

SENATE/HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
APPROPRIATIONS BILL BY
JOINT APPROPRIATIONS
SUBCOMMITTEE ON JUSTICE
SYSTEM)

A BILL FOR

- 1 An Act relating to and making appropriations to the
- 2 justice system, and including effective and retroactive
- 3 applicability date provisions.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 1 Section 1. DEPARTMENT OF JUSTICE.

1 2 1. There is appropriated from the general fund of the state
1 3 to the department of justice for the fiscal year beginning July
1 4 1, 2010, and ending June 30, 2011, the following amounts, or
1 5 so much thereof as is necessary, to be used for the purposes
1 6 designated:

1 7 a. For the general office of attorney general for salaries,
1 8 support, maintenance, and miscellaneous purposes, including
1 9 the prosecuting attorneys training program, victim assistance
1 10 grants, office of drug control policy prosecuting attorney
1 11 program, and odometer fraud enforcement, and for not more than
1 12 the following full-time equivalent positions:

1 13	.....	\$	0
1 14	.....	FTEs	0

1 15 It is the intent of the general assembly that as a condition
1 16 of receiving the appropriation provided in this lettered
1 17 paragraph, the department of justice shall maintain a record
1 18 of the estimated time incurred representing each agency or
1 19 department.

1 20 b. For victim assistance grants:

1 21	\$	0
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1 22 The funds appropriated in this lettered paragraph shall be
1 23 used to provide grants to care providers providing services to
1 24 crime victims of domestic abuse or to crime victims of rape and
1 25 sexual assault.

1 26 The balance of the victim compensation fund established in
1 27 section 915.94 may be used to provide salary and support of not
1 28 more than 22 FTEs and to provide maintenance for the victim
1 29 compensation functions of the department of justice.

1 30 The department of justice may transfer moneys from the
1 31 victim compensation fund established in section 915.94 to the
1 32 victim assistance grant program.

1 33 c. For legal services for persons in poverty grants as
1 34 provided in section 13.34:

1 35	\$	0
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2 1 2. a. The department of justice, in submitting budget
2 2 estimates for the fiscal year commencing July 1, 2011, pursuant
2 3 to section 8.23, shall include a report of funding from sources
2 4 other than amounts appropriated directly from the general fund
2 5 of the state to the department of justice or to the office of
2 6 consumer advocate. These funding sources shall include but
2 7 are not limited to reimbursements from other state agencies,
2 8 commissions, boards, or similar entities, and reimbursements
2 9 from special funds or internal accounts within the department
2 10 of justice. The department of justice shall also report actual
2 11 reimbursements for the fiscal year commencing July 1, 2009,
2 12 and actual and expected reimbursements for the fiscal year
2 13 commencing July 1, 2010.

2 14 b. The department of justice shall include the report
2 15 required under paragraph "a", as well as information regarding
2 16 any revisions occurring as a result of reimbursements actually
2 17 received or expected at a later date, in a report to the
2 18 co-chairpersons and ranking members of the joint appropriations
2 19 subcommittee on the justice system and the legislative services
2 20 agency. The department of justice shall submit the report on
2 21 or before January 15, 2011.

2 22 c. The department shall cooperate with the auditor
2 23 of state in preparing a report detailing recommendations
2 24 for reimbursement moneys, including recommendations for
2 25 appropriating such reimbursement moneys. The auditor of state
2 26 shall provide the report to the co-chairpersons and ranking
2 27 members of the joint appropriations subcommittee on the justice
2 28 system, the legislative services agency, and the department of
2 29 management by December 15, 2010.

2 30 Sec. 2. OFFICE OF CONSUMER ADVOCATE. There is appropriated
2 31 from the general fund of the state to the office of consumer
2 32 advocate of the department of justice for the fiscal year
2 33 beginning July 1, 2010, and ending June 30, 2011, the following
2 34 amount, or so much thereof as is necessary, to be used for the
2 35 purposes designated:

3 1 For salaries, support, maintenance, miscellaneous purposes,
3 2 and for not more than the following full-time equivalent
3 3 positions:

3 4 \$ 0
3 5 FTEs 0

3 6 Sec. 3. DEPARTMENT OF CORRECTIONS — FACILITIES.

