

Senate Study Bill 1261

Bill Text

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1 1 DIVISION I
1 2 REGULAR APPROPRIATIONS
1 3 Section 1. DEPARTMENT OF JUSTICE. There is appropriated
1 4 from the general fund of the state to the department of
1 5 justice for the fiscal year beginning July 1, 2001, and ending
1 6 June 30, 2002, the following amounts, or so much thereof as is
1 7 necessary, to be used for the purposes designated:
1 8 1. For the general office of attorney general for
1 9 salaries, support, maintenance, miscellaneous purposes
1 10 including odometer fraud enforcement, and for not more than
1 11 the following full-time equivalent positions
1 12 \$ 7,900,519
1 13 FTEs 200.50
1 14 2. For the prosecuting attorney training program for
1 15 salaries, support, maintenance, miscellaneous purposes, and
1 16 for not more than the following full-time equivalent
1 17 positions:
1 18 \$ 304,943
1 19 FTEs 6.00
1 20 3. In addition to the funds appropriated in subsection 1,
1 21 there is appropriated from the general fund of the state to
1 22 the department of justice for the fiscal year beginning July
1 23 1, 2001, and ending June 30, 2002, an amount not exceeding
1 24 \$200,000 to be used for the enforcement of the Iowa
1 25 competition law. The funds appropriated in this subsection
1 26 are contingent upon receipt by the general fund of the state
1 27 of an amount at least equal to the expenditure amount from
1 28 either damages awarded to the state or a political subdivision
1 29 of the state by a civil judgment under chapter 553, if the
1 30 judgment authorizes the use of the award for enforcement
1 31 purposes or costs or attorneys fees awarded the state in state
1 32 or federal antitrust actions. However, if the amounts
1 33 received as a result of these judgments are in excess of
1 34 \$200,000, the excess amounts shall not be appropriated to the
1 35 department of justice pursuant to this subsection.
2 1 4. In addition to the funds appropriated in subsection 1,
2 2 there is appropriated from the general fund of the state to
2 3 the department of justice for the fiscal year beginning July
2 4 1, 2001, and ending June 30, 2002, an amount not exceeding
2 5 \$400,000 to be used for public education relating to consumer
2 6 fraud and for enforcement of section 714.16, and an amount not
2 7 exceeding \$75,000 for investigation, prosecution, and consumer
2 8 education relating to consumer and criminal fraud against
2 9 older Iowans. The funds appropriated in this subsection are
2 10 contingent upon receipt by the general fund of the state of an
2 11 amount at least equal to the expenditure amount from damages
2 12 awarded to the state or a political subdivision of the state
2 13 by a civil consumer fraud judgment or settlement, if the
2 14 judgment or settlement authorizes the use of the award for
2 15 public education on consumer fraud. However, if the funds
2 16 received as a result of these judgments and settlements are in
2 17 excess of \$475,000, the excess funds shall not be appropriated
2 18 to the department of justice pursuant to this subsection.
2 19 5. For victim assistance grants:
2 20 \$ 1,918,384
2 21 a. The funds appropriated in this subsection shall be used

2 22 to provide grants to care providers providing services to
2 23 crime victims of domestic abuse or to crime victims of rape
2 24 and sexual assault.

2 25 b. Notwithstanding sections 8.33 and 8.39, moneys
2 26 appropriated in this subsection that remain unencumbered or
2 27 unobligated at the close of the fiscal year shall not revert
2 28 but shall remain available for expenditure during the
2 29 subsequent fiscal year for the same purpose, and shall not be
2 30 transferred to any other program.

2 31 6. For the GASA prosecuting attorney program and for not
2 32 more than the following full-time equivalent positions:

2 33 \$ 132,037
2 34 FTEs 2.00

2 35 7. The balance of the victim compensation fund established
3 1 in section 915.94 may be used to provide salary and support of
3 2 not more than 20.00 FTEs and to provide maintenance for the
3 3 victim compensation functions of the department of justice.
3 4 However, the balance of the fund may also be used to provide
3 5 salary and support for an additional 2.00 FTEs if either 2001
3 6 Iowa Acts, Senate File 259 or 2001 Iowa Acts, House File 684
3 7 is enacted.

3 8 8. The department of justice shall submit monthly
3 9 financial statements to the legislative fiscal bureau and the
3 10 department of management containing all appropriated accounts
3 11 in the same manner as provided in the monthly financial status
3 12 reports and personal services usage reports of the department
3 13 of revenue and finance. The monthly financial statements
3 14 shall include comparisons of the moneys and percentage spent
3 15 of budgeted to actual revenues and expenditures on a
3 16 cumulative basis for full-time equivalent positions and
3 17 available moneys.

3 18 9. The department of justice and the department of
3 19 corrections shall assist local regional jail development
3 20 authorities in issuing a report regarding the development of
3 21 regional jails. The report shall include but is not limited
3 22 to the following: the design capacity, policy considerations,
3 23 governance and management structure, staffing needs, food
3 24 services, estimated design and construction costs, and
3 25 evaluating cost sharing between the state, participating
3 26 counties, and other political subdivisions. The report is due
3 27 on or before February 1, 2002.

3 28 10. a. The department of justice, in submitting budget
3 29 estimates for the fiscal year commencing July 1, 2002,
3 30 pursuant to section 8.23, shall include a report of funding
3 31 from sources other than amounts appropriated directly from the
3 32 general fund of the state to the department of justice or to
3 33 the office of consumer advocate. These funding sources shall
3 34 include, but are not limited to, reimbursements from other
3 35 state agencies, commissions, boards, or similar entities, and
4 1 reimbursements from special funds or internal accounts within
4 2 the department of justice. The department of justice shall
4 3 report actual reimbursements for the fiscal year commencing
4 4 July 1, 2000, and actual and expected reimbursements for the
4 5 fiscal year commencing July 1, 2001.

4 6 b. The department of justice shall include the report
4 7 required under paragraph "a", as well as information regarding
4 8 any revisions occurring as a result of reimbursements actually
4 9 received or expected at a later date, in a report to the co-
4 10 chairpersons and ranking members of the joint appropriations
4 11 subcommittee on the justice system and the legislative fiscal
4 12 bureau. The department of justice shall submit the report on
4 13 or before January 15, 2002.

4 14 11. For legal services for persons in poverty grants as
4 15 provided in section 13.34:

4 16 \$ 450,000

4 17 As a condition for accepting a grant funded pursuant to
4 18 this subsection, an organization receiving a grant shall

4 19 submit a report to the general assembly by January 1, 2002,
4 20 concerning the use of any grants received during the previous
4 21 fiscal year and efforts made by the organization to find
4 22 alternative sources of revenue to replace any reductions in
4 23 federal funding for the organization.

