

EXECUTIVE SUMMARY JUSTICE SYSTEM APPROPRIATIONS ACT

SENATE FILE 2378

FUNDING SUMMARY

- **GENERAL FUND:** Appropriates a total of \$484.1 million from the General Fund and 1,836.2 FTE positions to the Departments of Justice, Corrections, Inspections and Appeals, Public Defense, and Public Safety, the Iowa Law Enforcement Academy, Board of Parole, and the Civil Rights Commission. This is an increase of \$18.5 million and a decrease of 47.8 FTE positions compared to estimated net FY 2010. The Department of Corrections has 4,078.5 FTE positions in estimated FY 2010 that are not limited in this Act. These FTE positions are included in the State budget system and are estimated to decrease by 365.9 FTE positions compared to estimated net FY 2010.
- **OTHER FUNDS:**
 - Appropriates \$3.3 million and 27.0 FTE positions from the Department of Commerce Revolving Fund to the Office of the Consumer Advocate. This is an increase of \$197,000 for debt service. (Page 2, Line 24)
 - Establishes a Gaming Enforcement Revolving Fund and appropriates \$9.3 million from the Fund to the Department of Public Safety for gaming enforcement. Receipts to the Fund are generated by billings to the gaming industry. (Page 18, Line 30; and Page 32, Line 10 through Page 34, Line 15)
 - Establishes a Public Safety Enforcement Fund and requires the Treasurer of State to allocate \$9.3 million from the Fund to the Department of Corrections (\$3.3 million), Department of Public Safety (\$450,000), Civil Rights Commission (\$100,000), the Judicial Branch (\$5.3 million), and the Department of Justice (\$150,000). This Act directs \$9.1 million in court receipts and \$235,000 in Crime Victim Compensation Fund receipts to the Fund. The increase in fines is anticipated to generate an additional \$9.1 million in court receipts, \$1.0 million for local governments, and \$441,000 for the Crime Victim Compensation Fund. Of the Crime Victim Compensation Fund amount, \$235,000 is transferred to the Public Safety Enforcement Fund for FY 2011. (Page 29, Line 34 through Page 31, Line 15)
- Makes the following significant General Fund changes for FY 2010:
 - **Department of Justice - Legal Services Poverty Grants:** An increase of \$172,000 for a general increase. (Page 1, Line 35)
 - **Department of Corrections (DOC):** An increase of \$23.2 million to partially restore the FY 2010 across-the-board reduction. (Page 3, Line 1 through Page 10, Line 14)
 - **State Public Defender/Indigent Defense:** A net decrease of \$3.8 million for a general reduction. (Page 12, Line 29 through Page 13, Line 8)
 - **Department of Public Defense:** An increase of \$829,000 and 10.6 FTE positions, including:
 - An increase of \$625,000 and 10.7 FTE positions for the Military Division. (Page 14, Line 24)
 - An increase of \$204,000 and a decrease of 0.10 FTE position for the Homeland Security and Emergency Management Division. (Page 15, Line 1)
 - **Department of Public Safety (DPS):** A decrease of \$2.0 million, including:
 - An increase of \$182,000 to Public Safety Administration. (Page 15, Line 24)

MAJOR INCREASES, DECREASES, AND TRANSFERS OF EXISTING PROGRAMS

**EXECUTIVE SUMMARY
JUSTICE SYSTEM APPROPRIATIONS ACT**

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**MAJOR INCREASES, DECREASES,
AND TRANSFERS OF EXISTING
PROGRAMS (CONTINUED)**

STUDIES AND INTENT LANGUAGE

- *Department of Public Safety (DPS):* (continued)
 - A decrease of \$6.2 million to the Division of Criminal Investigation (DCI). (Page 15, Line 29)
 - An increase of \$759,000 to the Division of Narcotics Enforcement. (Page 17, Line 2)
 - An increase of \$754,000 to the Fire Marshal's Office. (Page 17, Line 15)
 - An increase of \$3.9 million to the Iowa State Patrol. (Page 17, Line 26)
- Requires the DOC to use the John Bennett Facility at Fort Madison as either a prison facility or a Community-Based Corrections (CBC) facility. (Page 3, Line 14)
- Requires the DOC to employ two part-time nurses at the Luster Heights Prison Camp. (Page 3, Line 22)
- Requires the DOC to operate the Luster Heights Prison Camp at its 88-bed capacity. (Page 3, Line 27)
- Requires the DOC to spend at least \$238,000 on the therapeutic treatment community program at the Anamosa State Penitentiary and \$140,000 on the Dual Diagnosis Program in the First CBC District Department. (Page 3, Line 30 and Page 9, Line 16)
- Requires the DOC to use at least \$300,000 in canteen receipts for the Corrections Education Program. (Page 6, Line 26)
- Eliminates the Chief Security Officer in the DOC Central Office. (Page 8, Line 32) *This item was vetoed by the Governor.*
- Permits the Iowa Law Enforcement Academy to temporarily exceed the amount appropriated and incur a negative cash balance for cash flow purposes, as long as equal receivables are anticipated at the close of the fiscal year. (Page 13, Line 24)
- Permits the Iowa Law Enforcement Academy to annually exchange five vehicles returned to the State Fleet Administrator by the DPS. (Page 13, Line 30)
- Permits the Military Division of the Department of Public Defense to temporarily exceed the amount appropriated and incur a negative cash balance for cash flow purposes, as long as equal receivables are anticipated at the close of the fiscal year. (Page 14, Line 30)
- Permits the Homeland Security and Emergency Management Division to temporarily exceed the amount appropriated and incur a negative cash balance for cash flow purposes, as long as equal receivables are anticipated at the close of the fiscal year. (Page 15, Line 7)
- Requires the Homeland Security and Emergency Management Division to work in conjunction with the Department of Public Safety on the Fusion Program. (Page 15, Line 13)
- Authorizes no more than \$200,000 from the Wireless E911 Emergency Communications Fund for FY 2011 to be used for administration of the Fund and to employ the State Auditor to perform an annual audit on the Fund. (Page 36, Line 9)
- Requires the DOC and DPS to make every effort to preserve correctional officer and peace officer positions through the reduction of administrative costs. (Page 36, Line 20)

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SIGNIFICANT CODE CHANGES

- Provides for a waiver process for centralized purchasing for Iowa Prison Industries. (Page 31, Line 28)
- Requires the Department of Justice to retain no more than 10.0% of the cash received in certain forfeiture proceedings. (Page 34, Line 16)
- Increases the cap on the dollar value of inmate labor from \$50,000 per maintenance project to \$100,000 per maintenance project. (Page 35, Line 6)
- Permits the Chairperson of the Board of Parole to assume the duties of the Executive Director if necessary. (Page 35, Line 13)

EFFECTIVE DATES

- The provision eliminating the Chief of Security position in the DOC is effective on enactment. (Page 19, Line 32) *This item was vetoed by the Governor.*

GOVERNOR'S VETOES

- The Governor vetoed Sections 4.5 and 17, that eliminated the Chief Security Officer position in the DOC Central Office effective upon enactment. (Page 8, Line 32; Page 19, Line 32)
- The Governor vetoed Section 5.6, that required CBC District Departments to accept the transfer of offenders into residential facilities between CBC District Departments. (Page 11, Line 2)
- The Governor vetoed Section 18.3(ag). This item veto was corrective and eliminated two different fines for the same item. (Page 20, Line 2)

ENACTMENT DATE

- This Act was approved by the General Assembly on March 25, 2010, and item vetoed and signed by the Governor on April 29, 2010.

Senate File 2378 provides for the following changes to the Code of Iowa.

| Page # | Line # | Bill Section | Action | Code Section | Description |
|--------|--------|--------------|-----------|---------------------------------------|---|
| 7 | 16 | 4.1(b) | Nwthstnd | Sec. 8.33 | Nonreversion of Appropriation for Inmate Education Program |
| 11 | 6 | 6 | Nwthstnd | Sec. 8.39 | Reallocation of Appropriations within the DOC and CBC District Departments |
| 18 | 13 | 14.8 | Nwthstnd | Sec. 8.33 | Nonreversion of Volunteer Fire Fighter Training Funds |
| 18 | 18 | 14.8 | Nwthstnd | Sec. 8.39 | Reallocation of Department of Public Safety Appropriations |
| 20 | 2 | 18 | Amends | Various | Fine Increases for Moving and Non-Moving Violations |
| 29 | 29 | 19 | Amends | Sec. 805.8C | Increases the Fine for First Offense Purchase of Pseudoephedrine |
| 29 | 35 | 20 | Ntwthstnd | Sec. 602.8108 | Creates the Public Safety Enforcement Fund |
| 31 | 18 | 21 | Amends | Sec. 62, SF 2088 | CBC Financial Reporting |
| 31 | 28 | 22 | Amends | Sec. 71, SF 2088 | Iowa Prison Industries Waiver Process |
| 32 | 10 | 23 | Adds | Sec. 80.43(1) | Creates the Gaming Enforcement Revolving Fund |
| 32 | 23 | 23 | Adds | Sec. 80.43(2) | Cash Flow Language for Gaming Enforcement Revolving Fund |
| 32 | 34 | 23 | Nwthstnd | Sec. 8.33 and 12C.7(2) | Nonreversion of Receipts to the Gaming Enforcement Revolving Fund |
| 33 | 4 | 24 | Nwthstnd | Sec. 8.60 and 99D.17 | Directs Gambling Regulation Receipts to the Gaming Enforcement Revolving Fund |
| 33 | 25 | 25 | Nwthstnd | Sec. 8.60 and 99F.4 | Directs Gambling Regulation Receipts to the Gaming Enforcement Revolving Fund |
| 34 | 16 | 26 | Amends | Sec. 809A.17(5) | Forfeited Property Receipts |
| 35 | 6 | 27 | Amends | Sec. 904.315(2), Code Supplement 2009 | Cap on Use of Inmate Labor |
| 35 | 13 | 28 | Amends | Sec. 904A.4B | Board of Parole |
| 36 | 27 | 32-53 | Amends | Chapter 321 | Makes Conforming Amendments |

1 1 DIVISION I
1 2 APPROPRIATIONS

1 3 Section 1. DEPARTMENT OF JUSTICE.

1 4 1. There is appropriated from the general fund of the state
1 5 to the department of justice for the fiscal year beginning July
1 6 1, 2010, and ending June 30, 2011, the following amounts, or
1 7 so much thereof as is necessary, to be used for the purposes
1 8 designated:

1 9 a. For the general office of attorney general for salaries,
1 10 support, maintenance, and miscellaneous purposes, including
1 11 the prosecuting attorneys training program, victim assistance
1 12 grants, office of drug control policy prosecuting attorney
1 13 program, and odometer fraud enforcement, and for not more than
1 14 the following full-time equivalent positions:
1 15 \$ 7,732,930
1 16 FTEs 232.50

General Fund appropriation to the Department of Justice for the Office of the Attorney General, Prosecuting Attorney Training Program, Victim Assistance Grants, Office of Drug Control Policy, Office of Drug Control Policy Prosecuting Attorney Training Program, and Odometer Fraud Enforcement.

DETAIL: This is no change compared to estimated net FY 2010.

NOTE: Section 20 of this Act provides an appropriation of \$150,000 from the Public Safety Enforcement Fund to the Department.

NOTE: Senate File 2088 (Government Reorganization and Efficiency Act) provides an appropriation of \$60,000 and 1.00 FTE position to the Office of the Attorney General for enforcement of the False Claims Act.

1 17 It is the intent of the general assembly that as a condition
1 18 of receiving the appropriation provided in this lettered
1 19 paragraph, the department of justice shall maintain a record
1 20 of the estimated time incurred representing each agency or
1 21 department.

Specifies that it is the intent of the General Assembly that the Department of Justice maintain a record of the estimated time incurred to represent each agency or department.

1 22 b. For victim assistance grants:
1 23 \$ 3,060,000

General Fund appropriation to the Department of Justice for the Victim Assistance Grants Program.

DETAIL: This is no change compared to estimated net FY 2010.

1 24 The funds appropriated in this lettered paragraph shall be
 1 25 used to provide grants to care providers providing services to
 1 26 crime victims of domestic abuse or to crime victims of rape and
 1 27 sexual assault.

Requires Victim Assistance funds to be awarded as grants to providers of services for victims of domestic abuse, rape, and sexual assault.

1 28 The balance of the victim compensation fund established in
 1 29 section 915.94 may be used to provide salary and support of not
 1 30 more than 22 FTEs and to provide maintenance for the victim
 1 31 compensation functions of the department of justice.

Permits 22.00 FTE positions to be funded from the Victim Compensation Fund to administer the victim compensation functions of the Department of Justice.

DETAIL: Maintains the current level of FTE positions funded from the Victim Compensation Fund. Of the total FTE positions, 20.00 FTE positions are assigned to the Crime Victim Assistance Division and 2.00 FTE positions are assigned to the Office of the Attorney General, Area Prosecutions Division.

1 32 The department of justice may transfer moneys from the
 1 33 victim compensation fund established in section 915.94 to the
 1 34 victim assistance grant program.

Permits the Department of Justice to transfer funds from the Victim Compensation Fund to the Victim Assistance Grants Program in FY 2011.

1 35 c. For legal services for persons in poverty grants as
 2 1 provided in section 13.34:
 2 2 \$ 1,930,671

General Fund appropriation to the Department of Justice for the Legal Services Poverty Grants Program.

DETAIL: This is an increase \$171,500 compared to estimated net FY 2010 for a general increase.

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

Requires the Department of Justice, in submitting FY 2012 budget estimates, to submit a report to the Department of Management (DOM) that specifies the amount of funding from all sources other than the General Fund. The report is to include actual reimbursements from other fund accounts for FY 2010 and FY 2011.

2 13 reimbursements for the fiscal year commencing July 1, 2009,
2 14 and actual and expected reimbursements for the fiscal year
2 15 commencing July 1, 2010.

2 16 b. The department of justice shall include the report
2 17 required under paragraph "a", as well as information regarding
2 18 any revisions occurring as a result of reimbursements actually
2 19 received or expected at a later date, in a report to the
2 20 co=chairpersons and ranking members of the joint appropriations
2 21 subcommittee on the justice system and the legislative services
2 22 agency. The department of justice shall submit the report on
2 23 or before January 15, 2011.

Requires the Department of Justice to submit a report that specifies the amount of funding from all sources other than the General Fund and any revisions that occur as a result of actual reimbursements. The report is to be submitted to the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee and the Legislative Services Agency (LSA) by January 15, 2011.

2 24 Sec. 2. OFFICE OF CONSUMER ADVOCATE. There is appropriated
2 25 from the department of commerce revolving fund created in
2 26 section 546.12 to the office of consumer advocate of the
2 27 department of justice for the fiscal year beginning July 1,
2 28 2010, and ending June 30, 2011, the following amount, or so
2 29 much thereof as is necessary, to be used for the purposes
2 30 designated:
2 31 For salaries, support, maintenance, miscellaneous purposes,
2 32 and for not more than the following full=time equivalent
2 33 positions:
2 34 \$ 3,336,344
2 35 FTEs 27.00

Department of Commerce Revolving Fund appropriation to the Department of Justice for the Office of the Consumer Advocate.

DETAIL: This is an increase of \$197,456 and no change in FTE positions compared to estimated net FY 2010 for debt retirement for the new Iowa Utilities Board/Office of the Consumer Advocate building.

3 1 Sec. 3. DEPARTMENT OF CORRECTIONS == FACILITIES.
3 2 1. There is appropriated from the general fund of the state
3 3 to the department of corrections for the fiscal year beginning
3 4 July 1, 2010, and ending June 30, 2011, the following amounts,
3 5 or so much thereof as is necessary, to be used for the purposes
3 6 designated:
3 7 For the operation of adult correctional institutions,
3 8 reimbursement of counties for certain confinement costs, and
3 9 federal prison reimbursement, to be allocated as follows:

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| <p>3 10 a. For the operation of the Fort Madison correctional 3 11 facility, including salaries, support, maintenance, and 3 12 miscellaneous purposes: 3 13 \$ 39,991,374</p> | <p>General Fund appropriation to the Department of Corrections (DOC) for the Fort Madison Correctional Facility.</p> <p>DETAIL: This is an increase of \$2,988,151 compared to estimated net FY 2010 to partially restore the FY 2010 across-the-board reduction.</p> <p>NOTE: Section 20 of this Act allocates an additional \$1,451,000 from the Public Safety Enforcement Fund to the DOC for the Fort Madison Correctional Facility.</p> <p>NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Act) provides an FY 2010 General Fund supplemental appropriation of \$764,048 for the Fort Madison Correctional Facility.</p> |
| <p>3 14 As a condition of receiving an appropriation in this 3 15 lettered paragraph, the department of corrections shall operate 3 16 the John Bennett facility either as an institution of the 3 17 department or a community-based correctional facility.</p> | <p>Requires the DOC to operate the John Bennett Facility as either a prison or a Community-Based Corrections (CBC) facility.</p> <p>DETAIL: The John Bennett Facility is a 152-bed medium security facility attached to the exterior wall of the Iowa State Penitentiary at Fort Madison.</p> |
| <p>3 18 b. For the operation of the Anamosa correctional facility, 3 19 including salaries, support, maintenance, and miscellaneous 3 20 purposes: 3 21 \$ 30,416,461</p> | <p>General Fund appropriation to the DOC for the Anamosa Correctional Facility.</p> <p>DETAIL: This is an increase of \$2,143,956 compared to estimated net FY 2010 to partially restore the FY 2010 across-the-board reduction.</p> <p>NOTE: Section 20 of this Act allocates an additional \$846,190 from the Public Safety Enforcement Fund to the DOC for the Anamosa State Penitentiary for operating the Luster Heights Prison Camp.</p> <p>NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Act) provides an FY 2010 General Fund supplemental appropriation of \$543,179 for the Anamosa Correctional Facility.</p> |
| <p>3 22 As a condition of receiving the appropriation in this</p> | <p>Requires the DOC to employ two part-time nurses at the Luster</p> |

3 23 lettered paragraph, the department of corrections shall employ
 3 24 two part-time registered nurses at the Luster Heights facility,
 3 25 and shall seek volunteer licensed medical personnel to serve at
 3 26 the facility.

Heights Prison Camp and to seek volunteer licensed medical personnel to serve at that facility.

3 27 It is the intent of the general assembly that the department
 3 28 of corrections fully operate the Luster Heights facility at the
 3 29 facility's 88-bed capacity.

Directs the DOC to operate the Luster Heights facility at capacity.

DETAIL: The Luster Heights Prison Camp is an 88-bed minimum security facility located in the Yellow River Forest State Park.

3 30 As a condition of the moneys appropriated in this lettered
 3 31 paragraph, the department of corrections shall replace expired
 3 32 federal funding by expending at least \$238,252 for continuation
 3 33 of a treatment program that prepares offenders for ongoing
 3 34 therapeutic treatment programs offered by the department and
 3 35 maintaining at least 4.75 FTEs for the program.

Requires the DOC to spend at least \$238,252 to maintain a therapeutic treatment program.

4 1 Moneys appropriated in this lettered paragraph shall
 4 2 provide for one full-time substance abuse counselor for the
 4 3 Luster Heights facility for the purpose of certification of a
 4 4 substance abuse program at that facility.

Specifies that funds be provided for one substance abuse counselor at the Luster Heights Prison Camp.

4 5 c. For the operation of the Oakdale correctional facility,
 4 6 including salaries, support, maintenance, and miscellaneous
 4 7 purposes:
 4 8 \$ 55,755,246

General Fund appropriation to the DOC for the Oakdale Correctional Facility.

DETAIL: This is an increase of \$2,973,761 compared to estimated net FY 2010 to partially restore the FY 2010 across-the-board reduction.

NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Act) provides an FY 2010 General Fund supplemental appropriation of \$2,650,762 for the Oakdale Correctional Facility.

4 9 d. For the operation of the Newton correctional facility,
 4 10 including salaries, support, maintenance, and miscellaneous

General Fund appropriation to the DOC for the Newton Correctional Facility.

