
6 appropriated from the general fund of the state to the  
7 department of public defense for the fiscal year  
8 beginning July 1, 1999, and ending June 30, 2000, the  
9 following amounts, or so much thereof as is necessary,  
10 to be used for the purposes designated:

11 1. MILITARY DIVISION

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

15 ..... \$ 4,696,387  
16 ..... FTEs 224.76

17 If there is a surplus in the general fund of the  
18 state for the fiscal year ending June 30, 2000, within  
19 60 days after the close of the fiscal year, the  
20 military division may incur up to an additional  
21 \$500,000 in expenditures from the surplus prior to  
22 transfer of the surplus pursuant to section 8.57.

23 2. EMERGENCY MANAGEMENT DIVISION

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

27 ..... \$ 898,541  
28 ..... FTEs 25.25

29 Sec. 19. DEPARTMENT OF PUBLIC SAFETY. There is  
30 appropriated from the general fund of the state to the  
31 department of public safety for the fiscal year  
32 beginning July 1, 1999, and ending June 30, 2000, the  
33 following amounts, or so much thereof as is necessary,  
34 to be used for the purposes designated:

35 1. For the department's administrative functions,  
36 including the criminal justice information system, and  
37 for not more than the following full-time equivalent  
38 positions:

39 ..... \$ 2,474,051  
40 ..... FTEs 38.80

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

49 ..... \$ 11,759,610  
50 ..... FTEs 227.50

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1 Riverboat enforcement costs shall be billed in  
 2 accordance with section 99F.10, subsection 4. The  
 3 costs shall be not more than the department's  
 4 estimated expenditures, including salary adjustment,  
 5 for riverboat enforcement for the fiscal year.

6 The department of public safety, with the approval  
 7 of the department of management, may employ no more  
 8 than two special agents and four gaming enforcement  
 9 officers for each additional riverboat regulated after  
 10 July 1, 1999, and one special agent for each racing  
 11 facility which becomes operational during the fiscal  
 12 year which begins July 1, 1999. One additional gaming  
 13 enforcement officer, up to a total of four per boat,  
 14 may be employed for each riverboat that has extended  
 15 operations to 24 hours and has not previously operated  
 16 with a 24-hour schedule. Positions authorized in this  
 17 paragraph are in addition to the full-time equivalent  
 18 positions authorized in this subsection.

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

27 .....	\$	2,845,587
28 .....	FTEs	48.00

29 b. For the division of narcotics enforcement for  
 30 undercover purchases:

31 .....	\$	139,202
----------	----	---------

32 4. For the state fire marshal's office, including  
 33 the state's contribution to the peace officers'  
 34 retirement, accident, and disability system provided  
 35 in chapter 97A in the amount of 17 percent of the  
 36 salaries for which the funds are appropriated, and for  
 37 not more than the following full-time equivalent  
 38 positions:

39 .....	\$	1,629,621
40 .....	FTEs	31.80

41 5. For the capitol security division, including  
 42 the state's contribution to the peace officers'  
 43 retirement, accident, and disability system provided  
 44 in chapter 97A in the amount of 17 percent of the  
 45 salaries for which the funds are appropriated and for  
 46 not more than the following full-time equivalent  
 47 positions:

48 .....	\$	1,307,615
49 .....	FTEs	27.00

50 6. For the division of the Iowa state patrol of

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1 the department of public safety, for salaries,  
 2 support, maintenance, workers' compensation costs, and  
 3 miscellaneous purposes, including the state's  
 4 contribution to the peace officers' retirement,  
 5 accident, and disability system provided in chapter  
 6 97A in the amount of 17 percent of the salaries for  
 7 which the funds are appropriated, and for not more  
 8 than the following full-time equivalent positions:  
 9 ..... \$ 37,090,282  
 10 ..... FTEs 574.25

11 7. For costs associated with the maintenance of  
 12 the automated fingerprint information system (AFIS):  
 13 ..... \$ 269,425

14 8. An employee of the department of public safety  
 15 who retires after July 1, 1999, but prior to June 30,  
 16 2000, is eligible for payment of life or health  
 17 insurance premiums as provided for in the collective  
 18 bargaining agreement covering the public safety  
 19 bargaining unit at the time of retirement if that  
 20 employee previously served in a position which would  
 21 have been covered by the agreement. The employee  
 22 shall be given credit for the service in that prior  
 23 position as though it were covered by that agreement.  
 24 The provisions of this subsection shall not operate to  
 25 reduce any retirement benefits an employee may have  
 26 earned under other collective bargaining agreements or  
 27 retirement programs.

28 9. For costs associated with the training and  
 29 equipment needs of volunteer fire fighters and for not  
 30 more than the following full-time equivalent  
 31 positions:  
 32 ..... \$ 709,405  
 33 ..... FTEs 1.00

34 Notwithstanding section 8.33, moneys appropriated  
 35 in this subsection that remain unobligated or  
 36 unexpended at the close of the fiscal year shall not  
 37 revert but shall remain available for expenditure only  
 38 for the purpose designated in this subsection until  
 39 the close of the succeeding fiscal year.

40 10. For the state medical examiner and for not  
 41 more than the following full-time equivalent  
 42 positions:  
 43 ..... \$ 532,700  
 44 ..... FTEs 5.00

45 Any fees collected by the department of public  
 46 safety, or the department of public health, if  
 47 applicable, for autopsies performed by the office of  
 48 the state medical examiner shall be deposited in the  
 49 general fund of the state.

50 If 1999 Iowa Acts, Senate File 376, or other

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1 legislation transferring the medical examiner office  
2 and associated appropriations, is enacted, the moneys  
3 appropriated in this subsection shall instead be  
4 appropriated as provided in that Act.

5 Sec. 20. Section 423.24, subsection 2, Code 1999,  
6 is amended to read as follows:

7 2. Notwithstanding any other provision of this  
8 section that provides that all revenue derived from  
9 the use tax on motor vehicles, trailers, and motor  
10 vehicle accessories and equipment as collected  
11 pursuant to section 423.7 shall be deposited and  
12 credited to the road use tax fund, twenty percent of  
13 the revenues shall be credited and deposited as  
14 follows: one-half to the road use tax fund and one-  
15 half to the primary road fund to be used for the  
16 commercial and industrial highway network, ~~except to~~  
17 ~~the extent that the department directs that moneys are~~  
18 ~~deposited in the highway safety patrol fund created in~~  
19 ~~section 80.41 to fund the appropriations made from the~~  
20 ~~highway safety patrol fund in accordance with the~~  
21 ~~provisions of section 80.41. The department shall~~  
22 ~~determine the amount of moneys to be credited under~~  
23 ~~this subsection to the highway safety patrol fund and~~  
24 ~~shall deposit that amount into the highway safety~~  
25 ~~patrol fund.~~

26 Sec. 21. Section 602.6201, subsection 10, Code  
27 1999, is amended to read as follows:

28 10. Notwithstanding the formula for determining  
29 the number of judgeships in this section, the number  
30 of district judges shall not exceed one hundred ~~twelve~~  
31 fifteen during the period commencing July 1, ~~1997~~  
32 1999.

33 Sec. 22. 1995 Iowa Acts, chapter 220, section 20,  
34 subsection 4, is amended by striking the subsection.

35 Sec. 23. 1998 Iowa Acts, chapter 1222, section 25,  
36 subsection 3, is amended to read as follows:

37 3. For the installation of perimeter fencing and  
38 physical plant improvements at the Mt. Pleasant  
39 correctional facility:

40 ..... \$ 300,000

41 Sec. 24. Section 80.41, Code 1999, is repealed.

42 Sec. 25. EFFECTIVE DATE. Section 23 of this Act,  
43 amending 1998 Iowa Acts, chapter 1222, being deemed of  
44 immediate importance, takes effect upon enactment."

45 2. Title page, line 2, by striking the words  
46 "effective dates" and inserting the following: "an  
47 effective date".

By COMMITTEE ON APPROPRIATIONS  
MILLAGE of Scott, Chairperson

H-1588 FILED APRIL 13, 1999

*Accepted  
4/19/99  
(P. 1437)*

SENATE FILE 468

H-1625

1 Amend the amendment, H-1588, to Senate File 468, as  
2 amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 22, by inserting after line 34 the  
5 following:

6 "Sec. \_\_\_\_\_. 1998 Iowa Acts, chapter 1101, section  
7 15, subsection 2, is amended to read as follows:

8 2. a. There is appropriated from surcharge moneys  
9 received by the E911 administrator and deposited into  
10 the wireless E911 emergency communications fund, for  
11 the fiscal year beginning July 1, 1998, and ending  
12 ~~June-30~~, for the fiscal year beginning July 1, 1999,  
13 an amount not to exceed two hundred thousand dollars  
14 to be used for the implementation, support, and  
15 maintenance of the functions of the E911  
16 administrator. The amount appropriated in this  
17 paragraph includes any amounts necessary to reimburse  
18 the division of emergency management of the department  
19 of public defense pursuant to paragraph "b".

20 b. Notwithstanding the distribution formula in  
21 section 34A.7A, as enacted in this Act, and prior to  
22 any such distribution, of the initial surcharge moneys  
23 received by the E911 administrator and deposited into  
24 the wireless E911 emergency communications fund, for  
25 the fiscal year beginning July 1, 1998, and ending  
26 ~~June-30~~, for the fiscal year beginning July 1, 1999,  
27 an amount shall be transferred to the division of  
28 emergency management of the department of public  
29 defense as necessary to reimburse the division for  
30 amounts expended for the implementation, support, and  
31 maintenance of the E911 administrator, including the  
32 E911 administrator's salary."

33 2. By renumbering as necessary.

By GARMAN of Story  
BELL of Jasper

H-1625 FILED APRIL 14, 1999

*adapted*  
*4/19/99*  
*(P 1434)*

SENATE FILE 468

H-1624

1 Amend the amendment, H-1588, to Senate File 468, as  
 2 amended, passed, and reprinted by the Senate, as  
 3 follows:  
 4 1. Page 10, by inserting after line 16 the  
 5 following:  
 6 "9. It is the intent of the general assembly that  
 7 the department of corrections, in submitting its  
 8 proposed budget request for the fiscal year beginning  
 9 July 1, 2000, exclude requests for full-time  
 10 equivalent positions, and the moneys for those  
 11 positions, which would otherwise be included for the  
 12 sole purpose of providing the department with  
 13 additional moneys to operate the department and not  
 14 for the purpose of providing additional full-time  
 15 equivalent positions. In addition, the department of  
 16 corrections shall submit a report to the general  
 17 assembly by January 31, 2000, listing full-time  
 18 equivalent positions authorized by this Act and not  
 19 filled during the period from July 1, 1999, to January  
 20 1, 2000. For any position that is unfilled as of  
 21 January 1, 2000, the department shall indicate why the  
 22 position remains unfilled, whether the department  
 23 intends to fill the position, and, if applicable, what  
 24 efforts are being made, or will be made, to fill the  
 25 position."

26 2. By renumbering as necessary.  
 By MILLAGE of Scott

H-1624 FILED APRIL 14, 1999

*Adopted  
 4/19/99  
 (P. 1429)*

SENATE FILE 468

H-1626

1 Amend the amendment, H-1588, to Senate File 468, as  
2 amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 18, by inserting after line 18 the  
5 following:

6 "\_\_\_\_. For costs associated with training by the  
7 Iowa coalition chapters of the Alzheimer's association  
8 of state and local law enforcement personnel  
9 concerning the recognition of and response to persons  
10 with Alzheimer's disease:

11 ..... \$ 70,000

12 It is the intent of the general assembly that each  
13 chapter of the Alzheimer's association receiving  
14 moneys as provided in this subsection shall submit  
15 quarterly reports to the academy concerning the number  
16 and location of training programs conducted."

17 2. By renumbering as necessary.

By WARNSTADT of Woodbury

H-1626 FILED APRIL 14, 1999

*W/D  
4/19/99 (P.1432)*

SENATE FILE 468

H-1627

1 Amend the amendment, H-1588, to Senate File 468, as  
2 amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 10, by striking line 46 and inserting the  
5 following:

6 "..... \$ 8,162,258"

By GARMAN of Story

H-1627 FILED APRIL 14, 1999

*O/O  
4/19/99  
(P.1425)*

SENATE FILE 468

H-1652

1 Amend the amendment, H-1588, to Senate File 468, as  
2 amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 10, by striking line 46 and inserting the  
5 following:

6 "..... \$ 8,333,598"

7 2. Page 11, by striking line 3 and inserting the  
8 following:

9 "..... \$ 6,490,033"

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

12 "..... \$ 4,177,627"

13 4. Page 11, by striking line 17 and inserting the  
14 following:

15 "..... \$ 3,041,878"

16 5. Page 11, by striking line 24 and inserting the  
17 following:

18 "..... \$ 11,521,729"

19 6. Page 11, by striking line 31 and inserting the  
20 following:

21 "..... \$ 8,547,453"

22 7. Page 11, by striking line 38 and inserting the  
23 following:

24 "..... \$ 5,049,795"

25 8. Page 11, by striking line 45 and inserting the  
26 following:

27 "..... \$ 4,995,390"

By RICHARDSON of Warren

H-1652 FILED APRIL 15, 1999

*W/D*

*4/19/99*

*(p. 1429)*

SENATE FILE 468

H-1650

1 Amend the amendment, H-1588, to Senate File 468, as  
2 amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 22, by inserting after line 4 the  
5 following:

6 "\_\_\_\_. The department of public safety shall  
7 conduct a study, and submit a report of its findings  
8 and recommendations, to the general assembly by  
9 January 10, 2000, concerning the feasibility of  
10 providing members of the Iowa state patrol with  
11 cellular, or other similar wireless, telephones and  
12 accompanying service. In conducting its study, the  
13 department shall examine and include findings on the  
14 cost of providing the telephones and service to  
15 members of the state patrol and on what type of  
16 telephone and service would be the most effective in  
17 assisting members of the state patrol. The department  
18 shall consult with members of the Iowa state patrol in  
19 conducting its study."