3 7 1. There is appropriated from the general fund of the state
3 8 to the department of corrections for the fiscal year beginning
3 9 July 1, 2010, and ending June 30, 2011, the following amounts,
3 10 or so much thereof as is necessary, to be used for the purposes
3 11 designated:

3 12 For the operation of adult correctional institutions,
3 13 reimbursement of counties for certain confinement costs, and
3 14 federal prison reimbursement, to be allocated as follows:

3 15 a. For the operation of the Fort Madison correctional
3 16 facility, including salaries, support, maintenance, and
3 17 miscellaneous purposes:

3 18 \$ 0

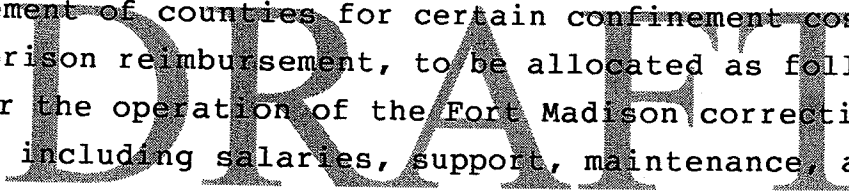
3 19 As a condition of receiving an appropriation in this
3 20 lettered paragraph, the department of corrections shall operate
3 21 the John Bennett facility either as an institution of the
3 22 department or a community-based correctional facility.

3 23 b. For the operation of the Anamosa correctional facility,
3 24 including salaries, support, maintenance, and miscellaneous
3 25 purposes:

3 26 \$ 0

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

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



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

4 5 c. For the operation of the Oakdale correctional facility,
4 6 including salaries, support, maintenance, and miscellaneous
4 7 purposes:

4 8 \$ 0

4 9 d. For the operation of the Newton correctional facility,
4 10 including salaries, support, maintenance, and miscellaneous
4 11 purposes:

4 12 \$ 0

4 13 e. For the operation of the Mt. Pleasant correctional
4 14 facility, including salaries, support, maintenance, and
4 15 miscellaneous purposes:

4 16 \$ 0

4 17 f. For the operation of the Rockwell City correctional
4 18 facility, including salaries, support, maintenance, and
4 19 miscellaneous purposes:

4 20 \$ 0

4 21 g. For the operation of the Clarinda correctional facility,
4 22 including salaries, support, maintenance, and miscellaneous
4 23 purposes:

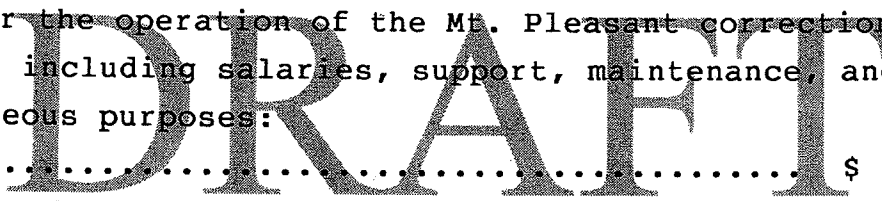
4 24 \$ 0

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

4 30 h. For the operation of the Mitchellville correctional
4 31 facility, including salaries, support, maintenance, and
4 32 miscellaneous purposes:

4 33 \$ 0

4 34 i. For the operation of the Fort Dodge correctional
4 35 facility, including salaries, support, maintenance, and



5 1 miscellaneous purposes:

5 2 \$ 0

5 3 j. For reimbursement of counties for temporary confinement
5 4 of work release and parole violators, as provided in sections
5 5 901.7, 904.908, and 906.17, and for offenders confined pursuant
5 6 to section 904.513:

5 7 \$ 0

5 8 k. For federal prison reimbursement, reimbursements for
5 9 out-of-state placements, and miscellaneous contracts:

5 10 \$ 0

5 11 2. The department of corrections shall use moneys
5 12 appropriated in subsection 1 to continue to contract for the
5 13 services of a Muslim imam.

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DEPARTMENT OF CORRECTIONS — ADMINISTRATION.

5 14 Sec. 4. There is appropriated from the general fund of the state
5 15 1. There is appropriated from the general fund of the state
5 16 to the department of corrections for the fiscal year beginning
5 17 July 1, 2010, and ending June 30, 2011, the following amounts,
5 18 or so much thereof as is necessary, to be used for the purposes
5 19 designated:

5 20 a. For general administration, including salaries, support,
5 21 maintenance, employment of an education director to administer
5 22 a centralized education program for the correctional system,
5 23 and miscellaneous purposes:

5 24 \$ 0

5 25 (1) It is the intent of the general assembly that as a
5 26 condition of receiving the appropriation provided in this
5 27 lettered paragraph the department of corrections shall not,
5 28 except as otherwise provided in subparagraph (3), enter
5 29 into a new contract, unless the contract is a renewal of an
5 30 existing contract, for the expenditure of moneys in excess of
5 31 \$ _____ during the fiscal year beginning July 1, 2010, for the
5 32 privatization of services performed by the department using
5 33 state employees as of July 1, 2010, or for the privatization
5 34 of new services by the department without prior consultation
5 35 with any applicable state employee organization affected

6 1 by the proposed new contract and prior notification of the
6 2 co-chairpersons and ranking members of the joint appropriations
6 3 subcommittee on the justice system.

