

**Senate Study Bill 3143 - Introduced**

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PROPOSED GOVERNOR'S BUDGET  
BILL)

**A BILL FOR**

- 1 An Act relating to appropriations to the justice system.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. 2011 Iowa Acts, chapter 134, section 30, is  
2 amended to read as follows:

3 SEC. 30. DEPARTMENT OF JUSTICE.

4 1. There is appropriated from the general fund of the state  
5 to the department of justice for the fiscal year beginning July  
6 1, 2012, and ending June 30, 2013, the following amounts, or  
7 so much thereof as is necessary, to be used for the purposes  
8 designated:

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

16 .....	\$	<del>3,896,465</del>
17 .....		<u>7,792,930</u>
18 .....	FTEs	212.00

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

24 b. For victim assistance grants:

25 .....	\$	<del>1,438,200</del>
26 .....		<u>2,876,400</u>

27 The funds appropriated in this lettered paragraph shall be  
28 used to provide grants to care providers providing services to  
29 crime victims of domestic abuse or to crime victims of rape and  
30 sexual assault.

31 The balance of the victim compensation fund established in  
32 section 915.94 may be used to provide salary and support of not  
33 more than 24 FTEs and to provide maintenance for the victim  
34 compensation functions of the department of justice.

35 The department of justice shall transfer at least \$150,000

1 from the victim compensation fund established in section 915.94  
2 to the victim assistance grant program.

3 c. For legal services for persons in poverty grants as  
4 provided in section 13.34:

5 .....	\$	907,416
6		<u>1,814,831</u>

7 2. a. The department of justice, in submitting budget  
8 estimates for the fiscal year commencing July 1, 2013, pursuant  
9 to section 8.23, shall include a report of funding from sources  
10 other than amounts appropriated directly from the general fund  
11 of the state to the department of justice or to the office of  
12 consumer advocate. These funding sources shall include but  
13 are not limited to reimbursements from other state agencies,  
14 commissions, boards, or similar entities, and reimbursements  
15 from special funds or internal accounts within the department  
16 of justice. The department of justice shall also report actual  
17 reimbursements for the fiscal year commencing July 1, 2011,  
18 and actual and expected reimbursements for the fiscal year  
19 commencing July 1, 2012.

20 b. The department of justice shall include the report  
21 required under paragraph "a", as well as information regarding  
22 any revisions occurring as a result of reimbursements actually  
23 received or expected at a later date, in a report to the  
24 co-chairpersons and ranking members of the joint appropriations  
25 subcommittee on the justice system and the legislative services  
26 agency. The department of justice shall submit the report on  
27 or before January 15, 2013.

28 Sec. 2. 2011 Iowa Acts, chapter 134, section 31, is amended  
29 to read as follows:

30 SEC. 31. OFFICE OF CONSUMER ADVOCATE. There is appropriated  
31 from the department of commerce revolving fund created in  
32 section 546.12 to the office of consumer advocate of the  
33 department of justice for the fiscal year beginning July 1,  
34 2012, and ending June 30, 2013, the following amount, or so  
35 much thereof as is necessary, to be used for the purposes

1 designated:

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

5 .....	\$	<del>1,568,082</del>
6 .....		<u>3,136,163</u>
7 .....	FTEs	22.00

8 Sec. 3. 2011 Iowa Acts, chapter 134, section 32, is amended  
9 to read as follows:

10 SEC. 32. DEPARTMENT OF CORRECTIONS — FACILITIES.

11 1. There is appropriated from the general fund of the  
12 state to the department of corrections for the fiscal year  
13 beginning July 1, 2012, and ending June 30, 2013, the following  
14 amounts, or so much thereof as is necessary, to be used for the  
15 operation of adult correctional institutions, reimbursement  
16 of counties for certain confinement costs, and federal prison  
17 reimbursement, to be allocated as follows:

18 a. For the operation of the Fort Madison correctional  
19 facility, including salaries, support, maintenance, and  
20 miscellaneous purposes:

21 .....	\$	<del>20,515,641</del>
22 .....		<u>42,686,899</u>

23 b. For the operation of the Anamosa correctional facility,  
24 including salaries, support, maintenance, and miscellaneous  
25 purposes:

26 .....	\$	<del>15,992,987</del>
27 .....		<u>32,760,186</u>

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

31 .....	\$	<del>27,797,213</del>
32 .....		<u>57,950,613</u>

33 d. For the operation of the Newton correctional facility,  
34 including salaries, support, maintenance, and miscellaneous  
35 purposes:

1 ..... \$ ~~12,979,379~~  
2 27,127,290

3 e. For the operation of the Mt. Pleasant correctional  
4 facility, including salaries, support, maintenance, and  
5 miscellaneous purposes:  
6 ..... \$ ~~12,958,908~~  
7 26,751,707

8 f. For the operation of the Rockwell City correctional  
9 facility, including salaries, support, maintenance, and  
10 miscellaneous purposes:  
11 ..... \$ ~~4,658,233~~  
12 9,584,151

13 g. For the operation of the Clarinda correctional facility,  
14 including salaries, support, maintenance, and miscellaneous  
15 purposes:  
16 ..... \$ ~~12,241,178~~  
17 25,054,229

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

23 h. For the operation of the Mitchellville correctional  
24 facility, including salaries, support, maintenance, and  
25 miscellaneous purposes:  
26 ..... \$ ~~7,807,687~~  
27 16,124,759

28 i. For the operation of the Fort Dodge correctional  
29 facility, including salaries, support, maintenance, and  
30 miscellaneous purposes:  
31 ..... \$ ~~14,531,118~~  
32 29,668,270

33 j. For reimbursement of counties for temporary confinement  
34 of work release and parole violators, as provided in sections  
35 901.7, 904.908, and 906.17, and for offenders confined pursuant

1 to section 904.513:

2 ..... \$ 387,546  
3 1,075,092

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

6 ..... \$ 119,706  
7 484,411

8 ~~1. For three correctional officer full-time equivalent~~  
9 ~~positions that are to be assigned to a correctional institution~~  
10 ~~by the director of the department of corrections:~~

11 ~~..... \$ 78,581~~

12 2. The department of corrections shall use moneys  
13 appropriated in subsection 1 to continue to contract for the  
14 services of a Muslim imam and a Native American spiritual  
15 leader.

16 Sec. 4. 2011 Iowa Acts, chapter 134, section 33, subsection  
17 1, unnumbered paragraph 1, is amended to read as follows:

18 For general administration, including salaries, support,  
19 maintenance, employment of an education director to administer  
20 a centralized education program for the correctional system,  
21 and miscellaneous purposes:

22 ..... \$ 2,417,771  
23 5,327,854

24 Sec. 5. 2011 Iowa Acts, chapter 134, section 33, subsection  
25 2, unnumbered paragraph 1, is amended to read as follows:

26 For educational programs for inmates at state penal  
27 institutions:

28 ..... \$ 1,154,055  
29 2,308,109

30 Sec. 6. 2011 Iowa Acts, chapter 134, section 33, subsections  
31 3 through 7, are amended to read as follows:

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

34 ..... \$ 212,182  
35 424,364

1 4. For offender mental health and substance abuse  
 2 treatment:  
 3 ..... \$ 11,160  
 4 ..... 22,319

5 5. For viral hepatitis prevention and treatment:  
 6 ..... \$ 83,941  
 7 ..... 167,881

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

26 ~~7. The department of corrections shall solicit requests for~~  
 27 ~~information to improve efficiencies at the pharmacy under the~~  
 28 ~~control of the department.~~

29 Sec. 7. 2011 Iowa Acts, chapter 134, section 34, subsections  
 30 1 through 5, are amended to read as follows:

31 1. There is appropriated from the general fund of the state  
 32 to the department of corrections for the fiscal year beginning  
 33 July 1, 2012, and ending June 30, 2013, for salaries, support,  
 34 maintenance, and miscellaneous purposes, the following amounts,  
 35 or so much thereof as is necessary, to be allocated as follows:

1 a. For the first judicial district department of  
2 correctional services:  
3 ..... \$ ~~6,102,474~~  
4 12,958,763

5 b. For the second judicial district department of  
6 correctional services:  
7 ..... \$ ~~5,168,474~~  
8 10,739,572

9 c. For the third judicial district department of  
10 correctional services:  
11 ..... \$ ~~2,799,883~~  
12 6,238,455

13 d. For the fourth judicial district department of  
14 correctional services:  
15 ..... \$ ~~2,695,678~~  
16 5,469,811

17 e. For the fifth judicial district department of  
18 correctional services, including funding for electronic  
19 monitoring devices for use on a statewide basis:  
20 ..... \$ ~~9,371,065~~  
21 19,220,091

22 f. For the sixth judicial district department of  
23 correctional services:  
24 ..... \$ ~~6,556,282~~  
25 14,095,408

26 g. For the seventh judicial district department of  
27 correctional services:  
28 ..... \$ ~~3,246,407~~  
29 6,895,634

30 h. For the eighth judicial district department of  
31 correctional services:  
32 ..... \$ ~~3,439,858~~  
33 7,518,935

34 2. Each judicial district department of correctional  
35 services, within the funding available, shall continue programs

1 and plans established within that district to provide for  
2 intensive supervision, sex offender treatment, diversion of  
3 low-risk offenders to the least restrictive sanction available,  
4 job development, and expanded use of intermediate criminal  
5 sanctions.

6 3. Each judicial district department of correctional  
7 services shall provide alternatives to prison consistent with  
8 chapter 901B. The alternatives to prison shall ensure public  
9 safety while providing maximum rehabilitation to the offender.  
10 A judicial district department of correctional services may  
11 also establish a day program.

12 4. The governor's office of drug control policy or any  
13 succeeding entity of the governor's office of drug control  
14 policy shall consider federal grants made to the department  
15 of corrections for the benefit of each of the eight judicial  
16 district departments of correctional services as local  
17 government grants, as defined pursuant to federal regulations.

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

22 Sec. 8. 2011 Iowa Acts, chapter 134, section 39, is amended  
23 to read as follows:

24 SEC. 39. IOWA LAW ENFORCEMENT ACADEMY.

25 1. There is appropriated from the general fund of the  
26 state to the Iowa law enforcement academy for the fiscal year  
27 beginning July 1, 2012, and ending June 30, 2013, the following  
28 amount, or so much thereof as is necessary, to be used for the  
29 purposes designated:

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

33 .....	\$	<del>434,349</del>
34 .....		<u>968,698</u>
35 .....	FTEs	<u>24.55</u>

1

2 It is the intent of the general assembly that the Iowa law  
3 enforcement academy may provide training of state and local  
4 law enforcement personnel concerning the recognition of and  
5 response to persons with Alzheimer's disease.

6 The Iowa law enforcement academy may temporarily exceed and  
7 draw more than the amount appropriated in this subsection and  
8 incur a negative cash balance as long as there are receivables  
9 equal to or greater than the negative balance and the amount  
10 appropriated in this subsection is not exceeded at the close  
11 of the fiscal year.

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

25 Sec. 9. 2011 Iowa Acts, chapter 134, section 40, is amended  
26 to read as follows:

27 SEC. 40. STATE PUBLIC DEFENDER. There is appropriated from  
28 the general fund of the state to the office of the state public  
29 defender of the department of inspections and appeals for the  
30 fiscal year beginning July 1, 2012, and ending June 30, 2013,  
31 the following amounts, or so much thereof as is necessary, to  
32 be allocated as follows for the purposes designated:

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

1 ..... \$ ~~12,541,591~~

2 ..... 25,862,182

3 ..... FTEs 219.00

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

7 ..... \$ ~~15,340,464~~

8 ..... 29,901,929

9 Sec. 10. 2011 Iowa Acts, chapter 134, section 41, is amended  
10 to read as follows:

11 SEC. 41. BOARD OF PAROLE. There is appropriated from the  
12 general fund of the state to the board of parole for the fiscal  
13 year beginning July 1, 2012, and ending June 30, 2013, the  
14 following amount, or so much thereof as is necessary, to be  
15 used for the purposes designated:

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

19 ..... \$ 526,918

20 ..... 1,203,835

21 ..... FTEs ~~12.50~~

22 ..... 12.00

23 Sec. 11. 2011 Iowa Acts, chapter 134, section 42, is amended  
24 to read as follows:

25 SEC. 42. DEPARTMENT OF PUBLIC DEFENSE. There is  
26 appropriated from the general fund of the state to the  
27 department of public defense for the fiscal year beginning July  
28 1, 2012, and ending June 30, 2013, the following amounts, or  
29 so much thereof as is necessary, to be used for the purposes  
30 designated:

31 1. MILITARY DIVISION

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

35 ..... \$ ~~2,763,521~~

1 5,675,042

2 ..... FTEs 313.00

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

9 2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION

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

13 ..... \$ 918,439

14 1,836,877

15 ..... FTEs 40.00

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

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

29 Sec. 12. 2011 Iowa Acts, chapter 134, section 43, is amended  
30 to read as follows:

31 SEC. 43. DEPARTMENT OF PUBLIC SAFETY. There is appropriated  
32 from the general fund of the state to the department of public  
33 safety for the fiscal year beginning July 1, 2012, and ending  
34 June 30, 2013, the following amounts, or so much thereof as is  
35 necessary, to be used for the purposes designated:

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

4 .....	\$	<del>2,003,538</del>
5 .....		<u>4,007,075</u>
6 .....	FTEs	36.00

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

15 .....	\$	<del>6,266,966</del>
16 .....		<u>12,533,931</u>
17 .....	FTEs	<del>159.10</del>
18 .....		<u>154.60</u>

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

31 3. For the criminalistics laboratory fund created in  
 32 section 691.9:

33 .....	\$	<del>151,173</del>
34 .....		<u>302,345</u>

35 4. a. For the division of narcotics enforcement, including

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

8	.....	\$	<del>3,214,942</del>
9			<u>6,429,884</u>
10	.....	FTEs	74.00
11			<u>68.00</u>

12 b. For the division of narcotics enforcement for undercover  
 13 purchases:

14	.....	\$	<del>54,521</del>
15			<u>109,042</u>

16 5. For the division of state fire marshal, for fire  
 17 protection services as provided through the state fire service  
 18 and emergency response council as created in the department,  
 19 and for the state's contribution to the peace officers'  
 20 retirement, accident, and disability system provided in chapter  
 21 97A in the amount of the state's normal contribution rate, as  
 22 defined in section 97A.8, multiplied by the salaries for which  
 23 the funds are appropriated, and for not more than the following  
 24 full-time equivalent positions:

25	.....	\$	<del>2,149,354</del>
26			<u>4,298,707</u>
27	.....	FTEs	55.00
28			<u>54.00</u>

29 6. For the division of state patrol, for salaries, support,  
 30 maintenance, workers' compensation costs, and miscellaneous  
 31 purposes, including the state's contribution to the peace  
 32 officers' retirement, accident, and disability system provided  
 33 in chapter 97A in the amount of the state's normal contribution  
 34 rate, as defined in section 97A.8, multiplied by the salaries  
 35 for which the funds are appropriated, and for not more than the

1 following full-time equivalent positions:

2	.....	\$	<del>25,951,617</del>
3			<u>51,903,233</u>
4	.....	FTEs	<del>513.00</del>
5			<u>498.00</u>

6 It is the intent of the general assembly that members of the  
 7 state patrol be assigned to patrol the highways and roads in  
 8 lieu of assignments for inspecting school buses for the school  
 9 districts.