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| 4 11 | purposes: | | |
| 4 12 | | \$ 26,452,257 | DETAIL: This is an increase of \$1,222,203 compared to estimated net FY 2010 to partially restore the FY 2010 across-the-board reduction. |
| | | | NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Act) provides an FY 2010 General Fund supplemental appropriation of \$526,181 for the Newton Correctional Facility. |
| 4 13 | e. For the operation of the Mt. Pleasant correctional | | General Fund appropriation to the DOC for the Mount Pleasant Correctional Facility. |
| 4 14 | facility, including salaries, support, maintenance, and | | |
| 4 15 | miscellaneous purposes: | | |
| 4 16 | | \$ 26,265,257 | DETAIL: This is an increase of \$1,770,693 compared to estimated net FY 2010 to partially restore the FY 2010 across-the-board reduction. |
| | | | NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Act) provides an FY 2010 General Fund supplemental appropriation of \$415,980 for the Mount Pleasant Correctional Facility. |
| 4 17 | f. For the operation of the Rockwell City correctional | | General Fund appropriation to the DOC for the Rockwell City Correctional Facility. |
| 4 18 | facility, including salaries, support, maintenance, and | | |
| 4 19 | miscellaneous purposes: | | |
| 4 20 | | \$ 9,324,565 | DETAIL: This is an increase of \$871,598 compared to estimated net FY 2010 to partially restore the FY 2010 across-the-board reduction. |
| | | | NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Act) provides an FY 2010 General Fund supplemental appropriation of \$108,833 for the Rockwell City Correctional Facility. |
| 4 21 | g. For the operation of the Clarinda correctional facility, | | General Fund appropriation to the DOC for the Clarinda Correctional Facility. |
| 4 22 | including salaries, support, maintenance, and miscellaneous | | |
| 4 23 | purposes: | | |
| 4 24 | | \$ 23,645,033 | DETAIL: This is an increase of \$2,566,087 compared to estimated net FY 2010 to partially restore the FY 2010 across-the-board reduction. |

NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Act) provides an FY 2010 General Fund supplemental appropriation of \$451,752 for the Clarinda Correctional Facility.

4 25 Moneys received by the department of corrections as
4 26 reimbursement for services provided to the Clarinda youth
4 27 corporation are appropriated to the department and shall be
4 28 used for the purpose of operating the Clarinda correctional
4 29 facility.

Appropriates reimbursements from the Clarinda Youth Academy to the DOC for operating costs associated with the Clarinda Correctional Facility.

DETAIL: The Clarinda Youth Academy's annual reimbursement to the Clarinda Correctional Facility is approximately \$1,000,000.

4 30 h. For the operation of the Mitchellville correctional
4 31 facility, including salaries, support, maintenance, and
4 32 miscellaneous purposes:
4 33 \$ 15,486,586

General Fund appropriation to the DOC for the Mitchellville Correctional Facility.

DETAIL: This is an increase of \$1,233,471 compared to estimated net FY 2010 to partially restore the FY 2010 across-the-board reduction.

NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Act) provides an FY 2010 General Fund supplemental appropriation of \$169,416 for the Mitchellville Correctional Facility.

4 34 i. For the operation of the Fort Dodge correctional
4 35 facility, including salaries, support, maintenance, and
5 1 miscellaneous purposes:
5 2 \$ 29,020,235

General Fund appropriation to the DOC for the Fort Dodge Correctional Facility.

DETAIL: This is an increase of \$2,021,103 compared to estimated net FY 2010 to partially restore the FY 2010 across-the-board reduction.

NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Act) provides an FY 2010 General Fund supplemental appropriation of \$200,000 for the Fort Dodge Correctional Facility.

5 3 j. For reimbursement of counties for temporary confinement
5 4 of work release and parole violators, as provided in sections
5 5 901.7, 904.908, and 906.17, and for offenders confined pursuant

General Fund appropriation to the DOC for the County Confinement Account to pay for holding alleged parole and work release violators until their revocation hearings.

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| <p>5 6 to section 904.513: 5 7 \$ 775,092</p> | <p>DETAIL: This is no change compared to estimated net FY 2010.</p> |
| <p>5 8 k. For federal prison reimbursement, reimbursements for 5 9 out-of-state placements, and miscellaneous contracts: 5 10 \$ 239,411</p> | <p>General Fund appropriation to the DOC to reimburse the federal Bureau of Prisons for confining Iowa inmates and to pay miscellaneous contracts.</p> <p>DETAIL: This is an increase of \$23,941 compared to estimated net FY 2010 to restore the FY 2010 across-the-board reduction.</p> |
| <p>5 11 2. The department of corrections shall use moneys 5 12 appropriated in subsection 1 to continue to contract for the 5 13 services of a Muslim imam.</p> | <p>Requires the DOC to contract with a Muslim imam to provide religious services and religious counseling.</p> <p>DETAIL: This contract is required pursuant to a federal court order.</p> |
| <p>5 14 Sec. 4. DEPARTMENT OF CORRECTIONS == ADMINISTRATION. 5 15 1. There is appropriated from the general fund of the state 5 16 to the department of corrections for the fiscal year beginning 5 17 July 1, 2010, and ending June 30, 2011, the following amounts, 5 18 or so much thereof as is necessary, to be used for the purposes 5 19 designated:</p> | |
| <p>5 20 a. For general administration, including salaries, support, 5 21 maintenance, employment of an education director to administer 5 22 a centralized education program for the correctional system, 5 23 and miscellaneous purposes: 5 24 \$ 4,254,068</p> | <p>General Fund appropriation to the DOC for the Central Office.</p> <p>DETAIL: This is a decrease of \$74,975 compared to estimated net FY 2010 appropriation for a general reduction.</p> |
| <p>5 25 (1) It is the intent of the general assembly that as a 5 26 condition of receiving the appropriation provided in this 5 27 lettered paragraph the department of corrections shall not, 5 28 except as otherwise provided in subparagraph (3), enter 5 29 into a new contract, unless the contract is a renewal of an 5 30 existing contract, for the expenditure of moneys in excess of</p> | <p>Specifies it is the intent of the General Assembly that, as a condition of receiving appropriated funds, the DOC not enter into a new contract in excess of \$100,000 for privatized services during FY 2011 without prior notification of the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee, and without prior consultation with any affected employee organization. Existing contracts may be renewed without notification.</p> |

5 31 \$100,000 during the fiscal year beginning July 1, 2010, for the
 5 32 privatization of services performed by the department using
 5 33 state employees as of July 1, 2010, or for the privatization
 5 34 of new services by the department without prior consultation
 5 35 with any applicable state employee organization affected
 6 1 by the proposed new contract and prior notification of the
 6 2 co-chairpersons and ranking members of the joint appropriations
 6 3 subcommittee on the justice system.

6 4 (2) It is the intent of the general assembly that each
 6 5 lease negotiated by the department of corrections with a
 6 6 private corporation for the purpose of providing private
 6 7 industry employment of inmates in a correctional institution
 6 8 shall prohibit the private corporation from utilizing inmate
 6 9 labor for partisan political purposes for any person seeking
 6 10 election to public office in this state and that a violation
 6 11 of this requirement shall result in a termination of the lease
 6 12 agreement.

6 13 (3) It is the intent of the general assembly that as a
 6 14 condition of receiving the appropriation provided in this
 6 15 lettered paragraph the department of corrections shall not
 6 16 enter into a lease or contractual agreement pursuant to section
 6 17 904.809 with a private corporation for the use of building
 6 18 space for the purpose of providing inmate employment without
 6 19 providing that the terms of the lease or contract establish
 6 20 safeguards to restrict, to the greatest extent feasible, access
 6 21 by inmates working for the private corporation to personal
 6 22 identifying information of citizens.

6 23 b. For educational programs for inmates at state penal
 6 24 institutions:
 6 25 \$ 1,558,109

Specifies that it is the intent of the General Assembly that the DOC prohibit the use of inmate labor for partisan political activities within Iowa when contracting for inmate workers to be employed by a private business. Violation of these contract terms will result in termination of the contract.

Specifies that it is the intent of the General Assembly that, as a condition of receiving appropriated funds, the DOC, when contracting with a private business for inmate employment, must restrict inmates' access to citizens' personal identifying information.

General Fund appropriation to the DOC for the educational programs for inmates.

DETAIL: This is an increase of \$194,402 compared to estimated net FY 2010 to restore the FY 2010 across-the-board reduction.

6 26 As a condition of receiving the appropriation in this
6 27 lettered paragraph, the department of corrections shall
6 28 transfer at least \$300,000 from the canteen operating funds
6 29 established pursuant to section 904.310 to be used for
6 30 correctional educational programs funded in this lettered
6 31 paragraph.

Requires the DOC to transfer at least \$300,000 from Canteen Funds to the Corrections Education Program.

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

Specifies that it is the intent of the General Assembly that these funds be used only for inmate education. Also, requires the DOC to consult with community colleges located within the area of the prisons regarding how to maintain the high school completion, high school equivalency diploma, adult literacy, and adult basic education programs at the Institutions. Requires the DOC to establish guidelines and procedures to prioritize admission to educational and vocational programs to facilitate inmates' successful release from prison. Permits the DOC to transfer funds from the Iowa Prison Industries Revolving Fund for educational programs for inmates.

7 8 To maximize the funding for educational programs, the
7 9 department shall establish guidelines and procedures to
7 10 prioritize the availability of educational and vocational
7 11 training for inmates based upon the goal of facilitating an
7 12 inmate's successful release from the correctional institution.
7 13 The director of the department of corrections may transfer
7 14 moneys from Iowa prison industries for use in educational
7 15 programs for inmates.

7 16 Notwithstanding section 8.33, moneys appropriated in this
7 17 lettered paragraph that remain unobligated or unexpended at
7 18 the close of the fiscal year shall not revert but shall remain
7 19 available for expenditure only for the purpose designated in
7 20 this lettered paragraph until the close of the succeeding
7 21 fiscal year.

CODE: Requires nonreversion of funds for the Inmate Education Program.

7 22 c. For the development of the Iowa corrections offender

General Fund appropriation to the DOC for the Iowa Corrections

| | |
|---|--|
| <p>7 23 network (ICON) data system: 7 24 \$ 424,364</p> | <p>Offender Network (ICON). DETAIL: This is an increase of \$42,436 compared to estimated net FY 2010 to restore the FY 2010 across-the-board reduction.</p> |
| <p>7 25 d. For offender mental health and substance abuse 7 26 treatment: 7 27 \$ 22,319</p> | <p>General Fund appropriation to the DOC for mental health and substance abuse treatment. DETAIL: This is no change compared to estimated net FY 2010.</p> |
| <p>7 28 e. For viral hepatitis prevention and treatment: 7 29 \$ 167,881</p> | <p>General Fund appropriation to the DOC for viral hepatitis prevention and treatment. DETAIL: This is no change compared to estimated net FY 2010.</p> |
| <p>7 30 2. It is the intent of the general assembly that the 7 31 department of corrections shall continue to operate the 7 32 correctional farms under the control of the department at 7 33 the same or greater level of participation and involvement 7 34 as existed as of June 30, 2011; shall not enter into any 7 35 rental agreement or contract concerning any farmland under 8 1 the control of the department that is not subject to a rental 8 2 agreement or contract as of January 1, 2010, without prior 8 3 legislative approval; and shall further attempt to provide 8 4 job opportunities at the farms for inmates. The department 8 5 shall attempt to provide job opportunities at the farms for 8 6 inmates by encouraging labor-intensive farming or gardening 8 7 where appropriate; using inmates to grow produce and meat for 8 8 institutional consumption; researching the possibility of 8 9 instituting food canning and cook-and-chill operations; and 8 10 exploring opportunities for organic farming and gardening, 8 11 livestock ventures, horticulture, and specialized crops.</p> | <p>Specifies the intent of the General Assembly that the DOC continue farm operations at the same or greater level as exists on June 30, 2011. The DOC is prohibited from renting farmland under the control of the DOC that is not currently being rented without legislative approval. The DOC is to provide meaningful job opportunities for inmates employed on the farms.</p> |
| <p>8 12 3. The department of corrections shall provide a smoking 8 13 cessation program to offenders committed to the custody of the</p> | <p>Requires the DOC to provide a smoking cessation program to offenders.</p> |

8 14 director or who are otherwise detained by the department, that
8 15 complies with legislation enacted restricting or prohibiting
8 16 smoking on the grounds of correctional institutions.

8 17 4. As a condition of receiving the appropriations made
8 18 in this section, the department of corrections shall develop
8 19 and implement offender reentry programs in Black Hawk and
8 20 Polk counties to provide transitional planning and release
8 21 primarily for offenders released from the Iowa correctional
8 22 institution for women at Mitchellville and the Fort Dodge
8 23 correctional facility. Programming shall include minority
8 24 and gender-specific responsiveness, employment, substance
8 25 abuse treatment, mental health services, housing, and family
8 26 reintegration. The department of corrections shall collaborate
8 27 with the first and fifth judicial district departments of
8 28 correctional services, the Iowa department of workforce
8 29 development, the department of human services, community-based
8 30 providers and faith-based organizations, and local law
8 31 enforcement.

8 32 5. The chief security officer position within the
8 33 department of corrections shall be eliminated by the effective
8 34 date of this subsection.

8 35 6. The department shall place inmates at the Luster Heights
9 1 facility who have been approved by the board of parole for
9 2 work release but who are expected to be waiting in prison
9 3 for at least four months for a bed to become available at a
9 4 community-based correctional facility, unless the placement
9 5 would dislodge an inmate receiving substance abuse treatment.

Requires the Department of Corrections to develop and implement re-entry programs in Waterloo and Des Moines. Specifies programming requirements. This Act includes appropriations to the First and Fifth CBC District Departments for re-entry programs.

Eliminates the Chief of Security position in the DOC Central Office.

DETAIL: This provision is effective on enactment.

VETOED: The Governor vetoed this Subsection and stated the funding has been eliminated as a result of budget cuts so the language is unnecessary. The Governor also vetoed Section 17 that made this Subsection effective on enactment.

Requires the DOC to place offenders at the Luster Heights facility that have been approved by the Board of Parole for work release, that are on a waiting list for a CBC bed, as long as the placement does not prevent another offender from receiving substance abuse treatment.

9 6 Sec. 5. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL
9 7 SERVICES.

9 8 1. There is appropriated from the general fund of the state
9 9 to the department of corrections for the fiscal year beginning
9 10 July 1, 2010, and ending June 30, 2011, for salaries, support,
9 11 maintenance, and miscellaneous purposes, the following amounts,
9 12 or so much thereof as is necessary, to be allocated as follows:

9 13 a. For the first judicial district department of
9 14 correctional services:
9 15 \$ 12,453,082

General Fund appropriation to the DOC for the First CBC District Department.

DETAIL: This is an increase of \$534,392 compared to estimated net FY 2010 to partially restore the FY 2010 across-the-board reduction.

NOTE: Section 20 of this Act allocates an additional \$100,000 from the Public Safety Enforcement Fund to the DOC for the First CBC District Department.

NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Act) provides an FY 2010 General Fund supplemental appropriation of \$110,275 for the First CBC District Department.

9 16 As a condition of the moneys appropriated in this lettered
9 17 paragraph, the department of corrections shall replace expired
9 18 federal funding by expending at least \$140,000 for the dual
9 19 diagnosis program and maintaining 1.25 FTEs for the program.

Requires the First CBC District Department to spend at least \$140,000 to maintain the Dual Diagnosis Program.

9 20 b. For the second judicial district department of
9 21 correctional services:
9 22 \$ 10,770,616

General Fund appropriation to the DOC for the Second CBC District Department.

DETAIL: This is an increase of \$783,971 compared to estimated net FY 2010 to partially restore the FY 2010 across-the-board reduction.

NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Act) provides an FY 2010 General Fund supplemental appropriation of

\$308,214 for the Second CBC District Department.

9 23 c. For the third judicial district department of
 9 24 correctional services:
 9 25 \$ 5,715,578

General Fund appropriation to the DOC for the Third CBC District Department.

DETAIL: This is an increase of \$369,936 compared to estimated net FY 2010 to partially restore the FY 2010 across-the-board reduction.

NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Act) provides an FY 2010 General Fund supplemental appropriation of \$18,010 for the Third CBC District Department.

9 26 d. For the fourth judicial district department of
 9 27 correctional services:
 9 28 \$ 5,522,416

General Fund appropriation to the DOC for the Fourth CBC District Department.

DETAIL: This is an increase of \$342,916 compared to estimated net FY 2010 to partially restore the FY 2010 across-the-board reduction.

NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Act) provides an FY 2010 General Fund supplemental appropriation of \$76,117 for the Fourth CBC District Department.

9 29 e. For the fifth judicial district department of
 9 30 correctional services, including funding for electronic
 9 31 monitoring devices for use on a statewide basis:
 9 32 \$ 18,938,081

General Fund appropriation to the DOC for the Fifth CBC District Department.

DETAIL: This is an increase of \$1,587,659 compared to estimated net FY 2010 to partially restore the FY 2010 across-the-board reduction.

NOTE: Section 20 of this Act allocates an additional \$335,000 from the Public Safety Enforcement Fund to the DOC for the Fifth CBC District Department.

NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Act) provides an FY 2010 General Fund supplemental appropriation of \$790,020 for the Fifth CBC District Department.

9 33 As a condition of receiving the appropriation in this
 9 34 lettered paragraph, the fifth judicial district department of
 9 35 correctional services shall reinstate 67 beds in buildings 65
 10 1 and 66 at the Fort Des Moines facility and resume operating the
 10 2 buildings, in addition to maintaining the 199 beds in buildings
 10 3 68 and 70 at the Fort Des Moines facility. The district
 10 4 department may use inmate labor to upgrade and renovate the
 10 5 buildings, if renovation and updating are required.

Requires the Fifth CBC District Department to reinstate and use 67 beds at Building 65/66 at the Fort Des Moines Residential Facility and maintain the use of 199 beds at Building 68/70. Permits the use of inmate labor to renovate the buildings, if renovation is required.

DETAIL: The Fifth CBC District Department has restructured its Fort Des Moines operations. There are 199 beds at Building 68/70 for residential and work release programs. Eighty of these beds are dedicated for substance abuse treatment. Building 65/66 has an honors unit of 40 beds plus a substance abuse treatment contract for 60 beds with a private provider.

10 6 f. For the sixth judicial district department of
 10 7 correctional services:
 10 8 \$ 13,030,356

General Fund appropriation to the DOC for the Sixth CBC District Department.

DETAIL: This is an increase of \$622,039 compared to estimated net FY 2010 to partially restore the FY 2010 across-the-board reduction.

NOTE: Section 20 of this Act allocates an additional \$402,810 from the Public Safety Enforcement Fund to the DOC for the Sixth CBC District Department.

NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Act) provides an FY 2010 General Fund supplemental appropriation of \$302,810 for the Sixth CBC District Department.

10 9 g. For the seventh judicial district department of
 10 10 correctional services:
 10 11 \$ 6,846,560

General Fund appropriation to the DOC for the Seventh CBC District Department.

DETAIL: This is an increase of \$409,565 compared to estimated net FY 2010 to partially restore the FY 2010 across-the-board reduction.

NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Act) provides an FY 2010 General Fund supplemental appropriation of \$24,923 for the Seventh CBC District Department.

