

Senate File 510 - Introduced

SENATE FILE 510
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 1198)

A BILL FOR

1 An Act relating to and making appropriations to the justice
2 system.

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

1 Section 1. DEPARTMENT OF JUSTICE.

2 1. There is appropriated from the general fund of the state
3 to the department of justice for the fiscal year beginning July
4 1, 2011, and ending June 30, 2012, the following amounts, or
5 so much thereof as is necessary, to be used for the purposes
6 designated:

7 a. For the general office of attorney general for salaries,
8 support, maintenance, and miscellaneous purposes, including
9 the prosecuting attorneys training program, matching funds for
10 federal violence against women grant program, victim assistance
11 grants, office of drug control policy prosecuting attorney
12 program, and odometer fraud enforcement, and for not more than
13 the following full-time equivalent positions:

| | | |
|----------|------|-----------|
| 14 | \$ | 7,942,930 |
| 15 | FTEs | 212.00 |

16 It is the intent of the general assembly that as a condition
17 of receiving the appropriation provided in this lettered
18 paragraph, the department of justice shall maintain a record
19 of the estimated time incurred representing each agency or
20 department.

21 b. For victim assistance grants:

| | | |
|----------|----|-----------|
| 22 | \$ | 2,876,400 |
|----------|----|-----------|

23 The funds appropriated in this lettered paragraph shall be
24 used to provide grants to care providers providing services to
25 crime victims of domestic abuse or to crime victims of rape and
26 sexual assault.

27 The balance of the victim compensation fund established in
28 section 915.94 may be used to provide salary and support of not
29 more than 24 FTEs and to provide maintenance for the victim
30 compensation functions of the department of justice.

31 The department of justice shall transfer at least \$150,000
32 from the victim compensation fund established in section 915.94
33 to the victim assistance grant program.

34 c. For legal services for persons in poverty grants as
35 provided in section 13.34:

1 \$ 1,814,831

2 2. a. The department of justice, in submitting budget
3 estimates for the fiscal year commencing July 1, 2012, pursuant
4 to section 8.23, shall include a report of funding from sources
5 other than amounts appropriated directly from the general fund
6 of the state to the department of justice or to the office of
7 consumer advocate. These funding sources shall include but
8 are not limited to reimbursements from other state agencies,
9 commissions, boards, or similar entities, and reimbursements
10 from special funds or internal accounts within the department
11 of justice. The department of justice shall also report actual
12 reimbursements for the fiscal year commencing July 1, 2010,
13 and actual and expected reimbursements for the fiscal year
14 commencing July 1, 2011.

15 b. The department of justice shall include the report
16 required under paragraph "a", as well as information regarding
17 any revisions occurring as a result of reimbursements actually
18 received or expected at a later date, in a report to the
19 co-chairpersons and ranking members of the joint appropriations
20 subcommittee on the justice system and the legislative services
21 agency. The department of justice shall submit the report on
22 or before January 15, 2012.

23 Sec. 2. OFFICE OF CONSUMER ADVOCATE. There is appropriated
24 from the department of commerce revolving fund created in
25 section 546.12 to the office of consumer advocate of the
26 department of justice for the fiscal year beginning July 1,
27 2011, and ending June 30, 2012, the following amount, or so
28 much thereof as is necessary, to be used for the purposes
29 designated:

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

33 \$ 3,336,344
34 FTEs 22.00

35 Sec. 3. DEPARTMENT OF CORRECTIONS — FACILITIES.

1 1. There is appropriated from the general fund of the
2 state to the department of corrections for the fiscal year
3 beginning July 1, 2011, and ending June 30, 2012, the following
4 amounts, or so much thereof as is necessary, to be used for the
5 operation of adult correctional institutions, reimbursement
6 of counties for certain confinement costs, and federal prison
7 reimbursement, to be allocated as follows:

8 a. For the operation of the Fort Madison correctional
9 facility, including salaries, support, maintenance, and
10 miscellaneous purposes:

