

Justice System Appropriations House File 2335

Last Action:

House Floor

February 28, 2012

An Act relating to appropriations to the justice system, and providing effective dates.

**Fiscal Services Division
Legislative Services Agency**

NOTES ON BILLS AND AMENDMENTS (NOBA)

Available on line at <http://www.legis.iowa.gov/LSAReports/noba.aspx>
LSA Contacts: Beth Lenstra(515-281-6301) Jennifer Acton(515-281-7846)

FUNDING SUMMARY

- Appropriates a total of \$504.5 million from the General Fund for FY 2013 to the Departments of Justice, Corrections, Inspections and Appeals, Public Defense, and Public Safety, the Iowa Law Enforcement Academy, Board of Parole, and Civil Rights Commission. This is a decrease of \$1.6 million compared to estimated FY 2012. This Bill also appropriates a total of \$13.5 million from other funds for FY 2013 reflecting no change compared to estimated FY 2012. Page 1, Line 1

NOTE: Total funding for FY 2013 includes the previously enacted appropriations for FY 2013 and new appropriation amounts in this Bill

MAJOR INCREASES, DECREASES, OR TRANSFERS OF EXISTING PROGRAMS

- Department of Justice: General Fund decrease of \$1.3 million compared to estimated FY 2012 due to: Page 1, Line 3
 - \$779,000 general decrease to the Office of the Attorney General.
 - \$286,000 decrease to Victim Assistance Grants.
 - \$181,000 decrease to Legal Services Poverty Grants.
- Department of Corrections: General Fund decrease of \$210,000 compared to estimated FY 2012 due to: Page 3, Line 10
 - \$171,000 decrease to transfer management and funding responsibility for the Habitat for Humanity Program at Fort Madison to Iowa Prison Industries.
 - \$38,000 decrease to reflect the savings associated with the Corrections Central Pharmacy.
- Provides an increase of \$50,000 from the Wireless E911 Emergency Communications Fund for the E911 Program Manager in the Homeland Security and Emergency Management Division of the Department of Public Defense through FY 2013. Page 18, Line 12

STUDIES AND INTENT LANGUAGE

- Requires Victim Assistance funds to be awarded as grants to providers of services for victims of domestic abuse, rape, and sexual assault. Page 1, Line 27
- Requires the Department of Justice to transfer at least \$150,000 from the Victim Compensation Fund to the Victim Assistance Grants Program in FY 2012. Page 1, Line 35

EXECUTIVE SUMMARY
JUSTICE SYSTEM APPROPRIATIONS

- Requires the CBC District Departments to cooperate with the DOC and the Department of Human Services (DHS) in designating a facility for people placed in a transitional release program or discharged due to medical reasons from the Sexually Violent Predator Program. Page 9, Line 11
- Requires each Community-Based Corrections (CBC) District Department, within available funding, to continue programs and plans within each 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. Page 9, Line 20
- Requires each CBC District Department to provide alternatives to prison consistent with Iowa Code chapter 901B. Page 9, Line 27
- Permits the Iowa Law Enforcement Academy (ILEA) 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 10, Line 27
- Permits the ILEA to annually exchange five vehicles returned to the State Fleet Administrator by the Department of Public Safety. Page 10, Line 33
- 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. Page 12, Line 26
- Permits the Homeland Security and Emergency Management Division (HSEMD) to temporarily exceed the amount appropriated and incur a negative cash balance for cash flow purposes. Page 13, Line 5
- Requires the HSEMD to work in conjunction with the DPS on the Fusion Program. Page 13, Line 12

EFFECTIVE AND ENACTMENT DATES

- The language moving money for indirect billings from the Gaming Enforcement Fund to the General Fund is effective on enactment. Page 19, Line 30

House File 2335 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
18	25	14	Amend	80.43.1	
19	3	15	Amend	99D.14.2.b	
19	16	16	Amend	99F.10.4.b	

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

1 3 SEC. 30. 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, 2012, and ending June 30, 2013, 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, matching funds
 - 1 12 for federal violence against women grant programs, victim
 - 1 13 assistance grants, office of drug control policy prosecuting
 - 1 14 attorney program, and odometer fraud enforcement, and for not
 - 1 15 more than the following full-time equivalent positions:
- | | | |
|------------|------|-----------|
| 1 16 | \$ | 3,896,465 |
| 1 17 | | 7,013,637 |
| 1 18 | FTEs | 212.00 |

1 19 It is the intent of the general assembly that as a condition
1 20 of receiving the appropriation provided in this lettered
1 21 paragraph, the department of justice shall maintain a record
1 22 of the estimated time incurred representing each agency or
1 23 department.

- 1 24 b. For victim assistance grants:
- | | | |
|------------|----|-----------|
| 1 25 | \$ | 1,438,200 |
| 1 26 | | 2,590,502 |

1 27 The funds appropriated in this lettered paragraph shall be
1 28 used to provide grants to care providers providing services to
1 29 crime victims of domestic abuse or to crime victims of rape and
1 30 sexual assault.

1 31 The balance of the victim compensation fund established in
1 32 section 915.94 may be used to provide salary and support of not
1 33 more than 24 FTEs and to provide maintenance for the victim
1 34 compensation functions of the department of justice.

1 35 The department of justice shall transfer at least \$150,000
2 1 from the victim compensation fund established in section 915.94
2 2 to the victim assistance grant program.

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

DETAIL: This is a decrease of \$779,293 and no change in FTE positions compared to the estimated FY 2012.

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.

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

DETAIL: This is a decrease of \$285,898 compared to estimated FY 2012.

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

Permits 24.00 FTE positions to be funded from the Victim Compensation Fund to administer the victim compensation functions of the Department of Justice.

Requires the Department of Justice to transfer at least \$150,000 from the Victim Compensation Fund to the Victim Assistance Grants Program in FY 2013.

2 3 c. For legal services for persons in poverty grants as
 2 4 provided in section 13.34:
 2 5\$ 907,416
 2 6 1,633,348

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

DETAIL: This is a decrease of \$181,483 compared to estimated FY 2012.

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

Requires the Department of Justice to submit a report that specifies the amount of funding from all non-General Fund sources 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, 2013.

2 20 b. The department of justice shall include the report
 2 21 required under paragraph "a", as well as information regarding
 2 22 any revisions occurring as a result of reimbursements actually
 2 23 received or expected at a later date, in a report to the
 2 24 co-chairpersons and ranking members of the joint appropriations
 2 25 subcommittee on the justice system and the legislative services
 2 26 agency. The department of justice shall submit the report on
 2 27 or before January 15, 2013.

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

2 30 SEC. 31. OFFICE OF CONSUMER ADVOCATE. There is appropriated
 2 31 from the department of commerce revolving fund created in
 2 32 section 546.12 to the office of consumer advocate of the
 2 33 department of justice for the fiscal year beginning July 1,
 2 34 2012, and ending June 30, 2013, the following amount, or so
 2 35 much thereof as is necessary, to be used for the purposes
 3 1 designated:

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

DETAIL: This is a no change compared to estimated FY 2012.

3 2 For salaries, support, maintenance, miscellaneous purposes,
 3 3 and for not more than the following full-time equivalent
 3 4 positions:
 3 5\$ 1,568,082
 3 6 3,136,163
 3 7 FTEs 22.00

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

3 10 SEC. 32. DEPARTMENT OF CORRECTIONS — FACILITIES.

3 11 1. There is appropriated from the general fund of the
3 12 state to the department of corrections for the fiscal year
3 13 beginning July 1, 2012, and ending June 30, 2013, the following
3 14 amounts, or so much thereof as is necessary, to be used for the
3 15 operation of adult correctional institutions, reimbursement
3 16 of counties for certain confinement costs, and federal prison
3 17 reimbursement, to be allocated as follows:

3 18 a. For the operation of the Fort Madison correctional
3 19 facility, including salaries, support, maintenance, and
3 20 miscellaneous purposes:
3 21\$ 20,515,644
3 2240,859,943

General Fund appropriation to the Department of Corrections (DOC) for the Fort Madison Correctional Facility.