10 12 h. For the eighth judicial district department of

General Fund appropriation to the DOC for the Eighth CBC District

| | |
|---|---|
| <p>10 13 correctional services: 10 14 \$ 6,935,622</p> | <p>Department.</p> <p>DETAIL: This is an increase of \$543,795 compared to estimated net FY 2010 to partially restore the FY 2010 across-the-board reduction.</p> <p>NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Act) provides an FY 2010 General Fund supplemental appropriation of \$400,850 for the Eighth CBC District Department.</p> |
| <p>10 15 2. Each judicial district department of correctional 10 16 services, within the funding available, shall continue programs 10 17 and plans established within that district to provide for 10 18 intensive supervision, sex offender treatment, diversion of 10 19 low-risk offenders to the least restrictive sanction available, 10 20 job development, and expanded use of intermediate criminal 10 21 sanctions.</p> | <p>Requires each CBC District Department, within available funding, to continue programs and plans established within the District Department for intensive supervision, sex offender treatment, diversion of low-risk offenders to the least restrictive sanction available, job development, and expanded use of intermediate sanctions.</p> |
| <p>10 22 3. Each judicial district department of correctional 10 23 services shall provide alternatives to prison consistent with 10 24 chapter 901B. The alternatives to prison shall ensure public 10 25 safety while providing maximum rehabilitation to the offender. 10 26 A judicial district department of correctional services may 10 27 also establish a day program.</p> | <p>Requires each CBC District Department to provide alternatives to prison consistent with statute. Permits the District Departments to establish day programs.</p> |
| <p>10 28 4. The governor's office of drug control policy shall 10 29 consider federal grants made to the department of corrections 10 30 for the benefit of each of the eight judicial district 10 31 departments of correctional services as local government 10 32 grants, as defined pursuant to federal regulations.</p> | <p>Requires the Governor's Office of Drug Control Policy to consider federal grants made to the DOC for the benefit of the CBC District Departments as local government grants rather than State government grants as defined by federal regulations.</p> |
| <p>10 33 5. The department of corrections shall continue to contract 10 34 with a judicial district department of correctional services to 10 35 provide for the rental of electronic monitoring equipment which 11 1 shall be available statewide.</p> | <p>Requires the DOC to contract with a CBC District Department for the rental of electronic monitoring equipment.</p> <p>DETAIL: The DOC contracts with the Fifth CBC District Department for electronic monitoring devices that are available statewide.</p> |

11 2 6. A judicial district department of correctional services
11 3 shall accept into the facilities of the district department,
11 4 offenders assigned from other judicial district departments of
11 5 correctional services.

Requires the CBC District Departments to accept the transfer of offenders into residential facilities between CBC District Departments.

VETOED: The Governor vetoed this Subsection and stated that it would require all CBC facilities to accept transfers from other judicial districts without consideration of evidence-based practices regarding supervisory status.

11 6 Sec. 6. DEPARTMENT OF CORRECTIONS == REALLOCATION OF
11 7 APPROPRIATIONS. Notwithstanding section 8.39, within
11 8 the moneys appropriated in this Act to the department of
11 9 corrections, the department may reallocate the moneys
11 10 appropriated and allocated as necessary to best fulfill the
11 11 needs of the correctional institutions, administration of
11 12 the department, and the judicial district departments of
11 13 correctional services. However, in addition to complying with
11 14 the requirements of sections 904.116 and 905.8 and providing
11 15 notice to the legislative services agency, the department
11 16 of corrections shall also provide notice to the department
11 17 of management, prior to the effective date of the revision
11 18 or reallocation of an appropriation made pursuant to this
11 19 section. The department shall not reallocate an appropriation
11 20 or allocation for the purpose of eliminating any program.

CODE: Permits the DOC to reallocate appropriations between the correctional institutions, the Central Office, and CBC District Departments. Requires the DOC to provide notice to the DOM and the LSA before reallocating the funds. Prohibits the reallocation of funds to eliminate a program.

11 21 Sec. 7. INTENT == REPORTS.

11 22 1. The department in cooperation with townships, the Iowa
11 23 cemetery associations, and other nonprofit or governmental
11 24 entities may use inmate labor during the fiscal year beginning
11 25 July 1, 2010, to restore or preserve rural cemeteries and
11 26 historical landmarks. The department in cooperation with the
11 27 counties may also use inmate labor to clean up roads, major
11 28 water sources, and other water sources around the state.

Permits the DOC to work with nonprofit and governmental entities to use inmate labor to restore or preserve rural cemeteries or historical landmarks and to clean up roads and water resources.

11 29 2. Each month the department shall provide a status report

Requires the DOC to provide a monthly status report to the LSA

11 30 regarding private=sector employment to the legislative services
11 31 agency beginning on July 1, 2010. The report shall include
11 32 the number of offenders employed in the private sector, the
11 33 combined number of hours worked by the offenders, and the
11 34 total amount of allowances, and the distribution of allowances
11 35 pursuant to section 904.702, including any moneys deposited in
12 1 the general fund of the state.

regarding private sector employment of inmates.

12 2 Sec. 8. ELECTRONIC MONITORING REPORT. The department of
12 3 corrections shall submit a report on electronic monitoring to
12 4 the general assembly, to the co=chairpersons and the ranking
12 5 members of the joint appropriations subcommittee on the justice
12 6 system, and to the legislative services agency by January
12 7 15, 2011. The report shall specifically address the number
12 8 of persons being electronically monitored and break down the
12 9 number of persons being electronically monitored by offense
12 10 committed. The report shall also include a comparison of any
12 11 data from the prior fiscal year with the current year.

Requires the DOC to submit a report regarding electronic monitoring to the General Assembly, the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee, and the LSA by January 15, 2011. Specifies the content of the report.

12 12 Sec. 9. STATE AGENCY PURCHASES FROM PRISON INDUSTRIES.
12 13 1. As used in this section, unless the context otherwise
12 14 requires, "state agency" means the government of the state
12 15 of Iowa, including but not limited to all executive branch
12 16 departments, agencies, boards, bureaus, and commissions, the
12 17 judicial branch, the general assembly and all legislative
12 18 agencies, institutions within the purview of the state board of
12 19 regents, and any corporation whose primary function is to act
12 20 as an instrumentality of the state.
12 21 2. State agencies are hereby encouraged to purchase
12 22 products from Iowa state industries, as defined in section
12 23 904.802, when purchases are required and the products are
12 24 available from Iowa state industries. State agencies shall
12 25 obtain bids from Iowa state industries for purchases of
12 26 office furniture during the fiscal year beginning July 1,
12 27 2010, exceeding \$5,000 or in accordance with applicable
12 28 administrative rules related to purchases for the agency.

Encourages State agencies to buy products from Iowa Prison Industries whenever possible. Requires State agencies to obtain a bid from Iowa Prison Industries for purchases of office furniture exceeding \$5,000, or in accordance with administrative rules.

12 29 Sec. 10. STATE PUBLIC DEFENDER. There is appropriated from
 12 30 the general fund of the state to the office of the state public
 12 31 defender of the department of inspections and appeals for the
 12 32 fiscal year beginning July 1, 2010, and ending June 30, 2011,
 12 33 the following amounts, or so much thereof as is necessary, to
 12 34 be allocated as follows for the purposes designated:

12 35 1. For salaries, support, maintenance, miscellaneous
 13 1 purposes, and for not more than the following full-time
 13 2 equivalent positions:
 13 3 \$ 21,743,182
 13 4 FTEs 203.00

General Fund appropriation to the Department of Inspections and Appeals for the Office of the State Public Defender.

DETAIL: This is an increase of \$2,174,318 and no change in FTE positions compared to estimated net FY 2010 for a general increase.

NOTE: Senate File 2088 (Government Reorganization and Efficiency Act) provides an appropriation of \$1,140,000 and 16.00 FTE positions to expand local public defender offices.

13 5 2. For the fees of court-appointed attorneys for indigent
 13 6 adults and juveniles, in accordance with section 232.141 and
 13 7 chapter 815:
 13 8 \$ 15,680,929

General Fund appropriation to the Department of Inspections and Appeals for the Indigent Defense Program.

DETAIL: This is a decrease of \$5,927,318 compared to the estimated net FY 2010 appropriation for a general reduction.

NOTE: Senate File 2366 (FY 2010 Appropriations Adjustments Act) provides an FY 2010 General Fund supplemental appropriation of \$10,900,000 for the Indigent Defense Program.

13 9 Sec. 11. IOWA LAW ENFORCEMENT ACADEMY.
 13 10 1. There is appropriated from the general fund of the
 13 11 state to the Iowa law enforcement academy for the fiscal year
 13 12 beginning July 1, 2010, and ending June 30, 2011, the following
 13 13 amount, or so much thereof as is necessary, to be used for the
 13 14 purposes designated:
 13 15 For salaries, support, maintenance, miscellaneous purposes,
 13 16 including jailer training and technical assistance, and for not

General Fund appropriation to the Iowa Law Enforcement Academy (ILEA).

DETAIL: This is no change to the General Fund appropriation and an increase of 1.00 FTE position compared to estimated net FY 2010. The increase in FTE position is due to the receipt of federal grant dollars.

13 17 more than the following full-time equivalent positions:

13 18 \$ 1,049,430

13 19 FTEs 30.55

13 20 It is the intent of the general assembly that the Iowa law
13 21 enforcement academy may provide training of state and local
13 22 law enforcement personnel concerning the recognition of and
13 23 response to persons with Alzheimer's disease.

Specifies the intent of the General Assembly that the ILEA may offer training for law enforcement officers in recognizing and responding to persons with Alzheimer's disease.

13 24 The Iowa law enforcement academy may temporarily exceed and
13 25 draw more than the amount appropriated and incur a negative
13 26 cash balance as long as there are receivables equal to or
13 27 greater than the negative balance and the amount appropriated
13 28 in this subsection is not exceeded at the close of the fiscal
13 29 year.

Permits the ILEA to incur a negative General Fund balance as long as there are equal receivables coming into the Academy by the close of the fiscal year.

DETAIL: This language is to assist with cash flow issues the ILEA faces in the last quarter of the fiscal year.

13 30 2. The Iowa law enforcement academy may select at least
13 31 five automobiles of the department of public safety, division
13 32 of state patrol, prior to turning over the automobiles to
13 33 the department of administrative services to be disposed
13 34 of by public auction, and the Iowa law enforcement academy
13 35 may exchange any automobile owned by the academy for each
14 1 automobile selected if the selected automobile is used in
14 2 training law enforcement officers at the academy. However, any
14 3 automobile exchanged by the academy shall be substituted for
14 4 the selected vehicle of the department of public safety and
14 5 sold by public auction with the receipts being deposited in the
14 6 depreciation fund to the credit of the department of public
14 7 safety, division of state patrol.

Permits the ILEA to annually exchange at least five vehicles returned to the State Fleet Administrator by the Department of Public Safety for any of the Academy's training vehicles. The vehicles received from the ILEA are to be sold at public auction, with the receipts to be deposited in the Depreciation Fund used to purchase new vehicles for the Department of Public Safety (DPS).

14 8 Sec. 12. BOARD OF PAROLE. There is appropriated from the
14 9 general fund of the state to the board of parole for the fiscal
14 10 year beginning July 1, 2010, and ending June 30, 2011, the
14 11 following amount, or so much thereof as is necessary, to be
14 12 used for the purposes designated:

General Fund appropriation to the Board of Parole.

DETAIL: This is no change in funding and a decrease of 5.00 FTE positions compared to estimated net FY 2010 for a general reduction in positions.

14 13 For salaries, support, maintenance, miscellaneous purposes,
 14 14 and for not more than the following full-time equivalent
 14 15 positions:
 14 16 \$ 1,045,259
 14 17 FTEs 13.50

14 18 Sec. 13. DEPARTMENT OF PUBLIC DEFENSE. There is
 14 19 appropriated from the general fund of the state to the
 14 20 department of public defense for the fiscal year beginning July
 14 21 1, 2010, and ending June 30, 2011, the following amounts, or
 14 22 so much thereof as is necessary, to be used for the purposes
 14 23 designated:

14 24 1. MILITARY DIVISION

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 \$ 6,249,201
 14 29 FTEs 324.00

General Fund appropriation to the Military Division of the Department of Public Defense.

DETAIL: This is an increase of \$624,920 and 10.70 FTE positions compared to estimated net FY 2010.

NOTE: Senate File 2366 (FY 2010 Appropriations Adjustment Act) includes \$526,202 to partially restore the 10.00% across-the-board reduction.

14 30 The military division may temporarily exceed and draw more
 14 31 than the amount appropriated and incur a negative cash balance
 14 32 as long as there are receivables of federal funds equal to or
 14 33 greater than the negative balance and the amount appropriated
 14 34 in this subsection is not exceeded at the close of the fiscal
 14 35 year.

Permits the Military Division to incur a negative cash balance as long as the Division has federal reimbursable expenses to cover the negative balance.

DETAIL: The Military Division can experience a delay of up to 30 days in federal reimbursement for eligible expenses. This authorization permits the Division to use State General Fund money to cover these expenses until the federal funds are received. To alleviate the cash flow problem, the federal government has instituted an Advance Payment System that permits the State to receive an advance of federal funds to meet payroll and other requirements. The Division has implemented the accounting procedures to use the new System.

15 1 2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT 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 \$ 2,038,119
 15 6 FTEs 33.00

General Fund appropriation to the Homeland Security and Emergency Management Division.

DETAIL: This is an increase of \$203,812 and a decrease of 0.10 FTE position compared to estimated net FY 2010.

NOTE: Senate File 2366 (FY 2010 Appropriations Adjustment Act) includes \$61,614 to partially restore the 10.00% across-the-board reduction.

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

Permits the Homeland Security and Emergency Management Division to incur a negative cash balance as long as the Division has federal reimbursable expenses to cover the negative balance.

DETAIL: The Homeland Security and Emergency Management Division can experience a delay of up to 30 days in federal reimbursement for eligible expenses. This authorization permits the Division to use State General Fund money to cover these expenses until the federal funds are received. To alleviate the cash flow problem, the federal government has instituted an Advance Payment System that permits the State to receive an advance of federal funds to meet payroll and other requirements. The Division has implemented the accounting procedures to use the new System.

15 13 It is the intent of the general assembly that the homeland
 15 14 security and emergency management division work in conjunction
 15 15 with the department of public safety, to the extent possible,
 15 16 when gathering and analyzing information related to potential
 15 17 domestic or foreign security threats, and when monitoring such
 15 18 threats.

Specifies the intent of the General Assembly that the Homeland Security and Emergency Management Division work in conjunction with the DPS when gathering and analyzing information related to potential domestic and foreign security threats.

15 19 Sec. 14. DEPARTMENT OF PUBLIC SAFETY. There is appropriated
 15 20 from the general fund of the state to the department of public
 15 21 safety for the fiscal year beginning July 1, 2010, and ending
 15 22 June 30, 2011, the following amounts, or so much thereof as is
 15 23 necessary, to be used for the purposes designated:

15 24 1. For the department's administrative functions, including
 15 25 the criminal justice information system, and for not more than
 15 26 the following full-time equivalent positions:
 15 27 \$ 4,134,461
 15 28 FTEs 36.00

General Fund appropriation to the DPS for the Administrative Services Division.

DETAIL: This is an increase of \$182,390 and a decrease of 3.00 FTE positions compared to estimated net FY 2010.

15 29 2. For the division of criminal investigation, including
 15 30 the state's contribution to the peace officers' retirement,
 15 31 accident, and disability system provided in chapter 97A in the
 15 32 amount of the state's normal contribution rate, as defined in
 15 33 section 97A.8, multiplied by the salaries for which the funds
 15 34 are appropriated, to meet federal fund matching requirements,
 15 35 and for not more than the following full-time equivalent
 16 1 positions:
 16 2 \$ 12,861,710
 16 3 FTEs 162.10

General Fund appropriation to the DPS for the Division of Criminal Investigation (DCI).

DETAIL: This is a decrease of \$6,151,033 and 10.40 FTE positions compared to estimated net FY 2010. This is a decrease of \$8,851,775 to reflect gambling regulation receipts and an increase of \$2,700,742 for a general increase to the Crime Lab, the Records and Identification Bureau, and the Homicide Bureau.

NOTE: In addition to the General Fund appropriation, the DPS receives an appropriation from the Gaming Enforcement Revolving Fund established in Sections 15 and 23. This appropriation is to be used to support 115.00 of the 277.10 FTE positions authorized for DPS.

16 4 If any of the Indian tribes fail to pay for 1.00 FTE pursuant
 16 5 to the agreements or compacts entered into between the state
 16 6 and the Indian tribes pursuant to section 10A.104, subsection
 16 7 10, the number of full-time equivalent positions authorized
 16 8 under this subsection is reduced by 1.00 FTE.

Specifies that if funding for the 1.00 FTE position for a DCI Special Agent to perform Tribal Gaming Inspections is not funded from the Tribal-State Compact, this FTE position will no longer be authorized.

16 9 The department shall employ one additional special agent and
 16 10 one additional criminalist for the purpose of investigating
 16 11 cold cases. Prior to employing the additional special agent
 16 12 and criminalist authorized in this paragraph, the department
 16 13 shall provide a written statement to prospective employees that
 16 14 states to the effect that the positions are being funded by a
 16 15 temporary federal grant and there are no assurances that funds
 16 16 from other sources will be available after the federal funding
 16 17 expires. If the federal funding for the additional positions

Specifies that the DPS will employ one Special Agent and one Criminalist to investigate cold cases. However, if federal funds are not received for the 2.00 FTE positions for the Cold Case Unit, the positions are eliminated.

16 18 expires during the fiscal year, the number of full-time
 16 19 equivalent positions authorized in this subsection is reduced
 16 20 by 2.00 FTEs.

16 21 The department of public safety, with the approval of the
 16 22 department of management, may employ no more than two special
 16 23 agents and four gaming enforcement officers for each additional
 16 24 riverboat or gambling structure regulated after July 1, 2010,
 16 25 and one special agent for each racing facility which becomes
 16 26 operational during the fiscal year which begins July 1, 2010.
 16 27 One additional gaming enforcement officer, up to a total of
 16 28 four per riverboat or gambling structure, may be employed
 16 29 for each riverboat or gambling structure that has extended
 16 30 operations to 24 hours and has not previously operated with a
 16 31 24-hour schedule. Positions authorized in this paragraph are
 16 32 in addition to the full-time equivalent positions otherwise
 16 33 authorized in this subsection.

Permits the DPS to employ a maximum of two special agents and four gaming officers if approved by the DOM for new riverboats licensed after July 1, 2010, and for riverboats that have extended operations to 24 hours. Also, permits the employment of one special agent for each racing facility that becomes operational during FY 2011.

NOTE: Senate File 2247 relates to the designation of a gaming enforcement officer. The Act specifies it is the intent of the General Assembly that the change in designation is for official designation purposes only and will not modify the existing job classification or duties for a gaming enforcement officer as of July 1, 2010.

16 34 3. For the criminalistics laboratory fund created in
 16 35 section 691.9:
 17 1 \$ 302,345

General Fund appropriation for the Criminalistics Laboratory Fund.

DETAIL: This is no change compared to estimated net FY 2010.

17 2 4. a. For the division of narcotics enforcement, including
 17 3 the state's contribution to the peace officers' retirement,
 17 4 accident, and disability system provided in chapter 97A in the
 17 5 amount of the state's normal contribution rate, as defined in
 17 6 section 97A.8, multiplied by the salaries for which the funds
 17 7 are appropriated, to meet federal fund matching requirements,
 17 8 and for not more than the following full-time equivalent
 17 9 positions:
 17 10 \$ 6,507,048
 17 11 FTEs 75.00

General Fund appropriation to the DPS for the Division of Narcotics Enforcement (DNE).

DETAIL: This is an increase of \$759,401 and a decrease of 6.00 FTE positions compared to estimated net FY 2010.

17 12 b. For the division of narcotics enforcement for undercover
 17 13 purchases:

General Fund appropriation to the DPS for DNE undercover purchases.

17 14 \$ 109,042

DETAIL: This is no change compared to estimated net FY 2010.

17 15 5. For the division of state fire marshal, for fire
 17 16 protection services as provided through the state fire service
 17 17 and emergency response council as created in the department,
 17 18 and for the state's contribution to the peace officers'
 17 19 retirement, accident, and disability system provided in chapter
 17 20 97A in the amount of the state's normal contribution rate, as
 17 21 defined in section 97A.8, multiplied by the salaries for which
 17 22 the funds are appropriated, and for not more than the following
 17 23 full-time equivalent positions:
 17 24 \$ 4,343,896
 17 25 FTEs 57.00

General Fund appropriation to the DPS for the State Fire Marshal's Office.
 DETAIL: This is an increase of \$753,893 and a decrease of 2.00 FTE positions compared to estimated net FY 2010.

17 26 6. For the division of state patrol, for salaries, support,
 17 27 maintenance, workers' compensation costs, and miscellaneous
 17 28 purposes, including the state's contribution to the peace
 17 29 officers' retirement, accident, and disability system provided
 17 30 in chapter 97A in the amount of the state's normal contribution
 17 31 rate, as defined in section 97A.8, multiplied by the salaries
 17 32 for which the funds are appropriated, and for not more than the
 17 33 following full-time equivalent positions:
 17 34 \$ 48,984,147
 17 35 FTEs 503.00

General Fund appropriation to the Iowa State Patrol.
 DETAIL: This is an increase of \$3,922,862 and a decrease of 33.00 FTE positions compared to estimated net FY 2010.

