

# Senate File 575 - Reprinted

SENATE FILE \_\_\_\_\_  
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 1338)

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

## A BILL FOR

1 An Act relating to and making appropriations to the justice  
2 system.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
4 TLSB 1131SV 82  
5 jm/je/5

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1 1 Section 1. DEPARTMENT OF JUSTICE.  
1 2 1. There is appropriated from the general fund of the  
1 3 state to the department of justice for the fiscal year  
1 4 beginning July 1, 2007, and ending June 30, 2008, the  
1 5 following amounts, or so much thereof as is necessary, to be  
1 6 used for the purposes designated:  
1 7 a. For the general office of attorney general for  
1 8 salaries, support, maintenance, miscellaneous purposes  
1 9 including the prosecuting attorneys training program, victim  
1 10 assistance grants, office of drug control policy (ODCP)  
1 11 prosecuting attorney program, odometer fraud enforcement, and  
1 12 for not more than the following full-time equivalent  
1 13 positions:  
1 14 ..... \$ 8,917,205  
1 15 ..... FTEs 225.50  
1 16 It is the intent of the general assembly that as a  
1 17 condition of receiving the appropriation provided in this  
1 18 lettered paragraph, the department of justice shall maintain a  
1 19 record of the estimated time incurred representing each agency  
1 20 or department.  
1 21 b. For victim assistance grants:  
1 22 ..... \$ 150,000  
1 23 The funds appropriated in this lettered paragraph shall be  
1 24 used to provide grants to care providers providing services to  
1 25 crime victims of domestic abuse or to crime victims of rape  
1 26 and sexual assault.  
1 27 The balance of the victim compensation fund established in  
1 28 section 915.94 may be used to provide salary and support of  
1 29 not more than 22 FTEs and to provide maintenance for the  
1 30 victim compensation functions of the department of justice.  
1 31 As a condition of receiving the appropriation in this  
1 32 subsection, the department of justice shall transfer at least  
1 33 \$3,200,000 from the victim compensation fund established in  
1 34 section 915.94 to the victim assistance grant program.  
1 35 c. For legal services for persons in poverty grants as  
2 1 provided in section 13.34:  
2 2 ..... \$ 1,550,000  
2 3 d. For the purpose of funding farm mediation services and  
2 4 other farm assistance program provisions in accordance with  
2 5 sections 13.13 through 13.24:  
2 6 ..... \$ 150,000  
2 7 e. For a grant to be determined by the attorney general or  
2 8 the attorney general's designee through a competitive bidding  
2 9 process under procedures established by the office of attorney  
2 10 general, for the establishment of a pilot project with a  
2 11 nonprofit agency that focuses primarily on the representation  
2 12 of children in dissolution proceedings:  
2 13 ..... \$ 50,000  
2 14 The nonprofit agency shall be an agency that provides a  
2 15 support group for school-age children whose parents are  
2 16 involved in a dissolution of marriage proceeding and shall  
2 17 provide an alternative dispute resolution family coordinator  
2 18 for families where one parent has contemplated filing a

2 19 petition for dissolution of marriage or has filed such a  
2 20 petition. The nonprofit agency shall provide a report to the  
2 21 attorney general on the number of children and families served  
2 22 under the pilot project and any other measures used to  
2 23 determine the success of the pilot project by December 15,  
2 24 2007. The attorney general shall provide the report prepared  
2 25 by the nonprofit agency to the co-chairpersons and ranking  
2 26 members of the joint appropriations subcommittee on the  
2 27 justice system and the legislative services agency by January  
2 28 15, 2008.

2 29 2. a. The department of justice, in submitting budget  
2 30 estimates for the fiscal year commencing July 1, 2008,  
2 31 pursuant to section 8.23, shall include a report of funding  
2 32 from sources other than amounts appropriated directly from the  
2 33 general fund of the state to the department of justice or to  
2 34 the office of consumer advocate. These funding sources shall  
2 35 include but are not limited to reimbursements from other state  
3 1 agencies, commissions, boards, or similar entities, and  
3 2 reimbursements from special funds or internal accounts within  
3 3 the department of justice. The department of justice shall  
3 4 also report actual reimbursements for the fiscal year  
3 5 commencing July 1, 2006, and actual and expected  
3 6 reimbursements for the fiscal year commencing July 1, 2007.

3 7 b. The department of justice shall include the report  
3 8 required under paragraph "a", as well as information regarding  
3 9 any revisions occurring as a result of reimbursements actually  
3 10 received or expected at a later date, in a report to the co-  
3 11 chairpersons and ranking members of the joint appropriations  
3 12 subcommittee on the justice system and the legislative  
3 13 services agency. The department of justice shall submit the  
3 14 report on or before January 15, 2008.

3 15 Sec. 2. OFFICE OF CONSUMER ADVOCATE. There is  
3 16 appropriated from the general fund of the state to the office  
3 17 of consumer advocate of the department of justice for the  
3 18 fiscal year beginning July 1, 2007, and ending June 30, 2008,  
3 19 the following amount, or so much thereof as is necessary, to  
3 20 be used for the purposes designated:

3 21 For salaries, support, maintenance, miscellaneous purposes,  
3 22 and for not more than the following full-time equivalent  
3 23 positions:

3 24 ..... \$ 2,985,115  
3 25 ..... FTEs 27.00

3 26 Sec. 3. DEPARTMENT OF CORRECTIONS == FACILITIES.