DETAIL: This is a decrease of \$171,340 and 2.00 FTE positions compared to estimated FY 2012 to transfer funding and management responsibility for the Habitat for Humanity Program to Iowa Prison Industries.

3 23 b. For the operation of the Anamosa correctional facility,
3 24 including salaries, support, maintenance, and miscellaneous
3 25 purposes:
3 26\$ 15,992,987
3 2731,985,974

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

DETAIL: This is no change compared to estimated FY 2012.

3 28 c. For the operation of the Oakdale correctional facility,
3 29 including salaries, support, maintenance, and miscellaneous
3 30 purposes:
3 31\$ 27,797,213
3 3255,717,933

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

DETAIL: This is an increase of \$123,507 and 1.00 FTE position compared to FY 2012 to transfer a pharmacy position from the Clarinda Correctional Facility.

3 33 d. For the operation of the Newton correctional facility,
3 34 including salaries, support, maintenance, and miscellaneous
3 35 purposes:
4 1\$ 12,979,379
4 225,958,757

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

DETAIL: This is no change compared to estimated FY 2012.

4 3 e. For the operation of the Mt.Pleasant correctional
4 4 facility, including salaries, support, maintenance, and
4 5 miscellaneous purposes:
4 6\$ 12,958,908
4 725,917,815

General Fund appropriation to the DOC for the Mount Pleasant Correctional Facility.

DETAIL: This is no change compared to estimated FY 2012.

<p>4 8 f. For the operation of the Rockwell City correctional 4 9 facility, including salaries, support, maintenance, and 4 10 miscellaneous purposes: 4 11\$ 4,658,233 4 12 .....<u>9,316,466</u></p>	<p>General Fund appropriation to the DOC for the Rockwell City Correctional Facility.</p> <p>DETAIL: This is no change compared to estimated FY 2012.</p>
<p>4 13 g. For the operation of the Clarinda correctional facility, 4 14 including salaries, support, maintenance, and miscellaneous 4 15 purposes: 4 16\$ 12,241,178 4 17 .....<u>24,477,653</u></p>	<p>General Fund appropriation to the DOC for the Clarinda Correctional Facility.</p> <p>DETAIL: This is a decrease of \$161,865 and 1.30 FTE positions compared to estimated FY 2012 for:</p> <ul style="list-style-type: none"> • A decrease of \$123,507 and 1.00 FTE position to transfer a pharmacy position to the Oakdale Correctional Facility • A decrease of \$38,358 and 0.30 FTE position to reflect the savings associated with Corrections Central Pharmacy.
<p>4 18 Moneys received by the department of corrections as 4 19 reimbursement for services provided to the Clarinda youth 4 20 corporation are appropriated to the department and shall be 4 21 used for the purpose of operating the Clarinda correctional 4 22 facility.</p>	<p>Appropriates reimbursements from the Clarinda Youth Academy to the DOC for operating costs associated with the Clarinda Correctional Facility.</p> <p>DETAIL: The Clarinda Youth Academy's annual reimbursement to the Clarinda Correctional Facility is approximately \$1,400,000.</p>
<p>4 23 h. For the operation of the Mitchellville correctional 4 24 facility, including salaries, support, maintenance, and 4 25 miscellaneous purposes: 4 26\$ 7,807,687 4 27 .....<u>15,615,374</u></p>	<p>General Fund appropriation to the DOC for the Mitchellville Correctional Facility.</p> <p>DETAIL: This is no change compared to estimated FY 2012.</p>
<p>4 28 i. For the operation of the Fort Dodge correctional 4 29 facility, including salaries, support, maintenance, and 4 30 miscellaneous purposes: 4 31\$ 14,531,118 4 32 .....<u>29,062,235</u></p>	<p>General Fund appropriation to the DOC for the Fort Dodge Correctional Facility.</p> <p>DETAIL: This is no change compared to estimated FY 2012.</p>
<p>4 33 j. For reimbursement of counties for temporary confinement 4 34 of work release and parole violators, as provided in sections 4 35 901.7, 904.908, and 906.17, and for offenders confined pursuant 5 1 to section 904.513: 5 2\$ 387,546 5 3 .....<u>775,092</u></p>	<p>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.</p> <p>DETAIL: This is no change compared to estimated FY 2012.</p>

5 4 k. For federal prison reimbursement, reimbursements for
 5 5 out-of-state placements, and miscellaneous contracts:
 5 6 \$ 119,706
 5 7 239,411

General Fund appropriation to the DOC to reimburse the federal Bureau of Prisons for confining Iowa inmates and to pay miscellaneous contracts.

DETAIL: This is no change compared to estimated FY 2012.

5 8 ~~1. For three correctional officer full-time equivalent~~
 5 9 ~~positions that are to be assigned to a correctional institution~~
 5 10 ~~by the director of the department of corrections:~~
 5 11 \$ 78,584

Corrective amendment. The FY 2012 General Fund appropriation to the DOC funded three new correctional officer positions, to be assigned by the Director.

DETAIL: The Director has assigned the positions to the Clarinda Correctional Facility. The funding is now included in the Clarinda Correctional Facility's appropriation.

5 12 2. The department of corrections shall use moneys
 5 13 appropriated in subsection 1 to continue to contract for the
 5 14 services of a Muslim imam and a Native American spiritual
 5 15 leader.

Requires the DOC to contract with a Muslim imam and Native American spiritual leader to provide religious services and religious counseling.

DETAIL: These contracts are required pursuant to federal court orders.

5 16 Sec. 4. 2011 Iowa Acts, chapter 134, section 33, is amended
 5 17 to read as follows:

5 18 SEC. 33. DEPARTMENT OF CORRECTIONS — ADMINISTRATION.

5 19 There is appropriated from the general fund of the state to the
 5 20 department of corrections for the fiscal year beginning July
 5 21 1, 2012, and ending June 30, 2013, the following amounts, or
 5 22 so much thereof as is necessary, to be used for the purposes
 5 23 designated:

5 24 1. For general administration, including salaries, support,
 5 25 maintenance, employment of an education director to administer
 5 26 a centralized education program for the correctional system,
 5 27 and miscellaneous purposes:
 5 28 \$ 2,417,774
 5 29 4,835,542

General Fund appropriation to the DOC for the Central Office.

DETAIL: This is no change compared to estimated FY 2012.

5 30 b. It is the intent of the general assembly that each
 5 31 lease negotiated by the department of corrections with a
 5 32 private corporation for the purpose of providing private
 5 33 industry employment of inmates in a correctional institution
 5 34 shall prohibit the private corporation from utilizing inmate
 5 35 labor for partisan political purposes for any person seeking
 6 1 election to public office in this state and that a violation
 6 2 of this requirement shall result in a termination of the lease

Specifies 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.

6 3 agreement.

6 4 c. It is the intent of the general assembly that as a
6 5 condition of receiving the appropriation provided in this
6 6 subsection the department of corrections shall not enter into
6 7 a lease or contractual agreement pursuant to section 904.809
6 8 with a private corporation for the use of building space for
6 9 the purpose of providing inmate employment without providing
6 10 that the terms of the lease or contract establish safeguards to
6 11 restrict, to the greatest extent feasible, access by inmates
6 12 working for the private corporation to personal identifying
6 13 information of citizens.

Specifies 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 inmate access to personal identifying information of citizens.

6 14 2. For educational programs for inmates at state penal
6 15 institutions:

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

6 16\$ 1,154,055
6 172,308,109

DETAIL: This is no change compared to estimated FY 2012.

6 18 b. It is the intent of the general assembly that moneys
6 19 appropriated in this subsection shall be used solely for the
6 20 purpose indicated and that the moneys shall not be transferred
6 21 for any other purpose. In addition, it is the intent of the
6 22 general assembly that the department shall consult with the
6 23 community colleges in the areas in which the institutions are
6 24 located to utilize moneys appropriated in this subsection
6 25 to fund the high school completion, high school equivalency
6 26 diploma, adult literacy, and adult basic education programs in
6 27 a manner so as to maintain these programs 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.

6 28 c. To maximize the funding for educational programs,
6 29 the department shall establish guidelines and procedures to
6 30 prioritize the availability of educational and vocational
6 31 training for inmates based upon the goal of facilitating an
6 32 inmate's successful release from the correctional institution.