11 \$ 41,345,606

12 b. For the operation of the Anamosa correctional facility,
13 including salaries, support, maintenance, and miscellaneous
14 purposes:

15 \$ 31,985,974

16 c. For the operation of the Oakdale correctional facility,
17 including salaries, support, maintenance, and miscellaneous
18 purposes:

19 \$ 55,600,610

20 d. For the operation of the Newton correctional facility,
21 including salaries, support, maintenance, and miscellaneous
22 purposes:

23 \$ 25,958,757

24 e. For the operation of the Mt. Pleasant correctional
25 facility, including salaries, support, maintenance, and
26 miscellaneous purposes:

27 \$ 25,917,815

28 f. For the operation of the Rockwell City correctional
29 facility, including salaries, support, maintenance, and
30 miscellaneous purposes:

31 \$ 9,316,466

32 g. For the operation of the Clarinda correctional facility,
33 including salaries, support, maintenance, and miscellaneous
34 purposes:

35 \$ 24,482,356

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, and
8 miscellaneous purposes:

9 \$ 15,615,374

10 i. For the operation of the Fort Dodge correctional
11 facility, including salaries, support, maintenance, and
12 miscellaneous purposes:

13 \$ 29,062,235

14 j. 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 \$ 775,092

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

21 \$ 239,411

22 2. The department of corrections shall use moneys
23 appropriated in subsection 1 to continue to contract for the
24 services of a Muslim imam and Native American spiritual leader.

25 Sec. 4. DEPARTMENT OF CORRECTIONS — ADMINISTRATION.

26 1. There is appropriated from the general fund of the state
27 to the department of corrections for the fiscal year beginning
28 July 1, 2011, and ending June 30, 2012, the following amounts,
29 or so much thereof as is necessary, to be used for the purposes
30 designated:

31 a. For general administration, including salaries, support,
32 maintenance, employment of an education director to administer
33 a centralized education program for the correctional system,
34 and miscellaneous purposes:

35 \$ 4,835,542

1 (1) It is the intent of the general assembly that as a
2 condition of receiving the appropriation provided in this
3 lettered paragraph the department of corrections shall not,
4 except as otherwise provided in subparagraph (3), enter
5 into a new contract, unless the contract is a renewal of an
6 existing contract, for the expenditure of moneys in excess of
7 \$100,000 during the fiscal year beginning July 1, 2011, for the
8 privatization of services performed by the department using
9 state employees as of July 1, 2011, or for the privatization
10 of new services by the department without prior consultation
11 with any applicable state employee organization affected
12 by the proposed new contract and prior notification of the
13 co-chairpersons and ranking members of the joint appropriations
14 subcommittee on the justice system.

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

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

34 b. For educational programs for inmates at state penal
35 institutions:

1 \$ 2,383,109

2 (1) As a condition of receiving the appropriation in
3 this lettered paragraph, the department of corrections
4 shall transfer at least \$300,000 from the canteen operating
5 funds established pursuant to section 904.310 to be used for
6 correctional educational programs funded in this lettered
7 paragraph.

8 (2) It is the intent of the general assembly that moneys
9 appropriated in this lettered paragraph shall be used solely
10 for the purpose indicated and that the moneys shall not be
11 transferred for any other purpose. In addition, it is the
12 intent of the general assembly that the department shall
13 consult with the community colleges in the areas in which the
14 institutions are located to utilize moneys appropriated in this
15 lettered paragraph to fund the high school completion, high
16 school equivalency diploma, adult literacy, and adult basic
17 education programs in a manner so as to maintain these programs
18 at the institutions.

19 (3) To maximize the funding for educational programs,
20 the department shall establish guidelines and procedures to
21 prioritize the availability of educational and vocational
22 training for inmates based upon the goal of facilitating an
23 inmate's successful release from the correctional institution.

24 (4) The director of the department of corrections may
25 transfer moneys from Iowa prison industries for use in
26 educational programs for inmates.