3 27 1. There is appropriated from the general fund of the  
3 28 state to the department of corrections for the fiscal year  
3 29 beginning July 1, 2007, and ending June 30, 2008, the  
3 30 following amounts, or so much thereof as is necessary, to be  
3 31 used for the purposes designated:

3 32 For the operation of adult correctional institutions,  
3 33 reimbursement of counties for certain confinement costs, and  
3 34 federal prison reimbursement, to be allocated as follows:

3 35 a. For the operation of the Fort Madison correctional  
4 1 facility, including salaries, support, maintenance, and  
4 2 miscellaneous purposes:

4 3 ..... \$ 43,008,741

4 4 b. For the operation of the Anamosa correctional facility,  
4 5 including salaries, support, maintenance, and miscellaneous  
4 6 purposes:

4 7 ..... \$ 29,762,656

4 8 Moneys are provided within this appropriation for one full-  
4 9 time substance abuse counselor for the Luster Heights  
4 10 facility, for the purpose of certification of a substance  
4 11 abuse program at that facility.

4 12 c. For the operation of the Oakdale correctional facility,  
4 13 including salaries, support, maintenance, and miscellaneous  
4 14 purposes:

4 15 ..... \$ 54,703,304

4 16 d. For the operation of the Newton correctional facility,  
4 17 including salaries, support, maintenance, and miscellaneous  
4 18 purposes:

4 19 ..... \$ 26,390,784

4 20 e. For the operation of the Mt. Pleasant correctional  
4 21 facility, including salaries, support, maintenance, and  
4 22 miscellaneous purposes:

4 23 ..... \$ 25,384,926

4 24 f. For the operation of the Rockwell City correctional  
4 25 facility, including salaries, support, maintenance, and  
4 26 miscellaneous purposes:

4 27 ..... \$ 8,706,242

4 28 g. For the operation of the Clarinda correctional  
4 29 facility, including salaries, support, maintenance, and

4 30 miscellaneous purposes:  
4 31 ..... \$ 24,099,579  
4 32 Moneys received by the department of corrections as  
4 33 reimbursement for services provided to the Clarinda youth  
4 34 corporation are appropriated to the department and shall be  
4 35 used for the purpose of operating the Clarinda correctional  
5 1 facility.  
5 2 h. For the operation of the Mitchellville correctional  
5 3 facility, including salaries, support, maintenance, and  
5 4 miscellaneous purposes:  
5 5 ..... \$ 15,294,520  
5 6 i. For the operation of the Fort Dodge correctional  
5 7 facility, including salaries, support, maintenance, and  
5 8 miscellaneous purposes:  
5 9 ..... \$ 28,407,564  
5 10 j. For reimbursement of counties for temporary confinement  
5 11 of work release and parole violators, as provided in sections  
5 12 901.7, 904.908, and 906.17, and for offenders confined  
5 13 pursuant to section 904.513:  
5 14 ..... \$ 1,199,954  
5 15 k. For federal prison reimbursement, reimbursements for  
5 16 out-of-state placements, and miscellaneous contracts:  
5 17 ..... \$ 241,293  
5 18 2. The department of corrections shall use funds  
5 19 appropriated in subsection 1 to continue to contract for the  
5 20 services of a Muslim imam.  
5 21 Sec. 4. DEPARTMENT OF CORRECTIONS == ADMINISTRATION.  
5 22 1. There is appropriated from the general fund of the  
5 23 state to the department of corrections for the fiscal year  
5 24 beginning July 1, 2007, and ending June 30, 2008, the  
5 25 following amounts, or so much thereof as is necessary, to be  
5 26 used for the purposes designated:  
5 27 a. For general administration, including salaries,  
5 28 support, maintenance, employment of an education director to  
5 29 administer a centralized education program for the  
5 30 correctional system, and miscellaneous purposes:  
5 31 ..... \$ 4,855,626  
5 32 (1) It is the intent of the general assembly that as a  
5 33 condition of receiving the appropriation provided in this  
5 34 lettered paragraph, the department of corrections shall not,  
5 35 except as otherwise provided in subparagraph (3), enter into a  
6 1 new contract, unless the contract is a renewal of an existing  
6 2 contract, for the expenditure of moneys in excess of \$100,000  
6 3 during the fiscal year beginning July 1, 2007, for the  
6 4 privatization of services performed by the department using  
6 5 state employees as of July 1, 2007, or for the privatization  
6 6 of new services by the department, without prior consultation  
6 7 with any applicable state employee organization affected by  
6 8 the proposed new contract and prior notification of the co=  
6 9 chairpersons and ranking members of the joint appropriations  
6 10 subcommittee on the justice system.  
6 11 (2) It is the intent of the general assembly that each  
6 12 lease negotiated by the department of corrections with a  
6 13 private corporation for the purpose of providing private  
6 14 industry employment of inmates in a correctional institution  
6 15 shall prohibit the private corporation from utilizing inmate  
6 16 labor for partisan political purposes for any person seeking  
6 17 election to public office in this state and that a violation  
6 18 of this requirement shall result in a termination of the lease  
6 19 agreement.  
6 20 (3) It is the intent of the general assembly that as a  
6 21 condition of receiving the appropriation provided in this  
6 22 lettered paragraph, the department of corrections shall not  
6 23 enter into a lease or contractual agreement pursuant to  
6 24 section 904.809 with a private corporation for the use of  
6 25 building space for the purpose of providing inmate employment  
6 26 without providing that the terms of the lease or contract  
6 27 establish safeguards to restrict, to the greatest extent  
6 28 feasible, access by inmates working for the private  
6 29 corporation to personal identifying information of citizens.  
6 30 b. For educational programs for inmates at state penal  
6 31 institutions:  
6 32 ..... \$ 2,070,358  
6 33 It is the intent of the general assembly that moneys  
6 34 appropriated in this lettered paragraph shall be used solely  
6 35 for the purpose indicated and that the moneys shall not be  
7 1 transferred for any other purpose. In addition, it is the  
7 2 intent of the general assembly that the department shall  
7 3 consult with the community colleges in the areas in which the  
7 4 institutions are located to utilize moneys appropriated in  
7 5 this lettered paragraph to fund the high school completion,

7 6 high school equivalency diploma, adult literacy, and adult  
7 7 basic education programs in a manner so as to maintain these  
7 8 programs at the institutions.

