

BETH

LSB 1005JA

1 Amend LSB 1005JA as follows:

2 1. Page 2, by striking lines 1 through 5 and  
3 inserting the following:

4 "The department of justice may transfer moneys from  
5 the victim compensation fund established in section  
6 915.94 to the victim assistance grant program."

7 2. Page 2, by striking lines 6 through 10.

8 3. Page 2, by striking lines 14 through 17.

9 4. By striking page 6, line 34, through page 7,  
10 line 5, and inserting the following: "paragraph."

11 5. Page 10, by striking lines 4 through 14.

12 6. Page 18, by striking lines 6 through 13.

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16 PROPOSED COMMITTEE AMENDMENT

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1. Permits the AG to transfer funds from the Victim Comp Fund to the Victim Assistance Grants Account.
2. Strikes the requirement that the AG transfer \$850,000 from forfeited property receipts to Victim Assistance Grants Account.
3. Strikes appropriation language for Farm Mediation.
4. Strikes the requirement that the Doc spend at least \$300,000 more than current law on corrections education.
5. Strikes language requiring the 6<sup>th</sup> CBC District Department to maintain a youth leadership program.
6. Strikes language requiring the State Patrol to increase overtime and fuel.

LSB 1005JA

1 Amend LSB 1005JA as follows:

2 1. Page 3, by inserting after line 3 the  
3 following:

4 "Sec. \_\_\_\_ . CONSUMER EDUCATION AND LITIGATION FUND.  
5 Notwithstanding section 714.16C, for each fiscal year  
6 of the period beginning July 1, 2008, and ending June  
7 30, 2011, the annual appropriations in section  
8 714.16C, are increased from \$1,125,000 to \$1,875,000,  
9 and \$75,000 to \$125,000 respectively. Moneys  
10 appropriated from the consumer education and  
11 litigation fund may be allocated for cash flow  
12 purposes to the victim compensation fund established  
13 in section 915.94 during each of the fiscal years  
14 enumerated, provided that any moneys so allocated are  
15 returned to the consumer education and litigation fund  
16 by the end of each fiscal year an allocation occurs."

17 2. Page 20, by inserting after line 18 the  
18 following:

19 "Sec. \_\_\_\_ . EFFECTIVE DATE. The section of this  
20 Act increasing appropriations pursuant to section  
21 714.16C, being deemed of immediate importance, takes  
22 effect upon enactment and applies retroactively to  
23 April 1, 2009."

24 3. Title page, line 2, by inserting after the  
25 word "system" the following: ", and including  
26 effective and retroactive applicability date  
27 provisions".

28 4. By renumbering as necessary.  
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32 PROPOSED COMMITTEE AMENDMENT  
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35 *Increases the cap on the Consumer*  
36 *Education + Litigation Fund by \$809,000*  
37 *+ permits the fund to be used for*  
38 *cash flow purposes of the Victim*  
39 *Compensation Fund.*  
40 *Takes effect April 1, 2009 +*  
41 *sunsets at the end of FY 2011.*  
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LSB 1005JA

1 Amend LSB 1005JA as follows:

2 1. Page 3, by inserting after line 27 the  
3 following:

4 "As a condition of receiving an appropriation in  
5 this lettered paragraph, the department of corrections  
6 shall operate the John Bennett facility either as an  
7 institution of the department or a community-based  
8 correctional facility."  
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12 PROPOSED COMMITTEE AMENDMENT

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*Requires the DoC to use the  
John Bennett facility as a prison  
or CBC facility.*

1 Amend LSB 1005JA as follows:

2 1. Page 3, by inserting after line 31 the  
3 following:

*Luster Heights  
if funded*

4 "It is the intent of the general assembly that the  
5 department of corrections fully operate the Luster  
6 Heights facility at the facility's 88-bed capacity."

7 2. Page 9, by inserting after line 5 the  
8 following:

*Use of  
Paramedics  
in prison system*

9 "\_\_\_\_. The department of corrections shall study  
10 the use of paramedics at correctional institutions,  
11 and file a report with the chairpersons and ranking  
12 members of the joint appropriations subcommittee on  
13 the justice system and the legislative services  
14 agency, detailing the study by January 15, 2010.

15 \_\_\_\_\_. The department of corrections shall implement  
16 a centralized pharmacy during the fiscal year  
17 beginning July 1, 2009, and file a report with the  
18 chairpersons and ranking members of the joint  
19 appropriations subcommittee on the justice system and  
20 the legislative services agency. The department shall  
21 submit the report by September 1, 2010."

*Requires the  
DOC to implement  
a centralized  
pharmacy*

22 3. Page 11, by inserting after line 7 the  
23 following:

*Requires CBC  
District Departments  
to accept  
offenders  
from each other.*

24 "\_\_\_\_. A judicial district department of  
25 correctional services shall accept into the facilities  
26 of the district department, offenders assigned from  
27 other judicial district departments of correctional  
28 services."

