

SENATE/HOUSE FILE _____

BY (PROPOSED JOINT APPROPRIATIONS
SUBCOMMITTEE ON JUSTICE
SYSTEM BILL)

Passed Senate, Date _____ Passed House, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to and making appropriations to the justice
2 system.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. DEPARTMENT OF JUSTICE.

2 1. There is appropriated from the general fund of the
3 state to the department of justice for the fiscal year
4 beginning July 1, 2009, and ending June 30, 2010, the
5 following amounts, or so much thereof as is necessary, to be
6 used for the purposes designated:

7 a. For the general office of attorney general for
8 salaries, support, maintenance, and miscellaneous purposes,
9 including the prosecuting attorneys training program, victim
10 assistance grants, office of drug control policy (ODCP)
11 prosecuting attorney program, and odometer fraud enforcement,
12 and for not more than the following full-time equivalent
13 positions:

14	\$	8,592,145
15	FTEs	232.50

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

21 b. For victim assistance grants:

22	\$	146,598
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23 The funds appropriated in this lettered paragraph shall be
24 used to provide grants to care providers providing services to
25 crime victims of domestic abuse or to crime victims of rape
26 and sexual assault.

27 It is the intent of the general assembly to appropriate
28 from the general fund of the state to the department of
29 justice for victim assistance grants the following amount:
30 \$1,000,000 for the fiscal year beginning July 1, 2010, and
31 ending June 30, 2011.

32 The balance of the victim compensation fund established in
33 section 915.94 may be used to provide salary and support of
34 not more than 22 FTEs and to provide maintenance for the
35 victim compensation functions of the department of justice.

1 As a condition of receiving the appropriation in this
2 lettered paragraph, the department of justice shall transfer
3 at least \$3,200,000 from the victim compensation fund
4 established in section 915.94 to the victim assistance grant
5 program.

6 As a condition of receiving the appropriation in this
7 lettered paragraph, the department of justice shall transfer
8 at least \$850,000 from the proceeds of forfeited property
9 delivered to the department pursuant to section 809A.17 to be
10 used for the victim assistance grant program.

11 c. For legal services for persons in poverty grants as
12 provided in section 13.34:

13 \$ 1,954,634

14 d. For the purpose of funding farm mediation services and
15 other farm assistance program provisions in accordance with
16 sections 13.13 through 13.24:

17 \$

18 2. a. The department of justice, in submitting budget
19 estimates for the fiscal year commencing July 1, 2010,
20 pursuant to section 8.23, shall include a report of funding
21 from sources other than amounts appropriated directly from the
22 general fund of the state to the department of justice or to
23 the office of consumer advocate. These funding sources shall
24 include but are not limited to reimbursements from other state
25 agencies, commissions, boards, or similar entities, and
26 reimbursements from special funds or internal accounts within
27 the department of justice. The department of justice shall
28 also report actual reimbursements for the fiscal year
29 commencing July 1, 2008, and actual and expected
30 reimbursements for the fiscal year commencing July 1, 2009.

31 b. The department of justice shall include the report
32 required under paragraph "a", as well as information regarding
33 any revisions occurring as a result of reimbursements actually
34 received or expected at a later date, in a report to the co-
35 chairpersons and ranking members of the joint appropriations

1 subcommittee on the justice system and the legislative
2 services agency. The department of justice shall submit the
3 report on or before January 15, 2010.

4 Sec. 2. OFFICE OF CONSUMER ADVOCATE. There is
5 appropriated from the general fund of the state to the office
6 of consumer advocate of the department of justice for the
7 fiscal year beginning July 1, 2009, and ending June 30, 2010,
8 the following amount, or so much thereof as is necessary, to
9 be used for the purposes designated:

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

13	\$	2,809,606
14	FTEs	27.00

15 Sec. 3. DEPARTMENT OF CORRECTIONS -- FACILITIES.

16 1. There is appropriated from the general fund of the
17 state to the department of corrections for the fiscal year
18 beginning July 1, 2009, and ending June 30, 2010, the
19 following amounts, or so much thereof as is necessary, to be
20 used for the purposes designated:

21 For the operation of adult correctional institutions,
22 reimbursement of counties for certain confinement costs, and
23 federal prison reimbursement, to be allocated as follows:

24 a. For the operation of the Fort Madison correctional
25 facility, including salaries, support, maintenance, and
26 miscellaneous purposes:

27 \$ 41,114,692

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

31 \$ 31,302,014

32 As a condition of the funds appropriated in this lettered
33 paragraph, the department of corrections shall replace expired
34 federal funding by expending at least \$238,252 for
35 continuation of a treatment program that prepares offenders

1 for on-going therapeutic treatment programs offered by the
2 department and maintaining at least 4.75 full-time equivalent
3 positions for the program.

4 Moneys are provided within this appropriation for one full-
5 time substance abuse counselor for the Luster Heights facility
6 for the purpose of certification of a substance abuse program
7 at that facility.

8 c. For the operation of the Oakdale correctional facility,
9 including salaries, support, maintenance, and miscellaneous
10 purposes:

11 \$ 58,757,976

12 d. For the operation of the Newton correctional facility,
13 including salaries, support, maintenance, and miscellaneous
14 purposes:

15 \$ 28,033,393

16 e. For the operation of the Mt. Pleasant correctional
17 facility, including salaries, support, maintenance, and
18 miscellaneous purposes:

19 \$ 27,216,182

20 f. For the operation of the Rockwell City correctional
21 facility, including salaries, support, maintenance, and
22 miscellaneous purposes:

23 \$ 9,392,186

24 g. For the operation of the Clarinda correctional
25 facility, including salaries, support, maintenance, and
26 miscellaneous purposes:

27 \$ 23,342,852

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

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

1 \$ 15,836,794

2 i. For the operation of the Fort Dodge correctional
3 facility, including salaries, support, maintenance, and
4 miscellaneous purposes:

5 \$ 30,077,235

6 j. For reimbursement of counties for temporary confinement
7 of work release and parole violators, as provided in sections
8 901.7, 904.908, and 906.17, and for offenders confined
9 pursuant to section 904.513:

10 \$ 861,213

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

13 \$ 239,411

14 2. The department of corrections shall use funds
15 appropriated in subsection 1 to continue to contract for the
16 services of a Muslim imam.

17 Sec. 4. DEPARTMENT OF CORRECTIONS -- ADMINISTRATION.

18 1. There is appropriated from the general fund of the
19 state to the department of corrections for the fiscal year
20 beginning July 1, 2009, and ending June 30, 2010, the
21 following amounts, or so much thereof as is necessary, to be
22 used for the purposes designated:

23 a. For general administration, including salaries,
24 support, maintenance, employment of an education director to
25 administer a centralized education program for the
26 correctional system, and miscellaneous purposes:

27 \$ 4,810,048

28 (1) It is the intent of the general assembly that as a
29 condition of receiving the appropriation provided in this
30 lettered paragraph the department of corrections shall not,
31 except as otherwise provided in subparagraph (3), enter into a
32 new contract, unless the contract is a renewal of an existing
33 contract, for the expenditure of moneys in excess of \$100,000
34 during the fiscal year beginning July 1, 2009, for the
35 privatization of services performed by the department using

1 state employees as of July 1, 2009, or for the privatization
2 of new services by the department without prior consultation
3 with any applicable state employee organization affected by
4 the proposed new contract and prior notification of the co-
5 chairpersons and ranking members of the joint appropriations
6 subcommittee on the justice system.

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

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

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

28 \$ 1,558,109

29 As a condition of receiving the appropriation in this
30 lettered paragraph, the department of corrections shall
31 transfer at least \$300,000 from the canteen operating funds
32 established pursuant to section 904.310 to be used for
33 correctional educational programs funded in this lettered
34 paragraph. In addition, as a condition of receiving the
35 appropriation made in this lettered paragraph, the department

1 of corrections shall expend, from the funds available to the
2 department, at least \$300,000 more in the fiscal year
3 beginning July 1, 2009, and ending June 30, 2010, than was
4 expended in the previous fiscal year, for correctional
5 education programs.