18 1 It is the intent of the general assembly that members of the
 18 2 state patrol be assigned to patrol the highways and roads in
 18 3 lieu of assignments for inspecting school buses for the school
 18 4 districts.

Specifies the intent of the General Assembly that the Iowa State Patrol assign education officers to perform school bus inspections rather than having road troopers perform these inspections.

18 5 7. For deposit in the sick leave benefits fund established
 18 6 under section 80.42 for all departmental employees eligible to
 18 7 receive benefits for accrued sick leave under the collective

General Fund appropriation to create a non-reversionary fund in the DPS to be used for sick leave payout. All sworn officers of the Department are eligible to receive benefits for accrued sick leave

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|--|---|
| <p>18 8 bargaining agreement: 18 9 \$ 279,517</p> | <p>under the collective bargaining agreement. DETAIL: This is no change compared to estimated net FY 2010.</p> |
| <p>18 10 8. For costs associated with the training and equipment 18 11 needs of volunteer fire fighters: 18 12 \$ 612,255</p> | <p>General Fund appropriation to the DPS for Volunteer Fire Fighter Training. DETAIL: This is no change compared to estimated net FY 2010.</p> |
| <p>18 13 Notwithstanding section 8.33, moneys appropriated in this 18 14 subsection that remain unencumbered or unobligated at the 18 15 close of the fiscal year shall not revert but shall remain 18 16 available for expenditure only for the purpose designated in 18 17 this subsection until the close of the succeeding fiscal year.</p> | <p>CODE: Requires nonreversion of funds for fire fighter training and equipment needs.</p> |
| <p>18 18 Notwithstanding section 8.39, within the moneys appropriated 18 19 in this section the department of public safety may reallocate 18 20 moneys as necessary to best fulfill the needs provided for 18 21 in the appropriation. However, the department shall not 18 22 reallocate an appropriation made to the department in this 18 23 section unless notice of the reallocation is given to the 18 24 legislative services agency and the department of management 18 25 prior to the effective date of the reallocation. The notice 18 26 shall include information about the rationale for reallocating 18 27 the appropriation. The department shall not reallocate 18 28 an appropriation made in this section for the purpose of 18 29 eliminating any program.</p> | <p>CODE: Permits funds appropriated to the DPS to be allocated as necessary to fulfill appropriation needs within the Department. The Department is not allowed to reallocate an appropriation unless notice is given to the LSA and the DOM prior to the effective date of the reallocation. The Department is not allowed to reallocate the appropriation for the purpose of eliminating a program.</p> |
| <p>18 30 Sec. 15. GAMING ENFORCEMENT. There is appropriated from the 18 31 gaming enforcement revolving fund created in section 80.43 to 18 32 the department of public safety for the fiscal year beginning 18 33 July 1, 2010, and ending June 30, 2011, the following amount, 18 34 or so much thereof as is necessary, to be used for the purposes 18 35 designated:</p> | <p>Gaming Enforcement Revolving Fund appropriation to the Department of Public Safety for direct and indirect support costs for DCI agents and officers for gaming enforcement. DETAIL: This is a new Fund and appropriation.</p> |

19 1 For any direct and indirect support costs for agents
 19 2 and officers of the division of criminal investigation's
 19 3 excursion gambling boat, gambling structure, and racetrack
 19 4 enclosure enforcement activities, including salaries, support,
 19 5 maintenance, miscellaneous purposes, and for not more than the
 19 6 following full-time equivalent positions:
 19 7 \$ 8,851,775
 19 8 FTEs 115.00

19 9 However, for each additional license to conduct gambling
 19 10 games on an excursion gambling boat, gambling structure, or
 19 11 racetrack enclosure issued during the period beginning July 1,
 19 12 2009, through June 30, 2011, there is appropriated from the
 19 13 gaming enforcement fund to the department of public safety for
 19 14 the fiscal year beginning July 1, 2010, and ending June 30,
 19 15 2011, an additional amount of not more than \$521,000 to be
 19 16 used for not more than 6.00 additional full-time equivalent
 19 17 positions.

If an additional gambling license is granted in FY 2010 or FY 2011, an additional \$521,000 and 6.00 FTE positions may be expended from the Gaming Enforcement Revolving Fund.

19 18 Sec. 16. CIVIL RIGHTS COMMISSION. There is appropriated
 19 19 from the general fund of the state to the Iowa state civil
 19 20 rights commission for the fiscal year beginning July 1,
 19 21 2010, and ending June 30, 2011, the following amount, or so
 19 22 much thereof as is necessary, to be used for the purposes
 19 23 designated:
 19 24 For salaries, support, maintenance, miscellaneous purposes,
 19 25 and for not more than the following full-time equivalent
 19 26 positions:
 19 27 \$ 1,379,861
 19 28 FTEs 29.50

General Fund appropriation to the Iowa Civil Rights Commission.

DETAIL: This is no change compared to estimated net FY 2010.

NOTE: Section 20 of this Act allocates an additional \$100,000 from the Public Safety Enforcement Fund to the DOC for the Civil Rights Commission.

19 29 The Iowa state civil rights commission may enter into
 19 30 a contract with a nonprofit organization to provide legal
 19 31 assistance to resolve civil rights complaints.

Permits the Iowa Civil Rights Commission to enter into a contract with a non-profit organization for legal assistance.

19 32 Sec. 17. EFFECTIVE UPON ENACTMENT. The provision of this

The provision eliminating the Chief of Security position in the Central

19 33 division of this Act eliminating the chief security officer
19 34 position within the department of corrections, being deemed of
19 35 immediate importance, takes effect upon enactment.

Office of the DOC is effective on enactment.

VETOED: The Governor vetoed this Section as it relates to the elimination of the Chief Security Officer position that was also vetoed.

20 1 DIVISION II

20 2 COURT COSTS == FINES

20 3 Sec. 18. Section 805.8A, Code Supplement 2009, is amended
20 4 by striking the section and inserting in lieu thereof the
20 5 following:

20 6 805.8A Motor vehicle and transportation scheduled violations.

20 7 1. Parking violations.

20 8 a. For parking violations under sections 321.236, 321.239,
20 9 321.358, 321.360, and 321.361, the scheduled fine is five
20 10 dollars, except if the local authority has established the
20 11 fine by ordinance. The scheduled fine for a parking violation
20 12 pursuant to section 321.236 increases by five dollars if
20 13 authorized by ordinance and if the parking violation is not
20 14 paid within thirty days of the date upon which the violation
20 15 occurred. For purposes of calculating the unsecured appearance
20 16 bond required under section 805.6, the scheduled fine shall
20 17 be five dollars, or if the amount of the fine is greater than
20 18 five dollars, the unsecured appearance bond shall be the amount
20 19 of the fine established by the local authority. However,
20 20 violations charged by a city or county upon simple notice of a
20 21 fine instead of a uniform citation and complaint required by
20 22 section 321.236, subsection 1, paragraph "b", are not scheduled
20 23 violations, and this section shall not apply to any offense
20 24 charged in that manner. For a parking violation under section
20 25 461A.38, the scheduled fine is ten dollars. For a parking
20 26 violation under section 321.362, the scheduled fine is twenty
20 27 dollars.

20 28 b. For a parking violation under section 321L.2A, subsection
20 29 2, the scheduled fine is twenty dollars.

20 30 c. For violations under section 321L.2A, subsection 3,
20 31 sections 321L.3, 321L.4, subsection 2, and section 321L.7, the

CODE: Increases fines in amounts ranging from \$10 to \$100 for moving and non-moving violations.

NOTE: See the attached spreadsheet for additional detail.

VETOED: The Governor vetoed Section 18.3(ag). The language created two different fines for violations of Code Section 321.437 related to rearview mirrors and sideview mirrors and conflicted with Subsection 12, lettered paragraph "b" of this Act. The veto corrected this inconsistency.

20 32 scheduled fine is two hundred dollars.
20 33 2. Title and registration violations. For title or
20 34 registration violations under the following sections, the
20 35 scheduled fine is as follows:

- 21 1 a. 321.17, \$50.
- 21 2 b. 321.25, \$100.
- 21 3 c. 321.32, \$20.
- 21 4 d. 321.34, \$20.
- 21 5 e. 321.37, \$20.
- 21 6 f. 321.38, \$20.
- 21 7 g. 321.41, \$20.
- 21 8 h. 321.45, \$100.
- 21 9 i. 321.46, \$100.
- 21 10 j. 321.47, \$100.
- 21 11 k. 321.48, \$100.
- 21 12 l. 321.52, \$100.
- 21 13 m. 321.55, \$50.
- 21 14 n. 321.57, \$100.
- 21 15 o. 321.62, \$100.
- 21 16 p. 321.67, \$100.
- 21 17 q. 321.98, \$50.
- 21 18 r. 321.99, \$200.
- 21 19 s. 321.104, \$100.
- 21 20 t. 321.115, \$30.
- 21 21 u. 321.115A, \$30.

21 22 3. Equipment violations. For equipment violations under the
21 23 following sections, the scheduled fine is as follows:

- 21 24 a. 321.234A, \$50.
- 21 25 b. 321.247, \$100.
- 21 26 c. 321.317, \$20.
- 21 27 d. 321.381, \$100.
- 21 28 e. 321.381A, \$100.
- 21 29 f. 321.382, \$25.
- 21 30 g. 321.383, \$30.
- 21 31 h. 321.384, \$30.
- 21 32 i. 321.385, \$30.
- 21 33 j. 321.386, \$30.
- 21 34 k. 321.387, \$20.

| | | |
|----|----|---|
| 21 | 35 | l. 321.388, \$20. |
| 22 | 1 | m. 321.389, \$20. |
| 22 | 2 | n. 321.390, \$20. |
| 22 | 3 | o. 321.392, \$20. |
| 22 | 4 | p. 321.393, \$20. |
| 22 | 5 | q. 321.398, \$30. |
| 22 | 6 | r. 321.402, \$30. |
| 22 | 7 | s. 321.403, \$30. |
| 22 | 8 | t. 321.404, \$30. |
| 22 | 9 | u. 321.404A, \$25. |
| 22 | 10 | v. 321.409, \$30. |
| 22 | 11 | w. 321.415, \$30. |
| 22 | 12 | x. 321.419, \$30. |
| 22 | 13 | y. 321.420, \$30. |
| 22 | 14 | z. 321.421, \$30. |
| 22 | 15 | aa. 321.422, \$20. |
| 22 | 16 | ab. 321.423, \$30. |
| 22 | 17 | ac. 321.430, \$100. |
| 22 | 18 | ad. 321.432, \$20. |
| 22 | 19 | ae. 321.433, \$30. |
| 22 | 20 | af. 321.436, \$20. |
| 22 | 21 | ag. 321.437, for improperly used or nonused, or defective |
| 22 | 22 | or improper equipment, other than brakes, driving lights, and |
| 22 | 23 | brake lights, \$20. |
| 22 | 24 | ah. 321.438, \$50. |
| 22 | 25 | ai. 321.439, \$20. |
| 22 | 26 | aj. 321.440, \$20. |
| 22 | 27 | ak. 321.441, \$20. |
| 22 | 28 | al. 321.442, \$20. |
| 22 | 29 | am. 321.444, \$20. |
| 22 | 30 | 4. Driver's license violations. For driver's license |
| 22 | 31 | violations under the following sections, the scheduled |
| 22 | 32 | violation is as follows: |
| 22 | 33 | a. 321.174, \$200. |
| 22 | 34 | b. 321.174A, \$50. |
| 22 | 35 | c. 321.180, \$50. |
| 23 | 1 | d. 321.180B, \$50. |
| 23 | 2 | e. 321.193, \$50. |

23 3 f. 321.194, \$50.
23 4 g. 321.216, \$100.
23 5 h. 321.216B, \$200.
23 6 i. 321.216C, \$200.
23 7 j. 321.219, \$200.
23 8 k. 321.220, \$200.
23 9 5. Speed violations.
23 10 a. For excessive speed violations in excess of the limit
23 11 under section 321.236, subsections 5 and 11, sections 321.285,
23 12 and 461A.36, the scheduled fine shall be the following:
23 13 (1) Twenty dollars for speed not more than five miles per
23 14 hour in excess of the limit.
23 15 (2) Forty dollars for speed greater than five but not more
23 16 than ten miles per hour in excess of the limit.
23 17 (3) Eighty dollars for speed greater than ten but not more
23 18 than fifteen miles per hour in excess of the limit.
23 19 (4) Ninety dollars for speed greater than fifteen but not
23 20 more than twenty miles per hour in excess of the limit.
23 21 (5) One hundred dollars plus five dollars for each mile per
23 22 hour of excessive speed over twenty miles per hour over the
23 23 limit.
23 24 b. Notwithstanding paragraph "a", for excessive speed
23 25 violations in speed zones greater than fifty=five miles per
23 26 hour, the scheduled fine shall be:
23 27 (1) Twenty dollars for speed not more than five miles per
23 28 hour in excess of the limit.
23 29 (2) Forty dollars for speed greater than five but not more
23 30 than ten miles per hour in excess of the limit.
23 31 (3) Eighty dollars for speed greater than ten but not more
23 32 than fifteen miles per hour in excess of the limit.
23 33 (4) Ninety dollars for speed greater than fifteen but not
23 34 more than twenty miles per hour in excess of the limit.
23 35 (5) One hundred dollars plus five dollars for each mile per
24 1 hour of excessive speed over twenty miles per hour over the
24 2 limit.
24 3 c. Excessive speed in whatever amount by a school bus is
24 4 not a scheduled violation under any section listed in this
24 5 subsection.

24 6 d. Excessive speed in conjunction with a violation of
24 7 section 321.278 is not a scheduled violation, whatever the
24 8 amount of excess speed.

24 9 e. For a violation under section 321.295, the scheduled fine
24 10 is fifty dollars.

24 11 6. Operating violations. For operating violations under the
24 12 following sections, the scheduled violation is as follows:

24 13 a. 321.236, subsections 3, 4, 9, and 12, \$20.
24 14 b. 321.275, subsections 1 through 7, \$35.
24 15 c. 321.277A, \$35.
24 16 d. 321.288, \$100.
24 17 e. 321.297, \$100.
24 18 f. 321.299, \$100.
24 19 g. 321.302, \$100.
24 20 h. 321.303, \$100.
24 21 i. 321.304, subsections 1 and 2, \$100.
24 22 j. 321.305, \$100.
24 23 k. 321.306, \$100.
24 24 l. 321.311, \$100.
24 25 m. 321.312, \$100.
24 26 n. 321.314, \$100.
24 27 o. 321.315, \$35.
24 28 p. 321.316, \$35.
24 29 q. 321.318, \$35.
24 30 r. 321.323, \$100.
24 31 s. 321.340, \$100.
24 32 t. 321.353, \$100.
24 33 u. 321.354, \$100.
24 34 v. 321.363, \$35.
24 35 w. 321.365, \$35.

25 1 x. 321.366, \$100.
25 2 y. 321.395, \$100.

25 3 7. Failure to yield or obey violations. For failure to yield
25 4 or obey violations under the following sections, the scheduled
25 5 violation is as follows:

25 6 a. 321.257, subsection 2, for a violation by an operator of
25 7 a motor vehicle, \$100.
25 8 b. 321.298, \$100.

25 9 c. 321.307, \$100.
25 10 d. 321.308, \$100.
25 11 e. 321.313, \$100.
25 12 f. 321.319, \$100.
25 13 g. 321.320, \$100.
25 14 h. 321.321, \$100.
25 15 i. 321.327, \$100.
25 16 j. 321.329, \$100.
25 17 k. 321.333, \$100.
25 18 8. Traffic sign or signal violations. For traffic sign or
25 19 signal violations under the following sections, the scheduled
25 20 violation is as follows:
25 21 a. 321.236, subsections 2 and 6, \$35.
25 22 b. 321.256, \$100.
25 23 c. 321.294, \$100.
25 24 d. 321.304, subsection 3, \$100.
25 25 e. 321.322, \$100.
25 26 9. Bicycle or pedestrian violations. For bicycle or
25 27 pedestrian violations under the following sections, the
25 28 scheduled fine for a pedestrian or bicyclist is as follows:
25 29 a. 321.234, subsections 3 and 4, \$25.
25 30 b. 321.236, subsection 10, \$15.
25 31 c. 321.257, subsection 2, \$25.
25 32 d. 321.275, subsection 8, \$25.
25 33 e. 321.325, \$25.
25 34 f. 321.326, \$25.
25 35 g. 321.328, \$25.
26 1 h. 321.331, \$25.
26 2 i. 321.332, \$25.
26 3 j. 321.397, \$25.
26 4 k. 321.434, \$25.
26 5 9A. Electric personal assistive mobility device
26 6 violations. For violations under section 321.235A, the
26 7 scheduled fine is fifteen dollars.
26 8 10. School bus violations.
26 9 a. For violations by an operator of a school bus under
26 10 sections 321.285 and 321.372, subsections 1 and 2, the
26 11 scheduled fine is one hundred dollars. However, an excessive

26 12 speed violation by a school bus of more than ten miles per hour
26 13 in excess of the limit is not a scheduled violation.

26 14 b. For a violation under section 321.372, subsection 3, the
26 15 scheduled fine is two hundred dollars.

26 16 11. Emergency vehicle violations. For emergency vehicle
26 17 violations under the following sections, the scheduled fine is
26 18 as follows:

26 19 a. 321.231, \$100.
26 20 b. 321.323A, \$100.
26 21 c. 321.324, \$100.
26 22 d. 321.367, \$100.
26 23 e. 321.368, \$100.

26 24 12. Restrictions on vehicles.

26 25 a. For violations under sections 321.309, 321.310, 321.394,
26 26 321.461, and 321.462, the scheduled fine is thirty=five
26 27 dollars.

26 28 b. For violations under section 321.437, the scheduled fine
26 29 is thirty=five dollars.

26 30 c. For height, length, width, and load violations under
26 31 sections 321.454, 321.455, 321.456, 321.457, and 321.458, the
26 32 scheduled fine is two hundred dollars.

26 33 d. For violations under section 321.466, the scheduled fine
26 34 is twenty dollars for each two thousand pounds or fraction
26 35 thereof of overweight.

27 1 e. (1) Violations of the schedule of axle and tandem axle
27 2 and gross or group of axle weight violations in section 321.463
27 3 shall be scheduled violations subject to the provisions,
27 4 procedures, and exceptions contained in sections 805.6 through
27 5 805.11, irrespective of the amount of the fine under that
27 6 schedule.

27 7 (a) Violations of the schedule of weight violations shall be
27 8 chargeable, where the fine charged does not exceed one thousand
27 9 dollars, only by uniform citation and complaint.