Requires the DOC to establish guidelines and procedures to prioritize admission to educational and vocational programs to facilitate the successful release of inmates from prison.

6 33 d. The director of the department of corrections may
6 34 transfer moneys from Iowa prison industries and the canteen
6 35 operating funds established pursuant to section 904.310, for
7 1 use in educational programs for inmates.

Permits the DOC to transfer funds from the Iowa Prison Industries Revolving Fund and Institutions' Canteen Funds for educational programs for inmates.

7 2 e. Notwithstanding section 8.33, moneys appropriated in
7 3 this subsection that remain unobligated or unexpended at the
7 4 close of the fiscal year shall not revert but shall remain
7 5 available to be used only for the purposes designated in this
7 6 subsection until the close of the succeeding fiscal year.

Requires nonreversion of appropriated funds for the Inmate Education Program. Appropriated funds may remain available through the end of FY 2013.

7 7 3. For the development of the Iowa corrections offender
 7 8 network (ICON) data system:
 7 9\$ 212,182
 7 10424,364

General Fund appropriation to the DOC for the Iowa Corrections Offender Network (ICON).

DETAIL: This is no change compared to estimated FY 2012.

7 11 4. For offender mental health and substance abuse
 7 12 treatment:
 7 13\$ 11,160
 7 1422,319

General Fund appropriation to the DOC for mental health and substance abuse treatment.

DETAIL: This is no change compared to estimated FY 2012.

7 15 5. For viral hepatitis prevention and treatment:
 7 16\$ 83,944
 7 17167,881

General Fund appropriation to the DOC for viral hepatitis prevention and treatment.

DETAIL: This is no change compared to estimated FY 2012.

7 18 6. It is the intent of the general assembly that for
 7 19 the fiscal year addressed by this section the department of
 7 20 corrections shall continue to operate the correctional farms
 7 21 under the control of the department at the same or greater
 7 22 level of participation and involvement as existed as of January
 7 23 1, 2011; shall not enter into any rental agreement or contract
 7 24 concerning any farmland under the control of the department
 7 25 that is not subject to a rental agreement or contract as of
 7 26 January 1, 2011, without prior legislative approval; and
 7 27 shall further attempt to provide job opportunities at the
 7 28 farms for inmates. The department shall attempt to provide
 7 29 job opportunities at the farms for inmates by encouraging
 7 30 labor-intensive farming or gardening where appropriate; using
 7 31 inmates to grow produce and meat for institutional consumption;
 7 32 researching the possibility of instituting food canning
 7 33 and cook-and-chill operations; and exploring opportunities
 7 34 for organic farming and gardening, livestock ventures,
 7 35 horticulture, and specialized crops.

Specifies it is the intent of the General Assembly that the DOC continue farm operations at the same or greater level than the level that existed on January 1, 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.

8 1 ~~7. The department of corrections shall solicit requests for~~
 8 2 ~~information to improve efficiencies at the pharmacy under the~~
 8 3 ~~control of the department.~~

Eliminates the requirement that the DOC solicit Requests For Information (RFI) to improve efficiencies in its pharmacy operation. The requirement remains in place for FY 2012.

8 4 Sec. 5. 2011 Iowa Acts, chapter 134, section 34, is amended
 8 5 to read as follows:

8 6 SEC. 34. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL
 8 7 SERVICES.
 8 8 1. There is appropriated from the general fund of the state

8 9	to the department of corrections for the fiscal year beginning			
8 10	July 1, 2012, and ending June 30, 2013, for salaries, support,			
8 11	maintenance, and miscellaneous purposes, the following amounts,			
8 12	or so much thereof as is necessary, to be allocated as follows:			
8 13	a. For the first judicial district department of			General Fund appropriation to the DOC for the First Community-Based
8 14	correctional services:			Corrections (CBC) District Department.
8 15	..... \$	6,102,474		
8 16		<u>12,204,948</u>		DETAIL: This is no change compared to estimated FY 2012.
8 17	b. For the second judicial district department of			General Fund appropriation to the DOC for the Second CBC District
8 18	correctional services:			Department.
8 19	..... \$	5,168,474		
8 20		<u>10,336,948</u>		DETAIL: This is no change compared to estimated FY 2012.
8 21	c. For the third judicial district department of			General Fund appropriation to the DOC for the Third CBC District
8 22	correctional services:			Department.
8 23	..... \$	2,799,883		
8 24		<u>5,599,765</u>		DETAIL: This is no change compared to estimated FY 2012.
8 25	d. For the fourth judicial district department of			General Fund appropriation to the DOC for the Fourth CBC District
8 26	correctional services:			Department.
8 27	..... \$	2,695,678		
8 28		<u>5,391,355</u>		DETAIL: This is no change compared to estimated FY 2012.
8 29	e. For the fifth judicial district department of			General Fund appropriation to the DOC for the Fifth CBC District
8 30	correctional services, including funding for electronic			Department.
8 31	monitoring devices for use on a statewide basis:			
8 32	..... \$	9,371,065		DETAIL: This is no change compared to estimated FY 2012.
8 33		<u>18,742,129</u>		
8 34	f. For the sixth judicial district department of			General Fund appropriation to the DOC for the Sixth CBC District
8 35	correctional services:			Department.
9 1	..... \$	6,556,282		
9 2		<u>13,112,563</u>		DETAIL: This is no change compared to estimated FY 2012.
9 3	g. For the seventh judicial district department of			General Fund appropriation to the DOC for the Seventh CBC District
9 4	correctional services:			Department.
9 5	..... \$	3,246,407		
9 6		<u>6,492,814</u>		DETAIL: This is no change compared to estimated FY 2012.

9 7 h. For the eighth judicial district department of
 9 8 correctional services:
 9 9 \$ 3,439,858
 9 10 6,879,715

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

DETAIL: This is no change compared to estimated FY 2012.

9 11 1A. As a condition of receiving an appropriation in
 9 12 subsection 1 and to enhance the safety of the general public,
 9 13 the judicial district departments of correctional services,
 9 14 in cooperation with the department of corrections and the
 9 15 department of human services, shall designate a facility for
 9 16 persons who are placed in a transitional release program under
 9 17 chapter 229A or discharged from commitment as a sexually
 9 18 violent predator under chapter 229A because the person is in
 9 19 need of medical treatment.

Requires the CBC District Departments to cooperate with the DOC and the Department of Human Services (DHS) in designating a facility for people placed in a transitional release program or discharged due to medical reasons from the Sexually Violent Predator Program.

9 20 2. Each judicial district department of correctional
 9 21 services, within the funding available, shall continue programs
 9 22 and plans established within that district to provide for
 9 23 intensive supervision, sex offender treatment, diversion of
 9 24 low-risk offenders to the least restrictive sanction available,
 9 25 job development, and expanded use of intermediate criminal
 9 26 sanctions.

Requires each CBC District Department, within available funding, to continue programs and plans within each 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.

9 27 3. Each judicial district department of correctional
 9 28 services shall provide alternatives to prison consistent with
 9 29 chapter 901B. The alternatives to prison shall ensure public
 9 30 safety while providing maximum rehabilitation to the offender.
 9 31 A judicial district department of correctional services may
 9 32 also establish a day program.

Requires each CBC District Department to provide alternatives to prison consistent with Iowa Code chapter 901B.

9 33 4. The governor's office of drug control policy or any
 9 34 succeeding entity of the governor's office of drug control
 9 35 policy shall consider federal grants made to the department
 10 1 of corrections for the benefit of each of the eight judicial
 10 2 district departments of correctional services as local
 10 3 government grants, as defined pursuant to federal regulations.

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.

10 4 5. The department of corrections shall continue to contract
 10 5 with a judicial district department of correctional services to
 10 6 provide for the rental of electronic monitoring equipment which
 10 7 shall be available statewide.

Requires the DOC to contract with a CBC District Department for the rental of electronic monitoring equipment.

DETAIL: The DOC contracts with the Fifth CBC District Department for electronic monitoring devices that are available statewide.