6 It is the intent of the general assembly that moneys
7 appropriated in this lettered paragraph shall be used solely
8 for the purpose indicated and that the moneys shall not be
9 transferred for any other purpose. In addition, it is the
10 intent of the general assembly that the department shall
11 consult with the community colleges in the areas in which the
12 institutions are located to utilize moneys appropriated in
13 this lettered paragraph to fund the high school completion,
14 high school equivalency diploma, adult literacy, and adult
15 basic education programs in a manner so as to maintain these
16 programs at the institutions.

17 To maximize the funding for educational programs, the
18 department shall establish guidelines and procedures to
19 prioritize the availability of educational and vocational
20 training for inmates based upon the goal of facilitating an
21 inmate's successful release from the correctional institution.

22 The director of the department of corrections may transfer
23 moneys from Iowa prison industries for use in educational
24 programs for inmates.

25 Notwithstanding section 8.33, moneys appropriated in this
26 lettered paragraph that remain unobligated or unexpended at
27 the close of the fiscal year shall not revert but shall remain
28 available for expenditure only for the purpose designated in
29 this lettered paragraph until the close of the succeeding
30 fiscal year.

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

33 \$ 424,364

34 d. For offender mental health and substance abuse
35 treatment:

1 \$ 24,799

2 e. For viral hepatitis prevention and treatment:

3 \$ 186,534

4 2. It is the intent of the general assembly that the
5 department of corrections shall continue to operate the
6 correctional farms under the control of the department at the
7 same or greater level of participation and involvement as
8 existed as of January 1, 2009; shall not enter into any rental
9 agreement or contract concerning any farmland under the
10 control of the department that is not subject to a rental
11 agreement or contract as of January 1, 2009, without prior
12 legislative approval; and shall further attempt to provide job
13 opportunities at the farms for inmates. The department shall
14 attempt to provide job opportunities at the farms for inmates
15 by encouraging labor-intensive farming or gardening where
16 appropriate; using inmates to grow produce and meat for
17 institutional consumption; researching the possibility of
18 instituting food canning and cook-and-chill operations; and
19 exploring opportunities for organic farming and gardening,
20 livestock ventures, horticulture, and specialized crops.

21 3. The department of corrections shall provide a smoking
22 cessation program to offenders committed to the custody of the
23 director or who are otherwise detained by the department, that
24 complies with legislation enacted restricting or prohibiting
25 smoking on the grounds of correctional institutions.

26 4. As a condition of receiving the appropriations made in
27 this section, the department of corrections shall develop and
28 implement offender reentry centers in Black Hawk and Polk
29 counties to provide transitional planning and release
30 primarily for offenders released from the Iowa correctional
31 institution for women at Mitchellville and the Fort Dodge
32 correctional facility. Programming shall include minority and
33 gender-specific responsivity, employment, substance abuse
34 treatment, mental health services, housing, and family
35 reintegration. The department of corrections shall

1 collaborate with the first and fifth judicial district
2 departments of correctional services, the Iowa department of
3 workforce development, the department of human services,
4 community-based providers and faith-based organizations, and
5 local law enforcement.

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

8 1. There is appropriated from the general fund of the
9 state to the department of corrections for the fiscal year
10 beginning July 1, 2009, and ending June 30, 2010, for the
11 treatment and supervision of probation and parole violators
12 who have been released from the department of corrections
13 violator program, the following amounts, or so much thereof as
14 is necessary, to be allocated as follows:

15 a. For the first judicial district department of
16 correctional services:

17 \$ 12,883,094

18 As a condition of the funds appropriated in this lettered
19 paragraph, the department of corrections shall replace expired
20 federal funding by expending at least \$140,000 for the dual
21 diagnosis program and maintaining 1.25 full-time equivalent
22 positions for the program.