7 9 To maximize the funding for educational programs, the  
7 10 department shall establish guidelines and procedures to  
7 11 prioritize the availability of educational and vocational  
7 12 training for inmates based upon the goal of facilitating an  
7 13 inmate's successful release from the correctional institution.

7 14 The director of the department of corrections may transfer  
7 15 moneys from Iowa prison industries for use in educational  
7 16 programs for inmates.

7 17 Notwithstanding section 8.33, moneys appropriated in this  
7 18 lettered paragraph that remain unobligated or unexpended at  
7 19 the close of the fiscal year shall not revert but shall remain  
7 20 available for expenditure only for the purpose designated in  
7 21 this lettered paragraph until the close of the succeeding  
7 22 fiscal year.

7 23 c. For the development of the Iowa corrections offender  
7 24 network (ICON) data system:

7 25 ..... \$ 427,700

7 26 d. For offender mental health and substance abuse  
7 27 treatment:

7 28 ..... \$ 25,000

7 29 e. For viral hepatitis prevention and treatment:

7 30 ..... \$ 188,000

7 31 f. For a transitional housing pilot project for offenders  
7 32 on parole who are in the early stages of recovery from  
7 33 substance abuse:

7 34 ..... \$ 20,000

7 35 The department of corrections shall contract with a private  
8 1 nonprofit substance abuse treatment provider in a city with a  
8 2 population exceeding sixty-five thousand but not exceeding  
8 3 seventy thousand to implement the pilot project. The  
8 4 department shall file a report with the co-chairpersons and  
8 5 ranking members of the appropriations subcommittee on the  
8 6 justice system and the legislative services agency by February  
8 7 1, 2008, detailing the number of offenders served by the pilot  
8 8 project, the recidivism rate, a description of the type of  
8 9 services received by the offenders, and the number of prison  
8 10 bed days saved by the pilot project.

8 11 2. It is the intent of the general assembly that the  
8 12 department of corrections shall continue to operate the  
8 13 correctional farms under the control of the department at the  
8 14 same or greater level of participation and involvement as  
8 15 existed as of January 1, 2007, shall not enter into any rental  
8 16 agreement or contract concerning any farmland under the  
8 17 control of the department that is not subject to a rental  
8 18 agreement or contract as of January 1, 2007, without prior  
8 19 legislative approval, and shall further attempt to provide job  
8 20 opportunities at the farms for inmates. The department shall  
8 21 attempt to provide job opportunities at the farms for inmates  
8 22 by encouraging labor-intensive farming or gardening where  
8 23 appropriate, using inmates to grow produce and meat for  
8 24 institutional consumption, researching the possibility of  
8 25 instituting food canning and cook-and-chill operations, and  
8 26 exploring opportunities for organic farming and gardening,  
8 27 livestock ventures, horticulture, and specialized crops.

8 28 3. The department of corrections shall submit a report to  
8 29 the general assembly by January 1, 2008, concerning moneys  
8 30 recouped from inmate earnings for the reimbursement of  
8 31 operational expenses of the applicable facility during the  
8 32 fiscal year beginning July 1, 2006, for each correctional  
8 33 institution and judicial district department of correctional  
8 34 services. In addition, each correctional institution and  
8 35 judicial district department of correctional services shall  
9 1 continue to submit a report to the legislative services agency  
9 2 on a monthly basis concerning moneys recouped from inmate  
9 3 earnings pursuant to sections 904.702, 904.809, and 905.14.

9 4 4. It is the intent of the general assembly that as a  
9 5 condition of receiving the appropriation provided in  
9 6 subsection 1, the department shall not enter into any  
9 7 agreement with a private sector nongovernmental entity for the  
9 8 purpose of housing inmates committed to the custody of the  
9 9 director of the department, without express authorization of  
9 10 the general assembly to do so.

9 11 Sec. 5. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL  
9 12 SERVICES.

9 13 1. There is appropriated from the general fund of the  
9 14 state to the department of corrections for the fiscal year  
9 15 beginning July 1, 2007, and ending June 30, 2008, for the  
9 16 treatment and supervision of probation and parole violators