10 8 Sec. 6. 2011 Iowa Acts, chapter 134, section 39, is amended
 10 9 to read as follows:

10 10 SEC. 39. IOWA LAW ENFORCEMENT ACADEMY.
 10 11 1. There is appropriated from the general fund of the
 10 12 state to the Iowa law enforcement academy for the fiscal year
 10 13 beginning July 1, 2012, and ending June 30, 2013, the following
 10 14 amount, or so much thereof as is necessary, to be used for the
 10 15 purposes designated:
 10 16 For salaries, support, maintenance, miscellaneous purposes,
 10 17 including jailer training and technical assistance, and for not
 10 18 more than the following full-time equivalent positions:

10 19	.....\$	434,349
10 20		<u>868,698</u>
10 21	.....FTEs	24.55
10 22		<u>25.50</u>

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

DETAIL: This is no change compared to estimated FY 2012.

10 23 It is the intent of the general assembly that the Iowa law
 10 24 enforcement academy may provide training of state and local
 10 25 law enforcement personnel concerning the recognition of and
 10 26 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 Alzheimers disease.

10 27 The Iowa law enforcement academy may temporarily exceed and
 10 28 draw more than the amount appropriated in this subsection and
 10 29 incur a negative cash balance as long as there are receivables
 10 30 equal to or greater than the negative balance and the amount
 10 31 appropriated in this subsection is not exceeded at the close
 10 32 of the fiscal 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.

10 33 2. The Iowa law enforcement academy may select at least
 10 34 five automobiles of the department of public safety, division
 10 35 of state patrol, prior to turning over the automobiles to
 11 1 the department of administrative services to be disposed
 11 2 of by public auction, and the Iowa law enforcement academy
 11 3 may exchange any automobile owned by the academy for each
 11 4 automobile selected if the selected automobile is used in
 11 5 training law enforcement officers at the academy. However, any
 11 6 automobile exchanged by the academy shall be substituted for
 11 7 the selected vehicle of the department of public safety and
 11 8 sold by public auction with the receipts being deposited in the
 11 9 depreciation fund to the credit of the department of public
 11 10 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 (DPS) 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 DPS.

11 11 Sec. 7. 2011 Iowa Acts, chapter 134, section 40, is amended
 11 12 to read as follows:

11 13 SEC. 40. STATE PUBLIC DEFENDER. There is appropriated from

11 14 the general fund of the state to the office of the state public
 11 15 defender of the department of inspections and appeals for the
 11 16 fiscal year beginning July 1, 2012, and ending June 30, 2013,
 11 17 the following amounts, or so much thereof as is necessary, to
 11 18 be allocated as follows for the purposes designated:

11 19 1. For salaries, support, maintenance, miscellaneous
 11 20 purposes, and for not more than the following full-time
 11 21 equivalent positions:
 11 22 \$ 12,541,594
 11 23 25,862,182
 11 24 FTEs 219.00

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

DETAIL: This is an increase of \$779,000 compared to the FY 2012 appropriation to reflect a transfer from the Indigent Defense appropriation. The increase permits the Office to maintain existing staff.

11 25 2. For ~~the fees of court-appointed attorneys for indigent~~
 11 26 payments on behalf of eligible adults and juveniles from the
 11 27 indigent defense fund, in accordance with section ~~232.141 and~~
 11 28 ~~chapter 815 815.11~~:

11 29 \$ 15,340,464
 11 30 29,901,929

General Fund appropriation to the DIA for the Indigent Defense Program.

DETAIL: This is a decrease of \$779,000 compared to the estimated FY 2012 appropriation to transfer funds to the State Public Defender's Office.

11 31 Sec. 8. 2011 Iowa Acts, chapter 134, section 41, is amended
 11 32 to read as follows:

11 33 SEC. 41. BOARD OF PAROLE. There is appropriated from the
 11 34 general fund of the state to the board of parole for the fiscal
 11 35 year beginning July 1, 2012, and ending June 30, 2013, the
 12 1 following amount, or so much thereof as is necessary, to be
 12 2 used for the purposes designated:

12 3 For salaries, support, maintenance, miscellaneous purposes,
 12 4 and for not more than the following full-time equivalent
 12 5 positions:
 12 6 \$ 526,918
 12 7 1,053,835
 12 8 FTEs 42.50
 12 9 13.00

General Fund appropriation to the Board of Parole.

DETAIL: This is no change in funding and an increase of 2.00 FTE positions compared to estimated FY 2012 to reflect current staffing.

12 10 Sec. 9. 2011 Iowa Acts, chapter 134, section 42, is amended
 12 11 to read as follows:

12 12 SEC. 42. DEPARTMENT OF PUBLIC DEFENSE. There is
 12 13 appropriated from the general fund of the state to the
 12 14 department of public defense for the fiscal year beginning July
 12 15 1, 2012, and ending June 30, 2013, the following amounts, or

12 16 so much thereof as is necessary, to be used for the purposes
12 17 designated:

12 18 1. MILITARY DIVISION

12 19 For salaries, support, maintenance, miscellaneous purposes,
12 20 and for not more than the following full-time equivalent
12 21 positions:

12 22	.....	\$	2,763,524
12 23			<u>5,527,042</u>
12 24	.....	FTEs	313.00
12 25			<u>309.21</u>

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

DETAIL: This is no change compared to estimated FY 2012.

12 26 The military division may temporarily exceed and draw more
12 27 than the amount appropriated in this subsection and incur a
12 28 negative cash balance as long as there are receivables of
12 29 federal funds equal to or greater than the negative balance and
12 30 the amount appropriated in this subsection is not exceeded at
12 31 the close of the fiscal 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 procedure to use the new System.

12 32 2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION

12 33 For salaries, support, maintenance, miscellaneous purposes,
12 34 and for not more than the following full-time equivalent
12 35 positions:

13 1	.....	\$	918,439
13 2			<u>1,836,877</u>
13 3	.....	FTEs	40.00
13 4			<u>35.34</u>

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

DETAIL: This is no change compared to estimated FY 2012.

13 5 a. The homeland security and emergency management
13 6 division may temporarily exceed and draw more than the amount
13 7 appropriated in this subsection and incur a negative cash
13 8 balance as long as there are receivables of federal funds
13 9 equal to or greater than the negative balance and the amount
13 10 appropriated in this subsection is not exceeded at the close
13 11 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

procedure to use the new System.

Specifies it is 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.

13 12 b. It is the intent of the general assembly that the
13 13 homeland security and emergency management division work in
13 14 conjunction with the department of public safety, to the extent
13 15 possible, when gathering and analyzing information related
13 16 to potential domestic or foreign security threats, and when
13 17 monitoring such threats.

13 18 Sec. 10. 2011 Iowa Acts, chapter 134, section 43, is amended
13 19 to read as follows:

13 20 SEC. 43. DEPARTMENT OF PUBLIC SAFETY. There is appropriated
13 21 from the general fund of the state to the department of public
13 22 safety for the fiscal year beginning July 1, 2012, and ending
13 23 June 30, 2013, the following amounts, or so much thereof as is
13 24 necessary, to be used for the purposes designated:

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

DETAIL: This is no change compared to estimated FY 2012.

13 25	1. For the department's administrative functions, including
13 26	the criminal justice information system, and for not more than
13 27	the following full-time equivalent positions:
13 28	..... \$ 2,003,538
13 29	..... 4,007,075
13 30	..... FTEs 36.00

13 31	2. For the division of criminal investigation, including
13 32	the state's contribution to the peace officers' retirement,
13 33	accident, and disability system provided in chapter 97A in the
13 34	amount of the state's normal contribution rate, as defined in
13 35	section 97A.8, multiplied by the salaries for which the funds
14 1	are appropriated, to meet federal fund matching requirements,
14 2	and for not more than the following full-time equivalent
14 3	positions:

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

DETAIL: This is no change compared to estimated FY 2012.

14 4	..... \$ 6,266,966
14 5	..... 12,533,931
14 6	..... FTEs 459.10
14 7	..... 155.10

14 8 The department shall employ one additional special agent and
14 9 one additional criminalist for the purpose of investigating
14 10 cold cases. Prior to employing the additional special agent
14 11 and criminalist authorized in this paragraph, the department
14 12 shall provide a written statement to prospective employees that
14 13 states to the effect that the positions are being funded by a
14 14 temporary federal grant and there are no assurances that funds
14 15 from other sources will be available after the federal funding

Requires the DPS to employ one special agent and one criminalist to investigate cold cases. However, the Department must eliminate the 2.00 FTE positions if federal funds are not received for the Cold Case Unit.