20 2. By renumbering as necessary.

By GARMAN of Story  
BELL of Jasper  
DAVIS of Wapello

JAGER of Black Hawk  
FREVERT of Palo Alto  
HUSER of Polk

H-1650 FILED APRIL 15, 1999

*Adopted*  
*4/19/99 (P.1432)*

SENATE FILE 468

H-1651

1 Amend the amendment, H-1588, to Senate File 468, as  
2 amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 14, by striking line 41 and inserting the  
5 following:

6 "..... \$105,095,862"

7 2. Page 16, by inserting after line 13 the  
8 following:

9 "\_\_\_\_. Of the funds appropriated in this  
10 subsection, the judicial branch shall use \$50,000 for  
11 the expansion of the court-appointed special advocate  
12 program into Appanoose county."

13 3. By renumbering and relettering as necessary.

By KREIMAN of Davis

H-1651 FILED APRIL 15, 1999

*W/D*  
*4/19/99*  
*(P.1434)*

H-1660

1 Amend the amendment, H-1588, to Senate File 468, as  
2 amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 14, by striking line 41 and inserting the  
5 following:

6 "..... \$106,464,411"

7 2. Page 16, line 15, by striking the figure  
8 "585,270" and inserting the following: "2,003,819".

9 3. Page 16, by striking lines 16 through 21 and  
10 inserting the following: "for an additional 6  
11 district court judges, 4 district associate judges, 10  
12 court reporters, 3 legal assistants, 1 case  
13 coordinator, and 7.5 court attendants. The additional  
14 district court judges and district associate judges  
15 shall be assigned, notwithstanding the provisions of  
16 section 602.6301 to the contrary, as determined by the  
17 judicial branch."

18 4. Page 22, line 31, by striking the word  
19 "fifteen" and inserting the following: "eighteen".

By CHAPMAN of Linn

H-1660 FILED APRIL 19, 1999  
LOST

(P. 1431)



SENATE FILE 468

H-1657

1 Amend the amendment, H-1588, to Senate File 468, as  
2 amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 1, by striking lines 15 and 16 and  
5 inserting the following:

6 "..... \$ 8,296,153  
7 ..... FTEs 191.50"

8 2. Page 14, by striking line 8 and inserting the  
9 following:

10 "..... \$ 33,879,652"

11 3. Page 14, by striking lines 15 and 16 and  
12 inserting the following:

13 "..... \$ 13,478,276  
14 ..... FTEs 202.00"

By RICHARDSON of Warren

H-1657 FILED APRIL 15, 1999

*Lost 4/19/99  
(P. 1420)*

SENATE FILE 468

H-1658

1 Amend the amendment, H-1588, to Senate File 468, as  
2 amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 6, by striking lines 4 and 5 and  
5 inserting the following:

6 "..... \$ 10,846,520  
7 ..... FTEs 198.96"

By HUSER of Polk

H-1658 FILED APRIL 15, 1999

*Lost 4/19/99  
(P. 1426)*

SENATE FILE 468

H-1654

1 Amend the amendment, H-1588, to Senate File 468, as  
 2 amended, passed, and reprinted by the Senate, as  
 3 follows:  
 4 1. Page 10, by striking line 46 and inserting the  
 5 following:  
 6 "..... \$ 8,393,578"  
 7 2. Page 11, by striking line 3 and inserting the  
 8 following:  
 9 "..... \$ 6,823,996"  
 10 3. Page 11, by striking line 10 and inserting the  
 11 following:  
 12 "..... \$ 4,081,327"  
 13 4. Page 11, by striking line 17 and inserting the  
 14 following:  
 15 "..... \$ 3,119,533"  
 16 5. Page 11, by striking line 24 and inserting the  
 17 following:  
 18 "..... \$ 11,630,232"  
 19 6. Page 11, by striking line 31 and inserting the  
 20 following:  
 21 "..... \$ 8,747,625"  
 22 7. Page 11, by striking line 38 and inserting the  
 23 following:  
 24 "..... \$ 5,142,884"  
 25 8. Page 11, by striking line 45 and inserting the  
 26 following:  
 27 "..... \$ 4,995,304"

By LARKIN of Lee

H-1654 FILED APRIL 15, 1999

*W/D*  
*4/19/99 (P.1429)* SENATE FILE 468

H-1655

1 Amend the amendment, H-1588, to Senate File 468, as  
 2 amended, passed, and reprinted by the Senate, as  
 3 follows:  
 4 1. Page 6, by striking lines 11 and 12 and  
 5 inserting the following:  
 6 "..... \$ 22,907,753  
 7 ..... FTES 371.88"

By MUNDIE of Webster

H-1655 FILED APRIL 15, 1999

*lost*  
*4/19/99 (P.1428)* SENATE FILE 468

H-1656

1 Amend the amendment, H-1588, to Senate File 468, as  
 2 amended, passed, and reprinted by the Senate, as  
 3 follows:  
 4 1. Page 3, by striking line 22 and inserting the  
 5 following:  
 6 "..... \$ 950,000"

By PARMENTER of Story

H-1656 FILED APRIL 15, 1999

*lost*  
*4-19-99 (P.1423)*

SENATE FILE 468

H-1653

1 Amend the amendment, H-1588, to Senate File 468, as  
2 amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 5, by striking lines 28 and 29 and  
5 inserting the following:

6 "..... \$ 20,024,016  
7 ..... FTEs 343.26"

8 2. Page 10, by striking line 46 and inserting the  
9 following:

10 "..... \$ 8,190,456"

11 3. Page 11, by striking line 3 and inserting the  
12 following:

13 "..... \$ 6,538,418"

14 4. Page 11, by striking line 10 and inserting the  
15 following:

16 "..... \$ 4,086,767"

17 5. Page 11, by striking line 17 and inserting the  
18 following:

19 "..... \$ 3,049,426"

20 6. Page 11, by striking line 24 and inserting the  
21 following:

22 "..... \$ 11,502,522"

23 7. Page 11, by striking line 31 and inserting the  
24 following:

25 "..... \$ 8,448,538"

26 8. Page 11, by striking line 38 and inserting the  
27 following:

28 "..... \$ 5,052,571"

29 9. Page 11, by striking line 45 and inserting the  
30 following:

31 "..... \$ 4,942,991"

By BELL of Jasper

H-1653 FILED APRIL 15, 1999

*Lost*  
*4/29/99*  
*(P. 1424)*

SENATE FILE 468

H-1661

1 Amend the amendment, H-1588, to Senate File 468, as  
2 amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 5, by striking line 36 and inserting the  
5 following:

6 "..... FTEs 121.00"

7 2. Page 5, by striking line 43 and inserting the  
8 following:

9 "..... FTEs 292.75"

10 3. Page 10, by inserting after line 32 the  
11 following:

12 "Sec. 101. DEPARTMENT OF CORRECTIONS --  
13 SUPPLEMENTAL APPROPRIATIONS. There is appropriated  
14 from the general fund of the state to the department  
15 of corrections for the fiscal year beginning July 1,  
16 1998, and ending June 30, 1999, to supplement the  
17 appropriation made in 1998 Iowa Acts, chapter 1222,  
18 section 4, the following amounts, or so much thereof  
19 as is necessary, to be used for the purposes  
20 designated:

21 1. For payment of contracts to house female  
22 prisoners out of state:  
23 ..... \$ 547,000

24 2. For the establishment of a 100-bed special  
25 needs unit for women at the Mt. Pleasant correctional  
26 facility:  
27 ..... \$ 284,000

28 3. For offset of revenue budgeted for private  
29 sector employment of inmates:  
30 ..... \$ 762,756"

31 4. Page 10, by striking line 46 and inserting the  
32 following:  
33 "..... \$ 8,162,258"

34 5. Page 22, by striking line 42 and inserting the  
35 following:

36 "Sec. \_\_\_\_ . EFFECTIVE DATES.

37 1. Section 101 of this Act, providing for  
38 supplemental appropriations to the department of  
39 corrections, being deemed of immediate importance,  
40 takes effect upon enactment.

41 2. Section 23 of this Act,".

42 6. Page 22, by striking lines 45 through 47.

43 7. By renumbering as necessary.

By GARMAN of Story

H-1661 FILED APRIL 19, 1999

ADOPTED

(P. 1425)

## SENATE FILE 468

H-1662

1 Amend the amendment, H-1588, to Senate File 468, as  
2 amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 8, by inserting after line 15 the  
5 following: "It is the intent of the general assembly  
6 that as a condition of receiving the appropriation  
7 provided in this subsection, the department of  
8 corrections shall not enter into any agreement with a  
9 private for-profit agency or corporation for the  
10 purpose of transferring inmates under the custody of  
11 the department to a jail or correctional facility or  
12 institution in this state which is established,  
13 maintained, or operated by a private for-profit agency  
14 or corporation without prior approval by the general  
15 assembly."

By TAYLOR of Linn

H-1662 FILED APRIL 19, 1999

ADOPTED

(P. 1428)

## SENATE FILE 468

H-1664

1 Amend the amendment, H-1588, to Senate File 468, as  
2 amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 22, by inserting after line 32 the  
5 following:  
6 "Sec. \_\_\_\_ Section 904.508A, Code 1999, is amended  
7 to read as follows:

8 904.508A INMATE TELEPHONE REBATE FUND.

9 The department is authorized to establish and  
10 maintain an inmate telephone rebate fund in each  
11 institution for the deposit of moneys received for  
12 inmate telephone rebates. All funds deposited in this  
13 fund shall be used for the benefit of inmates. The  
14 director shall adopt rules providing for the  
15 disbursement of moneys from the fund. The rules shall  
16 provide that all disbursements of moneys from the fund  
17 shall be subject to approval, in writing, by a  
18 committee comprised of the director, a deputy director  
19 for the department as designated by the director, and  
20 the citizens' aide, or designee of the citizens'  
21 aide."

22 2. By renumbering as necessary.

By MYERS of Johnson  
GARMAN of Story

H-1664 FILED APRIL 19, 1999

ADOPTED

(P. 1433)

SENATE FILE 468

H-1671

1 Amend the amendment, H-1588, to Senate File 468, as  
2 amended, passed, and reprinted by the Senate, as  
3 follows:

- 4 1. Page 16, line 17, by striking the words "Of  
5 the" and inserting the following: "The".
- 6 2. Page 16, by striking lines 18 through 21 and  
7 inserting the following: "district court judges shall  
8 be assigned as determined by the judicial branch."

By GRUNDBERG of Polk	CONNORS of Polk
METCALF of Polk	FALLON of Polk
FORD of Polk	HOLVECK of Polk
HUSER of Polk	TAYLOR of Linn
CHAPMAN of Linn	DODERER of Johnson
CATALDO of Polk	WHITEAD of Woodbury
LORD of Dallas	WARNSTADT of Woodbury
HOFFMAN of Crawford	RICHARDSON of Warren
CHIODO of Polk	FOEGE of Linn

H-1671 FILED APRIL 19, 1999

WITHDRAWN  
(P.1431)

SENATE FILE 468

H-1672

1 Amend the amendment, H-1588, to Senate File 468, as  
2 amended, passed, and reprinted by the Senate, as  
3 follows:

- 4 1. Page 16, by inserting after line 31 the  
5 following:  
6 "\_\_\_\_. The judicial branch shall conduct a study on  
7 the method of allocating district court judges and  
8 district associate judges and shall submit a report to  
9 the general assembly by January 1, 2000, with its  
10 findings and recommendations. In conducting its  
11 study, the judicial branch shall examine the current  
12 method of allocating district court judges and  
13 district associate judges as provided in Code sections  
14 602.6201 and 602.6301, and shall make findings and  
15 recommendations as to whether or not the methods  
16 provided in those sections represent the best  
17 mechanism for allocating judges amongst judicial  
18 districts and counties."

19 2. By renumbering as necessary.  
By GRUNDBERG of Polk

H-1672 FILED APRIL 19, 1999  
ADOPTED

(P.1431)

SENATE FILE 468

H-1673

1 Amend the amendment, H-1662, to amendment, H-1588,  
 2 to Senate File 468, as amended, passed, and reprinted  
 3 by the Senate, as follows:  
 4 1. Page 1, line 8, by inserting after the word  
 5 "any" the word "new".