9 17 who have been released from the department of corrections  
9 18 violator program, the following amounts, or so much thereof as  
9 19 is necessary, to be allocated as follows:  
9 20 a. For the first judicial district department of  
9 21 correctional services:  
9 22 ..... \$ 12,012,728  
9 23 b. For the second judicial district department of  
9 24 correctional services:  
9 25 ..... \$ 9,526,073  
9 26 c. For the third judicial district department of  
9 27 correctional services:  
9 28 ..... \$ 5,664,144  
9 29 d. For the fourth judicial district department of  
9 30 correctional services:  
9 31 ..... \$ 5,054,664  
9 32 e. For the fifth judicial district department of  
9 33 correctional services, including funding for electronic  
9 34 monitoring devices for use on a statewide basis:  
9 35 ..... \$ 17,115,974  
10 1 f. For the sixth judicial district department of  
10 2 correctional services:  
10 3 ..... \$ 12,203,009  
10 4 The sixth judicial district department of correctional  
10 5 services shall maintain a youth leadership model program to  
10 6 help at-risk youth. As a part of the program, the district  
10 7 department may recruit college or high school students in the  
10 8 judicial district to work with at-risk youth. The student  
10 9 workers shall be recruited regardless of gender and be  
10 10 recommended by their respective schools as good role models,  
10 11 including but not limited to students who possess capabilities  
10 12 in one or more of the following areas of ability:  
10 13 intellectual capacity, athletics, visual arts, or performing  
10 14 arts.  
10 15 g. For the seventh judicial district department of  
10 16 correctional services:  
10 17 ..... \$ 6,713,412  
10 18 h. For the eighth judicial district department of  
10 19 correctional services:  
10 20 ..... \$ 6,794,585  
10 21 2. Each judicial district department of correctional  
10 22 services, within the funding available, shall continue  
10 23 programs and plans established within that district to provide  
10 24 for intensive supervision, sex offender treatment, diversion  
10 25 of low-risk offenders to the least restrictive sanction  
10 26 available, job development, and expanded use of intermediate  
10 27 criminal sanctions.  
10 28 3. Each judicial district department of correctional  
10 29 services shall provide alternatives to prison consistent with  
10 30 chapter 901B. The alternatives to prison shall ensure public  
10 31 safety while providing maximum rehabilitation to the offender.  
10 32 A judicial district department may also establish a day  
10 33 program.  
10 34 4. The governor's office of drug control policy shall  
10 35 consider federal grants made to the department of corrections  
11 1 for the benefit of each of the eight judicial district  
11 2 departments of correctional services as local government  
11 3 grants, as defined pursuant to federal regulations.  
11 4 5. The department of corrections shall continue to  
11 5 contract with a judicial district department of correctional  
11 6 services to provide for the rental of electronic monitoring  
11 7 equipment which shall be available statewide.  
11 8 Sec. 6. DEPARTMENT OF CORRECTIONS == REALLOCATION OF  
11 9 APPROPRIATIONS. Notwithstanding section 8.39, within the  
11 10 funds appropriated in this Act to the department of  
11 11 corrections, the department may reallocate the funds  
11 12 appropriated and allocated as necessary to best fulfill the  
11 13 needs of the correctional institutions, administration of the  
11 14 department, and the judicial district departments of  
11 15 correctional services. However, in addition to complying with  
11 16 the requirements of sections 904.116 and 905.8 and providing  
11 17 notice to the legislative services agency, the department of  
11 18 corrections shall also provide notice to the department of  
11 19 management, prior to the effective date of the revision or  
11 20 reallocation of an appropriation made pursuant to this  
11 21 section. The department shall not reallocate an appropriation  
11 22 or allocation for the purpose of eliminating any program.  
11 23 Sec. 7. INTENT == REPORTS.  
11 24 1. The department in cooperation with townships, the Iowa  
11 25 cemetery associations, and other nonprofit or governmental  
11 26 entities may use inmate labor during the fiscal year beginning  
11 27 July 1, 2007, to restore or preserve rural cemeteries and



11 28 historical landmarks. The department in cooperation with the  
11 29 counties may also use inmate labor to clean up roads, major  
11 30 water sources, and other water sources around the state.

11 31 2. Each month the department shall provide a status report  
11 32 regarding private-sector employment to the legislative  
11 33 services agency beginning on July 1, 2007. The report shall  
11 34 include the number of offenders employed in the private  
11 35 sector, the combined number of hours worked by the offenders,  
12 1 and the total amount of allowances, and the distribution of  
12 2 allowances pursuant to section 904.702, including any moneys  
12 3 deposited in the general fund of the state.

12 4 Sec. 8. ELECTRONIC MONITORING REPORT. The department of  
12 5 corrections shall submit a report on electronic monitoring to  
12 6 the general assembly, to the co-chairpersons and the ranking  
12 7 members of the joint appropriations subcommittee on the  
12 8 justice system, and to the legislative services agency by  
12 9 January 15, 2008. The report shall specifically address the  
12 10 number of persons being electronically monitored and break  
12 11 down the number of persons being electronically monitored by  
12 12 offense committed. The report shall also include a comparison  
12 13 of any data from the prior fiscal year with the current year.

12 14 Sec. 9. STATE AGENCY PURCHASES FROM PRISON INDUSTRIES.

12 15 1. As used in this section, unless the context otherwise  
12 16 requires, "state agency" means the government of the state of  
12 17 Iowa, including but not limited to all executive branch  
12 18 departments, agencies, boards, bureaus, and commissions, the  
12 19 judicial branch, the general assembly and all legislative  
12 20 agencies, institutions within the purview of the state board  
12 21 of regents, and any corporation whose primary function is to  
12 22 act as an instrumentality of the state.

12 23 2. State agencies are hereby encouraged to purchase  
12 24 products from Iowa state industries, as defined in section  
12 25 904.802, when purchases are required and the products are  
12 26 available from Iowa state industries. State agencies shall  
12 27 obtain bids from Iowa state industries for purchases of office  
12 28 furniture during the fiscal year beginning July 1, 2007,  
12 29 exceeding \$5,000 or in accordance with applicable  
12 30 administrative rules related to purchases for the agency.

12 31 Sec. 10. STATE PUBLIC DEFENDER. There is appropriated  
12 32 from the general fund of the state to the office of the state  
12 33 public defender of the department of inspections and appeals  
12 34 for the fiscal year beginning July 1, 2007, and ending June  
12 35 30, 2008, the following amounts, or so much thereof as is  
13 1 necessary, to be allocated as follows for the purposes  
13 2 designated:

13 3 1. For salaries, support, maintenance, and miscellaneous  
13 4 purposes, and for not more than the following full-time  
13 5 equivalent positions:  
13 6 ..... \$ 20,845,271  
13 7 ..... FTEs 202.00

13 8 As a condition of receiving moneys under this subsection  
13 9 the state public defender shall make recommendations about  
13 10 containing the costs incurred by the office of the state  
13 11 public defender and court-appointed attorneys for providing  
13 12 legal representation of indigent persons. The state public  
13 13 defender shall report the recommendations to the  
13 14 co-chairpersons and ranking members of the joint  
13 15 appropriations subcommittee on the justice system, and to the  
13 16 legislative services agency by December 15, 2007.