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PROPOSED COMMITTEE AMENDMENT



LSB 1005JA

1 Amend LSB 1005JA as follows:

2 1. Page 9, by inserting after line 5 the  
3 following:

4 "\_\_\_\_. The chief security officer position within  
5 the department of corrections shall be eliminated by  
6 June 30, 2011."

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10 PROPOSED COMMITTEE AMENDMENT

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*eliminates security director position  
in DOC Central Office  
at the end of FY 2011*

LSB 1005JA

1 Amend LSB 1005JA as follows:

2 1. Page 9, by inserting after line 35 the  
3 following:

4 "As a condition of receiving the appropriation in  
5 this lettered paragraph, the fifth judicial district  
6 department of correctional services shall reinstate 67  
7 beds in buildings 65 and 66 at the fort Des Moines  
8 facility and resume operating the buildings, in  
9 addition to maintaining the 199 beds in buildings 68  
10 and 70 at the fort Des Moines facility. The district  
11 department may use inmate labor to upgrade and  
12 renovate the buildings, if renovation and updating are  
13 required."

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17 PROPOSED COMMITTEE AMENDMENT

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Requires the 5<sup>th</sup> CBC District Department  
to reinstate + use 67 beds at Fort Des Moines  
Building 65/66 + maintain 199 beds at  
Building 68/70

LSB 1005JA

1 Amend LSB 1005JA as follows:

2 1. Page 19, by inserting after line 32 the  
3 following:

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

10 2. By renumbering as necessary.

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14 PROPOSED COMMITTEE AMENDMENT

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Encourages use of the ICN in lieu  
of travel for Executive Branch  
agencies funded in this Bill

LSB 1005JA

1 Amend LSB 1005JA as follows:

2 1. Page \_\_\_\_, by inserting after line \_\_\_\_ the  
3 following:

4 "Sec. \_\_\_\_ SUPERVISOR AND EMPLOYEE RATIO. The  
5 department of administrative services and the  
6 executive branch agencies receiving appropriations in  
7 this Act shall pursue a goal of achieving a ratio of  
8 twelve employees per supervisor in such agencies, by  
9 December 31, 2009."

10 2. By renumbering as necessary.

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14 PROPOSED COMMITTEE AMENDMENT

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Requires the Executive Branch agencies  
to pursue a goal of a 1 supervisor  
to 12 staff ratio.

1 Amend LSB 1005JA as follows:

2 1. Page \_\_\_\_, by inserting after line \_\_\_\_ the  
3 following:

4 "Sec. \_\_\_\_ . Section 13B.4, subsection 2, Code 2009,  
5 is amended to read as follows:

6 2. The state public defender shall file a notice  
7 with the clerk of the district court in each county  
8 served by a public defender designating which public  
9 defender office shall receive notice of appointment of  
10 cases. The state public defender may also designate  
11 ~~enter into a contract with a nonprofit organization~~  
12 ~~which has a contract with the state public defender to~~  
13 ~~or an attorney, designating that the nonprofit~~  
14 ~~organization or attorney provide legal services to~~  
15 ~~eligible indigent persons as the state public~~  
16 ~~defender's designee.~~ In each county in which the  
17 state public defender files a designation, the state  
18 public defender's designee shall be appointed by the  
19 court to represent all eligible persons or to serve as  
20 guardian ad litem for eligible children in juvenile  
21 court in all cases and proceedings specified in the  
22 designation. The appointment shall not be made if the  
23 state public defender or the state public defender's  
24 designee notifies the court that the state public  
25 defender's designee will not provide services in  
26 certain cases as identified in the designation by the  
27 state public defender.

28 Sec. \_\_\_\_ . Section 13B.4, subsection 4, paragraph  
29 c, subparagraph (2), subparagraph division (d), Code  
30 2009, is amended to read as follows:

31 (d) If the claimant was appointed contrary to  
32 section 814.11 or 815.10, or the claimant failed to  
33 comply with section 814.11, subsection 6, or section  
34 815.10, subsection 5."

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40 Permits the State Public Defender  
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42 to contract with a private attorney  
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44 for a set rate.  
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1 Amend LSB 1005JA as follows:

2 1. Page \_\_\_\_, by inserting after line \_\_\_\_ the  
3 following:

4 "Sec. \_\_\_\_\_. Section 97A.1, subsection 13, Code  
5 2009, is amended to read as follows:

6 13. "Peace officer" means a member, except a  
7 non-peace officer member, of the division of state  
8 patrol, narcotics enforcement, state fire marshal, or  
9 criminal investigation, including but not limited to a  
10 ~~gaming-enforcement-officer~~ special agent I, who has  
11 passed a satisfactory physical and mental examination  
12 and has been duly appointed by the department of  
13 public safety in accordance with section 80.15.

