

**Senate Study Bill 1249 - Introduced**

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
APPROPRIATIONS BILL BY  
SENATE APPROPRIATIONS  
SUBCOMMITTEE ON JUSTICE  
SYSTEM)

(SUCCESSOR TO LSB 1005SA)

**A BILL FOR**

1 An Act relating to appropriations to the justice system and  
2 including effective dates.  
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, 2013, and ending June 30, 2014, 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  
10 for federal violence against women grant programs, victim  
11 assistance grants, office of drug control policy prosecuting  
12 attorney program, and odometer fraud enforcement, and for not  
13 more than the following full-time equivalent positions:

14 .....	\$	7,967,930
15 .....	FTEs	214.00

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 .....	\$	8,876,400
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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. The department of justice shall not require a  
27 care provider to close a shelter as a condition of receiving a  
28 grant pursuant to this paragraph.

29 The balance of the victim compensation fund established in  
30 section 915.94 may be used to provide salary and support of not  
31 more than 24.00 FTEs and to provide maintenance for the victim  
32 compensation functions of the department of justice.

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

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

6 c. For legal services for persons in poverty grants as  
7 provided in section 13.34:

8 ..... \$ 2,400,000

9 2. a. The department of justice, in submitting budget  
10 estimates for the fiscal year commencing July 1, 2014, pursuant  
11 to section 8.23, shall include a report of funding from sources  
12 other than amounts appropriated directly from the general fund  
13 of the state to the department of justice or to the office of  
14 consumer advocate. These funding sources shall include but  
15 are not limited to reimbursements from other state agencies,  
16 commissions, boards, or similar entities, and reimbursements  
17 from special funds or internal accounts within the department  
18 of justice. The department of justice shall also report actual  
19 reimbursements for the fiscal year commencing July 1, 2012,  
20 and actual and expected reimbursements for the fiscal year  
21 commencing July 1, 2013.

22 b. The department of justice shall include the report  
23 required under paragraph "a", as well as information regarding  
24 any revisions occurring as a result of reimbursements actually  
25 received or expected at a later date, in a report to the  
26 co-chairpersons and ranking members of the joint appropriations  
27 subcommittee on the justice system and the legislative services  
28 agency. The department of justice shall submit the report on  
29 or before January 15, 2014.

30 Sec. 2. 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 2013, and ending June 30, 2014, 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 .....	\$	3,136,163
6 .....	FTEs	22.00

7 Sec. 3. DEPARTMENT OF CORRECTIONS — FACILITIES.

8 1. There is appropriated from the general fund of the  
9 state to the department of corrections for the fiscal year  
10 beginning July 1, 2013, and ending June 30, 2014, the following  
11 amounts, or so much thereof as is necessary, to be used for the  
12 operation of adult correctional institutions, reimbursement  
13 of counties for certain confinement costs, and federal prison  
14 reimbursement, to be allocated as follows:

15 a. For the operation of the Fort Madison correctional  
16 facility, including salaries, support, maintenance, and  
17 miscellaneous purposes:

18 ..... \$ 51,645,396

19 The department shall operate the clinical care unit at a  
20 capacity of at least 160 beds. The department shall also  
21 operate the John Bennett unit to house minimum security  
22 inmates until the bunkhouse at farm one, Fort Madison, has been  
23 renovated or replaced.

24 The department of corrections shall submit, to the  
25 co-chairpersons and ranking members of the joint appropriations  
26 subcommittee on the justice system by January 15, 2014, the  
27 plans for the integration of the John Bennett facility and the  
28 clinical care unit into the new Fort Madison maximum security  
29 correctional facility and the future plans for the use of the  
30 current Fort Madison maximum security correctional facility  
31 after the inmates are transferred to the new facility.