4 24 Sec. 2. DEPARTMENT OF JUSTICE ENVIRONMENTAL CRIMES
4 25 INVESTIGATION AND PROSECUTION FUNDING. There is
4 26 appropriated from the environmental crime fund of the
4 27 department of justice, consisting of court-ordered fines and
4 28 penalties awarded to the department arising out of the
4 29 prosecution of environmental crimes, to the department of
4 30 justice for the fiscal year beginning July 1, 2001, and ending
4 31 June 30, 2002, an amount not exceeding \$20,000 to be used by
4 32 the department, at the discretion of the attorney general, for
4 33 the investigation and prosecution of environmental crimes,
4 34 including the reimbursement of expenses incurred by county,
4 35 municipal, and other local governmental agencies cooperating
5 1 with the department in the investigation and prosecution of
5 2 environmental crimes.

5 3 The funds appropriated in this section are contingent upon
5 4 receipt by the environmental crime fund of the department of
5 5 justice of an amount at least equal to the appropriations made
5 6 in this section and received from contributions, court-ordered
5 7 restitution as part of judgments in criminal cases, and
5 8 consent decrees entered into as part of civil or regulatory
5 9 enforcement actions. However, if the funds received during
5 10 the fiscal year are in excess of \$20,000, the excess funds
5 11 shall be deposited in the general fund of the state.

5 12 Notwithstanding section 8.33, moneys appropriated in this
5 13 section that remain unexpended or unobligated at the close of
5 14 the fiscal year shall not revert but shall remain available
5 15 for expenditure for the purpose designated until the close of
5 16 the succeeding fiscal year.

5 17 Sec. 3. OFFICE OF CONSUMER ADVOCATE. There is
5 18 appropriated from the general fund of the state to the office
5 19 of consumer advocate of the department of justice for the
5 20 fiscal year beginning July 1, 2001, and ending June 30, 2002,
5 21 the following amount, or so much thereof as is necessary, to
5 22 be used for the purposes designated:

5 23 For salaries, support, maintenance, miscellaneous purposes,
5 24 and for not more than the following full-time equivalent
5 25 positions:

5 26 \$ 2,690,067
5 27 FTEs 32.00

5 28 Sec. 4. DEPARTMENT OF CORRECTIONS FACILITIES. There is
5 29 appropriated from the general fund of the state to the
5 30 department of corrections for the fiscal year beginning July
5 31 1, 2001, and ending June 30, 2002, the following amounts, or
5 32 so much thereof as is necessary, to be used for the purposes
5 33 designated:

5 34 1. For the operation of adult correctional institutions,
5 35 reimbursement of counties for certain confinement costs, and
6 1 federal prison reimbursement, to be allocated as follows:

6 2 a. For the operation of the Fort Madison correctional
6 3 facility, including salaries, support, maintenance, employment
6 4 of correctional officers, miscellaneous purposes, and for not
6 5 more than the following full-time equivalent positions:
6 6 \$ 27,622,191
6 7 FTEs 525.50

6 8 b. For the operation of the Anamosa correctional facility,
6 9 including salaries, support, maintenance, employment of
6 10 correctional officers and a part-time chaplain to provide
6 11 religious counseling to inmates of a minority race,
6 12 miscellaneous purposes, and for not more than the following
6 13 full-time equivalent positions:

6 14 \$ 23,446,284
6 15 FTEs 403.50

6 16 Moneys are provided within this appropriation for two full-
6 17 time substance abuse counselors for the Luster Heights
6 18 facility, for the purpose of certification of a substance
6 19 abuse program at that facility.

6 20 c. For the operation of the Oakdale correctional facility,
6 21 including salaries, support, maintenance, employment of
6 22 correctional officers, miscellaneous purposes, and for not
6 23 more than the following full-time equivalent positions:

6 24 \$ 21,501,082
6 25 FTEs 337.80

6 26 d. For the operation of the Newton correctional facility,
6 27 including salaries, support, maintenance, employment of
6 28 correctional officers, miscellaneous purposes, and for not
6 29 more than the following full-time equivalent positions:

6 30 \$ 22,944,479
6 31 FTEs 392.25

6 32 e. For the operation of the Mt. Pleasant correctional
6 33 facility, including salaries, support, maintenance, employment
6 34 of correctional officers and a full-time chaplain to provide
6 35 religious counseling at the Oakdale and Mt. Pleasant
7 1 correctional facilities, miscellaneous purposes, and for not
7 2 more than the following full-time equivalent positions:

7 3 \$ 21,667,807
7 4 FTEs 341.09

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

7 9 \$ 7,148,555
7 10 FTEs 119.00

7 11 g. For the operation of the Clarinda correctional
7 12 facility, including salaries, support, maintenance, employment
7 13 of correctional officers, miscellaneous purposes, and for not
7 14 more than the following full-time equivalent positions:

7 15 \$ 17,925,620
7 16 FTEs 294.75

7 17 Moneys received by the department of corrections as
7 18 reimbursement for services provided to the Clarinda youth
7 19 corporation are appropriated to the department and shall be
7 20 used for the purpose of operating the Clarinda correctional
7 21 facility.

7 22 h. For the operation of the Mitchellville correctional
7 23 facility, including salaries, support, maintenance, employment
7 24 of correctional officers, miscellaneous purposes, and for not
7 25 more than the following full-time equivalent positions:

7 26 \$ 12,203,736
7 27 FTEs 236.00

7 28 i. For the operation of the Fort Dodge correctional
7 29 facility, including salaries, support, maintenance, employment
7 30 of correctional officers, miscellaneous purposes, and for not
7 31 more than the following full-time equivalent positions:

7 32 \$ 25,274,461
7 33 FTEs 413.00

7 34 j. For reimbursement of counties for temporary confinement
7 35 of work release and parole violators, as provided in sections
8 1 901.7, 904.908, and 906.17 and for offenders confined pursuant
8 2 to section 904.513:

8 3 \$ 791,438

8 4 k. For federal prison reimbursement, reimbursements for
8 5 out-of-state placements, and miscellaneous contracts:
8 6 \$ 318,568

8 7 The department of corrections shall use funds appropriated
8 8 in this subsection to continue to contract for the services of
8 9 a Muslim imam.