23 b. For the second judicial district department of
24 correctional services:

25 \$ 10,843,473

26 c. For the third judicial district department of
27 correctional services:

28 \$ 5,718,746

29 d. For the fourth judicial district department of
30 correctional services:

31 \$ 5,436,248

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

35 \$ 18,958,665

1 f. For the sixth judicial district department of
2 correctional services:
3 \$ 13,417,533

4 The sixth judicial district department of correctional
5 services shall maintain a youth leadership model program to
6 help at-risk youth. As a part of the program, the district
7 department may recruit college or high school students in the
8 judicial district to work with at-risk youth. The student
9 workers shall be recruited regardless of gender and be
10 recommended by their respective schools as good role models,
11 including but not limited to students who possess capabilities
12 in one or more of the following areas of ability:
13 intellectual capacity, athletics, visual arts, or performing
14 arts.

15 g. For the seventh judicial district department of
16 correctional services:
17 \$ 6,995,044

18 h. For the eighth judicial district department of
19 correctional services:
20 \$ 6,919,964

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

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

34 4. The governor's office of drug control policy shall
35 consider federal grants made to the department of corrections

1 for the benefit of each of the eight judicial district
2 departments of correctional services as local government
3 grants, as defined pursuant to federal regulations.

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

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

23 Sec. 7. INTENT -- REPORTS.

24 1. The department in cooperation with townships, the Iowa
25 cemetery associations, and other nonprofit or governmental
26 entities may use inmate labor during the fiscal year beginning
27 July 1, 2009, to restore or preserve rural cemeteries and
28 historical landmarks. The department in cooperation with the
29 counties may also use inmate labor to clean up roads, major
30 water sources, and other water sources around the state.

31 2. Each month the department shall provide a status report
32 regarding private-sector employment to the legislative
33 services agency beginning on July 1, 2009. The report shall
34 include the number of offenders employed in the private
35 sector, the combined number of hours worked by the offenders,

1 and the total amount of allowances, and the distribution of
2 allowances pursuant to section 904.702, including any moneys
3 deposited in the general fund of the state.

4 Sec. 8. ELECTRONIC MONITORING REPORT. The department of
5 corrections shall submit a report on electronic monitoring to
6 the general assembly, to the co-chairpersons and the ranking
7 members of the joint appropriations subcommittee on the
8 justice system, and to the legislative services agency by
9 January 15, 2010. The report shall specifically address the
10 number of persons being electronically monitored and break
11 down the number of persons being electronically monitored by
12 offense committed. The report shall also include a comparison
13 of any data from the prior fiscal year with the current year.

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

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

23 2. State agencies are hereby encouraged to purchase
24 products from Iowa state industries, as defined in section
25 904.802, when purchases are required and the products are
26 available from Iowa state industries. State agencies shall
27 obtain bids from Iowa state industries for purchases of office
28 furniture during the fiscal year beginning July 1, 2009,
29 exceeding \$5,000 or in accordance with applicable
30 administrative rules related to purchases for the agency.

31 Sec. 10. STATE PUBLIC DEFENDER. There is appropriated
32 from the general fund of the state to the office of the state
33 public defender of the department of inspections and appeals
34 for the fiscal year beginning July 1, 2009, and ending June
35 30, 2010, the following amounts, or so much thereof as is

1 necessary, to be allocated as follows for the purposes
2 designated:

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

6 \$ 21,743,182
7 FTEs 203.00

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

11 \$ 26,262,565

12 Sec. 11. IOWA LAW ENFORCEMENT ACADEMY.

13 1. There is appropriated from the general fund of the
14 state to the Iowa law enforcement academy for the fiscal year
15 beginning July 1, 2009, and ending June 30, 2010, the
16 following amount, or so much thereof as is necessary, to be
17 used for the purposes designated:

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

21 \$ 1,166,033
22 FTEs 29.55

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

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

33 2. The Iowa law enforcement academy may select at least
34 five automobiles of the department of public safety, division
35 of state patrol, prior to turning over the automobiles to the

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

11 Sec. 12. BOARD OF PAROLE. There is appropriated from the
12 general fund of the state to the board of parole for the
13 fiscal year beginning July 1, 2009, and ending June 30, 2010,
14 the following amount, or so much thereof as is necessary, to
15 be used for the purposes designated:

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

19	\$	1,161,399
20	FTEs	18.50

21 Sec. 13. DEPARTMENT OF PUBLIC DEFENSE. There is
22 appropriated from the general fund of the state to the
23 department of public defense for the fiscal year beginning
24 July 1, 2009, and ending June 30, 2010, the following amounts,
25 or so much thereof as is necessary, to be used for the
26 purposes designated:

27 1. MILITARY DIVISION

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

31	\$	6,249,201
32	FTEs	313.30

33 The military division may temporarily exceed and draw more
34 than the amount appropriated and incur a negative cash balance
35 as long as there are receivables of federal funds equal to or

1 greater than the negative balance and the amount appropriated
2 in this subsection is not exceeded at the close of the fiscal
3 year.

4 2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION

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

8	\$ 2,038,119
9	FTEs 29.75

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

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

22 Sec. 14. DEPARTMENT OF PUBLIC SAFETY. There is
23 appropriated from the general fund of the state to the
24 department of public safety for the fiscal year beginning July
25 1, 2009, and ending June 30, 2010, the following amounts, or
26 so much thereof as is necessary, to be used for the purposes
27 designated:

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

31	\$ 4,391,190
32	FTEs 39.00

33 2. For the division of criminal investigation, including
34 the state's contribution to the peace officers' retirement,
35 accident, and disability system provided in chapter 97A in the

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

6 \$ 21,125,270
7 FTEs 287.50

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

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

25 The department of public safety, with the approval of the
26 department of management, may employ no more than two special
27 agents and four gaming enforcement officers for each
28 additional riverboat or gambling structure regulated after
29 July 1, 2009, and one special agent for each racing facility
30 which becomes operational during the fiscal year which begins
31 July 1, 2009. One additional gaming enforcement officer, up
32 to a total of four per riverboat or gambling structure, may be
33 employed for each riverboat or gambling structure that has
34 extended operations to 24 hours and has not previously
35 operated with a 24-hour schedule. Positions authorized in

1 this paragraph are in addition to the full-time equivalent
2 positions otherwise authorized in this subsection.

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

5 \$ 335,939

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

14 \$ 6,386,274
15 FTEs 81.00

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

18 \$ 121,158

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

28 \$ 3,988,892
29 FTEs 59.00

30 6. For the division of state patrol, for salaries,
31 support, maintenance, workers' compensation costs, and
32 miscellaneous purposes, including the state's contribution to
33 the peace officers' retirement, accident, and disability
34 system provided in chapter 97A in the amount of the state's
35 normal contribution rate, as defined in section 97A.8,

1 multiplied by the salaries for which the funds are
2 appropriated, and for not more than the following full-time
3 equivalent positions:

4 \$ 50,068,094
5 FTEs 536.00

6 As a condition of receiving the appropriation made in this
7 subsection, the department of public safety shall increase
8 expenditures for overtime paid to peace officer members of the
9 state patrol by \$_____ and increase expenditures for fuel
10 used by the motor vehicles of such members by \$_____. In
11 addition as a condition of receiving the appropriation made in
12 this subsection, the department shall hire and employ one
13 additional peace officer member of the state patrol.

14 It is the intent of the general assembly that members of
15 the state patrol be assigned to patrol the highways and roads
16 in lieu of assignments for inspecting school buses for the
17 school districts.

18 7. For deposit in the sick leave benefits fund established
19 under section 80.42 for all departmental employees eligible to
20 receive benefits for accrued sick leave under the collective
21 bargaining agreement:

22 \$ 310,575

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

25 \$ 680,421

26 Notwithstanding section 8.33, moneys appropriated in this
27 subsection that remain unencumbered or unobligated at the
28 close of the fiscal year shall not revert but shall remain
29 available for expenditure only for the purpose designated in
30 this subsection until the close of the succeeding fiscal year.