10 7. For deposit in the sick leave benefits fund established  
 11 under section 80.42 for all departmental employees eligible to  
 12 receive benefits for accrued sick leave under the collective  
 13 bargaining agreement:

14	.....	\$	<del>139,759</del>
15			<u>279,517</u>

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

18	.....	\$	<del>362,760</del>
19			<u>725,520</u>

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

25 b. Notwithstanding section 8.39, within the moneys  
 26 appropriated in this section, the department of public safety  
 27 may reallocate moneys as necessary to best fulfill the needs  
 28 provided for in the appropriation. However, the department  
 29 shall not reallocate an appropriation made to the department  
 30 in this section unless notice of the reallocation is given  
 31 to the legislative services agency and the department of  
 32 management prior to the effective date of the reallocation.  
 33 The notice shall include information regarding the rationale  
 34 for reallocating the appropriation. The department shall  
 35 not reallocate an appropriation made in this section for the

1 purpose of eliminating any program.

2 Sec. 13. 2011 Iowa Acts, chapter 134, section 44, is amended  
3 to read as follows:

4 SEC. 44. GAMING ENFORCEMENT.

5 1. There is appropriated from the gaming enforcement  
6 revolving fund created in section 80.43 to the department of  
7 public safety for the fiscal year beginning July 1, 2012, and  
8 ending June 30, 2013, the following amount, or so much thereof  
9 as is necessary, to be used for the purposes designated:

10 For any direct ~~and indirect~~ support costs for agents  
11 and officers of the division of criminal investigation's  
12 excursion gambling boat, gambling structure, and racetrack  
13 enclosure enforcement activities, including salaries, support,  
14 maintenance, miscellaneous purposes, and for not more than the  
15 following full-time equivalent positions:

16 .....	\$	<del>4,918,153</del>
17 .....		<u>10,335,709</u>
18 .....	FTEs	<del>120.00</del>
19 .....		<u>115.00</u>

20 2. For each additional license to conduct gambling games on  
21 an excursion gambling boat, gambling structure, or racetrack  
22 enclosure issued during the fiscal year beginning July 1, 2012,  
23 there is appropriated from the gaming enforcement fund to the  
24 department of public safety for the fiscal year beginning July  
25 1, 2012, and ending June 30, 2013, an additional amount of not  
26 more than \$521,000 to be used for not more than 6.00 additional  
27 full-time equivalent positions.

28 3. The department of public safety, with the approval  
29 of the department of management, may employ no more than two  
30 special agents and four gaming enforcement officers for each  
31 additional riverboat or gambling structure regulated after July  
32 1, 2012, and one special agent for each racing facility which  
33 becomes operational during the fiscal year which begins July 1,  
34 2012. One additional gaming enforcement officer, up to a total  
35 of four per riverboat or gambling structure, may be employed

1 for each riverboat or gambling structure that has extended  
2 operations to 24 hours and has not previously operated with a  
3 24-hour schedule. Positions authorized in this subsection are  
4 in addition to the full-time equivalent positions otherwise  
5 authorized in this section.

6 Sec. 14. 2011 Iowa Acts, chapter 134, section 45, is amended  
7 to read as follows:

8 SEC. 45. CIVIL RIGHTS COMMISSION. There is appropriated  
9 from the general fund of the state to the Iowa state civil  
10 rights commission for the fiscal year beginning July 1,  
11 2012, and ending June 30, 2013, the following amount, or so  
12 much thereof as is necessary, to be used for the purposes  
13 designated:

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

17 .....	\$	<del>648,535</del>
18 .....		<u>1,297,069</u>
19 .....	FTEs	28.00

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

23 Sec. 15. 2011 Iowa Acts, chapter 134, section 46, is amended  
24 to read as follows:

25 SEC. 46. HOMELAND SECURITY AND EMERGENCY MANAGEMENT  
26 DIVISION. There is appropriated from the wireless E911  
27 emergency communications fund created in section 34A.7A to  
28 the administrator of the homeland security and emergency  
29 management division of the department of public defense for  
30 the fiscal year beginning July 1, 2012, and ending June 30,  
31 2013, an amount not exceeding ~~\$200,000~~ \$250,000 to be used for  
32 implementation, support, and maintenance of the functions of  
33 the administrator and program manager under chapter 34A and to  
34 employ the auditor of the state to perform an annual audit of  
35 the wireless E911 emergency communications fund.