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

35 ..... \$ 32,183,850

- 1     c. For the operation of the Luster Heights prison camp:  
2 ..... \$ 1,643,039
- 3     d. For the operation of the Oakdale correctional facility,  
4 including salaries, support, maintenance, and miscellaneous  
5 purposes:  
6 ..... \$ 58,550,123
- 7     e. For the operation of the Newton correctional facility,  
8 including salaries, support, maintenance, and miscellaneous  
9 purposes:  
10 ..... \$ 27,348,450
- 11     f. For the operation of the Mt. Pleasant correctional  
12 facility, including salaries, support, maintenance, and  
13 miscellaneous purposes:  
14 ..... \$ 25,573,157
- 15     g. For the operation of the Rockwell City correctional  
16 facility, including salaries, support, maintenance, and  
17 miscellaneous purposes:  
18 ..... \$ 9,836,698
- 19     h. For the operation of the Clarinda correctional facility,  
20 including salaries, support, maintenance, and miscellaneous  
21 purposes:  
22 ..... \$ 25,982,680
- 23     Moneys received by the department of corrections as  
24 reimbursement for services provided to the Clarinda youth  
25 corporation are appropriated to the department and shall be  
26 used for the purpose of operating the Clarinda correctional  
27 facility.
- 28     i. For the operation of the Mitchellville correctional  
29 facility, including salaries, support, maintenance, and  
30 miscellaneous purposes:  
31 ..... \$ 20,088,953
- 32     j. For the operation of the Fort Dodge correctional  
33 facility, including salaries, support, maintenance, and  
34 miscellaneous purposes:  
35 ..... \$ 30,157,258

1 k. For reimbursement of counties for temporary confinement  
2 of work release and parole violators, as provided in sections  
3 901.7, 904.908, and 906.17, and for offenders confined pursuant  
4 to section 904.513:

5 ..... \$ 1,075,092

6 1. For federal prison reimbursement, reimbursements for  
7 out-of-state placements, and miscellaneous contracts:

8 ..... \$ 484,411

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

13 Sec. 4. DEPARTMENT OF CORRECTIONS — ADMINISTRATION. There  
14 is appropriated from the general fund of the state to the  
15 department of corrections for the fiscal year beginning July  
16 1, 2013, and ending June 30, 2014, the following amounts, or  
17 so much thereof as is necessary, to be used for the purposes  
18 designated:

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

23 ..... \$ 4,831,582

24 a. 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 except as otherwise provided in paragraph "c", enter into a  
28 new contract, unless the contract is a renewal of an existing  
29 contract, for the expenditure of moneys in excess of \$100,000  
30 during the fiscal year beginning July 1, 2013, for the  
31 privatization of services performed by the department using  
32 state employees as of July 1, 2013, or for the privatization  
33 of new services by the department without prior consultation  
34 with any applicable state employee organization affected  
35 by the proposed new contract and prior notification of the

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

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

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

22     2. For educational programs for inmates at state penal  
23 institutions:

24 ..... \$ 2,858,109

25     a. As a condition of receiving the appropriation in this  
26 subsection, the department of corrections shall transfer at  
27 least \$150,000 from the canteen operating funds established  
28 pursuant to section 904.310 to be used for correctional  
29 educational programs funded in this subsection.

30     b. It is the intent of the general assembly that moneys  
31 appropriated in this subsection shall be used solely for the  
32 purpose indicated and that the moneys shall not be transferred  
33 for any other purpose. In addition, it is the intent of the  
34 general assembly that the department shall consult with the  
35 community colleges in the areas in which the institutions are

1 located to utilize moneys appropriated in this subsection  
2 to fund the high school completion, high school equivalency  
3 diploma, adult literacy, and adult basic education programs in  
4 a manner so as to maintain these programs at the institutions.

5 c. To maximize the funding for educational programs,  
6 the department shall establish guidelines and procedures to  
7 prioritize the availability of educational and vocational  
8 training for inmates based upon the goal of facilitating an  
9 inmate's successful release from the correctional institution.

10 d. The director of the department of corrections may  
11 transfer moneys from Iowa prison industries for use in  
12 supporting educational programs for inmates.

13 e. Notwithstanding section 8.33, moneys appropriated in  
14 this subsection that remain unobligated or unexpended at the  
15 close of the fiscal year shall not revert but shall remain  
16 available to be used only for the purposes designated in this  
17 subsection until the close of the succeeding fiscal year.