8 10 2. a. If the inmate tort claim fund for inmate claims of
8 11 less than \$100 is exhausted during the fiscal year, sufficient
8 12 funds shall be transferred from the institutional budgets to

8 13 pay approved tort claims for the balance of the fiscal year.
8 14 The warden or superintendent of each institution or
8 15 correctional facility shall designate an employee to receive,
8 16 investigate, and recommend whether to pay any properly filed
8 17 inmate tort claim for less than the above amount. The
8 18 designee's recommendation shall be approved or denied by the
8 19 warden or superintendent and forwarded to the department of
8 20 corrections for final approval and payment. The amounts
8 21 appropriated to this fund pursuant to 1987 Iowa Acts, chapter
8 22 234, section 304, subsection 2, are not subject to reversion
8 23 under section 8.33.

8 24 b. Tort claims denied at the institution shall be
8 25 forwarded to the state appeal board for their consideration as
8 26 if originally filed with that body. This procedure shall be
8 27 used in lieu of chapter 669 for inmate tort claims of less
8 28 than \$100.

8 29 3. It is the intent of the general assembly that the
8 30 department of corrections shall timely fill correctional
8 31 positions authorized for correctional facilities pursuant to
8 32 this section.

8 33 Sec. 5. DEPARTMENT OF CORRECTIONS ADMINISTRATION.

8 34 There is appropriated from the general fund of the state to
8 35 the department of corrections for the fiscal year beginning
9 1 July 1, 2001, and ending June 30, 2002, the following amounts,
9 2 or so much thereof as is necessary, to be used for the
9 3 purposes designated:

9 4 1. For general administration, including salaries,
9 5 support, maintenance, employment of an education director and
9 6 clerk to administer a centralized education program for the
9 7 correctional system, miscellaneous purposes, and for not more
9 8 than the following full-time equivalent positions:
9 9 \$ 2,315,093
9 10 FTEs 37.18

9 11 a. The department shall monitor the use of the
9 12 classification model by the judicial district departments of
9 13 correctional services and has the authority to override a
9 14 district department's decision regarding classification of
9 15 community-based clients. The department shall notify a
9 16 district department of the reasons for the override.

9 17 b. It is the intent of the general assembly that as a
9 18 condition of receiving the appropriation provided in this
9 19 subsection, the department of corrections shall not, except as
9 20 otherwise provided in paragraph "c", enter into a new
9 21 contract, unless the contract is a renewal of an existing
9 22 contract, for the expenditure of moneys in excess of \$100,000
9 23 during the fiscal year beginning July 1, 2001, for the
9 24 privatization of services performed by the department using
9 25 state employees as of July 1, 2001, or for the privatization
9 26 of new services by the department, without prior consultation
9 27 with any applicable state employee organization affected by
9 28 the proposed new contract and prior notification of the
9 29 cochairpersons and ranking members of the joint appropriations
9 30 subcommittee on the justice system.

9 31 c. It is the intent of the general assembly that each
9 32 lease negotiated by the department of corrections with a
9 33 private corporation for the purpose of providing private
9 34 industry employment of inmates in a correctional institution
9 35 shall prohibit the private corporation from utilizing inmate
10 1 labor for partisan political purposes for any person seeking
10 2 election to public office in this state and that a violation
10 3 of this requirement shall result in a termination of the lease
10 4 agreement.

10 5 d. It is the intent of the general assembly that as a
10 6 condition of receiving the appropriation provided in this
10 7 subsection, the department of corrections shall not enter into
10 8 a lease or contractual agreement pursuant to section 904.809
10 9 with a private corporation for the use of building space for

10 10 the purpose of providing inmate employment without providing
10 11 that the terms of the lease or contract establish safeguards
10 12 to restrict, to the greatest extent feasible, access by
10 13 inmates working for the private corporation to personal
10 14 identifying information of citizens.

10 15 e. It is the intent of the general assembly that as a
10 16 condition of receiving the appropriation provided in this
10 17 subsection, the department of corrections shall not enter into
10 18 any new agreement with a private for-profit agency or
10 19 corporation for the purpose of transferring inmates under the
10 20 custody of the department to a jail or correctional facility
10 21 or institution in this state which is established, maintained,
10 22 or operated by a private for-profit agency or corporation
10 23 without prior approval by the general assembly.

10 24 2. For salaries, support, maintenance, miscellaneous
10 25 purposes, and for not more than the following full-time
10 26 equivalent positions at the correctional training center at
10 27 Mt. Pleasant:

10 28	\$	473,479
10 29	FTEs	8.07

10 30 3. For educational programs for inmates at state penal
10 31 institutions:

10 32	\$	3,075,014
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10 33 It is the intent of the general assembly that moneys
10 34 appropriated in this subsection shall be used solely for the
10 35 purpose indicated and that the moneys shall not be transferred
11 1 for any other purpose. In addition, it is the intent of the
11 2 general assembly that the department shall consult with the
11 3 community colleges in the areas in which the institutions are
11 4 located to utilize moneys appropriated in this subsection to
11 5 fund the high school completion, high school equivalency
11 6 diploma, adult literacy, and adult basic education programs in
11 7 a manner so as to maintain these programs at the institutions.

11 8 To maximize the funding for educational programs, the
11 9 department shall establish guidelines and procedures to
11 10 prioritize the availability of educational and vocational
11 11 training for inmates based upon the goal of facilitating an
11 12 inmate's successful release from the correctional institution.
11 13 Notwithstanding section 8.33, moneys appropriated in this
11 14 subsection that remain unobligated or unexpended at the close
11 15 of the fiscal year shall not revert but shall remain available
11 16 for expenditure only for the purpose designated in this
11 17 subsection until the close of the succeeding fiscal year.

11 18 4. For the development of the departmentalwide Iowa
11 19 corrections offender network (ICON) data system:

11 20	\$	559,980
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11 21 5. The department of corrections shall submit a report to
11 22 the cochairpersons and ranking members of the joint
11 23 appropriations subcommittee on the justice system and the
11 24 legislative fiscal bureau, on or before January 15, 2002,
11 25 concerning the development and implementation of the Iowa
11 26 corrections offender network (ICON) data system. The report
11 27 shall include a description of the system and functions, a
11 28 plan for implementation of the system, including a timeline,
11 29 resource and staffing requirements for the system, and a
11 30 current status and progress report concerning the
11 31 implementation of the system. In addition, the report shall
11 32 specifically address the ability of the system to receive and
11 33 transmit data between prisons, community-based corrections
11 34 district departments, the judicial branch, board of parole,
12 1 the criminal and juvenile justice planning division of the
12 2 department of human rights, the department of public safety,
12 3 and other applicable governmental agencies. The report should
12 4 include a detailed discussion of the cooperation with other
12 5 state agencies and the judicial branch in the development and
12 6 implementation of the system.