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

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

6 23 b. For educational programs for inmates at state penal
6 24 institutions:

6 25 \$ 0

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

6 32 It is the intent of the general assembly that moneys
6 33 appropriated in this lettered paragraph shall be used solely
6 34 for the purpose indicated and that the moneys shall not be
6 35 transferred for any other purpose. In addition, it is the

7 1 intent of the general assembly that the department shall
7 2 consult with the community colleges in the areas in which the
7 3 institutions are located to utilize moneys appropriated in this
7 4 lettered paragraph to fund the high school completion, high
7 5 school equivalency diploma, adult literacy, and adult basic
7 6 education programs in a manner so as to maintain these programs
7 7 at the institutions.

7 8 To maximize the funding for educational programs, the
7 9 department shall establish guidelines and procedures to
7 10 prioritize the availability of educational and vocational
7 11 training for inmates based upon the goal of facilitating an
7 12 inmate's successful release from the correctional institution.

7 13 The director of the department of corrections may transfer
7 14 moneys from Iowa prison industries for use in educational
7 15 programs for inmates.

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

7 22 c. For the development of the Iowa corrections offender
7 23 network (ICON) data system:

7 24 \$ 0

7 25 d. For offender mental health and substance abuse treatment:

7 26 \$ 0

7 27 e. For viral hepatitis prevention and treatment:

7 28 \$ 0

7 29 2. It is the intent of the general assembly that the
7 30 department of corrections shall continue to operate the
7 31 correctional farms under the control of the department at
7 32 the same or greater level of participation and involvement
7 33 as existed as of January 1, 2010; shall not enter into any
7 34 rental agreement or contract concerning any farmland under
7 35 the control of the department that is not subject to a rental

8 1 agreement or contract as of January 1, 2010, without prior
8 2 legislative approval; and shall further attempt to provide
8 3 job opportunities at the farms for inmates. The department
8 4 shall attempt to provide job opportunities at the farms for
8 5 inmates by encouraging labor-intensive farming or gardening
8 6 where appropriate; using inmates to grow produce and meat for
8 7 institutional consumption; researching the possibility of
8 8 instituting food canning and cook-and-chill operations; and
8 9 exploring opportunities for organic farming and gardening,
8 10 livestock ventures, horticulture, and specialized crops.

8 11 3. The department of corrections shall provide a smoking
8 12 cessation program to offenders committed to the custody of the
8 13 director or who are otherwise detained by the department, that
8 14 complies with legislation enacted restricting or prohibiting
8 15 smoking on the grounds of correctional institutions.

8 16 4. As a condition of receiving the appropriations made
8 17 in this section, the department of corrections shall develop
8 18 and implement offender reentry centers in Black Hawk and
8 19 Polk counties to provide transitional planning and release
8 20 primarily for offenders released from the Iowa correctional
8 21 institution for women at Mitchellville and the Fort Dodge
8 22 correctional facility. Programming shall include minority
8 23 and gender-specific responsiveness, employment, substance
8 24 abuse treatment, mental health services, housing, and family
8 25 reintegration. The department of corrections shall collaborate
8 26 with the first and fifth judicial district departments of
8 27 correctional services, the Iowa department of workforce
8 28 development, the department of human services, community-based
8 29 providers and faith-based organizations, and local law
8 30 enforcement.

8 31 5. The chief security officer position within the
8 32 department of corrections shall be eliminated by June 30, 2011.

8 33 6. The department of corrections shall study the use of
8 34 paramedics at correctional institutions, and file a report
8 35 with the chairpersons and ranking members of the joint

9 1 appropriations subcommittee on the justice system and the
9 2 legislative services agency, detailing the study by January 15,
9 3 2011.

9 4 Sec. 5. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL
9 5 SERVICES.