14 16 expires. If the federal funding for the additional positions
 14 17 expires during the fiscal year, the number of full-time
 14 18 equivalent positions authorized in this subsection is reduced
 14 19 by 2.00 FTEs.

14 20 3. For the criminalistics laboratory fund created in
 14 21 section 691.9:
 14 22 \$ 151,173
 14 23 302,345

General Fund appropriation to the DPS for the Crime Laboratory Fund.

DETAIL: This is no change compared to estimated FY 2012.

14 24 4. a. For the division of narcotics enforcement, including
 14 25 the state's contribution to the peace officers' retirement,
 14 26 accident, and disability system provided in chapter 97A in the
 14 27 amount of the state's normal contribution rate, as defined in
 14 28 section 97A.8, multiplied by the salaries for which the funds
 14 29 are appropriated, to meet federal fund matching requirements,
 14 30 and for not more than the following full-time equivalent
 14 31 positions:
 14 32 \$ 3,214,942
 14 33 6,429,884
 14 34 FTEs 74.00
 14 35 69.00

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

DETAIL: This is no change compared to estimated FY 2012.

15 1 b. For the division of narcotics enforcement for undercover
 15 2 purchases:
 15 3 \$ 54,521
 15 4 109,042

General Fund appropriation to the DPS for the DNE undercover purchases.

DETAIL: This is no change compared to estimated FY 2012.

15 5 5. For the division of state fire marshal, for fire
 15 6 protection services as provided through the state fire service
 15 7 and emergency response council as created in the department,
 15 8 and for the state's contribution to the peace officers'
 15 9 retirement, accident, and disability system provided in chapter
 15 10 97A in the amount of the state's normal contribution rate, as
 15 11 defined in section 97A.8, multiplied by the salaries for which
 15 12 the funds are appropriated, and for not more than the following
 15 13 full-time equivalent positions:
 15 14 \$ 2,149,354
 15 15 4,298,707
 15 16 FTEs 55.00
 15 17 54.00

General Fund appropriation to the DPS for the State Fire Marshal's Office.

DETAIL: This is no change compared to estimated net FY 2012.

15 18 6. For the division of state patrol, for salaries, support,
 15 19 maintenance, workers' compensation costs, and miscellaneous
 15 20 purposes, including the state's contribution to the peace

General Fund appropriation to the Iowa State Patrol.

DETAIL: This is no change compared to estimated FY 2012.

15 21 officers' retirement, accident, and disability system provided
 15 22 in chapter 97A in the amount of the state's normal contribution
 15 23 rate, as defined in section 97A.8, multiplied by the salaries
 15 24 for which the funds are appropriated, and for not more than the
 15 25 following full-time equivalent positions:

15 26	.....	\$	25,951,617
15 27			<u>51,903,233</u>
15 28	.....	FTEs	513.00
15 29			<u>498.05</u>

15 30 It is the intent of the general assembly that members of the
 15 31 state patrol be assigned to patrol the highways and roads in
 15 32 lieu of assignments for inspecting school buses for the school
 15 33 districts.

Specifies it is 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.

15 34 7. For deposit in the sick leave benefits fund established
 15 35 under section 80.42 for all departmental employees eligible to
 16 1 receive benefits for accrued sick leave under the collective
 16 2 bargaining agreement:

16 3	.....	\$	139,759
16 4			<u>279,517</u>

General Fund appropriation to create a nonreversionary 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 under the collective bargaining agreement.

DETAIL: This is no change compared to estimated FY 2012.

16 5 8. For costs associated with the training and equipment
 16 6 needs of volunteer fire fighters:

16 7	.....	\$	362,760
16 8			<u>725,520</u>

General Fund appropriation to the DPS for Volunteer Fire Fighter Training.

DETAIL: This is no change compared to estimated FY 2012.

16 9 a. Notwithstanding section 8.33, moneys appropriated in
 16 10 this subsection that remain unencumbered or unobligated at the
 16 11 close of the fiscal year shall not revert but shall remain
 16 12 available for expenditure only for the purpose designated in
 16 13 this subsection until the close of the succeeding fiscal year.

Requires nonreversion of appropriated funds for fire fighter training and equipment needs. Appropriated funds may remain available through the end of FY 2014.

16 14 b. Notwithstanding section 8.39, within the moneys
 16 15 appropriated in this section, the department of public safety
 16 16 may reallocate moneys as necessary to best fulfill the needs
 16 17 provided for in the appropriation. However, the department
 16 18 shall not reallocate an appropriation made to the department
 16 19 in this section unless notice of the reallocation is given
 16 20 to the legislative services agency and the department of
 16 21 management prior to the effective date of the reallocation.
 16 22 The notice shall include information regarding the rationale
 16 23 for reallocating the appropriation. The department shall
 16 24 not reallocate an appropriation made in this section for the
 16 25 purpose of eliminating any program.

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 Legislative Services Agency and the Department of Management (DOM) prior to the effective date of the reallocation. The Department is not allowed to reallocate the appropriations for the purpose of eliminating a program.

16 26 Sec. 11. 2011 Iowa Acts, chapter 134, section 44, is amended
16 27 to read as follows:

16 28 SEC. 44. GAMING ENFORCEMENT.

16 29 1. There is appropriated from the gaming enforcement
16 30 revolving fund created in section 80.43 to the department of
16 31 public safety for the fiscal year beginning July 1, 2012, and
16 32 ending June 30, 2013, the following amount, or so much thereof
16 33 as is necessary, to be used for the purposes designated:

16 34 For any direct support costs for agents and officers of
16 35 the division of criminal investigation's excursion gambling
17 1 boat, gambling structure, and racetrack enclosure enforcement
17 2 activities, including salaries, support, maintenance,
17 3 miscellaneous purposes, and for not more than the following
17 4 full-time equivalent positions:

17 5	.....	\$	<u>4,918,153</u>
17 6	.....		<u>10,335,709</u>
17 7	.....	FTEs	<u>420.00</u>
17 8	.....		<u>115.00</u>

17 9 2. For each additional license to conduct gambling games on
17 10 an excursion gambling boat, gambling structure, or racetrack
17 11 enclosure issued during the fiscal year beginning July 1, 2012,
17 12 there is appropriated from the gaming enforcement fund to the
17 13 department of public safety for the fiscal year beginning July
17 14 1, 2012, and ending June 30, 2013, an additional amount of not
17 15 more than \$521,000 to be used for not more than 6.00 additional
17 16 full-time equivalent positions.

17 17 3. The department of public safety, with the approval
17 18 of the department of management, may employ no more than two
17 19 special agents and four gaming enforcement officers for each
17 20 additional riverboat or gambling structure regulated after July
17 21 1, 2012, and one special agent for each racing facility which
17 22 becomes operational during the fiscal year which begins July 1,
17 23 2012. One additional gaming enforcement officer, up to a total
17 24 of four per riverboat or gambling structure, may be employed
17 25 for each riverboat or gambling structure that has extended
17 26 operations to 24 hours and has not previously operated with a
17 27 24-hour schedule. Positions authorized in this subsection are
17 28 in addition to the full-time equivalent positions otherwise
17 29 authorized in this section.

17 30 Sec. 12. 2011 Iowa Acts, chapter 134, section 45, is amended
17 31 to read as follows:

17 32 SEC. 45. CIVIL RIGHTS COMMISSION. There is appropriated

Gaming Enforcement Revolving Fund appropriation to the DPS for direct and indirect support costs for DCI agents and officers for gaming enforcement.

DETAIL: This is no change in funding and a decrease of 5.00 FTE positions compared to estimated net FY 2012.

If an additional gambling license is granted in FY 2013, an additional \$521,000 and 6.00 FTE positions may be expended from the Gaming Enforcement Fund.

Permits the DPS to employ a maximum of two special agents and four gaming enforcement officers if approved by the DOM for new riverboats licensed after July 1, 2012, 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 2013.