By TAYLOR of Linn

H-1673 FILED APRIL 19, 1999  
ADOPTED BY UNANIMOUS CONSENT

(P. 1428)

SENATE FILE 468

H-1674

1 Amend the amendment, H-1588, to Senate File 468, as  
 2 amended, passed, and reprinted by the Senate, as  
 3 follows:  
 4 1. Page 10, by inserting before line 47 the  
 5 following:  
 6 "In addition to moneys appropriated in this  
 7 paragraph, there is appropriated \$171,340 to the first  
 8 judicial district department of correctional services  
 9 for additional parole and probation officers."  
 10 2. Page 11, by striking line 3 and inserting the  
 11 following:  
 12 "..... \$ 6,490,033"  
 13 3. Page 11, by striking line 10 and inserting the  
 14 following:  
 15 "..... \$ 4,177,627"  
 16 4. Page 11, by striking line 17 and inserting the  
 17 following:  
 18 "..... \$ 3,041,878"  
 19 5. Page 11, by striking line 24 and inserting the  
 20 following:  
 21 "..... \$ 11,521,729"  
 22 6. Page 11, by striking line 31 and inserting the  
 23 following:  
 24 "..... \$ 8,547,453"  
 25 7. Page 11, by striking line 38 and inserting the  
 26 following:  
 27 "..... \$ 5,049,795"  
 28 8. Page 11, by striking line 45 and inserting the  
 29 following:  
 30 "..... \$ 4,995,390"

By RICHARDSON of Warren

H-1674 FILED APRIL 19, 1999  
LOST

(P. 1435)

SENATE FILE 468

H-1676

1 Amend the amendment, H-1588, to Senate File 468, as  
2 amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 10, by inserting before line 47 the  
5 following:

6 "In addition to the moneys appropriated in this  
7 paragraph, there is appropriated \$231,320 to the first  
8 judicial district department of correctional services  
9 for increased residential staffing."

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

12 "..... \$ 6,823,996"

13 3. Page 11, by striking line 10 and inserting the  
14 following:

15 "..... \$ 4,081,327"

16 4. Page 11, by striking line 17 and inserting the  
17 following:

18 "..... \$ 3,119,533"

19 5. Page 11, by striking line 24 and inserting the  
20 following:

21 "..... \$ 11,630,232"

22 6. Page 11, by striking line 31 and inserting the  
23 following:

24 "..... \$ 8,747,625"

25 7. Page 11, by striking line 38 and inserting the  
26 following:

27 "..... \$ 5,142,884"

28 8. Page 11, by striking line 45 and inserting the  
29 following:

30 "..... \$ 4,995,304"

By LARKIN of Lee

H-1676 FILED APRIL 19, 1999

LOST

(p. 1437)



HOUSE AMENDMENT TO  
SENATE FILE 468

S-3442

1 Amend Senate File 468, as amended, passed, and  
2 reprinted by the Senate, as follows:

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

5 "Section 1. DEPARTMENT OF JUSTICE. There is  
6 appropriated from the general fund of the state to the  
7 department of justice for the fiscal year beginning  
8 July 1, 1999, and ending June 30, 2000, the following  
9 amounts, or so much thereof as is necessary, to be  
10 used for the purposes designated:

11 1. For the general office of attorney general for  
12 salaries, support, maintenance, miscellaneous purposes  
13 including odometer fraud enforcement, and for not more  
14 than the following full-time equivalent positions:

15 ..... \$ 8,207,153  
16 ..... FTEs 190.50

17 2. For the prosecuting attorney training program  
18 for salaries, support, maintenance, miscellaneous  
19 purposes, and for not more than the following full-  
20 time equivalent positions:

21 ..... \$ 298,825  
22 ..... FTEs 6.00

23 3. In addition to the funds appropriated in  
24 subsection 1, there is appropriated from the general  
25 fund of the state to the department of justice for the  
26 fiscal year beginning July 1, 1999, and ending June  
27 30, 2000, an amount not exceeding \$200,000 to be used  
28 for the enforcement of the Iowa competition law. The  
29 funds appropriated in this subsection are contingent  
30 upon receipt by the general fund of the state of an  
31 amount at least equal to the expenditure amount from  
32 either damages awarded to the state or a political  
33 subdivision of the state by a civil judgment under  
34 chapter 553, if the judgment authorizes the use of the  
35 award for enforcement purposes or costs or attorneys  
36 fees awarded the state in state or federal antitrust  
37 actions. However, if the amounts received as a result  
38 of these judgments are in excess of \$200,000, the  
39 excess amounts shall not be appropriated to the  
40 department of justice pursuant to this subsection.

41 4. In addition to the funds appropriated in  
42 subsection 1, there is appropriated from the general  
43 fund of the state to the department of justice for the  
44 fiscal year beginning July 1, 1999, and ending June  
45 30, 2000, an amount not exceeding \$150,000 to be used  
46 for public education relating to consumer fraud and  
47 for enforcement of section 714.16, and an amount not  
48 exceeding \$75,000 for investigation, prosecution, and  
49 consumer education relating to consumer and criminal  
50 fraud against older Iowans. The funds appropriated in

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1 this subsection are contingent upon receipt by the  
 2 general fund of the state of an amount at least equal  
 3 to the expenditure amount from damages awarded to the  
 4 state or a political subdivision of the state by a  
 5 civil consumer fraud judgment or settlement, if the  
 6 judgment or settlement authorizes the use of the award  
 7 for public education on consumer fraud. However, if  
 8 the funds received as a result of these judgments and  
 9 settlements are in excess of \$225,000, the excess  
 10 funds shall not be appropriated to the department of  
 11 justice pursuant to this subsection.

12 5. For victim assistance grants:  
 13 ..... \$ 1,935,806

14 a. The funds appropriated in this subsection shall  
 15 be used to provide grants to care providers providing  
 16 services to crime victims of domestic abuse or to  
 17 crime victims of rape and sexual assault.

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

25 6. For the GASA prosecuting attorney program and  
 26 for not more than the following full-time equivalent  
 27 positions:  
 28 ..... \$ 128,302  
 29 ..... FTEs 2.00

30 7. The balance of the victim compensation fund  
 31 established in section 915.94 may be used to provide  
 32 salary and support of not more than 17.00 FTEs and to  
 33 provide maintenance for the victim compensation  
 34 functions of the department of justice.

35 8. The department of justice shall submit monthly  
 36 financial statements to the legislative fiscal bureau  
 37 and the department of management containing all  
 38 appropriated accounts in the same manner as provided  
 39 in the monthly financial status reports and personal  
 40 services usage reports of the department of revenue  
 41 and finance. The monthly financial statements shall  
 42 include comparisons of the moneys and percentage spent  
 43 of budgeted to actual revenues and expenditures on a  
 44 cumulative basis for full-time equivalent positions  
 45 and available moneys.

46 9. a. The department of justice, in submitting  
 47 budget estimates for the fiscal year commencing July  
 48 1, 2000, pursuant to section 8.23, shall include a  
 49 report of funding from sources other than amounts  
 50 appropriated directly from the general fund of the

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1 state to the department of justice or to the office of  
 2 consumer advocate. These funding sources shall  
 3 include, but are not limited to, reimbursements from  
 4 other state agencies, commissions, boards, or similar  
 5 entities, and reimbursements from special funds or  
 6 internal accounts within the department of justice.  
 7 The department of justice shall report actual  
 8 reimbursements for the fiscal year commencing July 1,  
 9 1998, and actual and expected reimbursements for the  
 10 fiscal year commencing July 1, 1999.

11 b. The department of justice shall include the  
 12 report required under paragraph "a", as well as  
 13 information regarding any revisions occurring as a  
 14 result of reimbursements actually received or expected  
 15 at a later date, in a report to the co-chairpersons  
 16 and ranking members of the joint appropriations  
 17 subcommittee on the justice system and the legislative  
 18 fiscal bureau. The department of justice shall submit  
 19 the report on or before January 15, 2000.

20 10. For legal services for persons in poverty  
 21 grants as provided in section 13.34:

22 ..... \$ 600,000

23 As a condition for accepting a grant funded  
 24 pursuant to this subsection, an organization receiving  
 25 a grant shall submit a report to the general assembly  
 26 by January 1, 2000, concerning the use of any grants  
 27 received during the previous fiscal year and efforts  
 28 made by the organization to find alternative sources  
 29 of revenue to replace any reductions in federal  
 30 funding for the organization.

31 Sec. 2. DEPARTMENT OF JUSTICE -- ENVIRONMENTAL  
 32 CRIMES INVESTIGATION AND PROSECUTION -- FUNDING.  
 33 There is appropriated from the environmental crime  
 34 fund of the department of justice, consisting of  
 35 court-ordered fines and penalties awarded to the  
 36 department arising out of the prosecution of  
 37 environmental crimes, to the department of justice for  
 38 the fiscal year beginning July 1, 1999, and ending  
 39 June 30, 2000, an amount not exceeding \$20,000 to be  
 40 used by the department, at the discretion of the  
 41 attorney general, for the investigation and  
 42 prosecution of environmental crimes, including the  
 43 reimbursement of expenses incurred by county,  
 44 municipal, and other local governmental agencies  
 45 cooperating with the department in the investigation  
 46 and prosecution of environmental crimes.

47 The funds appropriated in this section are  
 48 contingent upon receipt by the environmental crime  
 49 fund of the department of justice of an amount at  
 50 least equal to the appropriations made in this section

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1 and received from contributions, court-ordered  
2 restitution as part of judgments in criminal cases,  
3 and consent decrees entered into as part of civil or  
4 regulatory enforcement actions. However, if the funds  
5 received during the fiscal year are in excess of  
6 \$20,000, the excess funds shall be deposited in the  
7 general fund of the state.

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

14 Sec. 3. OFFICE OF CONSUMER ADVOCATE. There is  
15 appropriated from the general fund of the state to the  
16 office of consumer advocate of the department of  
17 justice for the fiscal year beginning July 1, 1999,  
18 and ending June 30, 2000, the following amount, or so  
19 much thereof as is necessary, to be used for the  
20 purposes designated:

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

24 .....	\$	2,623,170
25 .....	FTEs	32.00

26 Sec. 4. DEPARTMENT OF CORRECTIONS -- FACILITIES.

27 There is appropriated from the general fund of the  
28 state to the department of corrections for the fiscal  
29 year beginning July 1, 1999, and ending June 30, 2000,  
30 the following amounts, or so much thereof as is  
31 necessary, to be used for the purposes designated:

32 1. For the operation of adult correctional  
33 institutions, reimbursement of counties for certain  
34 confinement costs, and federal prison reimbursement,  
35 to be allocated as follows:

36 a. For the operation of the Fort Madison  
37 correctional facility, including salaries, support,  
38 maintenance, employment of correctional officers,  
39 miscellaneous purposes, and for not more than the  
40 following full-time equivalent positions:

41 .....	\$	28,459,808
42 .....	FTEs	502.00

43 b. For the operation of the Anamosa correctional  
44 facility, including salaries, support, maintenance,  
45 employment of correctional officers and a part-time  
46 chaplain to provide religious counseling to inmates of  
47 a minority race, miscellaneous purposes, and for not  
48 more than the following full-time equivalent  
49 positions:

50 .....	\$	23,133,514
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1 ..... FTEs 394.25  
 2 Moneys are provided within this appropriation for  
 3 two full-time substance abuse counselors for the  
 4 Luster Heights facility, for the purpose of  
 5 certification of a substance abuse program at that  
 6 facility.

7 c. For the operation of the Oakdale correctional  
 8 facility, including salaries, support, maintenance,  
 9 employment of correctional officers, miscellaneous  
 10 purposes, and for not more than the following full-  
 11 time equivalent positions:  
 12 ..... \$ 19,975,313  
 13 ..... FTEs 338.80

14 d. For the operation of the Newton correctional  
 15 facility, including salaries, support, maintenance,  
 16 employment of correctional officers, miscellaneous  
 17 purposes, and for not more than the following full-  
 18 time equivalent positions:  
 19 ..... \$ 22,024,146  
 20 ..... FTEs 392.25

21 e. For the operation of the Mt. Pleasant  
 22 correctional facility, including salaries, support,  
 23 maintenance, employment of correctional officers and a  
 24 full-time chaplain to provide religious counseling at  
 25 the Oakdale and Mt. Pleasant correctional facilities,  
 26 miscellaneous purposes, and for not more than the  
 27 following full-time equivalent positions:  
 28 ..... \$ 19,766,574  
 29 ..... FTEs 337.26

30 f. For the operation of the Rockwell City  
 31 correctional facility, including salaries, support,  
 32 maintenance, employment of correctional officers,  
 33 miscellaneous purposes, and for not more than the  
 34 following full-time equivalent positions:  
 35 ..... \$ 6,934,936  
 36 ..... FTEs 121.00

37 g. For the operation of the Clarinda correctional  
 38 facility, including salaries, support, maintenance,  
 39 employment of correctional officers, miscellaneous  
 40 purposes, and for not more than the following full-  
 41 time equivalent positions:  
 42 ..... \$ 17,455,368  
 43 ..... FTEs 292.75

44 Moneys received by the department of corrections as  
 45 reimbursement for services provided to the Clarinda  
 46 youth corporation are appropriated to the department  
 47 and shall be used for the purpose of operating the  
 48 Clarinda correctional facility.