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

20 ..... \$ 2,000,000

21 4. For offender mental health and substance abuse  
22 treatment:

23 ..... \$ 22,319

24 5. For viral hepatitis prevention and treatment:

25 ..... \$ 167,881

26 6. It is the intent of the general assembly that for  
27 the fiscal year addressed by this section the department of  
28 corrections shall continue to operate the correctional farms  
29 under the control of the department at the same or greater  
30 level of participation and involvement as existed as of January  
31 1, 2011; shall not enter into any rental agreement or contract  
32 concerning any farmland under the control of the department  
33 that is not subject to a rental agreement or contract as of  
34 January 1, 2011, without prior legislative approval; and  
35 shall further attempt to provide job opportunities at the



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

9 Sec. 5. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL  
10 SERVICES.

11 1. There is appropriated from the general fund of the state  
12 to the department of corrections for the fiscal year beginning  
13 July 1, 2013, and ending June 30, 2014, for salaries, support,  
14 maintenance, and miscellaneous purposes, the following amounts,  
15 or so much thereof as is necessary, to be allocated as follows:

16 a. For the first judicial district department of  
17 correctional services:  
18 ..... \$ 14,099,085

19 b. For the second judicial district department of  
20 correctional services:  
21 ..... \$ 11,099,457

22 c. For the third judicial district department of  
23 correctional services:  
24 ..... \$ 7,105,865

25 d. For the fourth judicial district department of  
26 correctional services:  
27 ..... \$ 5,552,458

28 e. For the fifth judicial district department of  
29 correctional services, including funding for electronic  
30 monitoring devices for use on a statewide basis:

31 ..... \$ 20,367,463

32 f. For the sixth judicial district department of  
33 correctional services:  
34 ..... \$ 16,461,170

35 g. For the seventh judicial district department of

1 correctional services:

2 ..... \$ 7,609,781

3 h. For the eighth judicial district department of  
4 correctional services:

5 ..... \$ 8,206,613

6 2. Each judicial district department of correctional  
7 services, within the funding available, shall continue programs  
8 and plans established within that district to provide for  
9 intensive supervision, sex offender treatment, diversion of  
10 low-risk offenders to the least restrictive sanction available,  
11 job development, and expanded use of intermediate criminal  
12 sanctions.

13 3. Each judicial district department of correctional  
14 services shall provide alternatives to prison consistent with  
15 chapter 901B. The alternatives to prison shall ensure public  
16 safety while providing maximum rehabilitation to the offender.  
17 A judicial district department of correctional services may  
18 also establish a day program.

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

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

28 Sec. 6. DEPARTMENT OF CORRECTIONS — REALLOCATION OF  
29 APPROPRIATIONS. Notwithstanding section 8.39, within the  
30 moneys appropriated in this division of this Act to the  
31 department of corrections, the department may reallocate the  
32 moneys appropriated and allocated as necessary to best fulfill  
33 the needs of the correctional institutions, administration  
34 of the department, and the judicial district departments of  
35 correctional services. However, in addition to complying with

1 the requirements of sections 904.116 and 905.8 and providing  
2 notice to the legislative services agency and the chairpersons  
3 and ranking members of the joint appropriations subcommittee  
4 on the justice system, the department of corrections shall  
5 also provide notice to the department of management, prior  
6 to the effective date of the revision or reallocation of an  
7 appropriation made pursuant to this section. The department of  
8 corrections shall not reallocate an appropriation or allocation  
9 for the purpose of eliminating any program.

10 Sec. 7. INTENT — REPORTS.

11 1. The department of corrections in cooperation with  
12 townships, the Iowa cemetery associations, and other nonprofit  
13 or governmental entities may use inmate labor during the  
14 fiscal year beginning July 1, 2013, to restore or preserve  
15 rural cemeteries and historical landmarks. The department in  
16 cooperation with the counties may also use inmate labor to  
17 clean up roads, major water sources, and other water sources  
18 around the state.

19 2. On a quarterly basis the department shall provide a  
20 status report regarding private-sector employment to the  
21 legislative services agency beginning on July 1, 2013. The  
22 report shall include the number of offenders employed in the  
23 private sector, the combined number of hours worked by the  
24 offenders, the total amount of allowances, and the distribution  
25 of allowances pursuant to section 904.702, including any moneys  
26 deposited in the general fund of the state.