General Fund appropriation to the Civil Rights Commission.

17 33 from the general fund of the state to the Iowa state civil
 17 34 rights commission for the fiscal year beginning July 1,
 17 35 2012, and ending June 30, 2013, the following amount, or so
 18 1 much thereof as is necessary, to be used for the purposes
 18 2 designated:
 18 3 For salaries, support, maintenance, miscellaneous purposes,
 18 4 and for not more than the following full-time equivalent
 18 5 positions:
 18 6 \$ 648,535
 18 7 1,167,362
 18 8 FTEs 28.00

DETAIL: This is a decrease of \$129,707 compared to estimated FY 2012.

18 9 The Iowa state civil rights commission may enter into
 18 10 a contract with a nonprofit organization to provide legal
 18 11 assistance to resolve civil rights complaints.

Permits the Iowa Civil Rights Commission to contract with a nonprofit organization to resolve civil rights complaints.

18 12 Sec. 13. 2011 Iowa Acts, chapter 134, section 46, is amended
 18 13 to read as follows:
 18 14 SEC. 46. HOMELAND SECURITY AND EMERGENCY MANAGEMENT
 18 15 DIVISION. There is appropriated from the wireless E911
 18 16 emergency communications fund created in section 34A.7A to
 18 17 the administrator of the homeland security and emergency
 18 18 management division of the department of public defense for
 18 19 the fiscal year beginning July 1, 2012, and ending June 30,
 18 20 2013, an amount not exceeding ~~\$200,000~~ \$250,000 to be used for
 18 21 implementation, support, and maintenance of the functions of
 18 22 the administrator and program manager under chapter 34A and to
 18 23 employ the auditor of the state to perform an annual audit of
 18 24 the wireless E911 emergency communications fund.

Permits continued funding from the Wireless E911 Emergency Communications Fund for the E911 Program Manager in the Homeland Security and Emergency Management Division of the Department of Public Defense through FY 2013.

DETAIL: The Division receives up to \$250,000 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. This is an increase of \$50,000 compared to estimated net FY 2012.

18 25 Sec. 14. Section 80.43, subsection 1, Code 2011, is amended
 18 26 to read as follows:
 18 27 1. A gaming enforcement revolving fund is created in the
 18 28 state treasury under the control of the department. The fund
 18 29 shall consist of fees collected and deposited into the fund
 18 30 paid by licensees pursuant to section 99D.14, subsection 2,
 18 31 paragraph "b", and fees paid by licensees pursuant to section
 18 32 99F.10, subsection 4, paragraph "b". All costs for agents and
 18 33 officers plus any direct ~~and indirect~~ support costs for such
 18 34 agents and officers of the division of criminal investigation's
 18 35 racetrack, excursion boat, or gambling structure enforcement
 19 1 activities shall be paid from the fund as provided in
 19 2 appropriations made for this purpose by the general assembly.
 19 3 Sec. 15. Section 99D.14, subsection 2, paragraph b, Code
 19 4 Supplement 2011, is amended to read as follows:

Requires money to be transferred from the Gaming Enforcement Revolving Fund to the General Fund on an annual basis.

DETAIL: This statutory change is estimated to result in the transfer of \$1,100,000 from the Gaming Enforcement Revolving Fund to the General Fund beginning in FY 2013 and annually thereafter.

19 5 b. Notwithstanding sections 8.60 and 99D.17, the portion of
 19 6 the fee paid pursuant to paragraph "a" relating to the costs
 19 7 of special agents plus any direct and indirect support costs
 19 8 for the agents, for the division of criminal investigation's
 19 9 racetrack activities, ~~shall not be deposited in the general~~
 19 10 ~~fund of the state but instead~~ shall be deposited into the
 19 11 gaming enforcement revolving fund established in section 80.43.
 19 12 However, the department of public safety shall transfer, on an
 19 13 annual basis, the portion of the regulatory fee attributable to
 19 14 the indirect support costs of the special agents to the general
 19 15 fund of the state.

19 16 Sec. 16. Section 99F.10, subsection 4, paragraph b, Code
 19 17 Supplement 2011, is amended to read as follows:

19 18 b. Notwithstanding sections 8.60 and 99F.4, the portion of
 19 19 the fee paid pursuant to paragraph "a" relating to the costs
 19 20 of special agents and officers plus any direct and indirect
 19 21 support costs for the agents and officers, for the division of
 19 22 criminal investigation's excursion gambling boat or gambling
 19 23 structure activities, ~~shall not be deposited in the general~~
 19 24 ~~fund of the state but instead~~ shall be deposited into the
 19 25 gaming enforcement revolving fund established in section 80.43.
 19 26 However, the department of public safety shall transfer, on an
 19 27 annual basis, the portion of the regulatory fee attributable
 19 28 to the indirect support costs of the special agents and gaming
 19 29 enforcement officers to the general fund of the state.

19 30 Sec. 17. EFFECTIVE UPON ENACTMENT. The following
 19 31 provisions of this Act, being deemed of immediate importance,
 19 32 take effect upon enactment:

19 33 1. The section of this Act amending section 80.43,
 19 34 subsection 1.

19 35 2. The section of this Act amending section 99D.14,
 20 1 subsection 2, paragraph "b".

20 2 3. The section of this Act amending section 99F.10,
 20 3 subsection 4.

The language permitting the transfer of receipts from indirect billings for gaming enforcement from the Gaming Enforcement Revolving Fund to the General Fund takes effect upon enactment.

DETAIL: It is estimated this statutory change will result in the transfer of \$2,000,000 from the Gaming Enforcement Revolving Fund to the General Fund for FY 2012.

Summary Data

General Fund

	Actual FY 2011 <u>(1)</u>	Estimated FY 2012 <u>(2)</u>	Enacted FY 2013 <u>(3)</u>	House Action FY 2013 <u>(4)</u>	FY 2013 House Action <u>(5)</u>	House Act vs FY 12 Est <u>(6)</u>
Justice System	\$ 491,454,676	\$ 506,075,850	\$ 253,037,934	\$ 251,451,837	\$ 504,489,771	\$ -1,586,079
Grand Total	<u>\$ 491,454,676</u>	<u>\$ 506,075,850</u>	<u>\$ 253,037,934</u>	<u>\$ 251,451,837</u>	<u>\$ 504,489,771</u>	<u>\$ -1,586,079</u>

Justice System General Fund

	Actual FY 2011 (1)	Estimated FY 2012 (2)	Enacted FY 2013 (3)	House Action FY 2013 (4)	FY 2013 House Action (5)	House Act vs FY 12 Est (6)
<u>Justice, Department of</u>						
Justice, Dept. of						
General Office A.G.	\$ 7,782,682	\$ 7,792,930	\$ 3,896,465	\$ 3,117,172	\$ 7,013,637	\$ -779,293
Victim Assistance Grants	3,060,000	2,876,400	1,438,200	1,152,302	2,590,502	-285,898
Legal Services Poverty Grants	1,930,671	1,814,831	907,416	725,932	1,633,348	-181,483
Total Justice, Department of	\$ 12,773,353	\$ 12,484,161	\$ 6,242,081	\$ 4,995,406	\$ 11,237,487	\$ -1,246,674
<u>Civil Rights Commission</u>						
Civil Rights Commission						
Civil Rights Commission	\$ 1,334,589	\$ 1,297,069	\$ 648,534	\$ 518,828	\$ 1,167,362	\$ -129,707
Total Civil Rights Commission	\$ 1,334,589	\$ 1,297,069	\$ 648,534	\$ 518,828	\$ 1,167,362	\$ -129,707
<u>Corrections, Dept. of</u>						
Fort Madison						
Ft. Madison Institution	\$ 38,453,601	\$ 41,031,283	\$ 20,515,641	\$ 20,344,302	\$ 40,859,943	\$ -171,340
Anamosa						
Anamosa Institution	\$ 29,563,854	\$ 31,985,974	\$ 15,992,987	\$ 15,992,987	\$ 31,985,974	\$ 0
Oakdale						
Oakdale Institution	\$ 55,000,040	\$ 55,594,426	\$ 27,797,213	\$ 27,920,720	\$ 55,717,933	\$ 123,507
Newton						
Newton Institution	\$ 25,700,753	\$ 25,958,757	\$ 12,979,379	\$ 12,979,378	\$ 25,958,757	\$ 0
Mt Pleasant						
Mt. Pleasant Inst.	\$ 25,551,510	\$ 25,917,815	\$ 12,958,908	\$ 12,958,907	\$ 25,917,815	\$ 0
Rockwell City						
Rockwell City Institution	\$ 9,078,666	\$ 9,316,466	\$ 4,658,233	\$ 4,658,233	\$ 9,316,466	\$ 0
Clarinda						
Clarinda Institution	\$ 23,016,294	\$ 24,639,518	\$ 12,241,178	\$ 12,236,475	\$ 24,477,653	\$ -161,865
Mitchellville						
Mitchellville Institution	\$ 15,283,848	\$ 15,615,374	\$ 7,807,687	\$ 7,807,687	\$ 15,615,374	\$ 0
Fort Dodge						
Ft. Dodge Institution	\$ 28,310,185	\$ 29,062,235	\$ 14,531,118	\$ 14,531,117	\$ 29,062,235	\$ 0