27 (5) Notwithstanding section 8.33, moneys appropriated in
28 this lettered paragraph that remain unobligated or unexpended
29 at the close of the fiscal year shall not revert but shall
30 remain available for expenditure only for the purpose
31 designated in this lettered paragraph until the close of the
32 succeeding fiscal year.

33 c. For the development of the Iowa corrections offender
34 network (ICON) data system:

35 \$ 424,364

1 d. For offender mental health and substance abuse
 2 treatment:
 3 \$ 22,319

4 e. For viral hepatitis prevention and treatment:
 5 \$ 167,881

6 2. It is the intent of the general assembly that the
 7 department of corrections shall continue to operate the
 8 correctional farms under the control of the department at
 9 the same or greater level of participation and involvement
 10 as existed as of January 1, 2011; shall not enter into any
 11 rental agreement or contract concerning any farmland under
 12 the control of the department that is not subject to a rental
 13 agreement or contract as of January 1, 2011, without prior
 14 legislative approval; and shall further attempt to provide
 15 job opportunities at the farms for inmates. The department
 16 shall attempt to provide job opportunities at the farms for
 17 inmates by encouraging labor-intensive farming or gardening
 18 where appropriate; using inmates to grow produce and meat for
 19 institutional consumption; researching the possibility of
 20 instituting food canning and cook-and-chill operations; and
 21 exploring opportunities for organic farming and gardening,
 22 livestock ventures, horticulture, and specialized crops.

23 3. The department of corrections shall solicit requests for
 24 information to improve efficiencies at the pharmacy under the
 25 control of the department.

26 Sec. 5. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL
 27 SERVICES.

28 1. There is appropriated from the general fund of the state
 29 to the department of corrections for the fiscal year beginning
 30 July 1, 2011, and ending June 30, 2012, for salaries, support,
 31 maintenance, and miscellaneous purposes, the following amounts,
 32 or so much thereof as is necessary, to be allocated as follows:

33 a. For the first judicial district department of
 34 correctional services:
 35 \$ 13,890,258

- 1 b. For the second judicial district department of
2 correctional services:
3 \$ 10,336,948
- 4 c. For the third judicial district department of
5 correctional services:
6 \$ 5,599,765
- 7 d. For the fourth judicial district department of
8 correctional services:
9 \$ 5,391,355
- 10 e. For the fifth judicial district department of
11 correctional services, including funding for electronic
12 monitoring devices for use on a statewide basis:
13 \$ 18,742,129
- 14 f. For the sixth judicial district department of
15 correctional services:
16 \$ 13,112,563
- 17 g. For the seventh judicial district department of
18 correctional services:
19 \$ 7,259,155
- 20 h. For the eighth judicial district department of
21 correctional services:
22 \$ 6,879,715

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

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

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

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

10 Sec. 6. DEPARTMENT OF CORRECTIONS — REALLOCATION OF
11 APPROPRIATIONS. Notwithstanding section 8.39, within
12 the moneys appropriated in this Act to the department of
13 corrections, the department may reallocate the moneys
14 appropriated and allocated as necessary to best fulfill the
15 needs of the correctional institutions, administration of
16 the department, and the judicial district departments of
17 correctional services. However, in addition to complying with
18 the requirements of sections 904.116 and 905.8 and providing
19 notice to the legislative services agency, the department
20 of corrections shall also provide notice to the department
21 of management, prior to the effective date of the revision
22 or reallocation of an appropriation made pursuant to this
23 section. The department of corrections shall not reallocate an
24 appropriation or allocation for the purpose of eliminating any
25 program.

26 Sec. 7. INTENT — REPORTS.

27 1. The department of corrections in cooperation with
28 townships, the Iowa cemetery associations, and other nonprofit
29 or governmental entities may use inmate labor during the
30 fiscal year beginning July 1, 2011, to restore or preserve
31 rural cemeteries and historical landmarks. The department in
32 cooperation with the counties may also use inmate labor to
33 clean up roads, major water sources, and other water sources
34 around the state.