27 Sec. 8. ELECTRONIC MONITORING REPORT. The department of  
28 corrections shall submit a report on electronic monitoring to  
29 the general assembly, to the co-chairpersons and the ranking  
30 members of the joint appropriations subcommittee on the justice  
31 system, and to the legislative services agency by January  
32 15, 2014. The report shall specifically address the number  
33 of persons being electronically monitored and break down the  
34 number of persons being electronically monitored by offense  
35 committed. The report shall also include a comparison of any

1 data from the prior fiscal year with the current year.

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

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

11 2. State agencies are hereby encouraged to purchase  
12 products from Iowa state industries, as defined in section  
13 904.802, when purchases are required and the products are  
14 available from Iowa state industries. State agencies shall  
15 obtain bids from Iowa state industries for purchases of  
16 office furniture during the fiscal year beginning July 1,  
17 2013, exceeding \$5,000 or in accordance with applicable  
18 administrative rules related to purchases for the agency.

19 Sec. 10. IOWA LAW ENFORCEMENT ACADEMY.

20 1. There is appropriated from the general fund of the  
21 state to the Iowa law enforcement academy for the fiscal year  
22 beginning July 1, 2013, and ending June 30, 2014, the following  
23 amount, or so much thereof as is necessary, to be used for the  
24 purposes designated:

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

28 .....	\$	1,001,698
29 .....	FTEs	23.88

30 It is the intent of the general assembly that the Iowa law  
31 enforcement academy may provide training of state and local  
32 law enforcement personnel concerning the recognition of and  
33 response to persons with Alzheimer's disease.

34 The Iowa law enforcement academy may temporarily exceed and  
35 draw more than the amount appropriated in this subsection and

1 incur a negative cash balance as long as there are receivables  
2 equal to or greater than the negative balance and the amount  
3 appropriated in this subsection is not exceeded at the close  
4 of the fiscal year.

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

18 Sec. 11. STATE PUBLIC DEFENDER. There is appropriated from  
19 the general fund of the state to the office of the state public  
20 defender of the department of inspections and appeals for the  
21 fiscal year beginning July 1, 2013, and ending June 30, 2014,  
22 the following amounts, or so much thereof as is necessary, to  
23 be allocated as follows for the purposes designated:

24 1. For salaries, support, maintenance, miscellaneous  
25 purposes, and for not more than the following full-time  
26 equivalent positions:  
27 ..... \$ 25,862,182  
28 ..... FTEs 219.00

29 2. For payments on behalf of eligible adults and juveniles  
30 from the indigent defense fund, in accordance with section  
31 815.11:  
32 ..... \$ 29,901,929

33 Sec. 12. BOARD OF PAROLE. There is appropriated from the  
34 general fund of the state to the board of parole for the fiscal  
35 year beginning July 1, 2013, and ending June 30, 2014, the

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

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

6 .....	\$	1,203,835
7 .....	FTEs	11.00

8 Sec. 13. DEPARTMENT OF PUBLIC DEFENSE. There is  
9 appropriated from the general fund of the state to the  
10 department of public defense for the fiscal year beginning July  
11 1, 2013, and ending June 30, 2014, the following amounts, or  
12 so much thereof as is necessary, to be used for the purposes  
13 designated:

14 1. MILITARY DIVISION

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

18 .....	\$	6,527,042
19 .....	FTEs	293.61

20 The military division may temporarily exceed and draw more  
21 than the amount appropriated in this subsection and incur a  
22 negative cash balance as long as there are receivables of  
23 federal funds equal to or greater than the negative balance and  
24 the amount appropriated in this subsection is not exceeded at  
25 the close of the fiscal year.

26 2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION OR  
27 SUCCESSOR AGENCY

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

31 .....	\$	2,174,277
32 .....	FTEs	33.40

33 The homeland security and emergency management division or  
34 successor agency may temporarily exceed and draw more than the  
35 amount appropriated in this subsection and incur a negative

1 cash balance as long as there are receivables of federal funds  
2 equal to or greater than the negative balance and the amount  
3 appropriated in this subsection is not exceeded at the close  
4 of the fiscal year.