49 h. For the operation of the Mitchellville  
 50 correctional facility, including salaries, support,

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1 maintenance, employment of correctional officers,  
 2 miscellaneous purposes, and for not more than the  
 3 following full-time equivalent positions:  
 4 ..... \$ 10,353,659  
 5 ..... FTEs 191.00  
 6 i. For the operation of the Fort Dodge  
 7 correctional facility, including salaries, support,  
 8 maintenance, employment of correctional officers,  
 9 miscellaneous purposes, and for not more than the  
 10 following full-time equivalent positions:  
 11 ..... \$ 22,208,114  
 12 ..... FTEs 358.00  
 13 j. For reimbursement of counties for temporary  
 14 confinement of work release and parole violators, as  
 15 provided in sections 901.7, 904.908, and 906.17 and  
 16 for offenders confined pursuant to section 904.513:  
 17 ..... \$ 524,038  
 18 k. For federal prison reimbursement,  
 19 reimbursements for out-of-state placements, and  
 20 miscellaneous contracts:  
 21 ..... \$ 341,334

22 The department of corrections shall use funds  
23 appropriated in this subsection to continue to  
24 contract for the services of a Muslim imam.

25 2. a. If the inmate tort claim fund for inmate  
26 claims of less than \$100 is exhausted during the  
27 fiscal year, sufficient funds shall be transferred  
28 from the institutional budgets to pay approved tort  
29 claims for the balance of the fiscal year. The warden  
30 or superintendent of each institution or correctional  
31 facility shall designate an employee to receive,  
32 investigate, and recommend whether to pay any properly  
33 filed inmate tort claim for less than the above  
34 amount. The designee's recommendation shall be  
35 approved or denied by the warden or superintendent and  
36 forwarded to the department of corrections for final  
37 approval and payment. The amounts appropriated to  
38 this fund pursuant to 1987 Iowa Acts, chapter 234,  
39 section 304, subsection 2, are not subject to  
40 reversion under section 8.33.

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

46 3. It is the intent of the general assembly that  
47 the department of corrections shall timely fill  
48 correctional positions authorized for correctional  
49 facilities pursuant to this section.

50 Sec. 5. DEPARTMENT OF CORRECTIONS --

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1 ADMINISTRATION. There is appropriated from the  
2 general fund of the state to the department of  
3 corrections for the fiscal year beginning July 1,  
4 1999, and ending June 30, 2000, the following amounts,  
5 or so much thereof as is necessary, to be used for the  
6 purposes designated:

7 1. For general administration, including salaries,  
8 support, maintenance, employment of an education  
9 director and clerk to administer a centralized  
10 education program for the correctional system,  
11 miscellaneous purposes, and for not more than the  
12 following full-time equivalent positions:

13 .....	\$	4,416,916
14 .....	FTEs	37.18

15 The department shall monitor the use of the  
16 classification model by the judicial district  
17 departments of correctional services and has the  
18 authority to override a district department's decision  
19 regarding classification of community-based clients.  
20 The department shall notify a district department of  
21 the reasons for the override.

22 It is the intent of the general assembly that as a  
23 condition of receiving the appropriation provided in  
24 this subsection, the department of corrections shall  
25 not enter into a new contract, unless the contract is  
26 a renewal of an existing contract, for the expenditure  
27 of moneys in excess of \$100,000 during the fiscal year  
28 beginning July 1, 1999, for the privatization of  
29 services performed by the department using state  
30 employees as of July 1, 1999, or for the privatization  
31 of new services by the department, without prior  
32 consultation with any applicable state employee  
33 organization affected by the proposed new contract and  
34 prior notification of the co-chairpersons and ranking  
35 members of the joint appropriations subcommittee on  
36 the justice system.

37 The department of general services shall,  
38 notwithstanding any provisions of law or rule to the  
39 contrary, permit the department of corrections the  
40 opportunity to acquire, at no cost, computers that  
41 would otherwise be disposed of by the department of  
42 general services. The department of corrections shall  
43 use computers acquired under this paragraph to provide  
44 educational training and programs for inmates.

45 It is the intent of the general assembly that each  
46 lease negotiated by the department of corrections with  
47 a private corporation for the purpose of providing  
48 private industry employment of inmates in a  
49 correctional institution shall prohibit the private  
50 corporation from utilizing inmate labor for partisan

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1 political purposes for any person seeking election to  
2 public office in this state and that a violation of  
3 this requirement shall result in a termination of the  
4 lease agreement.

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

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

27 2. For salaries, support, maintenance,  
28 miscellaneous purposes, and for not more than the  
29 following full-time equivalent positions at the  
30 correctional training center at Mt. Pleasant:

31 .....	\$	486,847
32 .....	FTEs	8.07

33 3. For annual payment relating to the financial  
34 arrangement for the construction of expansion in  
35 prison capacity as provided in 1990 Iowa Acts, chapter  
36 1257, section 24:

37 .....	\$	3,180,815
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38 4. For educational programs for inmates at state  
39 penal institutions:

40 .....	\$	3,294,775
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41 It is the intent of the general assembly that  
42 moneys appropriated in this subsection shall be used  
43 solely for the purpose indicated and that the moneys  
44 shall not be transferred for any other purpose. In  
45 addition, it is the intent of the general assembly  
46 that the department shall consult with the community  
47 colleges in the areas in which the institutions are  
48 located to utilize moneys appropriated in this  
49 subsection to fund the high school completion, high  
50 school equivalency diploma, adult literacy, and adult

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1 basic education programs in a manner so as to maintain  
2 these programs at the institutions.

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

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

15 5. The department of corrections shall submit a  
16 report to the general assembly on January 1, 2000,  
17 concerning progress made in implementing the  
18 requirements of section 904.701, concerning hard labor  
19 by inmates.

20 6. It is the intent of the general assembly that  
21 the department of corrections shall continue to  
22 operate the correctional farms under the control of  
23 the department at the same or greater level of  
24 participation and involvement as existed as of January  
25 1, 1999, shall not enter into any rental agreement or  
26 contract concerning any farm land under the control of  
27 the department that is not subject to a rental  
28 agreement or contract as of January 1, 1999, without  
29 prior legislative approval, and shall further attempt  
30 to provide job opportunities at the farms for inmates.  
31 The department shall attempt to provide job  
32 opportunities at the farms for inmates by encouraging  
33 labor-intensive farming or gardening where  
34 appropriate, using inmates to grow produce and meat  
35 for institutional consumption, researching the  
36 possibility of instituting food canning and cook-and-  
37 chill operations, and exploring opportunities for  
38 organic farming and gardening, livestock ventures,  
39 horticulture, and specialized crops.

40 7. The department of corrections shall submit a  
41 report to the general assembly by January 1, 2000,  
42 concerning moneys recouped from inmate earnings for  
43 the reimbursement of operational expenses of the  
44 applicable facility during the fiscal year beginning  
45 July 1, 1998, for each correctional institution and  
46 judicial district department of correctional services.  
47 In addition, each correctional institution and  
48 judicial district department of correctional services  
49 shall continue to submit a report to each member of  
50 the joint appropriations subcommittee on the justice

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1 system and the legislative fiscal bureau on a monthly  
2 basis concerning moneys recouped from inmate earnings  
3 for the reimbursement of operational expenses for each  
4 correctional institution and district department  
5 during the previous calendar month.

6 8. The department of corrections shall submit a  
7 report to the general assembly by January 10, 2000,  
8 concerning the medical treatment of inmates at the  
9 Fort Madison correctional facility. The study shall  
10 examine the current method of providing medical  
11 treatment and care to inmates through a contract with  
12 a private entity and shall particularly study the  
13 costs associated with providing care through the  
14 private contract and the level of care provided to  
15 inmates pursuant to that contract. The department  
16 shall compare the costs and care provided at Fort  
17 Madison with the costs and care provided at other  
18 correctional facilities that do not provide the care  
19 through a private contract. In addition, the  
20 department shall solicit input from medical care  
21 professionals, including those professionals within  
22 the department and others, if applicable, concerning  
23 the level of care provided to inmates at Fort Madison  
24 and to solicit suggestions for providing a high level  
25 of care at the facility at reasonable cost. The study  
26 shall include a report of the findings and  
27 recommendations of the department.

28 9. It is the intent of the general assembly that  
29 the department of corrections, in submitting its  
30 proposed budget request for the fiscal year beginning  
31 July 1, 2000, exclude requests for full-time  
32 equivalent positions, and the moneys for those  
33 positions, which would otherwise be included for the  
34 sole purpose of providing the department with  
35 additional moneys to operate the department and not  
36 for the purpose of providing additional full-time  
37 equivalent positions. In addition, the department of  
38 corrections shall submit a report to the general  
39 assembly by January 31, 2000, listing full-time  
40 equivalent positions authorized by this Act and not  
41 filled during the period from July 1, 1999, to January  
42 1, 2000. For any position that is unfilled as of  
43 January 1, 2000, the department shall indicate why the  
44 position remains unfilled, whether the department  
45 intends to fill the position, and, if applicable, what  
46 efforts are being made, or will be made, to fill the  
47 position.

48 Sec. 6. DEPARTMENT OF CORRECTIONS -- PRISON  
49 INFRASTRUCTURE FUND. Notwithstanding sections 8.33,  
50 8.39, and 602.8108A, the department of corrections

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1 shall direct the treasurer of state to transfer on  
2 June 30, 1999, \$1,500,000 of the unused balance of  
3 moneys in the Iowa prison infrastructure fund created  
4 in section 602.8108A, to the department of corrections  
5 and the moneys transferred are appropriated to be used  
6 for the purposes designated:

7 1. For one-time start-up costs for equipment and  
8 furnishings at the Iowa correctional institution for  
9 women:

10 ..... \$ 500,000

11 2. For one-time start-up costs for equipment and  
12 furnishings at the Fort Dodge correctional facility:

13 ..... \$ 1,000,000

14 Sec. 7. DEPARTMENT OF CORRECTIONS -- SUPPLEMENTAL  
15 APPROPRIATIONS. There is appropriated from the  
16 general fund of the state to the department of  
17 corrections for the fiscal year beginning July 1,  
18 1998, and ending June 30, 1999, to supplement the  
19 appropriation made in 1998 Iowa Acts, chapter 1222,  
20 section 4, the following amounts, or so much thereof  
21 as is necessary, to be used for the purposes  
22 designated:

23 1. For payment of contracts to house female  
24 prisoners out of state:

25 ..... \$ 547,000

26 2. For the establishment of a 100-bed special  
27 needs unit for women at the Mt. Pleasant correctional  
28 facility:

29 ..... \$ 284,000

30 3. For offset of revenue budgeted for private  
31 sector employment of inmates:

32 ..... \$ 762,756

33 Sec. 8. JUDICIAL DISTRICT DEPARTMENTS OF  
34 CORRECTIONAL SERVICES.

35 1. There is appropriated from the general fund of  
36 the state to the department of corrections for the  
37 fiscal year beginning July 1, 1999, and ending June  
38 30, 2000, the following amounts, or so much thereof as  
39 is necessary, to be allocated as follows:

40 a. For the first judicial district department of  
41 correctional services, including the treatment and  
42 supervision of probation and parole violators who have  
43 been released from the department of corrections  
44 violator program, the following amount, or so much  
45 thereof as is necessary:

46 ..... \$ 8,162,258

47 b. For the second judicial district department of  
48 correctional services, including the treatment and  
49 supervision of probation and parole violators who have  
50 been released from the department of corrections

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1 violator program, the following amount, or so much  
2 thereof as is necessary:  
3 ..... \$ 6,450,779  
4 c. For the third judicial district department of  
5 correctional services, including the treatment and  
6 supervision of probation and parole violators who have  
7 been released from the department of corrections  
8 violator program, the following amount, or so much  
9 thereof as is necessary:  
10 ..... \$ 4,051,516  
11 d. For the fourth judicial district department of  
12 correctional services, including the treatment and  
13 supervision of probation and parole violators who have  
14 been released from the department of corrections  
15 violator program, the following amount, or so much  
16 thereof as is necessary:  
17 ..... \$ 3,016,517  
18 e. For the fifth judicial district department of  
19 correctional services, including the treatment and  
20 supervision of probation and parole violators who have  
21 been released from the department of corrections  
22 violator program, the following amount, or so much  
23 thereof as is necessary:  
24 ..... \$ 11,394,621  
25 f. For the sixth judicial district department of  
26 correctional services, including the treatment and  
27 supervision of probation and parole violators who have  
28 been released from the department of corrections  
29 violator program, the following amount, or so much  
30 thereof as is necessary:  
31 ..... \$ 8,421,871  
32 g. For the seventh judicial district department of  
33 correctional services, including the treatment and  
34 supervision of probation and parole violators who have  
35 been released from the department of corrections  
36 violator program, the following amount, or so much  
37 thereof as is necessary:  
38 ..... \$ 5,033,673  
39 h. For the eighth judicial district department of  
40 correctional services, including the treatment and  
41 supervision of probation and parole violators who have  
42 been released from the department of corrections  
43 violator program, the following amount, or so much  
44 thereof as is necessary:  
45 ..... \$ 4,884,454  
46 i. For the department of corrections for the  
47 assistance and support of each judicial district  
48 department of correctional services, the following  
49 amount, or so much thereof as is necessary:  
50 ..... \$ 83,576

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1 2. Each judicial district department of  
2 correctional services shall continue programs and  
3 plans established within that district to provide for  
4 intensive supervision, sex offender treatment,  
5 diversion of low-risk offenders to the least  
6 restrictive sanction available, job development, and  
7 expanded use of intermediate criminal sanctions.