35 2. On a quarterly basis the department shall provide a

1 status report regarding private-sector employment to the
2 legislative services agency beginning on July 1, 2011. The
3 report shall include the number of offenders employed in the
4 private sector, the combined number of hours worked by the
5 offenders, the total amount of allowances, and the distribution
6 of allowances pursuant to section 904.702, including any moneys
7 deposited in the general fund of the state.

8 Sec. 8. ELECTRONIC MONITORING REPORT. The department of
9 corrections shall submit a report on electronic monitoring to
10 the general assembly, to the co-chairpersons and the ranking
11 members of the joint appropriations subcommittee on the justice
12 system, and to the legislative services agency by January
13 15, 2012. The report shall specifically address the number
14 of persons being electronically monitored and break down the
15 number of persons being electronically monitored by offense
16 committed. The report shall also include a comparison of any
17 data from the prior fiscal year with the current year.

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

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

27 2. State agencies are hereby encouraged to purchase
28 products from Iowa state industries, as defined in section
29 904.802, when purchases are required and the products are
30 available from Iowa state industries. State agencies shall
31 obtain bids from Iowa state industries for purchases of
32 office furniture during the fiscal year beginning July 1,
33 2011, exceeding \$5,000 or in accordance with applicable
34 administrative rules related to purchases for the agency.

35 Sec. 10. STATE PUBLIC DEFENDER. There is appropriated from

1 the general fund of the state to the office of the state public
2 defender of the department of inspections and appeals for the
3 fiscal year beginning July 1, 2011, and ending June 30, 2012,
4 the following amounts, or so much thereof as is necessary, to
5 be allocated as follows for the purposes designated:

6 1. For salaries, support, maintenance, miscellaneous
7 purposes, and for not more than the following full-time
8 equivalent positions:

9 \$ 24,083,182
10 FTEs 219.00

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

14 \$ 26,680,929

15 Sec. 11. IOWA LAW ENFORCEMENT ACADEMY.

16 1. There is appropriated from the general fund of the
17 state to the Iowa law enforcement academy for the fiscal year
18 beginning July 1, 2011, and ending June 30, 2012, the following
19 amount, or so much thereof as is necessary, to be used for the
20 purposes designated:

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

24 \$ 868,698
25 FTEs 24.55

26 It is the intent of the general assembly that the Iowa law
27 enforcement academy may provide training of state and local
28 law enforcement personnel concerning the recognition of and
29 response to persons with Alzheimer's disease.

30 The Iowa law enforcement academy may temporarily exceed and
31 draw more than the amount appropriated in this subsection and
32 incur a negative cash balance as long as there are receivables
33 equal to or greater than the negative balance and the amount
34 appropriated in this subsection is not exceeded at the close
35 of the fiscal year.

1 2. The Iowa law enforcement academy may select at least
2 five automobiles of the department of public safety, division
3 of state patrol, prior to turning over the automobiles to
4 the department of administrative services to be disposed
5 of by public auction, and the Iowa law enforcement academy
6 may exchange any automobile owned by the academy for each
7 automobile selected if the selected automobile is used in
8 training law enforcement officers at the academy. However, any
9 automobile exchanged by the academy shall be substituted for
10 the selected vehicle of the department of public safety and
11 sold by public auction with the receipts being deposited in the
12 depreciation fund to the credit of the department of public
13 safety, division of state patrol.

14 Sec. 12. BOARD OF PAROLE. There is appropriated from the
15 general fund of the state to the board of parole for the fiscal
16 year beginning July 1, 2011, and ending June 30, 2012, the
17 following amount, or so much thereof as is necessary, to be
18 used for the purposes designated:

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

22 \$ 1,053,835
23 FTEs 12.50

24 Sec. 13. DEPARTMENT OF PUBLIC DEFENSE. There is
25 appropriated from the general fund of the state to the
26 department of public defense for the fiscal year beginning July
27 1, 2011, and ending June 30, 2012, the following amounts, or
28 so much thereof as is necessary, to be used for the purposes
29 designated:

30 1. MILITARY DIVISION

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

34 \$ 5,527,042
35 FTEs 313.00

1 The military division may temporarily exceed and draw more
2 than the amount appropriated in this subsection and incur a
3 negative cash balance as long as there are receivables of
4 federal funds equal to or greater than the negative balance and
5 the amount appropriated in this subsection is not exceeded at
6 the close of the fiscal year.