5 Sec. 14. DEPARTMENT OF PUBLIC SAFETY. There is appropriated  
6 from the general fund of the state to the department of public  
7 safety for the fiscal year beginning July 1, 2013, and ending  
8 June 30, 2014, the following amounts, or so much thereof as is  
9 necessary, to be used for the purposes designated:

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

13 ..... \$ 4,067,054  
14 ..... FTEs 38.00

15 2. For the division of criminal investigation, including  
16 the state's contribution to the peace officers' retirement,  
17 accident, and disability system provided in chapter 97A in the  
18 amount of the state's normal contribution rate, as defined in  
19 section 97A.8, multiplied by the salaries for which the moneys  
20 are appropriated, to meet federal fund matching requirements,  
21 and for not more than the following full-time equivalent  
22 positions:

23 ..... \$ 12,933,414  
24 ..... FTEs 149.60

25 The department, within available funding, shall investigate  
26 cold cases involving murder and other criminal offenses.

27 3. For the criminalistics laboratory fund created in  
28 section 691.9:

29 ..... \$ 302,345

30 4. a. For the division of narcotics enforcement, including  
31 the state's contribution to the peace officers' retirement,  
32 accident, and disability system provided in chapter 97A in the  
33 amount of the state's normal contribution rate, as defined in  
34 section 97A.8, multiplied by the salaries for which the moneys  
35 are appropriated, to meet federal fund matching requirements,

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

3 ..... \$ 6,755,855  
4 ..... FTEs 66.00

5 b. For the division of narcotics enforcement for undercover  
6 purchases:

7 ..... \$ 109,042

8 5. For the division of state fire marshal, for fire  
9 protection services as provided through the state fire service  
10 and emergency response council as created in the department,  
11 and for the state's contribution to the peace officers'  
12 retirement, accident, and disability system provided in chapter  
13 97A in the amount of the state's normal contribution rate,  
14 as defined in section 97A.8, multiplied by the salaries for  
15 which the moneys are appropriated, and for not more than the  
16 following full-time equivalent positions:

17 ..... \$ 4,470,556  
18 ..... FTEs 53.00

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

27 ..... \$ 57,036,208  
28 ..... FTEs 506.22

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, the department of public  
8 safety may reallocate moneys appropriated in this section  
9 as necessary to best fulfill the needs provided for in the  
10 appropriation. However, the department shall not reallocate  
11 moneys appropriated to the department in this section unless  
12 notice of the reallocation is given to the legislative services  
13 agency, the chairpersons and ranking members of the joint  
14 appropriations subcommittee on the justice system, and the  
15 department of management prior to the effective date of the  
16 reallocation. The notice shall include information regarding  
17 the rationale for reallocating the moneys. The department  
18 shall not reallocate moneys appropriated in this section for  
19 the purpose of eliminating any program.

20 Sec. 15. GAMING ENFORCEMENT.

21 1. There is appropriated from the gaming enforcement  
22 revolving fund created in section 80.43 to the department of  
23 public safety for the fiscal year beginning July 1, 2013, and  
24 ending June 30, 2014, the following amount, or so much thereof  
25 as is necessary, to be used for the purposes designated:

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

32 ..... \$ 10,898,008

33 ..... FTEs 115.00

34 2. For each additional license to conduct gambling games on  
35 an excursion gambling boat, gambling structure, or racetrack

1 enclosure issued during the fiscal year beginning July 1, 2013,  
2 there is appropriated from the gaming enforcement fund to the  
3 department of public safety for the fiscal year beginning July  
4 1, 2013, and ending June 30, 2014, an additional amount of not  
5 more than \$521,000 to be used for not more than 6.00 additional  
6 full-time equivalent positions.

7 3. The department of public safety, with the approval  
8 of the department of management, may employ no more than two  
9 special agents and four gaming enforcement officers for each  
10 additional riverboat or gambling structure regulated after July  
11 1, 2013, and one special agent for each racing facility which  
12 becomes operational during the fiscal year which begins July 1,  
13 2013. One additional gaming enforcement officer, up to a total  
14 of four per riverboat or gambling structure, may be employed  
15 for each riverboat or gambling structure that has extended  
16 operations to 24 hours and has not previously operated with a  
17 24-hour schedule. Positions authorized in this subsection are  
18 in addition to the full-time equivalent positions otherwise  
19 authorized in this section.