14 Sec. \_\_\_\_\_. Section 97A.3, subsection 1, Code 2009,  
15 is amended to read as follows:

16 1. All peace officer members of the division of  
17 state patrol and the division of criminal  
18 investigation or the predecessor divisions or subunits  
19 in the department of public safety, excepting the  
20 members of the clerical force, who are employed by the  
21 state of Iowa on July 4, 1949, and all persons  
22 thereafter employed as members of such divisions or  
23 the predecessor divisions or subunits in the  
24 department of public safety or division of narcotics  
25 enforcement or division of state fire marshal or the  
26 predecessor divisions or subunits, except the members  
27 of the clerical force, shall be members of this  
28 system, except as otherwise provided in subsection 3.  
29 Effective July 1, 1994, ~~gaming-enforcement-officers~~  
30 each special agent I employed by the division of  
31 criminal investigation for excursion boat and gambling  
32 structure gambling enforcement activities and each  
33 ~~fire prevention inspector peace officers officer~~  
34 employed by the department of public safety shall be  
35 members of this system, except as otherwise provided  
36 in subsection 3 or section 97B.42B. Such members  
37 shall not be required to make contributions under any  
38 other pension or retirement system of the state of  
39 Iowa, anything to the contrary notwithstanding.

40 Sec. \_\_\_\_\_. Section 97A.10, subsection 1, paragraph  
41 a, subparagraph (1), subparagraph division (a), Code  
42 2009, is amended to read as follows:

43 (a) Service with the department prior to July 1,  
44 1994, in a position as a ~~gaming-enforcement-officer~~  
45 special agent I, fire prevention inspector peace  
46 officer, or as an employee of the division of capitol  
47 police except clerical workers.

48 Sec. \_\_\_\_\_. Section 97B.42B, subsection 1,  
49 paragraphs a and b, Code 2009, are amended to read as  
50 follows:

1 a. ~~Gaming-enforcement-officers~~ A special agent I  
2 employed by the division of criminal investigation for  
3 excursion boat and gambling structure gambling  
4 enforcement activities.

5 b. ~~Fire~~ A fire prevention inspector ~~peace officers~~  
6 officer.

7 Sec. \_\_\_\_. Section 99D.14, subsection 2, Code 2009,  
8 is amended to read as follows:

9 2. A licensee shall pay a regulatory fee to be  
10 charged as provided in this section. In determining  
11 the regulatory fee to be charged as provided under  
12 this section, the commission shall use the amount  
13 appropriated to the commission plus the cost of  
14 salaries for no more than two special agents  
15 designated as a special agent II for each racetrack  
16 that has not been issued a table games license under  
17 chapter 99F or no more than three special agents  
18 designated as a special agent II for each racetrack  
19 that has been issued a table games license under  
20 chapter 99F, plus any direct and indirect support  
21 costs for the agents, for the division of criminal  
22 investigation's racetrack activities, as the basis for  
23 determining the amount of revenue to be raised from  
24 the regulatory fee.

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

27 4. In determining the license fees and state  
28 regulatory fees to be charged as provided under  
29 section 99F.4 and this section, the commission shall  
30 use as the basis for determining the amount of revenue  
31 to be raised from the license fees and regulatory fees  
32 the amount appropriated to the commission plus the  
33 cost of salaries for no more than two special agents  
34 designated as a special agent II for each excursion  
35 gambling boat or gambling structure and no more than  
36 four ~~gaming-enforcement-officers~~ special agents  
37 designated as special agent I for each excursion  
38 gambling boat or gambling structure with a patron  
39 capacity of less than two thousand persons or no more  
40 than five ~~gaming-enforcement-officers~~ special agents  
41 designated as a special agent I for each excursion  
42 gambling boat or gambling structure with a patron  
43 capacity of at least two thousand persons, plus any  
44 direct and indirect support costs for the agents and  
45 officers, for the division of criminal investigation's  
46 excursion gambling boat or gambling structure  
47 activities.

48 Sec. \_\_\_\_. Section 99G.33, Code 2009, is amended to  
49 read as follows:

50 99G.33 LAW ENFORCEMENT INVESTIGATIONS.

1 The department of public safety, division of  
2 criminal investigation, shall be the primary state  
3 agency responsible for investigating criminal  
4 violations under this chapter. The chief executive  
5 officer shall contract with the department of public  
6 safety for investigative services, including the  
7 employment of special agents designated as a special  
8 agent II, and support personnel, and procurement of  
9 necessary equipment to carry out the responsibilities  
10 of the division of criminal investigation under the  
11 terms of the contract and this chapter."  
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15 PROPOSED COMMITTEE AMENDMENT  
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LSB 1005JA

1 Amend LSB 1005JA as follows:

2 1. Page 20, by inserting after line 18 the  
3 following:

4 "Sec. \_\_\_\_\_. Section 216.5, Code 2009, is amended by  
5 adding the following new subsection:

6 NEW SUBSECTION. 16. To provide mediation services  
7 in disputes other than disputes involving allegations  
8 of unfair or discriminatory practices."