7 2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION

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

| | | |
|----------|------|-----------|
| 11 | \$ | 1,836,877 |
| 12 | FTEs | 40.00 |

13 a. The homeland security and emergency management
14 division may temporarily exceed and draw more than the amount
15 appropriated in this subsection and incur a negative cash
16 balance as long as there are receivables of federal funds
17 equal to or greater than the negative balance and the amount
18 appropriated in this subsection is not exceeded at the close
19 of the fiscal year.

20 b. It is the intent of the general assembly that the
21 homeland security and emergency management division work in
22 conjunction with the department of public safety, to the extent
23 possible, when gathering and analyzing information related
24 to potential domestic or foreign security threats, and when
25 monitoring such threats.

26 Sec. 14. DEPARTMENT OF PUBLIC SAFETY. There is appropriated
27 from the general fund of the state to the department of public
28 safety for the fiscal year beginning July 1, 2011, and ending
29 June 30, 2012, the following amounts, or so much thereof as is
30 necessary, to be used for the purposes designated:

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

| | | |
|----------|------|-----------|
| 34 | \$ | 4,007,075 |
| 35 | FTEs | 36.00 |

1 2. For the division of criminal investigation, including
2 the state's contribution to the peace officers' retirement,
3 accident, and disability system provided in chapter 97A in the
4 amount of the state's normal contribution rate, as defined in
5 section 97A.8, multiplied by the salaries for which the funds
6 are appropriated, to meet federal fund matching requirements,
7 and for not more than the following full-time equivalent
8 positions:

9 \$ 12,533,931
10 FTEs 159.10

11 The department shall employ one additional special agent and
12 one additional criminalist for the purpose of investigating
13 cold cases. Prior to employing the additional special agent
14 and criminalist authorized in this paragraph, the department
15 shall provide a written statement to prospective employees that
16 states to the effect that the positions are being funded by a
17 temporary federal grant and there are no assurances that funds
18 from other sources will be available after the federal funding
19 expires. If the federal funding for the additional positions
20 expires during the fiscal year, the number of full-time
21 equivalent positions authorized in this subsection is reduced
22 by 2.00 FTEs.

23 3. For the criminalistics laboratory fund created in
24 section 691.9:

25 \$ 302,345

26 4. a. For the division of narcotics enforcement, including
27 the state's contribution to the peace officers' retirement,
28 accident, and disability system provided in chapter 97A in the
29 amount of the state's normal contribution rate, as defined in
30 section 97A.8, multiplied by the salaries for which the funds
31 are appropriated, to meet federal fund matching requirements,
32 and for not more than the following full-time equivalent
33 positions:

34 \$ 6,429,884
35 FTEs 74.00

1 b. For the division of narcotics enforcement for undercover
2 purchases:

3 \$ 109,042

4 5. For the division of state fire marshal, for fire
5 protection services as provided through the state fire service
6 and emergency response council as created in the department,
7 and for the state's contribution to the peace officers'
8 retirement, accident, and disability system provided in chapter
9 97A in the amount of the state's normal contribution rate, as
10 defined in section 97A.8, multiplied by the salaries for which
11 the funds are appropriated, and for not more than the following
12 full-time equivalent positions:

13 \$ 4,298,707

14 FTEs 55.00

15 6. For the division of state patrol, for salaries, support,
16 maintenance, workers' compensation costs, and miscellaneous
17 purposes, including the state's contribution to the peace
18 officers' retirement, accident, and disability system provided
19 in chapter 97A in the amount of the state's normal contribution
20 rate, as defined in section 97A.8, multiplied by the salaries
21 for which the funds are appropriated, and for not more than the
22 following full-time equivalent positions:

23 \$ 52,026,698

24 FTEs 513.00

25 It is the intent of the general assembly that members of the
26 state patrol be assigned to patrol the highways and roads in
27 lieu of assignments for inspecting school buses for the school
28 districts.