8 3. The department of corrections shall continue to  
9 contract with a judicial district department of  
10 correctional services to provide for the rental of  
11 electronic monitoring equipment which shall be  
12 available statewide.

13 4. Each judicial district department of  
14 correctional services and the department of  
15 corrections shall continue the treatment alternatives  
16 to street crime programs established in 1989 Iowa  
17 Acts, chapter 225, section 9.

18 5. The governor's alliance on substance abuse  
19 shall consider federal grants made to the department  
20 of corrections for the benefit of each of the eight  
21 judicial district departments of correctional services  
22 as local government grants, as defined pursuant to  
23 federal regulations.

24 6. Each judicial district department of  
25 correctional services shall provide a report  
26 concerning the treatment and supervision of probation  
27 and parole violators who have been released from the  
28 department of corrections violator program, to the co-  
29 chairpersons and ranking members of the joint  
30 appropriations subcommittee on the justice system and  
31 the legislative fiscal bureau, on or before January  
32 15, 2000.

33 7. In addition to the requirements of section  
34 8.39, the department of corrections shall not make an  
35 intradepartmental transfer of moneys appropriated to  
36 the department, unless notice of the intradepartmental  
37 transfer is given prior to its effective date to the  
38 legislative fiscal bureau. The notice shall include  
39 information on the department's rationale for making  
40 the transfer and details concerning the work load and  
41 performance measures upon which the transfers are  
42 based.

43 8. Each judicial district department of  
44 correctional services shall submit a report to the  
45 general assembly by January 8, 2000, concerning what  
46 action, if any, the district department has taken in  
47 order to implement, or not implement, an intermediate  
48 criminal sanctions program as provided by section  
49 901B.1. If the district department has implemented  
50 such a program, the report shall include information

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1 as to the effectiveness of the program.

2 Sec. 9. CORRECTIONAL INSTITUTIONS -- VOCATIONAL  
3 TRAINING.

4 1. The state prison industries board and the  
5 department of corrections shall continue the  
6 implementation of a plan to enhance vocational  
7 training opportunities within the correctional  
8 institutions listed in section 904.102, as provided in  
9 1993 Iowa Acts, chapter 171, section 12. The plan  
10 shall provide for increased vocational training  
11 opportunities within the correctional institutions,  
12 including the possibility of approving community  
13 college credit for inmates working in prison  
14 industries. The department of corrections shall  
15 provide a report concerning the implementation of the  
16 plan to the co-chairpersons and ranking members of the  
17 joint appropriations subcommittee on the justice  
18 system and the legislative fiscal bureau, on or before  
19 January 15, 2000.

20 2. It is the intent of the general assembly that  
21 each correctional facility make all reasonable efforts  
22 to maintain vocational education programs for inmates  
23 and to identify available funding sources to continue  
24 these programs. The department of corrections shall  
25 submit a report to the general assembly by January 1,  
26 2000, concerning the efforts made by each correctional  
27 facility in maintaining vocational education programs  
28 for inmates.

29 Sec. 10. STATE AGENCY PURCHASES FROM PRISON  
30 INDUSTRIES.

31 1. As used in this section, unless the context  
32 otherwise requires, "state agency" means the  
33 government of the state of Iowa, including but not  
34 limited to all executive departments, agencies,  
35 boards, bureaus, and commissions, the judicial branch,  
36 the general assembly and all legislative agencies,  
37 institutions within the purview of the state board of  
38 regents, and any corporation whose primary function is  
39 to act as an instrumentality of the state.

40 2. State agencies are hereby encouraged to  
41 purchase products from Iowa state industries, as  
42 defined in section 904.802, when purchases are  
43 required and the products are available from Iowa  
44 state industries.

45 3. State agencies shall submit to the legislative  
46 fiscal bureau by January 15, 2000, a report of the  
47 dollar value of products and services purchased from  
48 Iowa state industries by the state agency during the  
49 fiscal year beginning July 1, 1998, and ending June  
50 30, 1999.

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1     Sec. 11. STATE PUBLIC DEFENDER. There is  
 2 appropriated from the general fund of the state to the  
 3 office of the state public defender of the department  
 4 of inspections and appeals for the fiscal year  
 5 beginning July 1, 1999, and ending June 30, 2000, the  
 6 following amount, or so much thereof as is necessary,  
 7 for the purposes designated:

8 ..... \$ 33,790,652

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

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

15 ..... \$ 13,389,276

16 ..... FTEs                   201.00

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

20 ..... \$ 20,401,376

21     Sec. 12. JUDICIAL BRANCH. There is appropriated  
 22 from the general fund of the state to the judicial  
 23 branch for the fiscal year beginning July 1, 1999, and  
 24 ending June 30, 2000, the following amounts, or so  
 25 much thereof as is necessary, to be used for the  
 26 purposes designated:

27     1. For salaries of supreme court justices,  
 28 appellate court judges, district court judges,  
 29 district associate judges, judicial magistrates and  
 30 staff, state court administrator, clerk of the supreme  
 31 court, district court administrators, clerks of the  
 32 district court, juvenile court officers, board of law  
 33 examiners and board of examiners of shorthand  
 34 reporters and judicial qualifications commission,  
 35 receipt and disbursement of child support payments,  
 36 reimbursement of the auditor of state for expenses  
 37 incurred in completing audits of the offices of the  
 38 clerks of the district court during the fiscal year  
 39 beginning July 1, 1999, and maintenance, equipment,  
 40 and miscellaneous purposes:

41 ..... \$105,045,862

42     a. The judicial branch, except for purposes of  
 43 internal processing, shall use the current state  
 44 budget system, the state payroll system, and the Iowa  
 45 finance and accounting system in administration of  
 46 programs and payments for services, and shall not  
 47 duplicate the state payroll, accounting, and budgeting  
 48 systems.

49     b. The judicial branch shall submit monthly  
 50 financial statements to the legislative fiscal bureau

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1 and the department of management containing all  
2 appropriated accounts in the same manner as provided  
3 in the monthly financial status reports and personal  
4 services usage reports of the department of revenue  
5 and finance. The monthly financial statements shall  
6 include a comparison of the dollars and percentage  
7 spent of budgeted versus actual revenues and  
8 expenditures on a cumulative basis for full-time  
9 equivalent positions and dollars.

10 c. The judicial branch shall continue to assist in  
11 the development and implementation of a justice data  
12 warehouse which shall include in the Iowa court  
13 information system starting with appointments of  
14 counsel made on or after July 1, 1999, the means to  
15 identify any case where the court has determined  
16 indigence, and whether the case is handled by a public  
17 defender or other court-appointed counsel.

18 d. Of the funds appropriated in this subsection,  
19 not more than \$1,897,728 may be transferred into the  
20 revolving fund established pursuant to section  
21 602.1302, subsection 3, to be used for the payment of  
22 jury and witness fees and mileage.

23 e. The judicial branch shall focus efforts upon  
24 the collection of delinquent fines, penalties, court  
25 costs, fees, surcharges, or similar amounts.

26 f. It is the intent of the general assembly that  
27 the offices of the clerks of the district court  
28 operate in all ninety-nine counties and be accessible  
29 to the public as much as is reasonably possible in  
30 order to address the relative needs of the citizens of  
31 each county.

32 g. In addition to the requirements for transfers  
33 under section 8.39, the judicial branch shall not  
34 change the appropriations from the amounts  
35 appropriated to the branch in this Act, unless notice  
36 of the revisions is given prior to their effective  
37 date to the legislative fiscal bureau. The notice  
38 shall include information on the branch's rationale  
39 for making the changes and details concerning the work  
40 load and performance measures upon which the changes  
41 are based.

42 h. The judicial branch shall provide to the co-  
43 chairpersons and ranking members of the joint  
44 appropriations subcommittee on the justice system and  
45 to the legislative fiscal bureau by January 15, 2000,  
46 an annual report concerning the operation and use of  
47 the Iowa court information system and any  
48 recommendations to improve the utilization of the  
49 system. The annual report shall include information  
50 specifying the amounts of fines, surcharges, and court

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1 costs collected using the system and how the system is  
 2 used to improve the collection process. The report  
 3 shall also include information concerning efforts made  
 4 by the judicial branch to facilitate the sharing of  
 5 vital sentencing and other information with other  
 6 state departments and governmental agencies involved  
 7 in the criminal justice system through the Iowa court  
 8 information system. In addition, the judicial branch  
 9 shall submit a semiannual update to the co-  
 10 chairpersons and ranking members specifying the  
 11 amounts of fines, surcharges, and court costs  
 12 collected using the Iowa court information system  
 13 since the last report.

14 i. Of the funds appropriated in this subsection,  
 15 the judicial branch shall use not more than \$585,270  
 16 for an additional 3 district court judges, 3 court  
 17 reporters, and 3 court attendants. Of the additional  
 18 district court judges, one additional district court  
 19 judge shall be assigned, one each, to judicial  
 20 election subdistricts one-B and five-C and to judicial  
 21 election district 7.

22 j. The judicial branch shall provide a report to  
 23 the general assembly by January 1, 2000, concerning  
 24 the amounts received and expended from the enhanced  
 25 court collections fund created in section 602.1304 and  
 26 the court technology and modernization fund created in  
 27 section 602.8108, subsection 4, during the fiscal year  
 28 beginning July 1, 1998, and ending June 30, 1999, and  
 29 the plans for expenditures from each fund during the  
 30 fiscal year beginning July 1, 1999, and ending June  
 31 30, 2000.

32 k. The judicial branch shall conduct a study on  
 33 the method of allocating district court judges and  
 34 district associate judges and shall submit a report to  
 35 the general assembly by January 1, 2000, with its  
 36 findings and recommendations. In conducting its  
 37 study, the judicial branch shall examine the current  
 38 method of allocating district court judges and  
 39 district associate judges as provided in Code sections  
 40 602.6201 and 602.6301, and shall make findings and  
 41 recommendations as to whether or not the methods  
 42 provided in those sections represent the best  
 43 mechanism for allocating judges amongst judicial  
 44 districts and counties.

45 2. For the juvenile victim restitution program:  
 46 ..... \$ 210,291

47 Sec. 13. ENHANCED COURT COLLECTIONS FUND.  
 48 Notwithstanding section 602.1304, subsection 2, for  
 49 the fiscal year beginning July 1, 1999, and ending  
 50 June 30, 2000, the maximum deposit amount for the

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1 enhanced court collections fund shall be \$5,000,000.  
 2 For succeeding fiscal years, the maximum deposit  
 3 amount shall be determined in accordance with section  
 4 602.1304, subsection 2, and the maximum deposit amount  
 5 shall not be increased due to the increase made in  
 6 this section.

7     Sec. 14. JUDICIAL RETIREMENT FUND. There is  
 8 appropriated from the general fund of the state to the  
 9 judicial retirement fund for the fiscal year beginning  
 10 July 1, 1999, and ending June 30, 2000, the following  
 11 amount, or so much thereof as is necessary, to be used  
 12 for the purpose designated:

13     For the state's contribution to the judicial  
 14 retirement fund established in section 602.9104, in  
 15 the amount of 23.7 percent of the basic salaries of  
 16 the judges covered under chapter 602, article 9:  
 17 ..... \$ 4,202,697

18     Sec. 15. INDIGENT DEFENSE COSTS. The supreme  
 19 court shall submit a written report for the preceding  
 20 fiscal year no later than January 1, 2000, indicating  
 21 the amounts collected pursuant to section 815.9A,  
 22 relating to recovery of indigent defense costs. The  
 23 report shall include the total amount collected by all  
 24 courts, as well as the amounts collected by each  
 25 judicial district. The supreme court shall also  
 26 submit a written report quarterly indicating the  
 27 number of criminal and juvenile filings which occur in  
 28 each judicial district for purposes of estimating  
 29 indigent defense costs. A copy of each report shall  
 30 be provided to the public defender, the department of  
 31 management, and the legislative fiscal bureau. The  
 32 judicial branch shall continue to assist in the  
 33 development of an automated data system for use in the  
 34 sharing of information utilizing the generic program  
 35 interface for legislative and executive branch uses.

36     Sec. 16. IOWA CORRECTIONS OFFENDER NETWORK DATA  
 37 SYSTEM. The department of corrections shall submit a  
 38 report to the co-chairpersons and ranking members of  
 39 the joint appropriations subcommittee on the justice  
 40 system and the legislative fiscal bureau, on or before  
 41 January 15, 2000, concerning the development and  
 42 implementation of the Iowa corrections offender  
 43 network (ICON) data system. The report shall include  
 44 a description of the system and functions, a plan for  
 45 implementation of the system, including a timeline,  
 46 resource and staffing requirements for the system, and  
 47 a current status and progress report concerning the  
 48 implementation of the system. In addition, the report  
 49 shall specifically address the ability of the system  
 50 to receive and transmit data between prisons,

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1 community-based corrections district departments, the  
 2 judicial branch, board of parole, the criminal and  
 3 juvenile justice planning division of the department  
 4 of human rights, the department of public safety, and  
 5 other applicable governmental agencies. The report  
 6 should include a detailed discussion of the  
 7 cooperation with other state agencies and the judicial  
 8 branch in the development and implementation of the  
 9 system.