20 Sec. 16. CIVIL RIGHTS COMMISSION. There is appropriated  
21 from the general fund of the state to the Iowa state civil  
22 rights commission for the fiscal year beginning July 1,  
23 2013, and ending June 30, 2014, the following amount, or so  
24 much thereof as is necessary, to be used for the purposes  
25 designated:

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

29 .....	\$	1,297,069
30 .....	FTEs	28.00

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

34 Sec. 17. CRIMINAL AND JUVENILE JUSTICE PLANNING  
35 DIVISION. There is appropriated from the general fund of the

1 state to the criminal and juvenile justice planning division of  
2 the department of human rights for the fiscal year beginning  
3 July 1, 2013, and ending June 30, 2014, the following amounts,  
4 or so much thereof as is necessary, to be used for the purposes  
5 designated:

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

9 .....	\$	1,260,105
10 .....	FTEs	10.81

11 The criminal and juvenile justice planning advisory council  
12 and the juvenile justice advisory council shall coordinate  
13 their efforts in carrying out their respective duties relative  
14 to juvenile justice.

15 Sec. 18. **HOMELAND SECURITY AND EMERGENCY MANAGEMENT**  
16 **DIVISION OR SUCCESSOR AGENCY.** There is appropriated from the  
17 wireless E911 emergency communications fund created in section  
18 34A.7A to the homeland security and emergency management  
19 division of the department of public defense or successor  
20 agency for the fiscal year beginning July 1, 2013, and ending  
21 June 30, 2014, an amount not exceeding \$250,000 to be used for  
22 implementation, support, and maintenance of the functions of  
23 the administrator and program manager under chapter 34A and to  
24 employ the auditor of the state to perform an annual audit of  
25 the wireless E911 emergency communications fund.

26 Sec. 19. **NEW SECTION. 80.44 Public safety broadband**  
27 **interoperability communications fund.**

28 1. A statewide public safety broadband interoperability  
29 communications fund is established in the office of the  
30 treasurer of state under the control of the department of  
31 public safety. Any moneys annually appropriated, granted,  
32 or credited to the fund, including any federal moneys, are  
33 appropriated to the department of public safety for the  
34 planning and development of a statewide public safety broadband  
35 interoperability communications system.

1 2. Notwithstanding section 12C.7, subsection 2, interest  
2 and earnings on moneys deposited in the fund shall be credited  
3 to the fund. Notwithstanding section 8.33, moneys credited to  
4 the fund shall not revert to any other fund but shall remain  
5 available to be used for the purposes specified in subsection  
6 1.

7 Sec. 20. Section 85.67, Code 2013, is amended to read as  
8 follows:

9 **85.67 Administration of fund — special counsel — payment of**  
10 **award.**

11 The attorney general shall appoint a staff member  
12 to represent the treasurer of state and the fund in all  
13 proceedings and matters arising under this division. The  
14 attorney general shall be reimbursed up to ~~one hundred fifty~~  
15 two hundred fifteen thousand dollars annually from the fund  
16 for services provided related to the fund. The commissioner  
17 of insurance shall consider the reimbursement to the attorney  
18 general as an outstanding liability when making a determination  
19 of funding availability under section 85.65A, subsection  
20 2. In making an award under this division, the workers'  
21 compensation commissioner shall specifically find the amount  
22 the injured employee shall be paid weekly, the number of weeks  
23 of compensation which shall be paid by the employer, the date  
24 upon which payments out of the fund shall begin, and, if  
25 possible, the length of time the payments shall continue.

26 Sec. 21. Section 654.4B, subsection 2, paragraph b, Code  
27 2013, is amended by striking the paragraph.

28 Sec. 22. Section 714.16C, subsection 2, Code 2013, is  
29 amended to read as follows:

30 2. For each fiscal year, not more than one million ~~one~~  
31 ~~hundred twenty-five~~ eight hundred seventy-five thousand dollars  
32 is appropriated from the fund to the department of justice to  
33 be used for public education relating to consumer fraud and for  
34 enforcement of section 714.16 and federal consumer laws, and  
35 not more than ~~seventy-five~~ one hundred twenty-five thousand

1 dollars is appropriated from the fund to the department of  
2 justice to be used for investigation, prosecution, and consumer  
3 education relating to consumer and criminal fraud committed  
4 against older Iowans.