29 7. For deposit in the sick leave benefits fund established
30 under section 80.42 for all departmental employees eligible to
31 receive benefits for accrued sick leave under the collective
32 bargaining agreement:

33 \$ 279,517

34 8. For costs associated with the training and equipment
35 needs of volunteer fire fighters:

1 \$ 725,520

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

7 b. Notwithstanding section 8.39, within the moneys
8 appropriated in this section, the department of public safety
9 may reallocate moneys as necessary to best fulfill the needs
10 provided for in the appropriation. However, the department
11 shall not reallocate an appropriation made to the department
12 in this section unless notice of the reallocation is given
13 to the legislative services agency and the department of
14 management prior to the effective date of the reallocation.
15 The notice shall include information regarding the rationale
16 for reallocating the appropriation. The department shall
17 not reallocate an appropriation made in this section for the
18 purpose of eliminating any program.

19 Sec. 15. GAMING ENFORCEMENT.

20 1. There is appropriated from the gaming enforcement
21 revolving fund created in section 80.43 to the department of
22 public safety for the fiscal year beginning July 1, 2011, and
23 ending June 30, 2012, the following amount, or so much thereof
24 as is necessary, to be used for the purposes designated:

25 For any direct and indirect support costs for agents
26 and officers of the division of criminal investigation's
27 excursion gambling boat, gambling structure, and racetrack
28 enclosure enforcement activities, including salaries, support,
29 maintenance, miscellaneous purposes, and for not more than the
30 following full-time equivalent positions:

31 \$ 9,836,306

32 FTEs 120.00

33 2. For each additional license to conduct gambling games on
34 an excursion gambling boat, gambling structure, or racetrack
35 enclosure issued during the fiscal year beginning July 1, 2011,

1 there is appropriated from the gaming enforcement fund to the
2 department of public safety for the fiscal year beginning July
3 1, 2011, an additional amount of not more than \$521,000 to be
4 used for not more than 6.00 additional full-time equivalent
5 positions.

6 3. The department of public safety, with the approval
7 of the department of management, may employ no more than two
8 special agents and four gaming enforcement officers for each
9 additional riverboat or gambling structure regulated after July
10 1, 2011, and one special agent for each racing facility which
11 becomes operational during the fiscal year which begins July 1,
12 2011. One additional gaming enforcement officer, up to a total
13 of four per riverboat or gambling structure, may be employed
14 for each riverboat or gambling structure that has extended
15 operations to 24 hours and has not previously operated with a
16 24-hour schedule. Positions authorized in this subsection are
17 in addition to the full-time equivalent positions otherwise
18 authorized in this section.

19 Sec. 16. CIVIL RIGHTS COMMISSION. There is appropriated
20 from the general fund of the state to the Iowa state civil
21 rights commission for the fiscal year beginning July 1,
22 2011, and ending June 30, 2012, the following amount, or so
23 much thereof as is necessary, to be used for the purposes
24 designated:

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

| | | |
|----------|------|-----------|
| 28 | \$ | 1,397,069 |
| 29 | FTEs | 28.00 |

30 The Iowa state civil rights commission may enter into
31 a contract with a nonprofit organization to provide legal
32 assistance to resolve civil rights complaints.

33 Sec. 17. HOMELAND SECURITY AND EMERGENCY MANAGEMENT
34 DIVISION. There is appropriated from the wireless E911
35 emergency communications fund created in section 34A.7A to the

1 administrator of the homeland security and emergency management
2 division of the department of public defense for the fiscal
3 year beginning July 1, 2011, and ending June 30, 2012, an
4 amount not exceeding \$200,000 to be used for implementation,
5 support, and maintenance of the functions of the administrator
6 and program manager under chapter 34A and to employ the auditor
7 of the state to perform an annual audit of the wireless E911
8 emergency communications fund.