10 Sec. 17. IOWA LAW ENFORCEMENT ACADEMY. There is  
 11 appropriated from the general fund of the state to the  
 12 Iowa law enforcement academy for the fiscal year  
 13 beginning July 1, 1999, and ending June 30, 2000, the  
 14 following amounts, or so much thereof as is necessary,  
 15 to be used for the purposes designated:

- 16 1. For salaries, support, maintenance,  
 17 miscellaneous purposes, including jailer training and  
 18 technical assistance, and for not more than the  
 19 following full-time equivalent positions:  
 20 ..... \$ 1,329,629  
 21 ..... FTEs 30.55

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

- 27 2. For salaries, support, maintenance, and  
 28 miscellaneous purposes to provide statewide  
 29 coordination of the drug abuse resistance education  
 30 (D.A.R.E.) program:  
 31 ..... \$ 80,000

32 3. The Iowa law enforcement academy may select at  
 33 least five automobiles of the department of public  
 34 safety, division of the Iowa state patrol, prior to  
 35 turning over the automobiles to the state fleet  
 36 administrator to be disposed of by public auction and  
 37 the Iowa law enforcement academy may exchange any  
 38 automobile owned by the academy for each automobile  
 39 selected if the selected automobile is used in  
 40 training law enforcement officers at the academy.  
 41 However, any automobile exchanged by the academy shall  
 42 be substituted for the selected vehicle of the  
 43 department of public safety and sold by public auction  
 44 with the receipts being deposited in the depreciation  
 45 fund to the credit of the department of public safety,  
 46 division of the Iowa state patrol.

47 Sec. 18. BOARD OF PAROLE. There is appropriated  
 48 from the general fund of the state to the board of  
 49 parole for the fiscal year beginning July 1, 1999, and  
 50 ending June 30, 2000, the following amount, or so much

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1 thereof as is necessary, to be used for the purposes  
2 designated:

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

11 .....	\$	1,018,547
12 .....	FTEs	18.00

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

18 Sec. 19. DEPARTMENT OF PUBLIC DEFENSE. There is  
19 appropriated from the general fund of the state to the  
20 department of public defense for the fiscal year  
21 beginning July 1, 1999, and ending June 30, 2000, the  
22 following amounts, or so much thereof as is necessary,  
23 to be used for the purposes designated:

24 1. MILITARY DIVISION

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

28 .....	\$	4,696,387
29 .....	FTEs	224.76

30 If there is a surplus in the general fund of the  
31 state for the fiscal year ending June 30, 2000, within  
32 60 days after the close of the fiscal year, the  
33 military division may incur up to an additional  
34 \$500,000 in expenditures from the surplus prior to  
35 transfer of the surplus pursuant to section 8.57.

36 2. EMERGENCY MANAGEMENT DIVISION

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

40 .....	\$	898,541
41 .....	FTEs	25.25

42 Sec. 20. DEPARTMENT OF PUBLIC SAFETY. There is  
43 appropriated from the general fund of the state to the  
44 department of public safety for the fiscal year  
45 beginning July 1, 1999, and ending June 30, 2000, the  
46 following amounts, or so much thereof as is necessary,  
47 to be used for the purposes designated:

48 1. For the department's administrative functions,  
49 including the criminal justice information system, and  
50 for not more than the following full-time equivalent

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1 positions:  
 2 ..... \$ 2,474,051  
 3 ..... FTEs 38.80

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

12 ..... \$ 11,759,610  
 13 ..... FTEs 227.50

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

19 The department of public safety, with the approval  
 20 of the department of management, may employ no more  
 21 than two special agents and four gaming enforcement  
 22 officers for each additional riverboat regulated after  
 23 July 1, 1999, and one special agent for each racing  
 24 facility which becomes operational during the fiscal  
 25 year which begins July 1, 1999. One additional gaming  
 26 enforcement officer, up to a total of four per boat,  
 27 may be employed for each riverboat that has extended  
 28 operations to 24 hours and has not previously operated  
 29 with a 24-hour schedule. Positions authorized in this  
 30 paragraph are in addition to the full-time equivalent  
 31 positions authorized in this subsection.

32 3. a. For the division of narcotics enforcement,  
 33 including the state's contribution to the peace  
 34 officers' retirement, accident, and disability system  
 35 provided in chapter 97A in the amount of 17 percent of  
 36 the salaries for which the funds are appropriated, to  
 37 meet federal fund matching requirements, and for not  
 38 more than the following full-time equivalent  
 39 positions:

40 ..... \$ 2,845,587  
 41 ..... FTEs 48.00

42 b. For the division of narcotics enforcement for  
 43 undercover purchases:

44 ..... \$ 139,202

45 4. For the state fire marshal's office, including  
 46 the state's contribution to the peace officers'  
 47 retirement, accident, and disability system provided  
 48 in chapter 97A in the amount of 17 percent of the  
 49 salaries for which the funds are appropriated, and for  
 50 not more than the following full-time equivalent

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1 positions:

2 .....	\$	1,629,621
3 .....	FTEs	31.80

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

10 positions:

11 .....	\$	1,307,615
12 .....	FTEs	27.00

13 6. For the division of the Iowa state patrol of  
 14 the department of public safety, for salaries,  
 15 support, maintenance, workers' compensation costs, and  
 16 miscellaneous purposes, including the state's  
 17 contribution to the peace officers' retirement,  
 18 accident, and disability system provided in chapter  
 19 97A in the amount of 17 percent of the salaries for  
 20 which the funds are appropriated, and for not more  
 21 than the following full-time equivalent positions:

22 .....	\$	37,090,282
23 .....	FTEs	574.25

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

26 .....	\$	269,425
----------	----	---------

27 8. An employee of the department of public safety  
 28 who retires after July 1, 1999, but prior to June 30,  
 29 2000, is eligible for payment of life or health  
 30 insurance premiums as provided for in the collective  
 31 bargaining agreement covering the public safety  
 32 bargaining unit at the time of retirement if that  
 33 employee previously served in a position which would  
 34 have been covered by the agreement. The employee  
 35 shall be given credit for the service in that prior  
 36 position as though it were covered by that agreement.  
 37 The provisions of this subsection shall not operate to  
 38 reduce any retirement benefits an employee may have  
 39 earned under other collective bargaining agreements or  
 40 retirement programs.

41 9. For costs associated with the training and  
 42 equipment needs of volunteer fire fighters and for not  
 43 more than the following full-time equivalent  
 44 positions:

45 .....	\$	709,405
46 .....	FTEs	1.00

47 Notwithstanding section 8.33, moneys appropriated  
 48 in this subsection that remain unobligated or  
 49 unexpended at the close of the fiscal year shall not  
 50 revert but shall remain available for expenditure only

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1 for the purpose designated in this subsection until  
2 the close of the succeeding fiscal year.

3 10. For the state medical examiner and for not  
4 more than the following full-time equivalent  
5 positions:

6 ..... \$ 532,700

7 ..... FTEs 5.00

8 Any fees collected by the department of public  
9 safety, or the department of public health, if  
10 applicable, for autopsies performed by the office of  
11 the state medical examiner shall be deposited in the  
12 general fund of the state.

13 If 1999 Iowa Acts, Senate File 376, or other  
14 legislation transferring the medical examiner office  
15 and associated appropriations, is enacted, the moneys  
16 appropriated in this subsection shall instead be  
17 appropriated as provided in that Act.

18 11. The department of public safety shall conduct  
19 a study, and submit a report of its findings and  
20 recommendations, to the general assembly by January  
21 10, 2000, concerning the feasibility of providing  
22 members of the Iowa state patrol with cellular, or  
23 other similar wireless, telephones and accompanying  
24 service. In conducting its study, the department  
25 shall examine and include findings on the cost of  
26 providing the telephones and service to members of the  
27 state patrol and on what type of telephone and service  
28 would be the most effective in assisting members of  
29 the state patrol. The department shall consult with  
30 members of the Iowa state patrol in conducting its  
31 study.

32 Sec. 21. Section 423.24, subsection 2, Code 1999,  
33 is amended to read as follows:

34 2. Notwithstanding any other provision of this  
35 section that provides that all revenue derived from  
36 the use tax on motor vehicles, trailers, and motor  
37 vehicle accessories and equipment as collected  
38 pursuant to section 423.7 shall be deposited and  
39 credited to the road use tax fund, twenty percent of  
40 the revenues shall be credited and deposited as  
41 follows: one-half to the road use tax fund and one-  
42 half to the primary road fund to be used for the  
43 commercial and industrial highway network, ~~except to~~  
44 ~~the extent that the department directs that moneys are~~  
45 ~~deposited in the highway safety patrol fund created in~~  
46 ~~section 80.41 to fund the appropriations made from the~~  
47 ~~highway safety patrol fund in accordance with the~~  
48 ~~provisions of section 80.41. The department shall~~  
49 ~~determine the amount of moneys to be credited under~~  
50 ~~this subsection to the highway safety patrol fund and~~

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1 ~~shall deposit that amount into the highway safety~~  
2 ~~patrol fund.~~

3 Sec. 22. Section 602.6201, subsection 10, Code  
4 1999, is amended to read as follows:

5 10. Notwithstanding the formula for determining  
6 the number of judgeships in this section, the number  
7 of district judges shall not exceed one hundred ~~twelve~~  
8 fifteen during the period commencing July 1, ~~1997~~  
9 1999.

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

12 904.508A INMATE TELEPHONE REBATE FUND.

13 The department is authorized to establish and  
14 maintain an inmate telephone rebate fund in each  
15 institution for the deposit of moneys received for  
16 inmate telephone rebates. All funds deposited in this  
17 fund shall be used for the benefit of inmates. The  
18 director shall adopt rules providing for the  
19 disbursement of moneys from the fund. The rules shall  
20 provide that all disbursements of moneys from the fund  
21 shall be subject to approval, in writing, by a  
22 committee comprised of the director, a deputy director  
23 for the department as designated by the director, and  
24 the citizens' aide, or designee of the citizens' aide.

25 Sec. 24. 1995 Iowa Acts, chapter 220, section 20,  
26 subsection 4, is amended by striking the subsection.

27 Sec. 25. 1998 Iowa Acts, chapter 1101, section 15,  
28 subsection 2, is amended to read as follows:

29 2. a. There is appropriated from surcharge moneys  
30 received by the E911 administrator and deposited into  
31 the wireless E911 emergency communications fund, for  
32 the fiscal year beginning July 1, 1998, and ending  
33 ~~June-30~~, for the fiscal year beginning July 1, 1999,  
34 an amount not to exceed two hundred thousand dollars  
35 to be used for the implementation, support, and  
36 maintenance of the functions of the E911  
37 administrator. The amount appropriated in this  
38 paragraph includes any amounts necessary to reimburse  
39 the division of emergency management of the department  
40 of public defense pursuant to paragraph "b".

41 b. Notwithstanding the distribution formula in  
42 section 34A.7A, as enacted in this Act, and prior to  
43 any such distribution, of the initial surcharge moneys  
44 received by the E911 administrator and deposited into  
45 the wireless E911 emergency communications fund, for  
46 the fiscal year beginning July 1, 1998, and ending  
47 ~~June-30~~, for the fiscal year beginning July 1, 1999,  
48 an amount shall be transferred to the division of  
49 emergency management of the department of public  
50 defense as necessary to reimburse the division for

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-24-



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

4 Sec. 26. 1998 Iowa Acts, chapter 1222, section 25,  
5 subsection 3, is amended to read as follows:

6 3. For the installation of perimeter fencing and  
7 physical plant improvements at the Mt. Pleasant  
8 correctional facility:

9 ..... \$ 300,000

10 Sec. 27. Section 80.41, Code 1999, is repealed.

11 Sec. 28. EFFECTIVE DATES.

12 1. Section 7 of this Act, providing for  
13 supplemental appropriations to the department of  
14 corrections, being deemed of immediate importance,  
15 takes effect upon enactment.

16 2. Section 26 of this Act, amending 1998 Iowa  
17 Acts, chapter 1222, being deemed of immediate  
18 importance, takes effect upon enactment."

RECEIVED FROM THE HOUSE

S-3442 FILED APRIL 20, 1999

*Senate Concurred*  
*4-28-99*

*(p. 272)*

SENATE AMENDMENT TO HOUSE AMENDMENT TO S. F. 468

H-1888

1 Amend the House amendment, S-3442, to Senate File  
2 468, as amended, passed, and reprinted by the Senate,  
3 as follows:

4 1. Page 1, by striking line 15 and inserting the  
5 following:

6 "..... \$ 8,192,153"

7 2. Page 3, by striking line 22 and inserting the  
8 following:

9 "..... \$ 700,000

10 In addition to moneys appropriated in this  
11 subsection, the executive council is authorized, in  
12 its discretion, to disburse from the civil reparations  
13 trust fund created in section 668A.1 an additional  
14 amount, not to exceed \$250,000, to the department of  
15 justice for use as legal services for persons in  
16 poverty grants as provided in section 13.34."