31 Notwithstanding section 8.39, within the funds appropriated
32 in this section the department of public safety may reallocate
33 funds as necessary to best fulfill the needs provided for in
34 the appropriation. However, the department shall not
35 reallocate an appropriation made to the department in this

1 section unless notice of the reallocation is given to the
2 legislative services agency and the department of management
3 prior to the effective date of the reallocation. The notice
4 shall include information about the rationale for reallocating
5 the appropriation. The department shall not reallocate an
6 appropriation made in this section for the purpose of
7 eliminating any program.

8 Sec. 15. CIVIL RIGHTS COMMISSION. There is appropriated
9 from the general fund of the state to the Iowa state civil
10 rights commission for the fiscal year beginning July 1, 2009,
11 and ending June 30, 2010, the following amount, or so much
12 thereof as is necessary, to be used for the purposes
13 designated:

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

17	\$	1,533,179
18	FTEs	29.50

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

22 Sec. 16. HOMELAND SECURITY AND EMERGENCY MANAGEMENT
23 DIVISION. There is appropriated from the wireless E911
24 emergency communications fund created in section 34A.7A to the
25 administrator of the homeland security and emergency
26 management division of the department of public defense for
27 the fiscal year beginning July 1, 2009, and ending June 30,
28 2010, an amount not exceeding \$200,000 to be used for
29 implementation, support, and maintenance of the functions of
30 the administrator and program manager under chapter 34A and to
31 employ the auditor of the state to perform an annual audit of
32 the wireless E911 emergency communications fund.

33 Sec. 17. IOWA LAW ENFORCEMENT ACADEMY -- FEES.
34 Notwithstanding section 80B.11B, the Iowa law enforcement
35 academy may charge more than one-half the cost of providing

1 the basic training course if a majority of the Iowa law
2 enforcement academy council authorizes charging more than one-
3 half of the cost of providing basic training. This section is
4 repealed on June 30, 2010.

5 Sec. 18. INTERIM REPORTING -- IMPLEMENTATION. The board
6 of parole shall develop and implement the certificate of
7 employability program as provided in section 906.19. The
8 board shall file an interim status report regarding the
9 certificate of employability program development with the
10 general assembly and the legislative services agency by
11 January 1, 2010.

12 Sec. 19. CENTRAL WAREHOUSE AND SUPPLY DEPOT OF DEPARTMENT
13 OF HUMAN SERVICES. Upon completion of the central warehouse
14 and supply depot of the department of corrections established
15 pursuant to section 904.118A, the department of human services
16 shall cease utilizing the central warehouse and supply depot
17 of the department of human services established pursuant to
18 section 218.100.

19 EXPLANATION

20 This bill makes appropriations from the general fund of the
21 state for fiscal year 2009-2010 to the departments of justice,
22 corrections, public defense, and public safety, and the Iowa
23 law enforcement academy, office of consumer advocate, office
24 of the state public defender, board of parole, and Iowa state
25 civil rights commission.

26 The bill also appropriates moneys, not to exceed \$200,000,
27 from the wireless E911 emergency communications fund to the
28 homeland security and emergency management division for
29 implementation, support, and maintenance of the functions of
30 the administrator and program manager of the E911 emergency
31 system.

32 The bill addresses Code section 80B.11B to provide that for
33 FY 2009-2010 the Iowa law enforcement academy may charge a
34 department of the state, a member of a police force, or any
35 political subdivision of the state more than one-half of the

1 cost to provide the basic training course for a law
2 enforcement officer, provided a majority of the Iowa law
3 enforcement council approves such a charge. Current law
4 prohibits the Iowa law enforcement academy from charging more
5 than one-half of the cost of providing the basic training
6 course.

7 The bill provides that the department of corrections may
8 reallocate appropriated funds between the institutions of the
9 department of corrections, the department's administration,
10 and the judicial district departments of correctional
11 services. The bill provides the department, prior to the
12 effective date of any reallocation, must provide notice to the
13 department of management, the legislative services agency, and
14 the district board of any judicial district department of
15 correctional services affected by the reallocation.

16 The bill provides that the department of public safety may
17 also reallocate the funds appropriated to the department
18 between the divisions of the department. The bill provides
19 that the department, prior to the effective date of any
20 reallocation, must provide notice of the reallocation to the
21 department of management and the legislative services agency.

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