12 6 6. The department of corrections shall annually provide a

12 7 report to the legislative fiscal bureau regarding the amount
12 8 of moneys deposited in the infrastructure account of the Iowa
12 9 state industries revolving fund during the fiscal year, the
12 10 infrastructure projects funded by the moneys, and the amount
12 11 transferred to the general fund of the state from the account
12 12 at the close of the fiscal year.

12 13 7. It is the intent of the general assembly that the
12 14 department of corrections shall continue to operate the
12 15 correctional farms under the control of the department at the
12 16 same or greater level of participation and involvement as
12 17 existed as of January 1, 2001, shall not enter into any rental
12 18 agreement or contract concerning any farmland under the
12 19 control of the department that is not subject to a rental
12 20 agreement or contract as of January 1, 2001, without prior
12 21 legislative approval, and shall further attempt to provide job
12 22 opportunities at the farms for inmates. The department shall
12 23 attempt to provide job opportunities at the farms for inmates
12 24 by encouraging labor-intensive farming or gardening where
12 25 appropriate, using inmates to grow produce and meat for
12 26 institutional consumption, researching the possibility of
12 27 instituting food canning and cook-and-chill operations, and
12 28 exploring opportunities for organic farming and gardening,
12 29 livestock ventures, horticulture, and specialized crops.

12 30 8. The department of corrections shall submit a report to
12 31 the general assembly by January 1, 2002, concerning moneys
12 32 recouped from inmate earnings for the reimbursement of
12 33 operational expenses of the applicable facility during the
12 34 fiscal year beginning July 1, 2000, for each correctional
12 35 institution and judicial district department of correctional
13 1 services. In addition, each correctional institution and
13 2 judicial district department of correctional services shall
13 3 continue to submit a report to the legislative fiscal bureau
13 4 on a monthly basis concerning moneys recouped from inmate
13 5 earnings pursuant to sections 904.702, 904.809, and 905.14.

13 6 Sec. 6. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL
13 7 SERVICES.

13 8 1. There is appropriated from the general fund of the
13 9 state to the department of corrections for the fiscal year
13 10 beginning July 1, 2001, and ending June 30, 2002, the
13 11 following amounts, or so much thereof as is necessary, to be
13 12 allocated as follows:

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

13 18 \$ 8,870,274

13 19 b. For the second judicial district department of
13 20 correctional services, including the treatment and supervision
13 21 of probation and parole violators who have been released from
13 22 the department of corrections violator program, the following
13 23 amount, or so much thereof as is necessary:

13 24 \$ 6,740,702

13 25 c. For the third judicial district department of
13 26 correctional services, including the treatment and supervision
13 27 of probation and parole violators who have been released from
13 28 the department of corrections violator program, the following
13 29 amount, or so much thereof as is necessary:

13 30 \$ 4,033,736

13 31 d. For the fourth judicial district department of
13 32 correctional services, including the treatment and supervision
13 33 of probation and parole violators who have been released from
13 34 the department of corrections violator program, the following
13 35 amount, or so much thereof as is necessary:

14 1 \$ 3,829,927

14 2 e. For the fifth judicial district department of
14 3 correctional services, including the treatment and supervision

14 4 of probation and parole violators who have been released from
14 5 the department of corrections violator program, the following
14 6 amount, or so much thereof as is necessary:
14 7 \$ 11,823,192
14 8 f. For the sixth judicial district department of
14 9 correctional services, including the treatment and supervision
14 10 of probation and parole violators who have been released from
14 11 the department of corrections violator program, the following
14 12 amount, or so much thereof as is necessary:
14 13 \$ 8,941,214
14 14 g. For the seventh judicial district department of
14 15 correctional services, including the treatment and supervision
14 16 of probation and parole violators who have been released from
14 17 the department of corrections violator program, the following
14 18 amount, or so much thereof as is necessary:
14 19 \$ 5,157,571
14 20 h. For the eighth judicial district department of
14 21 correctional services, including the treatment and supervision
14 22 of probation and parole violators who have been released from
14 23 the department of corrections violator program, the following
14 24 amount, or so much thereof as is necessary:
14 25 \$ 5,033,178
14 26 i. For the department of corrections for the assistance
14 27 and support of each judicial district department of
14 28 correctional services, the following amount, or so much
14 29 thereof as is necessary:
14 30 \$ 78,119
14 31 2. Each judicial district department of correctional
14 32 services shall continue programs and plans established within
14 33 that district to provide for intensive supervision, sex
14 34 offender treatment, diversion of low-risk offenders to the
14 35 least restrictive sanction available, job development, and
15 1 expanded use of intermediate criminal sanctions.
15 2 3. The department of corrections shall continue to
15 3 contract with a judicial district department of correctional
15 4 services to provide for the rental of electronic monitoring
15 5 equipment which shall be available statewide.
15 6 4. Each judicial district department of correctional
15 7 services and the department of corrections shall continue the
15 8 treatment alternatives to street crime programs established in
15 9 1989 Iowa Acts, chapter 225, section 9.
15 10 5. The governor's office of drug control policy shall
15 11 consider federal grants made to the department of corrections
15 12 for the benefit of each of the eight judicial district
15 13 departments of correctional services as local government
15 14 grants, as defined pursuant to federal regulations.
15 15 6. A drug court established in a judicial district
15 16 department of correctional services shall only be offered to
15 17 offenders if an adjudication of guilt has been entered, and
15 18 felony offenses shall be given priority over misdemeanors.
15 19 7. The department of corrections and the eight judicial
15 20 district departments of correctional services shall submit a
15 21 combined comprehensive report on the violator program and the
15 22 violator aftercare program to the cochairpersons and ranking
15 23 members of the joint appropriations subcommittee on the
15 24 justice system and to the legislative fiscal bureau by
15 25 December 1, 2001. The report shall include a description of
15 26 the program and each judicial district's criteria for
15 27 admission to the violator program at the Newton correctional
15 28 facility and the Iowa correctional institution for women, the
15 29 number of beds in the program, and the number of offenders
15 30 placed in the program for the fiscal years beginning July 1,
15 31 1999, and ending June 30, 2001. The report shall also contain
15 32 actual expenditures related to the program for each fiscal
15 33 year of the fiscal period beginning July 1, 1999, and ending
15 34 June 30, 2001, the budgeted expenditures for each fiscal year
15 35 of the fiscal period beginning July 1, 1999, and ending June

16 1 30, 2001, by revenue source, the characteristics of each
16 2 offender including the offender's race and gender, the number
16 3 of FTE positions used for the program, and quantitative
16 4 measures analyzing the success of the program.