13 17 2. For the fees of court-appointed attorneys for indigent  
13 18 adults and juveniles, in accordance with section 232.141 and  
13 19 chapter 815:  
13 20 ..... \$ 28,282,538

13 21 Sec. 11. IOWA LAW ENFORCEMENT ACADEMY.

13 22 1. There is appropriated from the general fund of the  
13 23 state to the Iowa law enforcement academy for the fiscal year  
13 24 beginning July 1, 2007, and ending June 30, 2008, the  
13 25 following amount, or so much thereof as is necessary, to be  
13 26 used for the purposes designated:

13 27 For salaries, support, maintenance, miscellaneous purposes,  
13 28 including jailer training and technical assistance, and for  
13 29 not more than the following full-time equivalent positions:  
13 30 ..... \$ 1,218,985  
13 31 ..... FTEs 30.05

13 32 It is the intent of the general assembly that the Iowa law  
13 33 enforcement academy may provide training of state and local  
13 34 law enforcement personnel concerning the recognition of and  
13 35 response to persons with Alzheimer's disease.

14 1 The Iowa law enforcement academy may temporarily exceed and  
14 2 draw more than the amount appropriated and incur a negative  
14 3 cash balance as long as there are receivables equal to or

14 4 greater than the negative balance and the amount appropriated  
14 5 in this subsection is not exceeded at the close of the fiscal  
14 6 year.

14 7 2. The Iowa law enforcement academy may select at least  
14 8 five automobiles of the department of public safety, division  
14 9 of state patrol, prior to turning over the automobiles to the  
14 10 department of administrative services to be disposed of by  
14 11 public auction and the Iowa law enforcement academy may  
14 12 exchange any automobile owned by the academy for each  
14 13 automobile selected if the selected automobile is used in  
14 14 training law enforcement officers at the academy. However,  
14 15 any automobile exchanged by the academy shall be substituted  
14 16 for the selected vehicle of the department of public safety  
14 17 and sold by public auction with the receipts being deposited  
14 18 in the depreciation fund to the credit of the department of  
14 19 public safety, division of state patrol.

14 20 Sec. 12. BOARD OF PAROLE. There is appropriated from the  
14 21 general fund of the state to the board of parole for the  
14 22 fiscal year beginning July 1, 2007, and ending June 30, 2008,  
14 23 the following amount, or so much thereof as is necessary, to  
14 24 be used for the purposes designated:

14 25 For salaries, support, maintenance, miscellaneous purposes,  
14 26 and for not more than the following full-time equivalent  
14 27 positions:  
14 28 ..... \$ 1,177,849  
14 29 ..... FTEs 17.50

14 30 Sec. 13. DEPARTMENT OF PUBLIC DEFENSE. There is  
14 31 appropriated from the general fund of the state to the  
14 32 department of public defense for the fiscal year beginning  
14 33 July 1, 2007, and ending June 30, 2008, the following amounts,  
14 34 or so much thereof as is necessary, to be used for the  
14 35 purposes designated:

15 1 1. MILITARY DIVISION

15 2 For salaries, support, maintenance, miscellaneous purposes,  
15 3 and for not more than the following full-time equivalent  
15 4 positions:

15 5 ..... \$ 6,003,767  
15 6 ..... FTEs 316.85

15 7 The military division may temporarily exceed and draw more  
15 8 than the amount appropriated and incur a negative cash balance  
15 9 as long as there are receivables of federal funds equal to or  
15 10 greater than the negative balance and the amount appropriated  
15 11 in this subsection is not exceeded at the close of the fiscal  
15 12 year.

15 13 2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION

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

15 17 ..... \$ 2,101,033  
15 18 ..... FTEs 35.00

15 19 b. For the Iowa civil air patrol:

15 20 ..... \$ 120,000

15 21 It is the intent of the general assembly that the homeland  
15 22 security and emergency management division work in conjunction  
15 23 with the department of public safety, to the extent possible,  
15 24 when gathering and analyzing information related to potential  
15 25 domestic or foreign security threats, and when monitoring such  
15 26 threats.

15 27 Sec. 14. DEPARTMENT OF PUBLIC SAFETY. There is  
15 28 appropriated from the general fund of the state to the  
15 29 department of public safety for the fiscal year beginning July  
15 30 1, 2007, and ending June 30, 2008, the following amounts, or  
15 31 so much thereof as is necessary, to be used for the purposes  
15 32 designated:

15 33 1. For the department's administrative functions,  
15 34 including the criminal justice information system, and for not  
15 35 more than the following full-time equivalent positions:

16 1 ..... \$ 4,097,900  
16 2 ..... FTEs 37.00

16 3 2. For the division of criminal investigation, including  
16 4 the state's contribution to the peace officers' retirement,  
16 5 accident, and disability system provided in chapter 97A in the  
16 6 amount of 17 percent of the salaries for which the funds are  
16 7 appropriated, to meet federal fund matching requirements, and  
16 8 for not more than the following full-time equivalent  
16 9 positions:

16 10 ..... \$ 20,512,962  
16 11 ..... FTEs 289.50

16 12 The department of public safety, with the approval of the  
16 13 department of management, may employ no more than two special  
16 14 agents and four gaming enforcement officers for each

16 15 additional riverboat regulated after July 1, 2007, and one  
16 16 special agent for each racing facility which becomes  
16 17 operational during the fiscal year which begins July 1, 2007.  
16 18 One additional gaming enforcement officer, up to a total of  
16 19 four per riverboat, may be employed for each riverboat that  
16 20 has extended operations to 24 hours and has not previously  
16 21 operated with a 24-hour schedule. Positions authorized in  
16 22 this paragraph are in addition to the full-time equivalent  
16 23 positions otherwise authorized in this subsection.