9 2. By renumbering as necessary.

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PROPOSED COMMITTEE AMENDMENT

*Civil Rights Commission - mediate cases  
other than civil rights.*

LSB 1005JA

1 Amend LSB 1005JA as follows:

2 1. Page 20, by inserting after line 18 the  
3 following:

4 "Sec. \_\_\_\_ Section 216.15, Code 2009, is amended  
5 by adding the following new subsection:

6 NEW SUBSECTION. 4A. The commission may permit,  
7 but shall not require, the complaint, responses to  
8 complaints, documents, or other materials filed with  
9 the commission to be electronically filed."

10 2. By renumbering as necessary.

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14 PROPOSED COMMITTEE AMENDMENT

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Civil Rights Commission -  
permits certain items to be filed electronically

LSB 1005JA

1 Amend LSB 1005JA as follows:

2 1. Page 19, by inserting after line 21 the  
3 following:

4 "Sec. \_\_\_\_ . Section 904.315, unnumbered paragraph  
5 2, Code 2009, is amended to read as follows:

6 A contract is not required for improvements at a  
7 state institution where the labor of inmates is to be  
8 used if the contract is not for a construction,  
9 reconstruction, demolition, or repair project or  
10 improvement with an estimated cost in excess of  
11 ~~twenty-five~~ fifty thousand dollars."

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15 PROPOSED COMMITTEE AMENDMENT

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*Increases the \$ cap on inmate labor  
by \$25,000*

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LSB 1005JA

1 Amend LSB 1005JA as follows:

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3 following:

4 "Sec. \_\_\_\_ Section 915.86, subsection 1, Code  
5 2009, is amended by adding the following new  
6 paragraphs:

7 NEW PARAGRAPH. a. The department shall negotiate  
8 the rates at which it will pay charges for medical  
9 care.

10 NEW PARAGRAPH. b. If the department awards  
11 compensation, in full, at the negotiated rate for  
12 medical care, and the medical provider accepts the  
13 payment, the medical provider shall hold harmless the  
14 victim for any amount not collected that is more than  
15 the rate negotiated by the department."

16 2. By renumbering as necessary.

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20 PROPOSED COMMITTEE AMENDMENT

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Permits the AG's office to negotiate  
with providers for medical care of victims.  
If the provider accepts the negotiated rate,  
no further financial obligations are  
made against the victim.

LSB 1005JA

1 Amend LSB 1005JA as follows:

2 1. Page 19, by inserting after line 21 the  
3 following:

4 "Sec. \_\_\_\_\_. Section 903A.2, subsection 1, paragraph  
5 a, unnumbered paragraph 1, Code 2009, is amended to  
6 read as follows:

7 Category "A" sentences are those sentences which  
8 are not subject to a maximum accumulation of earned  
9 time of fifteen percent of the total sentence of  
10 confinement under section 902.12. To the extent  
11 provided in subsection 5, category "A" sentences also  
12 include life sentences imposed under section 902.1.  
13 An inmate of an institution under the control of the  
14 department of corrections who is serving a category  
15 "A" sentence is eligible for a reduction of sentence  
16 equal to one and ~~two-tenths~~ one-half days for each day  
17 prior to, on, or after the effective date of this  
18 section of this Act, the inmate demonstrates good  
19 conduct and satisfactorily participates in any program  
20 or placement status identified by the director to earn  
21 the reduction. However, an inmate serving a category  
22 "A" sentence for an offense that requires registration  
23 as a sex offender under chapter 692A, or an inmate  
24 serving a category "A" sentence for an offense that is  
25 classified as a forcible felony under section 702.11,  
26 is only eligible for a reduction of sentence equal to  
27 one and two-tenths days for each day prior to, on, or  
28 after the effective date of this section of this Act,  
29 the inmate demonstrates good conduct and  
30 satisfactorily participates in any program or  
31 placement status identified by the director to earn  
32 the reduction. The programs include but are not  
33 limited to the following:"

34 2. Page 20, by inserting after line 18 the  
35 following:

36 "Sec. \_\_\_\_\_. EFFECTIVE DATE. The section of this  
37 Act amending section 903A.2, takes effect January 1,  
38 2010."

39 3. Title page, line 2, by inserting after the  
40 word "system" the following: ", and providing an  
41 effective date".

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45 PROPOSED COMMITTEE AMENDMENT

*earned time reduction*  
*- does not apply to sex offenders*  
*- does not apply to forcible felons*  
*- does not apply to 70.0%*  
*Sentences.*

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*Delays effective date.*