27 10 (b) Violations of the schedule of weight violations, where
27 11 the fine charged exceeds one thousand dollars shall, when the
27 12 violation is admitted and section 805.9 applies, be chargeable
27 13 upon uniform citation and complaint, indictment, or county
27 14 attorney's information, but otherwise shall be chargeable only

27 15 upon indictment or county attorney's information.
27 16 (2) In all cases of charges under the schedule of weight
27 17 violations, the charge shall specify the amount of fine charged
27 18 under the schedule. Where a defendant is convicted and the
27 19 fine under the foregoing schedule of weight violations exceeds
27 20 one thousand dollars, the conviction shall be of an indictable
27 21 offense although section 805.9 is employed and whether the
27 22 violation is charged upon uniform citation and complaint,
27 23 indictment, or county attorney's information.
27 24 f. For a violation under section 321E.16, other than the
27 25 provisions relating to weight, the scheduled fine is two
27 26 hundred dollars.
27 27 13. Motor carrier violations.
27 28 a. (1) For a violation under section 321.54, the scheduled
27 29 fine is thirty dollars.
27 30 (2) For violations under sections 326.22 and 326.23, the
27 31 scheduled fine is fifty dollars.
27 32 b. For a violation under section 321.449, the scheduled fine
27 33 is fifty dollars.
27 34 c. For violations under sections 321.364, 321.450, 321.460,
27 35 and 452A.52, the scheduled fine is two hundred dollars.
28 1 d. For violations of section 325A.3, subsection 5, or
28 2 section 325A.8, the scheduled fine is one hundred dollars.
28 3 e. For violations of chapter 325A, other than a violation of
28 4 section 325A.3, subsection 5, or section 325A.8, the scheduled
28 5 fine is two hundred fifty dollars.
28 6 f. For failure to have proper carrier identification
28 7 markings under section 327B.1, the scheduled fine is one
28 8 hundred dollars.
28 9 g. For failure to have proper evidence of interstate
28 10 authority carried or displayed under section 327B.1, and for
28 11 failure to register, carry, or display evidence that interstate
28 12 authority is not required under section 327B.1, the scheduled
28 13 fine is two hundred fifty dollars.
28 14 14. Miscellaneous violations.
28 15 a. Failure to obey a peace officer. For a violation under
28 16 section 321.229, the scheduled fine is one hundred dollars.
28 17 b. Abandoning a motor vehicle. For a violation under

28 18 section 321.91, the scheduled fine is two hundred dollars.
28 19 c. Seat belt or restraint violations.
28 20 (1) For a violation under section 321.445, the scheduled
28 21 fine is fifty dollars.
28 22 (2) For a violation under section 321.446, the scheduled
28 23 violation is one hundred dollars.
28 24 d. Litter and debris violations. For violations under
28 25 sections 321.369 and 321.370, the scheduled fine is seventy
28 26 dollars.
28 27 e. Open container violations. For violations under sections
28 28 321.284 and 321.284A, the scheduled fine is two hundred
28 29 dollars.
28 30 f. Proof of financial responsibility. If, in connection with
28 31 a motor vehicle accident, a person is charged and found guilty
28 32 of a violation of section 321.20B, subsection 1, the scheduled
28 33 fine is five hundred dollars; otherwise, the scheduled fine for
28 34 a violation of section 321.20B, subsection 1, is two hundred
28 35 fifty dollars. Notwithstanding section 805.12, fines collected
29 1 pursuant to this paragraph shall be submitted to the state
29 2 court administrator and distributed fifty percent to the victim
29 3 compensation fund established in section 915.94, twenty=five
29 4 percent to the county in which such fine is imposed, and
29 5 twenty=five percent to the general fund of the state.
29 6 g. Radar=jamming devices. For a violation under section
29 7 321.232, the scheduled fine is one hundred dollars.
29 8 h. Railroad crossing violations. For violations under
29 9 sections 321.341, 321.342, 321.343, and 321.344, and 321.344B,
29 10 the scheduled fine is two hundred dollars.
29 11 i. Road work zone violations. The scheduled fine for any
29 12 moving traffic violation under chapter 321, as provided in
29 13 this section, shall be doubled if the violation occurs within
29 14 any road work zone, as defined in section 321.1. However,
29 15 notwithstanding subsection 5, the scheduled fine for violating
29 16 the speed limit in a road work zone is as follows:
29 17 (1) One hundred fifty dollars for speed not more than ten
29 18 miles per hour over the posted speed limit.
29 19 (2) Three hundred dollars for speed greater than ten but not
29 20 more than twenty miles per hour over the posted speed limit.

29 21 (3) Five hundred dollars for speed greater than twenty but
 29 22 not more than twenty=five miles per hour over the posted speed
 29 23 limit.
 29 24 (4) One thousand dollars for speed greater than twenty=five
 29 25 miles per hour over the posted speed limit.
 29 26 j. Vehicle component parts records violations. For
 29 27 violations under section 321.95, the scheduled fine is fifty
 29 28 dollars.

29 29 Sec. 19. Section 805.8C, subsection 6, paragraph a, Code
 29 30 Supplement 2009, is amended to read as follows:
 29 31 a. If the violation is a first offense, the scheduled fine
 29 32 is ~~one~~ two hundred dollars.

CODE: Increases the fines for first offense purchase of pseudoephedrine from \$100 to \$110.

29 33 DIVISION III

29 34 PUBLIC SAFETY ENFORCEMENT FUND

29 35 Sec. 20. PUBLIC SAFETY ENFORCEMENT FUND ESTABLISHED ==
 30 1 TEMPORARY ALLOCATION OF FINES AND FEES.
 30 2 1. A public safety enforcement fund is created in the
 30 3 state treasury under the control of the treasurer of state.
 30 4 Notwithstanding section 602.8108, the state court administrator
 30 5 shall allocate to the treasurer of state for deposit in the
 30 6 public safety enforcement fund the first nine million one
 30 7 hundred thousand dollars of the moneys received under section
 30 8 602.8108, subsection 2, during the fiscal year beginning July
 30 9 1, 2010, and ending June 30, 2011. Of the moneys allocated for
 30 10 deposit into the victim compensation fund pursuant to section
 30 11 602.8108, subsection 3, the state court administrator shall
 30 12 allocate to the treasurer of state for deposit in the public
 30 13 safety enforcement fund the first two hundred thirty=five
 30 14 thousand dollars of the moneys received during the fiscal year
 30 15 beginning July 1, 2010, and ending June 30, 2011. Moneys
 30 16 deposited into the fund are appropriated to the treasurer of

Creates the Public Safety Enforcement Fund under the control of the State Treasurer.

CODE: Requires the State Court Administrator to allocate the first \$9,100,000 of court receipts received in FY 2011 to the State Treasurer for deposit in the Public Safety Enforcement Fund. Of the money allocated for deposit in the Victim Compensation Fund, the State Court Administrator will allocate to the State Treasurer for deposit in the Public Safety Enforcement Fund the first \$235,000 of the money received in FY 2011.

30 17 state for allocation as provided in subsection 2.

30 18 2. The treasurer of state shall allocate to the following
 30 19 entities the following amounts from the public safety
 30 20 enforcement fund for the fiscal year beginning July 1, 2010,
 30 21 and ending June 30, 2011:

30 22 a. To the department of corrections for operations
 30 23 including but not limited to drug courts and salaries and
 30 24 support for probation and parole officers, \$837,810, and
 30 25 of the amount allocated in this paragraph, \$402,810 shall
 30 26 be allocated by the department of corrections to the sixth
 30 27 judicial district department of correctional services, \$335,000
 30 28 shall be allocated to the fifth judicial district department of
 30 29 correctional services, and \$100,000 shall be allocated to the
 30 30 first judicial district department of correctional services.

30 31 b. To the department of corrections for salaries and
 30 32 support for correctional officers, \$2,497,190, and of the
 30 33 amount allocated in this paragraph, \$1,451,000 shall be
 30 34 allocated by the department of corrections for the operation
 30 35 of the Fort Madison correctional facility, \$846,190 shall be
 31 1 allocated for the operation of the Luster Heights facility, and
 31 2 \$200,000 shall be allocated for the operation of the Anamosa
 31 3 correctional facility.

31 4 c. To the department of public safety, \$150,000, for costs
 31 5 associated with the training and equipment needs of volunteer
 31 6 fire fighters.

31 7 d. To the department of public safety for salaries and
 31 8 support for sworn peace officers of the state patrol, \$300,000.

31 9 e. To the Iowa civil rights commission, \$100,000.

31 10 f. To the judicial branch, \$5,300,000.

31 11 g. To the department of justice for salaries and support,
 31 12 \$150,000.

31 13 3. Moneys remaining in the fund at or after the close of the
 31 14 fiscal year shall revert to the general fund of the state.

31 15 4. This section is repealed June 30, 2011.

Requires the State Treasurer to allocate money from the Public Safety Enforcement Fund in the following amounts to the following State agencies. This Section is repealed June 30, 2011.

- CBC District 1 - \$100,000
- CBC District 5 - \$335,000
- CBC District 6 - \$402,810
- Fort Madison Institution - \$1,451,000
- Anamosa Institution - \$200,000
- Luster Heights Correctional Facility - \$846,190
- Volunteer Fire Fighters - \$150,000
- Department of Public Safety - \$300,000
- Iowa Civil Rights Commission - \$100,000
- Judicial Branch - \$5,300,000
- Attorney General - \$150,000

31 17 GAMING ENFORCEMENT FUND AND MISCELLANEOUS PROVISIONS

31 18 Sec. 21. 2010 Iowa Acts, Senate File 2088, section 62, is
31 19 amended to read as follows:
31 20 SEC. 62. COMMUNITY=BASED CORRECTIONS == STATE
31 21 ~~ACCOUNTING~~ BUDGETING SYSTEM. Each judicial district
31 22 department of correctional services shall utilize the state
31 23 ~~accounting~~ budgeting system for purposes of tracking both
31 24 appropriations and expenditures. Each judicial district
31 25 department shall coordinate its ~~accounting~~ budgeting activities
31 26 with the department of management for purposes of implementing
31 27 the requirements of this section.

CODE: Clarifies that CBC District Departments are to report their financial data using the State budget system.

DETAIL: Current law requires the CBC District Departments to file their financial reports quarterly with the LSA.

31 28 Sec. 22. Section 8A.302, subsection 1, as amended by 2010
31 29 Iowa Acts, Senate File 2088, section 71, is amended to read as
31 30 follows:
31 31 1. Providing a system of uniform standards and
31 32 specifications for purchasing. When the system is developed,
31 33 all items of general use shall be purchased by state agencies
31 34 through the department, except items provided for under
31 35 section 904.808 or items used by the state board of regents
32 1 and institutions under the control of the state board of
32 2 regents. However, the department may authorize the department
32 3 of transportation, the department for the blind, and any other
32 4 agencies otherwise exempted by law from centralized purchasing,
32 5 to directly purchase items used by those agencies without going
32 6 through the department, if the department of administrative
32 7 services determines such purchasing is in the best interests
32 8 of the state. However, items of general use may be purchased
32 9 through the department by any governmental entity.

CODE: Corrective language for the waiver process for State agencies to purchase products from Iowa Prison Industries.

DETAIL: This Section amends language in SF 2088 (Government Reorganization and Efficiency Act).

32 10 Sec. 23. NEW SECTION . 80.43 Gaming enforcement ==
32 11 revolving fund.
32 12 1. A gaming enforcement revolving fund is created in the
32 13 state treasury under the control of the department. The fund
32 14 shall consist of fees collected and deposited into the fund

CODE: Creates the Gaming Enforcement Revolving Fund under the control of the DPS for the collection of fees for direct and indirect costs paid by licensees for the regulation of boats and racetracks by the Division of Criminal Investigation.

32 15 paid by licensees pursuant to section 99D.14, subsection 2,
32 16 paragraph "b", and fees paid by licensees pursuant to section
32 17 99F.10, subsection 4, paragraph "b". All costs for agents and
32 18 officers plus any direct and indirect support costs for such
32 19 agents and officers of the division of criminal investigation's
32 20 racetrack, excursion boat, or gambling structure enforcement
32 21 activities shall be paid from the fund as provided in
32 22 appropriations made for this purpose by the general assembly.

DETAIL: These funds will be used to support 115.00 FTE positions for gaming enforcement at an estimated cost of \$8,851,775.

NOTE: House File 2531 (FY 2011 Standing Appropriations Act) increased the limit by \$463,531 to \$9,315,306 to allow Public Safety to bill for all direct and indirect costs.

32 23 2. To meet the department's cash flow needs, the department
32 24 may temporarily use funds from the general fund of the state
32 25 to pay expenses in excess of moneys available in the revolving
32 26 fund if those additional expenditures are fully reimbursable
32 27 and the department reimburses the general fund of the state
32 28 and ensures all moneys are repaid in full by the close of the
32 29 fiscal year. Because any general fund moneys used shall be
32 30 fully reimbursed, such temporary use of funds from the general
32 31 fund of the state shall not constitute an appropriation for
32 32 purposes of calculating the state general fund expenditure
32 33 limitation pursuant to section 8.54.

CODE: Permits the DPS to temporarily use General Fund money to provide cash flow for the Gaming Enforcement Revolving Fund and requires the DPS to repay all money used for cash flow purposes by the end of the fiscal year.

32 34 3. Section 8.33 does not apply to any moneys credited or
32 35 appropriated to the revolving fund from any other fund and,
33 1 notwithstanding section 12C.7, subsection 2, earnings or
33 2 interest on moneys deposited in the revolving fund shall be
33 3 credited to the revolving fund.

CODE: Requires nonreversion of funds appropriated to the Gaming Enforcement Revolving Fund. Requires interest earnings to be retained in the Fund.

33 4 Sec. 24. Section 99D.14, subsection 2, Code 2009, is amended
33 5 to read as follows:

33 6 2. a. A licensee shall pay a regulatory fee to be charged
33 7 as provided in this section. In determining the regulatory fee
33 8 to be charged as provided under this section, the commission
33 9 shall use the amount appropriated to the commission plus the
33 10 cost of salaries for no more than two special agents for each
33 11 racetrack that has not been issued a table games license under

CODE: Requires gambling regulation receipts to be deposited in the Gaming Enforcement Revolving Fund rather than being deposited in the General Fund.

33 12 chapter 99F or no more than three special agents for each
33 13 racetrack that has been issued a table games license under
33 14 chapter 99F, plus any direct and indirect support costs for the
33 15 agents, for the division of criminal investigation's racetrack
33 16 activities, as the basis for determining the amount of revenue
33 17 to be raised from the regulatory fee.
33 18 b. Notwithstanding sections 8.60 and 99D.17, the portion of
33 19 the fee paid pursuant to paragraph "a" relating to the costs
33 20 of special agents plus any direct and indirect support costs
33 21 for the agents, for the division of criminal investigation's
33 22 racetrack activities, shall not be deposited in the general
33 23 fund of the state but instead shall be deposited into the
33 24 gaming enforcement revolving fund established in section 80.43.

33 25 Sec. 25. Section 99F.10, subsection 4, Code 2009, is amended
33 26 to read as follows:

33 27 4. a. In determining the license fees and state regulatory
33 28 fees to be charged as provided under section 99F.4 and this
33 29 section, the commission shall use as the basis for determining
33 30 the amount of revenue to be raised from the license fees and
33 31 regulatory fees the amount appropriated to the commission
33 32 plus the cost of salaries for no more than two special agents
33 33 for each excursion gambling boat or gambling structure and no
33 34 more than four gaming enforcement officers for each excursion
33 35 gambling boat or gambling structure with a patron capacity of
34 1 less than two thousand persons or no more than five gaming
34 2 enforcement officers for each excursion gambling boat or
34 3 gambling structure with a patron capacity of at least two
34 4 thousand persons, plus any direct and indirect support costs
34 5 for the agents and officers, for the division of criminal
34 6 investigation's excursion gambling boat or gambling structure
34 7 activities.

34 8 b. Notwithstanding sections 8.60 and 99F.4, the portion of
34 9 the fee paid pursuant to paragraph "a" relating to the costs
34 10 of special agents and officers plus any direct and indirect
34 11 support costs for the agents and officers, for the division of
34 12 criminal investigation's excursion gambling boat or gambling

CODE: Requires gambling regulation receipts to be deposited in the Gaming Enforcement Revolving Fund rather than being deposited in the General Fund.

34 13 structure activities, shall not be deposited in the general
34 14 fund of the state but instead shall be deposited into the
34 15 gaming enforcement revolving fund established in section 80.43.

34 16 Sec. 26. Section 809A.17, subsection 5, Code 2009, is
34 17 amended by adding the following new paragraph:
34 18 NEW PARAGRAPH . e. If the forfeited property is cash or
34 19 proceeds from the sale of real property the distribution of the
34 20 forfeited property shall be as follows:
34 21 (1) The department of justice shall not retain more than
34 22 ten percent of the gross sale of any forfeited real property.
34 23 The balance of the proceeds shall be distributed to the
34 24 seizing agency for use by the agency or for division among
34 25 law enforcement agencies and county attorneys pursuant to any
34 26 agreement entered into by the seizing agency.
34 27 (2) The department of justice shall not retain more than
34 28 ten percent of any forfeited cash. The balance shall be
34 29 distributed to the seizing agency for use by the agency or for
34 30 division among law enforcement agencies and county attorneys
34 31 pursuant to any agreement entered into by the seizing agency.
34 32 (3) In the event of a cash forfeiture in excess of four
34 33 hundred thousand dollars the distribution of forfeited cash
34 34 shall be as follows:
34 35 (a) Forty=five percent shall be retained by the seizing
35 1 agency.
35 2 (b) Forty=five percent shall be distributed to other law
35 3 enforcement agencies within the region of the seizing agency.
35 4 (c) Ten percent shall be retained by the department of
35 5 justice.

35 6 Sec. 27. Section 904.315, subsection 2, Code Supplement
35 7 2009, is amended to read as follows:
35 8 2. A contract is not required for improvements at a state
35 9 institution where the labor of inmates is to be used if the
35 10 contract is not for a construction, reconstruction, demolition,
35 11 or repair project or improvement with an estimated cost in

CODE: Requires the Department of Justice to retain 10.00% of the cash or proceeds from the sale of forfeited property and 90.00% is to be distributed to the seizing agencies.

CODE: Increases the dollar value cap on the use of inmate labor from \$50,000 per project to \$100,000 per maintenance project.

35 12 excess of ~~fifty~~ one hundred thousand dollars.

35 13 Sec. 28. Section 904A.4B, Code 2009, is amended to read as
35 14 follows:

35 15 904A.4B Executive director of the board of parole == duties.

35 16 1. The chief administrative officer of the board of
35 17 parole shall be the executive director , except as provided in
35 18 subsection 2 . The executive director shall be appointed by the
35 19 chairperson, subject to the approval of the board and shall
35 20 serve at the pleasure of the board. The executive director
35 21 shall do all of the following:

35 22 ~~1-~~ a. Advise the board on matters relating to parole,
35 23 work release, and executive clemency, and advise the board on
35 24 matters involving automation and word processing.

35 25 ~~2-~~ b. Carry out all directives of the board.

35 26 ~~3-~~ c. Hire and supervise all of the board's staff pursuant
35 27 to the provisions of chapter 8A, subchapter IV.

35 28 ~~4-~~ d. Act as the board's liaison with the general assembly.

35 29 ~~5-~~ e. Prepare a budget for the board, subject to the
35 30 approval of the board, and prepare all other reports required
35 31 by law.

35 32 ~~6-~~ f. Develop long-range parole and work release planning,
35 33 in cooperation with the department of corrections.

35 34 2. If an executive director is not appointed as provided in
35 35 subsection 1, the chairperson shall serve as acting executive
36 1 director and perform the administrative duties under subsection

36 2 1.

36 3 Sec. 29. IOWA COMMUNICATIONS NETWORK. It is the
36 4 intent of the general assembly that the executive branch
36 5 agencies receiving an appropriation in this Act utilize
36 6 the Iowa communications network or secure other electronic
36 7 communications in lieu of traveling for the fiscal year
36 8 addressed by the appropriations.

CODE: Permits the Chairperson of the Board of Parole to serve as
Acting Executive Director if necessary.

Encourages State agencies that receive an appropriation in this Act to
utilize the Iowa Communications Network in lieu of travel.

36 9 Sec. 30. HOMELAND SECURITY AND EMERGENCY MANAGEMENT

Permits continued funding from the Wireless E911 Emergency

36 10 DIVISION. There is appropriated from the wireless E911
 36 11 emergency communications fund created in section 34A.7A to the
 36 12 administrator of the homeland security and emergency management
 36 13 division of the department of public defense for the fiscal
 36 14 year beginning July 1, 2010, and ending June 30, 2011, an
 36 15 amount not exceeding \$200,000 to be used for implementation,
 36 16 support, and maintenance of the functions of the administrator
 36 17 and program manager under chapter 34A and to employ the auditor
 36 18 of the state to perform an annual audit of the wireless E911
 36 19 emergency communications fund.

Communications Fund for the E911 Program Manager in the
 Homeland Security and Emergency Management Division of the
 Department of Public Defense through FY 2011.

DETAIL: The Division receives up to \$200,000 and 2.00 FTE
 positions for the administration of the wireless E911 service and to
 employ the State Auditor to perform an annual audit on the Fund.

36 20 Sec. 31. CORRECTIONAL OFFICER AND PEACE OFFICER ==
 36 21 PRIORITY. As a condition of receiving an appropriation in
 36 22 this Act, the department of corrections and the department of
 36 23 public safety shall make every effort to preserve correctional
 36 24 officer and peace officer positions through the reduction of
 36 25 administrative and related overhead costs.

Requires the DOC and the DPS to preserve correctional and peace
 officer positions by reducing administrative costs.