9 6 1. There is appropriated from the general fund of the state
9 7 to the department of corrections for the fiscal year beginning
9 8 July 1, 2010, and ending June 30, 2011, for the treatment and
9 9 supervision of probation and parole violators who have been
9 10 released from the department of corrections violator program,
9 11 the following amounts, or so much thereof as is necessary, to
9 12 be allocated as follows:

9 13 a. For the first judicial district department of
9 14 correctional services:
9 15 \$ 0

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

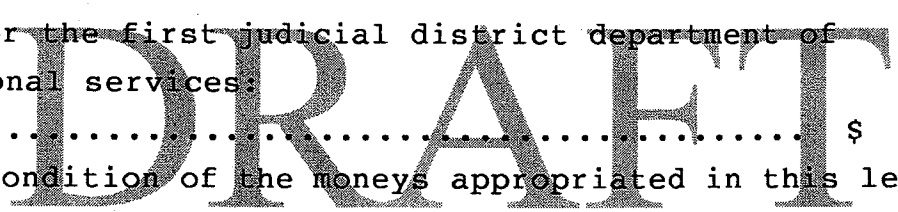
9 20 b. For the second judicial district department of
9 21 correctional services:
9 22 \$ 0

9 23 c. For the third judicial district department of
9 24 correctional services:
9 25 \$ 0

9 26 d. For the fourth judicial district department of
9 27 correctional services:
9 28 \$ 0

9 29 e. For the fifth judicial district department of
9 30 correctional services, including funding for electronic
9 31 monitoring devices for use on a statewide basis:
9 32 \$ 0

9 33 As a condition of receiving the appropriation in this
9 34 lettered paragraph, the fifth judicial district department of
9 35 correctional services shall reinstate 67 beds in buildings 65



10 1 and 66 at the Fort Des Moines facility and resume operating the
10 2 buildings, in addition to maintaining the 199 beds in buildings
10 3 68 and 70 at the Fort Des Moines facility. The district
10 4 department may use inmate labor to upgrade and renovate the
10 5 buildings, if renovation and updating are required.

10 6 *f.* For the sixth judicial district department of
10 7 correctional services:

10 8 \$ 0

10 9 *g.* For the seventh judicial district department of
10 10 correctional services:

10 11 \$ 0

10 12 *h.* For the eighth judicial district department of
10 13 correctional services:

10 14 \$ 0

10 15 2. Each judicial district department of correctional
10 16 services, within the funding available, shall continue programs
10 17 and plans established within that district to provide for
10 18 intensive supervision, sex offender treatment, diversion of
10 19 low-risk offenders to the least restrictive sanction available,
10 20 job development, and expanded use of intermediate criminal
10 21 sanctions.

10 22 3. Each judicial district department of correctional
10 23 services shall provide alternatives to prison consistent with
10 24 chapter 901B. The alternatives to prison shall ensure public
10 25 safety while providing maximum rehabilitation to the offender.
10 26 A judicial district department of correctional services may
10 27 also establish a day program.

10 28 4. The governor's office of drug control policy shall
10 29 consider federal grants made to the department of corrections
10 30 for the benefit of each of the eight judicial district
10 31 departments of correctional services as local government
10 32 grants, as defined pursuant to federal regulations.

10 33 5. The department of corrections shall continue to contract
10 34 with a judicial district department of correctional services to
10 35 provide for the rental of electronic monitoring equipment which

11 1 shall be available statewide.

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

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

11 21 Sec. 7. INTENT — REPORTS.

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

11 29 2. Each month the department shall provide a status report
11 30 regarding private-sector employment to the legislative services
11 31 agency beginning on July 1, 2010. The report shall include
11 32 the number of offenders employed in the private sector, the
11 33 combined number of hours worked by the offenders, and the
11 34 total amount of allowances, and the distribution of allowances
11 35 pursuant to section 904.702, including any moneys deposited in

12 1 the general fund of the state.

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

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

12 13 1. As used in this section, unless the context otherwise
12 14 requires, "state agency" means the government of the state
12 15 of Iowa, including but not limited to all executive branch
12 16 departments, agencies, boards, bureaus, and commissions, the
12 17 judicial branch, the general assembly and all legislative
12 18 agencies, institutions within the purview of the state board of
12 19 regents, and any corporation whose primary function is to act
12 20 as an instrumentality of the state.

12 21 2. State agencies are hereby encouraged to purchase
12 22 products from Iowa state industries, as defined in section
12 23 904.802, when purchases are required and the products are
12 24 available from Iowa state industries. State agencies shall
12 25 obtain bids from Iowa state industries for purchases of
12 26 office furniture during the fiscal year beginning July 1,
12 27 2010, exceeding \$5,000 or in accordance with applicable
12 28 administrative rules related to purchases for the agency.