16 5 8. In addition to the requirements of section 8.39, the
16 6 department of corrections shall not make an intradepartmental
16 7 transfer of moneys appropriated to the department, unless
16 8 notice of the intradepartmental transfer is given prior to its
16 9 effective date to the legislative fiscal bureau. The notice
16 10 shall include information on the department's rationale for
16 11 making the transfer and details concerning the work load and
16 12 performance measures upon which the transfers are based.

16 13 9. The department of corrections and the eight judicial
16 14 district departments of correctional services shall submit a
16 15 combined comprehensive report on the use of intermediate
16 16 criminal sanctions program pursuant to chapter 901B to the
16 17 cochairpersons and ranking members of the joint appropriations
16 18 subcommittee on the justice system, and to the legislative
16 19 fiscal bureau by January 15, 2002. The report shall include a
16 20 description of the program and the criteria used for placement
16 21 at each intermediate sanction level or sublevel of the
16 22 corrections continuum within each district plan, the number of
16 23 offenders placed at each intermediate sanction level or
16 24 sublevel in each district for each fiscal year of the fiscal
16 25 period beginning July 1, 1999, and ending June 30, 2001, the
16 26 number of offenders expected to be placed in the program for
16 27 the fiscal year beginning July 1, 2001, and ending June 30,
16 28 2002, and the capacity for each level and sublevel within the
16 29 continuum. The report shall also contain actual expenditures
16 30 related to the continuum for each fiscal year of the fiscal
16 31 period beginning July 1, 1999, and ending June 30, 2001, the
16 32 budgeted expenditures for each fiscal year of the fiscal
16 33 period beginning July 1, 1999, and ending June 30, 2001, by
16 34 revenue source, the characteristics of each offender including
16 35 the offender's race and gender at each level and sublevel, the
17 1 number of FTE positions working in positions related to the
17 2 continuum, and quantitative measures analyzing the success of
17 3 the program.

17 4 10. The department of corrections in cooperation with the
17 5 second, third, fourth, and fifth judicial district departments
17 6 of correctional services, shall implement procedures to
17 7 provide continuing evaluation of the drug courts. The
17 8 evaluation shall include a description of the two models
17 9 currently being used by the judicial districts, a description
17 10 of the program, criteria for admission, program capacity,
17 11 number of offenders in the program by offense class, program
17 12 expenditures, and quantitative outcome measures including
17 13 successful completion and recidivism rates.

17 14 Sec. 7. CORRECTIONAL INSTITUTIONS VOCATIONAL TRAINING.

17 15 1. The state prison industries board and the department of
17 16 corrections shall continue the implementation of a plan to
17 17 enhance vocational training opportunities within the
17 18 correctional institutions listed in section 904.102, as
17 19 provided in 1993 Iowa Acts, chapter 171, section 12. The plan
17 20 shall provide for increased vocational training opportunities
17 21 within the correctional institutions, including the
17 22 possibility of approving community college credit for inmates
17 23 working in prison industries. The department of corrections
17 24 shall provide a report concerning the implementation of the
17 25 plan to the cochairpersons and ranking members of the joint
17 26 appropriations subcommittee on the justice system and the
17 27 legislative fiscal bureau, on or before January 15, 2002.

17 28 2. It is the intent of the general assembly that each
17 29 correctional facility make all reasonable efforts to maintain
17 30 vocational education programs for inmates and to identify
17 31 available funding sources to continue these programs. The
17 32 department of corrections shall submit a report to the general

17 33 assembly by January 1, 2002, concerning the efforts made by
17 34 each correctional facility in maintaining vocational education
17 35 programs for inmates.

18 1 3. The department of corrections shall submit a report on
18 2 inmate labor to the general assembly, the cochairpersons, and
18 3 the ranking members of the joint appropriations subcommittee
18 4 on the justice system, and to the legislative fiscal bureau by
18 5 January 15, 2002. The report shall specifically address the
18 6 progress the department has made in implementing the
18 7 requirements of section 904.701, inmate labor on capital
18 8 improvement projects, community work crews, and private-sector
18 9 employment.

18 10 4. Each month the department shall provide a status report
18 11 regarding private-sector employment to the legislative fiscal
18 12 bureau beginning on July 1, 2001. The report shall include
18 13 the number of offenders employed in the private sector, the
18 14 combined number of hours worked by the offenders, and the
18 15 total amount of allowances, and the distribution of allowances
18 16 pursuant to section 904.702, including any moneys deposited in
18 17 the general fund of the state.

18 18 Sec. 8. STATE PUBLIC DEFENDER. There is appropriated from
18 19 the general fund of the state to the office of the state
18 20 public defender of the department of inspections and appeals
18 21 for the fiscal year beginning July 1, 2001, and ending June
18 22 30, 2002, the following amount, or so much thereof as is
18 23 necessary, for the purposes designated:

18 24 \$ 34,607,759

18 25 The funds appropriated and full-time equivalent positions
18 26 authorized in this section are allocated as follows:

18 27 1. For salaries, support, maintenance, and miscellaneous
18 28 purposes, and for not more than the following full-time
18 29 equivalent positions:

18 30 \$ 14,267,794

18 31 FTEs 202.00

18 32 2. For the fees of court-appointed attorneys for indigent
18 33 adults and juveniles, in accordance with section 232.141 and
18 34 chapter 815:

18 35 \$ 20,339,965

19 1 Sec. 9. IOWA LAW ENFORCEMENT ACADEMY. There is
19 2 appropriated from the general fund of the state to the Iowa
19 3 law enforcement academy for the fiscal year beginning July 1,
19 4 2001, and ending June 30, 2002, the following amount, or so
19 5 much thereof as is necessary, to be used for the purposes
19 6 designated:

19 7 1. For salaries, support, maintenance, miscellaneous
19 8 purposes, including jailer training and technical assistance,
19 9 and for not more than the following full-time equivalent
19 10 positions:

19 11 \$ 1,306,546

19 12 FTEs 29.05

19 13 It is the intent of the general assembly that the Iowa law
19 14 enforcement academy may provide training of state and local
19 15 law enforcement personnel concerning the recognition of and
19 16 response to persons with Alzheimer's disease.