17 3. Page 5, by striking line 12 and inserting the  
18 following:

19 "..... \$ 19,962,613"

20 4. Page 5, by striking line 19 and inserting the  
21 following:

22 "..... \$ 22,013,346"

23 5. Page 5, by striking line 28 and inserting the  
24 following:

25 "..... \$ 20,529,274"

26 6. Page 5, by striking line 35 and inserting the  
27 following:

28 "..... \$ 6,912,836"

29 7. Page 5, by striking line 42 and inserting the  
30 following:

31 "..... \$ 17,440,368"

32 8. Page 6, by striking lines 4 and 5 and  
33 inserting the following:

34 "..... \$ 10,844,420

35 ..... FTEs 198.96"

36 9. Page 6, by striking lines 11 and 12 and  
37 inserting the following:

38 "..... \$ 21,715,253

39 ..... FTEs 350.04"

40 10. Page 11, by striking line 46 and inserting  
41 the following:

42 "..... \$ 8,286,344"

43 11. Page 12, by striking line 3 and inserting the  
44 following:

45 "..... \$ 6,671,873"

46 12. Page 12, by striking line 10 and inserting  
47 the following:

48 "..... \$ 4,003,837"

49 13. Page 12, by striking line 17 and inserting  
50 the following:

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Page 2

1 "..... \$ 3,096,242"

2 14. Page 12, by striking line 24 and inserting

3 the following:

4 "..... \$ 11,493,706"

5 15. Page 12, by striking line 31 and inserting

6 the following:

7 "..... \$ 8,619,394"

8 16. Page 12, by striking line 38 and inserting

9 the following:

10 "..... \$ 5,094,102"

11 17. Page 12, by striking line 45 and inserting

12 the following:

13 "..... \$ 4,899,801"

14 18. Page 15, by striking line 41 and inserting

15 the following:

16 "..... \$105,040,435"

17 19. Page 17, line 15, by striking the figure

18 "585,270" and inserting the following: "679,843".

19 20. Page 17, line 16, by striking the word and

20 figure "3 district" and inserting the following: "4

21 district".

22 21. Page 17, line 16, by striking the word and

23 figure "3 court" and inserting the following: "4

24 court".

25 22. Page 17, by striking lines 17 and 18 and

26 inserting the following: "reporters, 3 court

27 attendants, and 1 legal assistant. The additional

28 district court judges shall be authorized and assigned

29 as follows:

30 (1) Beginning July 1, 1999, three of the

31 additional district court judges shall be authorized

32 and".

33 23. Page 17, line 19, by striking the word

34 "judge".

35 24. Page 17, by inserting after line 21 the

36 following:

37 "(2) Beginning January 1, 2000, one of the

38 additional district court judges shall be authorized

39 and shall be assigned to judicial election subdistrict

40 five-C."

41 25. Page 19, by striking lines 27 through 31.

42 26. Page 23, by striking lines 6 and 7 and

43 inserting the following:

44 "..... \$ 357,036

45 ..... FTEs 4.00"

46 27. Page 24, line 8, by striking the word

47 "fifteen" and inserting the following: "sixteen".

48 28. By renumbering as necessary.

RECEIVED FROM THE SENATE

H-1888 FILED APRIL 28, 1999

HOUSE CONCURRED AS AMENDED

(p.1852)

SENATE FILE 468

S-3544

1 Amend the House amendment, S-3442, to Senate File  
2 468, as amended, passed, and reprinted by the Senate,  
3 as follows:

4 1. Page 1, by striking line 15 and inserting the  
5 following:

6 "..... \$ 8,192,153"

7 2. Page 3, by striking line 22 and inserting the  
8 following:

9 "..... \$ 700,000

10 In addition to moneys appropriated in this  
11 subsection, the executive council is authorized, in  
12 its discretion, to disburse from the civil reparations  
13 trust fund created in section 668A.1 an additional  
14 amount, not to exceed \$250,000, to the department of  
15 justice for use as legal services for persons in  
16 poverty grants as provided in section 13.34."

17 3. Page 5, by striking line 12 and inserting the  
18 following:

19 "..... \$ 19,962,613"

20 4. Page 5, by striking line 19 and inserting the  
21 following:

22 "..... \$ 22,013,346"

23 5. Page 5, by striking line 28 and inserting the  
24 following:

25 "..... \$ 20,529,274"

26 6. Page 5, by striking line 35 and inserting the  
27 following:

28 "..... \$ 6,912,836"

29 7. Page 5, by striking line 42 and inserting the  
30 following:

31 "..... \$ 17,440,368"

32 8. Page 6, by striking lines 4 and 5 and  
33 inserting the following:

34 "..... \$ 10,844,420

35 ..... FTES 198.96"

36 9. Page 6, by striking lines 11 and 12 and  
37 inserting the following:

38 "..... \$ 21,715,253

39 ..... FTES 350.04"

40 10. Page 11, by striking line 46 and inserting  
41 the following:

42 "..... \$ 8,286,344"

43 11. Page 12, by striking line 3 and inserting the  
44 following:

45 "..... \$ 6,671,873"

46 12. Page 12, by striking line 10 and inserting  
47 the following:

48 "..... \$ 4,003,837"

49 13. Page 12, by striking line 17 and inserting  
50 the following:

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S-3544

Page 2

- 1 "..... \$ 3,096,242"
- 2 14. Page 12, by striking line 24 and inserting
- 3 the following:
- 4 "..... \$ 11,493,706"
- 5 15. Page 12, by striking line 31 and inserting
- 6 the following:
- 7 "..... \$ 8,619,394"
- 8 16. Page 12, by striking line 38 and inserting
- 9 the following:
- 10 "..... \$ 5,094,102"
- 11 17. Page 12, by striking line 45 and inserting
- 12 the following:
- 13 "..... \$ 4,899,801"
- 14 18. Page 15, by striking line 41 and inserting
- 15 the following:
- 16 "..... \$105,040,435"
- 17 19. Page 17, line 15, by striking the figure
- 18 "585,270" and inserting the following: "679,843".
- 19 20. Page 17, line 16, by striking the word and
- 20 figure "3 district" and inserting the following: "4
- 21 district".
- 22 21. Page 17, line 16, by striking the word and
- 23 figure "3 court" and inserting the following: "4
- 24 court".
- 25 22. Page 17, by striking lines 17 and 18 and
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- 27 attendants, and 1 legal assistant. The additional
- 28 district court judges shall be authorized and assigned
- 29 as follows:
- 30 (1) Beginning July 1, 1999, three of the
- 31 additional district court judges shall be authorized
- 32 and".
- 33 23. Page 17, line 19, by striking the word
- 34 "judge".
- 35 24. Page 17, by inserting after line 21 the
- 36 following:
- 37 "(2) Beginning January 1, 2000, one of the
- 38 additional district court judges shall be authorized
- 39 and shall be assigned to judicial election subdistrict
- 40 five-C."
- 41 25. Page 19, by striking lines 27 through 31.
- 42 26. Page 23, by striking lines 6 and 7 and
- 43 inserting the following:
- 44 "..... \$ 357,036
- 45 ..... FTES 4.00"
- 46 27. Page 24, line 8, by striking the word
- 47 "fifteen" and inserting the following: "sixteen".
- 48 28. By renumbering as necessary.

By O. GENE MADDOX

S-3544 FILED APRIL 28, 1999

ADOPTED

(P. 1372)



THOMAS J. VILSACK  
GOVERNOR

**OFFICE OF THE GOVERNOR**

STATE CAPITOL  
DES MOINES, IOWA 50319  
515 281-5211  
FAX 515-281-6611

SALLY J. PEDERSON  
LT. GOVERNOR

May 21, 1999

MAY 23 1999  
GOVERNOR'S OFFICE

The Honorable Chester Culver  
Secretary of State  
State Capitol Building  
LOCAL

Dear Mr. Secretary:

I hereby transmit Senate File 468, an act relating to and making appropriations to the justice system and providing effective dates.

I am unable to approve the items designated as Section 4, subsection 3, and Section 5, subsection 9 in their entirety. Section 4, subsection 3 requires the Department of Corrections to timely fill all correctional positions and Section 5, subsection 9 requires the Department of Corrections to exclude positions and money in the proposed budget for fiscal year 2001 that would be otherwise be for operation of the department. This language fails to account for the difficult circumstances that necessitate flexibility for the department in managing its operations to maintain public safety.

I am unable to approve the item designated as Section 23, in its entirety. This item would create a new committee, and include the Citizens' Aide/Ombudsman in the disbursements of moneys from the fund created in Iowa Code 904.508A. Having a centralized committee to approve all expenditures may indeed provide for a better overall departmental use and reporting of the funds. However, this language may also create a future conflict of interest with regards to the statutory role of the Citizens'



Aide/Ombudsman and a separation of power issue between the Executive and Legislative branches. Therefore, I have asked the Iowa Board of Corrections to examine the issue and implement a future policy direction that would ensure both the correct use and reporting of these funds.

For the above reasons, I hereby respectfully approve Senate File 468 with the exceptions noted above.

Sincerely,



Thomas J. Vilsack  
Governor

TJV:jmc

cc: Secretary of the Senate  
Chief Clerk of the House

*Tom Vetro*

AN ACT  
RELATING TO AND MAKING APPROPRIATIONS TO THE JUSTICE SYSTEM AND  
PROVIDING EFFECTIVE DATES.

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, 1999, and ending June 30, 2000, 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:  
..... \$ 8,192,153  
..... FTEs 190.50

2. For the prosecuting attorney training program for salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:  
..... \$ 298,825  
..... 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, 1999, and ending June 30, 2000, 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, 1999, and ending June 30, 2000, 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 revert but shall remain available for expenditure during the subsequent fiscal year for the same purpose, and shall not be transferred to any other program.

6. For the GASA prosecuting attorney program and for not more than the following full-time equivalent positions:

.....	\$	128,302
.....	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 17.00 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, 2000, 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, 1998, and actual and expected reimbursements for the fiscal year commencing July 1, 1999.

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, 2000.

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

.....	\$	700,000
-------	----	---------

In addition to moneys appropriated in this subsection, the executive council is authorized, in its discretion, to disburse from the civil reparations trust fund created in section 668A.1 an additional amount, not to exceed \$250,000, to the department of justice for use as legal services for persons in poverty grants as provided in section 13.34.

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, 2000, 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, 1999, and ending June 30, 2000, 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, 1999, and ending June 30, 2000, 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:

..... \$ 2,623,170  
..... 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, 1999, and ending June 30, 2000, 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:

..... \$ 28,459,808  
..... FTEs 502.00

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:

..... \$ 23,133,514  
..... FTEs 394.25

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:

..... \$ 19,962,613  
..... 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:

..... \$ 22,013,346  
..... 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:

..... \$ 20,529,274  
 ..... FTEs 337.26

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:

..... \$ 6,912,836  
 ..... 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:

..... \$ 17,440,368  
 ..... 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:

..... \$ 10,844,420  
 ..... FTEs 198.96

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:

..... \$ 21,715,253  
 ..... FTEs 350.04

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.

*Vote*  
 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, 1999, and ending June 30, 2000, 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:

..... \$ 4,416,916  
..... FTEs 37.18

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.

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 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, 1999, for the privatization of services performed by the department using state employees as of July 1, 1999, 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.

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.

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.

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.

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:

..... \$ 486,847  
..... FTEs 9.07

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:

..... \$ 3,180,815

4. For educational programs for inmates at state penal institutions:

..... \$ 3,294,075

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. The department of corrections shall submit a report to the general assembly on January 1, 2000, concerning progress made in implementing the requirements of section 904.701, concerning hard labor by inmates.

6. 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, 1999, 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, 1999, 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.

7. The department of corrections shall submit a report to the general assembly by January 1, 2000, concerning moneys recouped from inmate earnings for the reimbursement of operational expenses of the applicable facility during the fiscal year beginning July 1, 1998, 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.

8. The department of corrections shall submit a report to the general assembly by January 10, 2000, concerning the medical treatment of inmates at the Fort Madison correctional facility. The study shall examine the current method of providing medical treatment and care to inmates through a contract with a private entity and shall particularly study the costs associated with providing care through the private contract and the level of care provided to inmates pursuant to that contract. The department shall compare the costs and care provided at Fort Madison with the costs and care provided at other correctional facilities that do not provide the care through a private contract. In addition, the department shall solicit input from medical care professionals, including those professionals within the department and others, if applicable,

concerning the level of care provided to inmates at Fort Madison and to solicit suggestions for providing a high level of care at the facility at reasonable cost. The study shall include a report of the findings and recommendations of the department.

9. It is the intent of the general assembly that the department of corrections, in submitting its proposed budget request for the fiscal year beginning July 1, 2000, exclude requests for full-time equivalent positions, and the moneys for those positions, which would otherwise be included for the sole purpose of providing the department with additional moneys to operate the department and not for the purpose of providing additional full-time equivalent positions. In addition, the department of corrections shall submit a report to the general assembly by January 31, 2000, listing full-time equivalent positions authorized by this Act and not filled during the period from July 1, 1999, to January 1, 2000. For any position that is unfilled as of January 1, 2000, the department shall indicate why the position remains unfilled, whether the department intends to fill the position, and, if applicable, what efforts are being made, or will be made, to fill the position.