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

12 35 1. For salaries, support, maintenance, miscellaneous

13 1 purposes, and for not more than the following full-time
13 2 equivalent positions:

13 3 \$ 0
13 4 FTEs 0

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

13 8 \$ 0

13 9 Sec. 11. IOWA LAW ENFORCEMENT ACADEMY.

13 10 1. There is appropriated from the general fund of the
13 11 state to the Iowa law enforcement academy for the fiscal year
13 12 beginning July 1, 2010, and ending June 30, 2011, the following
13 13 amount, or so much thereof as is necessary, to be used for the
13 14 purposes designated:

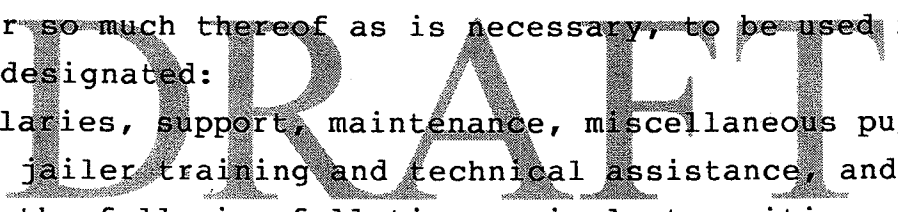
13 15 For salaries, support, maintenance, miscellaneous purposes,
13 16 including jailer training and technical assistance, and for not
13 17 more than the following full-time equivalent positions:

13 18 \$ 0
13 19 FTEs 0

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

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

13 30 2. The Iowa law enforcement academy may select at least
13 31 five automobiles of the department of public safety, division
13 32 of state patrol, prior to turning over the automobiles to
13 33 the department of administrative services to be disposed
13 34 of by public auction, and the Iowa law enforcement academy
13 35 may exchange any automobile owned by the academy for each



14 1 automobile selected if the selected automobile is used in
14 2 training law enforcement officers at the academy. However, any
14 3 automobile exchanged by the academy shall be substituted for
14 4 the selected vehicle of the department of public safety and
14 5 sold by public auction with the receipts being deposited in the
14 6 depreciation fund to the credit of the department of public
14 7 safety, division of state patrol.

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

14 13	For salaries, support, maintenance, miscellaneous purposes,		
14 14	and for not more than the following full-time equivalent		
14 15	positions:		
14 16	.....	\$	0
14 17	.....	FTEs	0

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

14 24 1. MILITARY DIVISION

14 25 For salaries, support, maintenance, miscellaneous purposes,
14 26 and for not more than the following full-time equivalent
14 27 positions:

14 28	.....	\$	0
14 29	.....	FTEs	0

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

15 1 2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION

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

15 5	\$	0
15 6	FTEs	0

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

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

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

15 24 1. For the department's administrative functions, including
15 25 the criminal justice information system, and for not more than
15 26 the following full-time equivalent positions:

15 27	\$	0
15 28	FTEs	0

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

16 1 positions:

16 2	\$	0
16 3	FTEs	0

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

16 9 The department shall employ one additional special agent and
 16 10 one additional criminalist for the purpose of investigating
 16 11 cold cases. Prior to employing the additional special agent
 16 12 and criminalist authorized in this paragraph, the department
 16 13 shall provide a written statement to prospective employees that
 16 14 states to the effect that the positions are being funded by a
 16 15 temporary federal grant and there are no assurances that funds
 16 16 from other sources will be available after the federal funding
 16 17 expires. If the federal funding for the additional positions
 16 18 expires during the fiscal year, the number of full-time
 16 19 equivalent positions authorized in this subsection is reduced
 16 20 by 2.00 FTEs.

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

16 34 3. For the criminalistics laboratory fund created in
 16 35 section 691.9:

17 1 \$ 0
 17 2 4. a. For the division of narcotics enforcement, including
 17 3 the state's contribution to the peace officers' retirement,
 17 4 accident, and disability system provided in chapter 97A in the
 17 5 amount of the state's normal contribution rate, as defined in
 17 6 section 97A.8, multiplied by the salaries for which the funds
 17 7 are appropriated, to meet federal fund matching requirements,
 17 8 and for not more than the following full-time equivalent
 17 9 positions:

17 10 \$ 0
 17 11 FTEs 0

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

17 14 \$ 0

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

17 24 \$ 0
 17 25 FTEs 0

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

17 34 \$ 0
 17 35 FTEs 0

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

18 5 7. For deposit in the sick leave benefits fund established
18 6 under section 80.42 for all departmental employees eligible to
18 7 receive benefits for accrued sick leave under the collective
18 8 bargaining agreement:

18 9 \$ 0

18 10 8. For costs associated with the training and equipment
18 11 needs of volunteer fire fighters:

18 12 \$ 0

18 13 Notwithstanding section 8.33, moneys appropriated in this
18 14 subsection that remain unencumbered or unobligated at the
18 15 close of the fiscal year shall not revert but shall remain
18 16 available for expenditure only for the purpose designated in
18 17 this subsection until the close of the succeeding fiscal year.

18 18 Notwithstanding section 8.39, within the moneys appropriated
18 19 in this section the department of public safety may reallocate
18 20 moneys as necessary to best fulfill the needs provided for
18 21 in the appropriation. However, the department shall not
18 22 reallocate an appropriation made to the department in this
18 23 section unless notice of the reallocation is given to the
18 24 legislative services agency and the department of management
18 25 prior to the effective date of the reallocation. The notice
18 26 shall include information about the rationale for reallocating
18 27 the appropriation. The department shall not reallocate
18 28 an appropriation made in this section for the purpose of
18 29 eliminating any program.

18 30 Sec. 15. CIVIL RIGHTS COMMISSION. There is appropriated
18 31 from the general fund of the state to the Iowa state civil
18 32 rights commission for the fiscal year beginning July 1,
18 33 2010, and ending June 30, 2011, the following amount, or so
18 34 much thereof as is necessary, to be used for the purposes
18 35 designated:

19 1 For salaries, support, maintenance, miscellaneous purposes,
19 2 and for not more than the following full-time equivalent
19 3 positions:

19 4	\$	0
19 5	FTEs	0

19 6 The Iowa state civil rights commission may enter into
19 7 a contract with a nonprofit organization to provide legal
19 8 assistance to resolve civil rights complaints.

19 9 Sec. 16. IOWA COMMUNICATIONS NETWORK. It is the intent
19 10 of the general assembly that the executive branch agencies
19 11 receiving an appropriation in this Act utilize the Iowa
19 12 communications network or other electronic communications
19 13 in lieu of traveling for the fiscal year addressed by the
19 14 appropriations.

19 15 Sec. 17. HOMELAND SECURITY AND EMERGENCY MANAGEMENT
19 16 DIVISION. There is appropriated from the wireless E911
19 17 emergency communications fund created in section 34A.7A to the
19 18 administrator of the homeland security and emergency management
19 19 division of the department of public defense for the fiscal
19 20 year beginning July 1, 2010, and ending June 30, 2011, an
19 21 amount not exceeding \$___ to be used for implementation,
19 22 support, and maintenance of the functions of the administrator
19 23 and program manager under chapter 34A and to employ the auditor
19 24 of the state to perform an annual audit of the wireless E911
19 25 emergency communications fund.

19 26 Sec. 18. IOWA LAW ENFORCEMENT ACADEMY — FEES.
19 27 Notwithstanding section 80B.11B, the Iowa law enforcement
19 28 academy may charge more than one-half the cost of providing the
19 29 basic training course if a majority of the Iowa law enforcement
19 30 academy council authorizes charging more than one-half of the
19 31 cost of providing basic training. This section is repealed on
19 32 June 30, 2011.

19 33 Sec. 19. INTERIM REPORTING — IMPLEMENTATION. The board
19 34 of parole shall develop and implement the certificate of
19 35 employability program as provided in section 906.19. The board

20 1 shall file an interim status report regarding the certificate
20 2 of employability program development with the general assembly
20 3 and the legislative services agency by January 1, 2011.

20 4 Sec. 20. CORRECTIONAL OFFICER AND PEACE OFFICER —
20 5 PRIORITY. As a condition of receiving an appropriation in
20 6 this Act, the department of corrections and the department of
20 7 public safety shall make every effort to preserve correctional
20 8 officer and peace officer positions through the reduction of
20 9 administrative and related overhead costs.

20 10

EXPLANATION

20 11 This bill makes appropriations from the general fund of the
20 12 state for fiscal year 2010-2011 to the departments of justice,
20 13 corrections, public defense, and public safety, and the Iowa
20 14 law enforcement academy, office of consumer advocate, office
20 15 of the state public defender, board of parole, and Iowa state
20 16 civil rights commission.

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