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

19 30 Sec. 10. BOARD OF PAROLE. There is appropriated from the
19 31 general fund of the state to the board of parole for the
19 32 fiscal year beginning July 1, 2001, and ending June 30, 2002,
19 33 the following amount, or so much thereof as is necessary, to
19 34 be used for the purposes designated:

19 35 For salaries, support, maintenance, miscellaneous purposes,
20 1 and for not more than the following full-time equivalent
20 2 positions:

20 3 \$ 1,019,507
20 4 FTEs 16.50

20 5 A portion of the funds appropriated in this section shall
20 6 be used to continue a pilot program for probation violations
20 7 in the sixth judicial district department of correctional
20 8 services. Data shall be maintained to evaluate the pilot
20 9 program.

20 10 Sec. 11. DEPARTMENT OF PUBLIC DEFENSE. There is
20 11 appropriated from the general fund of the state to the
20 12 department of public defense for the fiscal year beginning
20 13 July 1, 2001, and ending June 30, 2002, the following amounts,
20 14 or so much thereof as is necessary, to be used for the
20 15 purposes designated:

20 16 1. MILITARY DIVISION

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

20 20 \$ 5,190,924
20 21 FTEs 259.76

20 22 If there is a surplus in the general fund of the state for
20 23 the fiscal year ending June 30, 2002, within 60 days after the
20 24 close of the fiscal year, the military division may incur up
20 25 to an additional \$500,000 in expenditures from the surplus
20 26 prior to transfer of the surplus pursuant to section 8.57.

20 27 2. EMERGENCY MANAGEMENT DIVISION

20 28 For salaries, support, maintenance, miscellaneous purposes,
20 29 and for not more than the following full-time equivalent
20 30 positions:

20 31 \$ 1,051,608
20 32 FTEs 25.25

20 33 Sec. 12. DEPARTMENT OF PUBLIC SAFETY. There is
20 34 appropriated from the general fund of the state to the
20 35 department of public safety for the fiscal year beginning July
21 1 1, 2001, and ending June 30, 2002, the following amounts, or
21 2 so much thereof as is necessary, to be used for the purposes
21 3 designated:

21 4 1. For the department's administrative functions,
21 5 including the criminal justice information system, and for not
21 6 more than the following full-time equivalent positions:

21 7 \$ 2,449,533
21 8 FTEs 39.80

21 9 2. For the division of criminal investigation and bureau
21 10 of identification including the state's contribution to the
21 11 peace officers' retirement, accident, and disability system
21 12 provided in chapter 97A in the amount of 17 percent of the
21 13 salaries for which the funds are appropriated, to meet federal
21 14 fund matching requirements, and for not more than the
21 15 following full-time equivalent positions:

21 16 \$ 11,931,266
21 17 FTEs 233.50

21 18 The division of criminal investigation is authorized an
21 19 additional 2.00 FTEs for the establishment of an elderly crime
21 20 unit if federal funding is obtained. If federal funding is
21 21 obtained and then subsequently discontinued, the additional
21 22 2.00 FTEs shall be eliminated.

21 23 Riverboat enforcement costs shall be billed in accordance
21 24 with section 99F.10, subsection 4. The costs shall be not
21 25 more than the department's estimated expenditures, including
21 26 salary adjustment, for riverboat enforcement for the fiscal

21 27 year.

21 28 The department of public safety, with the approval of the
21 29 department of management, may employ no more than two special
21 30 agents and four gaming enforcement officers for each
21 31 additional riverboat regulated after July 1, 2001, and one
21 32 special agent for each racing facility which becomes
21 33 operational during the fiscal year which begins July 1, 2001.

21 34 One additional gaming enforcement officer, up to a total of
21 35 four per boat, may be employed for each riverboat that has
22 1 extended operations to 24 hours and has not previously
22 2 operated with a 24-hour schedule. Positions authorized in
22 3 this paragraph are in addition to the full-time equivalent
22 4 positions otherwise authorized in this subsection.

22 5 3. a. For the division of narcotics enforcement,
22 6 including the state's contribution to the peace officers'
22 7 retirement, accident, and disability system provided in
22 8 chapter 97A in the amount of 17 percent of the salaries for
22 9 which the funds are appropriated, to meet federal fund
22 10 matching requirements, and for not more than the following
22 11 full-time equivalent positions:

22 12 \$ 3,501,690
22 13 FTEs 61.00

22 14 b. For the division of narcotics enforcement for
22 15 undercover purchases:

22 16 \$ 129,804

22 17 4. a. For the state fire marshal's office, including the
22 18 state's contribution to the peace officers' retirement,
22 19 accident, and disability system provided in chapter 97A in the
22 20 amount of 17 percent of the salaries for which the funds are
22 21 appropriated, and for not more than the following full-time
22 22 equivalent positions:

22 23 \$ 1,831,002
22 24 FTEs 36.80

22 25 b. For the state fire marshal's office, for fire
22 26 protection services as provided through the state fire service
22 27 and emergency response council as created in the department,
22 28 and for not more than the following full-time equivalent
22 29 positions:

22 30 \$ 606,460
22 31 FTEs 12.00

22 32 5. For the capitol police division, including the state's
22 33 contribution to the peace officers' retirement, accident, and
22 34 disability system provided in chapter 97A in the amount of 17
22 35 percent of the salaries for which the funds are appropriated
23 1 and for not more than the following full-time equivalent
23 2 positions:

23 3 \$ 1,240,582
23 4 FTEs 26.00

23 5 6. For the division of the Iowa state patrol of the
23 6 department of public safety, for salaries, support,
23 7 maintenance, workers' compensation costs, and miscellaneous
23 8 purposes, including the state's contribution to the peace
23 9 officers' retirement, accident, and disability system provided
23 10 in chapter 97A in the amount of 17 percent of the salaries for
23 11 which the funds are appropriated, and for not more than the
23 12 following full-time equivalent positions:

23 13 \$ 35,760,633
23 14 FTEs 567.25

23 15 7. For costs associated with the maintenance of the
23 16 automated fingerprint information system (AFIS):

23 17 \$ 239,743

23 18 8. For deposit in the public safety law enforcement sick-
23 19 leave benefit fund established under section 80.40, for all
23 20 departmental employees eligible to receive benefits for
23 21 accrued sick leave under the collective bargaining agreement:

23 22 \$ 288,139

23 23 9. An employee of the department of public safety who

23 24 retires after July 1, 2001, but prior to June 30, 2002, is
23 25 eligible for payment of life or health insurance premiums as
23 26 provided for in the collective bargaining agreement covering
23 27 the public safety bargaining unit at the time of retirement if
23 28 that employee previously served in a position which would have
23 29 been covered by the agreement. The employee shall be given
23 30 credit for the service in that prior position as though it
23 31 were covered by that agreement. The provisions of this
23 32 subsection shall not operate to reduce any retirement benefits
23 33 an employee may have earned under other collective bargaining
23 34 agreements or retirement programs.