Justice System General Fund

	Actual FY 2011 <u>(1)</u>	Estimated FY 2012 <u>(2)</u>	Enacted FY 2013 <u>(3)</u>	House Action FY 2013 <u>(4)</u>	FY 2013 House Action <u>(5)</u>	House Act vs FY 12 Est <u>(6)</u>
Central Office						
Corrections Administration	\$ 4,237,054	\$ 4,835,542	\$ 2,417,771	\$ 2,417,771	\$ 4,835,542	\$ 0
County Confinement	775,092	775,092	387,546	387,546	775,092	0
Federal Prisoners/Contractual	239,411	239,411	119,706	119,705	239,411	0
Corrections Education	1,558,109	2,308,109	1,154,055	1,154,054	2,308,109	0
Iowa Corrections Offender Network	424,364	424,364	212,182	212,182	424,364	0
Mental Health/Substance Abuse	22,319	22,319	11,160	11,159	22,319	0
Hepatitis Treatment And Education	167,881	167,881	83,941	83,940	167,881	0
New Correctional Officers	0	0	78,581	-78,581	0	0
Total Central Office	\$ 7,424,230	\$ 8,772,718	\$ 4,464,942	\$ 4,307,776	\$ 8,772,718	\$ 0
CBC District 1						
CBC District I	\$ 11,920,098	\$ 12,204,948	\$ 6,102,474	\$ 6,102,474	\$ 12,204,948	\$ 0
CBC District 2						
CBC District II	\$ 10,336,948	\$ 10,336,948	\$ 5,168,474	\$ 5,168,474	\$ 10,336,948	\$ 0
CBC District 3						
CBC District III	\$ 5,501,879	\$ 5,599,765	\$ 2,799,883	\$ 2,799,882	\$ 5,599,765	\$ 0
CBC District 4						
CBC District IV	\$ 5,391,355	\$ 5,391,355	\$ 2,695,678	\$ 2,695,677	\$ 5,391,355	\$ 0
CBC District 5						
CBC District V	\$ 18,407,129	\$ 18,742,129	\$ 9,371,065	\$ 9,371,064	\$ 18,742,129	\$ 0
CBC District 6						
CBC District VI	\$ 12,709,753	\$ 13,112,563	\$ 6,556,282	\$ 6,556,281	\$ 13,112,563	\$ 0
CBC District 7						
CBC District VII	\$ 6,492,814	\$ 6,492,814	\$ 3,246,407	\$ 3,246,407	\$ 6,492,814	\$ 0
CBC District 8						
CBC District VIII	\$ 6,731,055	\$ 6,879,715	\$ 3,439,858	\$ 3,439,857	\$ 6,879,715	\$ 0
Total Corrections, Dept. of	\$ 334,874,012	\$ 346,654,803	\$ 173,327,407	\$ 173,117,698	\$ 346,445,105	\$ -209,698
<u>Inspections & Appeals, Dept. of</u>						
Public Defender						
Public Defender	\$ 24,083,182	\$ 25,083,182	\$ 12,541,591	\$ 13,320,591	\$ 25,862,182	\$ 779,000
Indigent Defense Appropriation	31,680,929	30,680,929	15,340,464	14,561,465	29,901,929	-779,000
Total Inspections & Appeals, Dept. of	\$ 55,764,111	\$ 55,764,111	\$ 27,882,055	\$ 27,882,056	\$ 55,764,111	\$ 0

Justice System General Fund

	Actual FY 2011 (1)	Estimated FY 2012 (2)	Enacted FY 2013 (3)	House Action FY 2013 (4)	FY 2013 House Action (5)	House Act vs FY 12 Est (6)
<u>Iowa Law Enforcement Academy</u>						
Iowa Law Enforcement Academy						
Law Enforcement Academy	\$ 840,667	\$ 868,698	\$ 434,349	\$ 434,349	\$ 868,698	\$ 0
Total Iowa Law Enforcement Academy	\$ 840,667	\$ 868,698	\$ 434,349	\$ 434,349	\$ 868,698	\$ 0
<u>Parole, Board of</u>						
Parole Board						
Parole Board	\$ 969,043	\$ 1,053,835	\$ 526,918	\$ 526,917	\$ 1,053,835	\$ 0
Total Parole, Board of	\$ 969,043	\$ 1,053,835	\$ 526,918	\$ 526,917	\$ 1,053,835	\$ 0
<u>Public Defense, Dept. of</u>						
Public Defense, Dept. of						
Public Defense, Department of	\$ 5,879,832	\$ 5,527,042	\$ 2,763,521	\$ 2,763,521	\$ 5,527,042	\$ 0
Emergency Management Division						
Homeland Security & Emer. Mgmt.	\$ 1,940,548	\$ 1,836,877	\$ 918,439	\$ 918,438	\$ 1,836,877	\$ 0
Total Public Defense, Dept. of	\$ 7,820,380	\$ 7,363,919	\$ 3,681,960	\$ 3,681,959	\$ 7,363,919	\$ 0
<u>Public Safety, Department of</u>						
Public Safety, Dept. of						
Public Safety Administration	\$ 4,007,075	\$ 4,007,075	\$ 2,003,538	\$ 2,003,537	\$ 4,007,075	\$ 0
Public Safety DCI	12,533,931	12,533,931	6,266,966	6,266,965	12,533,931	0
DCI - Crime Lab Equipment/Training	302,345	302,345	151,173	151,172	302,345	0
Narcotics Enforcement	6,429,884	6,429,884	3,214,942	3,214,942	6,429,884	0
Public Safety Undercover Funds	109,042	109,042	54,521	54,521	109,042	0
DPS Fire Marshal	4,298,707	4,298,707	2,149,354	2,149,353	4,298,707	0
Iowa State Patrol	48,505,765	51,903,233	25,951,617	25,951,616	51,903,233	0
DPS/SPOC Sick Leave Payout	279,517	279,517	139,759	139,758	279,517	0
Fire Fighter Training	612,255	725,520	362,760	362,760	725,520	0
Total Public Safety, Department of	\$ 77,078,521	\$ 80,589,254	\$ 40,294,630	\$ 40,294,624	\$ 80,589,254	\$ 0
Total Justice System	\$ 491,454,676	\$ 506,075,850	\$ 253,037,934	\$ 251,451,837	\$ 504,489,771	\$ -1,586,079

Summary Data

Other Fund

	Actual FY 2011 <u>(1)</u>	Estimated FY 2012 <u>(2)</u>	Enacted FY 2013 <u>(3)</u>	House Action FY 2013 <u>(4)</u>	FY 2013 House Action <u>(5)</u>	House Act vs FY 12 Est <u>(6)</u>
Justice System	\$ 13,112,054	\$ 13,471,872	\$ 6,486,235	\$ 6,985,637	\$ 13,471,872	\$ 0
Grand Total	<u>\$ 13,112,054</u>	<u>\$ 13,471,872</u>	<u>\$ 6,486,235</u>	<u>\$ 6,985,637</u>	<u>\$ 13,471,872</u>	<u>\$ 0</u>