5 Sec. 23. 2011 Iowa Acts, chapter 134, section 43, subsection  
6 9, as amended by 2012 Iowa Acts, chapter 1134, section 10, is  
7 amended to read as follows:

8 9. For costs associated with the training and operation  
9 of the statewide interoperable communications system board  
10 ~~excluding salaries and contracts~~ or deposit in the statewide  
11 public safety broadband interoperability communications fund  
12 established by this 2013 Act in section 80.44, as determined  
13 by the department:

14 ..... \$ 48,000

15 Sec. 24. IOWA CORRECTIONS OFFENDER NETWORK —  
16 FUND. Notwithstanding any provision of law to the contrary,  
17 the unencumbered or unobligated balance of the Iowa corrections  
18 offender network fund at the close of the fiscal year beginning  
19 July 1, 2012, or the close of any succeeding fiscal year that  
20 would otherwise be required by law to revert to, be deposited  
21 in, or to be credited to the Iowa offender network fund shall  
22 instead be credited to the general fund of the state.

23 Sec. 25. REPEAL. Section 904.118, Code 2013, is repealed.

24 Sec. 26. EFFECTIVE UPON ENACTMENT. The following  
25 provision or provisions of this Act, being deemed of immediate  
26 importance, take effect upon enactment:

27 1. The section of this Act amending 2011 Iowa Acts, chapter  
28 134, section 43, subsection 9, as amended by 2012 Iowa Acts,  
29 chapter 1134, section 10.

30 2. The section of this Act enacting the section tentatively  
31 numbered 80.44.

32 3. The section of this Act relating to the balance of the  
33 Iowa corrections offender network fund.

34 EXPLANATION

35 This bill relates to and makes appropriations to the justice

1 system.

2 The bill makes appropriations from the general fund of the  
3 state for fiscal year 2013-2014 to the departments of justice,  
4 corrections, public defense, and public safety, and the Iowa  
5 law enforcement academy, office of the state public defender,  
6 board of parole, Iowa state civil rights commission, and the  
7 criminal and juvenile justice planning division.

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 for fiscal year 2013-2014.

11 The bill also appropriates moneys from the gaming  
12 enforcement revolving fund to the department of public safety  
13 for fiscal year 2013-2014.

14 The bill appropriates moneys from the wireless E911  
15 emergency communications fund to the homeland security and  
16 emergency management division of the department of public  
17 defense for fiscal year 2013-2014.

18 The bill creates a statewide public safety broadband  
19 interoperability communications fund under the control of  
20 the department of public safety in new Code section 80.44.  
21 The moneys credited to the fund are appropriated to the  
22 department of public safety for the planning and development  
23 of a statewide public safety broadband interoperability  
24 communications system. The fund is created upon enactment.

25 The bill increases the amount the attorney general may be  
26 reimbursed from the second-injury fund in Code section 85.67  
27 from \$150,000 to \$215,000 for services provided to the fund.

28 The bill strikes the repeal of the mortgage mediation  
29 assistance service administered by the attorney general in Code  
30 section 654.4B. Under current law, the mortgage mediation  
31 assistance service is repealed June 30, 2013.

32 The bill codifies an increased amount the department of  
33 justice may use from the consumer education and litigation fund  
34 for public education relating to consumer fraud under Code  
35 section 714.6C. The amount increased under the bill equals the

1 amount that was used for public education relating to consumer  
2 fraud in the previous fiscal year by the department of justice  
3 in accordance with 2012 Iowa Acts, chapter 134.

4 The bill amends the 2011 and 2012 Iowa Acts to allow moneys  
5 appropriated to the department of public safety for costs  
6 associated with the training and operation of the statewide  
7 interoperable communications system board as determined by the  
8 department to be either used for salaries and contracts related  
9 to the board or to be deposited into the statewide public  
10 safety broadband interoperability communications fund created  
11 in the bill.

12 The bill repeals the Iowa corrections offender network fund  
13 in Code section 904.118 and transfers any remaining balances  
14 or unobligated funds to the general fund of the state. The  
15 transfer provision takes effect upon enactment.