36 26 DIVISION V

36 27 SCHEDULED FINES == CORRESPONDING AMENDMENTS

CODE: Makes conforming amendments to Iowa Code Chapter 321.

36 28 Sec. 32. Section 321.17, Code 2009, is amended to read as
 36 29 follows:

36 30 321.17 Misdemeanor to violate registration provisions.

36 31 It is a simple misdemeanor punishable as a scheduled
 36 32 violation under section 805.8A, subsection 2, ~~paragraph~~
 36 33 "~~b~~", for any person to drive or move or for an owner knowingly
 36 34 to permit to be driven or moved upon the highway a vehicle of
 36 35 a type required to be registered under this chapter which is
 37 1 not registered, or for which the appropriate fees have not been
 37 2 paid, except as provided in section 321.109, subsection 3.

37 3 Sec. 33. Section 321.47, subsection 4, Code 2009, is amended
 37 4 to read as follows:

37 5 4. A person convicted of a violation of this section is
 37 6 guilty of a simple misdemeanor punishable as a scheduled

37 7 violation under section 805.8A, subsection 2, ~~paragraph "b"~~ .
37 8 Sec. 34. Section 321.98, Code 2009, is amended to read as
37 9 follows:
37 10 321.98 Operation without registration.
37 11 A person shall not operate, and an owner shall not knowingly
37 12 permit to be operated upon any highway any vehicle required
37 13 to be registered and titled hereunder unless there shall be
37 14 attached thereto and displayed thereon when and as required by
37 15 this chapter a valid registration card and registration plate
37 16 or plates issued therefor for the current registration year and
37 17 unless a certificate of title has been issued for such vehicle
37 18 except as otherwise expressly permitted in this chapter. Any
37 19 violation of this section is a simple misdemeanor punishable
37 20 as a scheduled violation under section 805.8A, subsection 2, ~~paragraph "b"~~ .
37 21 ~~paragraph "b"~~ .
37 22 Sec. 35. Section 321.99, Code 2009, is amended to read as
37 23 follows:
37 24 321.99 Fraudulent use of registration.
37 25 A person shall not knowingly lend to another a registration
37 26 card, registration plate, special plate, or permit issued to
37 27 the person if the other person desiring to borrow the card,
37 28 plate, or permit would not be entitled to the use of it. A
37 29 person shall not knowingly permit the use of a registration
37 30 card, registration plate, special plate, or permit issued
37 31 to the person by one not entitled to it, nor shall a person
37 32 knowingly display upon a vehicle a registration card,
37 33 registration plate, special plate, or permit not issued for
37 34 that vehicle under this chapter. A person convicted of a
37 35 violation of this section is guilty of a simple misdemeanor
38 1 punishable as a scheduled violation under section 805.8A,
38 2 subsection 2, ~~paragraph "d"~~ .
38 3 Sec. 36. Section 321.104, unnumbered paragraph 1, Code
38 4 2009, is amended to read as follows:
38 5 It is a simple misdemeanor punishable as a scheduled
38 6 violation under section 805.8A, subsection 2, ~~paragraph~~
38 7 ~~"e"~~, for any person to commit any of the following acts:
38 8 Sec. 37. Section 321.115, subsection 4, Code 2009, is
38 9 amended to read as follows:

38 10 4. A person convicted of a violation of this section is
38 11 guilty of a simple misdemeanor punishable as a scheduled
38 12 violation under section 805.8A, subsection 2, ~~paragraph "b"~~ .
38 13 Sec. 38. Section 321.115A, subsection 3, Code Supplement
38 14 2009, is amended to read as follows:
38 15 3. A person convicted of a violation of this section is
38 16 guilty of a simple misdemeanor punishable as a scheduled
38 17 violation under section 805.8A, subsection 2, ~~paragraph "b"~~ .
38 18 Sec. 39. Section 321.193, unnumbered paragraph 4, Code
38 19 2009, is amended to read as follows:
38 20 It is a simple misdemeanor punishable as a scheduled
38 21 violation under section 805.8A, subsection 4, ~~paragraph~~
38 22 ~~"a"~~, for a person to operate a motor vehicle in any manner in
38 23 violation of the restrictions imposed on a restricted license
38 24 issued to that person under this section.
38 25 Sec. 40. Section 321.216, unnumbered paragraph 1, Code
38 26 2009, is amended to read as follows:
38 27 It is a simple misdemeanor punishable as a scheduled
38 28 violation under section 805.8A, subsection 4, ~~paragraph~~
38 29 ~~"b"~~, for any person:
38 30 Sec. 41. Section 321.216B, Code 2009, is amended to read as
38 31 follows:
38 32 321.216B Use of driver's license or nonoperator's
38 33 identification card by underage person to obtain alcohol.
38 34 A person who is under the age of twenty-one, who alters
38 35 or displays or has in the person's possession a fictitious
39 1 or fraudulently altered driver's license or nonoperator's
39 2 identification card and who uses the license to violate or
39 3 attempt to violate section 123.47, commits a simple misdemeanor
39 4 punishable as a scheduled violation under section 805.8A,
39 5 subsection 4, ~~paragraph "c"~~ . The court shall forward a copy of
39 6 the conviction to the department.
39 7 Sec. 42. Section 321.216C, Code 2009, is amended to read as
39 8 follows:
39 9 321.216C Use of driver's license or nonoperator's
39 10 identification card by underage person to obtain cigarettes or
39 11 tobacco products.
39 12 A person who is under the age of eighteen, who alters

39 13 or displays or has in the person's possession a fictitious
39 14 or fraudulently altered driver's license or nonoperator's
39 15 identification card and who uses the license or card to violate
39 16 or attempt to violate section 453A.2, subsection 2, commits a
39 17 simple misdemeanor punishable as a scheduled violation under
39 18 section 805.8A, subsection 4 ~~, paragraph "c"~~. The court shall
39 19 forward a copy of the conviction to the department.
39 20 Sec. 43. Section 321.219, unnumbered paragraph 2, Code
39 21 2009, is amended to read as follows:
39 22 A person convicted of a violation of this section is guilty
39 23 of a simple misdemeanor punishable as a scheduled violation
39 24 under section 805.8A, subsection 4 ~~, paragraph "c"~~.
39 25 Sec. 44. Section 321.220, unnumbered paragraph 2, Code
39 26 2009, is amended to read as follows:
39 27 A person convicted of a violation of this section is guilty
39 28 of a simple misdemeanor punishable as a scheduled violation
39 29 under section 805.8A, subsection 4 ~~, paragraph "c"~~.
39 30 Sec. 45. Section 321.234A, subsection 4, Code 2009, is
39 31 amended to read as follows:
39 32 4. A person convicted of a violation of this section is
39 33 guilty of a simple misdemeanor punishable as a scheduled
39 34 violation under section 805.8A, subsection 3 ~~, paragraph "f"~~.
39 35 Sec. 46. Section 321.247, unnumbered paragraph 2, Code
40 1 2009, is amended to read as follows:
40 2 A person convicted of a violation of this section is guilty
40 3 of a simple misdemeanor punishable as a scheduled violation
40 4 under section 805.8A, subsection 3 ~~, paragraph "f"~~.
40 5 Sec. 47. Section 321.302, subsection 4, Code 2009, is
40 6 amended to read as follows:
40 7 4. A person convicted of a violation of this section is
40 8 guilty of a simple misdemeanor punishable as a scheduled
40 9 violation under section 805.8A, subsection 6 ~~, paragraph "d"~~.
40 10 Sec. 48. Section 321.327, unnumbered paragraph 2, Code
40 11 2009, is amended to read as follows:
40 12 A person convicted of a violation of this section is guilty
40 13 of a simple misdemeanor punishable as a scheduled violation
40 14 under section 805.8A, subsection 7 ~~, paragraph "b"~~.
40 15 Sec. 49. Section 321.366, unnumbered paragraph 3, Code

40 16 2009, is amended to read as follows:
40 17 Violations of this section are punishable as a scheduled
40 18 violation under section 805.8A, subsection 6, ~~paragraph "d"~~ .
40 19 Sec. 50. Section 321.381, Code 2009, is amended to read as
40 20 follows:
40 21 321.381 Movement of unsafe or improperly equipped vehicles.
40 22 It is a simple misdemeanor punishable as a scheduled
40 23 violation under section 805.8A, subsection 3, ~~paragraph~~
40 24 "~~f~~", for any person to drive or move or for the owner to cause
40 25 or knowingly permit to be driven or moved on any highway any
40 26 vehicle or combination of vehicles which is in such unsafe
40 27 condition as to endanger any person, or which does not contain
40 28 those parts or is not at all times equipped with such lamps and
40 29 other equipment in proper condition and adjustment as required
40 30 in this chapter, or which is equipped with one or more unsafe
40 31 tires or which is equipped in any manner in violation of this
40 32 chapter.
40 33 Sec. 51. Section 321.383, unnumbered paragraph 1, Code
40 34 2009, is amended to read as follows:
40 35 Any person who violates any provision of this section shall
41 1 be fined as provided in section 805.8A, subsection 3, ~~paragraph~~
41 2 "~~d~~" .
41 3 Sec. 52. Section 321.404A, subsection 2, Code 2009, is
41 4 amended to read as follows:
41 5 2. A person who violates this section shall be subject to a
41 6 scheduled fine under section 805.8A, subsection 3, ~~paragraph~~
41 7 "~~e~~" .
41 8 Sec. 53. Section 321.421, unnumbered paragraph 2, Code
41 9 2009, is amended to read as follows:
41 10 A person convicted of a violation of this section is guilty
41 11 of a simple misdemeanor punishable as a scheduled violation
41 12 under section 805.8A, subsection 3, ~~paragraph "d"~~ .

| Offense Code | Scheduled and Non-Scheduled Violations | #Guilty | Original Fine | SF2378 |
|-----------------|---|---------|---------------|--------|
| 126.23A(2)-A | PURCHASE OF PSEUDOEPHEDRINE - 1ST OFFENSE | 45 | \$100 | \$200 |
| 321.104(1) | OPERATION W/CANCELED TITLE OR SUS. OR REV. REG. | 29 | \$50 | \$100 |
| 321.104(2) | FAILURE TO OBTAIN MFG. CERTIFICATE/TITLE - | 43 | \$50 | \$100 |
| 321.104(3) | FAILURE TO SURRENDER PLATES, TITLE OR REGIST. | 11 | \$50 | \$100 |
| 321.104(4) | FAILURE TO DELIVER TITLE AS REQUIRED | 17 | \$50 | \$100 |
| 321.104(5) | PENAL OFFENSES AGAINST TITLE LAW | 10 | \$50 | \$100 |
| 321.17 | OPERATING NON REGISTERED VEHICLE - | 1,556 | \$30 | \$50 |
| 321.174 | FAILURE TO HAVE VALID LICENSE/PERMIT WHILE OPER. MOTOR VEH. | 17,465 | \$100 | \$200 |
| 321.174A | OPERATION OF MOTOR VEHICLE WITH EXPIRED LICENSE | 2,415 | \$30 | \$50 |
| 321.180 | VIOLATION OF INSTRUCTION PERMIT LIMITATION - | 390 | \$30 | \$50 |
| 321.180B | VIOLATION OF GRADUATED DRIVERS LICENSE CONDITIONS | 333 | \$30 | \$50 |
| 321.193 | VIOL OF CONDITIONS OF RESTRICTED LICENSE - | 804 | \$30 | \$50 |
| 321.194 | VIOL OF CONDITIONS OF MINOR'S SCHOOL LICENSE - | 145 | \$30 | \$50 |
| 321.208(a) | DNU - TWENTY-FOUR HOUR OUT OF SERVICE ORDER VIOLATION | 4 | \$100 | \$200 |
| 321.216 | UNLAWFUL USE OF LICENSE - | 457 | \$75 | \$100 |
| 321.216B | MISUSE OF LIC OR ID CARD TO ACQUIRE ALCOHOL | 82 | \$100 | \$200 |
| 321.216C | MISUSE OF LIC OR ID CARD TO ACQUIRE TOBACCO | 3 | \$100 | \$200 |
| 321.219 | PERMITTING UNAUTHORIZED MINOR TO DRIVE | 116 | \$100 | \$200 |
| 321.220 | PERMITTING UNAUTHORIZED PERSON TO DRIVE | 551 | \$100 | \$200 |
| 321.229 | FAIL TO COMPLY W/ ORDER OF PEACE OFFICER - | 52 | \$35 | \$100 |
| 321.231 | FAIL OF CAUTION BY DRIVER OF EMERGENCY VEHICLE - | 7 | \$35 | \$100 |
| 321.232 | RADAR JAMMING DEVICES - | 5 | \$50 | \$100 |
| 321.234 | FAILURE TO OBSERVE SEATING REQUIREMENTS - | 4 | \$15 | \$25 |
| 321.247 | UNLAWFUL GOLF CART OPERATION | 8 | \$50 | \$100 |
| 321.25 | IMPROPER USE OF REGISTRATION CARD - 1992 | 22 | \$50 | \$100 |
| 321.256 | FAIL TO OBEY TRAFFIC CONTROL DEVICE | 3,286 | \$35 | \$100 |
| 321.257(2)(a)-A | VEHICLES FAIL TO RESPOND TO STEADY RED SIGNAL | 527 | \$35 | \$100 |
| 321.257(2)(b)-A | VEHICLES FAIL TO RESPOND TO YELLOW CAUTION SIGNAL | 42 | \$35 | \$100 |
| 321.257(2)(d) | FAIL TO YIELD TO PED. IN CROSSWALK UNDER GREEN ARROW | 5 | \$35 | \$100 |
| 321.257(2)(e) | FAIL TO OBEY FLASHING RED STOP SIGNAL | 100 | \$35 | \$100 |
| 321.257(2)(f) | FAIL TO RESPOND TO FLASHING YELLOW CAUTION SIGNAL | 6 | \$35 | \$100 |
| 321.257(2)(g) | PEDESTRIAN FAILURE TO OBEY "DON'T WALK" LIGHT | 11 | \$15 | \$25 |
| 321.257(2)(h) | FAIL TO YIELD TO PEDESTRIAN WITHIN INTERSECTION | 24 | \$35 | \$100 |
| 321.275-A | (1-7)MOTORCYCLE AND MOTORIZED BIKE VIOLATION - | 27 | \$25 | \$35 |
| 321.275-B | (8) FAILURE TO DISPLAY SAFETY FLAG - | 17 | \$15 | \$25 |
| 321.277A | CARELESS DRIVING | 1,371 | \$25 | \$35 |
| 321.284 | OPEN CONTAINER - DRIVER | 1,808 | \$100 | \$200 |
| 321.284A | OPEN CONTAINER - PASSENGER | 2,548 | \$100 | \$200 |
| 321.285-A | SPEEDING < 55 (1 THRU 5 OVER) - | 11,916 | \$10 | \$20 |
| 321.285-B | SPEEDING < 55 (6 THRU 10 OVER) - | 58,210 | \$20 | \$40 |
| 321.285-C | SPEEDING < 55 (11 THRU 15 OVER) - | 15,766 | \$30 | \$80 |
| 321.285-D | SPEEDING < 55 (16 THRU 20) - | 5,905 | \$40 | \$90 |
| 321.285-E | SPEEDING < 55 (20 MPH OVER +\$5.00 EA MILE) | 3,728 | \$40 | \$100 |
| 321.285-F | SPEEDING > 55 (1 THRU 5 OVER) - | 6,390 | \$20 | \$20 |
| 321.285-G | SPEEDING > 55 (6 THRU 10 OVER) - | 24,269 | \$40 | \$40 |
| 321.285-H | SPEEDING > 55 (11 THRU 15 OVER) - | 9,380 | \$60 | \$80 |
| 321.285-I | SPEEDING > 55 (16 THRU 20) - | 3,748 | \$80 | \$90 |
| 321.285-J | SPEEDING > 55 (OVER 20 MPH OVER + \$5.00 EA MILE) | 2,703 | \$90 | \$100 |
| 321.285-S | SPEEDING - SCHOOL BUS (1 THRU 10) | 4 | \$35 | \$100 |
| 321.288 | FAIL TO MAINTAIN CONTROL - | 4,683 | \$35 | \$100 |
| 321.294 | FAIL TO MAINTAIN MINIMUM SPEED - | 10 | \$35 | \$100 |
| 321.295 | EXCESSIVE SPEED ON BRIDGE - | 3 | \$30 | \$50 |
| 321.297 | DRIVING ON WRONG SIDE OF TWO WAY HIGHWAY - | 359 | \$35 | \$100 |
| 321.298 | FAIL TO YIELD HALF OF ROADWAY WHEN MEETING VEHICLE - | 133 | \$35 | \$100 |
| 321.299 | PASSING ON WRONG SIDE - | 28 | \$35 | \$100 |
| 321.302 | DNU - IMPROPER OVERTAKING ON RIGHT | 80 | \$50 | \$100 |
| 321.302 | OVERTAKING AND PASSING | 63 | \$50 | \$100 |
| 321.303 | UNSAFE PASSING - | 369 | \$35 | \$100 |