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Sec. 6. DEPARTMENT OF CORRECTIONS -- PRISON INFRASTRUCTURE FUND. Notwithstanding sections 8.33, 8.39, and 602.8108A, the department of corrections shall direct the treasurer of state to transfer on June 30, 1999, \$1,500,000 of the unused balance of moneys in the Iowa prison infrastructure fund created in section 602.8108A, to the department of corrections and the moneys transferred are appropriated to be used for the purposes designated:

- 1. For one-time start-up costs for equipment and furnishings at the Iowa correctional institution for women: ..... \$ 500,000
- 2. For one-time start-up costs for equipment and furnishings at the Fort Dodge correctional facility: ..... \$ 1,000,000

Sec. 7. DEPARTMENT OF CORRECTIONS -- SUPPLEMENTAL APPROPRIATIONS. There is appropriated from the general fund of the state to the department of corrections for the fiscal year beginning July 1, 1998, and ending June 30, 1999, to supplement the appropriation made in 1998 Iowa Acts, chapter 1222, section 4, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

- 1. For payment of contracts to house female prisoners out of state: ..... \$ 547,000
- 2. For the establishment of a 100-bed special needs unit for women at the Mt. Pleasant correctional facility: ..... \$ 284,000
- 3. For offset of revenue budgeted for private sector employment of inmates: ..... \$ 762,756

Sec. 8. 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, 1999, and ending June 30, 2000, 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: ..... \$ 8,286,344
  - 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: ..... \$ 6,671,873

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:  
 ..... \$ 4,003,837

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:  
 ..... \$ 3,096,242

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:  
 ..... \$ 11,493,706

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:  
 ..... \$ 8,619,394

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:  
 ..... \$ 5,094,102

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:  
 ..... \$ 4,899,801

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, 2000.

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, 2000, 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. 9. 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, 2000.

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, 2000, concerning the efforts made by each correctional facility in maintaining vocational education programs for inmates.

Sec. 10. 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, 2000, 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, 1998, and ending June 30, 1999.

Sec. 11. 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, 1999, and ending June 30, 2000, the following amount, or so much thereof as is necessary, for the purposes designated:

..... \$ 33,790,652

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:

..... \$ 13,389,276

..... 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:

..... \$ 20,401,376

Sec. 12. JUDICIAL BRANCH. There is appropriated from the general fund of the state to the judicial branch for the fiscal year beginning July 1, 1999, and ending June 30, 2000,



the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For salaries of supreme court justices, appellate court judges, district court judges, district associate judges, judicial magistrates and staff, state court administrator, clerk of the supreme court, district court administrators, clerks of the district court, juvenile court officers, board of law examiners and board of examiners of shorthand reporters and judicial qualifications commission, receipt and disbursement of child support payments, reimbursement of the auditor of state for expenses incurred in completing audits of the offices of the clerks of the district court during the fiscal year beginning July 1, 1999, and maintenance, equipment, and miscellaneous purposes:

..... \$105,040,435

a. The judicial branch, except for purposes of internal processing, shall use the current state budget system, the state payroll system, and the Iowa finance and accounting system in administration of programs and payments for services, and shall not duplicate the state payroll, accounting, and budgeting systems.

b. The judicial branch 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 a comparison of the dollars and percentage spent of budgeted versus actual revenues and expenditures on a cumulative basis for full-time equivalent positions and dollars.

c. The judicial branch shall continue to assist in the development and implementation of a justice data warehouse which shall include in the Iowa court information system starting with appointments of counsel made on or after July 1, 1999, the means to identify any case where the court has determined indigence, and whether the case is handled by a public defender or other court-appointed counsel.

d. Of the funds appropriated in this subsection, not more than \$1,897,728 may be transferred into the revolving fund established pursuant to section 602.1302, subsection 3, to be used for the payment of jury and witness fees and mileage.

e. The judicial branch shall focus efforts upon the collection of delinquent fines, penalties, court costs, fees, surcharges, or similar amounts.

f. It is the intent of the general assembly that the offices of the clerks of the district court operate in all ninety-nine counties and be accessible to the public as much as is reasonably possible in order to address the relative needs of the citizens of each county.

g. In addition to the requirements for transfers under section 8.39, the judicial branch shall not change the appropriations from the amounts appropriated to the branch in this Act, unless notice of the revisions is given prior to their effective date to the legislative fiscal bureau. The notice shall include information on the branch's rationale for making the changes and details concerning the work load and performance measures upon which the changes are based.

h. The judicial branch shall provide to the co-chairpersons and ranking members of the joint appropriations subcommittee on the justice system and to the legislative fiscal bureau by January 15, 2000, an annual report concerning the operation and use of the Iowa court information system and any recommendations to improve the utilization of the system. The annual report shall include information specifying the amounts of fines, surcharges, and court costs collected using the system and how the system is used to improve the collection process. The report shall also include information concerning efforts made by the judicial branch to facilitate the sharing of vital sentencing and other information with other state departments and governmental agencies involved in the criminal justice system through the Iowa court information system. In addition, the judicial branch shall submit a semiannual update to the co-chairpersons and ranking members

specifying the amounts of fines, surcharges, and court costs collected using the Iowa court information system since the last report.

i. Of the funds appropriated in this subsection, the judicial branch shall use not more than \$679,843 for an additional 4 district court judges, 4 court reporters, 3 court attendants, and 1 legal assistant. The additional district court judges shall be authorized and assigned as follows:

(1) Beginning July 1, 1999, three of the additional district court judges shall be authorized and shall be assigned, one each, to judicial election subdistricts one-B and five-C and to judicial election district 7.

(2) Beginning January 1, 2000, one of the additional district court judges shall be authorized and shall be assigned to judicial election subdistrict five-C.

j. The judicial branch shall provide a report to the general assembly by January 1, 2000, concerning the amounts received and expended from the enhanced court collections fund created in section 602.1304 and the court technology and modernization fund created in section 602.8108, subsection 4, during the fiscal year beginning July 1, 1998, and ending June 30, 1999, and the plans for expenditures from each fund during the fiscal year beginning July 1, 1999, and ending June 30, 2000.

k. The judicial branch shall conduct a study on the method of allocating district court judges and district associate judges and shall submit a report to the general assembly by January 1, 2000, with its findings and recommendations. In conducting its study, the judicial branch shall examine the current method of allocating district court judges and district associate judges as provided in Code sections 602.6201 and 602.6301, and shall make findings and recommendations as to whether or not the methods provided in those sections represent the best mechanism for allocating judges amongst judicial districts and counties.

2. For the juvenile victim restitution program:

..... \$ 210,291

Sec. 13. ENHANCED COURT COLLECTIONS FUND. Notwithstanding section 602.1304, subsection 2, for the fiscal year beginning July 1, 1999, and ending June 30, 2000, the maximum deposit amount for the enhanced court collections fund shall be \$5,000,000. For succeeding fiscal years, the maximum deposit amount shall be determined in accordance with section 602.1304, subsection 2, and the maximum deposit amount shall not be increased due to the increase made in this section.

Sec. 14. JUDICIAL RETIREMENT FUND. There is appropriated from the general fund of the state to the judicial retirement fund for the fiscal year beginning July 1, 1999, and ending June 30, 2000, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For the state's contribution to the judicial retirement fund established in section 602.9104, in the amount of 23.7 percent of the basic salaries of the judges covered under chapter 602, article 9:

..... \$ 4,202,697

Sec. 15. INDIGENT DEFENSE COSTS. The supreme court shall submit a written report for the preceding fiscal year no later than January 1, 2000, indicating the amounts collected pursuant to section 815.9A, relating to recovery of indigent defense costs. The report shall include the total amount collected by all courts, as well as the amounts collected by each judicial district. The supreme court shall also submit a written report quarterly indicating the number of criminal and juvenile filings which occur in each judicial district for purposes of estimating indigent defense costs. A copy of each report shall be provided to the public defender, the department of management, and the legislative fiscal bureau. The judicial branch shall continue to assist in the development of an automated data system for use in the sharing of information utilizing the generic program interface for legislative and executive branch uses.

Sec. 16. 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, 2000, 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. 17. 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, 1999, and ending June 30, 2000, the following amounts, 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:
 

.....	\$ 1,329,629
.....	FTEs 30.55

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. 18. 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, 1999, and ending June 30, 2000, 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:

.....	\$ 1,018,547
.....	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. 19. 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, 1999, and ending June 30, 2000, 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:

..... \$ 4,696,387
..... FTEs 224.76

If there is a surplus in the general fund of the state for the fiscal year ending June 30, 2000, 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:

..... \$ 898,541
..... FTEs 25.25

Sec. 20. 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, 1999, and ending June 30, 2000, 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:
..... \$ 2,474,051
..... 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:

..... \$ 11,759,610
..... FTEs 227.50

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, 1999, and one special agent for each racing facility which becomes operational during the fiscal year which begins July 1, 1999. 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:

..... \$ 2,845,587
..... FTEs 48.00

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

..... \$ 139,202

4. 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:

..... \$ 1,629,621  
..... FTEs 31.80

5. For the capitol security 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:

..... \$ 1,307,615  
..... 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:

..... \$ 37,090,282  
..... FTEs 574.25

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, 1999, but prior to June 30, 2000, 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.

10. For the state medical examiner and for not more than the following full-time equivalent positions:

..... \$ 357,036  
..... FTEs 4.00

Any fees collected by the department of public safety, or the department of public health, if applicable, for autopsies performed by the office of the state medical examiner shall be deposited in the general fund of the state.

If 1999 Iowa Acts, Senate File 376, or other legislation transferring the medical examiner office and associated appropriations, is enacted, the moneys appropriated in this subsection shall instead be appropriated as provided in that Act.

11. The department of public safety shall conduct a study, and submit a report of its findings and recommendations, to the general assembly by January 10, 2000, concerning the feasibility of providing members of the Iowa state patrol with cellular, or other similar wireless, telephones and accompanying service. In conducting its study, the department shall examine and include findings on the cost of providing the telephones and service to members of the state patrol and on what type of telephone and service would be the most effective in assisting members of the state patrol. The department shall consult with members of the Iowa state patrol in conducting its study.

Sec. 21. Section 423.24, subsection 2, Code 1999, is amended to read as follows:

2. Notwithstanding any other provision of this section that provides that all revenue derived from the use tax on motor vehicles, trailers, and motor vehicle accessories and equipment as collected pursuant to section 423.7 shall be deposited and credited to the road use tax fund, twenty percent of the revenues shall be credited and deposited as follows: one-half to the road use tax fund and one-half to the primary road fund to be used for the commercial and industrial highway network, ~~except to the extent that the department directs that moneys are deposited in the highway safety patrol fund created in section 80.41 to fund the appropriations made from the highway safety patrol fund in accordance with the provisions of section 80.41. The department shall determine the amount of moneys to be credited under this subsection to the highway safety patrol fund and shall deposit that amount into the highway safety patrol fund.~~

Sec. 22. Section 602.6201, subsection 10, Code 1999, is amended to read as follows:

10. Notwithstanding the formula for determining the number of judgeships in this section, the number of district judges shall not exceed one hundred ~~twelve~~ sixteen during the period commencing July 1, ~~1997~~ 1999.

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 inmate telephone rebate fund in each institution for the deposit of moneys received for inmate telephone rebates. ~~All~~ funds deposited in this fund shall be used for the benefit of inmates. The director shall adopt rules providing for the disbursement of moneys from the fund. The rules shall provide that all disbursements of moneys from the fund shall be subject to approval, in writing, by a committee comprised of the director, a deputy director for the department as

*Veto*

*Veto*

designated by the director, and the citizens' aide, or designee of the citizens' aide.

Sec. 24. 1995 Iowa Acts, chapter 220, section 20, subsection 4, is amended by striking the subsection.

Sec. 25. 1998 Iowa Acts, chapter 1101, section 15, subsection 2, 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 fiscal year beginning July 1, 1998, and ~~ending June 30,~~ for the fiscal year beginning July 1, 1999, 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 fiscal year beginning July 1, 1998, and ~~ending June 30,~~ for the fiscal year beginning July 1, 1999, an amount shall be transferred 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. 1998 Iowa Acts, chapter 1222, section 25, subsection 3, is amended to read as follows:

3. For the installation of perimeter fencing and physical plant improvements at the Mt. Pleasant correctional facility:

..... \$ 300,000

Sec. 27. Section 80.41, Code 1999, is repealed.

Sec. 28. EFFECTIVE DATES.

1. Section 7 of this Act, providing for supplemental appropriations to the department of corrections, being deemed of immediate importance, takes effect upon enactment.

2. Section 26 of this Act, amending 1998 Iowa Acts, chapter 1222, being deemed of immediate importance, takes effect upon enactment.

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MARY E. KRAMER  
President of the Senate

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BRENT SIEGRIST  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 468, Seventy-eighth General Assembly.

*Thomas J. Vilsack*  
Approved 5/21/99, 1999

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MICHAEL E. MARSHALL  
Secretary of the Senate

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THOMAS J. VILSACK  
Governor