16 24 3. For the criminalistics laboratory fund created in  
16 25 section 691.9:  
16 26 ..... \$ 342,000

16 27 4. a. For the division of narcotics enforcement,  
16 28 including the state's contribution to the peace officers'  
16 29 retirement, accident, and disability system provided in  
16 30 chapter 97A in the amount of 17 percent of the salaries for  
16 31 which the funds are appropriated, to meet federal fund  
16 32 matching requirements, and for not more than the following  
16 33 full-time equivalent positions:

16 34 ..... \$ 5,963,415  
16 35 ..... FTEs 87.00

17 1 b. For the division of narcotics enforcement for  
17 2 undercover purchases:  
17 3 ..... \$ 123,343

17 4 5. a. For the division of state fire marshal, including  
17 5 the state's contribution to the peace officers' retirement,  
17 6 accident, and disability system provided in chapter 97A in the  
17 7 amount of 17 percent of the salaries for which the funds are  
17 8 appropriated, and for not more than the following full-time  
17 9 equivalent positions:

17 10 ..... \$ 3,157,454  
17 11 ..... FTEs 47.00

17 12 b. For the division of state fire marshal, for fire  
17 13 protection services as provided through the state fire service  
17 14 and emergency response council as created in the department,  
17 15 and for not more than the following full-time equivalent  
17 16 positions:

17 17 ..... \$ 804,110  
17 18 ..... FTEs 10.00

17 19 6. For the division of state patrol, for salaries,  
17 20 support, maintenance, workers' compensation costs, and  
17 21 miscellaneous purposes, including the state's contribution to  
17 22 the peace officers' retirement, accident, and disability  
17 23 system provided in chapter 97A in the amount of 17 percent of  
17 24 the salaries for which the funds are appropriated, and for not  
17 25 more than the following full-time equivalent positions:

17 26 ..... \$ 48,126,059  
17 27 ..... FTEs 533.00

17 28 It is the intent of the general assembly that members of  
17 29 the state patrol be assigned to patrol the highways and roads  
17 30 in lieu of assignments for inspecting school buses for the  
17 31 school districts.

17 32 7. For deposit in the sick leave benefits fund established  
17 33 under section 80.42, for all departmental employees eligible  
17 34 to receive benefits for accrued sick leave under the  
17 35 collective bargaining agreement:

18 1 ..... \$ 316,179

18 2 8. For costs associated with the training and equipment  
18 3 needs of volunteer fire fighters:  
18 4 ..... \$ 699,587

18 5 Notwithstanding section 8.33, moneys appropriated in this  
18 6 subsection that remain unencumbered or unobligated at the  
18 7 close of the fiscal year shall not revert but shall remain  
18 8 available for expenditure only for the purpose designated in  
18 9 this subsection until the close of the succeeding fiscal year.

18 10 Notwithstanding section 8.39, within the funds appropriated  
18 11 in this section the department of public safety may reallocate  
18 12 funds as necessary to best fulfill the needs provided for in  
18 13 the appropriation. However, the department shall not  
18 14 reallocate an appropriation made to the department in this  
18 15 section unless notice of the reallocation is given to the  
18 16 legislative services agency and the department of management  
18 17 prior to the effective date of the reallocation. The notice  
18 18 shall include information about the rationale for reallocating  
18 19 the appropriation. The department shall not reallocate an  
18 20 appropriation made in this section for the purpose of  
18 21 eliminating any program.

18 22 Sec. 15. CIVIL RIGHTS COMMISSION. There is appropriated  
18 23 from the general fund of the state to the Iowa state civil  
18 24 rights commission for the fiscal year beginning July 1, 2007,  
18 25 and ending June 30, 2008, the following amount, or so much



18 26 thereof as is necessary, to be used for the purposes  
18 27 designated:  
18 28 For salaries, support, maintenance, miscellaneous purposes,  
18 29 and for not more than the following full-time equivalent  
18 30 positions:  
18 31 ..... \$ 1,412,647  
18 32 ..... FTEs 29.00  
18 33 The Iowa state civil rights commission may enter into a  
18 34 contract with a nonprofit organization to provide legal  
18 35 assistance to resolve civil rights complaints.

19 1 Sec. 16. HOMELAND SECURITY AND EMERGENCY MANAGEMENT  
19 2 DIVISION == E911. There is appropriated from the wireless  
19 3 E911 emergency communications fund in section 34A.7A to the  
19 4 homeland security and emergency management division of the  
19 5 department of public defense for the fiscal year beginning  
19 6 July 1, 2007, and ending June 30, 2008, the following amount,  
19 7 or so much thereof as is necessary, to be used for the  
19 8 purposes designated:  
19 9 For distribution on an equal basis to each public safety  
19 10 answering point for wireless E911 phase 2 upgrades and  
19 11 equipment purchases:  
19 12 ..... \$ 496,000  
19 13 Each joint E911 service board shall report to the E911  
19 14 program manager, the wireless E911 phase 2 upgrade and  
19 15 equipment expenditures for each public safety answering point  
19 16 within the board's E911 service area by December 15, 2007.  
19 17 The E911 program manager shall compile the reports from each  
19 18 joint E911 service board into one expenditure report and  
19 19 provide the expenditure report to the co-chairpersons and  
19 20 ranking members of the joint appropriations subcommittee on  
19 21 the justice system and the legislative services agency by  
19 22 January 15, 2008.