| Offense Code | Scheduled and Non-Scheduled Violations | #Guilty | Original Fine | SF2378 |
|---------------|--|---------|---------------|--------|
| 321.304(1) | PASSING ON GRADE OR HILL - | 30 | \$35 | \$100 |
| 321.304(2) | PASSING TO NEAR BRIDGE, INTERSECT OR RR - | 161 | \$35 | \$100 |
| 321.304(3) | PASSING CONTRARY TO HIGHWAY SIGN/MARKING - | 598 | \$35 | \$100 |
| 321.305 | VIOLATING ONEWAY TRAFFIC DESIGNATION - 1978 | 281 | \$35 | \$100 |
| 321.306 | IMPROPER USE OF LANES - | 855 | \$35 | \$100 |
| 321.307 | FOLLOWING TOO CLOSE - | 889 | \$35 | \$100 |
| 321.308 | FOLLOWING TOO CLOSE (TRUCKS AND TOWING VEHICLES) - | 123 | \$35 | \$100 |
| 321.309 | FAIL TO USE APPROVED DRAWBAR - | 13 | \$25 | \$35 |
| 321.310 | UNLAWFUL TOWING OF FOUR WHEELED TRAILER - | 2 | \$25 | \$35 |
| 321.311 | TURNING FROM IMPROPER LANE - | 236 | \$35 | \$100 |
| 321.312 | MAKING UTURN ON CURVE OR HILL - | 22 | \$35 | \$100 |
| 321.313 | UNSAFE STARTING OF A STOPPED VEHICLE - | 75 | \$35 | \$100 |
| 321.314 | UNSAFE TURN OR FAIL TO GIVE SIGNAL - | 276 | \$35 | \$100 |
| 321.315 | FAIL TO GIVE CONTINUOUS TURN SIGNAL - | 147 | \$25 | \$35 |
| 321.316 | FAIL TO SIGNAL STOP OR RAPID DECELERATION - | 21 | \$25 | \$35 |
| 321.317 | SIGNAL LIGHT REQUIREMENT - | 12 | \$10 | \$20 |
| 321.319 | FAIL TO YIELD TO VEHICLE ON RIGHT - | 240 | \$35 | \$100 |
| 321.32 | FAIL TO CARRY REGISTRATION CARD - | 1,901 | \$10 | \$20 |
| 321.320 | FAIL TO YIELD UPON LEFT TURN - | 964 | \$35 | \$100 |
| 321.321 | FAIL TO YIELD UPON ENTERING THROUGH HIGHWAY - | 1,021 | \$35 | \$100 |
| 321.322 | FAIL TO OBEY STOP OR YIELD SIGN - | 5,928 | \$35 | \$100 |
| 321.323 | UNSAFE BACKING ON HIGHWAY - | 312 | \$35 | \$100 |
| 321.323A | UNSAFE APPROACH TO CERTAIN STATIONARY VEHICLES | 843 | \$50 | \$100 |
| 321.324 | FAIL TO YIELD TO EMERGENCY VEHICLE - | 268 | \$50 | \$100 |
| 321.325 | PEDESTRIAN DISOBEYING TRAFFIC CONTROL SIGNAL - | 10 | \$15 | \$25 |
| 321.326 | PEDESTRIAN WALKING ON WRONG SIDE OF HIGHWAY - | 1 | \$15 | \$25 |
| 321.327 | FAIL TO YIELD TO PEDESTRIANS' RIGHT OF WAY | 37 | \$35 | \$100 |
| 321.328 | PEDESTRIAN FAILING TO USE CROSSWALK - | 16 | \$15 | \$25 |
| 321.329 | VEHICLE FAILING TO YIELD TO PEDESTRIAN - | 17 | \$35 | \$100 |
| 321.331 | SOLICITING RIDE FROM W/I ROADWAY - | 4 | \$15 | \$25 |
| 321.332 | UNLAWFUL USE OF WHITE CANE - | 1 | \$15 | \$25 |
| 321.34 | REGISTRATION VIOLATION - | 1,361 | \$10 | \$20 |
| 321.340 | DRIVING IN OR THROUGH SAFETY ZONE - | 10 | \$35 | \$100 |
| 321.341 | FAIL TO PROPERLY STOP AT RR - | 145 | \$100 | \$200 |
| 321.342 | FAIL TO OBEY STOP SIGN AT RR - | 158 | \$100 | \$200 |
| 321.343(1) | FAILURE TO STOP CERTAIN CARGO OR PASSGR VEH AT RR XING | 6 | \$100 | \$200 |
| 321.343(2)(a) | CMV-FAIL TO SLOW/CHECK RR CROSSING | 1 | \$100 | \$200 |
| 321.343(2)(b) | CMV-FAIL TO STOP/RR TRACK NOT CLEAR | 3 | \$100 | \$200 |
| 321.343(2)(c) | CMV-BLOCKS RR CROSSING | 1 | \$100 | \$200 |
| 321.343(2)(d) | CMV-DISOBEYS TRAFFIC CONTROL AT RR | 3 | \$100 | \$200 |
| 321.353 | UNSAFE ENTRY ONTO SIDEWALK OR ROADWAY - | 116 | \$35 | \$100 |
| 321.354(1) | STOPPING ON PAVED PART OF HIGHWAY | 113 | \$35 | \$100 |
| 321.354(2) | STOPPING ON TRAVELED PART OF UNPAVED HIGHWAY | 16 | \$35 | \$100 |
| 321.362 | PARKING W/O STOPPING ENGINE & SETTING BRAKE - | 13 | \$10 | \$20 |
| 321.363 | DRIVING W/ OBSTRUCTED VIEW OR CONTROL - | 76 | \$25 | \$35 |
| 321.365 | COASTING UPON DOWNGRADE - | 2 | \$25 | \$35 |
| 321.366 | IMPROPER USE OF MEDIAN, CURB, OR ACC FACILITY - | 311 | \$50 | \$100 |
| 321.367 | FAIL TO MAINTAIN DISTANCE FROM FF VEHICLE - | 1 | \$35 | \$100 |
| 321.368 | CROSSING UNPROTECTED FIRE HOSE - | 1 | \$35 | \$100 |
| 321.369 | DEPOSITING OR THROWING LITTER - | 365 | \$70 | \$70 |
| 321.37 | FAIL TO DISPLAY REGISTRATION PLATE - | 4,149 | \$10 | \$20 |
| 321.370 | REMOVING INJURIOUS MATERIAL - | 1 | \$70 | \$70 |
| 321.372(1) | FAIL OF SCHOOL BUS DRIVER TO SIGNAL - | 9 | \$35 | \$100 |
| 321.372(3) | UNLAWFUL PASSING OF SCHOOL BUS - | 685 | \$100 | \$200 |
| 321.38 | FAIL TO MAINTAIN REGISTRATION PLATE - | 554 | \$10 | \$20 |
| 321.381 | DRIVING OR TOWING UNSAFE VEHICLE - | 147 | \$50 | \$100 |
| 321.381A | IMPROPER OPERATION OF LOW-SPEED VEHICLE | 3 | \$50 | \$100 |
| 321.383 | FAIL TO DISP REFLECT DEV ON SLOW MOVING VEHICLE - | 20 | \$20 | \$30 |

| Offense Code | Scheduled and Non-Scheduled Violations | #Guilty | Original Fine | SF2378 |
|--------------|--|---------|---------------|--------|
| 321.384 | FAIL TO USE HEADLAMPS WHEN REQUIRED - 1978 | 361 | \$20 | \$30 |
| 321.385 | INSUFFICIENT NUMBER OF HEADLAMPS - | 178 | \$20 | \$30 |
| 321.387 | IMPROPER REAR LAMP - | 533 | \$10 | \$20 |
| 321.388 | IMPROPER REGISTRATION PLATE LAMP - | 267 | \$10 | \$20 |
| 321.389 | IMPROPER REAR REFLECTOR - | 5 | \$10 | \$20 |
| 321.390 | INCLUDED IN SECTION 753.15(2)(1) REFLECT. REQUIRE. - | 1 | \$10 | \$20 |
| 321.392 | IMPROPER CLEAR LIGHTING ON TRUCK OR TRAILER - | 3 | \$10 | \$20 |
| 321.393 | LIGHTING DEVICE COLOR AND MOUNTING - | 22 | \$10 | \$20 |
| 321.394 | NO LAMP OR FLAG ON REAR/PROJECTING LOAD - | 18 | \$25 | \$35 |
| 321.395 | PARKING ON CERTAIN ROADWAYS W/O PARKING LIGHTS - | 3 | \$35 | \$100 |
| 321.397 | IMPROPER LIGHT ON BICYCLE - | 59 | \$15 | \$25 |
| 321.398 | IMPROPER LIGHT ON OTHER VEHICLE - | 3 | \$20 | \$30 |
| 321.403 | IMPROPER USE OF AUXILIARY DRIVING LIGHTS - | 2 | \$20 | \$30 |
| 321.404 | IMPROPER BRAKE LIGHT - | 241 | \$20 | \$30 |
| 321.404A | USE OF LIGHT RESTRICTING DEVICE | 79 | \$15 | \$25 |
| 321.409 | IMPROPERLY ADJUSTED HEADLAMP - | 1 | \$20 | \$30 |
| 321.41 | FAIL TO GIVE NOTICE OF ADDRESS/NAME CHANGE - | 179 | \$10 | \$20 |
| 321.415 | FAILURE TO DIM - | 198 | \$20 | \$30 |
| 321.419 | IMPROPERLY HEADLIGHTING WHEN NIGHT DRIVING - | 43 | \$20 | \$30 |
| 321.420 | EXCESSIVE NUMBER OF DRIVING LIGHTS - | 4 | \$20 | \$30 |
| 321.421 | VIOLATION OF SPECIAL RESTRICTIONS ON LAMPS | 1 | \$20 | \$30 |
| 321.422 | LIGHTS OF IMPROPER COLOR / FRONT OR REAR - | 48 | \$10 | \$20 |
| 321.423(A) | UNAUTHORIZED USE OF EMERGENCY VEH LIGHTING EQUIP - | 15 | \$20 | \$30 |
| 321.423(B) | FAIL TO USE FLASH SIGNAL ON SLOW MOVING VEH - | 5 | \$20 | \$30 |
| 321.430 | DEFECTIVE BRAKING EQUIPMENT - | 39 | \$35 | \$100 |
| 321.432 | DEFECTIVE AUDIBLE WARNING DEVICE - | 7 | \$10 | \$20 |
| 321.433(A) | UNAUTHORIZED USE OF EMERG AUDIBLE WARN DEVICE - | 6 | \$20 | \$30 |
| 321.436 | DEFECTIVE OR UNAUTHORIZED MUFFLER SYSTEM - | 610 | \$10 | \$20 |
| 321.437-A | FAILURE TO MEET MIRROR REQUIREMENTS - | 22 | \$10 | \$20 |
| 321.437-B | FAILURE TO HAVE PROPER EXTERIOR MIRROR (TOWING) - | 1 | \$25 | \$35 |
| 321.438 | DNU - WINDSHIELD/WINDOWS REQUIREMENTS | 3 | \$15 | \$50 |
| 321.438(1) | WINDSHIELD AND WINDOW - OBSTRUCTED VISION | 516 | \$15 | \$50 |
| 321.438(2) | DARK WINDOW/WINDSHIELD | 9,193 | \$15 | \$50 |
| 321.438(3) | WINDSHIELD AND WINDOW REQUIREMENTS | 210 | \$15 | \$50 |
| 321.438-A | DNU - (1,3)WINDSHIELD/WINDOW REQUIREMENTS | 133 | \$15 | \$50 |
| 321.438-B | DNU - (2)DARK WINDOW/WINDSHIELD | 586 | \$15 | \$50 |
| 321.439 | DEFECTIVE WINDSHIELD WIPERS - | 5 | \$10 | \$20 |
| 321.440 | DEFECTIVE TIRES - | 112 | \$10 | \$20 |
| 321.441 | UNAUTHORIZED USE OF METAL TIRE OR TRACK - | 2 | \$10 | \$20 |
| 321.442 | UNAUTHORIZED USE OF METAL PROJ ON WHEELS - | 4 | \$10 | \$20 |
| 321.444 | FAIL TO USE SAFETY GLASS - | 15 | \$10 | \$20 |
| 321.445 | FAIL TO MAINTAIN SAFETY BELTS - | 32,220 | \$25 | \$50 |
| 321.446 | FAILURE TO SECURE CHILD - | 2,115 | \$25 | \$100 |
| 321.449 | VIOLATION - MOTOR CARRIER SAFETY REGULATIONS | 101 | \$25 | \$50 |
| 321.449-A | FAILURE TO COMPLY WITH SAFETY REG. RULES - | 19,040 | \$25 | \$50 |
| 321.449-B | OPERATION BY UNQUALIFIED DRIVER - | 2,314 | \$25 | \$50 |
| 321.449-C | MAX. HOURS OF SERVICE VIOLATION - | 6,975 | \$25 | \$50 |
| 321.449-E | PRESENCE OF ALCOHOL - CMV | 123 | \$25 | \$50 |
| 321.45 | FAILURE TO TRANSFER TITLE - | 159 | \$50 | \$100 |
| 321.450 | VIOLATION OF HAZARDOUS MATERIALS TRANSPORTATION | 365 | \$100 | \$200 |
| 321.454 | WIDTH VIOLATION | 319 | \$100 | \$200 |
| 321.455 | EXCESSIVE SIDE PROJ OF LOAD / PASSENGER VEH - | 9 | \$100 | \$200 |
| 321.456 | EXCESSIVE HEIGHT - | 35 | \$100 | \$200 |
| 321.457 | EXCESSIVE LENGTH - | 223 | \$100 | \$200 |
| 321.458 | EXCESSIVE PROJ FROM FRONT OF VEHICLE - | 5 | \$100 | \$200 |
| 321.46 | FAILURE TO TRANSFER TITLE WITHIN 15 DAYS - | 68 | \$50 | \$100 |
| 321.460 | SPILLING ON HIGHWAY - | 99 | \$100 | \$200 |
| 321.461 | EXCESSIVE TOW/BAR LENGTH - | 2 | \$25 | \$35 |

| Offense Code | Scheduled and Non-Scheduled Violations | #Guilty | Original Fine | SF2378 |
|--------------|--|---------|---------------|--------|
| 321.462 | FAIL TO USE REQUIRED TOWING EQUIPMENT - | 70 | \$25 | \$35 |
| 321.48 | VIOLATIONS OF TITLE - VEHICLES FOR RESALE | 1 | \$50 | \$100 |
| 321.52 | VIOLATIONS OF TITLE - OUT-OF-STATE JUNKED, DISMANTLED, WRECK | 7 | \$50 | \$100 |
| 321.54 | INTRA STATE HAULING ON FOREIGN REGISTRATION / 1 - | 46 | \$20 | \$30 |
| 321.55 | INTRA STATE HAULING ON FOREIGN REGISTRATION / 2 - | 13 | \$30 | \$50 |
| 321.57 | VIOLATION OF SPECIAL PLATE REQUIREMENTS | 24 | \$50 | \$100 |
| 321.62 | SPECIAL PLATES - RECORDS VIOLATION | 7 | \$50 | \$100 |
| 321.67(1) | NO CERTIFICATE OF TITLE UPON DISPOSAL - 1993 | 5 | \$50 | \$100 |
| 321.67(2) | FAILURE TO OBTAIN TITLE ON A MOTOR VEHICLE | 5 | \$50 | \$100 |
| 321.91 | ABANDONMENT OF A MOTOR VEHICLE | 42 | \$100 | \$200 |
| 321.98 | OPERATION W/O REGISTRATION - | 18,401 | \$30 | \$50 |
| 321.99 | IMPROPER USE OF REGISTRATION | 1,114 | \$100 | \$200 |
| 321E.16 | VIOLATIONS OF PERMIT (EXCEPT WEIGHT) | 311 | \$100 | \$200 |
| 321L.3 | FAILURE TO RETURN HANDICAPPED ID - | 4 | \$100 | \$200 |
| 321L.4(1) | IMPROPER USE OF HANDICAPPED ID DEVICE - | 12 | \$100 | \$200 |
| 321L.4(2) | IMPROPER USE OF A HANDICAPPED PARKING SPACE | 72 | \$100 | \$200 |
| 321L.7 | FAILURE TO PROVIDE HANDICAPPED PARKING SPACE SIGNS - | 1 | \$100 | \$200 |
| 325A.3(5) | FAILURE TO CARRY/EXHIBIT PERMIT | 94 | \$50 | \$100 |
| 325A.8 | VIOLATIONS OF REQUIRED MARKINGS | 12 | \$50 | \$100 |
| 327B.1(A) | NO OR IMPROPER CARRIER IDENTIFICATION - | 1 | \$50 | \$100 |
| 326.22 | FAILURE TO DISPLAY IDENTIFICATION | 63 | \$20 | \$50 |
| 326.23 | VIOLATION OF TRIP PERMITS | 386 | \$20 | \$50 |
| 321.47 | TRANSFERS BY OPERATION OF LAW | 0 | \$30 | \$100 |
| 321.382 | OPERATING AN UNDERPOWERED VEHICLE | 0 | \$15 | \$25 |
| 321.402 | IMPROPER USE OF A SPOTLIGHT | 0 | \$20 | \$30 |
| 321.333 | FAILURE TO YIELD TO A BLIND PERSON | 0 | \$35 | \$100 |
| 321.344 | UNLAWFUL MOVEMENT OF CONSTRUCTION EQUIPMENT ACROSS RR | 0 | \$100 | \$200 |
| 321.318 | INCORRECT HAND SIGNAL | 0 | \$25 | \$35 |
| 321.434 | USE OF SIREN OR WHISTLE ON BICYCLE | 0 | \$15 | \$25 |
| 321.115 | IMPROPER USE OF ANTIQUE PLATES | 0 | \$30 | \$30 |
| 321.115A | REPLICA VEHICLE/STREET ROD REGISTRATION | 0 | \$30 | \$30 |
| 321.386 | INSUFFICIENT NUMBER OF HEADLAMPS - MOTORCYCLES | 0 | \$10 | \$30 |
| 321.421 | VIOLATIONS OF SPECIAL RESTRICTIONS ON LAMPS | 0 | \$20 | \$30 |
| | The row in green was vetoed by the Governor. | | | |

Summary Data

General Fund

| | Actual FY 2009 <u>(1)</u> | Estimated Net FY 2010 <u>(2)</u> | Final Action FY 2011 <u>(3)</u> | Final Action vs. Est Net 2010 <u>(4)</u> | Bill Number <u>(5)</u> | Page and Line # <u>(6)</u> |
|--------------------|---------------------------------|--|---------------------------------------|--|------------------------------|----------------------------------|
| Justice System | \$ 532,710,567 | \$ 465,588,015 | \$ 484,054,572 | \$ 18,466,557 | | |
| Grand Total | <u>\$ 532,710,567</u> | <u>\$ 465,588,015</u> | <u>\$ 484,054,572</u> | <u>\$ 18,466,557</u> | | |

Justice System

General Fund

| | Actual FY 2009 | Estimated Net FY 2010 | Final Action FY 2011 | Final Action vs. Est Net 2010 | Bill Number | Page and Line # |
|---------------------------------------|----------------------|--------------------------|-------------------------|----------------------------------|----------------|--------------------|
| | (1) | (2) | (3) | (4) | (5) | (6) |
| <u>Justice, Department of</u> | | | | | | |
| Justice, Dept. of | | | | | | |
| General Office A.G. | \$ 9,359,691 | \$ 7,732,930 | \$ 7,732,930 | \$ 0 | SF2378 | PG 1 LN 9 |
| Victim Assistance Grants | 147,750 | 3,060,000 | 3,060,000 | 0 | SF2378 | PG 1 LN 22 |
| Legal Services Poverty Grants | 1,970,000 | 1,759,171 | 1,930,671 | 171,500 | SF2378 | PG 1 LN 35 |
| Total Justice, Department of | \$ 11,477,441 | \$ 12,552,101 | \$ 12,723,601 | \$ 171,500 | | |
| <u>Civil Rights Commission</u> | | | | | | |
| Civil Rights Commission | | | | | | |
| Civil Rights Commission | \$ 1,545,232 | \$ 1,379,861 | \$ 1,379,861 | \$ 0 | SF2378 | PG 19 LN 18 |
| Total Civil Rights Commission | \$ 1,545,232 | \$ 1,379,861 | \$ 1,379,861 | \$ 0 | | |
| <u>Corrections, Dept. of</u> | | | | | | |
| CBC District 1 | | | | | | |
| CBC District I | \$ 13,300,371 | \$ 11,918,690 | \$ 12,453,082 | \$ 534,392 | SF2378 | PG 9 LN 13 |
| CBC District 2 | | | | | | |
| CBC District II | \$ 11,053,717 | \$ 9,986,645 | \$ 10,770,616 | \$ 783,971 | SF2378 | PG 9 LN 20 |
| CBC District 3 | | | | | | |
| CBC District III | \$ 6,104,702 | \$ 5,345,642 | \$ 5,715,578 | \$ 369,936 | SF2378 | PG 9 LN 23 |
| CBC District 4 | | | | | | |
| CBC District IV | \$ 5,603,983 | \$ 5,179,500 | \$ 5,522,416 | \$ 342,916 | SF2378 | PG 9 LN 26 |
| CBC District 5 | | | | | | |
| CBC District V | \$ 19,232,705 | \$ 17,350,422 | \$ 18,938,081 | \$ 1,587,659 | SF2378 | PG 9 LN 29 |
| CBC District 6 | | | | | | |
| CBC District VI | \$ 14,273,011 | \$ 12,408,317 | \$ 13,030,356 | \$ 622,039 | SF2378 | PG 10 LN 6 |
| CBC District 7 | | | | | | |
| CBC District VII | \$ 7,265,034 | \$ 6,436,995 | \$ 6,846,560 | \$ 409,565 | SF2378 | PG 10 LN 9 |
| CBC District 8 | | | | | | |
| CBC District VIII | \$ 7,109,164 | \$ 6,391,827 | \$ 6,935,622 | \$ 543,795 | SF2378 | PG 10 LN 12 |