Justice System Other Fund

	Actual FY 2011 <u>(1)</u>	Estimated FY 2012 <u>(2)</u>	Enacted FY 2013 <u>(3)</u>	House Action FY 2013 <u>(4)</u>	FY 2013 House Action <u>(5)</u>	House Act vs FY 12 Est <u>(6)</u>
<u>Justice, Department of</u>						
Consumer Advocate						
Consumer Advocate - CMRF	\$ 3,318,465	\$ 3,136,163	\$ 1,568,082	\$ 1,568,081	\$ 3,136,163	\$ 0
Total Justice, Department of	<u>\$ 3,318,465</u>	<u>\$ 3,136,163</u>	<u>\$ 1,568,082</u>	<u>\$ 1,568,081</u>	<u>\$ 3,136,163</u>	<u>\$ 0</u>
<u>Public Safety, Department of</u>						
Public Safety, Dept. of						
DPS Gaming Enforcement	\$ 9,793,589	\$ 10,335,709	\$ 4,918,153	\$ 5,417,556	\$ 10,335,709	\$ 0
Total Public Safety, Department of	<u>\$ 9,793,589</u>	<u>\$ 10,335,709</u>	<u>\$ 4,918,153</u>	<u>\$ 5,417,556</u>	<u>\$ 10,335,709</u>	<u>\$ 0</u>
Total Justice System	<u><u>\$ 13,112,054</u></u>	<u><u>\$ 13,471,872</u></u>	<u><u>\$ 6,486,235</u></u>	<u><u>\$ 6,985,637</u></u>	<u><u>\$ 13,471,872</u></u>	<u><u>\$ 0</u></u>

Summary Data

FTE

	Actual FY 2011 <u>(1)</u>	Estimated FY 2012 <u>(2)</u>	Enacted FY 2013 <u>(3)</u>	House Action FY 2013 <u>(4)</u>	FY 2013 House Action <u>(5)</u>	House Act vs FY 12 Est <u>(6)</u>
Justice System	5,618.98	5,488.84	5,822.90	-326.36	5,496.54	7.70
Grand Total	<u>5,618.98</u>	<u>5,488.84</u>	<u>5,822.90</u>	<u>-326.36</u>	<u>5,496.54</u>	<u>7.70</u>

Justice System FTE

	Actual FY 2011 (1)	Estimated FY 2012 (2)	Enacted FY 2013 (3)	House Action FY 2013 (4)	FY 2013 House Action (5)	House Act vs FY 12 Est (6)
<u>Justice, Department of</u>						
Justice, Dept. of						
General Office A.G.	200.91	212.00	212.00	0.00	212.00	0.00
Victim Compensation Fund	21.32	24.00	24.00	0.00	24.00	0.00
Total Justice, Dept. of	222.23	236.00	236.00	0.00	236.00	0.00
Consumer Advocate						
Consumer Advocate - CMRF	17.70	22.00	22.00	0.00	22.00	0.00
Total Justice, Department of	239.92	258.00	258.00	0.00	258.00	0.00
<u>Civil Rights Commission</u>						
Civil Rights Commission						
Civil Rights Commission	28.52	28.00	28.00	0.00	28.00	0.00
Total Civil Rights Commission	28.52	28.00	28.00	0.00	28.00	0.00
<u>Corrections, Dept. of</u>						
Fort Madison						
Ft. Madison Institution	450.67	425.50	459.00	-35.50	423.50	-2.00
Anamosa						
Anamosa Institution	316.28	314.00	361.00	-47.00	314.00	0.00
Oakdale						
Oakdale Institution	520.02	506.50	556.50	-49.00	507.50	1.00
Newton						
Newton Institution	284.55	257.00	300.00	-43.00	257.00	0.00
Mt Pleasant						
Mt. Pleasant Inst.	269.38	268.68	288.28	-19.60	268.68	0.00
Rockwell City						
Rockwell City Institution	98.11	97.00	102.00	-5.00	97.00	0.00
Clarinda						
Clarinda Institution	257.57	265.65	283.40	-19.05	264.35	-1.30
Mitchellville						
Mitchellville Institution	174.50	176.00	188.00	-12.00	176.00	0.00

Justice System FTE

	Actual FY 2011 <u>(1)</u>	Estimated FY 2012 <u>(2)</u>	Enacted FY 2013 <u>(3)</u>	House Action FY 2013 <u>(4)</u>	FY 2013 House Action <u>(5)</u>	House Act vs FY 12 Est <u>(6)</u>
Fort Dodge						
Ft. Dodge Institution	287.27	295.50	306.00	-10.50	295.50	0.00
Central Office						
Corrections Administration	40.86	36.00	39.00	-3.00	36.00	0.00
New Correctional Officers	0.00	0.00	3.00	-3.00	0.00	0.00
Total Central Office	<u>40.86</u>	<u>36.00</u>	<u>42.00</u>	<u>-6.00</u>	<u>36.00</u>	<u>0.00</u>
CBC District 1						
CBC District I	176.91	163.01	177.41	-14.40	163.01	0.00
CBC District 2						
CBC District II	145.36	142.86	144.36	-1.50	142.86	0.00
CBC District 3						
CBC District III	73.59	64.99	74.99	-10.00	64.99	0.00
CBC District 4						
CBC District IV	65.00	63.00	65.00	-2.00	63.00	0.00
CBC District 5						
CBC District V	261.95	260.95	255.95	5.00	260.95	0.00
CBC District 6						
CBC District VI	192.88	183.70	189.51	-5.81	183.70	0.00
CBC District 7						
CBC District VII	90.45	81.70	86.45	-4.75	81.70	0.00
CBC District 8						
CBC District VIII	88.90	81.60	90.90	-9.30	81.60	0.00
Total Corrections, Dept. of	<u>3,794.26</u>	<u>3,683.64</u>	<u>3,970.75</u>	<u>-289.41</u>	<u>3,681.34</u>	<u>-2.30</u>
<u>Inspections & Appeals, Dept. of</u>						
Public Defender						
Public Defender	205.45	219.00	219.00	0.00	219.00	0.00
Total Inspections & Appeals, Dept. of	<u>205.45</u>	<u>219.00</u>	<u>219.00</u>	<u>0.00</u>	<u>219.00</u>	<u>0.00</u>

Justice System FTE

	Actual FY 2011 (1)	Estimated FY 2012 (2)	Enacted FY 2013 (3)	House Action FY 2013 (4)	FY 2013 House Action (5)	House Act vs FY 12 Est (6)
<u>Iowa Law Enforcement Academy</u>						
Iowa Law Enforcement Academy						
Law Enforcement Academy	22.46	25.50	24.55	0.95	25.50	0.00
Total Iowa Law Enforcement Academy	22.46	25.50	24.55	0.95	25.50	0.00
<u>Parole, Board of</u>						
Parole Board						
Parole Board	9.59	11.00	12.50	0.50	13.00	2.00
Total Parole, Board of	9.59	11.00	12.50	0.50	13.00	2.00
<u>Public Defense, Dept. of</u>						
Public Defense, Dept. of						
Public Defense, Department of	280.41	309.21	313.00	-3.79	309.21	0.00
Emergency Management Division						
Homeland Security & Emer. Mgmt.	124.35	35.34	40.00	-4.66	35.34	0.00
Total Public Defense, Dept. of	404.76	344.55	353.00	-8.45	344.55	0.00
<u>Public Safety, Department of</u>						
Public Safety, Dept. of						
Public Safety Administration	33.18	36.00	36.00	0.00	36.00	0.00
Public Safety DCI	149.13	155.10	159.10	-4.00	155.10	0.00
Narcotics Enforcement	69.12	69.00	74.00	-5.00	69.00	0.00
DPS Fire Marshal	54.11	54.00	55.00	-1.00	54.00	0.00
Iowa State Patrol	497.40	498.05	513.00	-14.95	498.05	0.00
DPS Gaming Enforcement	111.07	107.00	120.00	-5.00	115.00	8.00
Total Public Safety, Department of	914.03	919.15	957.10	-29.95	927.15	8.00
Total Justice System	5,618.98	5,488.84	5,822.90	-326.36	5,496.54	7.70