19 23 Sec. 17. HOMELAND SECURITY AND EMERGENCY MANAGEMENT  
19 24 DIVISION. There is appropriated from the wireless E911  
19 25 emergency communications fund created in section 34A.7A to the  
19 26 administrator of the homeland security and emergency  
19 27 management division of the department of public defense for  
19 28 the fiscal year beginning July 1, 2007, and ending June 30,  
19 29 2008, an amount not exceeding \$200,000 to be used for  
19 30 implementation, support, and maintenance of the functions of  
19 31 the administrator and program manager under chapter 34A and to  
19 32 employ the auditor of the state to perform an annual audit of  
19 33 the wireless E911 emergency communications fund.

19 34 Sec. 18. IOWA LAW ENFORCEMENT ACADEMY == FEES.  
19 35 Notwithstanding section 80B.11B, the Iowa law enforcement  
20 1 academy may charge more than one-half the cost of providing  
20 2 the basic training course if a majority of the Iowa law  
20 3 enforcement academy council authorizes charging more than one-  
20 4 half of the cost of providing basic training. This section is  
20 5 repealed on June 30, 2008.

20 6 Sec. 19. STATE PATROL VEHICLES == DIGITAL CAMERA STUDY.  
20 7 The department of public safety shall study and make  
20 8 recommendations regarding the benefits as well as the  
20 9 disadvantages of converting the recording equipment in the  
20 10 state patrol enforcement motor vehicles to digital camera  
20 11 recording technology for use in such vehicles. The study  
20 12 shall include an estimate of the cost of converting to the  
20 13 technology, an assessment of issues related to data storage  
20 14 and the rules of evidence, implementation concerns, and if a  
20 15 conversion is recommended, a timeline for acquiring and  
20 16 deploying the digital camera recording technology in the motor  
20 17 vehicles of the state patrol. The department of public safety  
20 18 shall report the department's recommendations to the  
20 19 co-chairpersons and ranking members of the joint  
20 20 appropriations subcommittee on the justice system and the  
20 21 legislative services agency by December 15, 2007.

20 22 Sec. 20. STATE EMPLOYEE TELECOMMUTING == POLICY  
20 23 DEVELOPMENT == IMPLEMENTATION.  
20 24 1. The director of a department or state agency to which  
20 25 appropriations are made pursuant to the provisions of this Act  
20 26 shall assess the extent to which job classifications or  
20 27 individual employment positions with the department or agency  
20 28 might be effectively performed from an employee's residence or  
20 29 other remote location through telecommuting, thereby  
20 30 increasing office space within the department or agency and  
20 31 reducing administrative costs. The assessment shall include  
20 32 an estimate of the number of department or agency employees  
20 33 whose job responsibilities could be effectively performed on a  
20 34 telecommuting basis, projected costs of establishing and  
20 35 maintaining work stations at an employee's residence or other  
21 1 remote location and providing telecommuter support,

21 2 anticipated savings to the department or agency through a  
21 3 reduction in the office-based workforce, and anticipated time  
21 4 and cost savings to telecommuting employees. A report  
21 5 summarizing the assessment shall be submitted to the director  
21 6 of the department of administrative services, and the members  
21 7 of the general assembly, by November 1, 2007.

21 8 2. Based on the assessment conducted pursuant to  
21 9 subsection 1, the director shall develop a telecommuter  
21 10 employment policy for the department or agency and a timeline  
21 11 for initial policy implementation and plans for expanding the  
21 12 number of telecommuting employees. Specific office-based  
21 13 workforce reduction percentages shall be left to the  
21 14 discretion of the director, but the director shall implement a  
21 15 policy transferring some number of office-based employees to  
21 16 telecommuter status by January 1, 2008. The director shall  
21 17 report to the director of the department of administrative  
21 18 services and the members of the general assembly on an annual  
21 19 basis beginning January 1, 2009, the number of telecommuting  
21 20 employees, cost savings achieved by the department or agency,  
21 21 and plans for continued transfer of office-based employees to  
21 22 telecommuter status.

21 23 Sec. 21. Section 34A.7A, subsection 2, paragraph f,  
21 24 subparagraph (2), unnumbered paragraph 1, Code 2007, is  
21 25 amended to read as follows:

21 26 Upon retirement of outstanding obligations referred to in  
21 27 paragraph "e", the amount allocated under this paragraph "f"  
21 28 shall be ~~twenty-four~~ twenty-five percent of the total amount  
21 29 of surcharge generated per calendar quarter allocated as  
21 30 follows:

21 31 Sec. 22. NEW SECTION. 455B.112A ENVIRONMENTAL CRIMES  
21 32 INVESTIGATION AND PROSECUTION FUND.

21 33 1. An environmental crimes investigation and prosecution  
21 34 fund is created as a separate fund in the state treasury to be  
21 35 administered by the attorney general. Moneys credited to the  
22 1 fund shall include court-ordered fines and restitution awarded  
22 2 to the attorney general as part of a judgment in an  
22 3 environmental criminal case.

22 4 2. For each fiscal year not more than twenty thousand  
22 5 dollars is appropriated from the fund to the department of  
22 6 justice to be used for the investigation and prosecution of  
22 7 environmental crimes, including the reimbursement of expenses  
22 8 incurred by county, municipal, and other local government  
22 9 agencies cooperating with the attorney general in the  
22 10 investigation and prosecution of environmental crimes.