9 Sec. 18. 2009 Iowa Acts, chapter 178, section 20, is amended
10 to read as follows:

11 SEC. 20. CONSUMER EDUCATION AND LITIGATION

12 FUND. Notwithstanding section 714.16C, for each fiscal
13 year of the period beginning July 1, 2008, and ending June
14 30, ~~2011~~ 2013, the annual appropriations in section 714.16C,
15 are increased from \$1,125,000 to \$1,875,000, and \$75,000 to
16 \$125,000 respectively. Moneys appropriated from the consumer
17 education and litigation fund may be allocated for cash flow
18 purposes to the victim compensation fund established in section
19 915.94 during each of the fiscal years enumerated, provided
20 that any moneys so allocated are returned to the consumer
21 education and litigation fund by the end of each fiscal year an
22 allocation occurs.

23 Sec. 19. IOWA COMMUNICATIONS NETWORK. It is the
24 intent of the general assembly that the executive branch
25 agencies receiving an appropriation in this Act utilize
26 the Iowa communications network or secure other electronic
27 communications in lieu of traveling for the fiscal year
28 addressed by the appropriations.

29 Sec. 20. CORRECTIONAL OFFICER AND PEACE OFFICER POSITIONS
30 — PRIORITY. As a condition of receiving an appropriation in
31 this Act, the department of corrections and the department of
32 public safety shall make every effort to preserve correctional
33 officer and peace officer positions through the reduction of
34 administrative and related overhead costs.

35

EXPLANATION

1 This bill relates to and makes appropriations to the justice
2 system.

3 The bill makes appropriations from the general fund of the
4 state for fiscal year 2011-2012 to the departments of justice,
5 corrections, public defense, and public safety, and the Iowa
6 law enforcement academy, office of the state public defender,
7 board of parole, and Iowa state civil rights commission.

8 The bill appropriates moneys from the department of commerce
9 revolving fund to the office of consumer advocate of the
10 department of justice.

11 The bill requires the department of corrections to solicit
12 requests for information to improve efficiencies at the
13 pharmacy under control of the department of corrections.

14 The bill also appropriates moneys from the gaming
15 enforcement revolving fund to the department of public safety.
16 The division also authorizes FTEs related to gaming enforcement
17 in the fund.

18 The bill also provides that for each additional license to
19 conduct gambling games on an excursion gambling boat, gambling
20 structure, or racetrack enclosure issued during the fiscal
21 period beginning on July 1, 2011, there is appropriated from
22 the gaming enforcement fund to the department of public safety
23 for the fiscal year beginning July 1, 2011, an additional
24 amount of not more than \$521,000 to be used for not more than
25 6.00 additional full-time equivalent positions. Additional
26 positions are authorized for each riverboat or gambling
27 structure that extends operations to 24 hours.

28 The bill amends 2009 Iowa Acts, chapter 178, to extend the
29 fiscal period that increases the annual appropriations from
30 the consumer education and litigation fund in Code section
31 714.16C, to the department of justice. The bill extends the
32 fiscal period authorizing such increases from the fiscal period
33 beginning on July 1, 2008, and ending on June 30, 2011, to the
34 fiscal period beginning on July 1, 2008, and ending June 30,
35 2013. By extending the fiscal period that authorizes increased

1 appropriations from the consumer education and litigation fund,
2 the bill also extends the fiscal period that moneys may be
3 allocated from the consumer education and litigation fund to
4 the victim compensation fund for cash flow purposes, if the
5 moneys so allocated are returned to the consumer and education
6 litigation fund by the end of each fiscal year the allocation
7 occurs.

8 The bill requires the department of corrections and the
9 department of public safety to make every effort to preserve
10 correctional officer and peace officer positions through the
11 reduction of administrative and related overhead costs.