Justice System General Fund

| | Actual FY 2009 | Estimated Net FY 2010 | Final Action FY 2011 | Final Action vs. Est Net 2010 | Bill Number | Page and Line # |
|------------------------------------|-----------------------|--------------------------|-------------------------|----------------------------------|----------------|--------------------|
| | (1) | (2) | (3) | (4) | (5) | (6) |
| Central Office | | | | | | |
| County Confinement | \$ 967,983 | \$ 775,092 | \$ 775,092 | \$ 0 | SF2378 | PG 5 LN 3 |
| Federal Prisoners/ Contractual | 241,293 | 215,470 | 239,411 | 23,941 | SF2378 | PG 5 LN 8 |
| Corrections Administration | 5,047,861 | 4,329,043 | 4,254,068 | -74,975 | SF2378 | PG 5 LN 20 |
| Corrections Education | 1,570,358 | 1,363,707 | 1,558,109 | 194,402 | SF2378 | PG 6 LN 23 |
| Iowa Corrections Offender Network | 427,700 | 381,928 | 424,364 | 42,436 | SF2378 | PG 7 LN 22 |
| Mental Health/Substance Abuse | 24,994 | 22,319 | 22,319 | 0 | SF2378 | PG 7 LN 25 |
| Hormone Treatment | 188,000 | 167,881 | 167,881 | 0 | SF2378 | PG 7 LN 28 |
| Total Central Office | \$ 8,468,189 | \$ 7,255,440 | \$ 7,441,244 | \$ 185,804 | | |
| Fort Madison | | | | | | |
| Ft. Madison Institution | \$ 44,737,908 | \$ 37,003,223 | \$ 39,991,374 | \$ 2,988,151 | SF2378 | PG 3 LN 10 |
| Anamosa | | | | | | |
| Anamosa Institution | \$ 31,548,089 | \$ 28,272,505 | \$ 30,416,461 | \$ 2,143,956 | SF2378 | PG 3 LN 18 |
| Oakdale | | | | | | |
| Oakdale Institution | \$ 59,219,891 | \$ 52,781,485 | \$ 55,755,246 | \$ 2,973,761 | SF2378 | PG 4 LN 5 |
| Newton | | | | | | |
| Newton Institution | \$ 28,372,772 | \$ 25,230,054 | \$ 26,452,257 | \$ 1,222,203 | SF2378 | PG 4 LN 9 |
| Mt Pleasant | | | | | | |
| Mt. Pleasant Inst. | \$ 27,430,137 | \$ 24,494,564 | \$ 26,265,257 | \$ 1,770,693 | SF2378 | PG 4 LN 13 |
| Rockwell City | | | | | | |
| Rockwell City Institution | \$ 9,466,021 | \$ 8,452,967 | \$ 9,324,565 | \$ 871,598 | SF2378 | PG 4 LN 17 |
| Clarinda | | | | | | |
| Clarinda Institution | \$ 25,526,358 | \$ 21,078,946 | \$ 23,645,033 | \$ 2,566,087 | SF2378 | PG 4 LN 21 |
| Mitchellville | | | | | | |
| Mitchellville Institution | \$ 16,126,292 | \$ 14,253,115 | \$ 15,486,586 | \$ 1,233,471 | SF2378 | PG 4 LN 30 |
| Fort Dodge | | | | | | |
| Ft. Dodge Institution | \$ 30,313,681 | \$ 26,999,132 | \$ 29,020,235 | \$ 2,021,103 | SF2378 | PG 4 LN 34 |
| Total Corrections, Dept. of | \$ 365,152,025 | \$ 320,839,469 | \$ 344,010,569 | \$ 23,171,100 | | |

Justice System General Fund

| | Actual FY 2009 <u>(1)</u> | Estimated Net FY 2010 <u>(2)</u> | Final Action FY 2011 <u>(3)</u> | Final Action vs. Est Net 2010 <u>(4)</u> | Bill Number <u>(5)</u> | Page and Line # <u>(6)</u> |
|---|---------------------------------|--|---------------------------------------|--|------------------------------|----------------------------------|
| <u>Inspections & Appeals, Dept. of</u> | | | | | | |
| Public Defender | | | | | | |
| Public Defender | \$ 21,465,998 | \$ 19,568,864 | \$ 21,743,182 | \$ 2,174,318 | SF2378 | PG 12 LN 35 |
| Indigent Defense Appropriation | 33,013,300 | 21,608,247 | 15,680,929 | -5,927,318 | SF2378 | PG 13 LN 5 |
| Total Inspections & Appeals, Dept. of | \$ 54,479,298 | \$ 41,177,111 | \$ 37,424,111 | \$ -3,753,000 | | |
| <u>Law Enforcement Academy</u> | | | | | | |
| Law Enforcement Academy | | | | | | |
| Law Enforcement Academy | \$ 1,275,199 | \$ 1,049,430 | \$ 1,049,430 | \$ 0 | SF2378 | PG 13 LN 9 |
| Total Law Enforcement Academy | \$ 1,275,199 | \$ 1,049,430 | \$ 1,049,430 | \$ 0 | | |
| <u>Parole, Board of</u> | | | | | | |
| Parole Board | | | | | | |
| Parole Board | \$ 1,251,903 | \$ 1,045,259 | \$ 1,045,259 | \$ 0 | SF2378 | PG 14 LN 8 |
| Total Parole, Board of | \$ 1,251,903 | \$ 1,045,259 | \$ 1,045,259 | \$ 0 | | |
| <u>Public Defense, Dept. of</u> | | | | | | |
| Public Defense, Dept. of | | | | | | |
| Public Defense, Department of | \$ 6,361,947 | \$ 5,624,281 | \$ 6,249,201 | \$ 624,920 | SF2378 | PG 14 LN 24 |
| Emergency Management Division | | | | | | |
| Homeland Security & Emer. Mgmt. | \$ 2,212,722 | \$ 1,834,307 | \$ 2,038,119 | \$ 203,812 | SF2378 | PG 15 LN 1 |
| Total Public Defense, Dept. of | \$ 8,574,669 | \$ 7,458,588 | \$ 8,287,320 | \$ 828,732 | | |

Justice System

General Fund

| | Actual FY 2009 | Estimated Net FY 2010 | Final Action FY 2011 | Final Action vs. Est Net 2010 | Bill Number | Page and Line # |
|---|-----------------------|--------------------------|-------------------------|----------------------------------|----------------|--------------------|
| | (1) | (2) | (3) | (4) | (5) | (6) |
| Public Safety, Department of | | | | | | |
| Public Safety, Dept. of | | | | | | |
| Public Safety - Department Wide Duties | \$ 0 | \$ 1,419,288 | \$ 0 | \$ -1,419,288 | SF2378 | |
| Public Safety Administration | 4,470,414 | 3,952,071 | 4,134,461 | 182,390 | SF2378 | PG 15 LN 24 |
| Public Safety DCI | 21,506,406 | 19,012,743 | 12,861,710 | -6,151,033 | SF2378 | PG 15 LN 29 |
| DCI - Crime Lab Equipment/Training | 342,000 | 302,345 | 302,345 | 0 | SF2378 | PG 16 LN 34 |
| Narcotics Enforcement | 6,501,493 | 5,747,647 | 6,507,048 | 759,401 | SF2378 | PG 17 LN 2 |
| Public Safety Undercover Funds | 123,343 | 109,042 | 109,042 | 0 | SF2378 | PG 17 LN 12 |
| DPS Fire Marshal | 4,060,859 | 3,590,003 | 4,343,896 | 753,893 | SF2378 | PG 17 LN 15 |
| Iowa State Patrol | 50,971,409 | 45,061,285 | 48,984,147 | 3,922,862 | SF2378 | PG 17 LN 26 |
| DPS/SPOC Sick Leave Payout | 316,179 | 279,517 | 279,517 | 0 | SF2378 | PG 18 LN 5 |
| Fire Fighter Training | 662,697 | 612,255 | 612,255 | 0 | SF2378 | PG 18 LN 10 |
| Total Public Safety, Department of | \$ 88,954,800 | \$ 80,086,196 | \$ 78,134,421 | \$ -1,951,775 | | |
| Total Justice System | \$ 532,710,567 | \$ 465,588,015 | \$ 484,054,572 | \$ 18,466,557 | | |

Summary Data

Other Funds

| | Actual FY 2009 <u>(1)</u> | Estimated Net FY 2010 <u>(2)</u> | Final Action FY 2011 <u>(3)</u> | Final Action vs. Est Net 2010 <u>(4)</u> | Bill Number <u>(5)</u> | Page and Line # <u>(6)</u> |
|--------------------|---------------------------------|--|---------------------------------------|--|------------------------------|----------------------------------|
| Justice System | \$ 0 | \$ 3,138,888 | \$ 21,523,119 | \$ 18,384,231 | | |
| Grand Total | <u>\$ 0</u> | <u>\$ 3,138,888</u> | <u>\$ 21,523,119</u> | <u>\$ 18,384,231</u> | | |

Justice System

Other Funds

| | Actual FY 2009 <u>(1)</u> | Estimated Net FY 2010 <u>(2)</u> | Final Action FY 2011 <u>(3)</u> | Final Action vs. Est Net 2010 <u>(4)</u> | Bill Number <u>(5)</u> | Page and Line # <u>(6)</u> |
|---------------------------------------|---------------------------------|--|---------------------------------------|--|------------------------------|----------------------------------|
| <u>Justice, Department of</u> | | | | | | |
| Consumer Advocate | | | | | | |
| Consumer Advocate-CMRF | \$ 0 | \$ 3,138,888 | \$ 3,336,344 | \$ 197,456 | SF2378 | PG 2 LN 24 |
| Justice, Dept. of | | | | | | |
| General Office A.G.-PSEF | \$ 0 | \$ 0 | \$ 150,000 | \$ 150,000 | SF2378 | |
| Total Justice, Department of | <u>\$ 0</u> | <u>\$ 3,138,888</u> | <u>\$ 3,486,344</u> | <u>\$ 347,456</u> | | |
| <u>Civil Rights Commission</u> | | | | | | |
| Civil Rights Commission | | | | | | |
| Civil Rights - PSEF | \$ 0 | \$ 0 | \$ 100,000 | \$ 100,000 | SF2378 | |
| Total Civil Rights Commission | <u>\$ 0</u> | <u>\$ 0</u> | <u>\$ 100,000</u> | <u>\$ 100,000</u> | | |
| <u>Corrections, Dept. of</u> | | | | | | |
| CBC District 1 | | | | | | |
| CBC District 1 - PSEF | \$ 0 | \$ 0 | \$ 100,000 | \$ 100,000 | SF2378 | |
| CBC District 6 | | | | | | |
| CBC District 6 - PSEF | \$ 0 | \$ 0 | \$ 402,810 | \$ 402,810 | SF2378 | |
| Fort Madison | | | | | | |
| Fort Madison Inst.- PSEF | \$ 0 | \$ 0 | \$ 1,451,000 | \$ 1,451,000 | SF2378 | |
| Anamosa | | | | | | |
| Anamosa Inst. - PSEF | \$ 0 | \$ 0 | \$ 1,046,190 | \$ 1,046,190 | SF2378 | |
| CBC District 5 | | | | | | |
| CBC District 5 - PSEF | \$ 0 | \$ 0 | \$ 335,000 | \$ 335,000 | SF2378 | |
| Total Corrections, Dept. of | <u>\$ 0</u> | <u>\$ 0</u> | <u>\$ 3,335,000</u> | <u>\$ 3,335,000</u> | | |
| <u>Judicial Branch</u> | | | | | | |
| Judicial Branch | | | | | | |
| Judicial Branch - PSEF | \$ 0 | \$ 0 | \$ 5,300,000 | \$ 5,300,000 | SF2378 | |
| Total Judicial Branch | <u>\$ 0</u> | <u>\$ 0</u> | <u>\$ 5,300,000</u> | <u>\$ 5,300,000</u> | | |

Justice System Other Funds

| | Actual FY 2009 | Estimated Net FY 2010 | Final Action FY 2011 | Final Action vs. Est Net 2010 | Bill Number | Page and Line # |
|---|-------------------|--------------------------|-------------------------|----------------------------------|----------------|--------------------|
| | (1) | (2) | (3) | (4) | (5) | (6) |
| Public Safety, Department of | | | | | | |
| Public Safety, Dept. of | | | | | | |
| State Patrol - PSEF | \$ 0 | \$ 0 | \$ 300,000 | \$ 300,000 | SF2378 | |
| Gaming Enforcement-GERF | 0 | 0 | 8,851,775 | 8,851,775 | SF2378 | PG 18 LN 30 |
| Fire Fighter Training-PSEF | 0 | 0 | 150,000 | 150,000 | SF2378 | |
| Total Public Safety, Department of | \$ 0 | \$ 0 | \$ 9,301,775 | \$ 9,301,775 | | |
| Total Justice System | \$ 0 | \$ 3,138,888 | \$ 21,523,119 | \$ 18,384,231 | | |

Summary Data

FTE

| | Actual FY 2009 <u>(1)</u> | Estimated Net FY 2010 <u>(2)</u> | Final Action FY 2011 <u>(3)</u> | Final Action vs. Est Net 2010 <u>(4)</u> | Bill Number <u>(5)</u> | Page and Line # <u>(6)</u> |
|--------------------|---------------------------------|--|---------------------------------------|--|------------------------------|----------------------------------|
| Justice System | 6,042.38 | 6,355.35 | 5,941.68 | -413.67 | | |
| Grand Total | <u>6,042.38</u> | <u>6,355.35</u> | <u>5,941.68</u> | <u>-413.67</u> | | |

Justice System

FTE

| | Actual FY 2009 <u>(1)</u> | Estimated Net FY 2010 <u>(2)</u> | Final Action FY 2011 <u>(3)</u> | Final Action vs. Est Net 2010 <u>(4)</u> | Bill Number <u>(5)</u> | Page and Line # <u>(6)</u> |
|---------------------------------------|---------------------------------|--|---------------------------------------|--|------------------------------|----------------------------------|
| <u>Justice, Department of</u> | | | | | | |
| Justice, Dept. of | | | | | | |
| General Office A.G. | 214.97 | 232.50 | 232.50 | 0.00 | SF2378 | PG 1 LN 9 |
| Victim Compensation Fund | 21.60 | 22.00 | 22.00 | 0.00 | SF2378 | PG 1 LN 28 |
| Total Justice, Dept. of | <u>236.57</u> | <u>254.50</u> | <u>254.50</u> | <u>0.00</u> | | |
| Consumer Advocate | | | | | | |
| Consumer Advocate-CMRF | 20.35 | 27.00 | 27.00 | 0.00 | SF2378 | PG 2 LN 24 |
| Total Justice, Department of | <u>256.92</u> | <u>281.50</u> | <u>281.50</u> | <u>0.00</u> | | |
| <u>Civil Rights Commission</u> | | | | | | |
| Civil Rights Commission | | | | | | |
| Civil Rights Commission | 31.81 | 29.50 | 29.50 | 0.00 | SF2378 | PG 19 LN 18 |
| Total Civil Rights Commission | <u>31.81</u> | <u>29.50</u> | <u>29.50</u> | <u>0.00</u> | | |
| <u>Corrections, Dept. of</u> | | | | | | |
| CBC District 1 | | | | | | |
| CBC District I | 187.75 | 201.50 | 189.51 | -11.99 | SF2378 | PG 9 LN 13 |
| CBC District 2 | | | | | | |
| CBC District II | 159.94 | 157.94 | 156.89 | -1.05 | SF2378 | PG 9 LN 20 |
| CBC District 3 | | | | | | |
| CBC District III | 77.89 | 81.99 | 78.99 | -3.00 | SF2378 | PG 9 LN 23 |
| CBC District 4 | | | | | | |
| CBC District IV | 69.00 | 75.00 | 68.60 | -6.40 | SF2378 | PG 9 LN 26 |
| CBC District 5 | | | | | | |
| CBC District V | 272.45 | 288.12 | 266.45 | -21.67 | SF2378 | PG 9 LN 29 |
| CBC District 6 | | | | | | |
| CBC District VI | 203.13 | 216.06 | 191.63 | -24.43 | SF2378 | PG 10 LN 6 |
| CBC District 7 | | | | | | |
| CBC District VII | 105.45 | 105.45 | 95.45 | -10.00 | SF2378 | PG 10 LN 9 |
| CBC District 8 | | | | | | |
| CBC District VIII | 93.80 | 97.15 | 93.00 | -4.15 | SF2378 | PG 10 LN 12 |

Justice System

FTE

| | Actual FY 2009 | Estimated Net FY 2010 | Final Action FY 2011 | Final Action vs. Est Net 2010 | Bill Number | Page and Line # |
|---|-------------------|--------------------------|-------------------------|----------------------------------|----------------|--------------------|
| | (1) | (2) | (3) | (4) | (5) | (6) |
| Central Office | | | | | | |
| Corrections Administration | 45.36 | 47.18 | 41.00 | -6.18 | SF2378 | PG 5 LN 20 |
| Fort Madison | | | | | | |
| Ft. Madison Institution | 516.83 | 556.50 | 489.00 | -67.50 | SF2378 | PG 3 LN 10 |
| Anamosa | | | | | | |
| Anamosa Institution | 348.73 | 356.25 | 350.75 | -5.50 | SF2378 | PG 3 LN 18 |
| Oakdale | | | | | | |
| Oakdale Institution | 559.75 | 610.50 | 565.00 | -45.50 | SF2378 | PG 4 LN 5 |
| Newton | | | | | | |
| Newton Institution | 321.19 | 351.00 | 307.00 | -44.00 | SF2378 | PG 4 LN 9 |
| Mt Pleasant | | | | | | |
| Mt. Pleasant Inst. | 301.79 | 319.56 | 298.16 | -21.40 | SF2378 | PG 4 LN 13 |
| Rockwell City | | | | | | |
| Rockwell City Institution | 106.99 | 113.00 | 106.00 | -7.00 | SF2378 | PG 4 LN 17 |
| Clarinda | | | | | | |
| Clarinda Institution | 282.46 | 303.20 | 277.10 | -26.10 | SF2378 | PG 4 LN 21 |
| Mitchellville | | | | | | |
| Mitchellville Institution | 186.29 | 198.00 | 185.00 | -13.00 | SF2378 | PG 4 LN 30 |
| Fort Dodge | | | | | | |
| Ft. Dodge Institution | 334.54 | 366.00 | 319.00 | -47.00 | SF2378 | PG 4 LN 34 |
| Total Corrections, Dept. of | <u>4,173.33</u> | <u>4,444.40</u> | <u>4,078.53</u> | <u>-365.87</u> | | |
| <u>Inspections & Appeals, Dept. of</u> | | | | | | |
| Public Defender | | | | | | |
| Public Defender | 200.97 | 203.00 | 203.00 | 0.00 | SF2378 | PG 12 LN 35 |
| Total Inspections & Appeals, Dept. of | <u>200.97</u> | <u>203.00</u> | <u>203.00</u> | <u>0.00</u> | | |
| <u>Law Enforcement Academy</u> | | | | | | |
| Law Enforcement Academy | | | | | | |
| Law Enforcement Academy | 26.94 | 29.55 | 30.55 | 1.00 | SF2378 | PG 13 LN 9 |
| Total Law Enforcement Academy | <u>26.94</u> | <u>29.55</u> | <u>30.55</u> | <u>1.00</u> | | |

Justice System

FTE

| | Actual FY 2009 | Estimated Net FY 2010 | Final Action FY 2011 | Final Action vs. Est Net 2010 | Bill Number | Page and Line # |
|--|-------------------|--------------------------|-------------------------|----------------------------------|----------------|--------------------|
| | (1) | (2) | (3) | (4) | (5) | (6) |
| <u>Parole, Board of</u> | | | | | | |
| Parole Board | | | | | | |
| Parole Board | 11.97 | 18.50 | 13.50 | -5.00 | SF2378 | PG 14 LN 8 |
| Total Parole, Board of | 11.97 | 18.50 | 13.50 | -5.00 | | |
| <u>Public Defense, Dept. of</u> | | | | | | |
| Public Defense, Dept. of | | | | | | |
| Public Defense, Department of | 301.38 | 313.30 | 324.00 | 10.70 | SF2378 | PG 14 LN 24 |
| Emergency Management Division | | | | | | |
| Homeland Security & Emer. Mgmt. | 57.74 | 33.10 | 33.00 | -0.10 | SF2378 | PG 15 LN 1 |
| Total Public Defense, Dept. of | 359.12 | 346.40 | 357.00 | 10.60 | | |
| <u>Public Safety, Department of</u> | | | | | | |
| Public Safety, Dept. of | | | | | | |
| Public Safety Administration | 39.17 | 39.00 | 36.00 | -3.00 | SF2378 | PG 15 LN 24 |
| Public Safety DCI | 275.45 | 287.50 | 162.10 | -125.40 | SF2378 | PG 15 LN 29 |
| Gaming Enforcement-GERF | 0.00 | 0.00 | 115.00 | 115.00 | SF2378 | PG 18 LN 30 |
| Narcotics Enforcement | 75.26 | 81.00 | 75.00 | -6.00 | SF2378 | PG 17 LN 2 |
| DPS Fire Marshal | 56.10 | 59.00 | 57.00 | -2.00 | SF2378 | PG 17 LN 15 |
| Iowa State Patrol | 535.35 | 536.00 | 503.00 | -33.00 | SF2378 | PG 17 LN 26 |
| Total Public Safety, Department of | 981.32 | 1,002.50 | 948.10 | -54.40 | | |
| Total Justice System | 6,042.38 | 6,355.35 | 5,941.68 | -413.67 | | |