22 11 3. Not more than twenty thousand dollars shall be credited  
22 12 to the fund in a fiscal year and any moneys in excess of this  
22 13 amount shall be credited to the general fund of the state.

22 14 4. Notwithstanding section 8.33, moneys credited to the  
22 15 fund shall not revert to any other fund. Notwithstanding  
22 16 section 12C.7, interest or earnings deposited in the fund  
22 17 shall be credited to the fund.

22 18 Sec. 23. NEW SECTION. 553.19 ANTITRUST FUND.

22 19 1. An antitrust fund is created as a separate fund in the  
22 20 state treasury to be administered by the attorney general.  
22 21 Moneys credited to the fund shall include amounts received as  
22 22 a result of a state or federal civil antitrust judgment or  
22 23 settlement which are based on damages sustained by the state,  
22 24 civil penalties, costs, or attorney fees, and amounts which  
22 25 are specifically directed to the credit of the fund by the  
22 26 judgment or settlement, and amounts which are designated by  
22 27 the judgment or settlement for use by the attorney general for  
22 28 antitrust enforcement or education. Amounts based upon  
22 29 damages sustained by individuals or entities outside of state  
22 30 government not designated for antitrust enforcement purposes  
22 31 or amounts based upon actual damages awarded to the state  
22 32 which would not otherwise be deposited in the general fund of  
22 33 the state shall not be credited to the fund.

22 34 2. For each fiscal year, not more than five hundred  
22 35 thousand dollars is appropriated from the fund to the  
23 1 department of justice to be used for enforcement of this  
23 2 chapter and chapter 551, and for enforcement of federal  
23 3 antitrust laws and for public education about state and  
23 4 federal antitrust laws.

23 5 3. Notwithstanding section 8.33, moneys credited to the  
23 6 fund shall not revert to any other fund. Notwithstanding  
23 7 section 12C.7, interest or earnings on the moneys in the fund  
23 8 shall be credited to the fund.

23 9 Sec. 24. NEW SECTION. 714.16C CONSUMER EDUCATION AND  
23 10 LITIGATION FUND.

23 11 1. A consumer education and litigation fund is created as  
23 12 a separate fund in the state treasury to be administered by

23 13 the attorney general. Moneys credited to the fund shall  
23 14 include amounts received as a result of a state or federal  
23 15 civil consumer fraud judgment or settlement, civil penalties,  
23 16 costs, or attorney fees, and amounts which are specifically  
23 17 directed to the credit of the fund by the judgment or  
23 18 settlement, and amounts which are designated by the judgment  
23 19 or settlement for use by the attorney general for consumer  
23 20 litigation or education purposes. Moneys designated for  
23 21 consumer reimbursement shall not be credited to the fund,  
23 22 except to the extent that such moneys are permitted to be used  
23 23 for enforcement of section 714.16.

23 24 2. For each fiscal year, not more than one million one  
23 25 hundred twenty-five thousand dollars is appropriated from the  
23 26 fund to the department of justice to be used for public  
23 27 education relating to consumer fraud and for enforcement of  
23 28 section 714.16 and federal consumer laws, and not more than  
23 29 seventy-five thousand dollars is appropriated from the fund to  
23 30 the department of justice to be used for investigation,  
23 31 prosecution, and consumer education relating to consumer and  
23 32 criminal fraud committed against older Iowans.

23 33 3. Notwithstanding section 8.33, moneys credited to the  
23 34 fund shall not revert to any other fund. Notwithstanding  
23 35 section 12C.7, interest or earnings on the moneys in the fund  
24 1 shall be credited to the fund.

24 2 Sec. 25. Section 815.7, Code 2007, is amended to read as  
24 3 follows:

24 4 815.7 FEES TO ATTORNEYS.

24 5 1. An attorney who has not entered into a contract  
24 6 authorized under section 13B.4 and who is appointed by the  
24 7 court to represent any person pursuant to section 814.11 or  
24 8 815.10 shall be entitled to reasonable compensation and  
24 9 expenses.

24 10 2. For appointments made on or after July 1, 1999, through  
24 11 June 30, 2006, the reasonable compensation shall be calculated  
24 12 on the basis of sixty dollars per hour for class "A" felonies,  
24 13 fifty-five dollars per hour for class "B" felonies, and fifty  
24 14 dollars per hour for all other cases.

24 15 3. For appointments made on or after July 1, 2006, through  
24 16 June 30, 2007, the reasonable compensation shall be calculated  
24 17 on the basis of sixty-five dollars per hour for class "A"  
24 18 felonies, sixty dollars per hour for all other felonies, sixty  
24 19 dollars per hour for misdemeanors, and fifty-five dollars per  
24 20 hour for all other cases.

24 21 4. For appointments made on or after July 1, 2007, the  
24 22 reasonable compensation shall be calculated on the basis of  
24 23 seventy dollars per hour for class "A" felonies, sixty-five  
24 24 dollars per hour for class "B" felonies, and sixty dollars per  
24 25 hour for all other cases.

24 26 5. The expenses shall include any sums as are necessary  
24 27 for investigations in the interest of justice, and the cost of  
24 28 obtaining the transcript of the trial record and briefs if an  
24 29 appeal is filed. The attorney need not follow the case into  
24 30 another county or into the appellate court unless so directed  
24 31 by the court. If the attorney follows the case into another  
24 32 county or into the appellate court, the attorney shall be  
24 33 entitled to compensation as provided in this section. Only  
24 34 one attorney fee shall be so awarded in any one case except  
24 35 that in class "A" felony cases, two may be authorized.

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