1 Sec. 16. Section 80.43, subsection 1, Code 2011, is amended  
2 to read as follows:

3 1. A gaming enforcement revolving fund is created in the  
4 state treasury under the control of the department. The fund  
5 shall consist of fees collected and deposited into the fund  
6 paid by licensees pursuant to section 99D.14, subsection 2,  
7 paragraph "b", and fees paid by licensees pursuant to section  
8 99F.10, subsection 4, paragraph "b". All costs for agents and  
9 officers plus any direct ~~and indirect~~ support costs for such  
10 agents and officers of the division of criminal investigation's  
11 racetrack, excursion boat, or gambling structure enforcement  
12 activities shall be paid from the fund as provided in  
13 appropriations made for this purpose by the general assembly.

14 Sec. 17. Section 99D.14, subsection 2, paragraph b, Code  
15 Supplement 2011, is amended to read as follows:

16 b. Notwithstanding sections 8.60 and 99D.17, the portion of  
17 the fee paid pursuant to paragraph "a" relating to the costs  
18 of special agents plus any direct and indirect support costs  
19 for the agents, for the division of criminal investigation's  
20 racetrack activities, ~~shall not be deposited in the general~~  
21 ~~fund of the state but instead~~ shall be deposited into the  
22 gaming enforcement revolving fund established in section 80.43.  
23 However, the department of public safety shall transfer, on an  
24 annual basis, the portion of the regulatory fee attributable to  
25 the indirect support costs of the special agents to the general  
26 fund of the state.

27 Sec. 18. Section 99F.10, subsection 4, paragraph b, Code  
28 Supplement 2011, is amended to read as follows:

29 b. Notwithstanding sections 8.60 and 99F.4, the portion of  
30 the fee paid pursuant to paragraph "a" relating to the costs  
31 of special agents and officers plus any direct and indirect  
32 support costs for the agents and officers, for the division of  
33 criminal investigation's excursion gambling boat or gambling  
34 structure activities, ~~shall not be deposited in the general~~  
35 ~~fund of the state but instead~~ shall be deposited into the

1 gaming enforcement revolving fund established in section 80.43.  
2 However, the department of public safety shall transfer, on an  
3 annual basis, the portion of the regulatory fee attributable  
4 to the indirect support costs of the special agents and gaming  
5 enforcement officers to the general fund of the state.

6 EXPLANATION

7 This bill relates to appropriations to the justice system.  
8 The bill relates to appropriations from the general fund  
9 of the state for fiscal year 2012-2013 to the departments  
10 of justice, corrections, public defense, and public safety,  
11 and the Iowa law enforcement academy, office of the state  
12 public defender, board of parole, and Iowa state civil rights  
13 commission.

14 The bill relates to appropriations from the department of  
15 commerce revolving fund to the office of consumer advocate of  
16 the department of justice.

17 The bill relates to appropriations from the gaming  
18 enforcement revolving fund to the department of public safety.  
19 The division also authorizes FTEs related to gaming enforcement  
20 in the fund.

21 The amendment to Code section 80.43(1) strikes a provision  
22 requiring indirect support costs for special agents and gaming  
23 enforcement officers be paid from the gaming enforcement fund  
24 established in Code section 80.43.

25 The amendments to Code sections 99D.14 and 99F.10 specify  
26 that the regulatory fee paid by the gaming industry for  
27 the indirect support costs for special agents and gaming  
28 enforcement officers shall first be deposited into the gaming  
29 enforcement revolving fund established in Code section 80.43  
30 and then transferred by the department of public safety, on  
31 an annual basis, from the gaming enforcement revolving fund  
32 to the general fund of the state. Current law specifies that  
33 the portion of the regulatory fee paid by the gaming industry  
34 relating to the indirect support costs of special agents and  
35 gaming enforcement officers be deposited into the gaming

1 enforcement revolving fund but does not require the transfer to  
2 the general fund of the state.

3 Under current law and the bill, the remaining portion of  
4 the regulatory fee related to the costs of special agents and  
5 officers plus any direct support costs are deposited into the  
6 gaming enforcement revolving fund.