23 35 10. For costs associated with the training and equipment
24 1 needs of volunteer fire fighters and for not more than the
24 2 following full-time equivalent positions:
24 3 \$ 573,154
24 4 FTEs 1.00
24 5 Notwithstanding section 8.33, moneys appropriated in this
24 6 subsection that remain unobligated or unexpended at the close
24 7 of the fiscal year shall not revert but shall remain available
24 8 for expenditure only for the purpose designated in this
24 9 subsection until the close of the succeeding fiscal year.

24 10 DIVISION II

24 11 SUPPLEMENTAL APPROPRIATION

24 12 Sec. 13. SUPPLEMENTAL APPROPRIATION TO THE FORT MADISON
24 13 CORRECTIONAL FACILITY. There is appropriated from the general
24 14 fund of the state to the department of corrections for the
24 15 fiscal year beginning July 1, 2000, and ending June 30, 2001,
24 16 the following amount, or so much thereof as is necessary, to
24 17 be used for the purposes designated, in addition to the
24 18 appropriation made for those purposes in 2000 Iowa Acts,
24 19 chapter 1229, section 4:

24 20 For compliance at the Fort Madison correctional facility,
24 21 including salaries, support, maintenance, and miscellaneous
24 22 purposes:
24 23 \$ 2,000,000
24 24 Notwithstanding section 8.33, moneys appropriated in this
24 25 section that remain unencumbered or unobligated at the close
24 26 of the fiscal year shall not revert but shall remain available
24 27 for expenditure in subsequent fiscal years for the purposes
24 28 specified in the section.

24 29 Sec. 14. EFFECTIVE DATE. This division of this Act, being
24 30 deemed of immediate importance, takes effect upon enactment.

24 31 DIVISION III

24 32 CODE CHANGES

24 33 Sec. 15. Section [18.6](#), subsection 16, Code 2001, is
24 34 amended by striking the subsection.

24 35 Sec. 16. Section [18.120](#), Code 2001, is amended to read as
25 1 follows:

25 2 18.120 REPLACEMENT FUND.

25 3 1. The state fleet administrator shall maintain a
25 4 depreciation fund for the purchase of replacement motor
25 5 vehicles and additions to the fleet. The state fleet
25 6 administrator's records shall show the total funds deposited
25 7 by and credited to each department or agency thereof. At the
25 8 end of each month, the state fleet administrator shall render
25 9 a statement to each state department or agency thereof for
25 10 additions to the fleet and total depreciation credited to that
25 11 department or agency. Such depreciation expense shall be paid
25 12 by the state departments or agencies in the same manner as
25 13 other expenses of such department are paid, and shall be
25 14 deposited in the depreciation fund to the credit of the
25 15 department or agency thereof. The funds credited to each
25 16 department or agency thereof shall remain the property of the
25 17 department or agency. However, at the end of each biennium,
25 18 the state fleet administrator shall cause to revert to the
25 19 fund from which it accumulated any unassigned depreciation.

25 20 2. The department of corrections is not obligated to pay

25 21 the depreciation expense otherwise required by this section.
25 22 Sec. 17. NEW SECTION. 80.42 SICK LEAVE BENEFITS FUND.
25 23 1. A sick leave benefits fund is established in the office
25 24 of the treasurer of state under the control of the department
25 25 of public safety. The moneys annually credited to the fund
25 26 are appropriated to the department to pay health and life
25 27 insurance monthly premium costs for retired departmental
25 28 employees and beneficiaries who are eligible to receive
25 29 benefits for accrued sick leave under the collective
25 30 bargaining agreement with the state police officers council or
25 31 pursuant to section 70A.23.
25 32 2. Notwithstanding section 12C.7, subsection 2, interest
25 33 or earnings on moneys credited to the sick leave benefits fund
25 34 shall be credited to the sick leave benefits fund.
25 35 Notwithstanding section 8.33, moneys credited to the sick
26 1 leave benefits fund at the end of a fiscal year shall not
26 2 revert to any other fund but shall remain in the fund for
26 3 purposes of the fund.
26 4 3. Notwithstanding section 8.39, if funds are needed to
26 5 pay monthly premium costs as provided for in subsection 1,
26 6 sufficient funds may be transferred and credited to the sick
26 7 leave benefits fund from any moneys appropriated to the
26 8 department.
26 9 Sec. 18. Section 904.315, Code 2001, is amended to read as
26 10 follows:
26 11 904.315 CONTRACTS FOR IMPROVEMENTS.
26 12 The director of the department of general services shall,
26 13 in writing, let all contracts for authorized improvements
26 14 costing in excess of twenty-five thousand dollars under
26 15 chapter 18. Upon prior authorization by the director,
26 16 improvements costing five thousand dollars or less may be made
26 17 by the superintendent of any institution.
26 18 A contract is not required for improvements at a state
26 19 institution where the labor of inmates is

~~to be~~
~~used~~

~~if the~~

26 20

~~contract is not for a construction, reconstruction,~~

26 21

~~demolition, or repair project or improvement with an estimated~~

26 22

~~cost in excess of twenty five thousand dollars~~

26 23 Sec. 19. Section 904.513, subsection 2, Code 2001, is
26 24 amended to read as follows:

26 25 2. Upon request by the director a county shall provide
26 26 temporary confinement for offenders allegedly violating the
26 27 conditions of assignment to a program under this chapter, if
26 28 space is available in the county. The department shall
26 29 negotiate a reimbursement rate with each county. The amount
26 30 to be reimbursed shall be determined by multiplying the number
26 31 of days a person is confined by the average daily cost of
26 32 confining a person in the county facility as negotiated with
26 33 the department. The average daily cost shall not include
26 34 administrative costs. A county holding offenders in jail due
26 35 to insufficient space in a community residential facility
27 1 shall be reimbursed as provided in this subsection. Payment
27 2 shall be made upon submission of a voucher executed by the

27 3 sheriff and approved by the director.

27 4 Sec. 20. Section [904.809](#), subsection 5, paragraph c,
27 5 subparagraph (3), Code 2001, is amended to read as follows:

27 6 (3) Any balance remaining after the deductions made under
27 7 subparagraphs (1) and (2) shall represent the costs of the
27 8 inmate's incarceration and shall be deposited, effective July
27 9 1,

~~2000, in the general fund of the state~~

~~2001, in the~~

27 10 infrastructure account of the Iowa state industries revolving
27 11 fund established in section 904.813.

27 12 Sec. 21. Section [904.813](#), subsection 4, Code 2001, is
27 13 amended to read as follows:

27 14 4. The fund established by this section shall not revert
27 15 to the general fund of the state at the end of any annual or
27 16 biennial period and the investment proceeds earned from the
27 17 balance of the fund shall be credited to the fund and used for
27 18 the purposes provided for in this section. However, an
27 19 infrastructure account is established in the fund for deposit
27 20 of net revenues from inmate labor under section 904.809 and
27 21 moneys in the account that remain unobligated or unencumbered
27 22 at the close of the fiscal year shall be transferred to the
27 23 general fund of the state.

27 24 Sec. 22. Section [904.908](#), subsection 2, Code 2001, is
27 25 amended to read as follows:

27 26 2. The Iowa department of corrections shall negotiate a
27 27 reimbursement rate with each county for the temporary
27 28 confinement of alleged violators of work release conditions
27 29 who are in the custody of the director of the Iowa department
27 30 of corrections or who are housed or supervised by the judicial
27 31 district department of correctional services. The amount to
27 32 be reimbursed shall be determined by multiplying the number of
27 33 days a person is confined by the average daily cost of
27 34 confining a person in the county facility as negotiated with
27 35 the department. The average daily cost shall not include
28 1 administrative costs. Payment shall be made upon submission
28 2 of a voucher executed by the sheriff and approved by the
28 3 director of the Iowa department of corrections.

28 4 Sec. 23. Section [906.17](#), subsection 2, Code 2001, is
28 5 amended to read as follows:

28 6 2. The Iowa department of corrections shall reimburse a
28 7 county for the temporary confinement of alleged parole
28 8 violators. The amount to be reimbursed shall be determined by
28 9 multiplying the number of days confined by the average daily
28 10 cost of confining a person in the county facility as
28 11 negotiated by the department. The average daily cost shall
28 12 not include administrative costs. Payment shall be made upon
28 13 submission of a voucher executed by the sheriff and approved
28 14 by the director of the Iowa department of corrections.

28 15 Sec. 24. 1998 Iowa Acts, chapter 1101, section 15,
28 16 subsection 2, as amended by 1999 Iowa Acts, chapter 202,
28 17 section 25, and as amended by 2000 Iowa Acts, chapter 1229,
28 18 section 25, is amended to read as follows:

28 19 2. a. There is appropriated from surcharge moneys
28 20 received by the E911 administrator and deposited into the
28 21 wireless E911 emergency communications fund, for each fiscal
28 22 year in the fiscal period beginning July 1, 1998, and ending
28 23 June 30,

~~2001~~

~~2002, an amount not to exceed two hundred~~

28 24 thousand dollars to be used for the implementation, support,
28 25 and maintenance of the functions of the E911 administrator.

28 26 The amount appropriated in this paragraph includes any amounts
28 27 necessary to reimburse the division of emergency management of
28 28 the department of public defense pursuant to paragraph "b".

28 29 b. Notwithstanding the distribution formula in section
28 30 34A.7A, as enacted in this Act, and prior to any such
28 31 distribution, of the initial surcharge moneys received by the
28 32 E911 administrator and deposited into the wireless E911
28 33 emergency communications fund, for each fiscal year in the
28 34 fiscal period beginning July 1, 1998, and ending June 30,

~~2001~~

28 35 2002, an amount is appropriated to the division of emergency
29 1 management of the department of public defense as necessary to
29 2 reimburse the division for amounts expended for the
29 3 implementation, support, and maintenance of the E911
29 4 administrator, including the E911 administrator's salary.

29 5 EXPLANATION

29 6 This bill makes appropriations for the 2001-2002 fiscal
29 7 year to the departments of justice, corrections, public
29 8 defense, and public safety, Iowa law enforcement academy,
29 9 office of public defender, and the board of parole.

29 10 The bill makes a supplemental appropriation to the Fort
29 11 Madison correctional facility for the 2000-2001 fiscal year.
29 12 The supplemental appropriation takes effect upon enactment.

29 13 The bill permits the department of public safety to add
29 14 2.00 FTEs for the prevention of crime against the elderly,
29 15 provided that federal grant money has been secured. The bill
29 16 provides that the additional 2.00 FTEs are to be eliminated if
29 17 the federal money is discontinued.

29 18 The bill requires drug courts to be offered only to
29 19 offenders if an adjudication of guilt has been entered, and
29 20 that the drug courts shall give priority to felony offenses
29 21 over misdemeanors.

29 22 The bill provides that the department of corrections in
29 23 cooperation with the judicial districts shall implement
29 24 procedures to evaluate the drug courts.

29 25 The bill requires the department of justice and the
29 26 department of corrections assist local regional jail
29 27 development authorities in issuing a report regarding the
29 28 development of regional jails.

29 29 The bill also makes several statutory changes. The bill
29 30 extends the use of wireless E911 emergency communications fund
29 31 moneys for purposes of the emergency management division for
29 32 another fiscal year.

29 33 The bill permits the department of general services to use
29 34 inmate labor for improvements at state institutions if the
29 35 estimated cost of the project exceeds \$25,000.

30 1 The bill provides that the department of corrections is not
30 2 required to pay the depreciation expense from the depreciation
30 3 replacement fund for replacements and additions to the motor
30 4 vehicle fleet.

30 5 The bill appropriates \$288,139 to a sick leave benefits
30 6 fund created in new Code section 80.42, to be paid upon the
30 7 retirement or disability of department of public safety
30 8 employees or beneficiaries who are eligible to receive monthly
30 9 an accrued sick leave benefit. The bill also provides that
30 10 unobligated funds and any accrued interest do not revert to
30 11 the general fund of the state, and the department may transfer
30 12 moneys to the sick leave benefits fund, to meet anticipated
30 13 accrued sick leave benefits which may be paid to employees
30 14 during the fiscal year.

30 15 The bill provides that when the department of corrections
30 16 reimburse a county for confinement of state offenders, the
30 17 amount to be reimbursed shall be determined by multiplying the
30 18 number of days the person is confined by the average daily
30 19 cost to confine the offender excluding administrative costs.

30 20 The bill provides that the net revenues from inmate labor
30 21 under Code section 904.809 shall be deposited into a separate
30 22 account in the Iowa state industries revolving fund. The bill

30 23 provides that any moneys in the account that remain
30 24 unobligated or unencumbered at the close of the fiscal year
30 25 shall be transferred to the general fund of the state.
30 26 Current law provides that net revenues from inmate labor shall
30 27 be deposited in the general fund of the state.
30 28 LSB 1107JA 79
30 29 jm/cf/24.3